



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

AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held via Zoom on **23 February 2021 at 7.30 pm.**

The link to the Zoom meeting is below. If you prefer to join the meeting by phone please dial 0203 481 5237 and enter meeting ID 973 3009 0535 when prompted.

<https://weareislington.zoom.us/j/97330090535>

Enquiries to : Zoe Lewis
Tel : 020 7527 3486
E-mail : democracy@islington.gov.uk
Despatched : 12 February 2021

Welcome:

Members of the public are welcome to attend this meeting.

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

Committee Membership

Councillor Kay (Chair)
Councillor Khondoker (Vice-Chair)
West;
Councillor Klute
Councillor Chowdhury
Councillor Woolf

Wards

- Mildmay;
- Highbury
- St Peter's;
- Barnsbury;
- Canonbury;

Substitute Members

Councillor Poyser
Councillor Picknell
Councillor Convery
Councillor Clarke
Councillor Wayne
Councillor Webbe
Councillor Burgess
Councillor A Clarke-Perry
Councillor Hyde
Councillor Ismail

- Hillrise;
- St Mary's;
- Caledonian;
- St George's;
- Canonbury;
- Bunhill;
- Junction;
- St Peter's;
- Caledonian;
- Holloway;

Quorum: 3 councillors



A. Formal Matters

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Order of Business
6. Minutes of Previous Meeting

B.	Consideration of Planning Applications	Page
1.	198 Brecknock Road, London, N19 5BE	9 - 78
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3.	37F Mews House, Mildmay Grove North, Islington, London, N1 4RH	103 - 120
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C.	Consideration of other planning matters	Page
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D. Urgent non-exempt items

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

E. Exclusion of press and public

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

F.	Confidential/exempt items	Page
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G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee B, 15 June 2021

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

PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

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

London Borough of Islington

Planning Sub Committee B - 8 December 2020

Minutes of the meeting of the Planning Sub Committee B held via Zoom on 8 December 2020 at 7.30 pm.

Present: **Councillors:** Kay (Chair), Klute, Chowdhury and Woolf

Councillor Jenny Kay in the Chair

40 **INTRODUCTIONS (Item A1)**

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

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

Apologies were received from Councillor Khondoker. Apologies were also received from Councillor Hyde, a ward councillor.

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

None.

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

Councillor Klute declared an interest in Items B1 and B2. He would not take part in the consideration of these items.

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

The order of business would be as per the agenda.

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

RESOLVED:

That the minutes of the meeting held on 14 July 2020 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

46 **16-33 RHEIDOL MEWS, ISLINGTON, LONDON, N1 8NU (Item B1)**

Partial demolition of No's 16 - 18, 21, 22, and 29-31 and replacement with new buildings; Refurbishment of the remaining buildings within Rheidol Mews including installation of replacement windows/doors and demolition of external staircases and the change of use from a mix of previous uses to Class C3 Residential with the creation of 2 flats and 7 houses.

(Planning Application Number: P2020/1731/FUL)

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

In the discussion the following points were made:

- Concerns were raised about the daylight/sunlight test, whether this had been published and had taken into account some of the flats being mislabelled as houses. The planning officer stated that the daylight/sunlight test results were published as part of the submission and the windows would have been assessed in the same way whether they were labelled as flats or houses.
- A member queried the nature of marketing and why, if sufficient, it had not been evidenced. The applicant advised that the marketing did not comply with Islington's requirements. The applicant had bought the site in 2018 and although the offices had been marketed, it had not been for two years.

RESOLVED:

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

47 16-33 RHEIDOL MEWS, ISLINGTON, LONDON, N1 8NU (Item B2)

Partial demolition of No's 16 - 18, 21, 22, and 29-31 and replacement with new buildings; refurbishment of the remaining buildings within Rheidol Mews including installation of replacement windows/doors and demolition of external staircases.

(Planning application number: P2019/1262/FUL)

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

In the discussion the following main points were made:

- Concerns were raised about the daylight/sunlight test and that BRE guidelines had been breached. The planning officer stated that the BRE guidelines were just guidelines and one window breaching them was not enough to recommend refusal in this case.
- Concerns were raised about a wall for which the planning officer had requested a structural survey. This was listed in the approved plans and drawings list and planning permission was subject to the wall being retained. The applicant confirmed that a structural survey had taken place and the design included the retention of the walls.
- The application was broadly policy compliant.
- The chair asked the applicant to be a better neighbour.

Councillor Woolf proposed that a condition be added to retain the wall. This was seconded by Councillor Chowdhury and carried.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report and the additional condition outlined above, the wording of which was delegated to officers.

48 **634-638 HOLLOWAY ROAD, ISLINGTON, LONDON, N19 3NU (Item B3)**

Demolition of the existing buildings and erection of a part four storey part five storey building, comprising 7 residential units (1 x 1-bed, 5 x 2-beds & 1 x 3-bed) on the upper floors and commercial office floorspace (Class B1a) at ground floor level as well as refuse and cycle storage. (Reconsultation due to amended design and description).

(Planning Application Number: P2019/3143/FUL)

In the discussion the following main points were made:

- The planning officer advised that an additional objection had been received.
- A member queried the £2,000 accessible parking contribution. The planning officer stated that one accessible parking space was required per 33 employees. This bay could not be provided on site and so the standard accessible parking contribution was required.
- A member commented that the overall massing, accommodation and the inclusion of a business unit was acceptable for the location. However he had concerns about the concrete frame design and considered that solid brickwork would be more appropriate.

Councillor Klute proposed a motion to refuse planning permission on design grounds. This was seconded by Councillor Chowdhury and carried.

RESOLVED:

That planning permission be refused on design grounds, the wording of which was delegated to officers.

49 **MOORE COURT, ANDERSON SQUARE, LONDON, N1 2TF (Item B4)**

The construction of two new residential units on the existing flat roof of Moore Court, forming a 4th storey, as well as an additional refuse store and associated cycle parking.

Re-consultation due to: amended design and new description.

(Planning Application Number: P2019/0031/FUL)

In the discussion the following main points were made:

- The planning officer stated that an additional objection had been received. The points raised had been addressed in the officer's report.
- A member raised concern that application was not supported by the inclusive design officer. The planning officer replied that accessibility for wheelchair users could not be created within the constraints of the site.
- The bin store design was considered. The final design would have to be submitted to the local planning authority.

- Concerns were raised about the lack of engagement with neighbours including the neighbouring nursery.
- The planning officer confirmed that the Local Planning Authority had carried out consultation in accordance with statutory requirements.
- The planning officer stated that there was an extensive construction management plan condition.
- In response to a question from the chair, the planning officer advised of the recent change to the national planning system which meant that up to two storeys could be added to some buildings if they met certain standards under permitted development. This could be applicable for this site. A member raised concern that if not granted, the permitted development option could enable a less desirable extension to be built.
- A member commented that there had been a significant improvement in the design.

Councillor Klute proposed that the construction management plan be amended to include the nursery along with residents and that the plan be submitted and agreed before the commencement of any work. This was seconded by Councillor Kay and carried.

RESOLVED:

That planning permission be granted subject the conditions set out in Appendix 1 of the officer's report with the amended condition above and subject the terms agreed within the unilateral Undertaking which was signed and completed on the 14 May 2020 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's report.

50 **MERSEY GARAGES, RINGCROFT STREET, ISLINGTON, N7 8ND (Item B5)**

Stopping Up Order of existing highway to front of the Mersey Garages, Ringcroft Street under Section 247 of the Planning Act 1990 to enable the redevelopment of the Mersey Garages adjacent to 29 Mersey Estate, for residential use.

(Planning Application Number: P2019/0608/FUL)

RESOLVED:

That the stopping up be approved subject to the applicant first entering into an indemnity agreement to pay all the council's costs in respect of the stopping up and consultation be commenced.

51 **ROMAN WAY INDUSTRIAL ESTATE, UNIT 8, 149 ROMAN WAY, LONDON, N7 8XH (Item B6)**

Change of use of the existing ancillary storage function to the brewery on a permanent basis to a mixed B1(c) (Light Industrial) and A4 (Drinking Establishment) use (Sui Generis), following the granting of planning permission (ref.

P2018/3090/FUL) on 12/04/2019 for a temporary period including alterations to the previously approved hours of operation to:

(a) Tuesday to Thursday 16:00 to 22:30 hours

(b) Friday and Saturdays 12:00 to 22:30 hours

(Planning Application Number: P2020/1511/FUL)

In the discussion the following main points were made:

- In response to a member's question, the planning officer advised that the kitchen and extraction equipment had previously been approved and installed.
- A member raised concern that the hours being requested were significantly greater than those granted under the temporary permission. He suggested that the outside space be closed from 8pm with the premises closed by 9pm on Tuesdays to Thursdays.
- The noise officer reported that there had been four complaints from two separate complainants and this was not a large number for a new business with outside space.
- A member asked the applicant if they were planning to open every day apart from Mondays and the applicant stated that initially he planned to open from Wednesdays to Sundays.
- A member commented that it was important to support small independent businesses but also acknowledged that the hours requested differed significantly from the hours granted under the temporary planning permission.
- A member stated that he was impressed with the way the temporary consent had been implemented and given the current context it was understandable that the applicant would want to increase the opening hours.

RESOLVED:

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

WORDING DELEGATED TO OFFICERS

MINUTE 47

16-33 RHEIDOL MEWS, ISLINGTON, LONDON, N1 8NU

ADDITIONAL CONDITION: In accordance with the Visual Structural Survey Report dated 2 July 2019, the Structural Method Statement dated 31 October 2019 and the approved drawings list, the shared boundary walls with properties on Allingham Street, Dame Street and Rheidol Terrace shall be retained and must not be demolished as part of the implementation of the development hereby approved.

REASON: To protect the historic character and neighbouring amenity of adjacent properties on Allingham Street, Dame Street and Rheidol Terrace

MINUTE 48

634-638 HOLLOWAY ROAD, ISLINGTON, LONDON, N19 3NU

REASON FOR REFUSAL: The proposed design by reason of the appearance and materiality of the primary façade facing Holloway Road and the neighbouring Mercers Road / Tavistock Terrace Conservation Area would form a dominant and discordant type of development in comparison to the surrounding built form as well as the adjoining heritage asset. The development is therefore considered to fail to preserve or enhance the character and appearance of the neighbouring Conservation Area as well as the setting of the Holloway Road, a major thoroughfare through the borough, contrary to CS policy 9 and 8, Development Management Policies DM2.1 and DM2.3, Islington's Urban Design Guidance and the NPPF 2019.

MINUTE 49

MOORE COURT, ANDERSON SQUARE, LONDON, N1 2TF

AMENDED CONDITION 4: 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 should refer to Islington's Code of Practice for Construction Sites (2018) and include details and arrangements regarding:

- a) Consultation with neighbours, including the nearby Mars Montessori Nursery on Collins Yard, with regard to construction work and potential mitigation measures.
- b) The notification of neighbours with regard to specific works;
- c) Advance notification of any access way, pavement, or road closures;
- d) 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;
- e) Details regarding the planned demolition and construction vehicle routes and access to the site;
- f) 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;
- g) 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;
- h) 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.)

- i) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;
- j) Details of measures taken to prevent noise disturbance to surrounding residents;
- k) 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;
- l) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- m) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;
- n) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and
- o) 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) 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 report should contain detailed information on the minimizing of noise, demolition methods and best practice measures in line with Islington's Code of Practice for Construction Sites (2018).

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.

The meeting ended at 9.45 pm

CHAIR



PLANNING COMMITTEE REPORT



PLANNING SUB-COMMITTEE B		
Date:	23 rd February 2021	NON-EXEMPT

Application number	P2020/1800/FUL
Application type	Full Planning Application
Ward	St Georges
Listed building	No
Conservation area	Tufnell Park Conservation Area
Development Plan Context	Tufnell Park Conservation Area and Article 4 Direction
Licensing Implications	No
Site Address	198 Brecknock Road, Islington, London, N19 5BE
Proposal	<p>Application for full planning permission for amendments to the approved development (Ref. P2015/5283/FUL) for the 'Change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing' including those approved under non-material amendment application (Ref. P2019/2733/NMA) for two new roof lights to the flat roof, the height of the ground floor door, introduction of aluminium framed sliding doors and windows to northeast elevation, reconfigured light well and new external stair providing access to cycle store. As well as the following the following additional alterations:</p> <ul style="list-style-type: none"> (a) The deconstruction and reconstruction of the north-eastern external brickwork wall (b) Replacement of the original front dormer window facing Corinne Road with a new slate hung dormer window. (c) Replacement of the original roof including fascia board (d) Partial deconstruction and reconstruction of front porch

Case Officer	Daniel Jeffries
Applicant	c/o agent
Agent	Ms Aimee Squires - Savills

1. RECOMMENDATION

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

2. SITE PLAN (SITE OUTLINED IN RED)



3. PHOTOS OF SITE/STREET

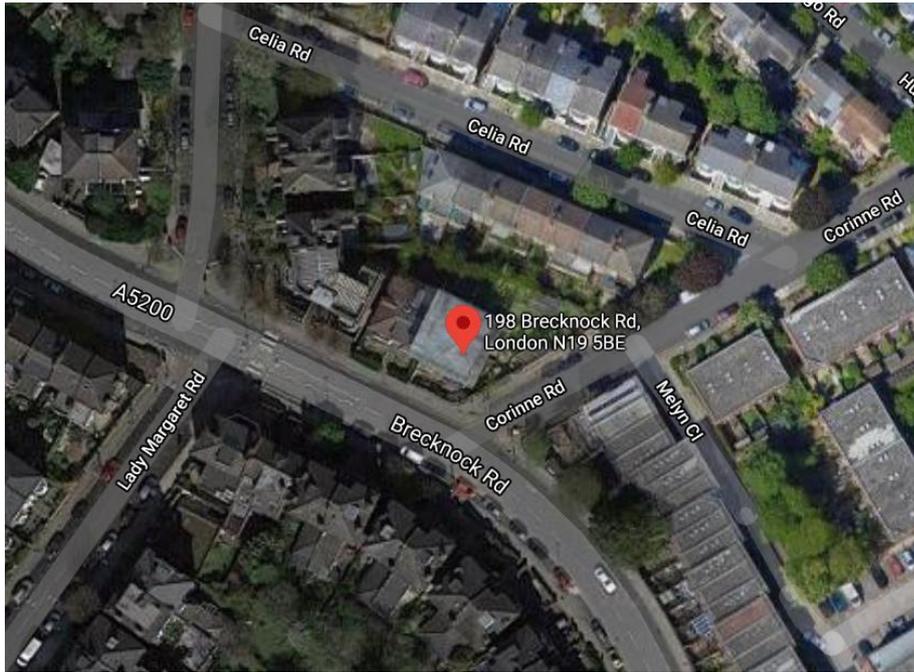


Image 1: Aerial view of site

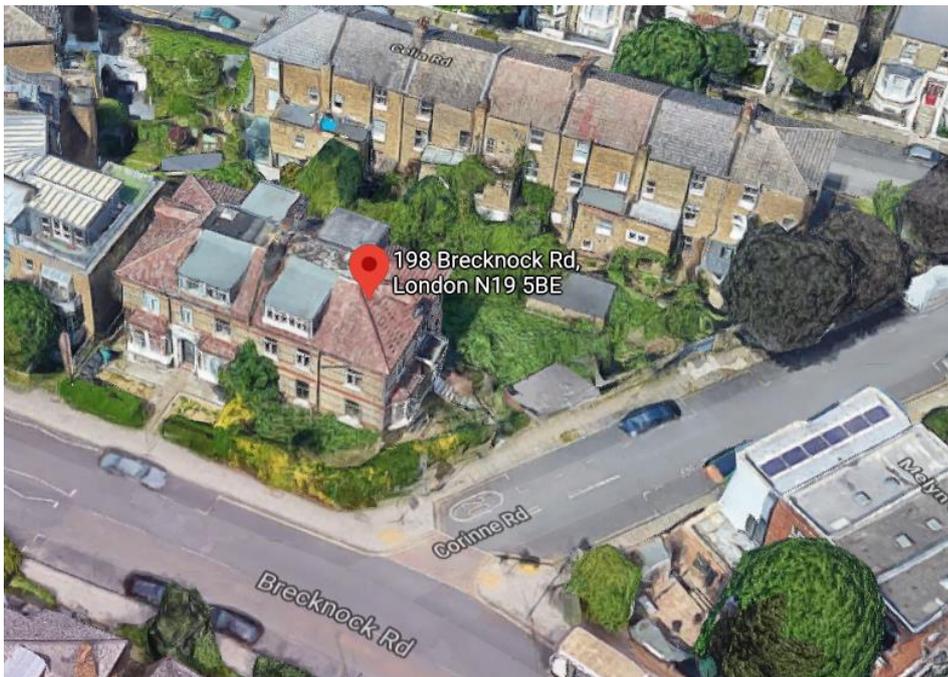


Image 2: Aerial view of site (facing north)



Images 3: View of subject building from Brecknock Road (facing east) following implementation of application Ref. P2015/5283/FUL



Images 4: View of subject building from Brecknock Road (facing east) prior to implementation of application Ref. P2015/5283/FUL



Image 5: View of subject building from Corinne Road (facing north) following implementation of application Ref. P2015/5283/FUL



Images 6: View of subject building from Corinne Road (facing north) prior to implementation of application Ref. P2015/5283/FUL



Image 7: View of subject building from Brecknock Road (facing south) following implementation of application ref. P2015/5283/FUL



Image 7: View of subject building from Brecknock Road (facing south) prior to implementation of application ref. P2015/5283/FUL

4. SUMMARY

- 4.1 The application seeks planning permission for amendments to the approved development (Ref. P2015/5283/FUL) for the 'change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing' including those approved under non-material amendment application (Ref. P2019/2733/NMA). The alterations approved under the non-material amendment include combining the lightwells around the southwest corner at lower ground floor (Flat 1), changing the materials of the windows and glazed doors to aluminium (7no.) on north east elevation at lower ground (Flat 2) and ground (Flat 4) floor level, increase the size of the front door at ground floor (by 0.5m serving the roof terrace at Flat 4) two new roof lights to the flat roof of the approved extension (Flat 4) as well as an timber clad refuse and recycling storage with associated external staircase providing access. This application also seeks the following additional alterations:
- a) The deconstruction and reconstruction of the north-eastern external brickwork wall
 - b) Replacement of the original front dormer window facing Corinne Road with a new slate hung dormer window.
 - c) Replacement of the original roof including fascia board
 - d) Partial deconstruction and reconstruction of front porch
- 4.2 The principle of the change of use of the host building into 7 no. self-contained residential units has been established following the subsequent approval and implementation of the approved development (Ref. P2015/5283/FUL) subject to all other material considerations.
- 4.3 In design terms, the host building is highly visible from the public realm and the wider Tufnell Park Conservation Area. Therefore it is important that the proposal preserves or enhances the visual appearance of the host building and wider conservation area. The majority of the proposed external changes were considered acceptable in design terms in the assessment in the originally approved development (Ref. P2015/5283/FUL) which was assessed against the current design advice and policies in the Development Plan. As such, these approved alterations are acceptable in design terms. The alterations associated within the approved non-material amendment application (Ref. P2019/2733/NMA) were considered to be sufficiently minor in nature and scale to be acceptable as a non-material amendment, and are considered acceptable in design terms.
- 4.4 The new additional alterations subject to this application relate to the partial replacement of the external elevations of the host building including at roof level. Following the submission of detailed design information the Council is satisfied that these alterations would accurately replicate the former visual appearance of the host building, and are therefore considered to preserve the visual appearance of the host building and wider conservation area, and are acceptable in this regard.
- 4.5 The proposal is considered not to result in a significant loss of amenity to neighbouring properties in terms of loss of daylight/sunlight, outlook, sense of enclosure, privacy or noise. The application includes a Daylight/Sunlight Report which confirms that the proposal would be compliant with BRE Guidelines. The proposal would maintain the same separation distances with neighbouring properties. The conditions attached to the original planning permission Ref. P2015/5283/FUL relating to the requirement for obscure glazing to the north east elevation, as well as the installation of privacy screens to the ground floor roof terrace (to be installed prior to occupation of the units) are recommended to be retained in the event this revised application was approved.
- 4.6 The proposal would retain the same layout and size of the proposed flats as approved under planning permission Ref. P2015/5283/FUL and is considered to provide an acceptable standard of accommodation for future occupiers.
- 4.7 The Council has received the full payment for affordable housing contributions (£350,000) on 6th September 2019 associated with the approved planning application ref. P2015/5283/FUL. In

addition, the payment of £7,082.18 for the removal of the crossover to the Council's Highways Team has been received by the Council on 30th October 2019.

- 4.8 Conditions have been recommended to ensure the previously approved cycle and refuse storage areas (within approval of details applications relating to cycle storage respectively (Ref. P2019/1639/AOD) pursuant to conditions 4 and 8 of planning permission Ref. P2015/5283/FUL) are implemented, and are shown in the submitted drawings.
- 4.9 The application is brought to committee because of the number of objections received (11).
- 4.10 The proposal is considered to be acceptable and it is recommended that the application be approved subject to conditions.

5. SITE AND SURROUNDINGS

- 5.1 The application site is a two storey, semi-detached property, with accommodation within the basement and roofspace. There is a shallow lightwell to the front and side of the property which provides light into high level basement level windows and a full depth lightwell to the rear.
- 5.2 The property is currently under construction following the implementation of planning permission Ref. P2015/5283/FUL. However, this has now ceased following an ongoing Enforcement Investigation (Ref. E/2019/0377) for demolition works which were outside the scope of the original permission, including to the rear and roof of the building, resulting in only three façades of the property remaining (front (south west) and side (north west and southeast) elevations). The Council considered in the assessment of the previously approved application (Ref. P2015/5283/FUL), that it was likely that the property was last used as two self-contained flats and a small HMO (House in Multiple Occupation), but that there is no planning history to support this use. The previous lawful use, as determined by implemented planning permission P991365 dated 20/10/1999, was as a hostel.
- 5.3 The property forms a 19th century pair with number 200 Brecknock Road. The properties are not identical, the adjoining property has two bay windows fronting Brecknock Road whereas the subject property has its main façade, with bay window and front door, fronting onto Corinne Road. The pair are very much a standalone pair in style and the immediate vicinity contains a mixture of age and style of housing. Adjacent to number 200 is a modern flatted development, on the opposite side of Corinne Road is a new terraced house attached to a 1960's row. Further down Corinne Road and opposite the site on Brecknock Road are 19th century villas.
- 5.4 To the rear of the site, fronting Corinne Road, is a grassed garden containing 2 single detached garages. There is a vehicular entrance onto the site from Corinne Road. Bounding the site to the north east are the rear gardens of properties on Celia Road. The land slopes down from east to west, so that the rear gardens and windows of the adjoining properties at Celia Road sit at a lower level than the subject site.
- 5.5 The site is located within the Tufnell Park Conservation Area. The property is neither listed nor locally listed.

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks planning permission for amendments to the approved development (ref. P2015/5283/FUL) for the 'change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing' including those approved under non-material amendment application (ref. P2019/2733/NMA) for two new roof lights to the flat roof, the height of the ground floor door, introduction of aluminium framed sliding doors and windows, reconfigured light well and new external stair providing access to cycle store. As well as the following the following additional alterations:

- a) The deconstruction and reconstruction of the north-eastern external brickwork wall

- b) Replacement of the original front dormer window facing Corinne Road with a new slate hung dormer window.
- c) Replacement of the original roof including fascia board
- d) Partial deconstruction and reconstruction of front porch

- 6.2 The application has been submitted following the granting of planning permission Ref. P2015/5283/FUL subject to conditions and a legal agreement, that was determined at Planning Sub-Committee B on 25th July 2017. The legal agreement included obligations for the payment of affordable housing contributions of £350,000 and the payment of £7,082.18 for the removal of redundant footway crossover upon implementation of the development. The affordable housing payment was received by the Council on 6th September 2019 and the payment for the removal of the redundant footway crossover was received by the Council on 30th October 2019, in addition to the receipt of CIL (Community Infrastructure Levy) payments of £36,948.75 on 29 October 2019.
- 6.3 The Council considers that the original permission (Ref. P2015/5283/FUL) was implemented, but the level of demolition works was limited to *demolition/removal of the existing secondary structures (garages)* (as noted in the originally approved Planning Statement). However, the subsequent level of demolition went beyond the scope of the planning application. A subsequent investigation by the Council's Enforcement Team (Ref. E/2019/0377) relating to the demolition of the rear elevation and roof of the building, found that only three of the façades of the property remain. The Council confirmed that a separate planning application for full planning permission was required for the changes proposed within a subsequent non-material amendment application (Ref. P2019/2916/NMA) which included the additional demolition including the north east elevation, the roof including the front dormer, which would be replaced on a like for like basis. This application was refused on 21st October 2019.
- 6.4 This application seeks permission to carry out the external works, including the demolition as described above to resolve the enforcement investigation matters, as well as the alterations associated with the implemented planning permission (Ref. P2015/5283/FUL) and subsequent non-material amendment application (Ref. P2019/2733/NMA). This non-material amendment application which was agreed on 18th September 2019, includes two new roof lights to the flat roof of the extension, amendment to the height of the ground floor door, changing the materials to include aluminium framed sliding doors and windows (7 no.) on north east elevation, reconfigured light well and new external stair providing access to cycle store.
- 6.5 In addition, there are a number of approved planning conditions pursuant to the implemented planning permission (Ref. P2015/5283/FUL) including condition 11 for a Construction Management Statement (ref. P2019/1637/AOD), condition 5 relating to the materials (Ref. P2019/1638/AOD), conditions 4 and 8, relating to the recycling and refuse and cycle storage respectively (Ref. P2019/1639/AOD), and condition 5(d) relating to the materials for the privacy screens (Ref. P2019/2700/AOD). The details previously approved by way of condition have been integrated within the recommended conditions here.
- 6.6 This application would retain the same internal layout as the layout approved under planning permission Ref. P2015/5283/FUL) and incorporate the external changes approved as part of this application in addition to those approved within the subsequent non-material amendment application (Ref. P2019/2733/NMA), and approved within the subsequent approval of details applications (Refs. P2019/1637/AOD, P2019/1638/AOD, P2019/1639/AOD and P2019/2700/AOD).
- 6.7 For the avoidance of doubt, the elements that form part of this application that have previously not been subject to planning permission are:
- The deconstruction and reconstruction of the north-eastern external brickwork wall
 - Replacement of the original front dormer window facing Corinne Road with a new slate hung dormer window.

- Replacement of the original roof including fascia board
- Partial deconstruction and reconstruction of front porch

7. RELEVANT HISTORY:

Planning

- 7.1 P831564: The retention of the three hostel bedrooms and the existing two room nonself-contained flat on the ground floor of no. 198 and the formation of a three bedroom (5-6 room) maisonette from the first floor of no. 198 and the attic floor entailing the enlargement of the existing front and rear dormers. **Approved on 29/03/1984**
- 7.2 P991365: Change of use to a hostel. **Approved 20/10/1999**
- 7.3 P001165: Conversion to provide nine studio flats, one 1-bedroom flat and two bedsits and a shared 'common room'. **Refused 09/03/2001**
- 7.4 P122154: Erection of a part 2 part 3 storey building to the rear of 198 Brecknock Road, fronting Corinne Road, to provide 1 x 4 bedroom dwelling with associated landscaping, boundary treatments, refuse and cycle storage and associated works. **Refused on 19/08/2013**. The reasons for refusal were as follows:
- REASON 1. The proposed new dwelling by reason of its height, bulk and detailed design would fail to preserve and enhance the character and appearance of the Tufnell Park Conservation Area. Further the proposal would detract from the openness of the surrounding properties, which is an important characteristic of the Conservation Area. The proposal therefore fails to comply with the NPPF, policy CS9 of the Core Strategy 2009, DM 2.1 and DM 2.3 of the Development Management Policies, the Conservation Area Guidelines and the Urban design Guidelines
- REASON 2. The proposed new dwelling by reason of its height, bulk and mass would be overbearing which would be detrimental to the outlook of the neighbouring properties in Celia Road. This would be contrary to Policy DM2.1 of the Development Management Policies 2013.
- 7.5 P2015/5283/FUL: Change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing. **Approved subject to condition and legal agreement on 5th October 2017**
- 7.6 P2018/0120/NON: Change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing. **Non-validation Appeal Dismissed on 29/11/2018**.
- 7.7 P2018/0473/NON: Use of the property as two studio flats and a large HMO (comprising 13 bedrooms); with extension at the lower ground and ground floor level and other external alterations including replacement timber windows with new timber windows throughout. **Non-validation Appeal Dismissed on 29/11/2018**.
- 7.8 P2019/1844/S73: Application for variation of condition 2 of planning permission ref: P2015/5283/FUL dated 05.10.2017. The amendments consist of: new roof light, new doors and windows, reconfigured light well, new external stair and new timber-clad refuse storage. **(Withdrawn)**
- 7.9 P2019/1845/S73: Application for removal/variation to condition 2 of planning permission ref: P2015/5283/FUL dated 05.10.17. The amendments consist of: two new roof lights to flat roof, amendment to height of lower ground floor window, minor height increase of the floor level and parapet to new extension, minor increase in height of party wall. **(Withdrawn)**

- 7.10 P2019/2314/S73: Section 73 (Minor Material Amendment) to vary condition 2 of planning permission reference:P2015/5283/FUL, dated:05/10/2017 to allow for a minor external alterations including the replacement of obscure glazed screening with horizontal cedar trellis. **(Withdrawn)**
- 7.11 P2019/2733/NMA: Non-Material Amendment to planning permission reference: P2015/5283/FUL, dated: 05/10/2017. The amendments consist of: two new roof lights to the flat roof, amendment to the height of the ground floor door, introduction of some aluminium framed sliding doors and windows, reconfigured light well and new external stair providing access to cycle store. **Non-material amendment(s) agreed on 18/09/2019.**
- 7.12 P2019/2916/NMA: Application for a Non-Material Amendment to planning permission ref: P2015/5283/FUL dated 05/10/2017 for 'Change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing.' The NMA seeks to clarify the extent of demolition and rebuilding required to facilitate the construction of the development. **Non-material amendment(s) not agreed on 21/10/2019.**
- 7.13 P2019/3187/S73: Section 73 application to vary Condition 2 (Drawing and Document Numbers) of planning permission ref: P2015/5283/FUL dated 05/10/2017 for 'Change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing.' Amendments include: demolition and rebuild of existing north-east elevation; replacement of existing roof; and replacement of existing dormer to front elevation. **(Withdrawn)**

Enforcement:

- 7.14 E/2015/0321: opened 22nd June 2015. Noise and disturbance from internal works. **Case closed 25th June 2015**
- 7.15 E/2018/0157: Untidy land (front and rear gardens overgrown) **Case closed on 09/01/2020**
- 7.16 E/2019/0377: Demolition of rear and roof of building resulting in a façade of property remaining only **(investigation ongoing)**

Pre-application

- 7.17 Q2015/2746/MIN: Extensions, reconfiguration of the parking area in conjunction with the conversion of the existing property into 7 self-contained flats.

Officer's response:

- *Advised that there were concerns in regards to the impacts on the appearance and character of the conservation area, dwelling size mix and standard of residential amenity.*
- *Recommended that the amendments described should be given consideration and it is therefore advised to seek further guidance on a revised scheme prior to the submission of an application.*

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 240 no. adjoining and nearby properties at Celia Road, Brecknock Road, Lady Margaret Road, Melyn Close, Hugo Road and Corinne Road on the 31st July 2020, and site and press adverts were displayed. Following the submission of an additional information including the method of construction, further consultation letters were sent on 4th January 2021. The consultation period expired on 18th January 2021.

8.2 At the time of the writing of this report a total of **11** responses had been received from the public, with 10 no. responses raising objection to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Design, Conservation and Heritage

- Design and visual appearance of alterations and impact on conservation area
- Loss of the existing garden
(Paragraphs 10.5 to 10.29)

Neighbouring Amenity

- Loss of daylight/sunlight and outlook
- Loss of privacy (including lack of 18m separation distances)
- Sense of enclosure/overbearing to neighbouring properties
- Impacts during construction period and lack of compliance with Construction Management Statement (including community consultation)
(Paragraphs 10.30 to 10.50)

Housing mix and standard of accommodation

- Raised concerns with housing mix and housing density (including too many 1 bedroom units)
- Lack of compliance minimum floor space standards
(Paragraphs 10.51 to 10.62)

Highways and Transport

- Space on site for car parking space and existing car parking on street
(Paragraph 10.68)

Accessibility

- Lack of accessible accommodation for future occupiers
(Paragraph 10.72 to 10.73)

Tree, Landscaping and Biodiversity

- The destruction of a nesting blackbird habitat
- Loss of landscaping and biodiversity including pond
- Lack of bird boxes
(Paragraphs 10.76 to 10.80)

Other Matters

- The Council have previously refused the demolition works
- Application is a breach of planning legislation and applicant used scaffolding and sheeting to disguise demolition works and use of scaffolding, without notice or permission, over neighbouring gardens
- Allegations that original bricks have been removed and new bricks delivered
- Lack of site visit by Council
- Applicant is only concerned with profit
- Drainage and Party Wall issues
- Existing sheds are still retained
(Paragraphs 10.81 to 10.89)

External Consultees

8.3 None

Internal Consultees

8.4 **Design Officer:** following the submission of detailed information raised no objections to the proposed alterations subject to conditions.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND 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 Islington Council (Planning Sub-Committee B), in determining the planning application has the main following 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.)
- 9.2 National Planning Policy Framework 2019 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 9.3 The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.7 Members of the Planning Sub-Committee B 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.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons

who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Development Plan

- 9.9 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011 and the Islington 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

- 9.10 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Tufnell Park Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Emerging Policies

Draft London Plan (Intend to Publish Version), December 2019

- 9.12 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State appointed a Panel to conduct an examination in public (“EIP”) this opened on 15 January 2019 and continued until May 2019. The Panel of Inspectors made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with an ‘Intend to Publish’ version of the plan. The Secretary of State considered the ‘Intend to Publish’ version and the proposed changes and made several Directions in March and December 2020 setting out changes to some policies. On 21 December 2020 the Mayor formally approved a new ‘Publication London Plan’, prepared to address the Secretary of State’s Directions which was sent to the Secretary of State for his consideration. On 29 January the Secretary of State confirmed there were no further matters to raise. The London Plan can subsequently be published. Given the advanced stage at which the draft London Plan is at the policies in the Publication London Plan can be afforded significant weight. Given what is proposed in the application, the Directions are not considered to effect the assessment of this case. The relevant draft London Plan policies have been taken into account and are set out below:

:

Policy D1 – London’s form, character and capacity for growth
Policy D2 – Delivering good design
Policy D3 – Inclusive Design
Policy D4 – Housing quality and standards
Policy D5 – Accessible housing
Policy D8 – Public Realm
Policy D9 – Basement Development
Policy H10 – Redevelopment of existing housing
Policy H12 – Housing size mix
Policy HC1 – Heritage conservation and growth
Policy G6 – Biodiversity and access to nature
Policy G7 – Trees and woodlands

Draft Islington Local Plan 2019

- 9.13 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process in progress.

9.14 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

9.15 Emerging policies relevant to this application are set out below:

- Policy H2: New and conventional housing
- Policy H4: Delivering high quality housing
- Policy H5: Private outdoor space
- Policy G4: Biodiversity, landscaping design and trees
- Policy G5: Green roof and vertical greening
- Policy S1: Delivering Sustainable Design
- Policy S2: Sustainable Design and Construction
- Policy T3: Car-free development
- Policy T4: Public realm
- Policy DH2: Heritage assets
- Policy DH4: Basement development
- Policy ST2: Waste

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design, Conservation and Heritage
- Neighbouring Amenity
- Housing mix and standard of accommodation
- Affordable Housing
- Highways and Transport
- Accessibility
- Refuse and Recycling
- Tree, Landscaping and Biodiversity

LAND USE

10.2 The approved and implemented planning permission Ref. P2015/5283/FUL allowed for the change of use of the host building into seven residential dwellings (C3 use). The assessment of the proposal concluded that *the former authorised use of the building was unclear, but that it was considered that the redevelopment of the property into 7 self-contained residential flats was acceptable in land use terms.*

10.3 Given that there are no changes to the number of units or the proposed use of the building for this application in comparison to the approved development, which was implemented albeit in a modified form, which was assessed using the current policies in the Development Plan, the proposal is considered acceptable in land use terms.

10.4 However, as concluded in the original assessment the acceptability of the intensification of the use is dependent on the amenity impact, particularly, and any other material considerations including the changes subject to this application, and therefore it is considered unreasonable to refuse the application in land use terms.

DESIGN, CONSERVATION AND HERITAGE

- 10.5 The host building is not listed but the application site is within the Tufnell Park Conservation Area. Therefore, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard is required to be given to the desirability of preserving the conservation area, its setting and any of its features of special architectural or historic interest.
- 10.6 Policy DM2.3 seeks to ensure that alterations to existing buildings in conservation areas conserve or enhance their significance, and that harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification.
- 10.7 The design advice found within the Islington Urban Design Guide 2017 and the Tufnell Park Conservation Area Design Guidelines should be taken into consideration in the design assessment of the proposal.
- 10.8 The Tufnell Park Conservation Area Design Guidance states that it is important that new buildings, and refurbishment of existing buildings, blend in with and reinforce this character, and care must be taken with the choice of brick and bond.
- 10.9 The application site is prominently located on a corner of Corinne Road and Brecknock Road. This means that public views into the site are afforded from Corinne Road, where one sees the property to the west and the garden land and trees to the east, which occupy the space between the Brecknock Road and Celia Road properties. The property forms one half of a pair of semi-detached houses which front onto Brecknock Road, although the primary elevation of the property, and its entrance door, are located on the side road, Corinne Road. For the purposes of consistency within this report, the front elevation of the property fronts onto Brecknock Road, the side elevation fronts onto Corinne Road and the rear elevation faces the rear gardens of the Celia Road properties. The property has garden land between the property and the boundary with properties on Celia Road and between the property and the boundary with Corinne Road.
- 10.10 The proposal relates to alterations to the host building, including those which were as a result of implemented planning permission (Ref. P2015/5283/FUL) as well as the changes associated with a non-material amendment application (Ref. P2019/2733/NMA) which were approved. In addition to retaining these changes, this application seeks the following changes to the host building:
- a) The deconstruction and reconstruction of the north-eastern external brickwork wall
 - b) Replacement of the original front dormer window facing Corinne Road with a new slate hung dormer window.
 - c) Replacement of the original roof including fascia board
 - d) Partial deconstruction and reconstruction of front porch
- 10.11 The originally approved development (Ref. P2015/5283/FUL) included external alterations including *extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout, as well as associated landscaping and new fencing*. These alterations were assessed against the current policies in the Development Plan and associated guidance documents, and were considered to be acceptable in design terms, including the partial loss of the existing garden. A CGI (computer generated image) of the proposal, including the approved extension at lower ground and ground floor when viewed from Corinne Road is shown below, as well as the changes to the boundaries.



Image 8: Approved visual drawing from application ref. P2015/5283/FUL

- 10.12 The proposal has integrated the details submitted and approved within approval of details applications associated with the original application (Ref. P2015/5283/FUL) including a Construction Management Statement , materials, recycling and refuse and cycle storage details and materials for the privacy screens.
- 10.13 The other changes prior to the submission of this application were approved within a non-material amendment application (Ref. P2019/2733/NMA) and were considered to be sufficiently minor alterations, to not materially alter the approved development to warrant the submission of an application for planning permission. The changes associated within this non-material amendment application *included two new roof lights to the flat roof of the extension, the height of the ground floor door of the extension, introduction of some aluminium framed sliding doors and windows along the north east elevation, reconfigured light well and new external stair providing access to cycle store.* Given the minor nature of the alterations, it is considered that these changes would be compliant with the Council's policies and acceptable in design terms.
- 10.14 Therefore the alterations subject to assessment within this application, which have not been previously assessed, relate to the north east elevation, the roof and original front dormer, the fascia board and the front porch, the assessment of these different elements is set out below.

Deconstruction and reconstruction of the north-eastern external brickwork wall

- 10.15 The submitted document titled Design Addendum Rev.A provides site photographs of the existing situation including the north-eastern elevation to the rear of the host building, which is shown below.



Images 9, 10 and 11: Views of existing situation showing the removed north east elevation and internally with structural supports

- 10.16 The submitted Planning Statement states that *following the grant of consent the supporting upper portion of the north eastern elevation from first floor level was unsuitable. There were concerns that it would become unstable and unsafe to work around, and restrict the safe carrying out of permitted works. The north east elevation above first floor level was therefore carefully de-constructed by hand on a brick by brick basis, with the bricks stored on site.*
- 10.17 This application seeks the deconstruction of the north east elevation above first floor level and its reconstruction as part of the build process. Whilst the applicant has confirmed that this elevation would replicate the details approved under planning permission Ref. P2015/5283/FUL, which were considered acceptable in design terms, the Council requested detailed information in relation to how this elevation would be constructed including the materials, their arrangement and bond details, as well as the window details.
- 10.18 Pages 8 to 11 of the submitted document titled Design Addendum Rev.A provides details of the proposed reconstruction of the north east elevation. It confirms that *the deconstruction and reconstruction as original of the north eastern external brickwork wall will match and replicate the original brick bond, using the extracted and on-site stored bricks of the original building.* These include the use of Flemish bond brickwork re-instated to reconstructed façade, red brick banding reinstated and articulated red brick string course reinstated into the reconstructed north-east facade, as well as red brick banding with middle black decorative masonry diamond reinstated to the reconstructed facade to match those found in the existing host building. The submitted document confirms that where possible the de-constructed material will be used to ensure the character of the building is maintained.



Image 12: Extent of proposed north east façade reconstruction and arrangement of proposed materials to replicate the situation within the approved development ref. P2015/5283/FUL

10.19 In terms of the windows, the submitted information confirms that the features of the existing windows will be matched as closely as possible in the proposed windows to the re-constructed elevation. It confirms that the material, finish & depth of the window cills will match that of the existing as closely as possible. The brickwork for the gauged and rubbed brick arches would be salvaged and reinstated to form the new brick arches and is shown below.

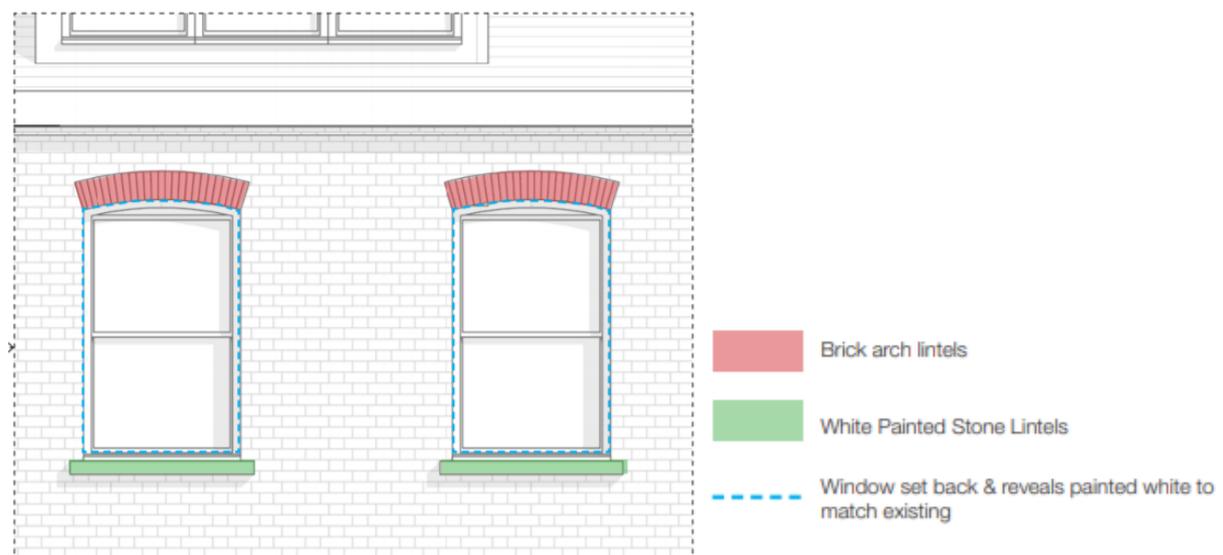


Image 13: Proposed details of reconstructed windows on north east elevation

10.20 The proposed details for the reconstructed north east elevation are considered to accurately reflect the north east elevation prior to its removal. The design information submitted in the document titled Design Addendum Rev.A is considered by the Council's Design and Conservation Officer to provide sufficient detail, in terms of the materials and the final design to ensure it would visually replicate the north east elevation prior to the implementation of planning permission ref.

P2015/5283/FUL, whilst integrating the approved alterations to this elevation, and is therefore acceptable in design terms.

Replacement of the original front dormer window facing Corinne Road with a new slate hung dormer window

10.21 The application seeks to replace the original front dormer to the south east elevation at roof level. As shown in the images below, the submitted documentation confirms that the replaced dormer window would maintain the appearance of the original using the original bricks which have been retained, and replicating the brickwork bond, brick pattern, and mortar colour of the original. The side elevations of the dormer window will be clad in the same slate tiles as the roof (which is discussed later within this report).



Image 14: Existing front dormer to south east elevation

10.22 The replaced dormer would be replaced in its existing situation located central within the roof (as shown in image below). The applicant has confirmed that the replacement aims to homogenize the visual appearance of the dormer with that of the approved slate roof within planning permission P2015/5283/FUL. As with the north eastern elevation, the design information submitted in the document titled Design Addendum Rev.A is considered by the Council’s Design and Conservation Officer to provide sufficient detail, in terms of the materials and the final design to ensure it would visually replicate the design of the front dormer, and is therefore acceptable in design terms.

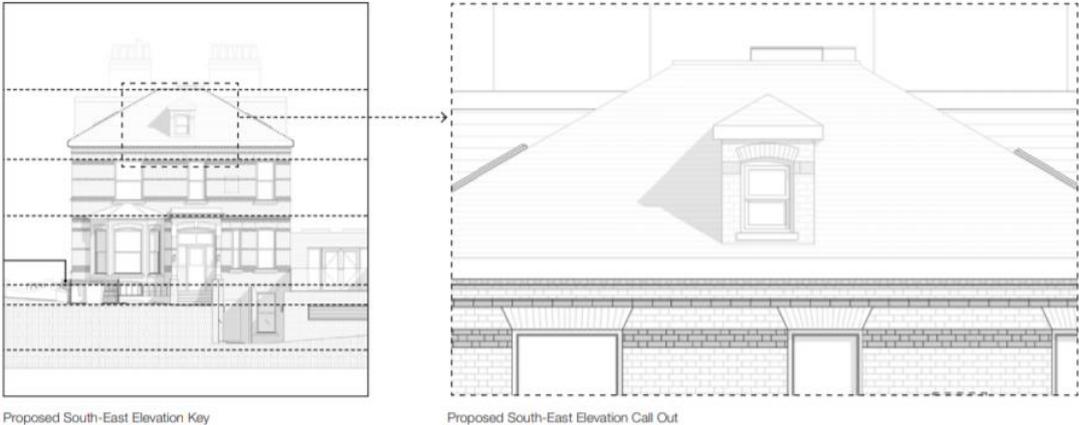


Image 15: Proposed south east elevation showing dormer

Replacement of the original roof including fascia board

10.23 In addition to the works described above in relation to the replacement of the front dormer window the proposal seeks alterations at roof level. This includes to the replacement of the original roof and weather fascia board.

10.24 The applicant has confirmed that the existing roof is not fit for purpose with rotten roof rafters, joists and internal roof structure. The proposal would not result in the replacement roof extending or projecting beyond the existing roof structure.

10.25 The applicant has confirmed that the proposed roof, including the front dormer cheeks, would be constructed using natural slate from Welsh Penrhyn quarries, which sets it apart from other slates. The applicant has confirmed that Penrhyn slate is a non-fading slate and has a minimum 75 year lifespan. The images below show the proposed slate and the location at roof level where it would be used.

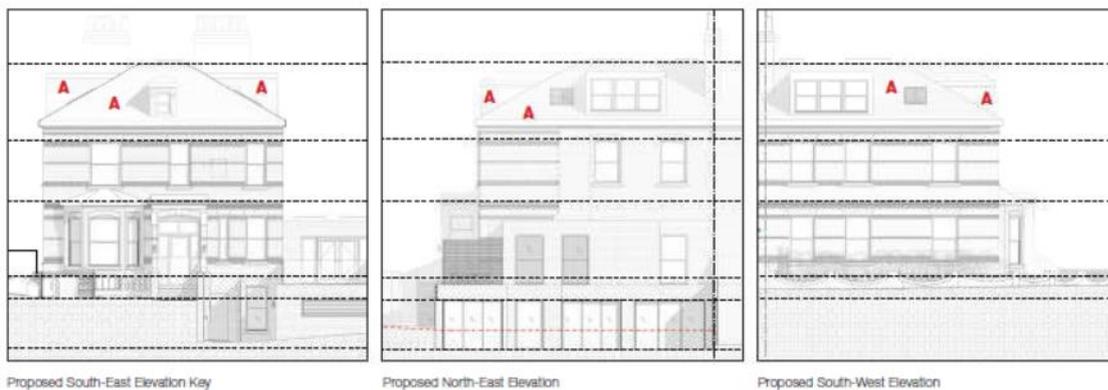


Image 16 and 17: Photo of proposed natural slate from Welsh Penrhyn quarries and where they would be used, identified by using the letter 'A'

10.26 The other element of the proposal relates to the replacement of the original weathered fascia boards, located to the eaves of the main roof, as part of the maintenance of the building. The applicant has confirmed that these existing fascia boards will be replaced like-for-like to match the existing and to be in-keeping with the context of the conservation area.



Image 18: Proposed north east showing location of proposed fascia board

10.27 Overall, along with the replacement of the front dormer the changes at roof level including the replaced fascia board, the Council's Design and Conservation Officer has confirmed their satisfaction to the level of detail and proposed materials provided, and has recommended conditions in relation to the method of construction and the materials proposed. It is therefore considered that this element of the proposal is acceptable in design terms.

Partial deconstruction and reconstruction of front porch

10.28 The proposal includes the partial deconstruction and reconstruction of the front porch located to the south east elevation facing Corinne Road. As shown in the image below, the partial deconstruction relates to the upper part of the front porch (identified by green dotted line), the applicant has confirmed that the existing porch is unsafe. The applicant has confirmed that the features of the existing entrance porch will be matched as closely as possible and retained and refurbished where possible. They have confirmed that all original brickwork/stonework would be saved and reused to rebuild the entrance porch as required.



Image 19: Proposed elevation showing alterations to front porch

10.29 The proposed alterations are considered to replicate the visual appearance of the front porch, the Council's Design and Conservation Officer has confirmed their satisfaction to the level of detail and proposed materials provided, and it is therefore considered acceptable in design terms.

10.30 Overall, the proposal would preserve the visual appearance and historic character of the conservation area in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With appropriate conditions to secure a high quality finish, the proposal is acceptable in design and conservation terms, in accordance with policies CS8 and CS9 of Islington's Core Strategy 2011, policies DM2.1 and DM2.3 of Islington's Development Management Policies Document June 2013, the Tufnell Park Conservation Area Design Guidelines and the Islington Urban Design Guide 2017.

NEIGHBOURING AMENITY

10.31 The Development Plan contains policies that seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing.

10.32 Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

Daylight and Sunlight

- 10.33 For assessment of daylight, the BRE guidelines advises that the vertical sky component (VSC) for each window is measured and that a development would cause no significant perceivable reduction in existing daylight levels to neighbouring properties provided that: 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 more than 20% of its original value;
- 10.34 The BRE guidelines also advises in this regard that the Daylight Distribution (DD) be measured. Daylight may be adversely affected if, with the development in place, the area in a room which can receive direct sunlight is reduced to less than 0.8 times its former value.
- 10.35 For assessment of sunlight, the BRE guidelines confirm that only windows facing within 90 degrees of due south warrant assessment. The guidelines stipulate that for those windows that do warrant assessment, there would be no significant perceivable reduction in existing levels of sunlight received 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 Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and where the APSH and WSPH is not reduced by more than 20% of its original value. In cases where these requirements are breached there will still be no significant noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of APSH.
- 10.36 Where the guideline values for reduction of existing levels of daylighting and sunlighting are exceeded, then sunlighting and/or daylighting may be adversely affected.
- 10.37 With regards to overshadowing, the BRE guidelines state that, with the development in place, at least 50% of the outdoor garden areas should receive at least two hours of sunlight on 21st March and the amount of sunlight received should not exceed 0.8 times its former value.
- 10.38 With regards to light, as with the originally approved development (Ref. P2015/5283/FUL) a Daylight and Sunlight Report has been provided as part of the application submission. The assessments which inform the report were carried out in accordance with the guidance and methodology set out in the Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight 2011 publication. This document provides the accepted nationally recognised guidance which is used in the assessment of sunlight and daylight impacts for planning applications.
- 10.39 The Daylight and Sunlight Report submitted the two reports within the original application (dated 15 October 2015 and 27 June 2017) has been submitted as well as an updated report to reflect this submission. The Council's assessment of the originally approved development (Ref. P2015/5283/FUL) concluded (in paragraph 10.45 of the associated committee report) that *in relation to daylight, that there would be no undue reduction in the value of VSC with the development in place and there would be no loss of DD with the development in place. The proposal would have an acceptable impact on the daylight received to numbers 4, 6, 8 and 10 Celia Road. There would also be no undue impact on the amount of sunlight reaching the habitable room windows of the Celia Road properties and no undue overshadowing to the rear gardens. Also (in paragraph 10.46) that the proposed trellis would not result in any undue loss of light to or outlook from the rear windows of that property, nor would it result in a sense of enclosure for users of the garden.*
- 10.40 Minutes from Planning Sub-Committee B on 25th July 2017 for the assessment of the original application (Ref. P2015/5283/FUL) noted that there the findings of the assessment were accepted and states the following in relation to daylight/sunlight:

Regarding the daylight/sunlight report, the loss of sunlight to the garden at 200 Brecknock Road was greater than a 20% loss, however this was considered by the Sub-Committee to be a breach of such a level to be weighed against the benefits of the scheme coming forward. All other neighbouring premises were BRE guideline compliant.

- 10.41 As with the originally approved development the submitted daylight/sunlight report has assessed the impact of the development in relation to numbers 4, 6, 8 and 10 Celia Road. The report concludes, in relation to daylight, that there would be no undue reduction in the value of VSC with the development in place and there would be no loss of DD with the development in place. The proposal would have an acceptable impact on the daylight received to numbers 4, 6, 8 and 10 Celia Road. There would also be no undue impact on the amount of sunlight reaching the habitable room windows of the Celia Road properties and no undue overshadowing to the rear gardens. The report concludes that the proposed design satisfies all of the requirements set out in the BRE guide 'Site Layout Planning for Daylight and Sunlight'.
- 10.42 Given the original assessment the proposal and the submitted details, there would not be any significant loss of daylight/sunlight to the occupiers of neighbouring properties to warrant the refusal of the application.

Privacy

- 10.43 Paragraph 2.14 of the Development Management Policies (2013) states *to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.*
- 10.44 Paragraph 10.47 of the Committee report relating to the originally approved development (Ref:P2015/5283/FUL) considered that: *"There would, as such, be no undue overlooking or loss of privacy to the occupiers of the Celia Road properties as a result of this part of the proposal."* This is even though the separation distance between the proposed windows on the north east elevation does not meet the required 18 metres described (9 metres separation distance between rear elevation of Celia Road at closest point). However, the originally approved development was subject to a number of conditions including requiring all windows in the north eastern elevation of the proposed extension being angled or obscurely glazed shall be provided as such prior to the first occupation of the development (condition 9), as well as requiring the privacy screen to flat 4 on the eastern elevation of the proposed lower ground floor extension, to be erected prior to first occupation of the development, and to be 1.7m in height (condition 6). It should also be noted that the materials for the privacy screens were approved within approval of details application (condition 5 Ref. P2019/1638/AOD).
- 10.45 The additional openings associated with the agreed non-material amendment application (Ref. P2019/2733/NMA) including two new roof lights to the flat roof are not considered to result in any significant privacy issues over and above the approved situation.

- 10.46 Therefore, given that apart from the additional rooflights, the proposal would replicate the same relationship in terms of the potential overlooking as found within the originally approved development (Ref. P2015/5283/FUL) it is considered that subject to these prior to occupation conditions attached to the original application, the proposal is not considered to result in any significant privacy issues to neighbouring properties and is acceptable in this regard.

Outlook and enclosure

- 10.47 Paragraph 10.51 of the committee report for the approved development (Ref. P2015/5283/FUL) concluded that *given the depth of the extensions, the fact that the ground floor extension at its deepest would be set off the shared boundary and the favourable orientation of the properties, it is also considered that there would be no undue loss of outlook from the nearest habitable room windows of this property with the proposal in place, nor would there be any undue sense of enclosure or overbearing impact to the occupiers when viewed from their windows or rear garden.*
- 10.48 Given this scheme would largely replicate the approved situation, in terms of the separation distances and scale of the extensions, albeit incorporating minor changes, the proposal is not considered to result in any undue sense of enclosure or overbearing impact to the occupiers when viewed from their windows or rear garden.

Noise

- 10.49 As with the assessment of originally approved development the proposal the use of the lower ground floor amenity areas to the front and rear of the property is not considered to result in levels of noise that would be greater than normal domestic levels associated with private garden spaces.
- 10.50 In terms of the potential impact during construction phase, the originally approved development required the submission of Construction Management Statement (condition 11) to be approved and implemented and retained throughout the construction period. The subsequent approval of details application (Ref. P2019/1637/AOD) was submitted and approved. A compliance condition has been recommended to ensure these measures are maintained throughout the construction period.
- 10.51 The neighbour consultation process raised concerns in relation to the non-compliance with the approved Construction Management Statement. The applicant has confirmed that they have been made aware of two complaints of non-compliances with the Construction Method Statement (CMS) by the third party contractor. The non-compliances related to neighbour liaison and noise, and the applicant has confirmed were acted upon. In relation to neighbour liaison the applicant has confirmed that they posted letters to neighbours and the erection a contact board outside the site. The applicant has confirmed they will make every effort moving forwards to hold any third party contractors accountable in relation to compliance with the CMS, and will increase its visits to the site, increase its spot checks, and will involve senior management in overseeing the project. The applicant has also confirmed they employ a Health and Safety inspector independent of the contractor. They have confirmed the H&S inspector has their own check list of items that they check when they visit the applicant's sites to ensure the highest standards of health and safety are being adhered to. The applicant has confirmed that they are willing to make the H&S inspector's reports publicly available.

HOUSING MIX AND STANDARD OF ACCOMMODATION

- 10.52 Policy 3.8 of the London Plan states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings, taking account of housing requirements identified at regional, subregional and local levels.
- 10.53 Islington Core Strategy policy CS12 (Meeting the housing challenge) requires the provision of a range of unit sizes within individual schemes in order to meet the needs within the borough. The mix of dwellings should respond to the identified need as highlighted by the Islington Housing Needs Survey 2008 and illustrated in table 3.1 of the Development Management Policies document.
- 10.54 The originally approved development proposed a 1 no. 3-bedroom unit, 2 no. 2-bedroom units and 4 no. 1-bedroom units. Paragraph 10.58 of the associated committee report concluded that *whilst this mix underprovides on 2 bedroom units and overprovides on smaller 1 bedroom units, given the constraints of the existing building and the requirement to provide good internal and external amenity for future occupiers, that, on the balance of all material planning considerations, the mix was considered appropriate in this context.*
- 10.55 This revised proposal would retain this housing mix and density, and given the previous assessment which was made against the same and current policy, this mix and density is considered acceptable in this regard.
- 10.56 Islington Development Management Policy DM3.4 (Housing standards) seeks to ensure all new housing developments (including conversions, Changes of Use, Houses in Multiple Occupation, and sheltered housing) are required to provide accommodation that is of adequate size, with acceptable shape and layout of rooms (with due consideration to aspect, outlook from habitable rooms, noise, ventilation, privacy, light).
- 10.57 The table below sets out the required and proposed floor space and amenity space standards:

Flat number	Bedrooms	Minimum floorspace required	Provided floorspace
Flat 1	2 (4 persons)	70 sqm	77 sqm
Flat 2	3 (5 persons)	86 sqm	81 sqm
Flat 3	1 (2 persons)	50 sqm	50 sqm
Flat 4	2 (3 persons)	61 sqm	62 sqm
Flat 5	1 (2 persons)	50 sqm	50 sqm
Flat 6	1 (2 persons)	50 sqm	50 sqm
Flat 7	1 (2 persons)	50 sqm	50 sqm

Table 1: Size of proposed units against the minimum floorspace standards

- 10.58 All of the proposed units would meet or exceed the minimum floorspace requirements apart from Flat 2, which is 5 sqm below the minimum floorspace requirements. Ordinarily this deficiency would not be acceptable particularly given that it is a family sized 3 bedroom unit. However, the proposed layout for this scheme is identical to that of the approved development (ref. P2015/5283/FUL). The committee report incorrectly stated that this unit (Flat 2) complied with the minimum floorspace requirements. Therefore, given that the layout for this unit is identical to the approved layout, the lack of compliance is not considered to warrant the refusal of the application.
- 10.59 Notwithstanding the lack of compliance, as with the approved scheme all habitable rooms within each dwelling would exceed the required minimum size and the internal arrangement would allow for functional use. Also all of the units would be dual aspect. The seventh unit, within the roofspace, would be dual aspect only by virtue of a small dormer window. However as noted within the original committee report this is a one bedroom unit, which would face south west and would be distanced from street level.
- 10.60 As with the approved scheme, the submitted daylight/sunlight report concludes that in the case of every proposed unit, rooms met or surpassed the BRE Average Daylight Factor test and the test in relation to sunlight. It should also be noted that the 2 no. rooflights approved within non-material amendment application (ref. P2019/2733/NMA) would provide additional daylight/sunlight to the living/kitchen/dining area of Flat 4 in comparison to the approved scheme. It is considered that all units would receive sufficient daylight, sunlight and ventilation.
- 10.61 Policy DM3.5C seeks to ensure developments provide private outdoor space for new residential developments. It confirms that *the minimum requirement for private outdoor space is 5 sqm on upper floors and 15 sqm on ground floors for 1-2 person dwellings. For each additional occupant, an extra 1 sqm is required on upper floors and an extra 5 sqm on ground floors up to a minimum of 30 sqm for family housing (three bedroom residential units and above).*
- 10.62 The proposed units at lower ground (Flat 1 – 2-bed/4 person) and ground floor (Flat 4 – 2-bed/ 3 person) have dedicated private amenity space in form of external terraces measuring 26 sqm and 11 sqm respectively. The remaining flats to the upper floors including the 1 bedroom/ 2person units (Flat 3, 5, 6, 7) and 3 bedroom/ 5person (Flat 2) do not have any dedicated amenity space. However, they do have access to the communal garden, which measures 37 sqm. Given this arrangement and layout is as previously approved (ref. P2015/5283/FUL) and considered acceptable, it is considered acceptable in this instance.
- 10.63 Overall, it is concluded that the proposed development would provide acceptable living conditions to future occupiers and acceptable levels of amenity space.

AFFORDABLE HOUSING

- 10.64 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, a contribution of £50,000 per new residential unit in off-site contributions in lieu of on-site provision is required.
- 10.65 For the assessment of the approved development (Ref. P2015/5283/FUL) the committee report dated 25th July 2017, concluded that the proposal was liable to pay the full small sites affordable housing contribution for the seven unit scheme, which is £350,000. The applicant agreed to the payment for the full contribution which was secured by way of a legal agreement. The Council has received the full affordable housing payment.
- 10.66 Given this payment, and that this proposal is for alterations to the approved development with the same number of units and the same layout this payment is considered to be satisfy the compliance with this policy.

HIGHWAYS AND TRANSPORT

- 10.67 The site has very good access to public transport and the Public Transport Accessibility (PTAL) rating is 4 (where 6 is the best and 0 the worst). There are several bus routes in the surrounding area, and is within walking distance of Tufnell Park Underground Station. The site is also within a CPZ (Controlled Parking Zone) restricting car parking between 08:30 and 18:30 hours.
- 10.68 Policy DM8.2 seeks to ensure developments meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice.
- 10.69 Concerns have been raised by local residents in relation to parking within the site, and parking in the surrounding streets. In accordance with Policy DM8.5 the proposal would be a car-free development, and as with the approved development a condition has been recommended to prevent future occupiers obtaining car parking permits. It should also be noted that the proposal would not include any vehicle access to the site. In addition, as described above the site is within CPZ which further restricts car parking in the area.
- 10.70 Policy DM8.4 seeks to ensure minor developments creating new residential units, provide cycle parking in accordance with the minimum standards set out in Appendix 6. The approved development (Ref. P2015/5283/FUL) required the applicant to submit (condition 8) details of cycle parking prior to the commencement of the development. The cycle storage details have been submitted and approved within the subsequent approval of details application (Ref. P2019/1639/AOD). A condition has been recommended to ensure these approved details are implemented in full and retained thereafter.
- 10.71 The originally approved development (ref. P2015/5283/FUL) included the removal of the existing crossover adjacent to the site onto Corinne Road which would become redundant with the development in place. The approved development included an obligation for the removal of this crossover secured through a legal agreement. The cost of the removal was confirmed by LBI Highways, who carry out the works to be £7,082.18. The payment has been received by the Council and is considered to satisfy the requirements of this obligation.
- 10.72 As described in the neighbour amenity section above, the originally approved development required the submission of Construction Management Statement (condition 11) to be approved and implemented and retained throughout the construction period. The subsequent approval of details application (ref. P2019/1637/AOD) was submitted and approved. A compliance condition has been recommended to ensure these measures are maintained throughout the construction period.

ACCESSIBILITY

- 10.73 Policy DM2.2 seeks to ensure developments demonstrate that they provide for ease of and versatility in use.
- 10.74 The proposal would retain the previously approved layout whilst not fully compliant in terms of providing accessible accommodation was considered to be acceptable, given the constraints of the site and that the proposal relates to an existing building. In this context, the lack of full compliance with Policy DM2.2 the proposal is considered acceptable in this regard.

SUSTAINABILITY

- 10.75 Policy DM7.2 (Energy efficiency and carbon reduction in minor schemes) of the Islington Development Management Policies 2013 requires that all new developments achieve best practice energy efficiency standards. The previously approved development secured (condition 12) a reduction in CO2 emissions of 19% over 2013 building regulations (equivalent to 25% over 2010 Building Regulations), as well as ensuring the water consumption target of 95l/p/d (condition 10) in accordance with policy CS10 (Sustainable design) of the Islington Core Strategy 2011.

REFUSE AND RECYCLING

- 10.76 The originally approved development included refuse and recycling storage in the rear communal area. However, the application required details of the refuse storage (condition 4) are submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The details of the refuse storage were approved within the subsequent application (Ref. P2019/1639/AOD). A compliance condition has been recommended to ensure these approved details are implemented in full.

TREE, LANDSCAPING AND BIODIVERSITY

- 10.77 Policy DM6.5 seeks to ensure developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits.
- 10.78 The approved development (Ref. P2015/5283/FUL) included the proposal to fell 3 no. small Evergreen trees on the boundary with the Celia Road properties, in order to facilitate construction of the lower ground floor garden area. The Councils Tree Officer assessed the approved scheme in relation to the removal of these trees, and concluded that given they are low grade and are limited in size and amenity value, they are not considered to be a constraint to development (paragraph 10.31 of committee report for approved development). The applicant agreed to re-provide 3 no. trees to replace those lost. The report acknowledged that whilst these would not be mature specimens, they would contribute to greening and visual appearance of the site. The approved scheme confirmed these trees would be sited adjacent to the boundary fronting Brecknock Road, adjacent to the boundary fronting Corinne Road and adjacent to the boundary with the Celia Road properties. As concluded in the original application the proposed planted trees are considered to sufficiently mitigate the loss of the removed trees. Whilst a condition wasn't included in the original application, the proposed planting is secured by condition.

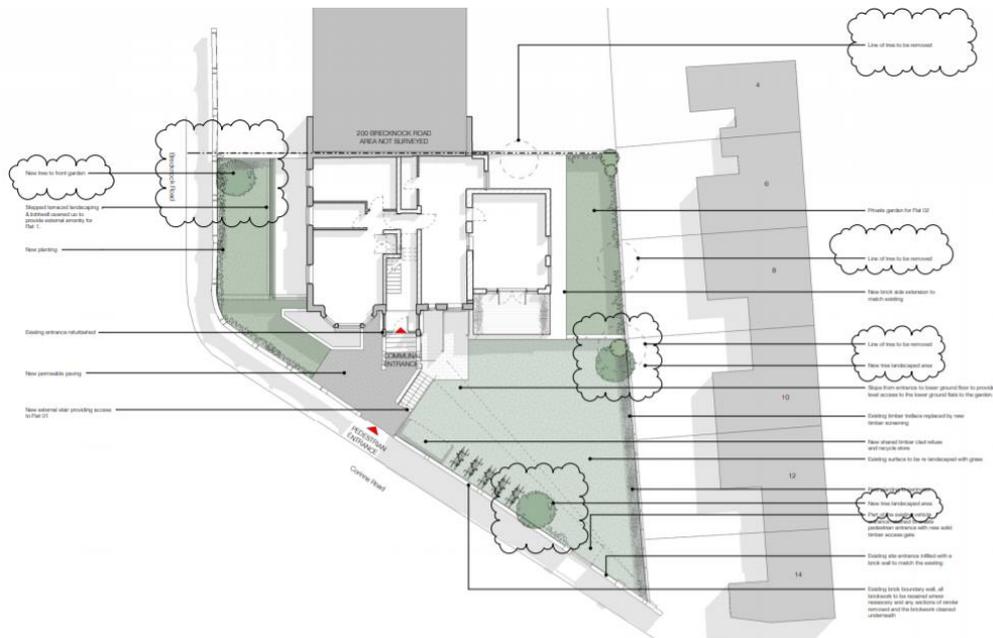


Image 20: Proposed site plan with proposed tree planting

- 10.79 The committee report for the originally approved development concluded that there would be no adverse impact on drainage or biodiversity as the overall amount of soft landscaping (being 315 sqm) would be retained, due to the area of the removed garages being the same as the area of the proposed extensions. Also that the loss of the pond in this context, and given its poor state of repair, would be acceptable. Given there would be no further loss of soft landscaping, the proposal is considered acceptable in this regard.
- 10.80 In addition to the above, comments have been received by the Islington Swift Group who have confirmed the application site is in an area where swifts are currently nesting and will potentially nest, with confirmed nest sites on nearby Tufnell Park Road. They have therefore requested that integrated swift nestbox bricks are installed near roof level. A compliance condition has been recommended to ensure at least 2 no. bird boxes are integrated within the scheme.
- 10.81 The Council received an objection from a neighbour in relation to enforcement action relating to the destruction nesting blackbird habitat in May 2019. However, the applicant is not aware of any enforcement action in this regard. In addition, this is would be associated with separate legislation outside the planning application process.

OTHER MATTERS

- 10.82 The neighbour consultation process resulted in comments that the Council had previously refused the demolition works within this application. This is not the case, with the Council’s Planning Enforcement Team opening an investigation into the demolition (Ref. E/2019/0377) and subsequently the submission of this application for these works.
- 10.83 The concerns may have been referring to the refusal of the non-material amendment application (Ref. P2019/2916/NMA) which sought to clarify the extent of demolition and rebuilding required to facilitate the construction of the development. The Council concluded that the alterations would not constitute a non-material change to the approved development, and was not assessed against the relevant policies found in the Development Plan.
- 10.84 Additional representations were received noting that the application is a breach of planning legislation. However, the application is to regularise the changes to the approved development (Ref. P2015/5283/FUL).
- 10.85 Concerns were also raised in representation that scaffolding and sheeting had been used to disguise demolition works. The applicant has sheeting to mitigate noise and dust from building and demolition works. The applicant has also detailed that sheeting is considered best practice and by successfully mitigating noise and dust nuisance this ensures the amenity of neighbours is

protected. In December 2019, once the demolition had been completed, the sheeting was removed. It should also be noted that a requirement for 'sheeting' was included in the approved Constructed Management Plan for condition 11 of the approved development.

10.86 Concerns have also been raised in representations regarding the installation of scaffolding over neighbouring gardens. This is not a material planning consideration.

10.87 Representations have raised concern that the proposal would not be constructed using reclaimed bricks, noting that the original bricks have been removed and new bricks delivered. The applicant has confirmed that the reclaimed bricks from the north east elevation are stored on site. The applicant has confirmed that new bricks delivered on 25th June 2020 are for the extension element of the development. The bricks are shown in the photographs below:



Image 21: Existing bricks used in demolished part of host building retained on site



Image 22: New bricks for proposed extension retained on site and delivered on 25th June 2020

10.88 Whilst the concerns in relation to the lack of information in relation to the drainage and Party Wall agreements cannot be considered as part of the assessment of the planning application, the applicant has confirmed they have entered into necessary party wall agreements with neighbours

to date. The existing party wall agreements reflect the proposal which has been permitted (Ref no. P2015/5283/FUL) and confirmed these agreements will be reapplied for as part of the current planning application (ref no. P2020/1800/FUL) in the event the application was approved.

- 10.89 Representations received have raised questions about why the existing sheds/ garages on site have not yet been demolished, as they were included within the original planning permission (Ref. P2015/5283/FUL). The applicant has confirmed that the statement regarding the demolition of the existing garages in the application documents was made in error. The existing garages are to be demolished as part of the proposals (ref no. P2020/1800/FUL), which is in line with the planning permission (ref no. P2015/5283/FUL) and considers that this permission has been implemented. This application seeks to regularise these works.
- 10.90 Representations regarding values of the development are not material planning consideration.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks planning permission for amendments to the approved development (Planning Permission Ref. P2015/5283/FUL) for the 'Change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing' including those approved under non-material amendment application (ref. P2019/2733/NMA) for two new roof lights to the flat roof, the height of the ground floor door, changing the materials to aluminium framed sliding doors and windows (7no.) along north east elevation, reconfigured light well and new external stair providing access to cycle store. As well as the following the following additional alterations:
- a) The deconstruction and reconstruction of the north-eastern external brickwork wall
 - b) Replacement of the original front dormer window facing Corinne Road with a new slate hung dormer window.
 - c) Replacement of the original roof including fascia board
 - d) Partial deconstruction and reconstruction of front porch
- 11.2 The principle of the change of use of the host building 7 no. self-contained residential units has been established following the subsequent approval and implementation of the approved development (Ref. P2015/5283/FUL) subject to all other material considerations.
- 11.3 In design terms, the host building is highly visible from the public realm and the wider Tufnell Park Conservation Area. Therefore it is important that the proposal preserves or enhances the visual appearance of the host building and wider conservation area. The majority of the proposed external changes were considered acceptable in design terms in the assessment in the originally approved development (Ref. P2015/5283/FUL) which was assessed against the current design advice and policies in the Development Plan. As such these approved alterations are acceptable in design terms. The alterations associated within the approved non-material amendment application (Ref. P2019/2733/NMA) were considered to sufficiently minor to not warrant planning permission, and are considered acceptable in design terms. The new alterations subject to this application relate to the partial replacement of the external elevations of the host building including at roof level. Following the submission of detailed design information the Council is satisfied that these alterations would accurately replicate the existing visual appearance of the host building, and are therefore considered to preserve the visual appearance of the host building and wider conservation area, and are acceptable in this regard.
- 11.4 The proposal is not considered to result in significant loss of amenity to neighbouring properties, in terms of loss of daylight/sunlight, outlook, sense of enclosure, privacy or noise. The application includes an updated Daylight/Sunlight Report which confirms that the proposal would be compliant

with BRE Guidelines. The proposal would maintain the same separation distances with neighbouring properties. The conditions relating to the requiring for obscure glazing and installation of privacy screens to be installed prior to occupation of the units.

- 11.5 The proposal would retain the same layout and size as approved (Ref. P2015/5283/FUL) and is considered to provide an acceptable standard of accommodation for future occupiers.
- 11.6 The Council has received the full payment for affordable housing contributions of £350,000 associated with the Planning Permission Ref. P2015/5283/FUL. In addition, the payment of £7,082.18 to the Council's Highways Team has been received by the Council.
- 11.7 Conditions have been recommended to ensure the previously approved cycle and refuse storage areas (within approval of details application pursuant to Ref. P2015/5283/FUL) are implemented.
- 11.8 The application is brought to committee because of the number of objections received (11).

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to **conditions** to secure the following, 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	<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>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p><u>Documents</u> Planning and Heritage statement dated 03.07.2020, Addendum Design Document_REV A dated 21 December 2020, Addendum Design & Access Statement REV.B dated 16 April 2020, Daylight and Sunlight Study by Right of Light Consulting dated 1 July 2020, Daylight and Sunlight Study (Neighbouring Properties) by Right of Light Consulting dated 2 July 2020, Construction Method Statement by Pelican Building Contractors Ltd dated 18 June 2020, Sustainable Design & Construction Statement/Rev.02 by Mecserve dated 29.05.2020,</p> <p><u>Drawings</u> NcE001 – Site Location Plan, H342-C450 - Proposed Bin Store Details, H342-C451 - Proposed Bicycle Store Details, H342-C452.1 - Proposed Facing Materials, H342-C452.2 - Proposed Facing Materials, J001555 - Facade Retention Drawings (TW/01, TW/02, TW/02.1, TW/02.2, TW/03, TW/04), D009/Rev.C - Demo Lower Ground Floor Plan, D010/Rev.C - Demo Ground Floor Plan, D011/Rev.C - Demo First Floor Plan, D012/Rev.D - Demo Second Floor Plan, D013/Rev.C - Demo Roof Plan, D030/Rev.C - Demo North East Elevation, D031/Rev.C - Demo South East Elevation, D032/Rev.C - Demo South West Elevation, D041/Rev.B - Demo Section, NcP002/Rev.O - Proposed Site Plan, NcP009/Rev.N - Proposed Lower Ground Floor Plan, NcP010/Rev.O - Proposed Ground Floor Plan, NcP011/Rev.L - Proposed First Floor Plan, NcP012/Rev.I - Proposed Second Floor Plan, NcP013/Rev.K - Proposed Roof Plan, NcP030/Rev.P - Proposed North East Elevation, NcP031/Rev.O - Proposed South East Elevation, NcP032/Rev.I - Proposed South West Elevation, NcP033/Rev.N - Proposed Street Elevation, NcP040/Rev.I - Proposed Section 01, NcP041/Rev.O - Proposed Section 02, NcP042/Rev.O - Proposed Section 03, Pelican Building Contractors Ltd letter dated 03/02/2021 with roof construction method statement, NcP455/Rev.A - Proposed Roof Slate Specification,</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>Green/Brown Biodiversity Roofs (Compliance):</p> <p>CONDITION: For the hereby approved development the biodiversity (green/brown) roof shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plan NcP011/Rev.L hereby approved; and</p>

	<p>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> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
4	Refuse / recycling storage (compliance)
	<p>CONDITION: The refuse / recycling storage for the approved development shall be implemented in accordance with details approved on 02/07/2019 within the approval of details application Ref. P2019/1639/AOD in pursuant to Conditions 4 (Recycling and refuse details) of planning permission reference P2015/5283//FUL. The approved details shall be implemented in full prior to the occupation of the hereby approved development and retained thereafter into perpetuity.</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	Facing materials (Compliance)
	<p>CONDITION: The hereby approved development shall be carried out strictly in accordance with the materials approved within approval of details application Ref. P2019/1638/AOD (Savills Cover Letter 29 May 2019; NcC452.1; NcC452.2; 600 Rev A) pursuant to condition 5 (materials) of planning permission P2015/5283/FUL and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: To protect the amenities of surrounding residents.</p>
6	Installation of privacy screen (Compliance)
	<p>CONDITION: The privacy screen to flat 4, on the eastern elevation of the proposed lower ground floor extension, shall be erected prior to first occupation of the development. Notwithstanding the approved drawings, the privacy screen shall be 1.7m in height and carried out strictly in accordance with the materials approved (Covering letter dated 6 September 2019, and drawing numbers C452.1 and C452.2 Rev A.) in approval of details application (Ref. P2019/2700/AOD) pursuant to condition 5(d) (material details for privacy screens) of planning permission Ref. P2015/5283/FUL and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: To protect the privacy of the occupiers of the properties bounding the site on Celia Road.</p>
7	Restricting car parking permits (Compliance)
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>(1) In the case of disabled persons;</p> <p>(2) In the case of 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: In the interests of sustainability.</p>
8	Cycle Storage (Compliance)
	<p>CONDITION: The cycle storage for the approved development shall be implemented in accordance with details approved on 02/07/2019 within the approval of details application (Ref. P2019/1639/AOD) (H342_C450, H342_C451, Letter dated 29 May 2019 from Aimee</p>

	<p>Squires – Savills) in pursuant to Conditions 8 (Details of layout, design and appearance of bicycle storage spaces) of planning permission reference P2015/5283//FUL. The approved details shall be implemented in full prior to the occupation of the hereby approved development and retained thereafter into perpetuity.</p> <p>REASON: To promote sustainable forms of transport.</p>
9	Windows Obscured and Fixed Shut
	<p>CONDITION: All windows in the north eastern elevation of the proposed extension shown on drawing Nc030/Rev.P hereby approved as being angled or obscurely glazed shall be provided as such prior to the first occupation of the development.</p> <p>All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows, given the less than 18m distance between facing windows.</p>
10	Water use (Compliance)
	<p>CONDITION: The residential use hereby approved shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water</p>
11	Construction Method Statement (Compliance)
	<p>CONDITION: The hereby approved development shall be carried out strictly in accordance with the approved Construction Method Statement dated May 2019 by Blue Sky Building, throughout the construction period, as approved within approval of details application Ref. P2019/1637/AOD pursuant to Condition 11 (Construction Method Statement) of planning permission Ref: P2015/5283/FUL.</p> <p>REASON: to ensure no harm to neighbouring occupiers.</p>
12	Reduction in regulated CO2 emissions (Compliance)
	<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.</p> <p>REASON: In the interest of securing sustainable development</p>
13	Brickwork to reconstructed north-east Elevation and front porch of main building (Compliance)
	<p>CONDITION: For the hereby approved reconstruction of the north-east elevation of main building and front porch, shall be constructed in accordance with the document titled Addendum Design Document_REV A dated 21st December 2020, including the use of reclaimed brickwork and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
14	Materials for reconstruction of roof (Compliance)
	<p>CONDITION: For the hereby approved reconstruction of the roof of the main building, the proposal shall be built strictly in accordance with the details shown on drawing no. NcP455Rev.A, including the use of natural slate from Welsh Penrhyn quarries and</p>

	<p>constructed in accordance with methodology statement within letter dated 03/02/2021 by Pelican Building Contractors Ltd and shall be maintained as such thereafter, unless otherwise agreed in writing with the Local Planning Authority.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
15	Tree replacement (Compliance)
	<p>CONDITION: For the hereby approved development the 3 no. trees shown on drawing no. Nc002/Rev.M shall be planted in the first planting season following the completion of the construction works and shall be retained thereafter into perpetuity.</p> <p>REASON: To ensure landscaping benefits</p>
16	Bird boxes (Compliance)
	<p>CONDITION: Prior to the occupation of the hereby approved development a minimum of 2 no. bird boxes shall installed and retained thereafter into perpetuity.</p> <p>It is advised that bird boxes are integrated swift nestbox bricks and are installed near roof level.</p> <p>REASON: To preserve and enhance biodiversity in the area.</p>

List of Informatives:

1	Positive Statement
	<p>INFORMATIVE: To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website. A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant. This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people</p>
3	Construction hours
	<p>INFORMATIVE: No building work shall be carried out at the site outside of the following times:</p> <ul style="list-style-type: none"> - Monday to Friday, 8am to 6pm, - Saturdays, 8am to 1pm. - No audible work is permitted on Sundays or bank holidays
4	Sustainable Sourcing of Materials
	<p>INFORMATIVE: (Materials) Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
5	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to</p>

	superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
6	Section 106
	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.

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 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- National Planning Policy Framework 2019

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 2016 - Spatial Development Strategy for Greater London

- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality of Design and Housing Developments
- Policy 3.8 Housing Choice
- Policy 3.9 Mixed and Balanced Communities
- Policy 3.10 Definition of Affordable Housing
- Policy 3.11 Affordable Housing Targets
- Policy 3.13 Affordable Housing Thresholds
- Policy 5.1 Climate Change Mitigation
- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.3 Sustainable Design and Construction
- Policy 5.11 Green Roofs and Development Site Environs
- Policy 5.14 Water Quality and Wastewater Infrastructure
- Policy 5.18 Construction, Excavation and Demolition Waste
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.2 An Inclusive Environment
- Policy 7.4 Local Character
- Policy 7.6 Architecture
- Policy 7.8 Heritage Assets and Archaeology
- Policy 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- Policy 8.1 Implementation
- Policy 8.2 Planning Obligations
- Policy 8.3 Community Infrastructure Levy

B) Islington Core Strategy 2011

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

C) Islington Development Management Policies 2013

- Policy DM2.1 Design
- Policy DM2.2 Inclusive Design
- Policy DM2.3 Heritage
- Policy DM2.4 Local Views
- Policy DM3.1 Mix of housing sizes
- Policy DM3.4 Housing standards
- Policy DM3.5 Private outdoor space
- Policy DM3.7 Noise and vibration (residential uses)
- Policy DM3.9 Hostels/ HMO's
- Policy DM6.5 Landscaping, Trees and Biodiversity
- Policy DM7.1 Sustainable Design and Construction
- Policy DM7.2 Energy Efficiency and Carbon Reduction in Minor Schemes
- Policy DM8.4 Walking and Cycling
- Policy DM8.5 Vehicle Parking
- Policy DM9.1 Infrastructure
- Policy DM9.2 Planning Obligations
- Policy DM9.3 Implementation

3. 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:

- Tufnell Park Conservation Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan:

- Affordable Housing Small Sites
- Contributions
- Tufnell Park Conservation Area Design
- Guidelines
- Planning Obligations and S106
- Urban Design Guide

London Plan:

- Basement Development
- Environmental Design
- Housing
- Sustainable Design & Construction

APPENDIX 3: COMMITTEE REPORT FOR P2015/5283/FUL

PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE B		
Date:	25 th July 2017	NON-EXEMPT
Application number	P2015/5283/FUL	
Application type	Full Planning Application	
Ward	St Georges	
Listed building	Unlisted	
Conservation area	Tufnell Park	
Development Plan Context	Tufnell Park Conservation Area	
Licensing Implications	None	
Site Address	198 Brecknock Road, Islington, London, N19 5BE	
Proposal	Change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing.	
Case Officer	Sally Fraser	
Agent	Aimee Squires, Savills UK	

1. RECOMMENDATION

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

- subject to the conditions set out in Appendix 1 of this report;
- 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 of this report.

2. SITE PLAN (Site outlined in BOLD)



3. PHOTOS OF SITE/STREET



Image 1 - Aerial view of the site and the properties on Celia Road



Image 2 – The subject property (right of the picture) fronting Brecknock Road



Image 3 – View of the site looking north along Brecknock Road



Image 4 – View of the site looking east along Corinne Road.



Image 5 - View of the rear of the site and the rear of properties on Celia Road



Image 6 – View of the rear boundary of the site with the properties along Celia Road

4. SUMMARY:

- 4.1 The application seeks permission for the change of use of the existing building into 7 self-contained flats, including the erection of a lower ground and ground floor extension to the north east elevation of the building and other external alterations including the replacement of all windows with new timber windows throughout.
- 4.2 The main issues arising from the development are the lawful use of the property and the principle of the change of use, the standard of the residential accommodation and the impact of the development on the residential amenities of the neighbouring occupiers.
- 4.3 Whilst the lawful use of the property is unclear, it was last used as 2 self contained flats and a small HMO (C4 use class), providing accommodation for 6 occupants. The proposed use is also residential and there would as such be no change of use arising from the development. The development would introduce additional homes into a residential area and would help the council to meet its housing targets.
- 4.4 In acknowledgement that whilst the last use of the property was residential, the lawful use cannot be established, the applicant has agreed to pay the full Affordable Housing Small Sites contribution relating to the development, of £350,000.

- 4.5 The proposal would provide a good standard of internal living accommodation and outdoor amenity space for future occupiers. The constraints of the existing building are such that there are some areas of non compliance, but in each case these have been justified.
- 4.6 The proposal would not unduly harm the residential amenities of either the residential occupiers abutting the site on Celia Road or the adjoining occupiers at 200 Brecknock Road. Overall neighbouring residential amenity would not be unacceptably harmed, in compliance with policy DM2.1.
- 4.7 The proposal would have an acceptable impact on the special character of the conservation area and the appearance of the host building, in compliance with policy DM2.3 and the Tufnell Park Conservation Area Guidance.

5 SITE AND SURROUNDINGS

- 5.1 The application site is a two storey, semi-detached property, with accommodation also within the basement and roofspace. There is a shallow lightwell to the front and side of the property which provides light into high level basement level windows and a full depth lightwell to the rear.
- 5.2 The property is currently vacant. On the basis of information submitted by the applicant, it is considered likely that the property was last used as two self-contained flats and a small HMO (House in Multiple Occupation). There is no planning history to support this use however. The lawful use, as determined by implemented planning permission P991365 dated 20/10/1999, is a hostel.
- 5.3 The property forms a 19th century pair with number 200 Brecknock Road. The properties are not identical- the adjoining property has two bay windows fronting Brecknock Road whereas the subject property has its main façade, with bay window and front door, fronting onto Corinne Road. The pair are very much a standalone pair in style and the immediate vicinity contains a mixture of age and style of housing. Adjacent to number 200 is a modern flatted development, on the opposite side of Corinne Road is a new terraced house attached to a 1960's row. Further down Corinne Road and opposite the site on Brecknock Road are 19th century villas.
- 5.4 To the rear of the site, fronting Corinne Road, is a grassed garden containing 2 single detached garages. There is a vehicular entrance onto the site from Corinne Road. Bounding the site to the north east are the rear gardens of properties on Celia Road. The land slopes down from east to west, so that the rear gardens and windows of the adjoining properties at Celia Road sit at a lower level than the subject site.
- 5.5 The site is located within the Tufnell Park Conservation Area. The property is neither listed nor locally listed. There are 3 (grade C) trees within the site, on the boundary with the Corinne Road properties

6. PROPOSAL (IN DETAIL):

- 6.1 The applicant proposes the conversion of the existing building from a hostel use, into seven self-contained flats, including extensions at lower ground and ground floor and other external alterations. Associated landscaping, a bike and refuse store and new fencing to the Celia Road boundary is also proposed.
- 6.2 The scheme proposes 1x 3 bed flat, 3x 2 bed flats and 3x 1 bed flats.

- 6.3 Access to the two basement level flats would be via stairs from the main entrance gate. Flats at ground level and above would be accessed via the main communal door.
- 6.4 The two basement level flats (flats 1 and 2) and flat 4 on the ground floor would have access to private outdoor space. A communal grassed area fronting Corinne Road would provide amenity space for the occupiers of the remaining flats. A bike and refuse storage area would be located within the communal gardens and the existing vehicular access onto the site from Corinne Road would be removed and replaced with a pedestrian gate, awarding level access to the gardens and storage area.
- 6.5 Extensions at lower ground floor and ground floor to the north eastern elevation are proposed. There would be further excavation at basement level to facilitate the amenity space for flats 1 and 2. Other external alterations include the replacement of the dormer windows, replacement windows and front door and the repair of the existing boundary treatment to Corinne Road and Brecknock Road.
- 6.6 The proposal would involve the loss of three trees on the Corinne Road boundary.

Revision 1 – 12th April 2016

- 6.7 Revisions to the scheme included:
- The submission of a Daylight/ Sunlight report addressing the surrounding properties
 - Reduction in width of the lower ground and ground floor rear extensions
 - Replacement of the timber privacy screen to the external terrace with obscure glazing
 - Windows replaced with timber sash

Revision 2 – 4th July 2016

- 6.8 Revisions to the scheme included:
- On site parking removed
 - Further reduction in the width of the lower ground and ground floor rear extensions

Revision 3 – 1st August 2016

- 6.9 Revisions to the scheme included:
- Drawings amended to include the removal of the vehicular gates into the site

Revision 4- 26th June 2017

- 6.10 Revisions to the scheme included:
- Submission of an updated Daylight Sunlight Report to include the Daylight Distribution results for the neighbouring properties
 - Submission of land use information
 - Submission of tree planting plans (existing and proposed)

7. RELEVANT HISTORY:

Planning Applications:

- 7.1 **P831564:** The retention of the three hostel bedrooms and the existing two room non-self-contained flat on the ground floor of no. 198 and the formation of a three bedroom

(5-6 room) maisonette from the first floor of no. 198 and the attic floor entailing the enlargement of the existing front and rear dormers. Approve 29/03/1984

- 7.2 **P991365:** Change of use to a hostel. Approved 20/10/1999
- 7.3 **P001165:** Conversion to provide nine studio flats, one 1-bedroom flat and two bedsits and a shared 'common room'. Refused 09/03/2001
- 7.4 **P122154:** Erection of a part 2 part 3 storey building to the rear of 198 Brecknock Road, fronting Corinne Road, to provide 1 x 4 bedroom dwelling with associated landscaping, boundary treatments, refuse and cycle storage and associated works. Refused 19/08/2013.

The reasons for refusal were as follows:

1. *The proposed new dwelling by reason of its height, bulk and detailed design would fail to preserve and enhance the character and appearance of the Tufnell Park Conservation Area. Further the proposal would detract from the openness of the surrounding properties, which is an important characteristic of the Conservation Area. The proposal therefore fails to comply with the NPPF, policy CS9 of the Core Strategy 2009, DM 2.1 and DM 2.3 of the Development Management Policies, the Conservation Area Guidelines and the Urban design Guidelines*
2. *The proposed new dwelling by reason of its height, bulk and mass would be overbearing which would be detrimental to the outlook of the neighbouring properties in Celia Road. This would be contrary to Policy DM2.1 of the Development Management Policies 2013.*

Enforcement:

- 7.5 **E/2015/0321-** opened 22nd June 2015. Noise and disturbance from internal works. Case closed 25th June 2015 - No breach- site visit showed no evidence of any current or recent internal or external works

Pre-Application Advice:

- 7.6 **Q2015/2746/MIN:** Extensions, reconfiguration of the parking area in conjunction with the conversion of the existing property into 7 self-contained flats.

8. CONSULTATION

Public Consultation:

- 8.1 Letters were sent to occupants of 112 adjoining and nearby properties on 8th January 2016. A site and press notice were also displayed. The public consultation of the application therefore expired on the 29th January 2016. It is the Council's practice however to continue to consider representations made up until the date of a decision.
- 8.2 A total of 13 letters of objection were received in response to the initial consultation. The following issues were raised (the paragraph numbers responding to the issues are included in brackets):
- (i) The car park would be contrary to Islington's 'car free' policy and would cause increased air and noise pollution (paras 10.69 and 10.70)

- (ii) The loss of trees, pond and verdant garden area would impact unduly on biodiversity (paras 10.26, 10.31, 10.32 and 10.33)
- (iii) The side extension would reduce the visible gap between properties (10.21, 10.22 and 10.24)
- (iv) Excessive size of the extensions and subsequent overdevelopment of the site (para 10.24)
- (v) The impact of the proposal on the character and appearance of the conservation area (paras 10.21, 10.22, 10.23, 10.24 and 10.29)
- (vi) Overlooking and sense of enclosure with regards to the gardens and homes of the properties adjoining the site on Celia Road- from the raised balconies, windows and lower ground floor garden area (paras 10.47, 10.48 and 10.49 and conditions 6 and 9)
- (vii) Loss of daylight and sunlight to and outlook from the rear windows of the Celia Road properties (paras 10.39 to 10.46 and 10.48)
- (viii) Noise and disturbance from previous works carried out at the property and similar concern with regards to any future works (para 10.54)
- (ix) Loss of light as a result of the proposed trellis on the Celia Road boundary (para 10.46)
- (x) Lack of family sized units (para 10.56- 10.58)
- (xi) Lack of private outdoor amenity space for the occupiers of the flats (para 10.62)
- (xii) Noise and disturbance as a result of the proposed lower ground floor garden areas (para 10.55)

8.3 Following the receipt of revised drawings, a second round of consultations took place on the 11th August 2016 for 14 days. The second consultation period therefore received expired on 25th August 2016, although it is council practice to consider representations up to the date of decision.

8.4 At the time of writing this part, no new objections were received in response to the second consultation.

Internal Consultees:

8.5 **Design and Conservation Officer:** The proposal is acceptable in principle- whilst this is a side extension within the conservation area, it would, with a reduction in width, appear subservient and retain views through the site to the rear. The replacement of the existing windows and door are welcomed.

8.6 **Inclusive Design Officer:** A number of the detailed design and layout of the units do not meet Category 2 of the National Housing Standards. However, this is the conversion of an existing building and the council are unable to require this standard.

8.7 **Policy (Land use):** The proposal would involve the loss of visitor accommodation (lawful use). The site is located within a residential area and it is not within a designated town centre. Therefore the loss of a hostel in this location is not resisted and the proposal to provide seven residential dwelling supported.

8.8 **Trees:** the removal of the three trees on the north eastern boundary of the site, given their small size and amenity value, should not be seen as a constraint to development.

8.9 **Licencing:** The property was granted an HMO Licence, for the use of the ground floor as 6 HMO units for 6 occupants, on 21st February 2013. The Licence was revoked on 15th February 2015, upon passing of the owner/ manager and vacation of the HMO units. The property does not currently have an HMO licence.

External Consultees:

8.10 None

9. RELEVANT POLICIES

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

National Guidance

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

Development Plan

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT:

10.1 The main issues arising from the proposal relate to:

- Land Use
- Design
- Neighbouring Amenity
- Standard of Accommodation
- Highways and Transportation
- Sustainability and Accessibility
- Affordable Housing

Land Use

10.2 The lawful use of the property is somewhat unclear. The applicant purchased the property in 2015, at which time he states that the internal space was laid out as 3 residential units- a self contained flat at basement level, a self contained flat on the second floor and HMO (non self contained living) accommodation at ground and first floors. The applicant also states that, at the time of purchase, the property was vacant with the exception of the basement, which was occupied. The entirety of the property is now vacant.

10.3 Evidence supporting this claim was submitted with the application, including a letter from the relative of the previous owner, a tenancy agreement in relation to the basement flat, a marketing page for an individual room to rent and a marketing page relating to the whole property, which referenced the property as containing a self contained flat at basement level, a self contained flat at second floor level, 6 rooms at ground floor and 5 rooms at first floor. Council tax records also state that the property has been used as 3 residential units since 1993.

- 10.4 There is however no planning history that supports the above as the lawful use and the property has been empty for the previous 2 years, which means that the use could not be considered lawful by virtue of the fact that the property has not been continually occupied as such for 4 years.
- 10.5 Indeed, the most recent planning approval for a change of use was in 1999, when permission was granted for the change of use of the property into a hostel. 'Hostels' provide non self-contained accommodation, often for a particular group of people, where there is no significant element of care. They are classified as sui generis. The planning application file cannot be found however, and we have no details of the use and no existing or proposed floor plans. It is not clear whether this permission was implemented, or what use class the property was prior to this application.
- 10.6 In 2013, an HMO licence was issued. The licence gave permission for the ground floor of the property to be used as 6 HMO units, for 6 occupants. The license notes that the first and second floors of the property are to be used by one household only, as a self-contained flat, by the resident landlord and his family.
- 10.7 Whilst there is no planning permission for this HMO use, the property was inspected at the time by the councils Public Protection officers and it is clear that, upon inspection the property was laid out as per the Licence. The Licence was revoked in 2015 upon the passing of the owner and upon vacancy of the property.
- 10.8 HMO's are classified either as a sui generis use, if they contain more than 6 occupants, or a C4 use, if they contain 6 or fewer occupants. Providing the HMO in question was occupied by no more than 6 people, on the ground floor of the property only as per the Licence, the use class would have been C4. In this instance the HMO could have been converted to a single dwelling house without planning permission and policy DM4.12, which aims to retain good HMO's, does not apply. If in fact this was an HMO which provided accommodation for more than 6 people, over ground and first floor, the application must be assessed against policy DM4.12. Part C states that the council will resist the loss of good HMO's. The HMO Licence was revoked in 2015 and it cannot therefore be established that the property provides the standard of accommodation which could be determined to be 'good'.
- 10.9 In conclusion, it is likely that the property has remained in residential use for many years. Specifically, there is some evidence that the basement unit was occupied as a dwelling between 1993 and 2015 and that the second floor was historically occupied by the previous owner, who also managed the HMO at lower ground floors.
- 10.10 The licenced HMO, with 6 occupants, was not large enough to be protected by the Development Management policy DM 4.12 and could have been converted to a single family unit without planning permission. It is therefore reasonable to assume that no change of use is proposed here and that the redevelopment the property into 7 self contained flats is acceptable in principle. The proposal would introduce additional residential accommodation into a residential area which would help the council to achieve their housing targets.
- 10.11 Whilst it is reasonable to assume that the last use of the property was 3 residential units, the lawful use of the property in this manner has not been established and is not considered able to be done so (as per paragraph 10.4 above). In acknowledgement of this, the applicant has agreed to pay the full affordable housing small sites contribution relating to the seven unit scheme, of £350,000.

10.12 The proposal is acceptable in land use terms.

Design and Impact on the Conservation Area

10.13 Special regard is had in the assessment of this application to the desirability to preserve or enhance the character of the Tufnell Park conservation area.

10.14 The special character of the Tufnell Park Conservation Area derives from its high architectural quality, variety of styles of housing and flamboyant use of different materials and decoration. The conservation area comprises mainly of 19th century buildings, which were built using materials suited to labour-intensive methods of construction including brick, stone and render for the facades, timber for the windows and natural slate and tiles for the roofs.

10.15 The Tufnell Park conservation area design guidance states that it is important that new buildings, and refurbishment of existing buildings, blend in with and reinforce this character, and care must be taken with the choice of brick and bond.

10.16 The conservation area design guidance also advises specifically on extensions. In relation to side extensions, it explains that on certain roads, including Corinne Road, side extensions can infill existing gaps between properties, thereby losing pleasant views of trees and rear gardens which contribute to the spacious appearance of the conservation area. In relation to rear extensions, the guidance states that extensions which are larger than full width at single storey level and half width at 2 storey level are not normally acceptable, except where they remain subordinate to the main house in mass and height.

10.17 The application site is located on a corner of Corinne Road and Brecknock Road. The property forms one half of a pair of semi-detached houses which front onto Brecknock Road, although the primary elevation of the property, and its entrance door, are located on the side road, Corinne Road. For the purposes of consistency within this report, the front elevation of the property fronts onto Brecknock Road, the side elevation fronts onto Corinne Road and the rear elevation faces the rear gardens of the Celia Road properties. The property has garden land between the property and the boundary with properties on Celia Road and between the property and the boundary with Corinne Road.

10.18 The site is prominently located on the corner of Brecknock Road and Corinne Road. Public views into the site are afforded from Corinne Road, where one sees the property to the west and the garden land and trees to the east, which occupy the space between the Brecknock Road and Celia Road properties. Private views of the site are also afforded from surrounding properties, particularly from the rear windows and garden of the properties on Celia Road.

10.19 The building and garden land are presently in poor condition. The building has not been occupied for some time and the windows, roof and boundary wall are in a poor state of repair. The rear garden contains 2 garages and a mixture of grass and hardstanding.

10.20 The scheme proposes the erection of lower ground and ground floor extensions to the north eastern elevation of the building and other external alterations. The lower ground floor extension would be 5.5m deep. The ground floor extension would be set back from the main side elevation of the building by 1m and would be 4.6m deep with a flat roof. Both the lower ground and ground floor extensions have been reduced in depth since the original submission to reduce their visual impact. The images below show the property with the development in place.



Image 7 and Image 8: The view of the development from Brecknock Road and Corinne Road

10.21 The proposal would be viewed, from Brecknock Road and from directly adjacent to the site on Corinne Road, as a side extension. The lower ground floor extension would not be visible in long views of the site as it would be screened by the existing boundary wall. This part of the proposal would as such not interfere with existing views through the site to the verdant land beyond. The ground floor extension would be visible from the public realm, although it would be screened to an extent by the 2m high boundary wall. This part of the extension would be no wider than half of the width of the side elevation of the house and would appear subordinate to the host property in this regard. It should also be noted that both the lower ground floor and ground floor extensions have been reduced in depth since submission of the application, in the case of the lower ground floor by 1.2m and in the case of the ground floor extension by 1.3m. As amended, the extension would not dominate the host building and would not encroach beyond its side building line. An open area of garden land would be retained to the east of the ground floor extension, which would preserve the spacious appearance of the site and the pleasant view of trees and rear gardens beyond. Image 9 below shows the location of built form and garden land on the site, with the development in place.



Image 9: Proposed site plan showing amount of built form and garden land.

10.22 There would be glimpsed public views of the extension, as a rear extension, from further east along Corinne Road. The extension would sit a clear distance below the eaves line of the roof of the main building and would be less wide than the elevation itself. Overall the size of the extension would respect the scale of the host building when viewed from the east and would not dominate it.

- 10.23 The extension would be constructed of brick to match the existing house with timber fenestration. All existing windows in the property would be replaced with traditional timber sash windows and the roof would be replaced with slate tiles, which would improve its appearance in this conservation area location. A condition is recommended requiring the submission of details of all materials used in the development, prior to commencement of work, to secure a high quality finish. In addition to the replacement of the windows in the existing property, two new rooflights are proposed within the front and rear roofslopes. These are acceptable in principle given the variety of roof structures and extensions, including roof lights, in the vicinity. A condition requiring 'conservation' rooflights is recommended, to ensure their discrete appearance and preservation of the character of the conservation area.
- 10.24 Overall the extension would not inappropriately dominate the garden or main building and would respect and respond positively to the local streetscape, which as described before, is mixed in character. The size, location, design and materials of the proposed extensions would preserve the special character of the Tufnell Park conservation area.
- 10.25 In relation to other works, it is proposed to increase the depth and projection of the existing front and side lightwells by 1.5m and 2m respectively, to allow for the introduction of full height fenestration to the basement level rooms and an external amenity area for flat 1. Verdant garden behind the front boundary wall would be retained, in compliance with the Urban Design Guide and Basements SPD and there would be little impact on the external appearance of the front elevation of the property. It is also proposed to reduce the ground level of the western part of the rear garden by approximately 1m, to facilitate the lower ground floor extension and private outdoor space for flat 2. The extent of the basement works proposed here are not substantial and not of the size requiring compliance with the councils Basement Development SPD.
- 10.26 The garden area would remain verdant and, whilst built form would be introduced to the site by way of extensions, this would be offset by the soft landscaping that would be introduced through the demolition of the garages- which would promote sustainable drainage and enhance the open nature of the conservation area. This part of the proposal would have an acceptable impact on the character of the conservation area.
- 10.27 Other elements of the proposal would also benefit the appearance of the property and garden. In addition to the removal of the garages and the subsequent increase in soft landscaping, the boundary wall would be removed of its crumbling render and the brickwork below cleaned.
- 10.28 Bike and refuse storage is proposed within the rear garden area, screened to an extent behind the existing boundary wall. Details of the external appearance of the storage would be required by condition, to secure their good design.
- 10.29 Overall, the proposal would preserve the special character of the conservation area. With appropriate conditions to secure a high quality finish, the proposal is acceptable in design and conservation terms, in accordance with policies CS8 and CS9 of Islington's Core Strategy 2011, policies DM2.1 and DM2.3 of Islington's Development Management Policies Document June 2013, the Tufnell Park Conservation Area Design Guidelines and the Islington Urban Design Guide 2017.

Trees, Landscaping and Biodiversity

- 10.30 In accordance with Development Management policy DM6.5 (Landscaping, trees and biodiversity), all developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site.

- 10.31 It is proposed to fell 3 small Evergreen trees on the boundary with the Celia Road properties, in order to facilitate construction of the lower ground floor garden area. The councils Tree Officer has assessed the scheme in relation to the removal of these trees. The trees in question are of a low grade and are limited in size and amenity value. They are, as such, not considered to be a constraint to development. Notwithstanding this assessment, the applicant has agreed to reprovide 3 trees to replace those lost. Whilst these would not be mature specimens, they would contribute to greening and visual appearance of the site. They would be sited adjacent to the boundary fronting Brecknock Road, adjacent to the boundary fronting Corinne Road and adjacent to the boundary with the Celia Road properties.
- 10.32 There is currently 315sqm of soft landscaping on the site. The amount of soft landscaping with the development in place would also be 315sqm, because the area of the existing garages is the same as the area of the proposed extensions. There would as such be no adverse impact on drainage or biodiversity. It is considered that the loss of the pond in this context, and given its poor state of repair, is acceptable.
- 10.33 Policy DM6.5D states that developments should maximise the provision of biodiversity roofs. The proposed green roof, which would cover the ground floor extension, is supported in this context. The green roof should maximise biodiversity through thick substrate and appropriate grass species and it is recommended that this be secured by condition (condition 3).

Neighbouring Amenity

- 10.34 Development Management Policy DM2.1 states that development is required to 'provide a good level of amenity including consideration of overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook'.
- 10.35 The residential dwellings closest to the proposed extension are those on Celia Road to the north east of the subject site and at 200 Brecknock Road adjoining the subject property.
- 10.36 Firstly, to discuss the impact of the development on the amenities of the Celia Road properties. The rear facing windows of the Celia Road properties face the site, and their rear gardens abut the shared boundary. Numbers 4 and 6 Celia Road would directly face the proposed extension. Numbers 2, 8, 10, 12 and 14 Celia Road would have more oblique views.
- 10.37 In terms of existing boundary treatment, there is a brick wall which runs the length of the shared boundary. A small section of trellising above the wall remains in situ, on the shared boundary with numbers 12 and 14. Adjacent to the boundary with number 10, on the subject site, is the single storey garage which rises to a height of approximately 2.5m. The garden of number 8 Celia Road has a fair amount of evergreen vegetative screening adjacent to the boundary. There is very little in the way of screening adjacent to the boundary with number 6.
- 10.38 The ground level slopes downwards, from the subject site to the gardens of the Celia Road properties and down again to the Celia Road ground floor windows. As such, ground floor level of number 198 Brecknock Road is slightly higher than the first floor windows at the Celia Road properties.

Daylight and Sunlight

- 10.39 With regards to light, a Daylight and Sunlight Report has been provided as part of the application submission. The assessments which inform the report were carried out in accordance with the guidance and methodology set out in the Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight 2011 publication. This document provides the accepted nationally recognised guidance which is used in the assessment of sunlight and daylight impacts for planning applications.
- 10.40 For assessment of daylight, the BRE guidelines advises that the vertical sky component (VSC) for each window is measured and that a development would cause no significant perceivable reduction in existing daylight levels to neighbouring properties provided that:
- 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 more than 20% of its original value;*
- 10.41 The BRE guidelines also advises in this regard that the Daylight Distribution (DD) be measured. Daylight may be adversely affected if, with the development in place, the area in a room which can receive direct sunlight is reduced to less than 0.8 times its former value.
- 10.42 For assessment of sunlight, the BRE guidelines confirm that only windows facing within 90 degrees of due south warrant assessment. The guidelines stipulate that for those windows that do warrant assessment, there would be no significant perceivable reduction in existing levels of sunlight received 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 Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and where the APSH and WSPH is not reduced by more than 20% of its original value.*
- In cases where these requirements are breached there will still be no significant noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of APSH.*
- 10.43 Where the guideline values for reduction of existing levels of daylighting and sunlighting are exceeded, then sunlighting and/or daylighting may be adversely affected.
- 10.44 With regards to overshadowing, the BRE guidelines state that, with the development in place, at least 50% of the outdoor garden areas should receive at least two hours of sunlight on 21st March and the amount of sunlight received should not exceed 0.8 times its former value.
- 10.45 The daylight/ sunlight report submitted with the application assessed the above in relation to numbers 4, 6, 8 and 10 Celia Road. The report concludes, in relation to daylight, that there would be no undue reduction in the value of VSC with the development in place and there would be no loss of DD with the development in place. The proposal would have an acceptable impact on the daylight received to numbers 4, 6, 8 and 10 Celia Road. There would also be no undue impact on the amount of sunlight reaching the habitable room windows of the Celia Road properties and no undue overshadowing to the rear gardens.
- 10.46 Concern has also been raised with regards to loss of light to the gardens and rear windows of the Celia Road properties by reason of the proposed trellis, which would sit above the existing fence line. The proposed trellis would raise the total height of the boundary treatment adjacent to the boundary with number 6 to 2m above the garden level of that property. It is not considered that this height is excessive and it would not result in any undue loss of light to or outlook from the rear windows of that property, nor

would it result in a sense of enclosure for users of the garden. The other Celia Road properties would also not be unduly affected by the additional trellis height, given the presence of foliage, existing fencing and the garage which already currently exists on the boundary.

- 10.47 With regards to privacy, the proposed north east facing ground floor windows of the extension would be obscure glazed and non opening, which would be secured by condition. The balcony to flat 4 is shown to be screened on its eastern side by an obscure glass privacy screen, which would be 1.5m high. A condition is recommended which requires that the privacy screen is installed prior to first occupation of the development. Notwithstanding the drawings, the condition requires that the screen be 1.7m high, to ensure that the privacy of the Celia Road properties is preserved. There would, as such, be no undue overlooking or loss of privacy to the occupiers of the Celia Road properties as a result of this part of the proposal. The lower ground floor extension would be sited behind the existing boundary wall. An additional line of trellising would be added to the top of this wall bringing it to an overall height of 2.6m. There would be oblique views from the upper floors windows of the Celia Road properties, into the lower ground floor windows of flat 2, and vice versa, at a distance of approximately 10m. This relationship, given the oblique nature of the views and extent of the proposed boundary treatment, is not considered to cause undue loss of privacy to the occupiers.
- 10.48 With regards to outlook and sense of enclosure, the lower ground floor extension would be sited approximately 8m from the outrigger at the number 6 Celia Road. This part of the extension would be sited behind the boundary wall and would not be visible from the ground floor windows or the garden of that property. The ground floor extension would be sited 9m from the outrigger at number 6 and would be approximately 5.5m above the Celia Road garden level. This part of the extension would be visible from all levels of the property.
- 10.49 It is appreciated that outlook from the rear windows and garden of the Celia Road properties would change as a result of the development. Currently, outlook from upper floor windows is of the garages and host property beyond. As proposed, the built form on the site would be closer, but still viewed in context of the higher main property behind. The garages would be removed and that part of the site would appear more verdant than existing. The proposed green roof on the ground floor extension would also give the extension a more verdant appearance. It is considered that, given the distance of the extension from the rear gardens and ground floor windows of the Celia Road properties and the height of the overall extension, that there would be no undue sense of enclosure or loss of outlook to the Celia Road occupiers as a result of the proposed development.
- 10.50 In relation to 200 Brecknock Road, the proposed ground floor extension would be 2.7m high, abutting the shared boundary, for a depth of 5.5m. This would be 0.8m higher than the existing shared boundary wall. The proposed ground floor extension would be 1m deep adjacent to the shared boundary, extending to 4.5m deep, 2m from the shared boundary. The Daylight Sunlight report, in relation to number 200, concludes that there would be no significant reduction in VSC or DD with the development in place and that there would as such be no discernible loss of light to the habitable room windows. The image below shows the relationship between the proposed extension and 200 Brecknock Road.

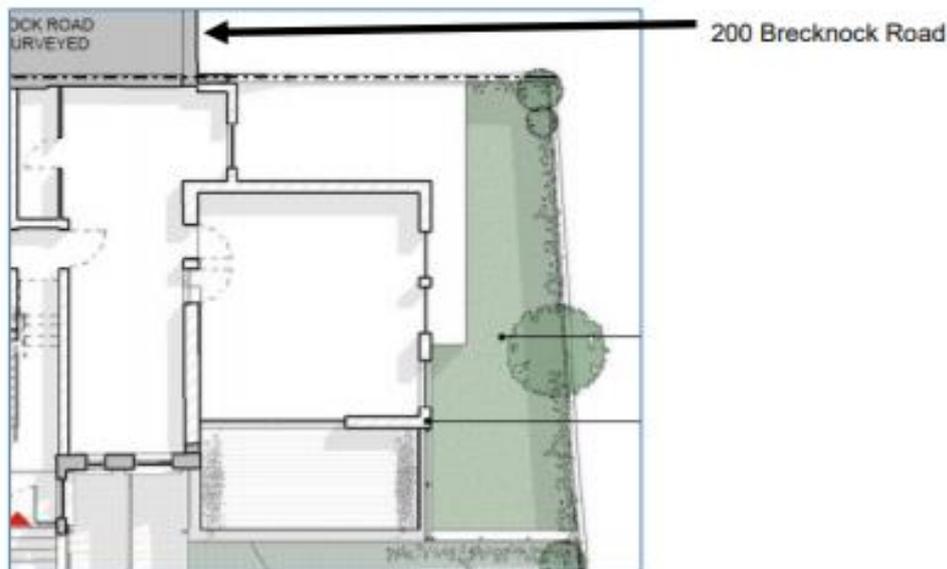


Image 10: The proposed extension and 200 Brecknock Road

- 10.51 Given the depth of the extensions, the fact that the ground floor extension at its deepest would be set off the shared boundary and the favourable orientation of the properties, it is also considered that there would be no undue loss of outlook from the nearest habitable room windows of this property with the proposal in place, nor would there be any undue sense of enclosure or overbearing impact to the occupiers when viewed from their windows or rear garden.
- 10.52 There would be no windows on the western elevation of the rear extensions and therefore no overlooking of the windows or rear amenity area of 200 Brecknock Road would occur.
- 10.53 With regards to other matters raised as a cause for concern by neighbouring residents, the parking area initially included within the submission has been removed from the drawings. The development would be car free and would not contribute to additional air or traffic pollution. Condition 6 as such states that the future occupiers, subject to 2 exceptions, are not permitted to obtain residents parking permits, in the interest of sustainability.
- 10.54 Noise and disturbance caused by previous works is not a material planning consideration relevant to this application. Should this application be approved and implemented, the development would be required to conform to hours of construction set down by the councils Environmental Health department. These are Monday to Friday 8am to 6pm. Saturdays 8am to 1pm.
- 10.55 It is considered that the use of the lower ground floor amenity areas to the front and rear of the property would not result in levels of noise that would be greater than normal domestic levels associated with private garden spaces.

Housing Mix

- 10.56 Policy 3.8 of the London Plan states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings, taking account of housing requirements identified at regional, sub-regional and local levels.
- 10.57 Islington Core Strategy policy CS12 (Meeting the housing challenge) requires the provision of a range of unit sizes within individual schemes in order to meet the needs

within the borough. The mix of dwellings should respond to the identified need as highlighted by the Islington Housing Needs Survey 2008 and illustrated in table 3.1 of the Development Management Policies document.

- 10.58 The scheme proposes 1 x 3 bed units, 2 x 2 bed units and a 4 x 1 bedroom unit. This mix, when assessed against table 3.1 of the Development Management Policies Document, underprovides on 2 bedroom units and overprovides on smaller 1 bedroom units. However, some flexibility in the mix is required here, given the constraints of the existing building and the requirement to provide good internal and external amenity for future occupiers. The scheme does provide 3 family sized units (as defined in the London Housing Design Guide) and, on the balance of all material planning considerations, the mix is considered appropriate in this context.

Standard of accommodation

- 10.59 Islington Development Management Policy DM3.4 (Housing standards) provides detailed guidance and criteria for assessing the standard of proposed residential units.
- 10.60 The table below sets out the required and proposed floor space and amenity space standards:

Flat Number	bedrooms	Minimum Floor Space Required	Floor Space Provided	Amenity Space Required	Amenity Space Provided
Flat 1	2 (4 people)	70 sq. m	77 sq. m	25 sq. m	22 sq.m
Flat 2	3 (5 people)	86 sq. m	86 sq. m	30 sq. m	31 sq. m
Flat 3	1 (2 people)	52 sq. m	50 sq. m	5 sq. m	Communal*
Flat 4	2 (3 people)	66 sq. m	61 sq. m	5 sq. m	14 sq. m
Flat 5	1 (2 people)	50 sq.m	50 sq. m	5 sq. m	Communal*
Flat 6	1 (2 people)	50 sq.m	50 sq m	5 sq. m	Communal*
Flat 7	1 (2 people)	50 sq m	50 sq m	5 sq. m	Communal*

*approximately 80sq. m of communal amenity space is provided

- 10.61 All of the proposed units would meet or exceed minimum unit sizes. All habitable rooms within each dwelling would exceed the required minimum size and the internal arrangement would allow for functional use.
- 10.62 Flats 2 and 4 have access to private outside space in compliance with the above standards. Whilst flat 1 would have 3sqm less than the minimum, this is not a significant shortfall given the constraints associated with the fact that this is a conversion of an existing property. The occupiers of flats 3, 5, 6 and 7 would not have access to private outdoor space. The flats in question are one bedroom units as opposed to family accommodation and communal outdoor space is provided. Again, taking into account the constraints of the existing building and the requirement to protect neighbouring residential amenity, it is considered that the correct balance between making best use of the site, future residential amenity and protecting existing adjacent residential amenity has been reached.
- 10.63 All of the units would be dual aspect. The seventh unit, within the roofspace, would be dual aspect only by virtue of a small dormer window. However this is a one bedroom unit, which would face south west and would be distanced from street level.
- 10.64 A daylight/ sunlight report with regards to the new units was submitted with the application. The report concludes that in the case of every proposed unit, rooms met or

surpassed the BRE Average Daylight Factor test and the test in relation to sunlight. It is considered that all would receive sufficient daylight, sunlight and ventilation.

- 10.65 Overall, it is concluded that the proposed development would provide acceptable living conditions to future occupiers and acceptable levels of amenity space.

Inclusive Design

- 10.66 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.
- 10.67 Notwithstanding this, an attempt was made by the applicant to provide step free access to the lower ground floor units, through the provision of sloped access from the pedestrian gate on Corinne Road. The length of the ramp deemed this impractical however and the constraints of the existing building and its conservation area location are such that the provision of an external lift was not appropriate in this instance. The units would all therefore be Category 1 due to stepped access to reach each front door.
- 10.68 In this context, the proposed entrance arrangements of the units are considered acceptable.

Transportation

- 10.69 The application as initially submitted included an on-site parking area. This element of the development was removed from the drawings and, in compliance with policy DM8.5 part A, the development would now be car free.
- 10.70 Residential occupiers would not be eligible to attain on street car parking permits for the surrounding CPZ in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure. The exceptions to this would be where, in accordance with Council parking policy, persons occupying the residential development are living in residential properties within Islington prior to moving into the development, have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit (condition 7).
- 10.71 Refuse storage would be provided within the rear communal area, accessed via a pedestrian gate on Corinne Road. Condition 4 in appendix B of this report requires that details of the refuse storage are submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.
- 10.72 The drawings show that the development would provide for 10 cycle parking spaces. This is less than the 11 spaces required for provision to equal 1 space per bedroom. A condition is added (condition 8) requiring details of the cycle parking to be submitted prior to commencement of the development, to ensure compliance with policy DM8.4.
- 10.73 There is an existing crossover adjacent to the site onto Corinne Road which would become redundant with the development in place. The removal of this crossover would be secured through the provision of a head of term in the legal agreement. The cost of the removal is to be confirmed by LBI Highways, who carry out the works.

Sustainability

- 10.74 Policy DM7.2 (Energy efficiency and carbon reduction in minor schemes) of the Islington Development Management Policies 2013 requires that all new developments achieve best practice energy efficiency standards. A condition (condition 12) will secure a reduction in CO2 emissions of 19% over 2013 building regulations (equivalent to 25% over 2010 Building Regulations). A condition (condition 10) is recommended to ensure the development achieves the water consumption target of 95l/p/d in accordance with policy CS10 (Sustainable design) of the Islington Core Strategy 2011.

Affordable Housing

- 10.75 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, we would require a contribution of £50,000 per new residential unit in off-site contributions in lieu of on-site provision, subject to viability.
- 10.76 As stated in the landuse section of the report, whilst it is likely that the last use of the property was 3 residential units, there is not enough evidence to conclude that this is the lawful use of the property. In acknowledgement of this, the applicant has agreed to pay the full small sites affordable housing contribution required of this seven unit scheme, which is £350,000.
- 10.77 The granting of planning permission is subject to the applicant agreeing and entering into a Unilateral Undertaking in respect of the above.
- 10.78 The proposed development would also be liable for the Mayoral and Islington CIL.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks permission for the change of use of the existing building into 7 self-contained flats, including the erection of a lower ground and ground floor extension to the north east elevation of the building and other external alterations including the replacement of all windows with new timber windows throughout.
- 11.2 The main issues arising from the development are the lawful use of the property and the principle of the change of use, the standard of the residential accommodation and the impact of the development on the residential amenities of the neighbouring occupiers.
- 11.3 Whilst the lawful use of the property is unclear, it was last used as 2 self contained flats and a small HMO (C4 use class), providing accommodation for 6 occupants. The proposed use is also residential and there would as such be no change of use arising from the development. The development would introduce additional homes into a residential area and would help the council to meet its housing targets.
- 11.4 In acknowledgement that whilst the last use of the property was residential, the lawful use cannot be established, the applicant has agreed to pay the full contribution relating to the development, of £350,000.
- 11.5 The proposal would provide a good standard of internal living accommodation and outdoor amenity space for future occupiers. The constraints of the existing building are such that there are some areas of non compliance, but in each case these have been justified.

- 11.6 The proposal would not unduly harm the residential amenities of either the residential occupiers abutting the site on Celia Road or the adjoining occupiers at 200 Brecknock Road, subject to conditions relating to privacy screens, obscure glazing, fixed windows and boundary treatment. Overall neighbouring residential amenity would not be unacceptably harmed, in compliance with policy DM2.1.
- 11.7 The proposal would have an acceptable impact on the special character of the conservation area and the appearance of the host building, in compliance with policy DM2.3 and the Tufnell Park Conservation Area Guidance.

Conclusion

- 11.8 It is recommended that planning permission be granted subject to conditions and Unilateral Undertaking to secure the 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:

- A contribution of £350,000 towards affordable housing within the Borough.
- The removal of redundant footway crossover. The cost is to be confirmed by LBI Highways, paid for by the applicant / developer and the work to be carried out by LBI Highways. Existing condition surveys may be required.

That, should the Section 106 Deed of Planning Obligation not be completed within 6 weeks from the date when the decision was made by the Committee, the Service Director, Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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 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 (Compliance)
	<p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>NcE001, NcE009 revC, NcE010 revD, NcE011 revC, NcE012 revB, NcE013, NcE030, NcE031, NcE032, NcE033, NcE040 revB, NcE041 revB, Nc002 revM, Nc009 revL, Nc010 revN, Nc011 revH, Nc012 revG, Nc013 revI, Nc030 revK, Nc031 revK, Nc032 revE, Nc033 revJ, Nc040 revF, Nc041 revJ, Nc042 revK, Design and access statement dated Nov 2015, Daylight and Sunlight Study dated 19th October 2015, Daylight and Sunlight Study (neighbouring properties) dated 27th June 2017, Energy and Sustainability Statement Issue 2.0 dated December 2015 and Planning and heritage statement dated December 2015.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Biodiversity Roofs (Compliance)
	<p>GREEN/BROWN BIODIVERSITY ROOFS (COMPLIANCE): The biodiversity (green/brown) roof(s) shall be:</p> <ol style="list-style-type: none">biodiversity based with extensive substrate base (depth 80-150mm);laid out in accordance with plan [xxxx] hereby approved; andplanted/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>REASON: To ensure the development provides the maximum possible provision</p>

	towards creation of habitats and valuable areas for biodiversity.
4	Refuse and Recycling Store (Details)
	<p>CONDITION: Details of the dedicated refuse / recycling storage shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved. The approved refuse / recycling stores shall be completed prior to the first occupation of the new flats 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	Materials (Details)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) brickwork and bond; b) window and door treatment (including sections and reveals); c) roofing materials; d) privacy screens e) details of method of enclosure of the front lightwell f) details of the materials for the steps/ railings to garden level g) timber cladding to lower ground floor window h) any new boundary treatment including new gate <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>
6	Privacy Screen
	<p>The privacy screen to flat 4, on the eastern elevation of the proposed lower ground floor extension, shall be erected prior to first occupation of the development. Notwithstanding the approved drawings, the privacy screen shall be 1.7m in height.</p> <p>REASON: To protect the privacy of the occupiers of the properties bounding the site on Celia Road.</p>
7	Parking (Compliance)
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> (1) In the case of disabled persons; (2) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year. <p>REASON: In the interests of sustainability.</p>
8	Cycle Parking (Details)

	<p>CONDITION: CYCLE PARKING PROVISION (DETAILS): Details of the layout, design and appearance of the bicycle storage spaces shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 11 cycle spaces.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
9	Windows Obscured and Fixed Shut (compliance)
	<p>CONDITION: All windows in the north eastern elevation of the proposed extension shown on drawing Nc030 hereby approved as being angled or obscurely glazed shall be provided as such prior to the first occupation of the development.</p> <p>All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows, given the less than 18m distance between facing windows.</p>
10	Water Consumption (compliance)
	<p>CONDITION: The residential use hereby approved shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water</p>
11	Construction Management Statement (details)
	<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> <ul 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>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>

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12	Carbon Reduction (compliance)
	<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.</p> <p>REASON: In the interest of securing sustainable development.</p>

Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Car-Free Development
	<p>CAR-FREE DEVELOPMENT: All new developments are car free. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
4	Sustainable Sourcing of Materials
	<p>SUSTAINABLE SOURCING OF MATERIALS: Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
5	Section 106
	<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>
6	Hours of Construction
	<p>No building work shall be carried out at the site outside the following hours:</p> <ul style="list-style-type: none"> • 8am - 6pm, Monday to Friday; • 8am - 1pm, Saturday; and • no audible building works to be carried out on Sunday or public holidays
7	Definition of Superstructure and Practical Completion
	<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</p>

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	<p>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>
<p>8</p>	<p>Community Infrastructure Levy (CIL)</p>
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the 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>

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

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

2. Development Plan

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

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

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality of Design and Housing Developments
- Policy 3.8 Housing Choice
- Policy 3.9 Mixed and Balanced Communities
- Policy 3.10 Definition of Affordable Housing
- Policy 3.11 Affordable Housing Targets
- Policy 3.13 Affordable Housing Thresholds
- Policy 5.1 Climate Change Mitigation
- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.3 Sustainable Design and Construction
- Policy 5.11 Green Roofs and Development Site Environs
- Policy 5.14 Water Quality and Wastewater Infrastructure
- Policy 5.18 Construction, Excavation and Demolition Waste
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.2 An Inclusive Environment
- Policy 7.4 Local Character
- Policy 7.6 Architecture
- Policy 7.8 Heritage Assets and Archaeology
- Policy 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- Policy 8.1 Implementation
- Policy 8.2 Planning Obligations
- Policy 8.3 Community Infrastructure Levy

B) Islington Core Strategy 2011

- Policy CS8 (Enhancing Islington's Character)
- Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
- Policy CS10 (Sustainable Design)

- Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

- Policy DM2.1 Design
- Policy DM2.2 Inclusive Design
- Policy DM2.3 Heritage
- Policy DM2.4 Local Views
- Policy DM3.1 Mix of housing sizes
- Policy DM3.4 Housing standards
- Policy DM3.5 Private outdoor space
- Policy DM3.7 Noise and vibration (residential uses)
- Policy DM3.9 Hostels/ HMO's
- Policy DM6.5 Landscaping, Trees and Biodiversity
- Policy DM7.1 Sustainable Design and Construction
- Policy DM7.2 Energy Efficiency and Carbon Reduction in Minor Schemes
- Policy DM8.4 Walking and Cycling
- Policy DM8.5 Vehicle Parking
- Policy DM9.1 Infrastructure
- Policy DM9.2 Planning Obligations
- Policy DM9.3 Implementation

3. 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:

- Tufnell Park Conservation Area

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

The following SPGs and/or SPDs are relevant:

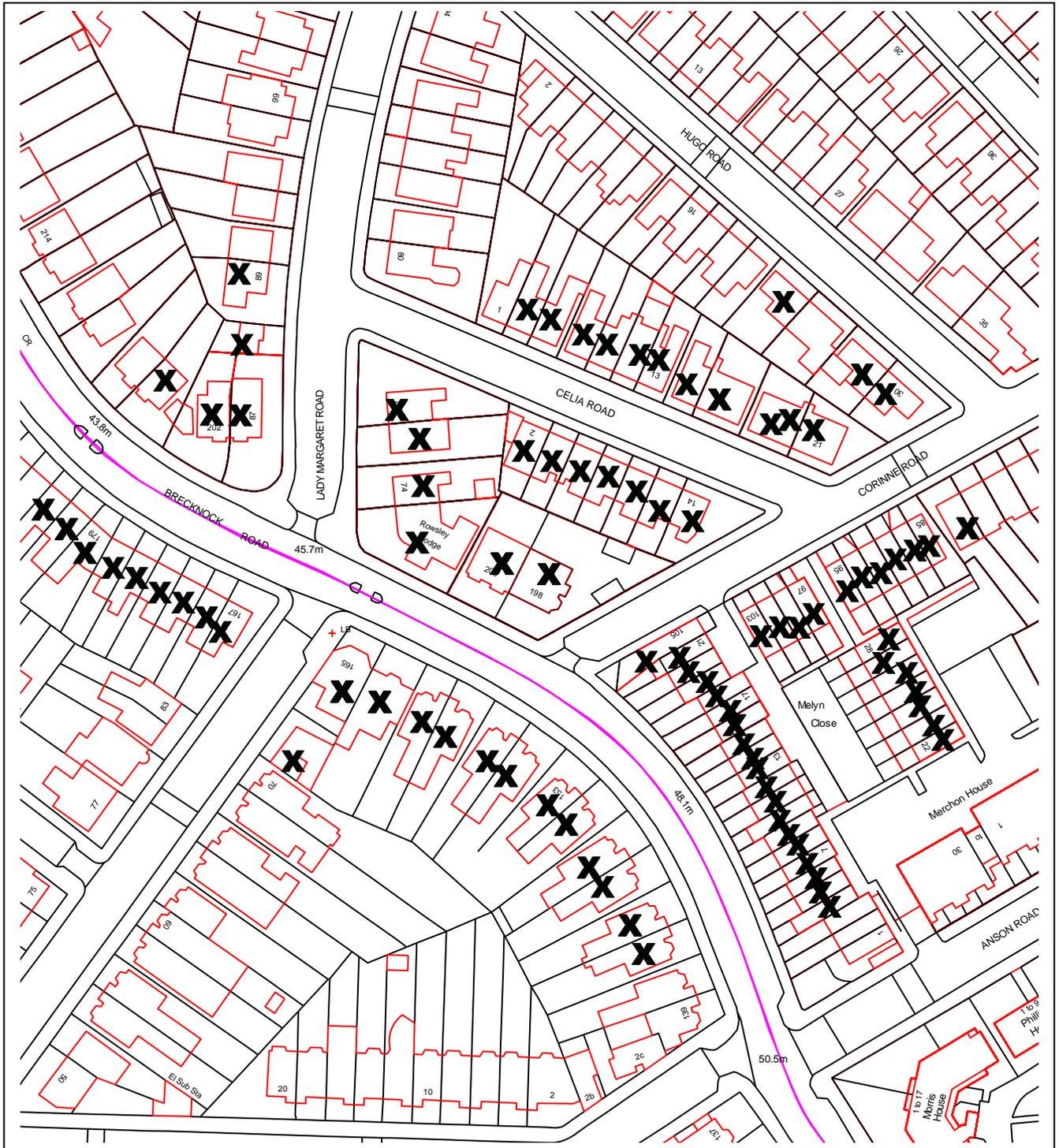
Islington Local Development Plan:

- Affordable Housing Small Sites Contributions
- Tufnell Park Conservation Area Design Guidelines
- Planning Obligations and S106
- Urban Design Guide
- Basement Development
- Environmental Design

London Plan:

- Housing
- Sustainable Design & Construction

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE B		
Date:	23 rd February 2021	NON-EXEMPT

Application number	P2020/0744/FUL
Application type	Full Planning Application
Ward	St Peter's
Listed building	No
Conservation area	No - Within 50m of the Colebrook Row/Duncan Terrace CA
Development Plan Context	Article 4 Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	City Garden Row Car Park, Theseus Walk, London, N1,
Proposal	Change of use of the existing lower deck car park (sui generis) to a self-storage facility (Class B8)

Case Officer	Mr Owen Griffiths
Applicant	Petticoat Lane Investments (IOM)Ltd
Agent	Hume Planning Consultancy Ltd

1. RECCOMENDATION

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



Image 1: Location Plan

3. PHOTOS OF SITE



Image 2: Aerial view of site.



Image 3: View of down ramp to entrance from City Garden Row.



Image 4: Internal view of existing car park.

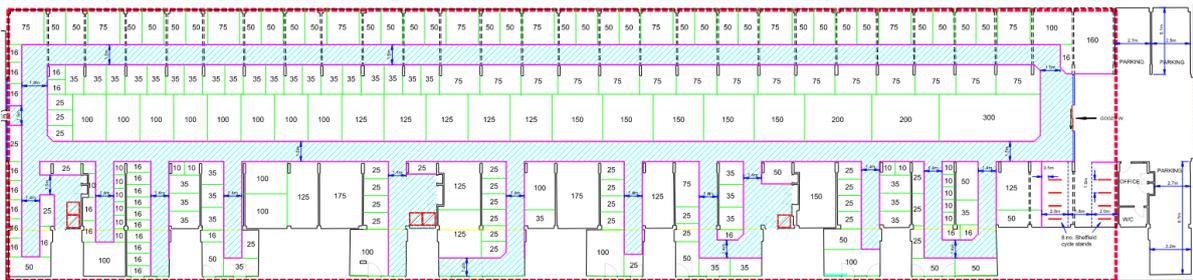


Image 5: Proposed self-storage layout.

4. SUMMARY

- 4.1 The proposal seeks planning permission for the change of use from a private car parking garage (Sui Generis Use Class) to a self-storage facility (Use Class B8).
- 4.2 The proposal is considered to be acceptable, and would provide a suitable and efficient use of the space, subject to conditions. It would not result in harm to neighbour amenity or adversely impact the public highway, subject to a Section 106 agreement.
- 4.3 No external alterations are proposed as part of the development.
- 4.4 The proposal is concluded to accord with Policy DM2.1 in relation to amenity impacts and DM5.1 in relation to new business floorspace. Furthermore, the development has demonstrated compliance with Policies DM8.2, DM8.4 and DM8.6 in relation to Transport and Highways. Overall, the proposals accord with the relevant sections of the Development Management Policies 2013 and Policies CS8 and CS9 of the Core Strategy 2011.
- 4.5 The application is referred to committee due to the number of objections received and as the site is situated in the basement area of a Council owned building.

5. SITE AND SURROUNDING

- 5.1 The application site is a car parking garage located beneath a residential block of properties at Theseus Walk with access from City Garden Row. The block is of red brick construction with a long flank boundary wall to the pavement along City Garden Row. Access to the residential premises is from the rear of the building on the opposite side of the block to City Garden Row. Overall the block is four storeys in height with the car parking garage at basement level and with three floors of residential accommodation on the upper levels. Theseus Walk contains 59 flats and maisonettes and is a council owned residential building.
- 5.2 Access to the car park is via a downward ramp from City Garden Row in close proximity to the corner with Coombe Street. The car park contains 58 spaces and is privately operated.
- 5.3 The site is located to the north of City Road and to the south of Regents Canal in the St Peter's area of the borough. The immediate surrounding area is primarily residential with a modern 6 storey housing estate to the north (Angelis Apartments) and traditional terrace housing to the south (Nelson Place and Coombe Street) and west (Roccliffe Street).
- 5.4 The site is not within a conservation area but is bounded on three sides by the Duncan Terrace/Colebrooke Row Conservation Area.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal seeks planning permission for a change of use of the existing lower deck car park to a self-storage facility (Use Class B8).

6.2 The application does not involve any external alterations to the building. The overall floor area that is subject to the change of use is 1,897sqm and overall 227 storage units will be provided in a range of sizes from 10sqf to 300sqf (27.87 sq. metres).

7. RELEVANT HISTORY:

7.1 **P092054** - Installation of boiler flues. **Approved 27/11/2009**

7.2 **890753** - Use of basement parking area for essential business parking (38 spaces) and tenants parking (12 spaces). **Approved 24/10/1989**

Public Consultation

7.3 Letters were sent to occupants of 146 adjoining and nearby properties at Theseus Walk, Coombe Street, Nelson Terrace, Haverstock Street, Duncan Terrace, City Garden Row and Angelis Apartments on the 20th April 2020. A site notice was also displayed on the 30th April 2020.

7.4 Five objections have been received from surrounding residents. The reasons for these objection can are summarised as follows:

- Noise disturbance from the new use. *(noise issues are addressed from paragraph 9.22)*
- Car park is needed in the area as there can be nowhere else to park. Loss will put more pressure on already congested on street parking leading to more traffic and pollution. *(issue addressed at paragraph 9.25)*
- Light pollution *(issue addressed at paragraph 9.25)*
- Use will lead to more lorry traffic *(highways issues area addressed from paragraph 9.13)*
- Use is borderline industrial and inconsistent with residential area and contrary to City Road Basin regeneration to convert area away from industrial uses. *(land use issues area addressed from paragraph 9.2)*
- Negative effect on property values. *(this is not a planning related matter)*
- Access to main sewage drainpipes for residential accommodation may be impacted. *(this is an issue between the freeholder and the leaseholder and is not planning related)*
- Insufficient space shown for parking and turning so vehicles can enter and exit in forward gear. *(access issues are addressed at paragraph 9.18)*
- No checks on what can be stored in lockers with potential for dangerous substances. *(fire safety issues at addressed from paragraph 9.28)*
- Better use of space would be for cycle storage. *(sufficient cycle storage for the proposed use is being provided, see paragraph 9.20)*

Waste and Storage under the residential building is unacceptable and 24 hour access should not be allowed. *(the proposed use is a self-storage facility and not for waste storage, operational hours are not 24 hours and are restricted via condition 3)*

Internal Consultees

- 7.5 **Planning Policy:** Supportive of proposals for industrial uses, subject to amenity impacts being appropriately mitigated (in accordance with DM5.1 part D (iii)). We would also view the removal of the car park in a positive light. DM5.1 part D (ii) requires satisfactory access and servicing to be achieved to the site, and DM8.6 part A (i) requires servicing and delivery vehicles to be able to enter and exit the site in forward gear.
- 7.6 **Public Protection:** The applicant has included a noise assessment. The report assesses only the noise of vehicles and makes no reference to the other operational noise sources including the roller shutters opening and closing, or trolleys moving across the internal floor. With one goods drop off area, there is a considerable distance to move goods for storage back and forth to their respective units and trolleys are likely to be used across the concrete floor. This is likely to give rise to noise and potential structure-borne noise and vibration for the residential use above. There is no information on the proposed trolleys or wheels, floor treatment or potential impact for residents above. There are also 227 individual lockers and only 3 parking spaces. Further work will be required prior to commencement to assess and mitigate these impacts. Therefore a Noise Management Plan should be conditioned (*condition 5*).

The proposed opening hours are Monday – Friday 06:00 – 22:00, Saturday 06:00 – 22:00, Sunday 10:00 – 16:00 and Bank Holidays 06:00 – 22:00. There is concern about the impact of opening at 0600, which in common acoustics terms is within the night time, with the context that residents are directly above the storage area. The noise report assumes operations start at 0700 and makes no reference to the proposed earlier start time. We would advise a condition limiting the hours of operation

Officer Comment: The hours of operation have been reduced to 8am-7pm weekdays and 10-4 at weekends to address this issue.

The application makes no reference to building services plant and it is assumed that none is proposed.

Additional informatives are also advised.

Officer Comment: An Operational Management Plan will be conditioned (Condition 4) to address concerns raised by the Public Protection Officer.

- 7.7 **Inclusive Design and Transport Planning:** No objections from an inclusive design and transport planning point of view. Parking reduction is supported in principle, and the height of the existing facility means no large trucks would access the area. Trip generation of B8 in this case would be less than for residential parking.
- 7.8 **Highways:**

- Larger vehicles cannot access the site and may wait on City Garden Row damaging the footway and blocking traffic.
- Suggested that all the Single Yellow Lines that run along City Garden Row outside 10-69 Theseus Walk are to be changed to Double Yellow Lines with No Waiting at any time(s).
- The Drop Curb outside the entrance to the site should be renewed and therefore a SEC278 would need to be applied to the planning application that also covers the cost to any damage(s) caused to the crossover/Carriageway during construction.
- Potential for City Garden Row to become blocked if there are vehicles waiting to gain access which could also affect emergency vehicles trying to gain access
- The level of trip generation at the site is expected to be lower than the existing use could generate during the traditional peak hour periods.
- Visiting vehicles should enter in forward gear and leave in forward gear when attending the site. We would suggest that the vehicles that are going to visit the site use the Pay by Phone Parking Bays (3 Bays) which are located outside 91-93 City Garden Row or the Pay by Phone Parking Bays that are located outside 1-22 Falcon Court, City Garden Row

7.9 **Housing:** On the basis of the revised operational times no objection.

7.10 **Building Control:** The applicant confirms the adoption of BS9999 which is considered appropriate for the fire safety and management arrangements for the proposed use. The change of use is not material in regard to Building Regulations (really one kind of storage for another). Probably less risk than petrol stored in car fuel tanks. The Landlord may impose the type of stored materials in the facility.

External Consultees

7.11 None

8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

8.1 The National Planning 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).

- 8.2 National Planning Policy Framework 2019 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 8.3 The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 8.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 8.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 8.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.7 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.
- 8.8 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 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.
- 8.9 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 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.

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

Emerging Policies

Draft London Plan (Intend to Publish Version), December 2019

8.11 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State appointed a Panel to conduct an examination in public (“EIP”) this opened on 15 January 2019 and continued until May 2019. The Panel of Inspectors made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with an ‘Intend to Publish’ version of the plan. The Secretary of State considered the ‘Intend to Publish’ version and the proposed changes and made several Directions in March and December 2020 setting out changes to some policies. On 21 December 2020 the Mayor formally approved a new ‘Publication London Plan’, prepared to address the Secretary of State’s Directions which was sent to the Secretary of State for his consideration. On 29 January the Secretary of State confirmed there were no further matters to raise. The London Plan can subsequently be published. Given the advanced stage at which the draft London Plan is at the policies in the Publication London Plan can be afforded significant weight. Given what is proposed in the application, the Directions are not considered to effect the assessment of this case. The relevant draft London Plan policies have been taken into account and are set out below:

Chapter 3

Policy D4 Delivering good design
Policy D11 Safety, Security and Resilience to Emergency
Policy D12 Fire Safety
Policy D14 Noise

Chapter 10

Policy T1 Strategic Approach to Transport
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and Mitigating Transport Impacts
Policy T5 Cycling
Policy T7 Deliveries, Servicing and Construction

Draft Islington Local Plan 2019

8.12 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress

8.13 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

8.14 Emerging policies relevant to this application are set out below.

Policy H1 Thriving Communities
Policy T2 Sustainable Transport Choices
Policy T3 Car Free Development Parking
Policy T5 Delivery, Servicing and Construction
Policy S1 Delivering Sustainable Design
Policy S2 Sustainable Design and Construction
Policy S3 Sustainable Design Standards

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Land Use
- Design
- Highways and Transportation
- Impact on the amenity of neighbouring residents
- Fire Safety

Land Use

9.2 The existing private car parking garage at the site is considered to be a Sui Generis use. The use class for a self-storage facility such as the one proposed at the site falls within Use Class B8 (Storage and Distribution).

9.3 The Town and Country Planning (Use Classes) Regulations were updated on 1st September 2020, with former use classes A1, A2, A3, B1 and parts of D1 and D2 becoming Class E, and A5 uses becomes Sui Generis. This enables buildings to have a number of flexible uses and changes to a use within the same class do not require planning permission. In this case, there have been no alterations to the B8 use class following the updates and therefore the use cannot flexibly change without requiring planning permission.

9.4 Draft London Plan 2019 (Intend to Publish version) Policy T1 (Strategic Approach to Transport) outlines the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. Policy CS10 of Islington's and Core Strategy and DM8.5 of Islington Development Policies accord with Policy T1 by encouraging sustainable modes of transport and promotes car free development. The

intent of the development plan is to move away from a dependency on the car as a means of transport to more sustainable modes such as walking, cycling or public transport.

- 9.5 The Council actively promotes through its planning policies the reduction of car parking spaces in favour of more sustainable modes of transport. Emerging Policy T3 of Islington's Local Plan accords with London Plan Policy T1 and states that redevelopment of existing car parking areas will be strongly encouraged, which is considered to apply to the proposed change of use. The application site is located within a residential area that is well served by alternative transport modes and has a PTAL score of 5 (the third highest score possible). There are existing on-street parking spaces available to local residents or temporary spaces are available via 'Pay by Phone' services.
- 9.6 Emerging Local Plan policy B2, part E states that new business floorspace is acceptable where it would not detract from the character of the local area; and would not detrimentally impact on residential amenity.
- 9.7 Adopted Policy DM5.1 relates to new business floorspace and Part D states that proposals for industrial and warehousing uses will be supported where:
- i) Off-street loading and adequate goods lifts are provided,
 - ii) Satisfactory access and servicing can be achieved to the site, and
 - iii) The use would not be detrimental to amenity, due to noise, vibration, smell, fumes, smoke, soot, ash, dust or grit
- 9.8 Compliance with Policy DM5.1 will be addressed in the forthcoming sections in relation to Access (paragraph 9.18 and Neighbouring Amenity (paragraph 9.222).
- 9.9 The removal of the private car parking garage and the proposed use of the site as a self-storage facility is considered to be acceptable in land use terms and accords with the principles of the development plan. However, should the change of use to B8 be granted, there are other associated uses within this use class that would not be appropriate in this residential area. Alternative uses within the B8 use class include a storage and distribution warehouse for a supermarket or builders merchant. These uses could generate a significant amount of additional servicing trips potentially with larger vehicles having to access the site. To avoid any other such B8 uses being implemented at the site, a specific use condition is advised for the site to be used only as a self-storage facility and for no other use within the B8 use class (Condition 6).
- 9.10 The following sections will address highway and neighbouring amenity considerations that will return need to demonstrate accordance with DM5.1 Part D. Recommended conditions are listed at Appendix 1.

Design, Conservation and Heritage Considerations

- 9.11 The proposal involves no external alterations to the existing lower ground floor of the building. It is therefore considered that the proposed development and use would not have any material adverse impact on the appearance of the surrounding area and

adjoining/nearby conservation area which is located to the north, south and west of the site.

- 9.12 In accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been paid to the desirability of preserving or enhancing the character or appearance of the adjacent conservation area. The proposal is not considered to cause harm to the character nor the appearance of the conservation area as no external alterations are proposed.

Highways and Transportation

- 9.13 Development Management Policy DM8.2 requires developments to fully mitigate any adverse impacts upon the capacity of transport infrastructure and have no negative impacts on the safe and efficient operation of transport infrastructure. In order to mitigate any adverse impacts, Development Management Policy DM8.6 requires that worst case scenarios have been assessed and their impacts mitigated.

- 9.14 Policy DM8.2, Part A in relation to 'Managing transport impacts' states 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. Where the council considers that a development is likely to have a significant negative impact on the operation of transport infrastructure, this impact must be satisfactorily mitigated. In order for developments to be considered acceptable they are required to:

- i) fully mitigate any adverse impacts upon the capacity of transport infrastructure, including pavements and other walking routes, cycle routes, public transport and roads;*
- ii) have no negative impacts on the safe and efficient operation of transport infrastructure;*
- iii) maximise safe, convenient and inclusive accessibility to, from and within developments for pedestrians, cyclists and public transport users;*
- iv) provide equal access for all people, including inclusive access for disabled people;*
- v) adequately address delivery, servicing and drop-off requirements, and*
- vi) have no significant negative impacts from transport arrangements on the local and wider environment.*

- 9.15 Policy DM8.6, in relation to Delivery and servicing for new developments states at Part A:

Provision for delivery and servicing should be provided off-street, particularly for commercial developments over 200m² gross floor area. In order to ensure proposed delivery and servicing arrangements are acceptable:

- i) It must be demonstrated that servicing and delivery vehicles can enter and exit the site in forward gear*
- ii) Details shall be submitted to establish the delivery and servicing needs of developments*

iii) Delivery and servicing bays are required to be strictly controlled, clearly signed and only used for the specific agreed purpose.

- 9.16 Policy DM5.1 part D outlines that proposals for industrial and warehousing uses will be supported where off-street loading is provided, satisfactory access and servicing can be achieved to the site, and the use would not be detrimental to amenity, due to noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. Emerging Policy T5 (Delivery, servicing and construction) requires that delivery and servicing arrangements must be provided off-street wherever feasible.
- 9.17 The proposal for the self-storage facility would provide three internal car parking spaces for loading and unloading to the storage lockers. The car parking provided would be off-street and would allow a car to enter and exit the site in forward gear. The provision of car parking to support a B8 use is referenced as acceptable in Policy DM8.5 as it is integral to the nature of the business use. Therefore, the provision of car parking at the site is appropriate and in accordance with DM8.5. The overall volume of car parking at the site is being significantly reduced from 58 to 3 and such a reduction is supported by the Council for the reasons outlined above at paragraph 9.5.
- 9.18 Discussions took place during the course of the application over van type vehicles servicing the site and due to the restricted head height of the entrance (2.16m) it was proposed for such vehicles to service the site from the access ramp to the City Garden Row. However, this situation would result in larger vehicles having to reverse over the public highway back onto City Garden Row which would not comply with DM8.6 Part A (i) and is opposed to by the Highways Officer on public safety grounds. To ensure this situation does not arise, larger vehicles over 2.1m in height, such as 3.5T panel vans, would be required to load from the available 'Pay by Phone' parking spaces at 91-93 City Garden Row or 1-22 Falcon Court, further to the south on City Garden Row. It is recommended that an Operational Management Plan is conditioned to ensure that the requirement for larger vehicles to not use the ramp is clearly signed and for management protocols to be in place to ensure such vehicles do not use the ramp to load or from unauthorised areas of City Garden Row that may block traffic.
- 9.19 It was highlighted by the Highways Officer that the single yellow line to City Garden Row in front of Theseus Walk should be changed to a double yellow line so no parking or loading can occur that may block the highway for other road users. It was also suggested that the drop curb outside the entrance way to the site is renewed. The current drop curb is showing signs of disrepair and continued vehicle movements over the hard surface will lead to further damage. Prior to the use being commencing at the site a Section 278 agreement of the Highways Act will need to be secured to ensure the drop kerb is renewed and for the single yellow lines to be converted to double yellow lines. This requirement will be secured via a deed of obligation under Section 106 between the applicant and the Local Planning Authority. A draft Head of Terms is provided at Appendix A.
- 9.20 In addition, 8 Sheffield cycle stands will be installed providing 16 cycle parking spaces. Policy DM8.4 refers to Appendix 6 where the provision of cycle parking is outlined for each particular use. For a B8 use, 1 space should be provided for every 400sqm of floor area. As 1897sqm of floor space is the subject of the change of use 5 spaces should be provided and therefore the provision of 16 spaces is appropriate in this instance.

9.21 It is concluded that the development accords with DM5.1 in relation to Part D (i and ii) as off-street loading and satisfactory access and servicing can be achieved at the site. The application is also in compliance with DM8.6 as the primary vehicle that will use the site can enter and exit the site in forward gear. Finally, the Operational Management Plan and Section 278 agreement will ensure there are no adverse consequences for the surrounding transport infrastructure in accordance with DM8.2. Overall, the application is deemed to be acceptable in relation to Highways and Transportation.

Neighbouring Amenity

9.22 All new development is subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.

9.23 The applicant has provided a Noise Impact Assessment (Planning Compliance Report Ref: 21108.NIA.01) that has identified the average ambient daytime noise level as being 50dB and at night it is reduced to 42dB. The report goes on to assess the noise impacts at the nearest noise sensitive receptors (rear of the properties to Coombe Street) as a result of vehicles accessing the site. As has been highlighted by the Acoustic Officer, the assessment of vehicle noise only is limited and other noise may emanate from the new use such as the shutters being operated or roller trolleys being moved across the internal floor. This may also lead to potential structural borne noise and vibration affecting the residents on the upper levels of the building. To address these additional considerations a Noise Management Plan (Condition 6) has been recommended to ensure that the impact of the B8 storage use is not detrimental to neighbouring amenity and for these details to be approved prior to any works commencing at the site.

9.24 The operational hours of the self-storage facility would be 8am-7pm weekdays and 10am-4pm at weekends (Condition 3). These hours have been reduced from the hours initially applied for, that included opening at 6am and closing at 10pm, as it was considered that such hours had the potential to disturb surrounding residents at unsociable hours and when the surrounding ambient sound levels are lower. The reduced hours of use in combination with the requirements of Condition 5 (Noise Management Plan) are concluded to be sufficient to mitigate any potential noise impacts to surrounding residents and in this regard the application is considered to be acceptable and in accordance with the relevant policies in the Development Plan.

9.25 In addition to noise, concerns have been raised in representations in relation to light pollution and air pollution due to increased road traffic. The cover letter provided by the applicants transport consultant has outlined that the level of trip generation to the site is expected to be lower than the existing use during a typical peak hour. The worst case scenario of the proposed self-storage use is anticipated to be 12 vehicles per hour whereas the existing car park use could generate 19-20 arrivals in the morning peak hour. As there will be an overall decrease in vehicle trips to the site as a result of the change of use there should be benefits to the local area in relation to road traffic and

the associated impacts on air quality. There is also nothing proposed in the application that indicates light pollution will be a factor that may affect neighbouring occupiers.

- 9.26 The application makes no reference to building services plant and therefore an informative will be included to remind the applicant that should such equipment be required, a further planning application will need to be submitted.
- 9.27 In relation to neighbouring amenity, the proposed change of use is considered acceptable subject to a conditions that limit the hours of operation and for further details to be provided in a Noise Management Plan. It is therefore concluded that the proposed development would not cause demonstrable harm to the amenities of adjoining occupiers and that the application is in accordance with policy DM2.1 of the Development Management Policies.

Fire Safety

- 9.28 Draft London Plan (Intend to Publish Version) Policy D12 Part B relates to Fire Safety and requires development proposals to submit a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.
- 9.29 Representations raising objection to the scheme have referred to fire safety issues with particular concern over hazardous items being stored in the storage lockers underneath the residential premises at Theseus Walk. The applicant has provided a Fire Statement (Compliance with Draft New London Plan – City Garden Row) that outlines how the development will follow the design guidance of BS 9999: 2017. The statement also refers to items that will be prohibited from storage including such hazardous items as combustible or flammable liquids and gases.
- 9.30 The application has been referred to the Building Control Team and adherence to BS 9999: 2017 was clarified as being the appropriate standard for the proposed use. It was also highlighted that there is an existing potential hazard of petrol/diesel being stored in the cars in the car parking garage that may represent more of a hazard than storage of items in the proposed storage lockers.
- 9.31 The Operation Management Plan (Condition 4) will include reference to certain items being prohibited from storage within the facility and how this restriction will be conveyed to customer wishing to store items in the self-storage facility.

10. SUMMARY AND CONCLUSION

Summary

- 10.1 The proposal is considered to be acceptable, subject to conditions and the draft head of terms listed at Appendix 1, and would not result in harm to neighbour amenity, adversely impact the public highway nor detract from the character of the host building and local area. The proposal accords with policies DM2.1, DM5.1, DM8.2, DM8.4 and DM8.6 of the Development Management Policies 2013 and policy CS9 of the Core Strategy 2011.
- 10.2 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, and the Islington Development Management Policies and should be approved accordingly.

Conclusion

- 10.3 For the reasons outlined above, it is recommended that planning permission be granted subject to conditions and a S106 legal agreement with the 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.

- Applicant to enter into a Section 278 agreement with the Local Highways Authority for repair and re-instatement of the drop kerb adjoining the development and for the existing single yellow line to City Garden Row in front of Theseus Walk be converted to a double yellow line, prior to occupation.

RECOMMENDATION B

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 (3 YEAR CONSENT PERIOD)
	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: 150702S, 1 OF 2 (Existing Floor Plan of Car Park), Site Location Plan, Transport Note March 2020, Planning Design and Access Statement March 2020, Planning Compliance Report Ref: 21108.NIA.01, Fire Strategy Technical Note Ref: 623426-MLM-ZZ-XX-RP-YF-0001, Transport Cover Letter dated 10/07/2020 Ref: 2020-3798/L01/EC. 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	HOURS (COMPLIANCE)
	<p>CONDITION: The self-storage facility use hereby approved shall not operate outside the hours of 0800 to 1900 hours Monday to Friday and 1000 to 1600 on Saturday and Sunday.</p> <p>REASON: To protect the amenity of residential properties.</p>
4	Operational Management Plan
	<p>CONDITION: Prior to the use commencing at the site an Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Operational Management Plan shall address the following points:</p> <ul style="list-style-type: none"> • Measures (including signage and management protocols) to ensure vehicles will not wait on the access ramp to City Garden Row. • Measure to inform customers wishing to use van type vehicles higher than 2.1m, that they cannot load from the access ramp or from restricted parking areas on City Garden Row and must use Pay by Phone on-street temporary parking services surrounding the site such as at 91-93 City Garden Row or at 1-22 Falcon Court, City Garden Row. • Procedures to inform customer that certain hazardous item are prohibited from storage in the facility. • Traffic Management including the monitoring and enforcement of an anti-idling policy. • Noise Management including the potential for noise transfer from use of trolleys, with details of mitigation including trolley and wheel type, maintenance and floor treatment and noise from the roller shutter, mitigation and maintenance thereof • Signage and information to inform users to minimise noise and controls on users' behaviour. • Protocols for dealing with complaints and resident liaison <p>REASON: To ensure that the resulting operational arrangements are satisfactory in terms of their impact on highway safety and neighbouring amenity.</p>

5	Noise Management Plan
	<p>CONDITION: A Noise Management Plan assessing the impact of the B8 self-storage use 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 on nearby residents and other occupiers together with means of mitigating any identified impacts. The B8 storage use shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To protect the amenity of residential properties.</p>
6	RESTRICTED B8 USE (COMPLIANCE)
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020, the premises shall be used only for the purposes indicated in the submitted details (a self-storage facility) and not for any other purpose listed within Use Class B8 of the Town and Country Planning (Use Classes)(Amendment)(England)Regulations 2020 .</p> <p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development, in the interests of the use of the building and the amenity of the adjoining neighbours.</p>

INFORMATIVE

1	If plant equipment is required for the proposed use a further planning application will be required prior to installation at the site.
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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 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- NPPF (2019)

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 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character

B) Islington Core Strategy 2011

Policy CS8 Enhancing Islington's character
Policy CS9

C) Development Management Policies June 2013

DM2.1 Design and Amenity
DM5.1 New Business Floorspace
DM8.2 Managing transport impacts
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 and Site Allocations 2013:

- Article 4 Direction A1-A2 (Rest of Borough)

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

The following SPGs and/or SPDs are relevant:

London Plan - Character and Context (2014)

5. Emerging Policies

Draft London Plan (Intend to Publish Version, December 2019)

The emerging London Plan policies have been taken into account. Relevant policies in the emerging London Plan are set out below:

Chapter 3

Policy D4 Delivering good design
Policy D11 Safety, Security and Resilience to Emergency
Policy D12 Fire Safety
Policy D14 Noise

Chapter 10

Policy T1 Strategic Approach to Transport
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and Mitigating Transport Impacts
Policy T5 Cycling
Policy T7 Deliveries, Servicing and Construction

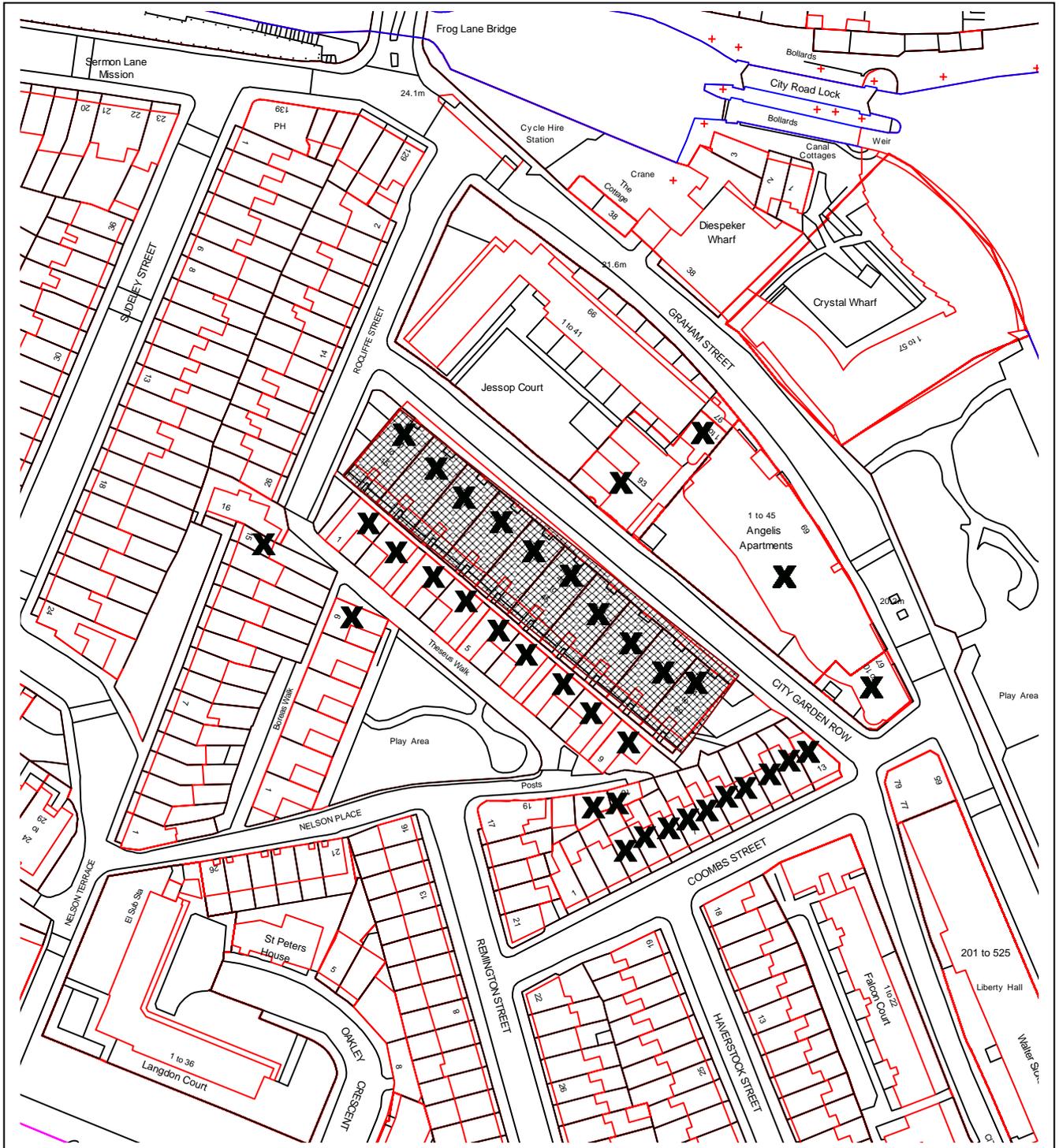
Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

Policy H1 Thriving Communities
Policy T2 Sustainable Transport Choices
Policy T3 Car Free Development Parking
Policy T5 Delivery, Servicing and Construction
Policy S1 Delivering Sustainable Design
Policy S2 Sustainable Design and Construction
Policy S3 Sustainable Design Standards

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PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		
Date:	23 February 2021	NON-EXEMPT

Application number	P2020/0592/FUL
Application type	Full Planning (Householder)
Ward	Mildmay
Listed building	N/A
Conservation area	Newington Green
Development Plan Context	None.
Licensing Implications	None.
Site Address	37F Mews House, Mildmay Grove North, Islington, London, N1 4RH
Proposal	Erection of a glazed roof extension. External courtyard alterations including creation of new entrance patio and water tank storage. Installation of 2no. living walls to north and south walls of external patio. Associated alterations.

Case Officer	Zeb McInnes
Applicant	Mr Alex Rowell
Agent	Architecture & Food

1. RECOMMENDATION

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

2. SITE PLAN (SITE OUTLINED IN RED)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of the application site



Image 2: Aerial view of the terrace facing Mildmay Park with the application site to the rear



Image 3: Aerial view of the terrace facing Mildmay Grove North with the application site to the rear

4. SUMMARY

- 4.1 Planning permission is sought for the erection of a glazed roof extension, external courtyard alterations including creation of a new entrance patio and associated alterations. The key considerations in determining the application relate to the impact of the proposal upon the character and appearance of the host building, wider streetscene, and the Newington Green Conservation Area and the associated impact on neighbouring amenity at adjoining and adjacent residential properties.
- 4.2 The proposal is brought to committee because the application has received 13 objections from neighbouring occupiers, indicating a high level of interest in the application.
- 4.3 The application site is known as 37F Mews House and comprises a two-storey dwelling on a backland site. The site is located between a contemporary residential flat building and a four-storey terrace.
- 4.4 The buildings are not statutorily nor locally listed, however the site is located within the Newington Green Conservation Area.
- 4.5 The proposed roof extension and associated alterations are considered to be acceptable, and would not cause harm to the character or appearance of the host building or the wider Newington Green Conservation Area. The proposal would not cause undue harm to the level of amenity experienced by neighbouring residential occupiers in terms of increased noise disturbance, loss of daylight, sunlight, outlook or sense of enclosure and has been amended through revisions during the course of the application to address any neighbouring privacy concerns.
- 4.6 The proposal is therefore considered to be acceptable, and it is recommended that the application is approved subject to conditions set out at Appendix 1.

5. SITE AND SURROUNDINGS

- 5.1 The application site contains a two storey dwelling house, which is accessible via a private, unnamed laneway from the northern side of Mildmay Grove North within a contemporary backland development. The site is located to the rear of 61 Mildmay Park. The site is located between a contemporary residential flat building and a Victorian terrace facing Mildmay Park.
- 5.2 The surrounding area is residential in character with terraces located on the northern side of Mildmay Grove North and both sides of Mildmay Park. A London Overground line is located on the southern side of Mildmay Grove North.
- 5.3 The site does not contain a statutorily or locally listed building but is located within the Newington Green Conservation Area (CA12).

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks permission for the following alterations to the dwelling house:
- Erection of a lantern-style roof extension with a glazed roof containing mezzanine level;
 - Extension of upper level front entrance patio and reduction in size of lower level courtyard, addition of water tank storage, and introduction of two walls around courtyard; and
 - Internal reconfiguration of rooms.
- 6.2 Due to concerns raised in representations and by officers, the plans were amended to reduce the extent of glazing on the roof extension, introduce obscure glazing on the roof extension, and remove proposed excavation works. The amended plans form the basis of this assessment.

7. RELEVANT HISTORY

Planning Applications

- 7.1 **P031826:** Erection of a part three storey (with roof terrace), part two storey (with roof terrace and basement) building and a separate one and a half storey building with single storey glazed link corridor to form 1 x one-bed flat; 1 x two-bed flat; 2 x two-bed maisonettes and 1 x one-bed mews house. Refused 1 April 2004.
- 7.2 **P051653:** Demolition of existing buildings and erection of one three storey building and two 2 storey buildings to provide six new dwellings comprising four 1 bed and two 2 bed units. Approved 15 December 2005.

Enforcement history

- 7.18 **E08/03530:** Non-compliance with P031826 and P051653. Case closed 19 December 2008.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on 1 May 2020. A site notice and press advert were also displayed. The public consultation of the application therefore expired on 25 May 2020, however it is the Council's practice to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report, 8 objections had been received from the public with regard to the application. The issues can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):
- impact upon character and appearance of the host building, wider terrace setting and surrounding conservation area (**see paragraphs 10.20-10.25**)
 - impact upon neighbouring amenity, including overlooking and loss of privacy (**see paragraphs 10.26-10.30**);
- 8.3 Following discussions with the applicant to address the above concerns, amended plans were received and a further round of consultation took place. Letters were sent to occupiers of adjoining and nearby properties on 5 January 2021 and the public consultation expired on 19 January 2021. At the time of the writing of this report, 5 objections had been received from the public with regard to the application raising the same concerns.

Internal Consultees

- 8.4 None.

External Consultees

- 8.5 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 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 2019 (NPPF): Paragraph 10 states: “at the heart of the NPPF is a presumption in favour of sustainable development.”
- 9.3 At paragraph 8 the NPPF states that the planning system has three overarching objectives in achieving sustainable development, being an economic objective, a social objective and an environmental objective.
- 9.4 The NPPF 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.

Development Plan

- 9.10 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, and Development Management Policies 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 9.11 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, and Development Management Policies 2013.

- Newington Green Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Emerging Policies

Draft London Plan (Intend to Publish Version, December 2019)

9.13 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State appointed a Panel to conduct an examination in public ("EIP") this opened on 15 January 2019 and continued until May 2019. The Panel of Inspectors made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with an 'Intend to Publish' version of the plan. The Secretary of State considered the 'Intend to Publish' version and the proposed changes and made several Directions in March and December 2020 setting out changes to some policies. On 21 December 2020 the Mayor formally approved a new 'Publication London Plan', prepared to address the Secretary of State's Directions which was sent to the Secretary of State for his consideration. On 29 January the Secretary of State confirmed there were no further matters to raise. The London Plan can subsequently be published. Given the advanced stage at which the draft London Plan is at the policies in the Publication London Plan can be afforded significant weight. Given what is proposed in the application, the Directions are not considered to effect the assessment of this case. The relevant draft London Plan policies have been taken into account and are set out below:

- Policy D4: Delivering good design
- Policy HC1: Heritage conservation and growth

Draft Islington Local Plan 2019

9.14 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020. Due to the constraints posed by COVID-19, it is anticipated that the Examination hearings are likely to take place in September 2020.

9.15 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

9.16 Emerging policies relevant to this application are set out below:

- Policy DH1: Fostering innovation and conserving and enhancing the historic environment
- Policy DH2: Heritage assets

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle of roof extension
- Design and Conservation

- Neighbouring Amenity

Principle of roof extension

- 10.2 The application seeks permission for the erection of a glazed roof extension, external courtyard alterations including creation of a new entrance patio and associated alterations. The site is within the Newington Green Conservation Area and as such is considered to form part of a designated heritage asset.
- 10.3 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should contribute positively to making places better for people.
- 10.4 Paragraph 131 of the NPPF (2019) states that in determining planning applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 10.5 Policy CS9 of Islington's Core Strategy 2011 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.6 Policy DM2.3 states that 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.
- 10.7 The application seeks permission for the erection of a glazed roof extension, external courtyard alterations including creation of a new entrance patio and associated alterations.
- 10.8 Principle of roof extension
- 10.9 The Islington Urban Design Guide 2017 states that the roofline is an important factor contributing to the rhythm and uniformity of a residential terrace or street. Paragraph 5.150 states that, within conservation areas, proposals for roof extensions anywhere along an unaltered roofline will not generally be acceptable. Where the roofline is broken, the scope for roof extensions will normally be dependent on the number of existing roof extensions; the length of the terrace; and the presence of any listed buildings.
- 10.10 The property is located on a backland site and consists of a single detached dwelling with a skillion roof behind a parapet on each side. The roof is similar in height and form to the adjoining residential flat building to the west. The adjoining terrace to the east is 2-3 storeys higher than the property and includes hipped roofs. Given the adjoining residential flat building is part of the same development approved in 2015, it is considered to be the same context and should be used as a reference in determining the suitability of the glazed roof extension.
- 10.11 Given the property does not form part of the terrace and no established roofline exists, it is not considered a roof extension would cause harm to the character and appearance of the host property, the adjoining properties or wider streetscene. The proposal is therefore acceptable subject to detailed design.
- 10.12 Paragraphs 5.156 of the Urban Design Guide 2017 discuss the most appropriate types of roof extensions for different types of roof forms, as well as the design principles that should be employed for each type. It is noted that contemporary roof extensions, with a lightweight appearance such as glass and steel, comprise a vertical frontage and flat roof that is usually well set back behind the front parapet, are appropriate.

Design and conservation

- 10.13 The property is located on a backland site and consists of a single detached dwelling with a skillion roof behind a parapet on each side. The roof is similar in height and form to the adjoining residential flat building to the west. The adjoining terrace to the east is 2-3 storeys higher than the property and includes hipped roofs. Given the property does not form part of the terrace and no established roofline exists, it is considered that a roof extension would not cause harm to the character and appearance of the host property, the adjoining properties or wider streetscene.

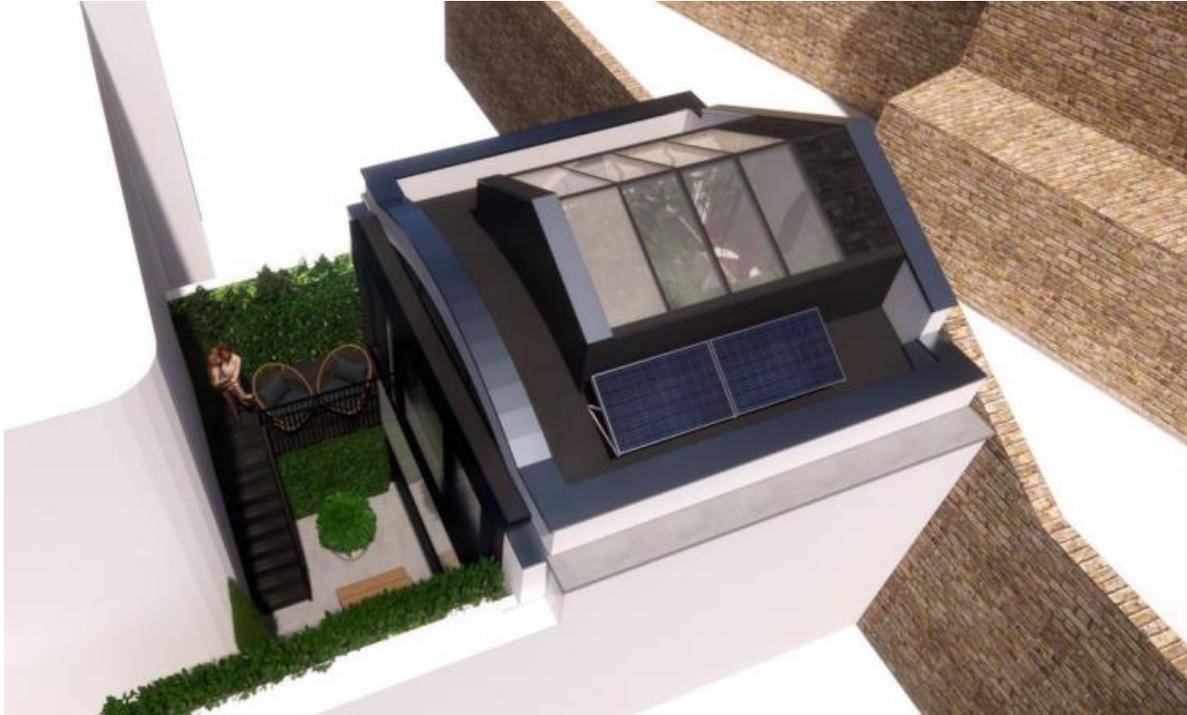


Image 4: Photomontage of the proposed lantern-style roof extension

- 10.14 The proposed roof extension is a lantern-style roof which would be set against the existing rear parapet and includes a new front parapet which would be set back 1.14m from the front of the building. The extension is set back 2.3m to the northern side boundary and 1.65m to the southern side boundary. The extension includes a pitched glazed roof with opaque glazing of reeded glass on the westernmost panels and timber charred cladding on the easternmost panels. The centre six panels include clear glazing. The ridge height of the roof matches the existing rear parapet.
- 10.15 From street level and the neighbouring properties, the roof extension would not be significantly prominent given both the minimal height of the extension above the parapet, and the proposed setbacks. The extension is considered to be modest in scale and therefore would not appear prominent or overbearing within the immediate streetscene context.
- 10.16 Overall, the design of the roof extension would match the principles set out within the IUDG. It would retain the parapet at the rear of the building and will not materially impact on the design and form of the building.
- 10.17 The proposal includes the extension of the existing upper level entrance patio and reduction in the size of the existing lower level courtyard, addition of water tank storage, and two new walls around the courtyard. These changes are located behind the existing walls of the building and therefore would not be visible from street level and the neighbouring properties.
- 10.18 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the conservation area, its setting and any of its features of special architectural or historic interest. Overall, the proposal is considered to be acceptable and would not cause harm to the appearance of the host building, wider terrace setting and surrounding conservation area. The proposal is therefore consistent with Policies 7.4, 7.6 and 7.8 of the London Plan 2016, Policy CS9 of the Core Strategy 2008, Policies DM2.1 and DM2.3 of the Development

Neighbouring Amenity

- 10.19 Policy DM2.1 of the Development Management Policies 2013 states that development should not have an adverse impact on neighbouring amenity in terms of noise, overshadowing, overlooking, privacy, direct sunlight and day light, over-dominance, sense of enclosure and outlook. Policy 7.6 of the London Plan 2016 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.
- 10.20 The proposed extension would be located at roof level and within the existing footprint of the buildings, set in from the front of the building and behind the parapet at the rear of the building. It would therefore not cause harm to neighbouring amenity with regard to overshadowing, access to daylight and sunlight, over-dominance, sense of enclosure or outlook.
- 10.21 Concern has been raised in representations that the proposal would cause undue overlooking into neighbouring properties and gardens. In response to these concerns, the design of the proposed roof extension was amended to replace the glazed portion at the front of the extension with a solid parapet, the addition of triple-glazed glazing obscured with reeded glass on the westernmost roof panels, and the addition of timber charred cladding on the easternmost roof panels. These changes will ensure there are no overlooking impacts to any neighbouring habitable room windows. The nearest habitable room windows are located 13m away on the western side of the extension and 8m away on the eastern side of the extension. The clear glazing on the centre six panels would not result in overlooking impacts to the gardens as the extension is set back 2.3m and 1.65m to the northern and southern boundaries respectively. It is considered the amendments overcome the privacy concerns and there will be no material privacy impacts. Notwithstanding these interventions, it is acknowledged that a level of mutual overlooking is characteristic of this area given the density of development and amount of windows overlooking gardens.

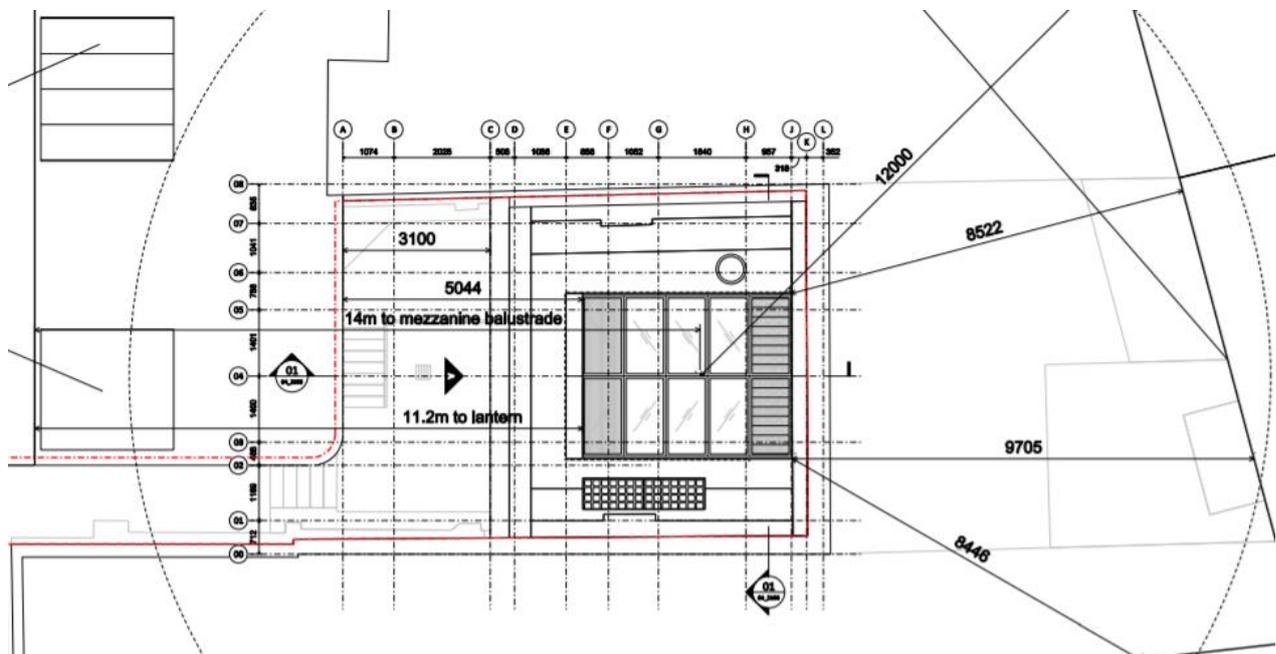


Image 5: Site plan showing the roof extension and the distances from the rear of the neighbouring properties

- 10.22 Concern has been raised in representations that the proposal would result in light pollution to the neighbouring properties. Given the proposal is associated with a residential dwelling, it is not considered that any light produced would be intense or be considered a nuisance.
- 10.23 Overall, the proposal is considered to be acceptable and would not cause undue harm to the level of neighbouring amenity with regard to noise, light disturbance, overshadowing, overlooking,

privacy, access to sunlight and daylight, over-dominance, sense of enclosure or outlook. The application therefore accords with Policy DM2.1 of the Development Management Policies 2013.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed roof extension and associated alterations are considered to be acceptable, and would not cause harm to the character or appearance of the host building or the wider Newington Green Conservation Area. The proposal would not cause undue harm to the level of amenity experienced by neighbouring residential occupiers in terms of increased noise disturbance, loss of daylight, sunlight, outlook or sense of enclosure and has been amended through revisions during the course of the application to address any neighbouring privacy concerns.
- 11.2 As such, the proposal is considered to accord with the National Planning Policy Framework 2019, The London Plan 2016, the Islington Core Strategy 2011, Islington Development Management Policies 2013, the Islington Urban Design Guide 2017 and Newington Green (CA12) Conservation Area Statement.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Dwg A&f_115_B1_02PL AN_0200_02, Dwg A&f_115_B1_02PLN_0001_02, Dwg A&f_115_B1_02PLN_2003_02, Dwg A&f_115_B1_02PLN_2200_02, Dwg A&f_115_B1_05ELE_2000_03, Dwg A&f_115_B1_04SEC_0200_03, Dwg A&f_115_B1_04SEC_0201_03, Dwg Anf_115_B1_01LOC_0000_00, Design and Access Statement dated November 2020 by Architecture and Food.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Compliance)
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement dated November 2020 by Architecture and Food. 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	Windows Obscured and Fixed Shut/Angled as Shown on Plans (Compliance)
	<p>All windows shown on the plans hereby approved as being angled or obscurely glazed shall be provided as such prior to the first occupation of the development.</p> <p>All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
5	Construction Method Plan
	<p>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> <p>a) identification of construction vehicle routes</p>

- 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

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.

REASON: To ensure that the development does not adversely impact on neighbouring residential amenity.

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 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

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

a. The London Plan 2019 - Spatial Development Strategy for Greater London

Policy 7.4 – Local character

Policy 7.6 – Architecture

Policy 7.8 – Heritage assets and archaeology

b. Islington Core Strategy 2011

Policy CS9 – Protecting and enhancing Islington's built and historic environment

c. Development Management Policies June 2013

Policy DM2.1 – Design

Policy DM2.3 – Heritage

3. Designations

- Newington Green Conservation Area

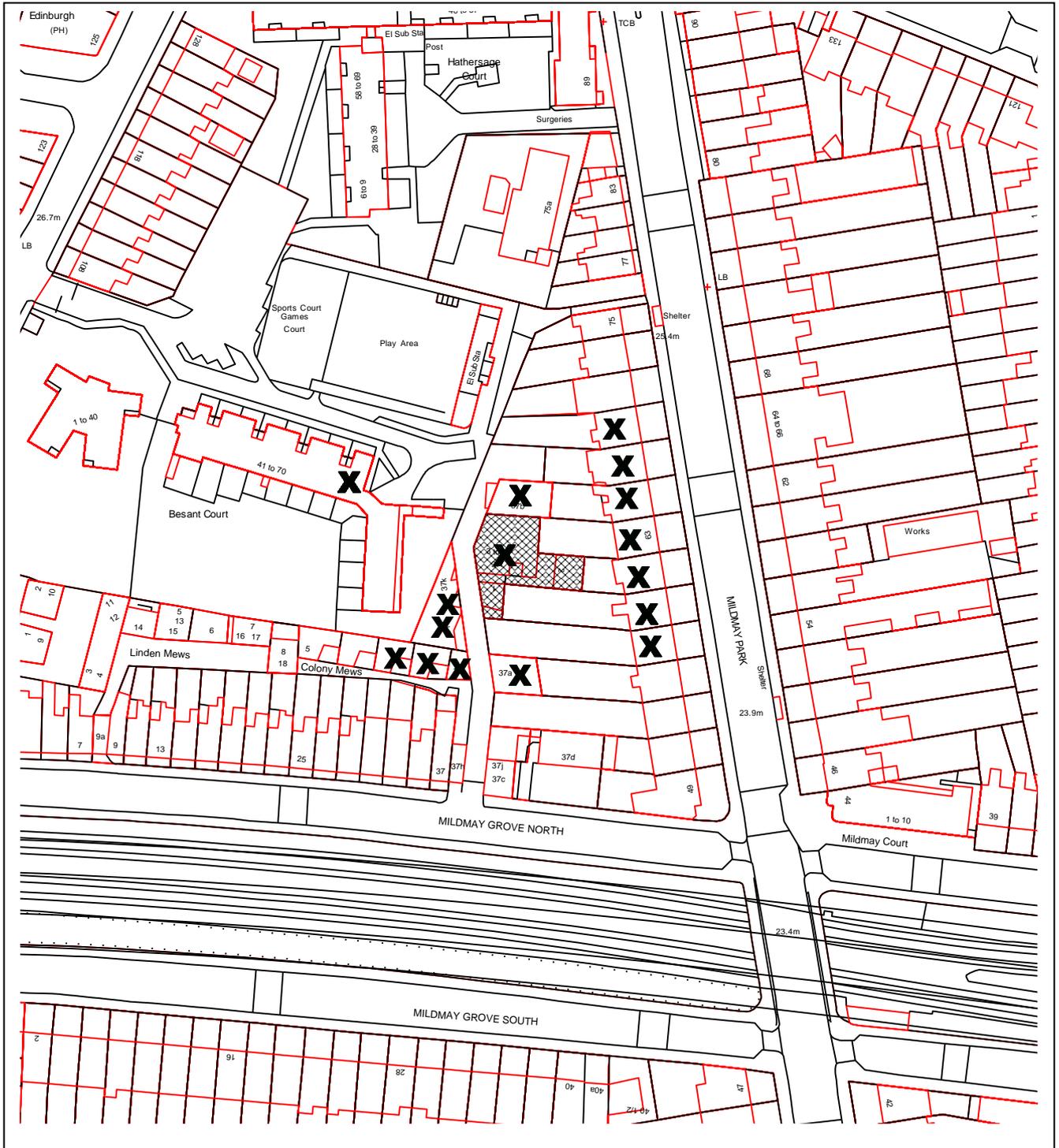
4. SPD/SPGS

- Urban Design Guide 2017

- Newington Green (CA12) Conservation Area Statement

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department

PLANNING SUB-COMMITTEE B		
Date:	23 rd February 2020	NON-EXEMPT

Application number	P2020/3418/FUL
Application type	Full Planning Application
Ward	St. Marys
Listed building	Upper Street (North)
Conservation area	Grade II Listed Building
Development Plan Context	Angel and Upper Street Core Strategy Key Area Cycle Routes (Local) / (Strategic) Open Space (Islington Town Hall Forecourt) Rail Safeguarding (Transport for London Tunnels) Within 100m of TLRN (Transport for London Road Network)
Licensing Implications	None
Site Address	Town Hall, London Borough Of Islington Upper Street London N1 2UD
Proposal	Proposed alterations to the external service yard and internal basement spaces to upgrade and provide dedicated cycle storage and changing facilities as well as the reconfiguration of the service yard to accommodate council facilities storage, parking, refuse collection (Council Own Application).

Case Officer	Mr Jake Shiels
Applicant	Mr Adam Feeney (Islington Council)
Agent	Mr Graham Epking-Crane

1. RECCOMENDATION

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

2. SITE PLAN (site highlighted in red)

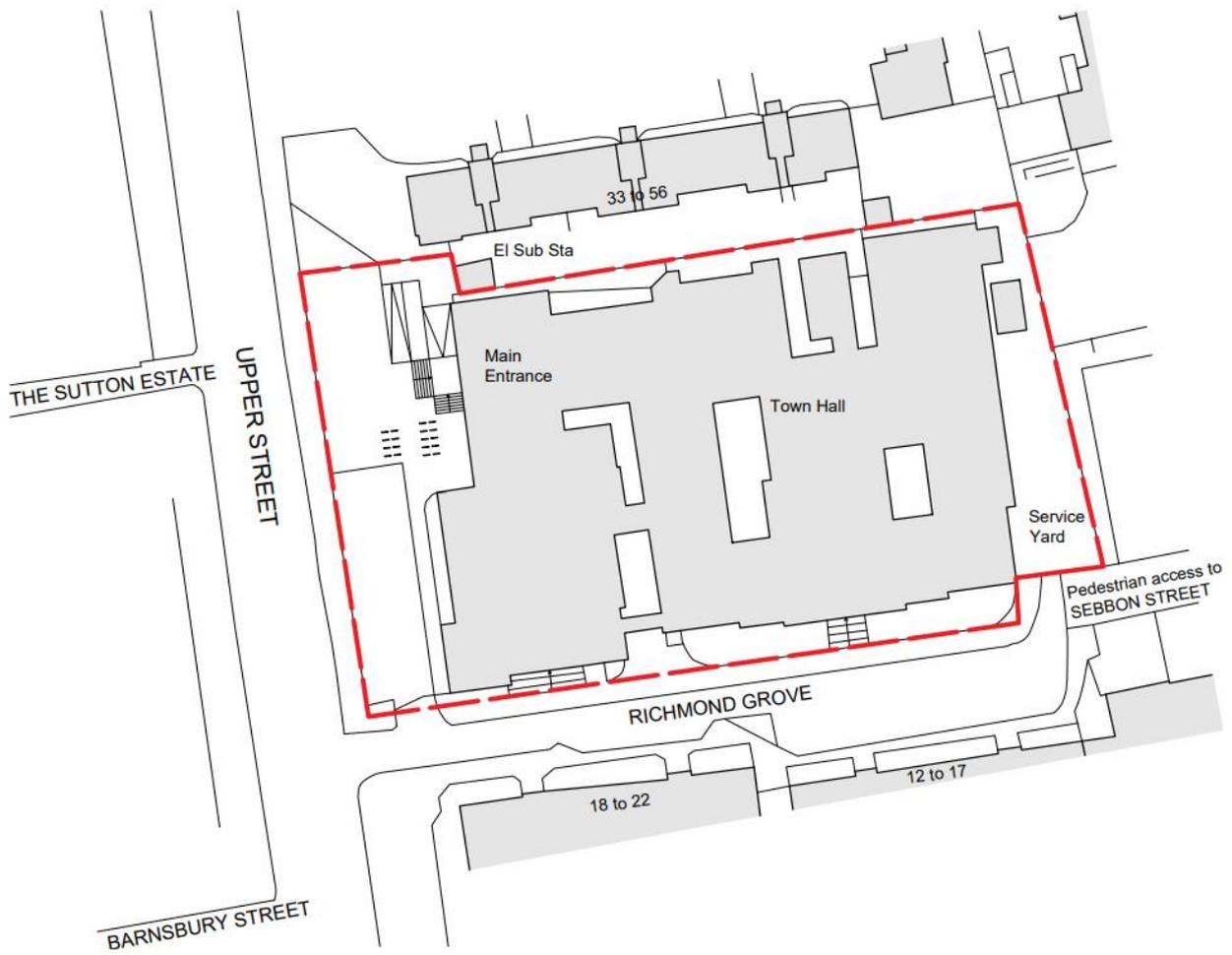


Image 1: Location Plan

3. PHOTOS OF SITE



Image 2: Aerial view of site

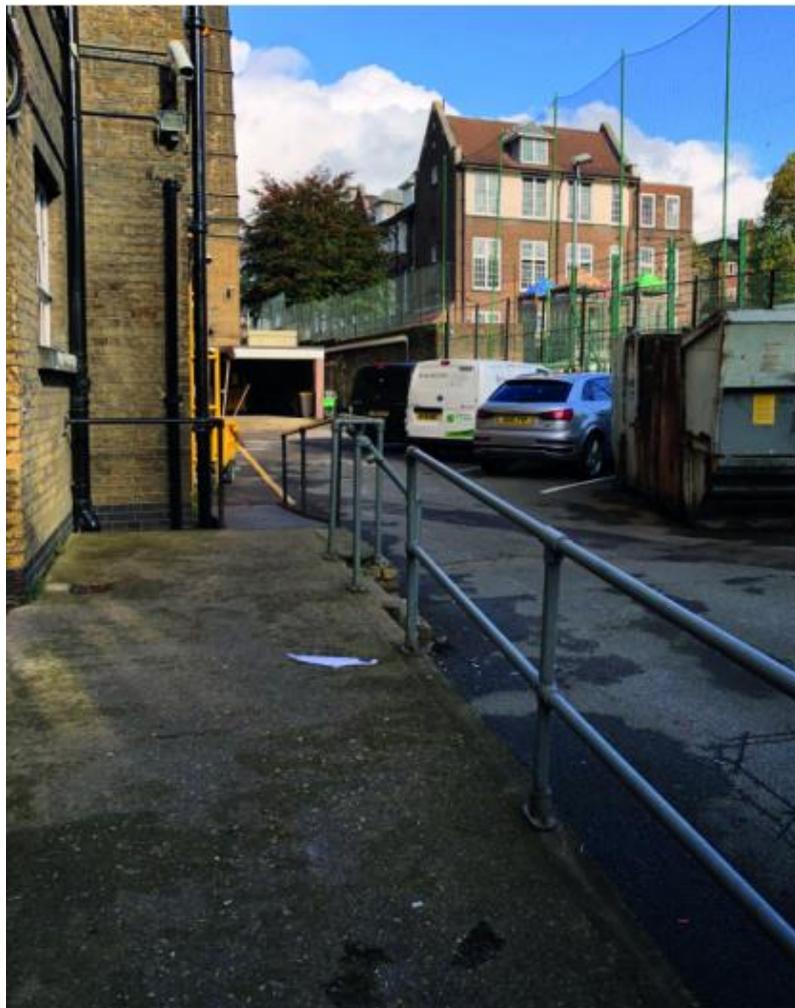


Image 3: View north within service yard



Image 4: Existing street cleaner garage



Image 5: Existing bike store

4. SUMMARY

- 4.1 The proposal seeks planning permission and listed building consent for alterations to the external service yard and internal basement spaces to upgrade and provide dedicated cycle storage and changing facilities as well as the reconfiguration of the service yard to accommodate council facilities storage, parking, refuse collection.
- 4.2 The external alterations for cycle storage and refuse facilities along with improvements identified for better access within the service yard would not be prominent and would not have an adverse impact on the Conservation Area or host building subject to conditions. Internally, minor demolition and alteration is proposed, causing harm to medium and low significance areas. This is considered to be outweighed by the public benefit of making the building more accessible and useable.
- 4.3 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character of the Conservation Area, the host listed building, or adversely impact on neighbour amenity. The proposal accords with policies DM2.1 and DM2.3 of the Development Management Policies 2013 and policies CS8 and CS9 of the Core Strategy 2011.
- 4.4 The application is referred to committee as it is a Council Own Application.

5. SITE AND SURROUNDING

- 5.1 The application site contains the land and building serving the London Borough of Islington Council and comprises a Grade II listed building. Much of the building serves as an office space set over four floors, comprising a floor area of approximately 4700sq.m.
- 5.2 The site lies within the Upper Street (North) Conservation Area.
- 5.3 Islington Town hall was built between 1922 and 1925 and was designed by E. C. P. Monson.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal seeks full planning permission and listed building consent for alterations to the external service yard and internal basement spaces to upgrade and provide dedicated cycle storage and changing facilities as well as the reconfiguration of the service yard to accommodate council facilities storage, parking, refuse collection.
- 6.2 The proposal in its entirety would be focussed to the rear wing of the Town Hall, adjacent to the Richmond Grove and adjacent to William Tyndale School and football pitch.

External service yard

- 6.3 With regard to the external alterations, the purpose of the works are for the reconfiguration of the service yard to the eastern boundary of the Town Hall site to rationalise the current storage facilities, recycling facilities, car parking and bicycle parking to create a more efficient use of the space as detailed within the submission, these include:
 - Demolition of 2no. existing cycle stores and replacement with new cycle parking facilities to provide additional spaces incorporating a combination of accessible and standard solutions including 9 Sheffield stands and 4 racks of 2 tier gas assisted bike racks to provide a total of 66no. spaces.

- Demolition of existing single storey garage and replacement with external storage facilities for street cleaning equipment enclosed by 1m high walls to north and south of street cleaner carts.
- Re-configuration of waste and recycling facilities.
- Replacement of external door to corridor BC4, from existing to ensure it is better suited to regular use.
- Alteration to access to corridor BC3f with new ramp and revised door location.
- Alterations to access, circulation and organisation within the service yard along with break out of existing tarmac and reinstatement as level/even surface.

Internal basement alterations

6.4 The proposal includes a number of alterations within the basement area (rear wing) of the building which backs on to the service yard and bike store facilities, these include:

- New shower and changing facilities.
- Lockers in corridors.
- New lockers and drying facilities in B10d.

7. RELEVANT HISTORY:

Recent applications

7.1 P090290: Listed Building Consent in connection with refurbishment of the public hall and ancillary spaces. Introduction of a glass lift from the ground level foyer to the basement cloakroom area to give disabled access to male and female lavatories and cloakrooms.

Approved with conditions on 29/09/2009.

7.2 P102019 and P102020: Full planning permission and Listed Building Consent for the installation of a single storey biomass boiler and pellet store adjacent to main plant room to the rear of the Town Hall.

Approved with conditions on 13/06/2011.

7.3 P120129: Advertisement Consent for the erection of unilluminated freestanding notice board on forecourt.

Approved with conditions on 15/06/2012.

7.4 P2014/2329/LBC: Replacement of 9 crittall single glazed metal windows with new crittall windows to match.

Approved with conditions on 09/10/2014.

7.5 P2016/0319/LBC: Additional security to the Town Hall providing a swipe card reader system on 8 internal doors/pairs of doors with locking mechanism to frames.

7.6 P2020/2538/LBC: Creation of opening between rooms 105 and 106 through modern partition wall

Approved with conditions on 16/11/2020

- 7.7 P2020/3416/LBC: Refurbish entrance and reception spaces; create two ceremonial suites in R01 (meeting room) and R04 (office); convert R05 (first aid room) to accessible WC; new access to R06 (office); combine R02 and R03 (meeting rooms) to create store for hall VFX equipment; new reception desk and lectern in main entrance.

Pending decision.

- 7.8 P2020/3442/LBC: Convert storage room BS14 to chilled cellar and dry store including new drainage, sink, and extract; connect new supply lines to existing bars within Assembly Hall on ground floor.

Pending decision.

Public Consultation

- 7.9 Letters were sent to occupants of **166** adjoining and nearby properties on Upper Street, Richmond Grove and Sebbon Street on 17/12/20. A site and press notice also advertised the proposed development.

- 7.10 **No comments** were received from consultation.

Internal Consultees

- 7.11 **Design and Conservation**: No objection subject to conditions

Service yard works: the existing situation is of no significance and is not an enhancement to the setting of the listed building. The removal of the modern unsympathetic garage is considered a benefit, and the proposed cycle storage would not be harmful to the setting. The resurfacing works may have some impact on the listed building therefore a condition is recommended to ensure that no mechanical excavation works take place within 1 metre of the historic fabric.

Sympathetic materials are recommended. No details have been supplied of the proposed external lights or doors, therefore a condition is recommended to assess their suitability.

Basement works: the proposed area of works is of medium significance due to its age (1922-26, first and second phases of the Town Hall construction) and continued use as a service area. There have been late 20th century alterations which are of little to no significance. There would be the removal of some of these later insignificant structures, particularly the wall between BS26 and BS27, and the corridor walls in BC3g, BC4, and BC10, and these are considered to be of benefit.

The significant alterations to BS26 and BS27 to create showers would have an impact on significance, particularly regarding the wall coverings, new pipework, and new openings, but this is considered to be outweighed by the benefit of restoring the room's proportions and providing needed facilities within the building.

- 7.2 **Inclusive Design Officer**: No objection, subject to further details/clarification on corridor widths, entry phones/fobs and locker heights stating:

"On the whole this reconfiguration is supported and will result in a much improved environment in terms of functionality and accessibility."

External Consultees

7.3 **Historic England:** On the basis of the information available to date, we do not wish to offer any comments. We suggest that this application should be determined in accordance with national and local policy guidance and that you seek the views of your specialist conservation adviser.

7.4 **Transport for London (TfL):** No objection, but stated the following:

“A total of 82 staff cycle spaces will be provided, with an additional 13 spaces for visitors, which is acceptable. All cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Designed Standards (LCDS), and 5% of the total provision must be able to accommodate larger cycles, including adapted cycles for disabled people

46 cycle spaces will be in the form of two-tier racks. Where two-tier racks are provided, they should have a mechanically or pneumatically assisted system for accessing the upper level and the product must allow for double locking.

It is noted that 9 Sheffield stands will be provided to allow for accessible and cargo bikes. This is strongly encouraged by TfL, as this will facilitate active servicing and deliveries, which is supportive of policy T7 (Deliveries, servicing and construction) of the Publication London Plan.

TfL also welcomes the proposed improvements to the cycle welfare facilities, including lockers and showers.

It is noted 5 existing car parking spaces will be retained. TfL urges the reduction of all non-blue badge car parking to meet these standards and to consider access in and out of the existing site, avoiding reversing where possible.

8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

8.1 The National Planning 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).

8.2 National Planning Policy Framework 2019 (NPPF): Paragraph 10 states: “at the heart of the NPPF is a presumption in favour of sustainable development.

8.3 The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

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

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

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

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.7 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.
- 8.8 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 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.
- 8.9 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 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.
- 8.10 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

Emerging Policies

Draft London Plan (Intend to Publish Version), December 2019

- 8.11 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State appointed a Panel to conduct an examination in public ("EIP") this opened on 15 January 2019 and continued until May 2019. The Panel of Inspectors made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with an 'Intend to Publish' version of the plan. The Secretary of State considered the 'Intend to Publish' version and the proposed changes and made several Directions in March and December 2020 setting out changes to some policies. On 21 December 2020 the Mayor formally approved a new 'Publication London Plan', prepared to address the Secretary of State's Directions which was sent to the Secretary of State for his consideration. On 29 January the Secretary of State confirmed there were no further matters to raise. The London Plan can subsequently be published. Given the advanced stage at which the draft London Plan is at the policies in the Publication London Plan can be afforded significant weight. Given what is proposed in the application, the Directions are not considered to effect the assessment of this case. The relevant draft London Plan policies have been taken into account and are set out below:

Chapter 1

Policy SD6 Town centres and high streets

Chapter 3

Policy D4 Delivering good design

Chapter 10

Policy T2 Healthy Streets

Policy T5 Cycling

Policy T7 Deliveries, Servicing and Construction

Draft Islington Local Plan 2019

8.12 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress.

8.13 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

8.14 Emerging policies relevant to this application are set out below:

Policy H1 Thriving Communities

Policy T3 Car Free Development Parking

Policy S1 Delivering Sustainable Design

Policy S2 Sustainable Design and Construction

Policy T5 Delivery, Servicing and Construction

Policy T2 Sustainable Transport Choices

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Design and Conservation
- Impact on heritage assets
- Impact on the amenity of neighbouring residents
- Cycle parking
- Accessibility.

Design and Conservation

9.2 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Paragraph 131 of the NPPF (2019) states that in determining applications, great weight should

be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 9.3 Policy CS8 of Islington's Core Strategy sets out the general principles to be followed by new development in the Borough. Policy CS9 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 9.4 Policy DM2.3 states that 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 proposal is located within the Upper Street (North) Conservation Area Canonbury.
- 9.5 The proposal includes external alterations to the service area to the rear wing of the Town Hall. The service area is located to the east elevation of the building within a service yard that spans from the access on Richmond Grove to the north.

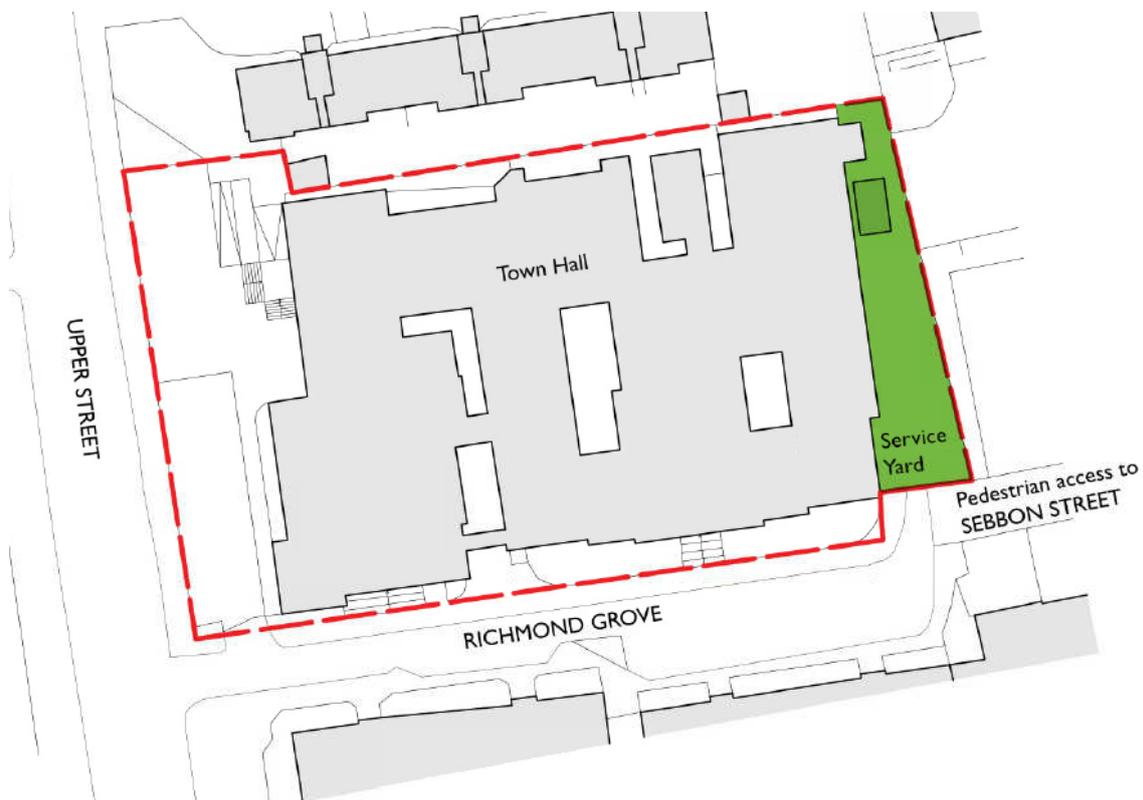


Image 6: Proposed site area

Cycle Storage

- 9.6 The proposed cycle storage would replace the two existing cycle stores. Both of the stores are located at the deepest part of the service yard to the north, with one of the stores located to the north east corner of the service yard, whilst the other is located in close proximity to the south west, and is attached to the rear wing of the building. These are single storey, partially

transparent structures, with corrugated iron roofs and black metal railed frontages that open to allow access to the bike stores.

- 9.7 The cycle store replacements would provide additional spaces incorporating a combination of accessible and standard solutions including 9 Sheffield stands and 4 racks of 2 tier gas assisted bike racks to provide a total of 66 spaces. The 2 tier bike racks would be sited in a similar location to the existing store, but would face southwards, with the Sheffield stands located further south., The brick boundary wall between the service yard and William Tyndale School and football pitch, and the brick boundary wall adjacent to the Tyndale Road rises appreciably above the existing structures within the site enclosing the service yard from public view. The tiered bike racks would be similar to those shown in Image 7 below. The rack would have bespoke shelters to cover the parked bicycles. No harm to the heritage asset has been identified with the enclosed siting and replacement of existing structures ensuring views from the public realm remain similar to existing. However, a condition has been attached requiring details, including elevations and sections of the cycle storage shelters to be submitted and approved in writing by the Local Planning Authority prior to use of the cycle storage.



Image 7: 2 tier bike rack

External storage facilities for street cleaning equipment

- 9.8 With regard to the storage facilities for street cleaning equipment, the existing single storey garage would be demolished. The street cleaning facilities would be enclosed by 1m high walls. This arrangement allows the carts to be easily stored and accessed and prevents congestion within the service yard and like the bicycle storage would not be prominent from public views and would not have an adverse impact on the character of the Conservation Area or setting of the listed building.

Re-configuration of waste and recycling facilities

- 9.9 Located closer to the entrance of the yard, is a revised and enclosed waste and recycling space suitable for the required number and size of refuse bins,. This would then enable vehicles to reverse straight into the yard, through the vehicle gate without obstruction for waste collection as is currently undertaken. The the waste and recycling space would be sited behind the front

gates and would be largely obscured from all public views and therefore not visually prominent. Details of the means of enclosure of the facilities are required by condition.

Replacement of external doors, access and other alterations

9.10 A revised staff entrance in the rear wing of the building is proposed. Externally, this would entail in the replacement of the external door to BC4 corridor, from existing to ensure it is better suited to regular use and to infill the existing entrance door with yellow London stock bricks to match existing. Another alteration to access to BC3f corridor is proposed with a new ramp and revised door location. These alterations are shown in the images below.

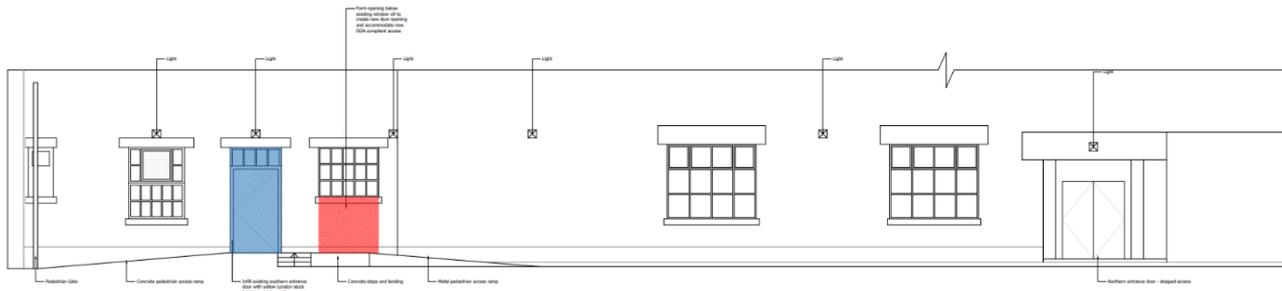


Image 8: Existing west elevation

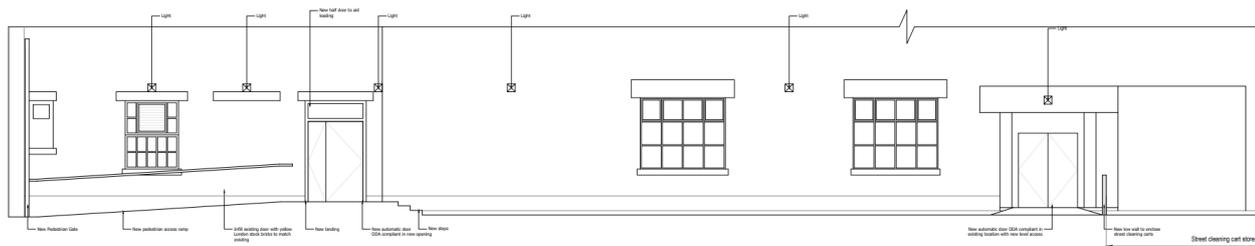


Image 9: Proposed west elevation

9.11 Alterations to access, circulation and organisation within the service yard along with the replacement of the existing tarmac surfacing and reinstatement of a level/even surface is also proposed. The existing pedestrian gate would be replaced along with a new vehicular access gate and cyclist entry.

9.12 The improvements identified for access would not be prominent and would not have an adverse impact on the Conservation Area or host building subject to conditions.

9.13 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area. Given the above, the proposal is considered to enhance the character or appearance of the host building and the wider conservation area bearing in mind the existing built form on site. The application therefore complies with the NPPF 2019, policies 7.4, 7.6 and 7.8 of the London Plan 2016, Policy CS9 of the Islington Core Strategy 2011, policy DM2.1 and DM2.3 of the Islington Development Management Policies 2013, and the guidance contained within the Urban Design Guide 2017 and the Conservation Area Design Guidelines.

9.14 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been

given to the desirability of preserving the setting of adjoining listed buildings and the character and appearance of the Upper Street (North) Conservation Area.

Impact on Heritage Assets

- 9.15 Minor demolition and alteration is proposed internally, causing harm to medium and low significance areas. This is considered to be outweighed by the public benefit of making the building more accessible and useable. The external works are considered to be an enhancement as they remove unsuitable 20th century additions to the service yard and replace them with more sympathetic yet functional structures.
- 9.16 Given the above, while the proposal is considered to cause harm to the character or appearance of the host building, this is outweighed by public benefit. The application therefore complies with the NPPF 2019, policies 7.4 and 7.6 of the London Plan 2016, Policy CS8 of the Islington Core Strategy 2011 and policies DM2.1 and DM2.3 of the Islington Development Management Policies 2013.

Neighbouring Amenity

- 9.17 All new development is subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.
- 9.18 The proposal is focussed to the rear wing of the town hall, adjacent to Richmond Grove and adjacent to William Tyndale School and football pitch. Richmond Grove contains a number of residential properties, Tyndale Terrace is located north of the proposal.
- 9.19 The proposed works to the service yard are small in scale and replace existing facilities in similar locations, such that they would not be overbearing or visually intrusive to neighbouring occupiers. The use of the service yard would not be intensified in a way that would cause noise and disturbance and seeks to make a more efficient use of the yard.
- 9.20 The application is therefore considered to be compliant with DM2.1 of the Development Management Policies (2013) in regards to impacts on neighbouring amenity.

Cycle storage

- 9.21 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' and Policy DM8.4 and Appendix 6 of the Development Management Policies 2013. In accordance with Appendix 6, 1 bicycle space is required per 80sq.m of B1a office space. The building has a floorspace of approximately 4700sq.m over four floors. This equates to the need of 58 cycle spaces for the building.
- 9.22 Within the service yard, two tier gas-assisted covered parking is proposed providing approximately 46 bike spaces. Nine Sheffield stands are proposed to providing a mix of spaces for accessible and cargo bikes which can accommodate 17 bikes. There are 13 visitor spaces and 19 staff spaces to the front of the Town Hall, five of these are considered accessible. With the additional cycle storage in the service yard the Town Hall will have 82 staff spaces and 13 visitor spaces, totalling 95 spaces. The proposal is considered to accord with policy DM8.4 and

Accessibility

- 9.23 Policies 3.5 and 7.2 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies, which requires developments to demonstrate, *inter alia*, that they produce places and spaces that are convenient and enjoyable to use for everyone.
- 9.24 The main principles of the scheme revolve around improving access to the service yard and to the basement area of the building.
- 9.25 The existing configuration of ramps and stairs will be removed and replaced in conjunction with the resurfacing works. A new consolidated ramp and step configuration is to be installed, constructed of concrete with suitable non-slip surface finishes and associated compliant handrail system. The southern entrance door will be relocated to provide a landing at the top of the new ramp, which will have a reduced pitch. The two existing entrance doors, to the north and south of the service yard, into the Town Hall are to be upgraded to be automated or power assisted. A new power assisted or automated pedestrian access gate is proposed.
- 9.26 The applicant has clarified a number of details with regard to corridor widths, entry phones/fobs and locker heights along with the ramp gradient. Overall, the alterations result in a marked improvement in access to the building and the associated services provided. A condition is recommended to ensure the entrance fobs in the building and service yard are clearly detailed on plan and elevation are fully accessible.

10. SUMMARY AND CONCLUSION

Summary

- 10.1 Minor demolition and alteration is proposed internally, causing harm to medium and low significance areas. This is considered to be outweighed by the public benefit of making the building more accessible and useable.
- 10.2 The external works are considered to be an enhancement as they remove unsuitable 20th century additions to the service yard and replace them with more sympathetic yet functional structures.
- 10.3 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character of the Conservation Area, the host listed building, or adversely impact on neighbour amenity. The proposal accords with policies DM2.1 and DM2.3 of the Development Management Policies 2013 and policies CS8 and CS9 of the Core Strategy 2011.
- 10.4 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, and the Islington Development Management Policies and should be approved accordingly.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

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

Full Planning Permission List of Conditions:

1	COMMENCEMENT (3 YEAR CONSENT PERIOD)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	APPROVED PLANS LIST
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>6753-HAH-00-B1-DR-Z-70-0102P01, 240704-PUR-00-B1-DR-A-2000 P02, 6753-HAH-00-B1-DR-Z-70-0100 P02, 6753-HAH-00-B1-DR-Z-70-0101 P02, 6753-HAH-00-B1-DR-Z-70-0103 P02, 240704-PUR-00-B1-DR-A-2101, 240704-PUR-00-B1-DR-A-2102 P02, 240704-PUR-00-B1-DR-A-2121 P02, 240704-PUR-00-XX-DR-A-5010 P01, Design and Access Statement by Purcell (02.12.20), Heritage Impact Assessment by Purcell (December 2020) and Statement of Significance Issue 01 (October 2020)</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 TO MATCH (COMPLIANCE)
	<p>CONDITION: The facing materials of new brickwork and gate entrances hereby approved shall match the existing building in terms of colour and appearance and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
4	CYCLE STORAGE (DETAILS)
	<p>CONDITION: Details of enclosures for the proposed cycle storage including elevations, sections and type of material shall be provided prior to use of the cycle storage hereby approved.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	WALLS/ENCLOSURES (DETAILS)
	<p>CONDITION: Details of the proposed wall enclosures for street cleaning and refuse facilities including elevations, sections and type of material shall be provided prior to the use of the facilities hereby approved.</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>

6	ACCESS (DETAILS)
	<p>Prior to commencement of the ramp and new landing, the final layout of the ramp and location of fobs, entry phones and access arrangements to the rear wing basement entrance shall be detailed and include sections and plans to ensure compliance with The Islington Inclusive Design SPD (2014).</p> <p>REASON: To ensure the works result in an inclusive environment.</p>
7	EXCAVATION (COMPLIANCE)
	<p>No excavation work shall be carried out within 1m of the nearest foundations of the building except by hand or using hand tools.</p> <p>REASON: In order to safeguard the stability and special interest of the heritage asset.</p>

Listed Building Consent List of Conditions:

1	COMMENCEMENT (3 YEAR CONSENT PERIOD FOR LBC)
	<p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	ALL EXTERNAL AND INTERNAL WORKS TO MATCH (COMPLIANCE)
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
3	SUBMISSION OF DETAILS (DETAILS)
	<p>CONDITION: Detailed drawings at a scale of no less than 1:1 in respect of the following shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site:</p> <ul style="list-style-type: none"> a) Details of the new external lighting b) Details of the new external doors <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	DEMOLITION (COMPLIANCE)
	<p>CONDITION: The demolition works hereby approved to and within the listed building shall be carried out by hand or hand tools only. No power driven tools shall be employed.</p>

	REASON: In order to safeguard the stability and special interest of the heritage asset.
5	EXCAVATION (COMPLIANCE)
	No excavation work shall be carried out within 1m of the nearest foundations of the building except by hand or using hand tools. REASON: In order to safeguard the stability and special interest of the heritage asset.

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 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- NPPF (2019)

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 2016 - Spatial Development Strategy for Greater London

Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology

B) Islington Core Strategy 2011

Policy CS8 Enhancing Islington's character
Policy CS9 Protecting and enhancing Islington's built and historic environment
Policy CS11 Waste

C) Development Management Policies June 2013

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM8.4 Walking and Cycling

3. Designations

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

- Article 4 Direction A1-A2 (Rest of Borough)
- Angel and Upper Street Core Strategy Key Area
- Cycle Routes (Local) / (Strategic)
- Open Space (Islington Town Hall Forecourt)
- Rail Safeguarding (Transport for London Tunnels)
- Within 100m of TLRN (Transport for London Road Network)

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

The following SPGs and/or SPDs are relevant:

London Plan – Accessible London (2016) and Character and Context (2014).

5. Emerging Policies

Draft London Plan (Intend to Publish Version, December 2019)

The emerging London Plan policies have been taken into account. Relevant policies in the emerging London Plan are set out below:

Chapter 1

Policy SD6 Town centres and high streets

Chapter 3

Policy D4 Delivering good design

Chapter 10

Policy T2 Healthy Streets

Policy T5 Cycling

Policy T7 Deliveries, Servicing and Construction

Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

Policy H1 Thriving Communities

Policy T3 Car Free Development Parking

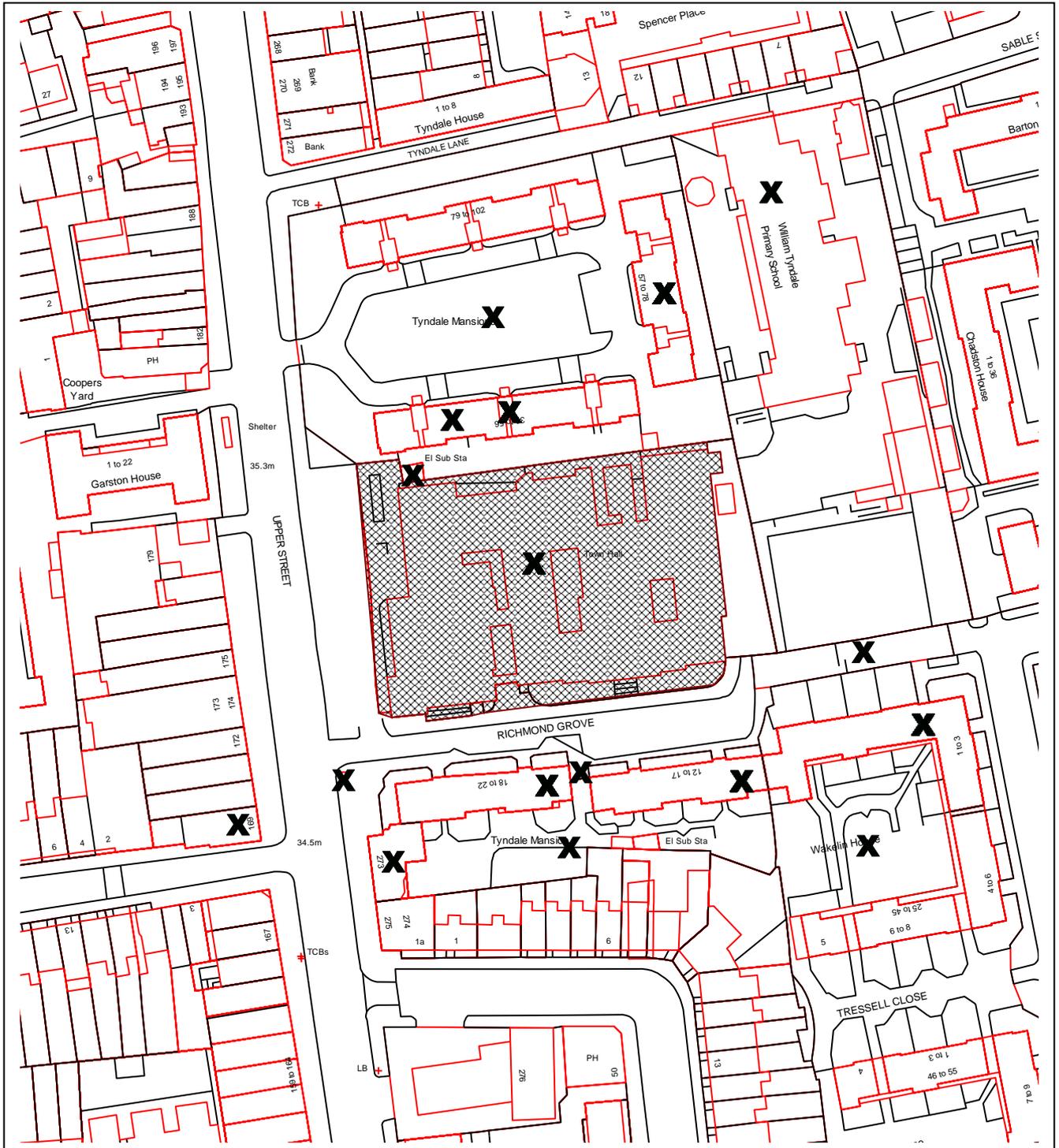
Policy T5 Delivery, Servicing and Construction

Policy S1 Delivering Sustainable Design

Policy S3 Sustainable Design Standards

Policy S2 Sustainable Design and Construction

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department

PLANNING SUB-COMMITTEE B		
Date:	23 rd February 2020	NON-EXEMPT

Application number	P2020/3485/LBC
Application type	Listed Building Consent
Ward	St. Marys
Listed building	Upper Street (North)
Conservation area	Grade II Listed Building
Development Plan Context	Angel and Upper Street Core Strategy Key Area Cycle Routes (Local) / (Strategic) Open Space (Islington Town Hall Forecourt) Rail Safeguarding (Transport for London Tunnels) Within 100m of TLRN (Transport for London Road Network)
Licensing Implications	None
Site Address	Town Hall, London Borough Of Islington Upper Street London N1 2UD
Proposal	Proposed alterations to the external service yard and internal basement spaces to upgrade and provide dedicated cycle storage and changing facilities as well as the reconfiguration of the service yard to accommodate council facilities storage, parking, refuse collection (Council Own Application).

Case Officer	Mr Jake Shiels
Applicant	Mr Adam Feeney (Islington Council)
Agent	Mr Graham Epking-Crane

1. RECCOMENDATION

The Committee is asked to resolve to **GRANT** Listed Building Consent subject to the conditions set out in Appendix 1.

2. SITE PLAN (site highlighted in red)

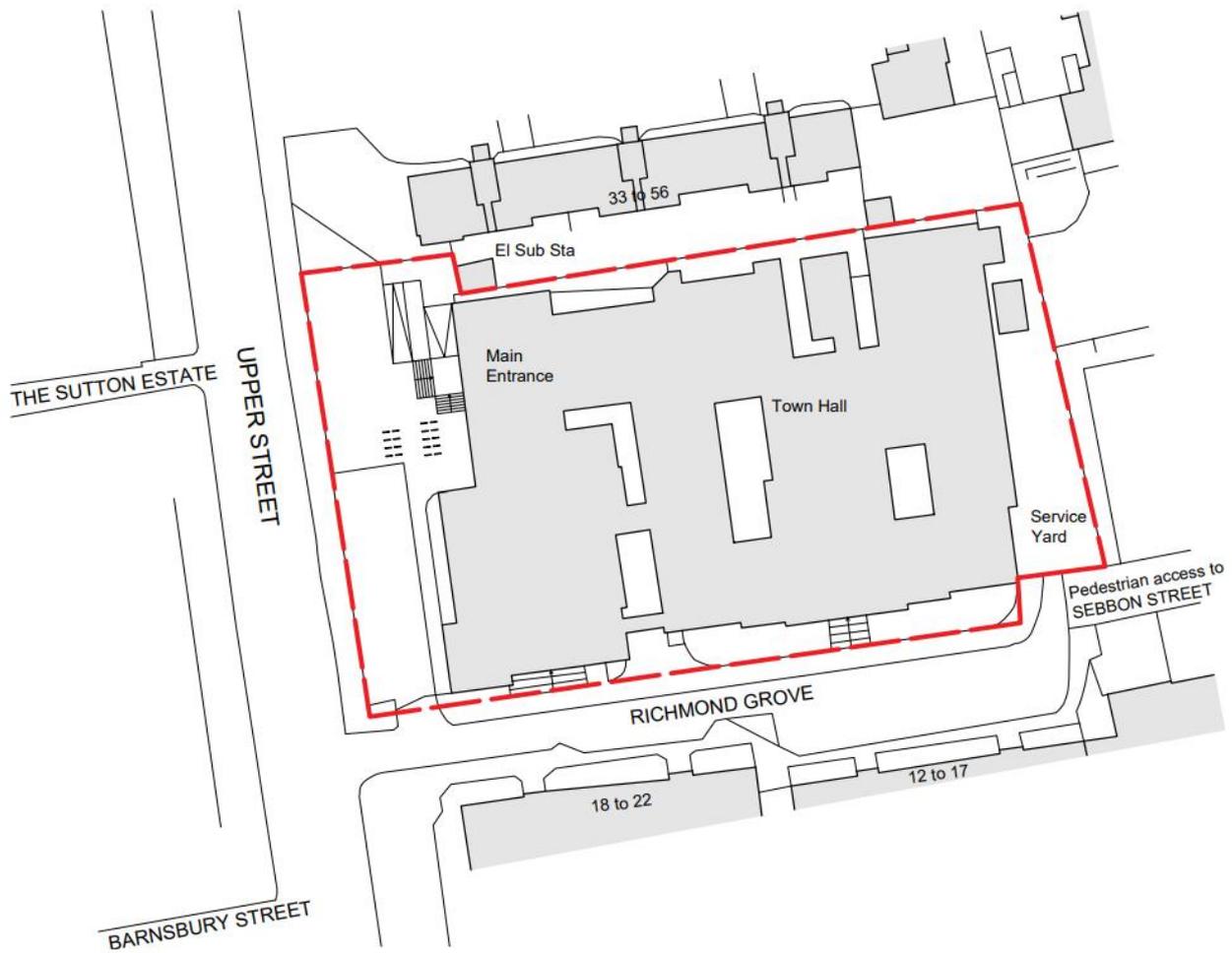


Image 1: Location Plan

3. PHOTOS OF SITE



Image 2: Aerial view of site

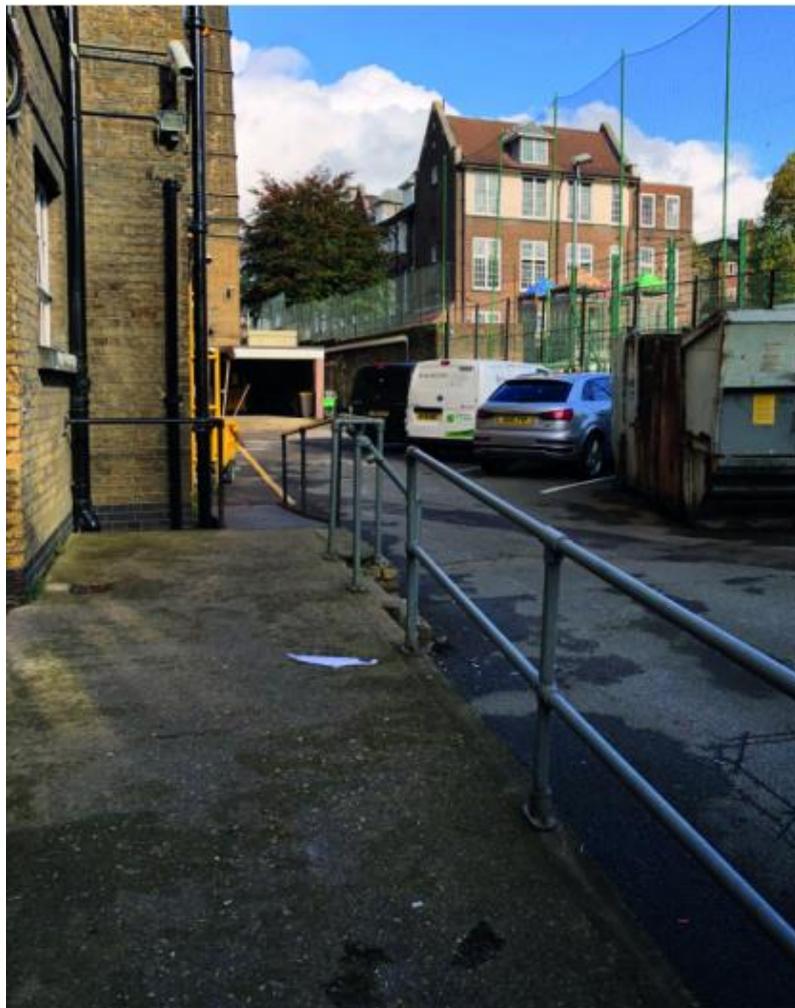


Image 3: View north within service yard



Image 4: Existing street cleaner garage



Image 5: Existing bike store

4. SUMMARY

- 4.1 The proposal seeks planning permission and listed building consent for alterations to the external service yard and internal basement spaces to upgrade and provide dedicated cycle storage and changing facilities as well as the reconfiguration of the service yard to accommodate council facilities storage, parking, refuse collection.
- 4.2 The external alterations for cycle storage and refuse facilities along with improvements identified for better access within the service yard would not be prominent and would not have an adverse impact on the Conservation Area or host building subject to conditions. Internally, minor demolition and alteration is proposed, causing harm to medium and low significance areas. This is considered to be outweighed by the public benefit of making the building more accessible and useable.
- 4.3 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character of the Conservation Area, the host listed building, or adversely impact on neighbour amenity. The proposal accords with policies DM2.1 and DM2.3 of the Development Management Policies 2013 and policies CS8 and CS9 of the Core Strategy 2011.
- 4.4 The application is referred to committee as it is a Council Own Application.

5. SITE AND SURROUNDING

- 5.1 The application site contains the land and building serving the London Borough of Islington Council and comprises a Grade II listed building. Much of the building serves as an office space set over four floors, comprising a floor area of approximately 4700sq.m.
- 5.2 The site lies within the Upper Street (North) Conservation Area.
- 5.3 Islington Town hall was built between 1922 and 1925 and was designed by E. C. P. Monson.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal seeks full planning permission and listed building consent for alterations to the external service yard and internal basement spaces to upgrade and provide dedicated cycle storage and changing facilities as well as the reconfiguration of the service yard to accommodate council facilities storage, parking, refuse collection.
- 6.2 The proposal in its entirety would be focussed to the rear wing of the Town Hall, adjacent to the Richmond Grove and adjacent to William Tyndale School and football pitch.

External service yard

- 6.3 With regard to the external alterations, the purpose of the works are for the reconfiguration of the service yard to the eastern boundary of the Town Hall site to rationalise the current storage facilities, recycling facilities, car parking and bicycle parking to create a more efficient use of the space as detailed within the submission, these include:
 - Demolition of 2no. existing cycle stores and replacement with new cycle parking facilities to provide additional spaces incorporating a combination of accessible and standard solutions including 9 Sheffield stands and 4 racks of 2 tier gas assisted bike racks to provide a total of 66no. spaces.

- Demolition of existing single storey garage and replacement with external storage facilities for street cleaning equipment enclosed by 1m high walls to north and south of street cleaner carts.
- Re-configuration of waste and recycling facilities.
- Replacement of external door to corridor BC4, from existing to ensure it is better suited to regular use.
- Alteration to access to corridor BC3f with new ramp and revised door location.
- Alterations to access, circulation and organisation within the service yard along with break out of existing tarmac and reinstatement as level/even surface.

Internal basement alterations

- 6.4 The proposal includes a number of alterations within the basement area (rear wing) of the building which backs on to the service yard and bike store facilities, these include:
- New shower and changing facilities.
 - Lockers in corridors.
 - New lockers and drying facilities in B10d.

7. RELEVANT HISTORY:

Recent applications

- 7.1 P090290: Listed Building Consent in connection with refurbishment of the public hall and ancillary spaces. Introduction of a glass lift from the ground level foyer to the basement cloakroom area to give disabled access to male and female lavatories and cloakrooms.

Approved with conditions on 29/09/2009.

- 7.2 P102019 and P102020: Full planning permission and Listed Building Consent for the installation of a single storey biomass boiler and pellet store adjacent to main plant room to the rear of the Town Hall.

Approved with conditions on 13/06/2011.

- 7.3 P120129: Advertisement Consent for the erection of unilluminated freestanding notice board on forecourt.

Approved with conditions on 15/06/2012.

- 7.4 P2014/2329/LBC: Replacement of 9 crittall single glazed metal windows with new crittall windows to match.

Approved with conditions on 09/10/2014.

- 7.5 P2016/0319/LBC: Additional security to the Town Hall providing a swipe card reader system on 8 internal doors/pairs of doors with locking mechanism to frames.

- 7.6 P2020/2538/LBC: Creation of opening between rooms 105 and 106 through modern partition wall

Approved with conditions on 16/11/2020

- 7.7 P2020/3416/LBC: Refurbish entrance and reception spaces; create two ceremonial suites in R01 (meeting room) and R04 (office); convert R05 (first aid room) to accessible WC; new access to R06 (office); combine R02 and R03 (meeting rooms) to create store for hall VFX equipment; new reception desk and lectern in main entrance.

Pending decision.

- 7.8 P2020/3442/LBC: Convert storage room BS14 to chilled cellar and dry store including new drainage, sink, and extract; connect new supply lines to existing bars within Assembly Hall on ground floor.

Pending decision.

Public Consultation

- 7.9 Letters were sent to occupants of **166** adjoining and nearby properties on Upper Street, Richmond Grove and Sebbon Street on 17/12/20. A site and press notice also advertised the proposed development.

- 7.10 **No comments** were received from consultation.

Internal Consultees

- 7.11 **Design and Conservation**: No objection subject to conditions

Service yard works: the existing situation is of no significance and is not an enhancement to the setting of the listed building. The removal of the modern unsympathetic garage is considered a benefit, and the proposed cycle storage would not be harmful to the setting. The resurfacing works may have some impact on the listed building therefore a condition is recommended to ensure that no mechanical excavation works take place within 1 metre of the historic fabric.

Sympathetic materials are recommended. No details have been supplied of the proposed external lights or doors, therefore a condition is recommended to assess their suitability.

Basement works: the proposed area of works is of medium significance due to its age (1922-26, first and second phases of the Town Hall construction) and continued use as a service area. There have been late 20th century alterations which are of little to no significance. There would be the removal of some of these later insignificant structures, particularly the wall between BS26 and BS27, and the corridor walls in BC3g, BC4, and BC10, and these are considered to be of benefit.

The significant alterations to BS26 and BS27 to create showers would have an impact on significance, particularly regarding the wall coverings, new pipework, and new openings, but this is considered to be outweighed by the benefit of restoring the room's proportions and providing needed facilities within the building.

- 7.2 **Inclusive Design Officer**: No objection, subject to further details/clarification on corridor widths, entry phones/fobs and locker heights stating:

"On the whole this reconfiguration is supported and will result in a much improved environment in terms of functionality and accessibility."

External Consultees

7.3 **Historic England:** On the basis of the information available to date, we do not wish to offer any comments. We suggest that this application should be determined in accordance with national and local policy guidance and that you seek the views of your specialist conservation adviser.

7.4 **Transport for London (TfL):** No objection, but stated the following:

“A total of 82 staff cycle spaces will be provided, with an additional 13 spaces for visitors, which is acceptable. All cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Designed Standards (LCDS), and 5% of the total provision must be able to accommodate larger cycles, including adapted cycles for disabled people

46 cycle spaces will be in the form of two-tier racks. Where two-tier racks are provided, they should have a mechanically or pneumatically assisted system for accessing the upper level and the product must allow for double locking.

It is noted that 9 Sheffield stands will be provided to allow for accessible and cargo bikes. This is strongly encouraged by TfL, as this will facilitate active servicing and deliveries, which is supportive of policy T7 (Deliveries, servicing and construction) of the Publication London Plan.

TfL also welcomes the proposed improvements to the cycle welfare facilities, including lockers and showers.

It is noted 5 existing car parking spaces will be retained. TfL urges the reduction of all non-blue badge car parking to meet these standards and to consider access in and out of the existing site, avoiding reversing where possible.

8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

8.1 The National Planning 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).

8.2 National Planning Policy Framework 2019 (NPPF): Paragraph 10 states: “at the heart of the NPPF is a presumption in favour of sustainable development.

8.3 The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

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

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

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

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.7 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.
- 8.8 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 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.
- 8.9 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 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.
- 8.10 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

Emerging Policies

Draft London Plan (Intend to Publish Version), December 2019

- 8.11 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State appointed a Panel to conduct an examination in public ("EIP") this opened on 15 January 2019 and continued until May 2019. The Panel of Inspectors made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with an 'Intend to Publish' version of the plan. The Secretary of State considered the 'Intend to Publish' version and the proposed changes and made several Directions in March and December 2020 setting out changes to some policies. On 21 December 2020 the Mayor formally approved a new 'Publication London Plan', prepared to address the Secretary of State's Directions which was sent to the Secretary of State for his consideration. On 29 January the Secretary of State confirmed there were no further matters to raise. The London Plan can subsequently be published. Given the advanced stage at which the draft London Plan is at the policies in the Publication London Plan can be afforded significant weight. Given what is proposed in the application, the Directions are not considered to effect the assessment of this case. The relevant draft London Plan policies have been taken into account and are set out below:

Chapter 1

Policy SD6 Town centres and high streets

Chapter 3

Policy D4 Delivering good design

Chapter 10

Policy T2 Healthy Streets

Policy T5 Cycling

Policy T7 Deliveries, Servicing and Construction

Draft Islington Local Plan 2019

8.12 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress.

8.13 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

8.14 Emerging policies relevant to this application are set out below:

Policy H1 Thriving Communities

Policy T3 Car Free Development Parking

Policy S1 Delivering Sustainable Design

Policy S2 Sustainable Design and Construction

Policy T5 Delivery, Servicing and Construction

Policy T2 Sustainable Transport Choices

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Design and Conservation
- Impact on heritage assets
- Impact on the amenity of neighbouring residents
- Cycle parking
- Accessibility.

Design and Conservation

9.2 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Paragraph 131 of the NPPF (2019) states that in determining applications, great weight should

be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 9.3 Policy CS8 of Islington's Core Strategy sets out the general principles to be followed by new development in the Borough. Policy CS9 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 9.4 Policy DM2.3 states that 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 proposal is located within the Upper Street (North) Conservation Area Canonbury.
- 9.5 The proposal includes external alterations to the service area to the rear wing of the Town Hall. The service area is located to the east elevation of the building within a service yard that spans from the access on Richmond Grove to the north.

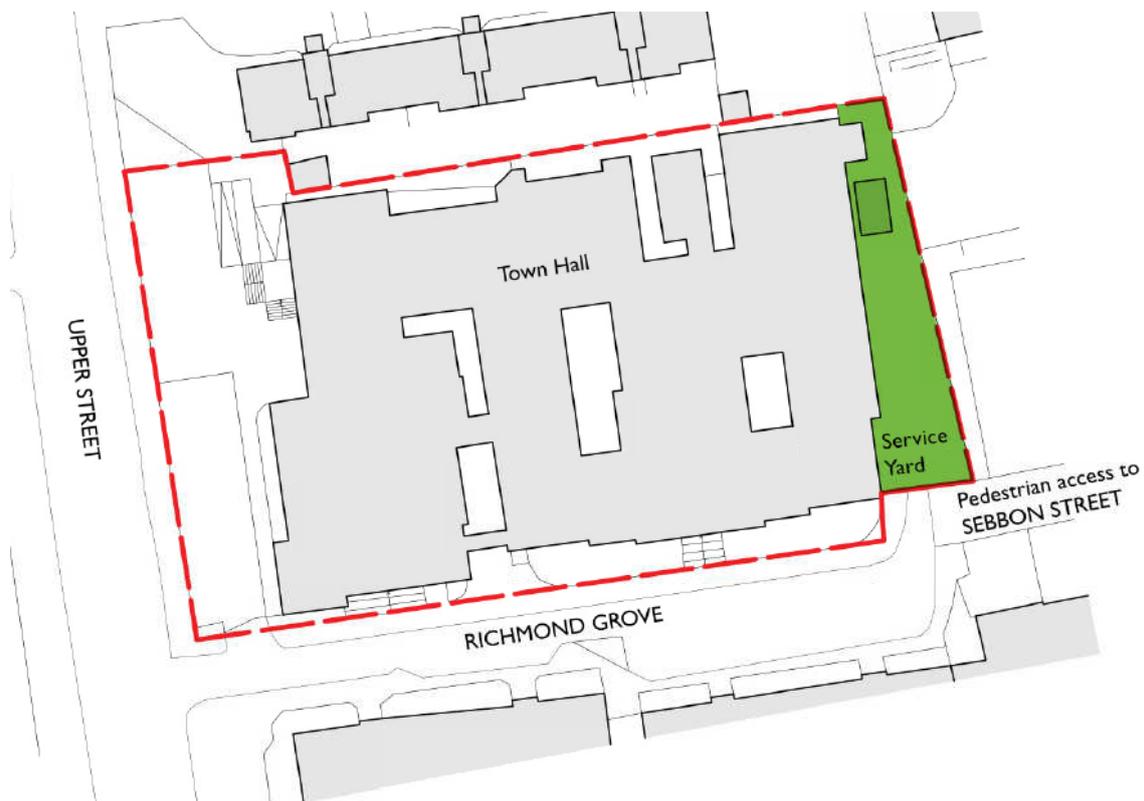


Image 6: Proposed site area

Cycle Storage

- 9.6 The proposed cycle storage would replace the two existing cycle stores. Both of the stores are located at the deepest part of the service yard to the north, with one of the stores located to the north east corner of the service yard, whilst the other is located in close proximity to the south west, and is attached to the rear wing of the building. These are single storey, partially

transparent structures, with corrugated iron roofs and black metal railed frontages that open to allow access to the bike stores.

- 9.7 The cycle store replacements would provide additional spaces incorporating a combination of accessible and standard solutions including 9 Sheffield stands and 4 racks of 2 tier gas assisted bike racks to provide a total of 66 spaces. The 2 tier bike racks would be sited in a similar location to the existing store, but would face southwards, with the Sheffield stands located further south., The brick boundary wall between the service yard and William Tyndale School and football pitch, and the brick boundary wall adjacent to the Tyndale Road rises appreciably above the existing structures within the site enclosing the service yard from public view. The tiered bike racks would be similar to those shown in Image 7 below. The rack would have bespoke shelters to cover the parked bicycles. No harm to the heritage asset has been identified with the enclosed siting and replacement of existing structures ensuring views from the public realm remain similar to existing. However, a condition has been attached requiring details, including elevations and sections of the cycle storage shelters to be submitted and approved in writing by the Local Planning Authority prior to use of the cycle storage.



Image 7: 2 tier bike rack

External storage facilities for street cleaning equipment

- 9.8 With regard to the storage facilities for street cleaning equipment, the existing single storey garage would be demolished. The street cleaning facilities would be enclosed by 1m high walls. This arrangement allows the carts to be easily stored and accessed and prevents congestion within the service yard and like the bicycle storage would not be prominent from public views and would not have an adverse impact on the character of the Conservation Area or setting of the listed building.

Re-configuration of waste and recycling facilities

- 9.9 Located closer to the entrance of the yard, is a revised and enclosed waste and recycling space suitable for the required number and size of refuse bins,. This would then enable vehicles to reverse straight into the yard, through the vehicle gate without obstruction for waste collection as is currently undertaken. The the waste and recycling space would be sited behind the front

gates and would be largely obscured from all public views and therefore not visually prominent. Details of the means of enclosure of the facilities are required by condition.

Replacement of external doors, access and other alterations

9.10 A revised staff entrance in the rear wing of the building is proposed. Externally, this would entail in the replacement of the external door to BC4 corridor, from existing to ensure it is better suited to regular use and to infill the existing entrance door with yellow London stock bricks to match existing. Another alteration to access to BC3f corridor is proposed with a new ramp and revised door location. These alterations are shown in the images below.

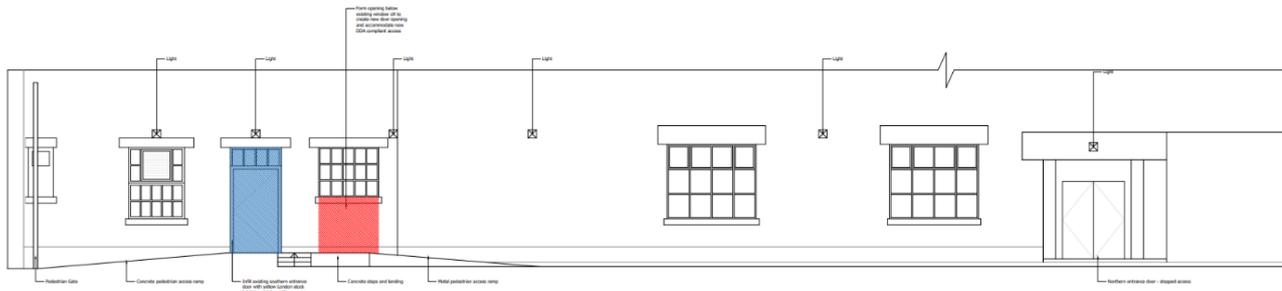


Image 8: Existing west elevation

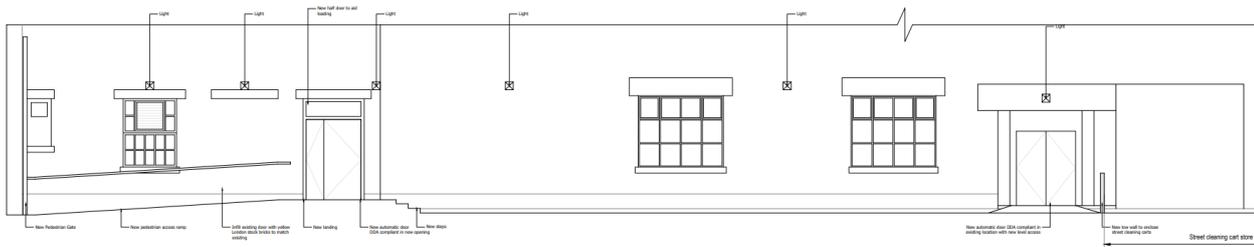


Image 9: Proposed west elevation

9.11 Alterations to access, circulation and organisation within the service yard along with the replacement of the existing tarmac surfacing and reinstatement of a level/even surface is also proposed. The existing pedestrian gate would be replaced along with a new vehicular access gate and cyclist entry.

9.12 The improvements identified for access would not be prominent and would not have an adverse impact on the Conservation Area or host building subject to conditions.

9.13 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area. Given the above, the proposal is considered to enhance the character or appearance of the host building and the wider conservation area bearing in mind the existing built form on site. The application therefore complies with the NPPF 2019, policies 7.4, 7.6 and 7.8 of the London Plan 2016, Policy CS9 of the Islington Core Strategy 2011, policy DM2.1 and DM2.3 of the Islington Development Management Policies 2013, and the guidance contained within the Urban Design Guide 2017 and the Conservation Area Design Guidelines.

9.14 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been

given to the desirability of preserving the setting of adjoining listed buildings and the character and appearance of the Upper Street (North) Conservation Area.

Impact on Heritage Assets

- 9.15 Minor demolition and alteration is proposed internally, causing harm to medium and low significance areas. This is considered to be outweighed by the public benefit of making the building more accessible and useable. The external works are considered to be an enhancement as they remove unsuitable 20th century additions to the service yard and replace them with more sympathetic yet functional structures.
- 9.16 Given the above, while the proposal is considered to cause harm to the character or appearance of the host building, this is outweighed by public benefit. The application therefore complies with the NPPF 2019, policies 7.4 and 7.6 of the London Plan 2016, Policy CS8 of the Islington Core Strategy 2011 and policies DM2.1 and DM2.3 of the Islington Development Management Policies 2013.

Neighbouring Amenity

- 9.17 All new development is subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.
- 9.18 The proposal is focussed to the rear wing of the town hall, adjacent to Richmond Grove and adjacent to William Tyndale School and football pitch. Richmond Grove contains a number of residential properties, Tyndale Terrace is located north of the proposal.
- 9.19 The proposed works to the service yard are small in scale and replace existing facilities in similar locations, such that they would not be overbearing or visually intrusive to neighbouring occupiers. The use of the service yard would not be intensified in a way that would cause noise and disturbance and seeks to make a more efficient use of the yard.
- 9.20 The application is therefore considered to be compliant with DM2.1 of the Development Management Policies (2013) in regards to impacts on neighbouring amenity.

Cycle storage

- 9.21 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' and Policy DM8.4 and Appendix 6 of the Development Management Policies 2013. In accordance with Appendix 6, 1 bicycle space is required per 80sq.m of B1a office space. The building has a floorspace of approximately 4700sq.m over four floors. This equates to the need of 58 cycle spaces for the building.
- 9.22 Within the service yard, two tier gas-assisted covered parking is proposed providing approximately 46 bike spaces. Nine Sheffield stands are proposed to providing a mix of spaces for accessible and cargo bikes which can accommodate 17 bikes. There are 13 visitor spaces and 19 staff spaces to the front of the Town Hall, five of these are considered accessible. With the additional cycle storage in the service yard the Town Hall will have 82 staff spaces and 13 visitor spaces, totalling 95 spaces. The proposal is considered to accord with policy DM8.4 and

Accessibility

- 9.23 Policies 3.5 and 7.2 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies, which requires developments to demonstrate, *inter alia*, that they produce places and spaces that are convenient and enjoyable to use for everyone.
- 9.24 The main principles of the scheme revolve around improving access to the service yard and to the basement area of the building.
- 9.25 The existing configuration of ramps and stairs will be removed and replaced in conjunction with the resurfacing works. A new consolidated ramp and step configuration is to be installed, constructed of concrete with suitable non-slip surface finishes and associated compliant handrail system. The southern entrance door will be relocated to provide a landing at the top of the new ramp, which will have a reduced pitch. The two existing entrance doors, to the north and south of the service yard, into the Town Hall are to be upgraded to be automated or power assisted. A new power assisted or automated pedestrian access gate is proposed.
- 9.26 The applicant has clarified a number of details with regard to corridor widths, entry phones/fobs and locker heights along with the ramp gradient. Overall, the alterations result in a marked improvement in access to the building and the associated services provided. A condition is recommended to ensure the entrance fobs in the building and service yard are clearly detailed on plan and elevation are fully accessible.

10. SUMMARY AND CONCLUSION

Summary

- 10.1 Minor demolition and alteration is proposed internally, causing harm to medium and low significance areas. This is considered to be outweighed by the public benefit of making the building more accessible and useable.
- 10.2 The external works are considered to be an enhancement as they remove unsuitable 20th century additions to the service yard and replace them with more sympathetic yet functional structures.
- 10.3 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character of the Conservation Area, the host listed building, or adversely impact on neighbour amenity. The proposal accords with policies DM2.1 and DM2.3 of the Development Management Policies 2013 and policies CS8 and CS9 of the Core Strategy 2011.
- 10.4 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, and the Islington Development Management Policies and should be approved accordingly.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

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

Full Planning Permission List of Conditions:

1	COMMENCEMENT (3 YEAR CONSENT PERIOD)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	APPROVED PLANS LIST
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>6753-HAH-00-B1-DR-Z-70-0102P01, 240704-PUR-00-B1-DR-A-2000 P02, 6753-HAH-00-B1-DR-Z-70-0100 P02, 6753-HAH-00-B1-DR-Z-70-0101 P02, 6753-HAH-00-B1-DR-Z-70-0103 P02, 240704-PUR-00-B1-DR-A-2101, 240704-PUR-00-B1-DR-A-2102 P02, 240704-PUR-00-B1-DR-A-2121 P02, 240704-PUR-00-XX-DR-A-5010 P01, Design and Access Statement by Purcell (02.12.20), Heritage Impact Assessment by Purcell (December 2020) and Statement of Significance Issue 01 (October 2020)</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 TO MATCH (COMPLIANCE)
	<p>CONDITION: The facing materials of new brickwork and gate entrances hereby approved shall match the existing building in terms of colour and appearance and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
4	CYCLE STORAGE (DETAILS)
	<p>CONDITION: Details of enclosures for the proposed cycle storage including elevations, sections and type of material shall be provided prior to use of the cycle storage hereby approved.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	WALLS/ENCLOSURES (DETAILS)
	<p>CONDITION: Details of the proposed wall enclosures for street cleaning and refuse facilities including elevations, sections and type of material shall be provided prior to the use of the facilities hereby approved.</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>

6	ACCESS (DETAILS)
	<p>Prior to commencement of the ramp and new landing, the final layout of the ramp and location of fobs, entry phones and access arrangements to the rear wing basement entrance shall be detailed and include sections and plans to ensure compliance with The Islington Inclusive Design SPD (2014).</p> <p>REASON: To ensure the works result in an inclusive environment.</p>
7	EXCAVATION (COMPLIANCE)
	<p>No excavation work shall be carried out within 1m of the nearest foundations of the building except by hand or using hand tools.</p> <p>REASON: In order to safeguard the stability and special interest of the heritage asset.</p>

Listed Building Consent List of Conditions:

1	COMMENCEMENT (3 YEAR CONSENT PERIOD FOR LBC)
	<p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	ALL EXTERNAL AND INTERNAL WORKS TO MATCH (COMPLIANCE)
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
3	SUBMISSION OF DETAILS (DETAILS)
	<p>CONDITION: Detailed drawings at a scale of no less than 1:1 in respect of the following shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site:</p> <ul style="list-style-type: none"> a) Details of the new external lighting b) Details of the new external doors <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	DEMOLITION (COMPLIANCE)
	<p>CONDITION: The demolition works hereby approved to and within the listed building shall be carried out by hand or hand tools only. No power driven tools shall be employed.</p>

	REASON: In order to safeguard the stability and special interest of the heritage asset.
5	EXCAVATION (COMPLIANCE)
	No excavation work shall be carried out within 1m of the nearest foundations of the building except by hand or using hand tools. REASON: In order to safeguard the stability and special interest of the heritage asset.

1	Other consents (LBC only)
	This consent relates solely to listed building matters. Should it become necessary to make alterations to the consented scheme in order to comply with other legislation, such as Building Regulations, a further consent may be required. Such a consent should be sought and obtained prior to the relevant works being undertaken.

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 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- NPPF (2019)

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 2016 - Spatial Development Strategy for Greater London

Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology

B) Islington Core Strategy 2011

Policy CS8 Enhancing Islington's character
Policy CS9 Protecting and enhancing Islington's built and historic environment
Policy CS11 Waste

C) Development Management Policies June 2013

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM8.4 Walking and Cycling

3. Designations

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

- Article 4 Direction A1-A2 (Rest of Borough)
- Angel and Upper Street Core Strategy Key Area
- Cycle Routes (Local) / (Strategic)
- Open Space (Islington Town Hall Forecourt)
- Rail Safeguarding (Transport for London Tunnels)
- Within 100m of TLRN (Transport for London Road Network)

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

The following SPGs and/or SPDs are relevant:

London Plan – Accessible London (2016) and Character and Context (2014).

5. Emerging Policies

Draft London Plan (Intend to Publish Version, December 2019)

The emerging London Plan policies have been taken into account. Relevant policies in the emerging London Plan are set out below:

Chapter 1

Policy SD6 Town centres and high streets

Chapter 3

Policy D4 Delivering good design

Chapter 10

Policy T2 Healthy Streets

Policy T5 Cycling

Policy T7 Deliveries, Servicing and Construction

Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

Policy H1 Thriving Communities

Policy T3 Car Free Development Parking

Policy T5 Delivery, Servicing and Construction

Policy S1 Delivering Sustainable Design

Policy S3 Sustainable Design Standards

Policy S2 Sustainable Design and Construction

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT



PLANNING SUB-COMMITTEE B		
Date:	23 rd February 2021	NON-EXEMPT

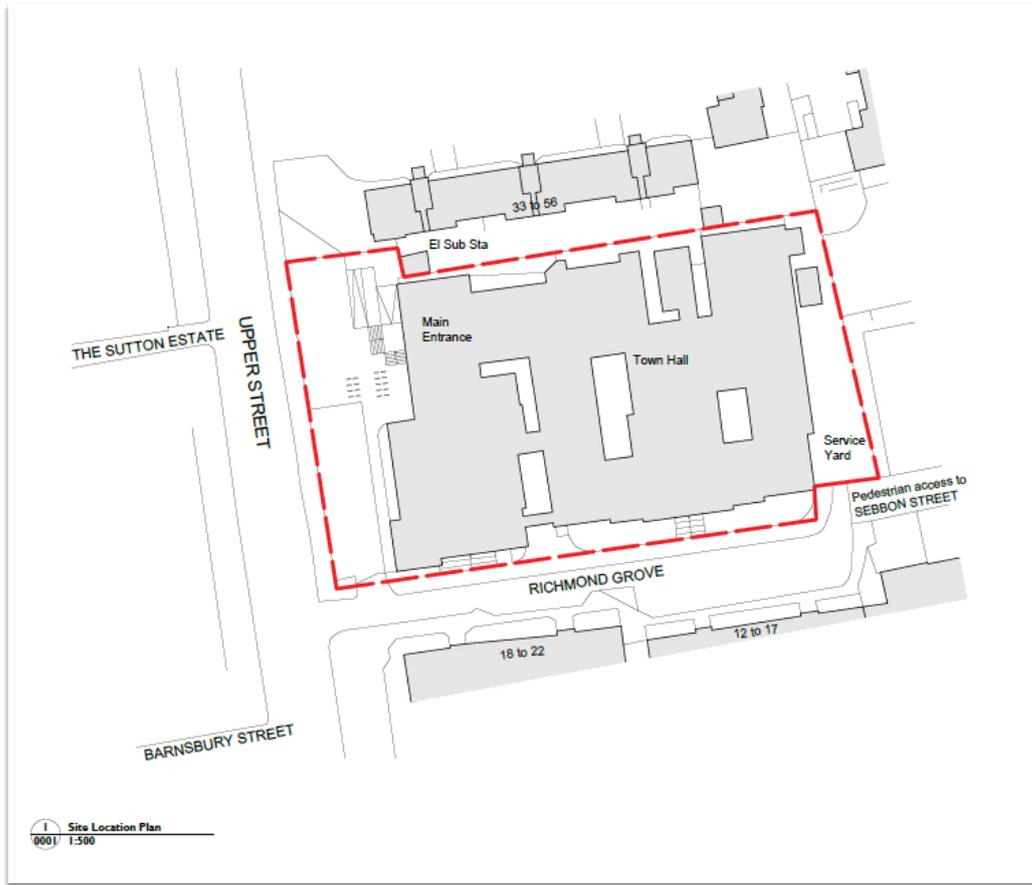
Application number	P2020/3416/LBC
Application type	Listed Building Consent Application
Ward	St Marys
Listed building	Grade II
Conservation area	Upper Street (North) Conservation Area
Development Plan Context	Angel & Upper Street Core Strategy Key Area Article 4 Direction Upper Street North Conservation Area Local & Strategic Cycle routes Upper Street Local Shopping Area and Article 4 Direction (A1-A2) Employment Growth Areas Islington Town Hall Forecourt Open Space Within 100m of TLRN (Transport for London Road Network) Rail Safeguarding (Transport for London Tunnels) Article 4 Direction A1-A2 (Rest of the borough)
Licensing Implications	Site has a License to Sell Alcohol
Site Address	Town Hall, Upper Street, Islington, N1 2UD
Proposal	Refurbish entrance and reception spaces; create two ceremonial suites in R01 (meeting room) and R04 (office); convert R05 (first aid room) to accessible WC; new access to R06 (office); combine R02 and R03 (meeting rooms) to create store for hall VFX equipment; new reception desk and lectern in main entrance.

Case Officer	Claire Sutton
Applicant	London Borough of Islington
Agent	Purcell UK

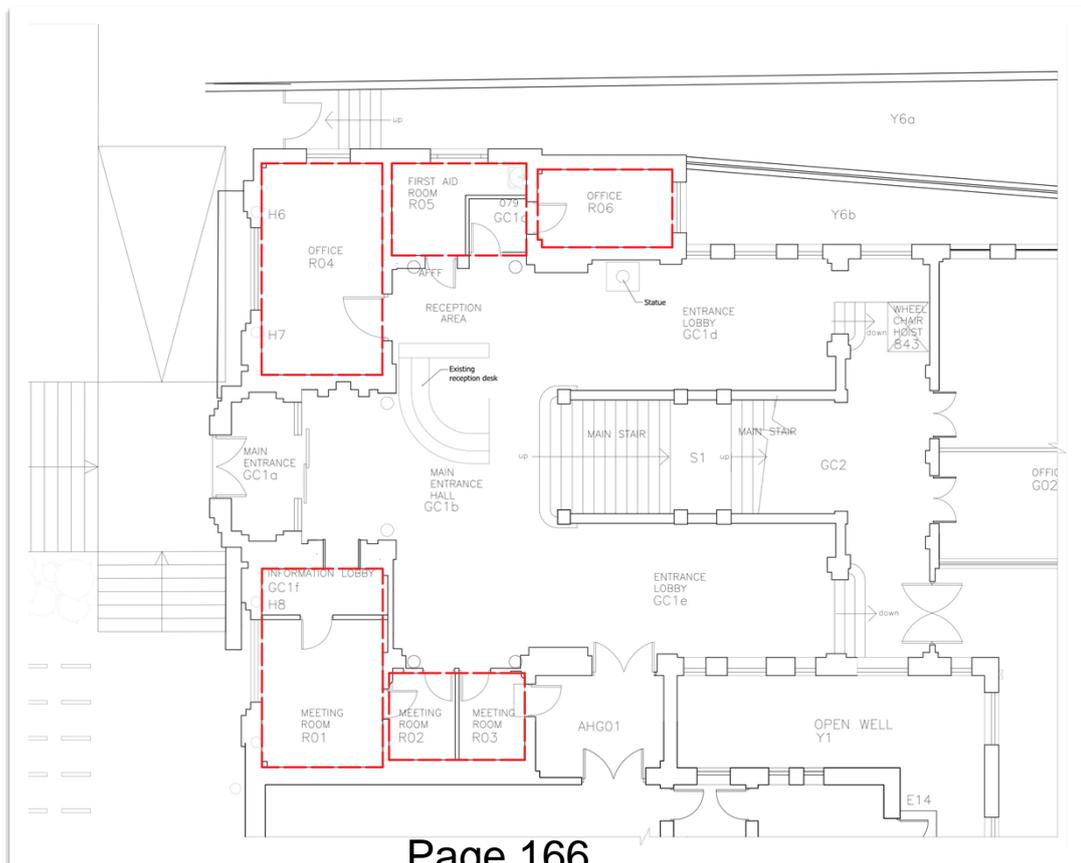
1. RECOMMENDATION

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

2. SITE PLAN (SITE OUTLINED IN RED)



3. AREA OF BUILDING PROPOSED FOR ALTERATION



4. PHOTOS OF SITE/STREET



Image 2: Internal view of entrance vestibule and modern reception desk



Image 3: Meeting room within R01 showing original Crittall window and modern partition



Image 4: Currently unused office R04 with stained glass window

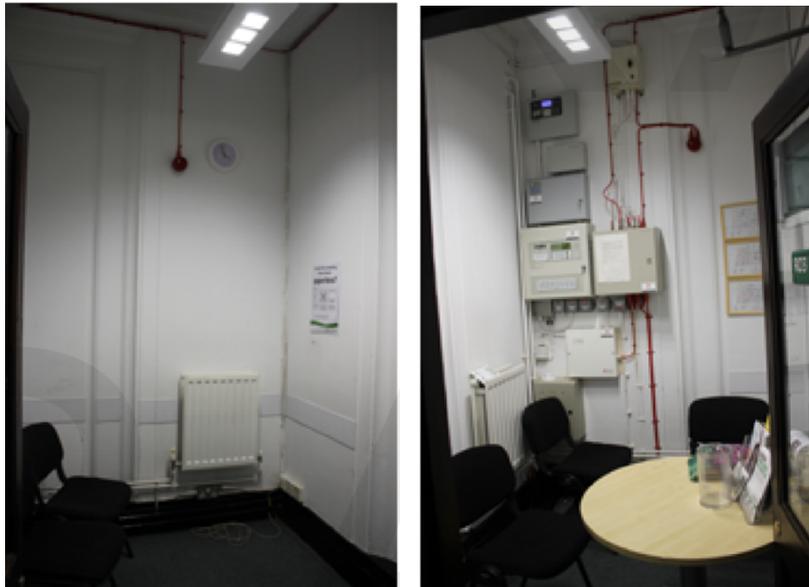


Image 5 and 6: R02 (left) and R03

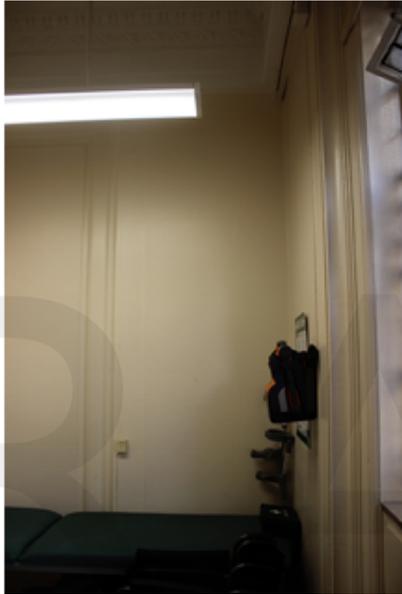


Image 7 and 8: R05 (first aid room) current use and corning

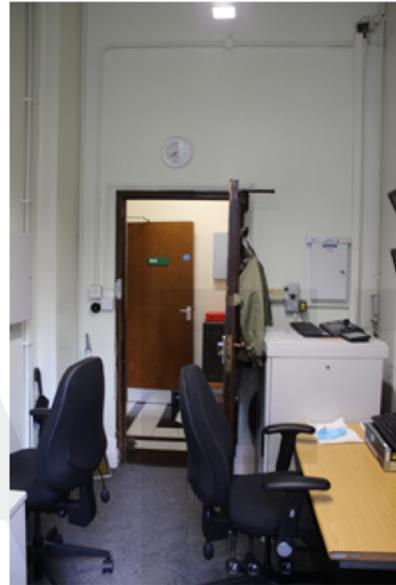


Image 9 and 10: R06 current use as office with minimal features

5. SUMMARY

- 5.1 The application seeks alterations to existing offices and rooms within the public areas of the Town Hall in order to create a range of ceremonial suites and an accessible WC on the ground floor. It also proposes refurbishment of these rooms and the creation of a new entrance desk.
- 5.2 The proposal is considered to be compliant with the objectives of policy CS9 of the Islington Core Strategy (2011), and DM2.3 of Development Management Policies (2013). It is therefore considered to preserve the special architectural and historic interest of the Grade II listed building, and is acceptable in design terms.
- 5.3 The proposal is considered to be acceptable and it is recommended that the application be approved subject to conditions.
- 5.4 The application is brought to committee because the site is owned by Islington Council.

6. SITE AND SURROUNDINGS

- 6.1 The site is a Grade II listed building and lies within the Upper Street (North) Conservation Area.
- 6.2 The Town Hall was built between 1922 and 1929, and was designed by E.C.P. Monson.
- 6.3 Areas of the building this application relates to date to the second phase of design and construction in 1925-26, and modern partitions constructed in the latter 20th century/early 21st century.

7. PROPOSAL (IN DETAIL)

- 7.1 The application seeks consent to refurbish the entrance and reception areas including the installation of a new reception desk; the conversion of one office and three meeting rooms to a ceremonial suite and associated store and office; and the conversion of the first aid room to a gender neutral accessible WC.

8. RELEVANT HISTORY:

- 8.1 There have been many applications associated with this building. Those relevant are:
- 8.2 P090290 Refurbishment of public hall and ancillary spaces including glass lift from ground level foyer to basement cloakroom area to give disabled access to lavatories and cloakrooms. Approved on 29/09/2009.
- 8.3 P2020/3442/LBC Convert storage room BS14 to chilled cellar and dry store including new drainage, sink, and extract; connect new supply lines to existing bars within Assembly Hall on ground floor. Under consideration.
- 8.4 P2020/3418/FUL & P2020/3485/LBC Proposed alterations to the external service yard and internal basement spaces to upgrade and provide dedicated cycle storage and changing facilities as well as the reconfiguration of the service yard to accommodate council facilities storage, parking, refuse collection. Under consideration.

9. CONSULTATION

Public Consultation

- 9.1 The proposal has undergone a statutory consultation period of 21 days. A notice was displayed on site and in the press. The consultation period expired on 14th January 2021.
- 9.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

External Consultees

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- 9.9 **Environmental Health, Building Control, Access & Inclusive Design:** no comments

10. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND 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

- 10.1 Islington Council (Planning Sub-Committee A), in determining the listed building consent application has the main following statutory duties to perform:
- 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 (Section 16 Planning [Listed Buildings & Conservation Areas] Act 1990 as amended).
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 - 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.)
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generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

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- 10.5 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.
- 10.6 Members of the Planning Sub-Committee A 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.
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Designations

- 10.9 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Grade II listed building
 - Upper Street (North) Conservation Area
 - Article 4 Direction Upper Street North Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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Emerging Policies

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- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

11. ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Design and Conservation



Plan of Significance: both fabric and spatial

Design and Conservation

- 11.2 Paragraph 193 of the NPPF (2019) states that ‘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). Furthermore, at paragraph 196: ‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 11.3 London-wide planning policies relevant to design and conservation are set out in Chapter 7 of the London Plan, and the Mayor of London’s Character and Context SPG is also relevant. At the local level, Policy CS9 of Islington’s Core Strategy (CS) 2011 and Policy DM2.3 of Islington’s Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington’s built environment. Taken together, they seek to ensure that proposed works respond positively to existing heritage assets.
- 11.4 Policy DM2.3 seeks to ensure that the borough’s heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington’s local character and distinctiveness will be encouraged. It seeks to ensure developments within the setting of a listed building are of good quality contextual design. It also seeks to retain, 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.
- 11.5 In accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 11.6 The proposal includes a number of different internal alterations with an assessment of these elements set out below:

Entrance Hall and Reception

- 11.7 Policy DM2.3 seeks to ensure that the Borough's listed buildings are conserved or enhanced.
- 11.8 The entrance hall has not been radically altered since its construction, and the existing reception desk is a modern lightweight timber structure. Its current location immediately inside the entrance doors blocks the view of the main staircase and erodes the character of the hall. By relocating the reception desk to the right of the stairs adjacent to R01, this would provide a restored view of the staircase as well as enabling the internal porch to be better utilised, thereby saving energy. A new lectern to the left of the main entrance has been proposed for Registrars' use.

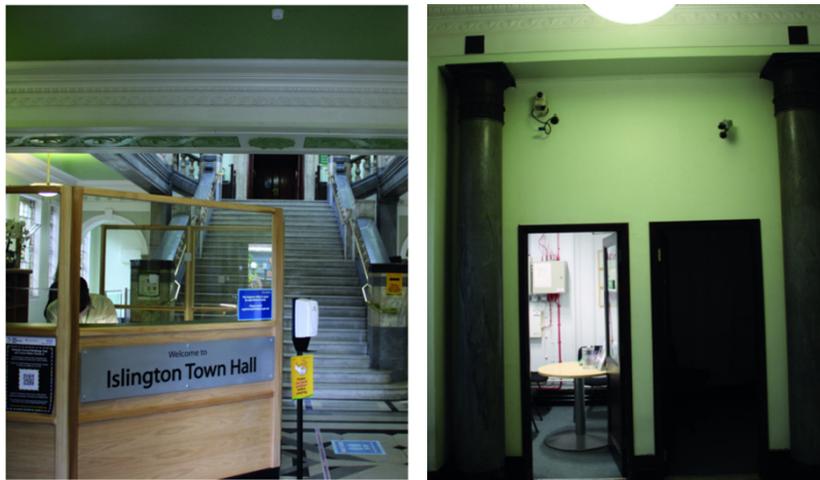


Image 11 and 12: Current view of main staircase blocked by reception desk (left); proposed location for new desk in front of existing doors to R02 and R03 (right)

- 11.9 Details of the new lectern and reception desk have not been provided within the application and conditions are recommended requiring details to be submitted.

Ceremonial Suites R01 and R04

- 11.10 Policy DM2.3 recognises that the best use of a listed building is that for which it was designed, but that other uses may be permitted where they do not harm the significance of the listed building.
- 11.11 The proposal would remove the existing modern partition which currently creates the information lobby. This partition is unsympathetically located at the edge of the original Crittall windows and its removal would enable the historic proportions of the room to be appreciated. The modern partition opposite the windows would be replaced with a more solid partition to house the fire alarm system, which would be relocated along with the reception desk. No historic fabric would be lost with these two partitions and the historic floor plan would be better revealed.
- 11.12 Necessary refurbishment of the original Crittall windows would be undertaken to ensure wind and weather tightness and full functionality.
- 11.13 New services and lighting are proposed to support the new functions of each room, together with new and replacement architectural details such as coricing where this has been lost. Details of these works are recommended to be required by condition.

Store Room 02 (incorporating R03)

- 11.14 The Assembly hall speakers are currently housed within the entrance hall to the right of the staircase. This is not secure, nor is it aesthetically suitable. The proposal would remove the modern partition between R02 and R03 to create a storage space for these speakers. The modern partition facing the entrance hall would be replaced with a new one with only one door. Access would also be retained from the adjacent room, AHG01, to enable the speakers to be easily moved into the hall for use.
- 11.15 The existing door between R01 and R02 would be retained in situ and could be reopened at a later date if needed.

Accessible WC R05

- 11.16 The room is currently used as the first aid room and has existing plumbing routes. It is separated from the entrance hall with a modern partition which also includes a lobby into the adjacent office, R06. The proposal would remove these partitions and erect one new partition with door opening onto the entrance hall, restoring the room to its original proportions.
- 11.17 The room would then be refitted as an accessible WC with baby changing facilities. Currently, the accessible WC within the public areas is within the basement, therefore this would be of greater use to those attending civil ceremonies. Small alterations are required for additional pipework and this would connect to the existing SVP within the lightwell. New servicing would be covered by new dado panels. Ventilation is required and this is proposed to be installed on the north wall. Details of the ventilation works are recommended to be required by condition.
- 11.18 Although some slight loss of fabric is proposed, it is considered that the benefit of restoring the original room proportions together with providing an accessible WC at ground floor level outweighs this harm. This is also relevant to the proposed works within room R06.

Office R06

- 11.19 This room is currently accessed via a modern lobby which occupies part of room R05. By removing this lobby to create the accessible WC, an alternative entrance to R06 would be required. This would result in the only proposed loss of historic fabric – the creation of a doorway onto the entrance hall in a space currently occupied by the statue of Hugh Myddelton.
- 11.20 The section of wall dates from the second phase of the Town Hall construction (1925-26) and is original fabric. It currently contains a window-sized niche and has been adapted for electrical servicing. The proposal would retain the proportions of the niche but create a doorway into room R06. Given that this proposed alteration is considered necessary in order to remove inappropriate modern partitions, and create an accessible WC, these benefits are considered to outweigh the harm which would arise from this loss of fabric and form. A condition requiring hand demolition, and another for details of the new door are recommended.



Image 13 and 14: Current view of location of proposed opening to room R06, blocked by statue (to be relocated)

Conclusion

- 11.21 Overall, due to the mitigation measures identified above, the proposal is considered to be compliant with Development Management Policy DM2.3.

12. SUMMARY AND CONCLUSION

Summary

- 12.1 The proposed alterations are considered acceptable in principle. The works would have minimal impact on the layout and fabric, and are a suitable way to provide necessary ground floor level WC facilities and associated facilities for the use of the hall and ceremonial suites.
- 12.2 The proposals would involve minimal loss of historic fabric, and would not cause harm to the retained fabric. Where loss is proposed, this is considered to be outweighed by the public benefit of providing accessible facilities on the ground floor and bringing underutilised rooms into use, thereby enabling more people to appreciate the heritage asset.
- 12.3 In accordance with the above assessment, it is considered that the proposed works are consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 12.4 It is recommended that listed building consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

That the grant of listed building consent be subject to conditions to secure the following:

List of Conditions:

1	<p>Commencement</p> <p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Works to Match (Compliance)</p> <p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
3	<p>Demolition by Hand (Compliance)</p> <p>CONDITION: The demolition works hereby approved shall be carried out by hand or hand tools. No power driven tools shall be employed,</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	<p>Protection of Internal Features during Construction (Compliance)</p> <p>CONDITION: The interior features of the building shall be protected against accidental loss or damage during building work, and no features may be disturbed or removed temporarily or permanently except as indicated on the approved drawings.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	<p>Submission of Details (DETAILS)</p> <p>CONDITION: Detailed drawings at a scale of no less than 1:10 in respect of the following shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site:</p> <ul style="list-style-type: none"> a) Details of the timber lectern and reception desk b) Details of the lighting and servicing to rooms R01 and R04 c) Details of the new cornicing including locations, profiles and materials d) Details of the new timber dado panelling including locations, profiles, colour/finish, and any access panels e) Details of the internal and external appearance and elevational location of the ventilation to room R05 f) Details of the new timber door, architrave, and threshold to room R06 including cross-section, elevation, and colour/finish <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p>

	REASON: In order to safeguard the special architectural or historic interest of the heritage asset.
--	---

List of Informatives:

1	Other Consents
	This consent relates solely to listed building matters. Should it become necessary to make alterations to the consented scheme in order to comply with other legislation, such as Building Regulations, a further consent may be required. Such a consent should be sought and obtained prior to the relevant works being undertaken.

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 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- National Planning Policy Framework 2019

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 2016 - Spatial Development Strategy for Greater London

- Policy 7.8 Heritage Assets and Archaeology

B) Islington Core Strategy 2011

- Policy CS9 Protecting and enhancing Islington's built and historic environment

C) Islington Development Management Policies 2013

- Policy DM2.3 – Heritage

3. Designations

- Grade II Listed Building

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT



PLANNING SUB-COMMITTEE B		
Date:	23 rd February 2021	NON-EXEMPT

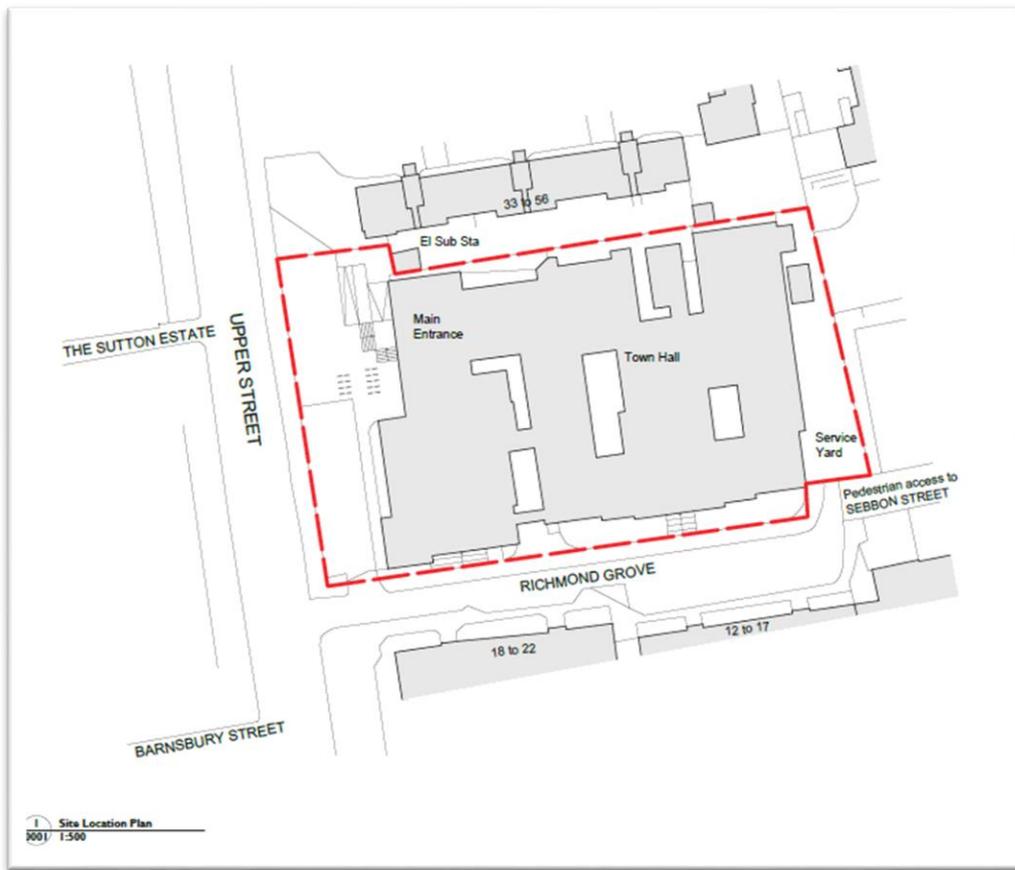
Application number	P2020/3442/LBC
Application type	Listed Building Consent Application
Ward	St Marys
Listed building	Grade II
Conservation area	Upper Street (North) Conservation Area
Development Plan Context	Angel & Upper Street Core Strategy Key Area Article 4 Direction Upper Street North Conservation Area Local & Strategic Cycle routes Upper Street Local Shopping Area and Article 4 Direction (A1-A2) Employment Growth Areas Islington Town Hall Forecourt Open Space Within 100m of TLRN (Transport for London Road Network) Rail Safeguarding (Transport for London Tunnels) Article 4 Direction A1-A2 (Rest of the borough)
Licensing Implications	Site has a License to Sell Alcohol
Site Address	Town Hall, Upper Street, Islington, N1 2UD
Proposal	Refurbish entrance and reception spaces; create two ceremonial suites in R01 (meeting room) and R04 (office); convert R05 (first aid room) to accessible WC; new access to R06 (office); combine R02 and R03 (meeting rooms) to create store for hall VFX equipment; new reception desk and lectern in main entrance.

Case Officer	Claire Sutton
Applicant	Adam Feeney
Agent	Purcell UK

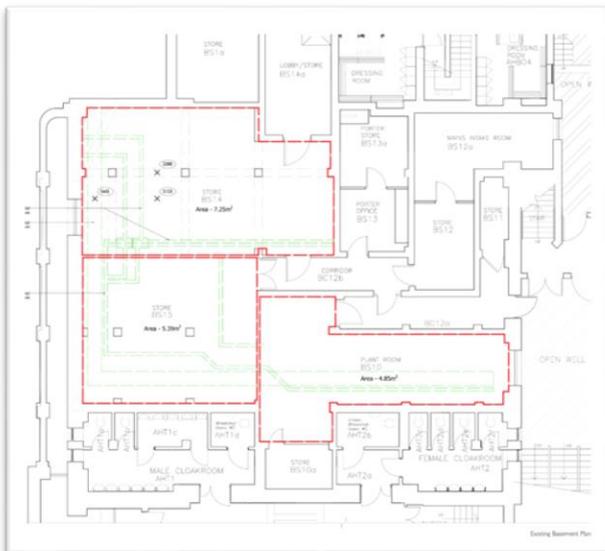
1. RECOMMENDATION

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

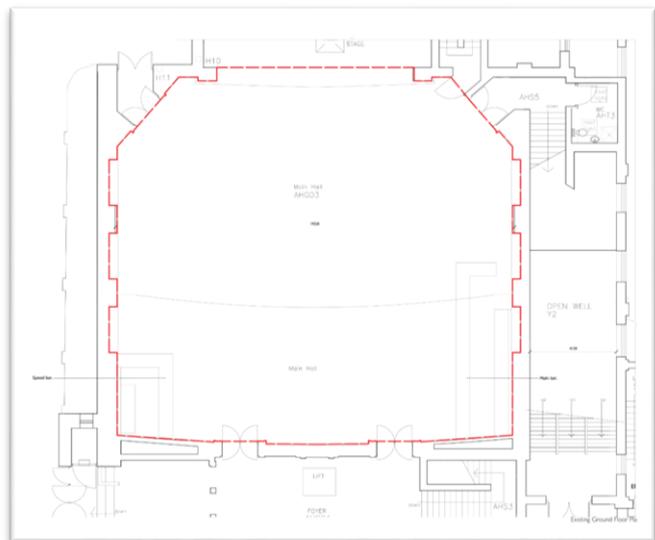
2. SITE PLAN (SITE OUTLINED IN RED)



3. AREAS OF BUILDING PROPOSED FOR ALTERATION



Basement



Ground Floor

4. PHOTOS OF SITE/STREET



Image 1 (left): BS10 plant equipment – to host new ceiling-mounted pipework
Image 2 (right): Ceiling mounted pipework in BS14



Image 3 (left): Original brick column in BS14 (to be retained)
Image 4 (right): chairs, lockers, pipework in BS15

5. SUMMARY

- 5.1 The application seeks alterations to basement storage rooms to create a store and chiller for the bar within the Assembly Hall above, including beer pipe line connections to that bar.
- 5.2 The proposal is considered to be compliant with the objectives of policy CS9 of the Islington Core Strategy (2011), and DM2.3 of Development Management Policies (2013). It is therefore considered to preserve the special architectural and historic interest of the Grade II listed building, and is acceptable in design terms.
- 5.3 The proposal is considered to be acceptable and it is recommended that the application be approved subject to conditions.
- 5.4 The application is brought to committee because the site is owned by Islington Council.

6. SITE AND SURROUNDINGS

- 6.1 The site is a Grade II listed building and lies within the Upper Street (North) Conservation Area.
- 6.2 The Town Hall was built between 1922 and 1929, and was designed by E.C.P. Monson.
- 6.3 Areas of the building this application relates to date to the third phase of design and construction in 1928-29, and modern partitions constructed 1929-1951.

7. PROPOSAL (IN DETAIL)

- 7.1 The application seeks consent to convert a basement storage room to a dry store and chilled cellar as a dedicated storage and operational facility for the Assembly Hall above. Insulated fire rated partitions are required to subdivide the existing room, together with relaying the floor for suitable drainage and levelling. In addition, new beer line supply pipes are to run at ceiling height to connect with the bar above in the Assembly Hall.

8. RELEVANT HISTORY:

- 8.1 There have been many applications associated with this building. The relevant ones are:
- 8.2 P090290 Refurbishment of public hall and ancillary spaces including glass lift from ground level foyer to basement cloakroom area to give disabled access to lavatories and cloakrooms. Approved on 29/09/2009.
- 8.3 P2020/3416/LBC Refurbish entrance and reception spaces; create two ceremonial suites in R01 (meeting room) and R04 (office); convert R05 (first aid room) to accessible WC; new access to R06 (office); combine R02 and R03 (meeting rooms) to create store for hall VFX equipment; new reception desk and lectern in main entrance. Under consideration.
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Basement (left); Ground Floor (right)

Design and Conservation

- 11.2 Paragraph 193 of the NPPF (2019) states that ‘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). Furthermore, at paragraph 196: ‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 11.3 London-wide planning policies relevant to design and conservation are set out in Chapter 7 of the London Plan, and the Mayor of London’s Character and Context SPG is also relevant. At the local level, Policy CS9 of Islington’s Core Strategy (CS) 2011 and Policy DM2.3 of Islington’s Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington’s built environment. Taken together, they seek to ensure that proposed works respond positively to existing heritage assets.
- 11.4 Policy DM2.3 seeks to ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged. It seeks to ensure developments within the setting of a listed building are of good quality contextual design. It also seeks to retain, 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.
- 11.5 In accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

11.6 Policy DM2.3 seeks to ensure that the Borough's listed buildings are conserved or enhanced.

11.7 The Assembly Hall was opened in 1930 and was a popular venue for public events. However, it was closed in the mid-1980s and was not used for at least two decades. Significant service alterations and refurbishments were made to bring it back into use in 2010. Since then, modern bars have been added to the south end of the main hall. Despite this, the Assembly Hall retains high significance, including features such as its sprung dance floor and interior decorative scheme.

11.8 The proposal includes a number of different internal alterations with an assessment of these elements set out below:

Subdivision of BS14 for chiller and dry store

11.9 The basement rooms proposed for alteration are lower in significance than the hall above. Constructed in 1928-29, they are service areas and as such have seen much change in order to enable the functioning of the Assembly Hall and wider Town Hall. BS10, BS14, and BS15 have all had their plan forms and ceilings altered to accommodate the changing needs of the venue.

11.10 No historic fabric would be impacted by the proposals, and the service aesthetic of the rooms would be retained. The overall special interest of the rooms would not be detrimentally impacted.

Additional pipework to BS10, BS14, and BS15

11.11 The ceilings of these basement rooms are already partially covered with existing pipework, reflecting the use of BS15 as a former Meals on Wheels kitchen. The wall, floor, and ceiling finishes are utilitarian and devoid of architectural features. Several existing pipes have breached original external walls. The proposed pipework would be contained within the ceilings of the three rooms to be altered.

11.12 No historic fabric would be impacted by the proposals, and the service aesthetic of the room/s would be retained. The overall special interest of the rooms would not be detrimentally impacted.

Pipework connection to Assembly Hall above including localised works to flooring

11.13 In order to use the proposed chilled cellar and pipework, it must be connected to the modern bar above within the Assembly Hall. This would require two openings within the floor, resulting in the loss of a small section of original sprung floor (approximately two floor boards). However, this loss would be mitigated by the increased usability of the hall as an entertainment space and venue, and would not be visible due to the existing bars.



Images 5 and 6: South west bar (left) and south east bar (right) within the Assembly Hall

Conclusion

- 11.14 Overall, due to the mitigation measures identified above, the proposal is considered to be compliant with Development Management Policies DM2.3.

12. SUMMARY AND CONCLUSION

Summary

- 12.1 The proposed alterations are considered acceptable in principle. The works would have minimal impact on the layout and fabric, and are a suitable way to provide additional facilities within the existing Assembly Hall.
- 12.2 The proposals would involve minimal loss of historic fabric, and would not cause harm to the retained fabric. Where loss is proposed, this is considered to be outweighed by the public benefit of increasing the usability of the Assembly Hall as an entertainment venue, thereby enabling more people to appreciate the heritage asset.
- 12.3 In accordance with the above assessment, it is considered that the proposed works are consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 12.4 It is recommended that listed building consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

That the grant of listed building consent be subject to conditions to secure the following:

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Works to Match (Compliance)
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
3	Demolition by Hand (Compliance)
	<p>CONDITION: The demolition works hereby approved shall be carried out by hand or hand tools. No power driven tools shall be employed,</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>

List of Informatives:

1	Other consents
	<p>This consent relates solely to listed building matters. Should it become necessary to make alterations to the consented scheme in order to comply with other legislation, such as Building Regulations, a further consent may be required. Such a consent should be sought and obtained prior to the relevant works being undertaken.</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 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- National Planning Policy Framework 2019

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 2016 - Spatial Development Strategy for Greater London

- Policy 7.8 Heritage Assets and Archaeology

B) Islington Core Strategy 2011

- Policy CS9 Protecting and enhancing Islington's built and historic environment

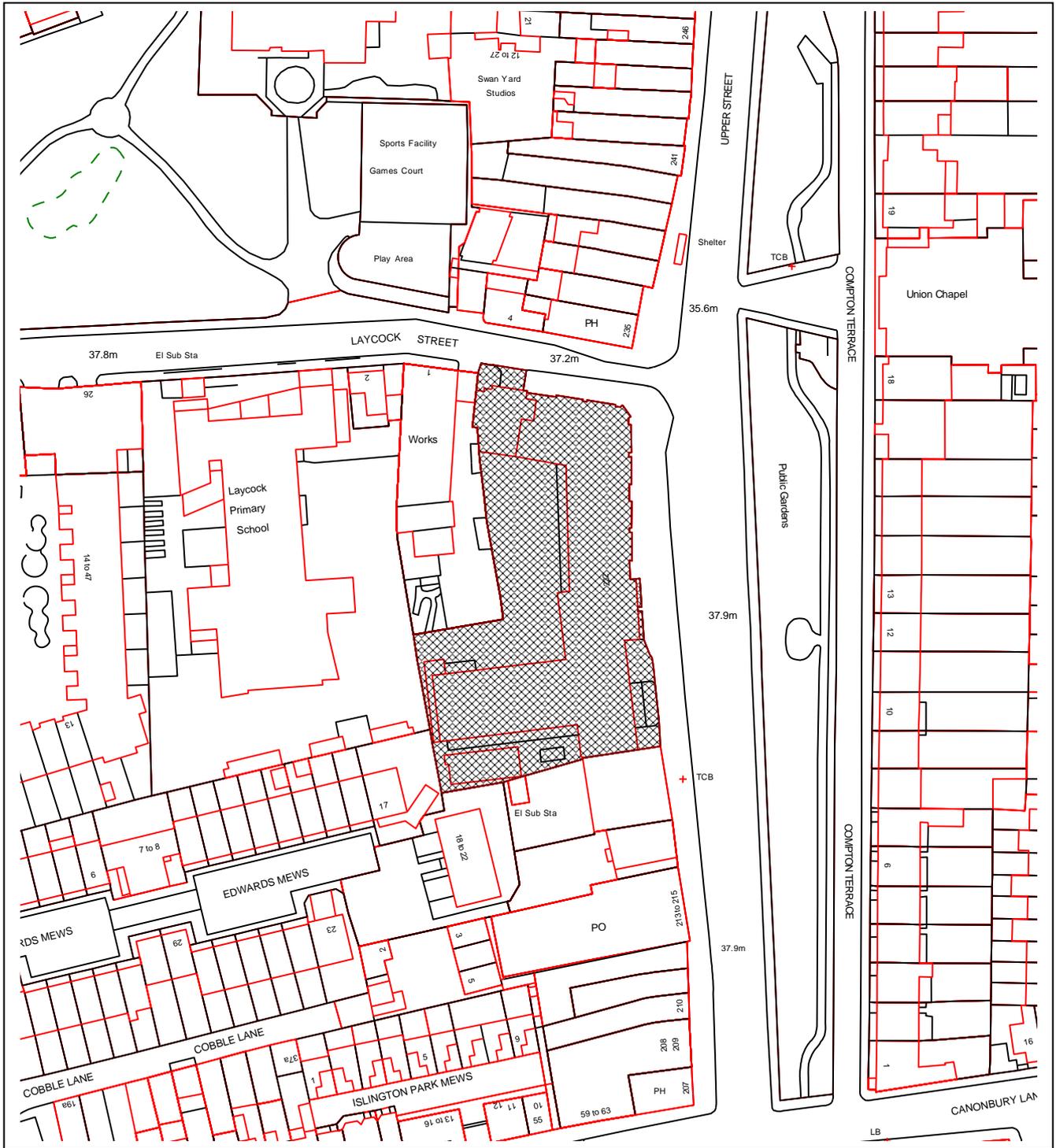
C) Islington Development Management Policies 2013

- Policy DM2.3 – Heritage

3. Designations

- Grade II Listed Building

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