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## **AGENDA FOR THE PLANNING SUB COMMITTEE A**

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Members of the Planning Sub Committee A are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **19 April 2022 at 7.30 pm.**

Enquiries to : Ola Adeoye  
Tel : 020 7527 3044  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 11 April 2022

### **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](mailto:enquiriesplanning@islington.gov.uk).**

[Committee Membership](#)

[Wards](#)

[Substitute Members](#)



Councillor Khondoker (Chair)	- Highbury	Councillor Chowdhury	-
West;		Barnsbury;	
Councillor Woolf (Vice-Chair)	- Canonbury;	Councillor Convery	-
Councillor Clarke	- St George's;	Caledonian;	
Councillor Jackson	- Holloway;	Councillor Hyde	-
Councillor Klute	- St Peter's;	Caledonian;	
		Councillor Ibrahim	- Highbury
		West;	
		Councillor Kay	- Mildmay;
		Councillor Khurana	-
		Tollington;	
		Councillor Nathan	-
		Clerkenwell;	
		Councillor North	- St Peter's;
		Councillor Picknell	- St Mary's;
		Councillor Poyser	- Hillrise;
		Councillor Wayne	-
		Canonbury;	
		Councillor Williamson	-
		Tollington;	

Quorum: 3 councillors

<b>A.</b>	<b>Formal Matters</b>	<b>Page</b>
1.	Introductions	
2.	Apologies for Absence	
3.	Declarations of Substitute Members	
4.	Declarations of Interest	

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

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

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

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

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

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

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

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

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

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

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

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

5.	Order of Business	1 - 2
6.	Minutes of Previous Meeting	3 - 12
<b>B.</b>	<b>Consideration of Planning Applications</b>	<b>Page</b>

1. 466 Hornsey Road, London N19 4EE 13 - 54

2. William Martin Court, 65 Margery Street London WC1X 0JE 55 - 130

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

**D. Urgent non-exempt items (if any)**

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

**E. Exclusion of press and public**

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

**F. Confidential/exempt items Page**

**G. Urgent exempt items (if any)**

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

**Date of Next Meeting:** Planning Sub Committee A, 12 July 2022

**Please note all committee agendas, reports and minutes are available on the council's website: [www.democracy.islington.gov.uk](http://www.democracy.islington.gov.uk)**

#### **WEBCASTING NOTICE**

This meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for 12 months. A copy of it will also be retained in accordance with the Council's data retention policy.

If you participate in the meeting you will be deemed by the Council to have consented to being filmed. By entering the Council Chamber you are also consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If

you do not wish to have your image captured you should sit in the public gallery area, overlooking the Chamber.

In addition, the Council is obliged by law to allow members of the public to take photographs, film, audio-record, and report on the proceedings at public meetings. The Council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

If you have any queries regarding webcasting or the recording of meetings by the public, please contact Democratic Services on [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)

## **PROCEDURES FOR PLANNING SUB-COMMITTEES**

### **Planning Sub-Committee Membership**

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

### **Order of Agenda**

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

### **Consideration of the Application**

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

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

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

### **What Are Relevant Planning Objections?**

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

**For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Ola Adeoye/Zoe Lewis on 020 7527 3044/3486. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing [enquiriesplanning@islington.gov.uk](mailto:enquiriesplanning@islington.gov.uk).**



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**COMMITTEE AGENDA**

**1 466 Hornsey Road**  
London  
N19 4EE

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**2 William Martin Court**  
65 Margery Street  
London  
WC1X 0JH

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**1 466 Hornsey Road**  
London  
N19 4EE

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**Application Number:** P2021/1939/FUL  
**Ward:** Tollington  
**Proposed Development:** Proposed demolition of existing dwelling and redevelopment to provide 7 No. residential dwellings (4no. x 2-bed & 3no. x 1-bed) and associated cycle, refuse and landscape works.  
**Application Type:** Full Planning Application  
**Case Officer:** Jake Shiels  
**Name of Applicant:** Brady and Greatrex  
**Recommendation:**

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**2 William Martin Court**  
65 Margery Street  
London  
WC1X 0JH

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**Application Number:** P2021/3255/FUL  
**Ward:** Clerkenwell  
**Proposed Development:** Change of use of existing staff hostel (sui generis) to temporary accommodation for Maltese nationals receiving medical treatment in the UK and their families (sui generis).  
**Application Type:** Full Planning Application  
**Case Officer:** Thomas Broomhall  
**Name of Applicant:** -  
**Recommendation:**

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London Borough of Islington

## **Planning Sub Committee A - 14 December 2021**

Minutes of the meeting of the Planning Sub Committee A held at Islington Town Hall on 14 December 2021 at 7.30 pm.

**Present:**      **Councillors:**      Khondoker (Chair), Woolf (Vice-Chair), Clarke, Jackson and North (Substitute) (In place of Klute)

### **Councillor Roulin Khondoker in the Chair**

**197**      **INTRODUCTIONS (Item A1)**

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

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

Apologies were received from Councillor Klute.

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

Councillor North substituted for Councillor Klute.

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

There were no declarations of interest.

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

The order of business would be as per the agenda.

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

**RESOLVED:**

That the minutes of the meeting held on 6 September 2021 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**203**      **44 PEAR TREE STREET, LONDON, EC1V 3SB (Item B1)**

The upward extension, refurbishment and recladding of the existing building to create a new second and third floor and mezzanine level, associated with the use of the building for Class E purposes, together with the provision of plant equipment and a roof terrace at roof level and the provision of refuse, recycling and cycle parking facilities at ground floor level.

(Planning application number: P2020/3206/FUL)

In the discussion the following main points were made:

## Planning Sub Committee A - 14 December 2021

- The planning officer stated that since the report was published, an additional objection had been received. The points made were addressed in the officer report.
- The planning officer stated that the building management plan had to be submitted and approved prior to occupation.
- The planning officer stated that two previous applications had been determined. The 2014 application had been refused and the appeal had been dismissed. The 2017 appeal was approved. Officers considered that the recent approval carried considerable weight.
- The current application was solely commercial whereas the previous applications were residential and there were residential roof terraces. Lapsed planning permission should be given less weight than extant planning permission. When determining weight, it was necessary to consider whether there had been policy changes since planning permission was granted.
- The history of the applications for this site was noted. The last application had been for a larger scaled building and had been approved.
- It was noted that the previous application had some obscure glazing and window opening restrictors.
- In response to a member's question about whether there were restrictions to the use of the roof terraces in the previous approved scheme, the planning officer advised that there were none.
- The planning officer stated that in the proposed scheme, there were no roof terraces on the south east corner. Officers had initially recommended that use of the roof terrace end at 6pm, however following the submission of a detailed management plan and in agreement with the environmental health officer this had been recommended to be extended to 8pm. The number of site occupiers on the terrace would be limited to 15 at any one time. The environmental health officer had requested that details of the use of the roof terrace be included in the revised management plan to be submitted and approved prior to occupation. This would include the acoustic measures to mitigate noise from the terrace and how any complaints would be managed. The applicant stated that the roof terrace was not large and was integrated into the roof away from neighbouring residential units. 8am-8pm would align with extended office hours. The roof terrace would be used for site occupiers and would not be used for parties.
- In response to a member's concern about the building line not being set back on Bastwick Street, the planning officer stated that the design of the two previous schemes was substantially different. In relation to the proposed scheme, design changes to the roof had reduced the impact on the adjacent building and were considered acceptable.
- Daylight and sunlight were discussed. The planning officer advised that there were transgressions, mostly to the student accommodation but that due to the nature of occupation of student accommodation it was considered to be acceptable in this case. There was a transgression in relation to a window of 26 Bastwick Street but this window had passed a daylight distribution test.
- Following an objector's concerns about daylight sunlight assessments, the planning officer stated that officers were satisfied with their accuracy.

Officers detailed the transgressions in relation to the impact on the Pietra Lara Building and stated that although any transgressions were regrettable, they were minor and these were less than in the previous approved scheme.

- In response to a member's question about the nature of potential tenants, the applicant stated that the space was flexible. The upper floors could be let to one tenant or a number of smaller businesses. The applicant also stated there was demand in Clerkenwell for retail showrooms.
- Following an objector's concerns about a sense of enclosure the planning officer advised that the shape of the roof, with a reduction in the height of the eaves, was deemed to have reduced the sense of enclosure. Also having a commercial rather than residential scheme reduced the concerns regarding overlooking.

Councillor North proposed a motion to amend Condition 10 to require obscure glazing and restricted opening windows on the western and south eastern elevations. This was seconded by Councillor Khondoker and carried. The wording of the condition was delegated to officers.

Councillor North proposed a motion to add a condition to restrict the use of the roof terrace to occupiers of the office only. This was seconded by Councillor Khondoker and carried. The wording of the condition was delegated to officers.

Councillor Khondoker proposed a motion to amend Condition 16 to restrict construction hours to 8am-6pm Monday to Friday only. This was seconded by Councillor Woolf and carried.

**RESOLVED:**

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

204

**PARKHURST COURT, WARLTERS ROAD, LONDON, N7 0SD (Item B2)**

Proposed mansard extension with dormer windows to create 7 self contained flats (3no. x 2 bedroom 4-person units, 2no. x 2 bedroom 3-person units and 2no. x 1 bedroom 1-person units) on the existing flat roof, plus associated amenity space, lift shaft extended and reinstated, existing chimneys to be extended above proposed roof level, water tanks replaced and cycle storage and refuse storage.

(Planning application number: P2021/2101/FUL)

In the discussion the following main points were made:

- The location of the proposed bin store and cycle store was discussed.

## Planning Sub Committee A - 14 December 2021

- In response to a member's question about how amenities on site would be shared among new and existing residents, the applicant stated that although the proposed cycle store and refuse store would be for new residents, if existing residents wanted cycle storage, this could be provided. The refuse store was a new provision for new residents as there was no intention to extend the existing refuse chute provision to the new flats. There would be no change to communal amenity space and although more people would be sharing the space, the new residents would be contributing their share of the service charge.
- Concerns about possible structural issues were made by objectors attending the meeting plus one objector who had been unable to attend the meeting but had provided the committee with a written statement. Further to a question from a member, the applicant confirmed that existing residents would not bear the costs of the scheme.
- A planning officer stated that structural issues were building control issues, issues relating to service charges were civil matters and the integrity of the building was covered by building control regulations.
- An objector stated that whilst existing residents had not requested cycle storage, there was concern that the proposed location of the store would remove vehicular access and providing cycle storage would reduce amenity space.
- In response to a question from a member about whether there could be a financial obligation to improve amenities, the legal adviser stated that the contribution would not meet the tests.
- In response to a member's question about why the applicant had not provided the £25,000 financial contribution requested by TfL for a safer junction, the applicant stated that they had not refused to contribute but they had asked TfL for clarification on how the figure had been reached as they had concern that it was based on the whole building and not the additional flats. They had not yet heard back from TfL. A planning officer also stated that officers had assessed the request and were of the view that it was not reasonable for a scheme of this size.
- The applicants confirmed that they were willing to look at other locations for the cycle store and provide lockers for foldable bicycles.
- The chair stated that in relation to the previous application which was refused, no issues were raised about the design or extension on roof.

Councillor Khondoker proposed a motion to add a condition that consultation on the location of the refuse and bicycle stores take place with the Parkhurst Court RTM Company to reduce the impact of the loss of amenity space and visual amenity. The wording was delegated to officers. This was seconded by Councillor Clarke and carried.

Councillor Khondoker proposed a motion to add an informative that dialogue between the applicant and Parkhurst Court RTM Company be encouraged in relation to the proposal and building integrity. The wording was delegated to officers. This was seconded by Councillor North and carried.

**RESOLVED:**

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

The meeting ended at 9.50 pm

**CHAIR**

## **WORDING DELEGATED TO OFFICERS**

### **MINUTE 203**

#### **44 PEAR TREE STREET, LONDON, EC1V 3SB**

##### Amended Condition 8 - Hours of use of roof terrace

CONDITION: The hereby approved roof terrace and inset balconies shall only be used by occupiers of the office space (Class E) of the hereby approved development and shall not operate outside the hours of:

0800 to 2000 hours Monday to Friday.

REASON: In order to protect the amenity of neighbouring properties.

##### Amended Condition 10 - Obscure glazed and restricting opening windows (Details)

CONDITION: Prior to the occupation of the host building final details of obscure glazing and measures to restrict the opening of the side and rear elevation windows (to the south east corner recess shown on drawing numbers 02 0402/P1 and 02 0504/P1 and to the west elevation shown on drawing on 02 0401/P1) shall be submitted and approved in writing by the Local Planning Authority prior the implementation of the development. The approved details shall be implemented in full as such prior to the first occupation and retained thereafter into perpetuity.

##### Amended Condition 16

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

The Construction Statement shall include details and arrangements regarding:

- a) The notification of neighbours with regard to specific works;
- b) Advance notification of any access way, pavement, or road closures;
- c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;
- d) Details regarding the planned demolition and construction vehicle routes and access to the site;
- e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;
- f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;

- g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday only, and not at all on Saturdays, Sundays or Bank Holidays.)
- h) Details of any proposed external illumination and/or floodlighting during construction;
- i) Details of measures taken to prevent noise disturbance to surrounding residents;
- j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;
- k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- l) Details as to how safe and convenient vehicle access will be maintained for all existing units accessed via Pear Tree Street at all times, including emergency service vehicles;
- m) Details as to how neighbour amenity impacts arising specifically from the proposed basement and foundations will be minimised;
- 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. An inventory of all Non-Road Mobile Machinery (NRMM) must be registered on the NRMM register <https://nrmm.london/user-nrmm/register> prior to the commencement of use of any NRMM at the application site. All NRMM should meet as minimum the Stage IIIA emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIA equipment is not available. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.

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 development shall thereafter be carried out in accordance with the details and measures approved in the Method of Construction Statement. 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 & To protect the amenity of neighbouring properties by restricting construction hours to 8am-6pm Monday to Friday only.

**MINUTE 204**

**PARKHURST COURT, WARLTERS ROAD, LONDON, N7 0SD**

REFUSE/RECYCLING (DETAILS): Final details of the exact location, scale, appearance of the refuse / recycling structure (including visual appearance supported by plans), storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of development. The details shall be provided to the Parkhurst Court RTM Company for discussion and for consultation within this process with evidence of the outcome of these discussions to be submitted with the formal discharge conditions. The refuse / recycling storage and collection arrangements shall ensure that storage bins do not obstruct the public highway. The dedicated refuse / recycling enclosure(s) approved shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter into perpetuity.

REASON: To secure the necessary physical waste enclosures to support the development, to ensure that responsible waste management practices are adhered to and to safeguard the open and visual amenity of the site as a whole.

See attached edited cycle storage condition (condition 6) at Parkhurst Court:

CYCLE PARKING AND SERVICES (DETAILS): Details of the final layout, design and appearance (shown in context) of the bicycle storage area(s) for the site shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the hereby approved development. The details shall be provided to the Parkhurst Court RTM Company for discussion and for consultation within this process with evidence of the outcome of these discussions to be submitted with the formal discharge conditions. The storage area(s) shall be secure and provide for no less than 12 for the residential units hereby approved and should include at least 1 accessible cycle space. 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 into perpetuity.

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

INFORMATIVE: The applicant is advised that Cllrs and the council strongly encourage active and collaborative dialogue between the applicants and the Parkhurst Court RTM regarding the implementation of the development with the Parkhurst Court RTM Company and any other freeholders/leaseholders who have an interest in the site.



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## PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Community Wealth Building

<b>PLANNING SUB-COMMITTEE A</b>		<b>AGENDA ITEM NO:</b>	<b>B1</b>
<b>Date:</b>	19 <sup>th</sup> April 2022	<b>NON-EXEMPT</b>	

Application number	P2021/1939/FUL
Application type	Full Planning Application
Ward	Tollington Ward
Listed building	Locally Listed (Non-designated Heritage Asset)
Conservation area	No
Development Plan Context	None
Licensing Implications	None
Site Address	466 Hornsey Road, N19 4EE
Proposal	Proposed demolition of existing dwelling and redevelopment to provide 7 No. residential dwellings (4 x 2-bed & 3 x 1-bed) and associated cycle, refuse, landscaping plans and associated works. landscape works.

Case Officer	Mr Jake Shiels
Applicant	Mr Brady and Mr Greatrex
Agent	Mr Ashley Bailey

### 1. RECOMENDATION

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

1. subject to the conditions set out in Appendix 1;
2. subject to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

**2. SITE PLAN (site highlighted in red)**



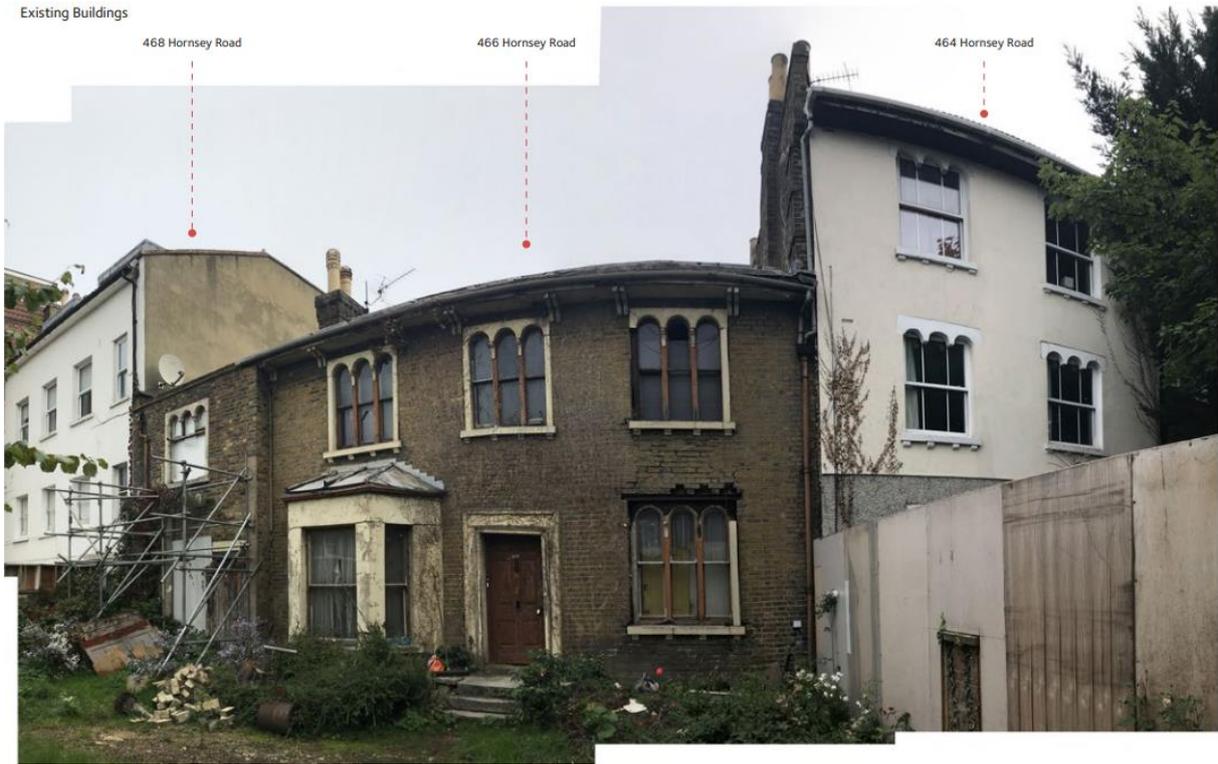
**Image 1: Site Plan**

### 3. PHOTOS OF SITE



Images 2 and 3: Views of site

Existing Buildings



**Image 4:** Existing front elevation

Existing Buildings



**Image 5:** Existing rear elevation

#### **4. SUMMARY**

- 4.1 The proposal seeks planning permission for the demolition of the existing dwelling and redevelopment to provide 7 residential dwellings (4 x 2-bed & 3 x 1-bed) and associated cycle, refuse and landscape works.
- 4.2 Following the findings from a report from a Conservation Accredited Engineer, it now appears that the retention and preservation of the existing locally listed building structure is beyond reasonable expectation, in the absence of a clearly appropriate use for the site beyond a residential use, and in the absence of any evidence of deliberate harm or neglect, the demolition of the existing structure would not be opposed in principle.
- 4.3 The proposed replacement building, which was subject to amendments during the application process, is considered acceptable in design terms subject to conditions and would comply with Policies CS8 and CS9 of Islington's Core Strategy (CS) 2011, Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013 and London Plan 2021 policies D3 and D4 as well as accord with the National Planning Policy Framework (NPPF) 2021.
- 4.4 The proposal is not considered to adversely impact the residential amenity of adjacent residential properties in line with policy DM2.1 of the Development Management Policies 2013.
- 4.5 The proposed residential units would provide an acceptable level of accommodation complying with policy CS12 (meeting the housing challenge) of Islington Council's Core Strategy 2011, Islington's Development Management Policy DM3.4, policy D6 (Housing quality and standards) of the London Plan 2021, Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021.
- 4.6 The applicant has agreed to the full affordable housing contribution of £350,000 in line with policy CS12 Part G and the Council's Affordable Housing Small Sites SPD (2012). The proposed arrangements to minimise emissions through evidence in the submitted Sustainable Design and Construction Statement and through carbon offsetting contributions (£11,500) is considered to be an improvement over the environmental quality of the existing site, and is therefore in line with policy DM7.1.
- 4.7 The application is referred to the Planning Sub-committee because of (Terms of Reference point (1)) the application is recommended for approval and involves the creation of 5 - 9 residential units where relevant planning objections have been received by the proper officer.

#### **5. SITE AND SURROUNDING**

- 5.1 The application site contains the land and building at 466 Hornsey Road which contains a 2 storey residential building with a hipped roof with 2 storey side and rear extension to the northern end. The building is locally listed (Grade B).
- 5.2 Although originally part of a mid-19<sup>th</sup> century semi-detached villa, the single dwellinghouse at the site is now attached to 468 Hornsey Road to the northern end, which is four storey (including loft level) residential building providing 7 flats; and 464 Hornsey Road a four storey residential building on the eastern side which appears to serve 2 flats.
- 5.3 The building currently consists of a single family dwellinghouse with existing parking area to the frontage with dropped kerb access and rear garden area
- 5.4 The immediate area is mixed in character with retail, commercial and residential units at upper floors and a mix of residential properties.

## 6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks planning permission for the demolition of the existing dwelling and redevelopment to provide 7 No. residential dwellings (4 x 2-bed & 3 x 1-bed) and associated cycle, refuse and landscape works.
- 6.2 The proposed development would replace the current building, following the original front building line, being level with 464 and 468 Hornsey Road. The proposed building would have a greater depth than the existing building, measuring 13m in depth on the south-east and 18.6m to the north-east. The first, and second floors would be set back from the ground floor with terraces measuring between 1.7m and 2.2m in depth this. The third floor (top floor) would have a reduced depth again with terraces beyond.
- 6.3 The replacement residential building would have a maximum height of 11.5m with a brick front façade measuring 9.6m in height to parapet level. The proposal seeks to transition between the scale of the taller number 468 Hornsey Road and the lesser scale 464 Hornsey Road the proposed façade of the new development is split into two, three-bay frontages with the right-hand frontage stepping down to meet the lower eave height of No. 464.
- 6.4 In regard to detailed design, the development consists of red brick to the first 3 levels with a setback metal clad fourth storey. The access is centrally located at ground floor with 3 rectangular window openings on each floor upon the ground, first and second floor. The metal clad third floor contains 2no. front dormers consisting of 2 casement windows. To the rear, a greater degree of glazing is proposed with double doors proposed across each of the 3 floors with flank glazing to 4 of these openings opening up on to either balcony or ground floor amenity spaces. On the fourth storey a glazed door with flank glazing either side allows access to a terrace. Louvred openings are proposed to the opposing side which serve a dressing room and WC adjacent to the roof level air source heat pump (ASHP).
- 6.5 The front forecourt area would be re-landscaped as part of the works with a new bin store adjacent to the boundary with 468 Hornsey Road and an area for parking cycle spaces located opposite adjacent to the boundary with 464 Hornsey Road. The proposal would result in the retention of the existing tree behind the front boundary with a new permeable surface. On-site parking would be removed.
- 6.6 Internally, Flat 01 is an adaptable unit located on the ground floor providing a 2 bed, 3 person unit. Flat 02 is a 1 bed, 2 person unit and is separated by the internal staircase which is consistent with the floor above. At first floor, Flat 03 serves a 2 bed, 4 person and Flat 04 serves 1 bed, 2 person opposite. At second floor, Flat 05 serves a 2 bed, 4 person and Flat 06 serves a 1 bed, 2 person opposite. Upon the third floor, a 2 bed, 4 person spans across the entire floor. All units contain either rear balcony amenity space or ground floor amenity space. The rear area would be tidied and cleared with low quality trees and overgrown shrubbery removed to create an accessible communal garden space with new planted trees.
- 6.7 The proposal includes a number of renewable energy features includes three air source heat pumps, with two located in the front forecourt and one upon 3<sup>rd</sup> floor. Upon the flat roof, seven thermal panels are proposed. An access hatch and smoke vent are also proposed along the roof as well as a fall prevention system line.

### Amendments during the application

- 6.8 During the application process a number of amendments to the scheme were submitted, including:
- Parapet to right side bay increased in height to the south east

- Dormer windows reduced in scale from 3 casement windows to 2 and frames reduced in scale.
- Setback of flat roof area serving plant to mitigate views of plant
- The roof pitches have been adjusted to 70 degrees and 30 degrees on the front and side of the building
- The roof has been extended to the north to join with no. 468 to reflect traditional mansard design approach
- Removal of Juliet balcony style screens and shutters from front elevation
- A circular window on the second floor has been replaced by a rectangular window
- Brick soldier courses have been introduced to the windows
- Development rendered in an alternative brick colour (red) from Yellow London Stock.

## 7. RELEVANT HISTORY:

### Planning applications

7.2 None.

### Pre-application

7.3 **Q2020/0605/MIN:** Demolition of existing dwelling and redevelopment to provide 5 or 7 dwellings (2 options). **Completed** on 24/06/20. **Principle of demolition not supported.** Summary of response:

- *If the proposals were to move to an application for planning permission for total or substantial demolition of the building, then a report from an active member of The Conservation Accreditation Register of Engineers (CARE) would be required in order to inform the assessment of the application because the building is an undesignated heritage asset and its demolition would be contrary to national and local policy.*
- *The proposed development would not be compliant with Policy DM2.1 and would not be in accordance with paragraph 127 of the NPPF by virtue of the clearly excessive detailed design, siting, quantum, scope, footprint and layout of the proposal. These policies require development to respond to local character and to reflect the identity of local surroundings including local character and history including the character of the surrounding built environment. The proposed massing and footprint of the development, although at pre-application stage, would clearly currently fail to meet the local policy and guidance cited and would not be supported in principle as proposed in both options at pre app.*
- *Concern is raised in regard to the 2 options proposed, which would result in clear harm to the character of the area by virtue of the excessive quantum, footprint, scale and size of the development projecting deep to the rear of the site resulting in a cramped, overdeveloped and contrived form of development. The scale of the proposal is therefore considered to impact on the quality of the accommodation of the flats proposed and concern is raised in this regard.*
- *A development which was more comparable in size and scale to its attached neighbours may be acceptable, subject to the outcomes of a report from an active member of The Conservation Accreditation Register of Engineers (CARE) on demolition and re-development of the site to inform the assessment of the application.*
- *The scheme needs wholesale reconsideration and a drastic reappraisal and reduction in the scale, scope and quantum of development of the site to create a more contextual*

*and proportionate development of the site relative to the plot size and its local context in and around the site.*

7.4 **Q2020/2954/MIN:** Pre-application: Demolition of existing dwelling and redevelopment to provide 7 No. residential dwellings; and associated cycle, refuse and landscape works. **Completed** on 25/01/2021. **Principle of demolition supported.** Summary of response:

- *The report from Conisbee which was carried out by a Conservation Accredited Engineer has informed that the demolition of the locally listed building is justified based on the evidence provided and the demolition of the existing structure would not be opposed in principle.*
- *Whilst the principle of demolition is now acceptable in principle subject to a high quality proportionate and well-designed replacement building, the scale and layout of the proposal proposed development would not be compliant with Policy DM2.1 and would not be in accordance with paragraph 127 of the NPPF by virtue of the clearly excessive detailed design, siting, quantum, scope, and layout of the proposal. These policies require development to respond to local character and to reflect the identity of local surroundings including local character and history including the character of the surrounding built environment. The proposed overall detailed design, height, massing, bulk and rearward projection and form of the development, although at pre-application stage, would clearly currently fail to meet the local policy and guidance cited and would not be supported.*
- *The scheme needs a reduction in the scale, scope and quantum of development of the site to create a more contextual and proportionate development of the site relative to the plot size and its local context in and around the site. This will inevitably result in a loss of the final proposed number and mix of residential units.*
- *The provision of large lightwells to the front of the garden is not characteristic of the immediate local context and it erodes the front garden which makes a pleasant and beneficial contribution to the streetscape and local character of the area. The rear lightwells fragment a currently largely green rear amenity space with a considerable extent of hard landscaping. The excavation and level of landscaping to the rear would not be reflective of the character of the immediate area and a more simplistic approach should be adopted.*
- *The provision of duplex units over the basement and ground level weight against the quality of the scheme when considering the poor outlook and level of direct daylight and sunlight basement areas receive. These are considered unsatisfactory for private amenity space and are not considered to provide good quality outdoor space. As detailed in the design analysis, the lightwells to the frontage are not considered acceptable and these units should be revised in light of the comments.*

## **CONSULTATION**

### **Public Consultation**

- 7.5 Letters were sent to occupants of **113** adjoining and nearby properties on Corbyn Street, Hanley Road, Hornsey Road, Marlborough Road and Vincent Parade on 27/07/21.
- 7.6 A total of **1** objection and **1** comment were received. The points raised are summarised below:

## **OBJECTION**

- The proposed increase in height will overlook towards neighbouring windows to the rear of the site. (see paragraphs 9.48-9.51)
- Even before permission has been granted or construction started the scaffolding on the roof is already blocking light. The scaffolding was erected in July 2021 and then no further work done. (see paragraphs 9.54-9.59)
- The intersection of Hornsey and Hanley Road is already crowded and a noisy junction, this will get worse during construction and then remain so with increased residents. (see paragraphs 9.60-9.63)
- Impact on quality of life from increase in height for surrounding residents. (see paragraphs 9.47-9.68)

## **COMMENTS**

### **Islington Swift Society**

- This development is in an area where swifts (on the RSPB amber list due to rapidly declining numbers) are currently nesting and will potentially nest (recorded on the RSPB swift survey database).
- Request that a significant number of integrated swift nestbox bricks, reflecting the relatively large scale of the development in this location, are installed near roof level which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and enhance the local biodiversity, in line with Islington Council's guidance on this issue (Biodiversity Strategy & Action Plan 2010 section 5.4.1 Biodiversity Going Through Planning, and the Green Construction Supplementary Planning Guidance), and NPPF 2019. (see paragraph 9.111).

### **Internal Consultees**

- 7.7 **Design and Conservation Officer:** Original comments received in October 2021 stated that the proposed design does not respect the immediate neighbouring buildings or reinforce local distinctiveness. The bulk and massing is excessive for the location and the roof design is incongruous. Additionally, the elevational treatment of the front façade is disordered and cluttered.
- 7.8 Further comments were received in February 2022 noting that revised drawings submitted to officers set out some positive design changes that have been made in line with the advice offered by the Design and Conservation Officer. The officer maintained the view that the proposed design does not respect the immediate neighbouring buildings or reinforce local distinctiveness and that the bulk and massing is excessive for the location and the roof design is incongruous.
- 7.9 Additional plans were received that responded positively to the latest comments, and these were published in March 2022.
- 7.10 **Highways Officer:** Development supported in principle, however further details on Construction Management required through condition.
- 7.11 **Inclusive Design Officer:** A number of comments were received to ensure the development meets Category 2 Housing Standards. Notes that the application does well to ensure Inclusive Design. Sheffield Stands proposed are considered flexible for adapted bikes.
- 7.12 **Public Protection Officer:** No objection subject to a condition on plant limit noise.

7.13 **Sustainability Officer:** The proposed reduction in carbon emissions, and use of air source heat pumps and solar panels is welcomed. No green roof proposed, any areas around the solar panels could be explored. Bat and Bird Boxes should be installed.

7.14 **Tree Officer:** No objection.

## **8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES**

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

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990).
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance).

8.2 National Planning Policy Framework 2021 (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 2021 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 2021, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan (2013) and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

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

### **Emerging Policies**

#### Draft Islington Local Plan 2019

8.11 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. As part of the examination consultation on pre-hearing modifications took place between is taking place from 19 March to and 9 May 2021. The Matters and Issues have now been published and hearings took place between 13 September and 5 October.

8.12 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).

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

Policy G4 Biodiversity, landscape design and trees  
Policy G5 Green roofs and vertical greening  
Policy H4 Delivering High Quality Housing  
Policy H5 Private Outdoor Space  
Policy S1 Delivering Sustainable Design  
Policy S2 Sustainable Design and Construction  
Policy T3 Car Free Development Parking  
Policy T2 Sustainable Transport Choices  
Policy T5 Delivery, Servicing and Construction  
Policy ST2 Waste

## **9. ASSESSMENT**

9.1 The main issues arising from this proposal relate to:

- Land Use
- Design
- Impact on the amenity of neighbouring residents
- Housing Mix
- Quality of Accommodation
- Accessibility
- Highways
- Sustainability
- Trees and Ecology
- Affordable Housing
- CIL and S106.

### **Land Use**

- 9.2 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy H1 (and table 4.1) seeks to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity.
- 9.3 As existing, the site accommodates a single family dwellinghouse. The proposed residential use on the site is therefore acceptable in principle.
- 9.4 The site is within a 'predominantly' residential area with some commercial use close by, with a mix of property and building type, with the application building and neighbouring properties an example of this. A residential use is therefore supported, properties to either flank support flats which therefore provide a precedent for flats.
- 9.5 The principle of re-development is however considered acceptable subject to design and appearance considerations. This informs the scale of demolition on the site and the number of units proposed within the site.

### **Design and Appearance**

- 9.6 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 create better places in which to live and work and helps make development acceptable to communities. Paragraph 134 of the NPPF (2021) states that in determining applications, significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or 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.
- 9.7 Core Strategy Policy CS8 states that the scale of development will need to reflect the character of the area. The businesses and shops which provide the mixed use character of Islington will be maintained through employment, retail and design policies.
- 9.8 Core Strategy Policy CS9 states that the Islington's heritage assets and historic environment will be conserved and enhanced whether they are designated or not. All development will need to be based on coherent street frontages and new buildings need to fit into the existing context of facades.

- 9.9 Development Management Policies DM2.1 requires all forms of development to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics.
- 9.10 Development Management Policies DM2.3 states that non-designated heritage assets, including locally listed buildings and shopfronts, should be identified early in the design process for any development proposal which may impact on their significance. The council will encourage the retention, repair and reuse of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted

### **Assessment of heritage significance**

- 9.11 The Council has formally identified the existing building as a non-designated heritage asset, adding it to the local list on 07/10/1996. The entry identifying the building reads:

*No. 466 Hornsey Road, N19. 1 Early Victorian Double fronted early Victorian house, two storeys with slate pitched hipped roof, with two storey coach house on north side. Similar to Tollington Park Villas (Romieu and Gough). Triple round arched windows. Bay (later?) to ground floor left-hand window.*

- 9.12 The existing dwelling is a characterful building in a prominent location in the village and appears to have undergone very little alteration or extension since the mid-late C19th. It is of local interest as an example of a mid-C19th villa or gentleman's cottage together with its coach house, carriage drive, boundary walks and garden setting.
- 9.13 Its significance derives from the character and appearance of the building, its prominent siting within Hornsey Road, its evidential value of the development of this part of the Borough as a villa suburb, its attendant historic associations to the development of the immediate area and its relationship with the other surviving mid-late nineteenth century buildings in the immediate neighbourhood with whom it shares an evidential, townscape, architectural and historic context.

### **Principle of Demolition**

- 9.14 The proposal involves the complete demolition of the existing locally listed building (an undesignated heritage asset) and so the scale of the harm to the asset would therefore be substantial. Paragraph 189 of the National Planning Policy Framework (the 'Framework') states that local planning authorities should recognise that heritage assets "are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations." The significance of the existing building relates to its appearance, siting and historic associations.
- 9.15 Paragraphs 197 of the Framework relates to designated and to non-designated heritage assets and states "In determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation". Restoration of the building to residential use is consistent with these objectives. The proposal would result in the loss of all other attributes forming the significance of the heritage asset, with the possible exception of retaining the historic sense of the front garden. The harm arising from the total loss of the building therefore attracts great weight in the planning balance.
- 9.16 The planning submission includes a report from a Conservation Accredited Engineer, Kevin Clark BSc (Hons) PhD DIC CEng MICE Conservation Accredited Engineer (CARE) Associate & Head of Heritage Engineering at the firm of Conisbee. The report is detailed, but the

fundamental conclusion is that the foundations of the building were never substantial and have now moved so much that the building is essentially collapsing. The report also advises that if the building were to be made good it would have to be deconstructed and rebuilt or substantially reconstructed in new materials. The report concludes that the building is “now unfortunately beyond practically and economically feasible repair.”

- 9.17 The demolition of a non-designated heritage asset is a significant matter, and is considered under the National Planning Policy Framework as outlined above. In addition to the guidance already reference the NPPF states:

*Para 195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.*

*Para 196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.*

*Para 197. In determining applications, local planning authorities should take account of:*

*a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

*b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*c) the desirability of new development making a positive contribution to local character and distinctiveness.*

- 9.18 Officers do not contend that there has been deliberate neglect of the asset on the part of the current owners (who acquired the property recently) and although the previous owner-occupier of the site did neglect the property in recent decades, this was due to the health of the occupier rather than a conscious attempt to degrade the property to enable it to be demolished and redeveloped. There is no evidence of any deliberate damage to the property on the part of the former or current owners, who have undertaken measures (such as propping) to keep the property standing during the short period of their ownership.

- 9.19 Given that it now appears that the retention and preservation of the existing structure is beyond reasonable expectation, in the absence of a clearly appropriate use for the site beyond a residential use, and in the absence of any evidence of deliberate harm or neglect, the demolition of the existing structure would not be opposed in principle.

- 9.20 In order for the demolition to be acceptable, the Council must be satisfied that development will take place. Given the location of the property it seems likely that development will take place as it is unlikely that the site would remain vacant if permission for a residential building were to be granted. However, it is necessary to attach an appropriate condition to a grant of planning permission to ensure that this occurs.

- 9.21 If the site were to be redeveloped then Para 197 part c of the NPPF would be triggered, “the desirability of new development making a positive contribution to local character and distinctiveness.” In short, any replacement building would need to be of a contextual and high-quality design which references the character of the area and makes an equally appropriate and positive contribution to the street-scape as the asset which has been lost.

9.22 Paragraph 205 of the NPPF states that Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. This has been well detailed within the Planning and Heritage Statement (pg.19-22), and the heritage of the building is included within the Conservation Accredited Engineer's Conisbee Report at section 2.0.

### **Pre-application (Q2020/2954/MIN)**

9.23 At pre-application stage, the applicant proposed a four storey replacement building. This is shown in image 6. Prior to this pre-application, a similar scaled building was proposed (Pre-app ref Q2020/0605/MIN) which included very deep rear excavations for garden dwellings. This was robustly dismissed by officers and considered out of character and not reflective of the local area.



**Image 6:** Proposed front elevation pre-application (Q2020/2954/MIN)

9.24 Officers noted at pre-application stage that, while it is not expected that a replacement building would have to take the height and form of the existing building, it would have to contextually respond to the immediate local street-scape as a whole. The scale and layout of the proposal was not considered to be in accordance with paragraph 127 of the Framework that requires developments to respond to local character and to reflect the identity of local surroundings including local character and history including the character of the surrounding built environment. The proposed massing and footprint of the development failed to meet the local policy and guidance cited within the pre-application response and was not supported. In particular detail the large and wide expanse of the third floor, 3 bay box window (right side), façade articulation, vertical proportions, obscuring of the chimney stacks of 464, front facing roof terraces, depth including rear lightwells and large front lightwells was considered unsatisfactory.

## Impact of proposal on townscape character and appearance

- 9.25 The existing building is flanked by two residential buildings. These are a three storey building with mansard at 468 Hornsey Road (containing 7 flats) and a three storey building at 464 Hornsey Road (containing 2 flats). This relationship is shown in image 3 and 4.
- 9.26 The Islington Urban Design Guide (2017) has regard to the layout of sites for new buildings. Paragraph 3.62 states that:
- 9.27 *Elsewhere in the borough, other than at Archway where redevelopment in the mid-20th century resulted in larger building footprints and heights, the majority of the borough's historic town centres and shopping streets are composed of predominantly low and medium rise buildings, with heights generally increasing towards the core of the centres and massing arranged along the street frontages in narrow plots; backland sites within this general perimeter block arrangement generally do not accommodate significant built development.*
- 9.28 On the relationship between elevations/frontages and rooflines and roof forms, the IUDG 2017 advises that:

*“5.87 Rooflines should normally respond to the articulation of the rest of the façade. It should be possible to read the width of the plot divisions from the bottom to the top of the building. The roofline should also reflect the rhythm, harmony and scale of the longer street frontage...”*

*“5.88 However, street frontages that run down a hill should normally have a corresponding stepped roofline, frontage and threshold, the last enabling the ground floor to synchronise with the footway and threshold space. Splitting residential buildings into narrower plot widths with a smaller number of flats served by self-contained service cores also allows street frontages to*



*step down a sloping street.”*

**Image 7:** Originally submitted front elevation

- 9.29 The originally submitted application had taken on pre-application advice in reducing the bulk of the third floor in relation to its width with a setback, removal of front terraces, lightwells and creation of a better vertical proportion. However, officers remained concerned with the scale of the mansard-type fourth storey which detracts from the fact that whilst the street facing elevation has been split into two frontages, the fourth storey oversailed both frontages with no break or stepping down in its massing, resulting in a slab-like and dominant appearance. Concern was also raised on the mass, pitch and height of the third floor undermining the form of a mansard it is attempting to emulate
- 9.30 The application was subsequently amended with an increase in height to the the parapet upstand of the right-hand three-bay frontage that has the benefit of masking, to a degree of the mansard roof and dormer windows, which themselves replace the one large dormer previously proposed.
- 9.31 At third floor level, externally, vertical separation had been achieved by splitting the mansard storey by a party wall in line with the separation of the two frontages below, and the right-hand portion of the mansard has been dropped in height to step the built form down the slope of Hornsey Road. Concern remained however with the pitch of top floor mansard and the massing overall by the Design and Conservation Officer.
- 9.32 In addition to the above, concern was raised by officers on the visibility of the array of solar thermal panels and railings to the roof. The IUDG 2017 advises that:
- “5.192 Roof structures that are not an integral part of the building such as plant or railings should normally be avoided, particularly if they are visible from the public realm or would undermine residential amenity. If space for plant machinery is required this should be accommodated within the building envelope.”
- 9.33 Taking on board all the feedback from officers the applicant provided a full revision of plans.



**Image 9:** Amended front elevation

- 9.34 The amendments received resulted in a better and more articulated design response to the feedback received. As noted above, the parapet to the right side bay was increased in height to the south east elevation to conceal more of the proposed roof. Dormer windows have been visibly reduced in scale from 3 casement windows to 2. Further amendments were made for them to be a matching pair instead of 1 double and 2no. single dormer windows shown in draft drawings by the architect. The framing was also reduced to reduce the thick and box like appearance noted by the Design and Conservation Officer. Additionally, the roof pitches have been adjusted to 70 degrees and 30 degrees on the front and side of the building. Importantly, the roof has been extended to the north to join with no.468 as per traditional mansards which are visible upon typical terraced houses.
- 9.35 In addition to the amendments to the design of the top floor, the flat roof area beyond the pitch to the centre of the roof was pushed further back to mitigate any views of the plant and the railings around the plant were removed. Overall, the massing in regard to the impact on the local townscape as amended is considered inkeeping and of an acceptable appearance.

### **Elevation treatment and materiality**

- 9.36 The Islington Urban Design Guide in regard to façade articulation and vertical proportions notes:
- 5.76 In addition to its height, the scale of a building is also determined by its bulk, width and the manner in which the façade is articulated. Much of the borough's building stock is characterised by its fine grain and vertical emphasis. This is particularly notable on residential street frontages characterised by historical terraces that are divided into narrow plots where the height is greater than the width of the building. This contributes to the vertical emphasis and brings a human scale to these frontages.*
- 5.77 Vertical proportions are expressed both in the overall dimensions of a building and in its individual elements, particularly the fenestration, and the manner in which they are composed within the frontage. It is the repeated pattern of narrow street frontages that creates a rhythm that gives many of Islington's streets harmony and coherence.*
- 9.37 In regard to the elevation treatment, the originally submitted photomontages and elevation drawings detailed Juliet balcony style screens to the window openings at first and second floor, and each opening has a corresponding window shutter alongside it on the front elevation which can be closed to limit solar gain in the summer. The additions were not considered to enhance local distinctiveness and cluttered the front elevation. This can be seen in image 9 below.



**Image 9:** Original visuals



**Image 10:** Proposed visuals

9.38 The removal of the Juliet balcony style screens across the window openings at first and second floor is welcomed, as is the removal of the previously proposed window shutters. The removal of these elements has resulted in a more ordered and restrained street-facing façade, to the benefit of the scheme's overall design.

- 9.39 The circular window on the second floor has been replaced by a rectangular window, as the former provides no relevance to the design. Officers did advise the applicant that the new London stock brickwork may not provide architectural interest. In light of this, the development has been rendered in an alternative brick colour (red) from the London stock with brick soldier courses introduced over the windows. Overall, the proposal complies with the contents of the Urban Design Guide at paragraph 5.76 and 5.77. The Powder Coated Aluminium Windows proposed whilst more contemporary are considered to be inkeeping with the design approach and would not be unacceptable given the visibility of UPVC windows and other less traditional windows in close proximity of the site.
- 9.40 To the rear elevation, metal balustrades enclose terrace spaces and the glazed openings are larger in comparison to those street facing. Overall, the materiality and design is acceptable and has no adverse impact on the local area.

### **Landscaping and Boundary Treatments**

- 9.41 The site would be significantly improved in regard to the general visual appearance of it with the site being overgrown and unkept for many years.
- 9.42 The front forecourt area would be re-landscaped as part of the re-building works with a new bin store adjacent to the boundary with 468 Hornsey Road and an area for parking cycle spaces located opposite adjacent to the boundary with 464 Hornsey Road. The proposal would result in the retention of the existing tree behind the front boundary whilst a new permeable surface would replace the existing driveway. On-site parking would be removed.
- 9.43 The proposal includes two Air Source Heat Pumps located in the front forecourt. These would be set well behind the boundary walls and in amongst new landscaped areas and behind bin and cycle storage. They would have no adverse impact on the streetscene.
- 9.44 The rear area would be cleared with Low quality trees and overgrown shrubbery removed to create an accessible communal garden space with new planted trees closer to the rear boundary. In regard to boundary treatments, the front boundary walls would be retained and brick cleaned from the street visuals provided. To the rear, there are existing timber fences. A landscaping plan will be submitted to confirm details on any replacement boundary walls or works to existing boundaries.
- 9.45 Overall, the changes and improvements to further domesticate the site within an existing residential area is acceptable.

### **Conclusion**

- 9.46 Given the above, the proposal is considered to enhance the character and appearance of the current site and is a well-designed and acceptable form of residential development that sits respectfully and comfortably within this residential context. The application therefore complies with the NPPF 2021, policies D4 and HC1 of the London Plan 2021, Policy CS8 and 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.

## **Neighbouring Amenity**

- 9.47 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy D6 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 D6 requires for buildings to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

## **Overlooking and Loss of Privacy**

- 9.48 Paragraph 2.14 of the Development Management Policies 2013 states that '*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.*'
- 9.49 The replacement residential development has been designed in a way so that the rear elevation does not project beyond the main rear windows of both 464 and 468 Hornsey Road. This can be seen clearly on the floor plans.
- 9.50 To the rear also, terrace spaces are supported by privacy screens to the flanks whereby they are closest to the neighbouring boundaries. This ensures views are directed to the rear only with overlooking taking place only to residential gardens instead of habitable windows, as per most openings upon the existing rear elevation. This results in there being no adverse overlooking towards the adjacent residential properties.
- 9.51 To the rear, Vincent Parade is a four storey residential building which is north-east of the site. A comment of concern has been raised on overlooking toward this building. The building is around 15m-16m away from the rear glazed terrace areas. As mentioned in the paragraph above, there are privacy screens proposed to the terraces, and these are located to the flank closest to these neighbours. It is considered that overlooking would be directed rear over the application site and to some oblique views of the garden areas to the north-west and would therefore not result in such demonstrable overlooking to impact privacy towards Vincent Parade.

## **Outlook and enclosure**

- 9.52 As per the comments above in regards to overlooking, the building is designed to sit inbetween the four storeys of 468 and three storeys 464 Hornsey Road. The replacement residential building would have a maximum height of 11.5m up the third floor level. The brick built front facade would measure up to 9.6m (including parapet). From street level it would rise just above 464. To the rear and flanks the building does not project beyond 468 Hornsey Road. Adjacent to 464, the first, second, third and fourth floors would project 2.4m beyond the rear elevation of this property. To mitigate any impact on enclosure and outlook, the rear has been stepped in from this projection. It ensures views out from the first and second floor window at this location would not be obstructed down towards the garden level and rear of site and only from oblique views to the north. The fourth floor would be set level with the roof level of both 464 and 468, not projecting deeper than these properties roof level.

- 9.53 Overall, the proposal would not have a detrimental impact, outlook, privacy and overlooking and would therefore be in compliance with policies DM2.1 of the Development Management Policies 2013 and the guidance set out in the Urban Design Guide 2017.

### **Daylight and Sunlight**

- 9.54 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 9.55 The 'first test' to test available daylight in such circumstances would be the '45 degree' test. In short, a 45-degree angle line is drawn out from the centre point of the window on the elevation and also on the floorplan. The Building Research Establishment UK (BRE) Guidelines state that if a proposed neighbouring extension obstructs both of these 45 degree lines (i.e. in height and depth) then the extension may cause noticeable loss of light and a more detailed BRE compliant daylight/sunlight assessment should be carried out. If it obstructs one of these lines, but not both then sufficient light should be maintained. The proposed development has been designed to not intrude neighbouring windows nor obstruct rear glazing. This is detailed on pg.24 of the Design and Access Statement whereby the 45 degree line in plan is not obstructed.
- 9.56 The BRE Guidelines also stipulate that there should be no noticeable loss of daylight provided that either the Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value (Skylight). The proposal does not result in intrusion of the 25-degree angle on all elevations with there being no flank windows at 464 and 468, with existing levels of daylight maintained. Therefore, no further daylight (VSC nor NSL/DD) is required.
- 9.57 In regards to sunlight, BRE guidance states that only windows with an orientation within 90 degrees of due south need be assessed. The rear facing windows of the adjacent windows are north facing, whilst to the front elevation the building line would not extend beyond the existing building line so as to obstruct the front (south facing windows). Sunlight testing is therefore not required.
- 9.58 A comment of concern was raised regarding loss of light towards the building at Vincent Parade which is set 11m-19m from the flank wall of the development due to the splayed relationship to the site. As mentioned above, the proposed building does not extend beyond 468 Hornsey Road (above ground level) which is directly to the north because of the deep rear projections at 468 and the design of the proposed development. The opportunity to degrade light levels to the rear windows of Vincent Parade would not be possible to the design of the proposed development.
- 9.59 Overall, it is not considered that there would be any adverse impact to neighbouring properties in regards to daylight and sunlight.

## **Noise**

- 9.60 A noise impact assessment has been provided to ascertain the impacts from the three Air Source Heat Pumps proposed as part of the development. Two are within the front forecourt at ground level, and the third upon a secondary terrace space to the rear of Flat 07 on the third floor.
- 9.61 The Acoustics Officer has reviewed the details and raises no objection to the proposal subject to a condition requiring new items of fixed plant to be at least 5dB(A) below the background noise level  $L_{AF90 Tbg}$  within the noise report. Officers also note that the terrace where the ASHP is located is a secondary terrace, with Flat 07 having a terrace to the opposing side which would not be impacted.
- 9.62 The officer also considers it appropriate to ensure that management practices are implemented to control and mitigate the impact of construction noise/disturbance on neighbouring residents, a condition has been recommended requiring the applicant to provide a detailed Construction Management Plan directly referencing Islington's Code of Practice for Construction Sites (2018) for the approval of the Local Planning Authority prior to the commencement of construction.
- 9.63 For the reasons above, and subject to the conditions recommended, it is considered that the proposed development would not unacceptably harm the living conditions of the occupiers of adjoining and adjacent properties. Accordingly, the proposal does not conflict with policy DM2.1 of the Development Management Policies 2013 insofar as they aim to safeguard residential amenity. The scheme would also adhere to the core principle of the National Planning Policy Framework, which is to always ensure a good standard of amenity for all occupants of land and buildings.

## **Conclusion**

- 9.64 Overall, the application is considered to have acceptable amenity impacts and would comply with policy DM2.1 of the Development Management Policies 2013.

## **Housing mix**

- 9.65 Policy DM3.1 of the Islington Development Management Policies provides that all sites should provide a good mix of housing sizes. Table 3.1 sets out an indicative housing size mix required for each housing tenure. For market housing, 10% of units should be 1-bed, 75% should be 2-bed and 15% should be 3-bed.
- 9.66 The proposal includes 4 x 2 bedroom, 4 person units and 3 x 1 bed, 2 person units (1 accessible unit). This provides a good mix, with a higher proportion of 2 bed units in line with Policy DM3.1.
- 9.67 There are no 3 bed units proposed within this scheme. Whilst this is noted, the requirement to accommodate a 3 bedroom unit within the site proves difficult due to the staircase across each of the floors to the centre of the building. The third floor level massing would also need to be significantly increased to accommodate a 3 bedroom unit. The non-inclusion of a 3 bedroom unit is not considered detrimental to the quality of the development as a whole nor a reason to refuse the application. The proposal includes a redevelopment of the site to both tidy and improve its visual appearance, a full contribution towards affordable housing and carbon offsetting, a new green landscaped area to the front and rear of the site and use of renewable energy sources throughout the site.
- 9.68 Overall, the proposal is considered to satisfy Policy DM3.1 of the Islington Development Management Policies 2013 and provide a good level of accommodation.

## Standard of Accommodation

- 9.69 In terms of new residential development, as well as having concern for the external quality in design terms it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and also dual aspect. London Plan (2021) policy D6 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.1 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 9.70 A new nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015.
- 9.71 Core Strategy CS9 part F of the same policy states that new homes need to provide dual-aspect units with clear distinction between a public and private sides.
- 9.72 Tables 3.2 and 3.3 of Policy DM3.4 of the Islington's DMP stipulate the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within the proposed flats.

Unit	No. Bedrooms / Expected Occupancy	Floor Space Provided	Minimum Required	Provided Storage	Required Storage	Amenity space	Minimum Required
Flat 01	2bed/4person*	90 sq.m	70 sq.m	2 sq.m	2.5 sq.m	24 sq.m	15 sq.m
Flat 02	1bed/2person	51 sq.m	50 sq.m	1.75 sq.m	1.5 sq.m	15 sq.m	15 sq.m
Flat 03	2bed/4person	79 sq.m	70 sq.m	2.5 sq.m	2.5 sq.m	11.8 sq.m	7 sq.m
Flat 04	1bed/2person	52 sq.m	50 sq.m	2.5 sq.m	1.5 sq.m	6.3 sq.m	5 sq.m
Flat 05	2bed/4person	80 sq.m	70 sq.m	2.5 sq.m	2.5 sq.m	7.1 sq.m	7 sq.m
Flat 06	1bed/2person	54 sq.m	50 sq.m	2.5 sq.m	1.5 sq.m	6.5 sq.m	5 sq.m
Flat 07	2bed/4person	80 sq.m	70 sq.m	2 sq.m	2.5 sq.m	14 sq.m	7 sq.m

Accessible unit\*

**Table 1:** Minimum floor, storage space and amenity space.

- 9.73 The proposed dwellings would all comply with the space standards in both the size of the units and the size of bedrooms, additionally, the living spaces including kitchen, dining and living space comply with the requirements of Policy DM3.4 of the Islington's Local Plan: Development Management Policies (adopted June 2013) and the London Plan (2016) Policy 3.5 providing a good level of floorspace for each unit. Units would provide a good level of storage.
- 9.74 The London Plan states that a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged. The Development Management Policies go further than this, advising that ceiling heights of at least 2.6m provide a greater sense of space and help keep rooms cool in summer months. All units would achieve at least 2.5m ceiling height in

accordance with the London Plan. Therefore, the proposed floor to ceiling heights would meet the minimum ceiling heights stipulated by the London Plan.

- 9.75 Dual aspect units must be provided in all situations in accordance with policy CS9F of the Core Strategy 2011, and policy DM3.4D of the Development Management Policies 2013, unless exceptional circumstances can be demonstrated. The units are all dual aspect, therefore complying with this policy.
- 9.76 In regard to provision of natural light to the new units, all units are dual aspect with good levels of glazing serving them which would provide a good level of light similar to the existing building.
- 9.77 Policy DM3.5 identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. As detailed within the table above all units would meet the minimum standards. A communal rear space is also provided at ground floor level which provides additional open amenity space in addition to the private space which provides good outlook and vista.
- 9.78 Overall, all units would comply with the standards as shown in the table above and provide a good level of accommodation.
- 9.79 Overall, the proposed residential units are now considered to provide an acceptable level of accommodation complying with policy CS12 (meeting the housing challenge) of Islington Council's Core Strategy 2011, Islington's Development Management Policy DM3.4, D6 (Housing quality and standards) of the London Plan 2021, Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021.

### **Accessibility**

- 9.80 Local Plan policy DM2.2 and the Inclusive Design SPD remains a material consideration to any development.
- 9.81 Policy DM2.2 states that A. All developments shall demonstrate that they:
- i) provide for ease of and versatility in use;*
  - ii) deliver safe, legible and logical environments;*
  - iii) produce places and spaces that are convenient and enjoyable to use for everyone, and*
  - iv) bring together the design and management of a development from the outset and over its lifetime.*
- 9.82 The proposed residential units are required to satisfy Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2). Apart from the National Standard, the Local Plan policy DM2.2 and the Inclusive Design SPD remains a material consideration to any residential development.
- 9.83 The Inclusive Design Officer was consulted as part of the application process. From the plans submitted all approaches to entrances are step free whilst an accessible unit is proposed on the ground floor. This is the largest 1 bed unit within the development and is oversized for its adaptable and accessible purpose. The officer generally welcomes the proposal's endeavours to ensure inclusive design. Overall, the proposal seeks to adhere to the requirements of Policy DM2.2.

## **Crime Prevention**

- 9.84 The residential building would be accessed in a similar way to the existing building with one front door with communal access beyond this to the 7 flats.
- 9.85 The proposal would be conditioned to achieve Secured by Design accreditation to ensure that the development meets minimum police approved security standards as part of the Homes 2019 Guide.

## **Highways**

### *Car Free Development*

- 9.86 Islington policy identifies that all new development shall be car free. Policy DM8.5 stipulates that no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair accessible parking. Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
- 9.87 The submission details that the proposal will be car free. This has been included within the Unilateral Agreement and must be adhered to.

### *Construction Management and Deliveries*

- 9.88 In line with the comments of the Highways and Public Protection Officer, a Construction Management Plan will be required to detail how the development would not result in congestion on the highway as raised. A CEMP is recommended to be required by condition and this would be required to be detailed in accordance with the guidance of the Code of Construction Practice for Construction Sites (CoPCS).

### *Cycle storage*

- 9.89 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.
- 9.90 In accordance with Appendix 6, 11 bicycle spaces should be provided for the 11 bedrooms proposed. The allocation proposed (12) would meet requirements for residential uses which would fulfil the requirements under Appendix 6, utilising Sheffield stands which is welcomed. Overall, the details are considered acceptable and accord with policy DM8.4 and Appendix 6 of the Development Management Policies 2013 and the Cycle Parking Standards – TfL Proposed Guidance.

### *Refuse and recycling*

- 9.91 Paragraph 5.2 of the Islington Street Environment Services 'Recycling and Refuse Storage Requirements' provides advice in relation to acceptable refuse and recycling provision for new residential units.
- 9.92 The proposed bin store is sited within the front forecourt area, located just off the pedestrian access to the site set flush against the side boundary wall to the north-east. The area would serve 2no. two Eurobins and two smaller bins within a 7sq.m dedicated area which appears suffice for the 7 units proposed in line with the Council's requirements. The refuse store is close to the access to allow for weekly collection as per the current arrangement for the existing

dwelling. No objection is raised in this regard, and officers consider this to be the most appropriate siting. The arrangements are acceptable in principle, however further details including plans and sections and details on the private collection service shall be provided subject to a condition for the approval of the Local Planning Authority prior to occupation of the development.

### **Sustainability**

- 9.93 Policy DM7.1 provides advice in relation to sustainable design and construction, stating 'Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development'. The proposed development should be maximised in terms of energy efficiency and carbon emission reduction, in accordance with policy DM7.2.
- 9.94 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF. Further planning policies relevant to sustainability are set out in chapter 5 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.
- 9.95 It is the council's and the Mayor's objective that all developments meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in CO2 emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise CO2 emissions. In this regard, it is policy that the feasibility of providing Combined Heat and Power (CHP) / Combined Cooling Heat and Power (CCHP) be fully explored.
- 9.96 The application is supported Sustainable Design and Construction Statement by Hive Design Partnership (June 2021).
- 9.97 The applicant seeks to provide exemplary buildings with an environmentally responsible design that conserves energy and enhances the environment which has been supported by a Sustainability Sustainable Design and Construction Statement. The scheme as detailed within the note is to be designed in accordance with the Be Lean, Be Clean and Be Green energy measures as set out within Policy 5.2 of the Development Management Policies Document (2013) which requires development proposals to make the fullest contribution to minimising carbon dioxide emissions. This is to ensure sustainable standards of design in the interest of addressing climate change and to secure sustainable development.
- 9.98 The submissions state that the scheme has been designed in accordance with Development Management Policies, which seeks to address sustainable design and construction.
- 9.99 Using SAP 10.0 carbon factors it is estimated that energy efficiency measures would enable the dwellings to achieve a 20% reduction in regulated CO2 emissions beyond a development which complies with Building Regulations Part L 2013.
- 9.100 The Sustainable Design and Construction Statement has provided details on how the development will meet baseline reductions through the use of photovoltaic panels upon the roof and the use of 3no. Air Source Heat Pumps. The statement notes that the most suitable Low and Zero Carbon technologies were found to be ASHPs paired with solar thermal panels to satisfy the space and hot water needs of each flat. Further reductions in CO2 emissions are possible with a future connection to a district heating scheme

- 9.101 Notwithstanding the above a condition shall be attached to ensure reductions of at least a 19% in regulated CO2 emissions, compared to compliance with the Building Regulations 2015 and an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with Building Regulations Part L 2010 (equivalent to Code for Sustainable Homes level 4) unless such provision is not feasible.
- 9.102 In terms of drainage and surface water run-off levels at the site, details on how the scheme is designed to ensure no net increase in surface water drainage from the site post development is achieved would be conditioned in accordance with the standards stipulated by policy DM6.6.
- 9.103 Overall, the details are considered satisfactory for the development proposed.
- 9.104 The applicant has also agreed to contribute the full sum of £10,500 to carbon offsetting as outlined within the Planning Obligations (Section 106) Supplementary Planning Document (the SPD). This has been secured through a Unilateral Undertaking.

### **Trees and Ecology**

- 9.105 DM6.5 states that 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, including through the incorporation of wildlife habitats that complement surrounding habitats and support the council's Biodiversity Action Plan.
- 9.106 The application is supported by a Arboricultural Report by Tim Moya Associates (June 2021). which details arboricultural site supervision and tree protection measures for the trees that are located adjoining the site and within the site.
- 9.107 There are no TPOs affected and the site is not within a Conservation Area. 4 C Grade trees are to be removed from the rear and a tree to the frontage would be removed to allow construction, this is considered low quality within the assessment. A tree within the front garden would be pruned with some re-pollarding.
- 9.108 The Tree Officer was consulted and reviewed the submission, raising no objection stating the tree protection plans are acceptable, with no further conditions advised.

### *Ecology*

- 9.109 A Preliminary Roost Assessment by Clive Herbert (2020) has been submitted. The Preliminary Roost Assessment of the property categorised the building as having a 'negligible potential' to support a bat roost due to its structure and the extremely poor state of the roof coverings which have led to unsuitable internal conditions within the roof spaces. There is also a lack of suitable crevices within the damp and draughty, unlined roof voids.
- 9.110 The internal inspection of the building did not locate any evidence of current or past bat occupancy within the property. The external inspection of the building also did not locate any evidence of current or past bat occupancy within the property.
- 9.111 In light of comments received from the Islington Swifts Society and the recommendations within the report submitted, it is recommended that a pre-commencement condition to ensure bat and bird boxes are implemented based on information on the most suitable locations in accordance with the Council's biodiversity objectives.

## **Affordable Housing**

- 9.112 Islington's Core Strategy Policy CS12 - Meeting the housing challenge – states in part G that to provide affordable housing 50% of additional housing to be built in the Borough over the plan period should be affordable. All sites capable of delivering 10 or more units gross should provide affordable homes on site. Schemes below this threshold should provide a financial contribution towards affordable housing provision elsewhere in the Borough.
- 9.113 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (the SPD) supports the implementation of the Core Strategy. The SPD confirms that all minor residential developments resulting in the creation of 1 or more additional residential units(s) are required to provide a commuted sum towards the cost of affordable housing on other sites in the Borough. The requirement applies not only to new build but also conversions of existing buildings resulting in the creation of new units and the subdivision of residential properties resulting in net additional units. Based on a study of the level of financial contribution that would be viable, the required contribution is £50,000 per additional (net) unit, which would accumulate to £350,000 for the 7 units now proposed.
- 9.114 The applicant has agreed to contribute the full sum of £350,000 to the Council's Affordable Housing Small Sites Contributions as outlined within the Supplementary Planning Document (the SPD). This has been secured through a Unilateral Undertaking.

## **Community Infrastructure Levy and S106 Planning Obligations**

- 9.115 The Community Infrastructure Levy will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. Both LBI and London Mayoral CIL will apply to the scheme. The payments would be chargeable on implementation of the development.
- 9.116 The Islington CIL was adopted on 1 September 2014 and all applications determined after this date are liable for an Islington CIL payment.
- 9.117 The following heads of Terms would be secured within a s106 agreement (Unilateral Undertaking):
- 1) Small Sites Contribution towards affordable housing: £350,000
  - 2) CO2 offset payment: £10,500
  - 3) Car free development.

## **10. SUMMARY AND CONCLUSION**

### **Summary**

- 10.1 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character or appearance of the local area. The proposal has been carefully considered from the pre-application stage, with a number of amendments to the design to ensure the replacement building is of a satisfactory massing and design.
- 10.2 Overall, following the submission of amended plans the proposed residential building is acceptable in design terms subject to conditions and would comply with Policies CS8 and CS9 of Islington's Core Strategy (CS) 2011, Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013 and London Plan 2021 policies D3 and D4 as well as accord with the National Planning Policy Framework (NPPF) 2021.

- 10.3 The proposed residential building is not considered to adversely impact the residential amenity of adjacent residential properties in line with policy DM2.1 of the Development Management Policies 2013 being designed in a manner that seeks to infill areas inbetween the 464 and 468 Hornsey Road. The proposal accords with policies DM2.1.
- 10.4 The proposed residential units within the replacement building are considered to provide an acceptable level of accommodation complying with policy CS12 (meeting the housing challenge) of Islington Council's Core Strategy 2011, Islington's Development Management Policy DM3.4, policy D6 (Housing quality and standards) of the London Plan 2021, Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021.
- 10.5 The applicant has also agreed to pay the full required affordable housing contribution of £350,000 in line with policy CS12 Part G and the Council's Affordable Housing Small Sites SPD (2012) and the proposed arrangements to minimise emissions through evidence in the submitted Sustainable Design and Construction Statement and through carbon offsetting contributions (£10,500 contribution agreed) is considered to be an improvement over the environmental quality of the existing site, and is therefore in line with policy DM7.1.
- 10.6 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**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECCOMENDATION 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:

- Contribution of £350,000 towards affordable housing within the borough
- Contribution of £10,500 towards carbon off-setting.
- Car Free Development.

If the Committee resolve to grant, resolution will include provision to provide flexibility to officers to negotiate and finalise s106 on behalf of the Committee.

That, should the Section 106 Deed of Planning Obligation not be completed within 13 weeks from the date when the application was made valid or within the agreed extension of time, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service 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 or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

### RECCOMENDATION B

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

#### List of Conditions:

<b>1</b>	<b>COMMENCEMENT (3 YEAR CONSENT PERIOD)</b>
	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).
<b>2</b>	<b>APPROVED PLANS LIST</b>
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  2358-00-DR-0099-PL1, 2358-00-DR-0100-PL1, 2358-00-DR-0101-PL1, 2358-00-DR-0102-PL1, 2358-00-DR-0103-PL3, 2358-00-DR-0104-PL3, 2358-00-DR-0401-PL3, 2358-00-DR-0601-PL4, 2358-00-DR-0602-PL4, Arboricultural Report by Tim Moya Associates (June 2021), Design and Access Statement by CZWG

	<p>(June 2021; 2358-00-BR-0001-PL1), Planning and Heritage Statement (incorporating affordable housing statement) by AZ Urban Studio (1<sup>st</sup> July 2021), Planning Compliance Report 22337.PCR.01 Rev.B by KP Acoustics (May 2021), Preliminary Roost Assessment by Clive Herbert (2020), Structural Assessment Report by Conisbee (May 2020), Structural Inspection Report by Martin Redston Associates (May 2020) and Sustainable Design and Construction Statement by Hive Design Partnership (June 2021).</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>
<b>3</b>	<b>MATERIALS (DETAILS)</b>
	<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 works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) Brickwork (including brick panels and mortar courses);</li> <li>b) Roofing;</li> <li>c) Window and door treatment (including sections and reveals);</li> <li>d) Terrace balustrade;</li> <li>d) Boundary treatments and</li> <li>e) Any other materials to be used.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</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 and preserves the character and appearance of the surrounding area.</p>
<b>4</b>	<b>CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (DETAILS)</b>
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP should refer to Islington's Code of Practice for Construction Sites (2018) and include details and arrangements regarding:</p> <ul style="list-style-type: none"> <li>a) The notification of neighbours with regard to specific works;</li> <li>b) Advance notification of any access way, pavement, or road closures;</li> <li>c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;</li> <li>d) Details regarding the planned demolition and construction vehicle routes and access to the site;</li> <li>e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;</li> </ul>

	<p>f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>g) The proposed hours and days of work (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.)</p> <p>h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;</p> <p>i) Details of measures taken to prevent noise disturbance to surrounding residents;</p> <p>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</p> <p>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</p> <p>l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;</p> <p>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>p) Details of measures taken to deal with any form of asbestos during the demolition of the existing garages.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
<b>5</b>	<b>REFUSE/RECYCLING (DETAILS)</b>
	<p>CONDITION: Details of refuse / recycling structure (including visual appearance supported by plans), storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of development.</p> <p>The refuse / recycling storage and collection arrangements shall ensure that storage bins do not obstruct the public highway. The dedicated refuse / recycling enclosure(s) approved shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter 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>
<b>6</b>	<b>CYCLE PARKING (COMPLIANCE)</b>
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) for the site shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the Hereby approved development. The storage area(s) shall be secure and provide for no less than 12 for the residential units hereby approved and should include at least 1 accessible cycle space.</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>
<b>7</b>	<b>FIXED PLANT NOISE (DETAILS)</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq Tr}</math> arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90 Tbg}</math>. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014+A1:2019.</p> <p>REASON: To protect the amenity of future occupiers of the proposed residential units and neighbouring residential properties.</p>
<b>8</b>	<b>HIGHWAYS (COMPLIANCE)</b>
	<p>CONDITION: Prior to any works commencing on site, the owner shall enter into a S278 agreement with London Borough of Islington Highways to secure the reinstatement of the footway and repairs should any damage occur during construction. Works to be undertaken by Islington Council Highways and costs paid for by the applicant.</p> <p>REASON: This is to mitigate the impact of the development and protect the streetscape, safeguarding the free and safe movement of pedestrians.</p>
<b>9</b>	<b>WATER EFFICIENCY REQUIREMENTS (DETAILS)</b>
	<p>CONDITION: Prior to occupation of the development hereby permitted, details showing how the development shall achieve the water efficiency requirements (95 litres/person/day) of Part G of Policy 7.4 of Development Management Policies (2013) and Environmental Design SPD shall be submitted in writing. The measures shall be implemented in full and retained thereafter.</p> <p>REASON: To ensure the water efficiency of the development.</p>

<b>10</b>	<b>CARBON EFFICIENCY (DETAILS)</b>
	<p>CONDITION: Prior to occupation of the development hereby permitted, details showing how the development shall achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2015 and an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with Building Regulations Part L 2010 (equivalent to Code for Sustainable Homes level 4) unless such provision is not feasible shall be submitted in writing.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development.</p>
<b>11</b>	<b>DRAINAGE (DETAILS)</b>
	<p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximize water quality, amenity and biodiversity benefits. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve a no net increase in surface water run-off from the site post-development. The drainage system shall be installed/operational prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable management of water.</p>
<b>12</b>	<b>SECURE BY DESIGN (DETAILS)</b>
	<p>CONDITION: Prior to commencement of the development approved, details of how the development achieves Secured by Design accreditation shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interests of safety and security.</p>
<b>13</b>	<b>LANDSCAPING PLAN (DETAILS)</b>
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</li> <li>b) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>c) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> </ul>

	<p>e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</p> <p>g) any other landscaping feature(s) forming part of the scheme. All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved.</p> <p>The landscaping and tree planting shall have a two-year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
14	<b>ACCESSIBLE HOME STANDARDS (COMPLIANCE)</b>
	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards and be Part M 4(2) Building Regulations compliant.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
15	<b>BAT/BIRD BOX (COMPLIANCE)</b>
	<p>CONDITION: A minimum of 6 no. bat and/or bird nesting boxes / bricks shall be installed prior to the first occupation of the approved development and shall be retained into perpetuity.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and bio diversity enhancements.</p>
16	<b>REDEVELOPMENT PLANS/CONFIRMATION (DETAILS)</b>
	<p>CONDITION: Prior to any demolition work to the existing non-designated heritage asset, details and plans regarding the redevelopment of the site shall be received. The details shall include copies of contracts for construction and any stages involved in the development of the new replacement building.</p> <p>REASON: To protect and conserve the appearance of the local area and to be satisfied that the development will take place.</p>

<b>17</b>	<b>OBSCURE GLAZING &amp; PRIVACY SCREENING DETAILS FOR TERRACES (COMPLIANCE)</b>
	<p>CONDITION: Notwithstanding the hereby approved plans, prior to first occupation of the dwellings hereby approved, The obscure glazing for the proposed residential units shall be carried out strictly in accordance with the details so approved and maintained as such thereafter into perpetuity.</p> <p>REASON: To prevent undue overlooking to neighbouring residential properties.</p>

**List of Informatives:**

<b>1</b>	<b>S106</b>
	<p>INFORMATIVE: The application is acceptable subject to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.</p>
<b>2</b>	<b>Construction works</b>
	<p>INFORMATIVE: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a>) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
<b>3</b>	<b>Highways Requirements</b>
	<p>INFORMATIVE: Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. All agreements relating to the above need to be in place prior to works commencing. Can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Section 50 license must be agreed prior to any works commencing. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a>.</p>
<b>4</b>	<b>Highways (Additional)</b>
	<p>The Public footpath should not be obstructed at site entrance.</p>
<b>5</b>	<b>Tree Works</b>
	<p>INFORMATIVE: The following British Standards should be referred to:</p> <ul style="list-style-type: none"> <li>a. BS: 3998:2010 Tree work – Recommendations</li> <li>b. BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.</li> </ul>

## **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 2021 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 (2021)

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2021, 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 2021 - Spatial Development Strategy for Greater London**

**Policy D4** Delivering good design  
**Policy D5** Inclusive design  
**Policy D6** Housing quality and standards  
**Policy D14** Noise  
**Policy HC1** Heritage conservation and growth  
**Policy SI 1** Improving air quality  
**Policy SI 2** Minimising greenhouse gas emissions  
**Policy SI 3** Energy infrastructure  
**Policy T1** Strategic approach to transport  
**Policy T4** Assessing and mitigating transport impacts  
**Policy T5** Cycling

#### **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 CS11** Waste  
**Policy CS12** Meeting the Housing Challenge  
**Policy CS18** Delivery and infrastructure

#### **C) Development Management Policies June 2013**

**Policy DM2.1** Design  
**Policy DM2.2** Inclusive Design  
**Policy DM2.3** Heritage  
**Policy DM3.1** Housing Mix  
**Policy DM3.4** Housing Standards  
**Policy DM3.5** Private Amenity Space  
**Policy DM6.1** Healthy development  
**Policy DM6.5** Landscaping, trees and biodiversity

**Policy DM6.6** Flood prevention  
**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 DM8.6** Delivery and servicing for new developments

### **3. Designations**

The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Core Strategy Key Areas (Nags Head and Upper Holloway)

### **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 Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

**Policy DH1** Fostering innovation and conserving and enhancing the historic environment  
**Policy G4** Biodiversity, landscape design and trees  
**Policy G1** Green Infrastructure  
**Policy G5** Green Roofs  
**Policy H4** Delivering High Quality Housing  
**Policy H5** Private Outdoor Space  
**Policy S1** Delivering Sustainable Design  
**Policy S2** Sustainable Design and Construction  
**Policy T3** Car Free Development Parking  
**Policy T2** Sustainable Transport Choices  
**Policy T5** Delivery, Servicing and Construction  
**Policy ST2** Waste

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# Islington SE GIS Print Template



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P2021/1939/FUL

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## PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Community Wealth Building Directorate  
 PO Box 333  
 Town Hall  
 LONDON N1 2UD

<b>PLANNING SUB - COMMITTEE</b>	<b>AGENDA ITEM NO: B2</b>
<b>Date:</b> 19 April 2022	

Application number	P2021/3255/FUL
Application type	Full Planning Application
Site Address	William Martin Court, 65 Margery Street, London, WC1X 0JH
Ward	Clerkenwell
Listed building	Adj. 25-37 Wilmington Square - Grade II
Conservation area	New River Conservation Area (CA02) Adj. Rosebery Avenue Conservation Area (CA34)
Development Plan Context	Central Activities Zone Local view from Dartmouth Park Hill – LV7 Protected vistas - Kenwood viewing gazebo to St Pauls Cathedral Article 4 Direction A1-A2 (Rest of Borough) Article 4 Direction B1(c) to C3 (CAZ)
Licensing Implications	None
Proposal	Change of use of existing staff hostel (sui generis) to temporary living accommodation for Maltese nationals receiving medical treatment in the UK and their families (sui generis).

Case Officer	Tom Broomhall
Applicant	Puttinu Cares
Agent	Peter Twemlow - DP9



**3. PHOTOS OF SITE AND SURROUNDINGS**



*Image 1 - Aerial view*



*Image 2 – Aerial View of front elevation*



***Image 3 – Aerial View of rear elevation***



***Image 4 – View from corner of Margery Street and Wilmington Street***



***Image 5 – View from corner of Margery Street and Yardley Street***



***Image 6 – View existing main entrance from Margery Street***



***Image 7 – Views of outdoor amenity space at the rear of the site***

#### **4. SUMMARY**

- 4.1 The planning application seeks permission for the change of use of the existing staff hostel (sui generis) to temporary living accommodation for Maltese nationals receiving medical treatment in the UK and their families (sui generis).
- 4.2 The principle of the proposed change of use from sui generis hostel for hotel staff, to sui generis temporary living accommodation for Maltese nationals receiving medical treatment in the UK and their families, is on balance, considered acceptable. Officers note that the proposed change of use resulting in the loss of a hostel, does not address the policy requirement to provide accommodation to meet an acute need identified by the Council's Housing Department, which may include social rented housing. However, the benefits of the proposed use, including the relief of pressure on Great Ormond Street Hospital ('GOSH') accommodation for families of paediatric patients, when combined with the conditions and planning obligations attached to the grant of consent, have demonstrated an exceptional case relating to the unique circumstances of the proposal. The use of a planning obligation to restrict occupation of the property to those covered under the Puttinu Cares programme ensures the proposal is acceptable in land use terms.
- 4.3 The site is located within the designated Central Activities Zone (CAZ) and New River Conservation Area (CA02).
- 4.4 The proposed development is not considered to have an unacceptable impact on nearby residential properties or the area in terms of loss of privacy, overlooking, or noise impacts, subject to the imposition of appropriate planning conditions. Conditions

are recommended to prevent use of the flat roofs for amenity purposes and to restrict the time period for use of the external amenity space at the rear of the site.

- 4.5 The proposals include the replacement of the existing uPVC windows with aluminium windows which is considered to be acceptable and complies with the relevant design, conservation and heritage policy objectives.
- 4.6 The proposal would also include energy and sustainability measures in proportion to the scale of the proposals, to comply sufficiently with the Development Plan requirements, to ensure that the proposal would maximise energy efficiency and the sustainable design of the site where feasible.
- 4.7 The application has been referred to the Planning Committee because the application is a Major development. The Council's Planning Committee have referred the application to the Planning Sub-Committee for a determination.
- 4.8 Overall, whilst the proposed change of use would not provide accommodation to meet an acute need identified by the Council's Housing Department, the submission has demonstrated exceptional circumstances due to the unique nature of the use and the benefits of the use, and through the use of appropriate planning obligations restricting occupation of the site. The application is recommended for approval subject to appropriate conditions and planning obligations set out in Appendix 1 of this report.

## **5. SITE AND SURROUNDINGS**

- 5.1 The site is an existing hostel providing residential accommodation for hotel staff (*sui generis*) for employees of Imperial Hotels, located on the south eastern side of Margery Street and is bounded by Wilmington Street to the east, Yardley Street to the west and the rear gardens of residential properties on Wilmington Square to the south. The Site contains a three-storey building with a basement car park accessed from Yardley Street.
- 5.2 The Site was historically owned by London Borough of Islington (hereafter 'LBI'). Following construction of the building in the 1960s, it was used for several decades as a care home for the elderly (Class C2). In 2004, LBI determined that the building was no longer suitable for a care home use and approved its closure. The freehold of the Site was purchased by Notting Hill Housing Trust, who let the building to St Mungo's on a 5-year lease. St Mungo's operated the building as a homeless shelter from 2009 until 2013, though did so without the benefit of planning permission.
- 5.3 It is understood that the site was purchased by Imperial Hotels in 2013 and converted to staff accommodation with 43 bedrooms and communal shower/toilet facilities. Retrospective planning permission was granted for this use in 2017 ref: P2016/2405/FUL. It is understood that the building has been vacant since December 2020.
- 5.4 The site is located within the Central Activities Zone (CAZ) and is in the New River Conservation Area (CA02).
- 5.5 The site is a standalone building but is surrounded by a mixture of residential uses, including Grade II Listed residential properties at the rear of the site at 25-37 Wilmington Square and, residential properties at St Helena House and Earlom House on the opposite side of Margery Street to the north of the site. A further residential

Grade II Listed building is located adjacent to the site at 1-96 Charles Rowan House to the north east of the site on the opposite side of Wilmington street.

5.6 The site has a Public Transport Accessibility Level (PTAL) rating of 5 (on a scale of 1 to 6 where 1 representing the lowest levels of accessibility to public transport and 6 the highest). There are a number of nearby underground and rail stations including Kings Cross and St Pancras Station, Russell Square and Angel stations.

## **6. PROPOSAL (IN DETAIL)**

6.1 The proposals are for the change of use of an existing hostel providing residential accommodation for hotel staff to temporary living accommodation run by a Maltese charity Puttinu Cares, for the families of Maltese nationals, whilst their family member, being predominantly children, receive treatment at hospital in London including at Great Ormond Street Hospital. The need for this arrangement is due to a bi-lateral agreement between the UK and Maltese Governments for patients from Malta to receive NHS care in the UK including at Great Ormond Street Hospital and Moorfields Eye Hospital. No on-site medical care is to be provided as part of the proposals.

6.2 A copy of the Bilateral Agreement between the UK and Maltese Governments has been included within the application submission.

6.3 Puttinu was established in 2002 and is a children's cancer support charity based in Msida, Malta. The charity's work in Malta is wide-ranging and includes providing bespoke support to the families of children with cancer, activities such as advocacy, education and campaigning, and seeking to improve the environment in which children are treated (for example, funding the refurbishment of children's hospital wards). More recently, the charity's work has expanded to include working with adults suffering from cancer and other serious illness.

6.4 Puttinu aims to alleviate some of this burden by providing free accommodation for the families of patients undergoing treatment in London within oncology departments, and usually at GOSH, Moorfields Eye Hospital or the National Hospital for Neurology.

6.5 Puttinu will employ three staff members on site, their role will be purely administrative and limited to on-site management of the building, providing residents with practical help (for example assisting with directions and transport bookings), and liaison with the charity's HQ in Malta. The length of stay of each family will vary between days, weeks or months.

6.6 The proposal presents internal layout changes to the existing accommodation, to create 23 self-contained flats and studios each of which have their own bathrooms and kitchens. Alongside these new units, a front reception/lobby would be created, along with an ancillary laundry and back-of-house service space. An existing external amenity space to the rear of the site at ground floor would continue to be used in this way by Puttinu and users of the apartments. Each of the proposed apartments is designed to have a maximum occupancy of 4 persons, though the average occupancy is expected to be 2 or 3. The average length of stay in an apartment (and in the UK) will be between 3 and 6 weeks. However in some circumstances occupation maybe longer including up to 1 year and in rare cases the length of stay may extend beyond a year.

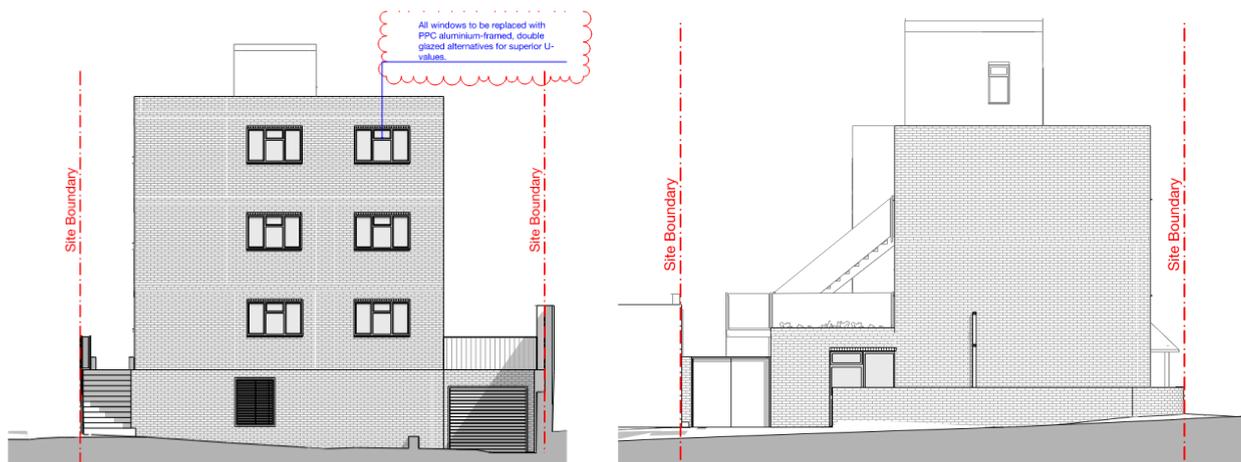
- 6.7 The proposals include minor external alterations through the replacement of uPVC windows with aluminum windows and the creation of two automatic 1sqm roof vent hatches in the building's main roof which are understood to facility the proposed fire safety strategy. No changes are proposed to the existing built form.
- 6.8 The works also include provision of 5 oversized Sheffield cycle stands, providing 10 cycle spaces, inclusive of non-standard cycles and ambulant disabled cyclists.
- 6.9 It is proposed to add a green roof to the existing flat roof at first floor level toward the rear of the site.
- 6.10 Bin storage and refuse collection is located at basement level. The proposal would be car free.

Revisions:

- 6.11 During the course of the application the scheme has seen minor amendments in response to consultation responses. Additional information has been submitted including a letter from Colliers International providing further details as to the marketing of the property and a letter from DP9 on behalf of Puttinu Cares responding to the Council's pre-application advice letter.
- 6.12 The proposed replacement uPVC windows have been revised to aluminium windows in response to the Council's Design and Conservation Officer's comments.
- 6.13 Internal layouts have been amended to address the Council's Inclusive Design Officer's comments.
- 6.14 A revised Fire Statement has been provided including minor internal changes to address Fire Safety matters, to ensure compliance with London Plan policy D12.



**Image 8 - Proposed Front and Rear Elevations**



**Image 9 - Yardley Street and Wilmington Street Elevations**

## 7. RELEVANT HISTORY

7.1 The following history is considered most relevant to the application site.

### Planning Permission

7.2 Application ref: 962057

*Conversion of existing work centre on the ground floor into a three bedroom residential unit, erection of ground floor conservatory and alterations to elevations.*

At: William Martin Court, 65 Margery Street, London, WC1X 0JH

Decision: Approve with conditions

7.3 Application ref: P2014/0898/FUL

*Demolition of existing conservatory and construction of extension above existing ground floor roof on the south-east rear elevation at first and second floors; internal reconfiguration to create an additional bathroom on the 2nd floor; enclosure of entire balcony with a new structure which will also incorporate the existing open balcony to provide additional kitchen facilities on the second floor.*

At: William Martin Court, 65 Margery Street, London WC1X 0JH

Decision: Refusal of permission

*REASON: The proposed rear first and second floor extension to the south eastern section of the building, by virtue of its excessive bulk, massing and rear projection towards the rear of No's 25-27 Wilmington Square would form an overdominant and discordant feature when viewed from the private realm, resulting in an unacceptable sense of enclosure/loss of outlook to adjoining residential properties. The proposal is hereby considered contrary to policy DM2.1 of the Islington Development Management Policies June 2013.*

*REASON: The proposed works by virtue of the scale, design and materials of the rear extensions would fail to preserve or enhance the character and appearance of the New River Conservation Area, which is contrary to paragraph 134 of Policy 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework 2012, policy 7.8 (sustaining and enhancing the significance of heritage assets) of the London Plan 2011, policy CS9 (protecting and enhancing Islington's built and historic environment) of Islington's Core Strategy 2011 and policies DM2.1 (Design) and DM2.3 (Heritage) of Islington's Development Management Policies (June 2013).*

7.4 Application ref: P2016/2405/FUL for:

*Use of premises as a hostel providing residential accommodation for hotel staff (Sui Generis).*

At: William Martin Court, 65 Margery Street, London, WC1X 0JH

Decision: Approve with conditions

*CONDITION: The occupation of the development hereby permitted shall be limited to persons employed by Imperial London Hotels Limited at their central London hotels.*

*REASON: To ensure that the adequacy of the accommodation, parking, accessibility and servicing arrangements are assessed and established as being appropriate for a different hotel operator.*

## Pre-application

- 7.5 In July 2021, the applicant submitted a pre-application advice request (ref Q2021/2227/MJR) for the Change of use of existing hostel providing residential accommodation for hotel staff (Sui Generis) to temporary living accommodation for the families of Maltese Nationals receiving medical treatment in the UK.
- 7.6 The Council's Pre-application advice has been provided to the applicant in November 2021. This advised the following:
- *Advice was provided that the proposals result in the loss of an existing hostel, albeit in sui generis use and further information was required to justify the loss of the hostel. Should the loss of the hostel be accepted, officers advised that there are significant policy implications due the requirement for accommodation to meet an acute need identified by the Council's housing department, which may include social rented housing.*
  - *Advice was provided that the physical layout of the proposed accommodation could be considered to be akin to self-contained residential units (C3). The differences in the nature of the use and tenure were also noted. Officers noted that the standard of the units would be unlikely to be policy compliant and any significant redevelopment of the site is likely to be constrained by the close proximity to the residential units at the rear of the site. Furthermore, officers noted that a mixed-use development of the site would be unlikely to be achievable.*
  - *Officers commented that further information should be provided including demonstrating how the proposals would relieve the pressure on GOSH for other families, and any other benefits that would justify the departure from the council's affordable housing policy.*
  - *Officers considered that at the pre-application stage insufficient benefits had been demonstrated to support the proposal. Subsequently it was advised that further information/justification would be required to address the land use policy issues which have been raised.*

## **8. CONSULTATION**

### Public Consultation

- 8.1 The application has been publicly consulted on 9 December 2021. Site and press notices have also been issued. The consultation process expired on 2 January 2022. Letters were sent to 363 properties on the surrounding neighbouring properties on Margery Street, Fernsbury Street, Wilmington Square, Attneave Street, Easton Street and Naoroji Street.
- 8.2 At the time of the writing of this report 1 response had been received from the public with regard to the application, commenting on the application rather than raising any objection. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Suggests that since the back windows facing 25 Wilmington Square are blacked out and covered over, that they, and any other windows in the same condition, be

replaced with matching brickwork; (**Officer response:** *It is proposed to attach a condition (11) on any grant of consent requiring the 2no. windows at first and second floors at the north eastern end of the rear elevation to be obscurely glazed and fixed shut*).

- Asks that no bright lights that shine into the houses behind, and especially the bedrooms, be added; (**Officer response:** *The applicant has confirmed that no external lighting is proposed at this stage and the applicant is aware that approval would be required for the same*).
- Asks that waste collection is carefully planned. This has not always been effective while the building has been occupied by guardians; (**Officer response:** *It is proposed to attach a condition (16) on any grant of consent to ensure the refuse and recycling collection takes place as per the submitted arrangements whereby it is limited to the basement car park*).
- Suggest that the staircase be lit by timed lights to minimise carbon consumption and light pollution; (**Officer response:** *The applicant has confirmed that low-energy LED lights and electrical fittings will be integrated throughout the building along with motion sensors and timers (including in the stairwells)*).
- Subject to the above comments is otherwise supportive of the application.

#### External Consultees

8.3 **Fire Brigade:** No response received.

8.4 **Thames Water:** No objection subject to informatives regarding waste and water. Requested conditions relating to construction works and piling. However the proposed works are limited to internal reconfiguration and minor external changes relating to window replacement, roofing and roof hatches. Therefore as the proposals do not involve construction or piling, it is not reasonable to apply these conditions.

8.5 **Health and Safety Executive:** Response received. No objection.

#### Internal Consultees

8.6 **Planning Policy Team:** In relation to the initial application submission, raised concerns over the loss of the existing hostel use due to the marketing details submitted, the need for the scale of the accommodation provided by the proposed use, and the potential for use as temporary visitor accommodation if there are vacant rooms.

During the course of the application, additional information has been submitted responding to these concerns, including the marketing and responses that were received, the scale of the demand for the proposed use, which confirmed that the site would not exceed the current demand, only reduce the pressure on other forms of accommodation.

It is proposed to attach a legal agreement including a planning obligation restricting occupation to those families/guardians/carers connected with the Puttinu Cares programme.

The additional information submitted and the use of a planning obligation are considered to address the concerns raised by the Planning Policy Team and allow the proposal to be acceptable in land use terms.

- 8.7 **Inclusive Design Officer:** No objection to the revised proposals subject to condition (7) securing the layouts of the accessible shower rooms and W/Cs as revised.
- 8.8 **Design and Conservation Officer:** No objection to the proposals following revisions to the material of the proposed replacement windows from uPVC to aluminium provided the replacement window is justified in terms of the impacts on energy and sustainability. Details are secured by condition (3).
- 8.9 **Energy Officer:** No objection to the proposal. There is nothing in the proposed works that will increase energy consumption or carbon emissions. The replacement of the single-glazed windows, internal wall insulation and LEDs with appropriate sensors will help to reduce the energy consumption and carbon emissions.

In the Sustainable Design and Construction Statement (within the D&A) it states that an assessment will be made to check if the existing boilers should be upgraded to more efficient models at a later date. This is welcomed and officers recommend that the assessment is carried out as early in the design process as possible.

- 8.10 **Sustainability Officer:** No objection to the proposals following the applicant's responses relating to, Urban Greening, the extent of green roof and provision of bird and bat boxes subject to conditions (5 and 6).
- 8.11 **Highways Officer:** No objection however requested details of swept paths for servicing vehicles and the space to be able to access the internal disabled bays. This information has subsequently been provided during the course of the application. Officers consider that the swept paths indicate that the delivery vehicles shown, can access and egress the car park in an acceptable manner. These details are secured through condition 9.

## 9 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

- 9.1 Islington Council Planning Committee, in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
  - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
  - As the development affects the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or

historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;

- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

9.2 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

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

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

9.5 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.

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

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

between persons who share a relevant protected characteristic and persons who do not share it.

### **Development Plan**

- 9.8 The Development Plan is comprised of the London Plan 2021 (LP), Islington Core Strategy 2011 (ICS) and Development Management Policies 2013 (IDMP). The policies of the Development Plan that are considered relevant to this application are listed at **Appendix 2** in this report.

### **Emerging Policies**

#### Draft Islington Local Plan

- 9.9 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. The Examination in Public took place in September and October 2021.
- 9.10 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).
- 9.11 Emerging policies that are relevant to this application are set out below in **Appendix 2**:

### **Designations**

- 9.12 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011 and Development Management Policies 2013:
- New River Conservation Area (CA02)
  - Central Activities Zone
  - Article 4(2) New River Conservation Area
  - Article 4 Direction B1(c) to C3
  - Article 4 Direction A1-A2 (Rest of Borough)
  - Heathrow Safeguarding Area
  - Local view from Dartmouth Park Hill - LV7
  - Mayors Protected Vistas - Kenwood viewing gazebo to St Paul's Cathedral - LLAA5

- Local Cycle Routes

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

## **10. ASSESSMENT**

10.1 The main issues for consideration are:

- Principle of Development
- Land Use
- Design, Conservation and Heritage
- Amenity of Temporary Living Accommodation
- Accessibility and Inclusive Design
- Neighbouring Amenity
- Biodiversity, Landscaping and Trees
- Energy and Sustainability
- Highways and Transportation
- Planning Obligations
- Planning Balance Assessment

### **Principle of Development**

10.2 The existing use of the building was consented in 2017 (ref: P2016/2405/FUL) for the *Use of premises as a hostel providing residential accommodation for hotel staff (Sui Generis)*. This is considered the existing lawful use of the site as for a hostel providing residential accommodation for hotel staff (sui generis), with a condition limiting occupation to persons employed by Imperial London Hotels Limited at their central London hotels.

10.3 The proposed change of use would create living accommodation for temporary use by the families and guardians of Maltese nationals receiving medical treatment at hospitals in the UK, run by the Maltese charity Puttinu Cares.

### **Land use**

#### NPPF (July 2021):

10.4 Paragraph 61 sets the scope for identifying local housing need, using strategic policies, informed by a local housing need assessment:

*61. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*

#### London Plan (2021):

10.5 Policy H8 *Loss of existing housing and estate redevelopment* states:

*B Loss of hostels, staff accommodation and shared and supported accommodation that meet an identified housing need should be satisfactorily re-provided to an equivalent or better standard.*

10.6 Paragraph 4.9.1 states:

*Given the pressure for housing and competition for land in London for a variety of uses, it is important to ensure that new homes meet an identified need and are not left vacant long-term (over six months).*

10.7 Policy H12 *Supported and specialised accommodation* states:

*A The delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for, whilst providing options within the accommodation offer for the diversity of London's population, including disabled Londoners (see Policy D7 Accessible housing) within a wider inclusive community setting. Boroughs should undertake assessments of the need for short-term, medium-term and permanent supported and specialised accommodation within their borough.*

10.8 Paragraph 4.12.1 states:

*In undertaking assessments of the need for supported and specialised accommodation, existing accommodation options available within boroughs should be audited identifying any shortages in capacity or potential extra capacity within schemes, as well as accommodation in need of refurbishment. Boroughs should then use this information to plan to meet identified need, working with relevant authorities, such as children's and adult services, the NHS and relevant charities. For some groups, need may be best assessed and met on a multi-borough or pan-London basis.*

10.9 Paragraph 4.12.2 states:

*Supported and specialised accommodation can include accommodation that incorporates support for a particular group, sometimes until they are ready to move on. This could potentially be in a hostel setting and is likely to include some communal facilities, but it does not include visitor accommodation.*

10.10 At the local level, the Council's adopted local plan documents continue to comprise of the Development Management Policies and Core Strategy documents.

Islington Core Strategy (2011):

10.11 Policy CS12 *Meeting the housing challenge* requires Islington to meet its housing challenge, to provide more high quality, inclusive and affordable homes by:

G. Providing affordable housing by:

*- requiring that 50% of additional housing to be built in the borough over the plan period to be affordable.*

- requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site.
- seeking the maximum reasonable amount of affordable housing, especially social rented housing, from private residential and mixed-use schemes over the threshold set above, taking account of the overall borough wide strategic target.

Development Management Policies (2013):

10.12 Policy DM3.9 *Houses in Multiple Occupation, hostels and student accommodation*, part F resists the loss of hostels unless:

- i) adequate replacement accommodation will be provided for the particular group; or*
- ii) it can be demonstrated that the accommodation is no longer needed for the particular group; or*
- iii) it can be demonstrated that the existing accommodation is unsatisfactory for modern standards and/or not fit for purpose for its current use.*

10.13 Policy DM3.9 Part G. sets out:

*Where the loss of a hostel is acceptable, development should provide accommodation to meet an acute need identified by the council's housing department, which may include social rented housing.*

10.14 As such, at this time, Development Management Policy DM3.9 continues to operate as the key development plan policy relating to hostels. However, the Council's emerging Local Plan has recently gone through Examination in Public with the Inspector's letter expected in Spring 2022. Any application submission will shortly have to give significant weight to the Council's emerging local plan policies.

Emerging Local Plan: Strategic and Development Management Policies

10.15 Policy H9: Supported Housing states:

*A. The Council will support the provision of new supported housing where:*

- (i) it meets an identified need, including larger-than-local need;*
- (ii) it is suitable for the intended occupiers in terms of the standard of facilities and the level of independence, and provides the necessary level of supervision, management and care/support. Regard must be had to Policy H4 and any best practice standards that the Council considers relevant and which are related to the specific type of accommodation and the people/groups it is targeted to; and*
- (iii) there is easy access to public transport, shops, services and community facilities appropriate to the needs of the intended occupiers.*

*B. The Council will resist the loss of supported housing unless:*

- (i) adequate replacement accommodation of the same quality and quantity will be provided for the particular group;*
- (ii) it can be demonstrated that the accommodation is no longer needed for the particular group or other relevant groups in need of supported housing; or*
- (iii) it can be demonstrated that the accommodation is not fit for purpose for its current use or other relevant types of supported housing.*

10.16 Paragraph 3.119 of the *Local Plan Strategic and DM Policies DPD proposed submission regulation 19 (September 2019)* as the supporting text to policy H9, identifies that the wide range of supported housing types may also include accommodation referred to as hostels (which may or may not have an element of care, but are distinct from visitor accommodation hostels) as follows:

*The purpose of supported housing is to enable people with specific needs to live as independently as possible within their community, with a real focus on social inclusion. Provision of a wide range of supported housing types is likely to be necessary over the plan period, including permanent, long term and shorter term accommodation which meets temporary need. This can include foyer accommodation for young people, refuges, and long-term accommodation for people with ongoing support needs. The wide range of supported housing types may also include accommodation referred to as hostels (which may or may not have an element of care, but are distinct from visitor accommodation hostels). In planning use class terms, supported housing may be considered Sui Generis, C2 or C3 and would usually be considered exempt from (or be provided instead of) affordable housing requirements.*

10.17 Paragraph 3.121 identifies a range of people/groups that would constitute supported housing, as follows:

*Islington will consider supported housing to be any housing scheme where housing, support and (where relevant) care services are provided (or are capable of being provided) as an integrated package. Some schemes are long-term, designed for people who need ongoing support to live independently. Other, semi-independent living options are designed to help people develop the emotional and practical skills needed to move into more mainstream housing and provide varying levels of support. Support can include help with health needs, including mental health, drug and alcohol use, managing benefits and debt, developing daily living skills and accessing education, training and employment. Supported housing provision may be necessary for a range of people/groups including:*

- *people with Mental Health Problems*
- *people with Learning Disabilities*
- *people with a Physical or Sensory Disability*
- *single Homeless with Support Needs*
- *people with Alcohol Problems*
- *people with Drug Problems*
- *offenders or People at risk of Offending*
- *mentally Disordered Offenders*
- *young People at Risk*
- *young People leaving Care*
- *women at Risk of Domestic Violence*
- *people with HIV/AIDS*
- *homeless Families with Support Needs*
- *refugees*
- *teenage Parents*
- *rough Sleepers*

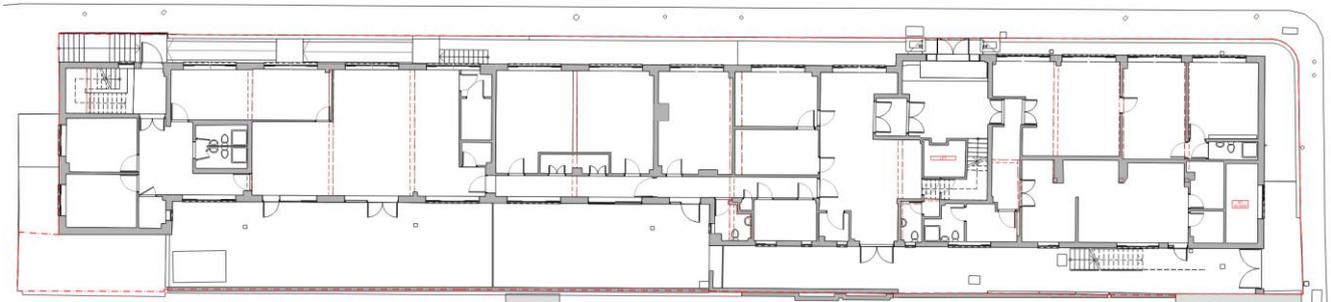
10.18 Emerging Local Plan Policy H3 (A) *Genuinely affordable housing*, requires:

A minimum of 50% of the total net additional conventional housing built in the borough over the plan period must be genuinely affordable. Affordable housing tenures which are not considered to be genuinely affordable will be resisted and will not be counted towards the level of affordable housing provision on individual schemes.

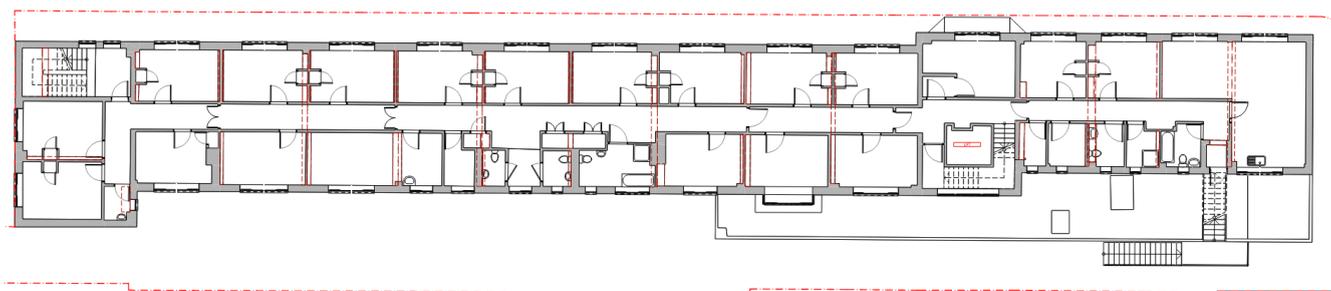
## **Land Use Assessment**

### **Loss of Existing Hostel**

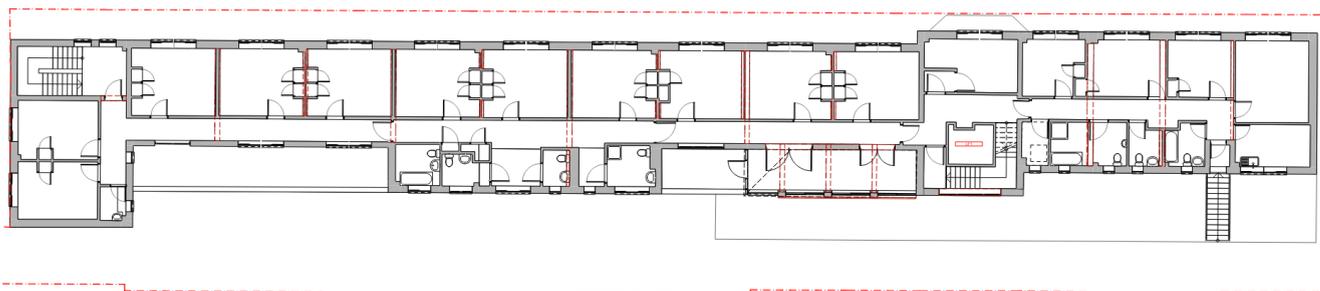
- 10.19 The existing lawful use of the site (consent P2016/2405/FUL) is for a *hostel providing residential accommodation for hotel staff (sui generis)*, with a condition limiting occupation to persons employed by Imperial London Hotels Limited at their central London hotels. The existing consent requires the occupants of the hostel to be employees of Imperial London Hotels, working at their central London hotels, but does not require Imperial London to have to run the hostel. It is understood that the site has been vacant since December 2020.



**Image 10 – Existing Ground Floor Layout**



**Image 11 – Existing First Floor Layout**



**Image 12 – Existing Second Floor Layout**

- 10.20 Consent P2016/2405/FUL followed 2 withdrawn applications in 2014 and 2015. In recommending the scheme for approval to Committee Members, officers gave consideration to a number of factors in consenting the sui generis hostel use for hotel staff including policy compliance through the care home use being re-provided off-site in a new purpose built nursing home. The application submitted in 2016 formed a retrospective application to regularise the unauthorised use which had been taking place since 2013. In making an assessment officers required the submission of a viability assessment. This showed it wasn't viable to provide the required contributions. Officers also gave weight to the improvements to the building's energy and sustainability performance and the choice of live-in accommodation as part of the employment contract whilst reference was made to the London Plan Housing SPG para 3.5.1 which noted the need for non-conventional housing schemes to demonstrate how they meet identified housing needs.
- 10.21 Development Management Policy DM3.9 part F (ii) resists the loss of hostels for the particular group unless the need is met elsewhere or it can be demonstrated that the accommodation is no longer needed for the particular group.
- 10.22 On this basis, the onus is on the applicant to provide evidence to demonstrate that there is no demand for residential accommodation for hotel staff.
- 10.23 The initial application submission included letters from the following:
- Letter from Imperial London Hotels, stating that it is no longer financially viable to provide hostel accommodation for staff and that this has been exacerbated by the pandemic due to the closure of hotels for a prolonged period of time.
  - Letter from Colliers International and marketing information confirming that the site has been vacant since December 2020, and that the property has been marketed as one of eight former staff hostels in the Bloomsbury area, all used as accommodation for staff employed by Imperial London Hotels. The other properties are not located within Islington. The property has been marketed to owners of hotels and/or hostels in London but no details of individuals have been provided. The property has been advertised as follows:  
*Each one of the properties has until recently been used as accommodation for staff employed within their central London hotel business, but are now surplus to requirements. Except for William Martin Court, the buildings are now in need of investment and improvement but provide a wonderful blank canvass for purchasers to model to their own requirements (subject to any necessary consents).* Therefore, officers note that the property has not been marketed as hostel accommodation.
- Letter from President of Malta confirming that Puttinu Cares Foundation is a voluntary organisation, and that due to more patients in need of treatment in hospitals in Central London, housing families in central London closer to hospitals, saves on travel costs and time for patients and close relatives.
  - Letter from Prime Minister of Malta confirming that Puttinu Cares had an offer accepted for the property on 21 May 2021, and that the property would provide free accommodation for the families of patients who travel from Malta to central London for hospital treatment.

- Letter from the High Commissioner for the Republic of Malta confirming that a 'Reciprocal Health Agreement' provides and facilitates specialised treatment for Maltese patients in the UK. The letter comments that due to increased demand for accommodation and to be closer to London hospitals, Puttinu Cares decided to purchase the property.
- Letter from the Archbishop of Malta confirming the bilateral agreements between Malta and the UK in healthcare. The letter comments that the property would provide free accommodation for the families of patients who travel from Malta to central London for hospital treatment.
- Letter of support for Puttinu from Great Ormond Street Hospital, confirming that GOSH has limited parent accommodation and patient hotel provision and is looking to address this, and as such, the proposal would alleviate some of the demand on existing accommodation.

10.24 The initially submitted information indicates that the property has been marketed to owners of hotels and/or hostels in London, plus general property investors and developers.

10.25 Based on the initial submission, officers expressed concern that the information submitted hasn't demonstrated that the need for the accommodation for the employees of Imperial London Hotels or any other hotel has fallen away and that there would be nothing to prevent another organisation from running the hostel for the employees of a hotel chain.

10.26 In response further comments have been provided by the applicant as follows:

- *"We agree that the wording of the condition is such that the permission would technically allow another organisation to run the hostel, but this would be extremely unlikely to happen in reality. The hostel for ILH staff was provided as part of their contract of employment and was offered at subsidised rents; it is difficult to see what motivation any organisation not connected with ILH would have for providing such a specific service.*
- *There is no demand for staff accommodation in this location from any hotel operator, particularly in the current economic climate. By 'reserving' the property for such a specific use, the Council would effectively be allowing the property to stand empty, which is in itself contrary to policy at all levels which seeks to optimise the use of land and bring vacant buildings back into use.*
- *The delegated report for the initial application to use the property as a staff hostel (Ref: P2016/2405/FUL) barely addresses the issue of need, relying solely on a single reference to accommodation for hotel staff in the Mayor's Housing SPG. There is no mention of any Islington-specific need for hotel staff accommodation, and indeed there is none indicated in the evidence base documents for the new Local Plan currently under examination.*
- *Although our client is a different type of occupier and requires a greater element of self-containment than that provided by the ILH hostel, the way the property will be used on a day-to-day basis and the fact that it seeks to address the needs of a specific group of people means that it is essentially fulfilling the function of a hostel. The 'loss' of the hostel should therefore be viewed in terms of its replacement with another socially beneficial sui generis use for which a need has been identified."*

- *“It is extremely unlikely that any other operator would step in to provide accommodation for their staff, as it is a commercially unviable proposal when considered independent of any employment contract. Notwithstanding this, and notwithstanding the fact that COVID makes it challenging to present a complete picture, they have confirmed that:*
  - *There are currently fewer staff employed by their hotels, as 4 out of 7 are not operating. Of those that are operating, they are doing so with a bare minimum of staff and where they need to be on-site, they are housed at the hotel itself.*
  - *Pre-Brexit, non-UK workers made up 25% of the hospitality workforce. This is expected to drop considerably since many migrant workers have now returned to their home countries. The majority of candidates for new positions are expected to be UK-based and will therefore already have accommodation.*
  - *Although the level of staff pay has not changed per se, the Government has recently changed the tax rules in relation to the arrangement formerly provided by Imperial, meaning that it is not viable for them to provide accommodation for their staff. Imperial’s employees could previously choose whether to accept a minimum salary plus accommodation, or a higher salary without accommodation. The announcement of the tax changes means that the former option is far less attractive to both Imperial and their staff and it was expected that fewer staff members would accept the accommodation offer as a result.”*

10.27 Despite receipt of these additional comments, officers continued to express concern regarding the loss of the hostel use. As a result, during the course of the application, further documents have been submitted including a letter from Colliers International Property Advisers UK dated 17 February 2022 and a letter prepared by DP9 on behalf of Puttinu Cares dated 7 February 2022 in response to the Council’s pre-application advice letter of November 2021.

10.28 The letter from Colliers International states that it is unusual for a London hotel operator to provide off-site accommodation for staff and that as a result it is not possible to provide evidence that the property was specifically marketed to parties who might have been interested in it for hotel staff accommodation, as such parties are non-existent.

10.29 The letter from Colliers International does provide details of the marketing which took place, including detailing that 266 parties were sent details in December 2020, around 60 were existing London hotel operators and six were commercial hostel operators. The bulk of the remainder were parties looking to acquire hotel type property in London for the first time or general property investors/developers. The promotional activities also generated in excess of 70 additional requests for sales particulars. 42 parties made an appointment to view this property specifically. None of these parties expressed requirement for hotel staff accommodation or any other form of staff accommodation. Five of these parties were hotel operators wanting to use the property as traditional visitor accommodation, and two were operators of backpacker type hostels and three are categorised as primarily residential developers (only one of which showed any further interest following the viewing) and one was a boarding school. The remainder were mainly general property investors/developers not specific to any particular sector.

- 10.30 Colliers reiterated that the marketing particulars for the building set out very clearly that the building is consented only as a staff hostel and being offered for sale on that basis and that that only unconditional offers (i.e. those not subject to planning consent) will be considered.
- 10.31 It is accepted that given the unique sui-generis nature of the existing hotel staff hostel, a market demand analysis cannot accurately be provided.
- 10.32 The response document from DP9 dated 7 February 2022 notes:

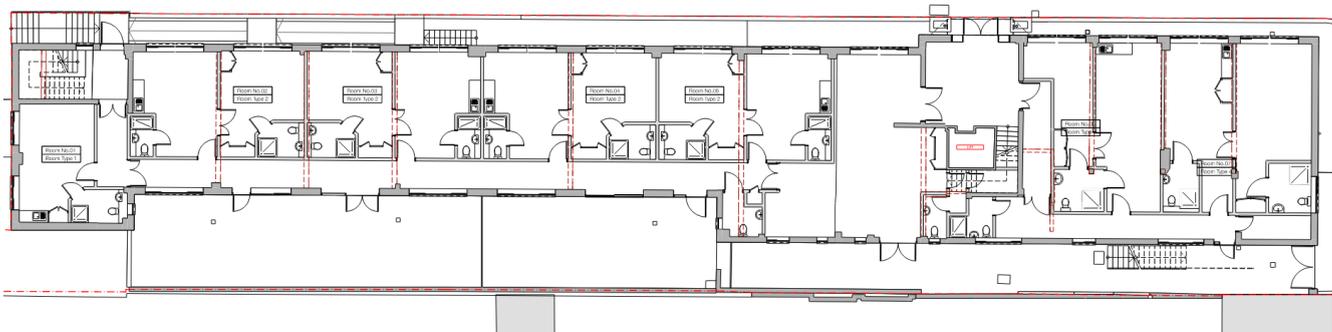
*“The existing consent was granted subject to a condition restricting use of the hostel to staff of Imperial London Hotels only and therefore the ‘group’ referred to in this policy is staff of Imperial London alone.”*

- 10.33 Officers consider that the further responses demonstrate that no further information can reasonably be provided to demonstrate the lack of demand for the existing sui generis hostel use for hotel staff. Therefore officers accept the lack of demand for the consented sui generis hostel use has been sufficiently demonstrated, in the circumstances, as to demonstrate compliance with the requirements of policy DM3.9 part F(ii) that the accommodation is no longer needed for the particular group.

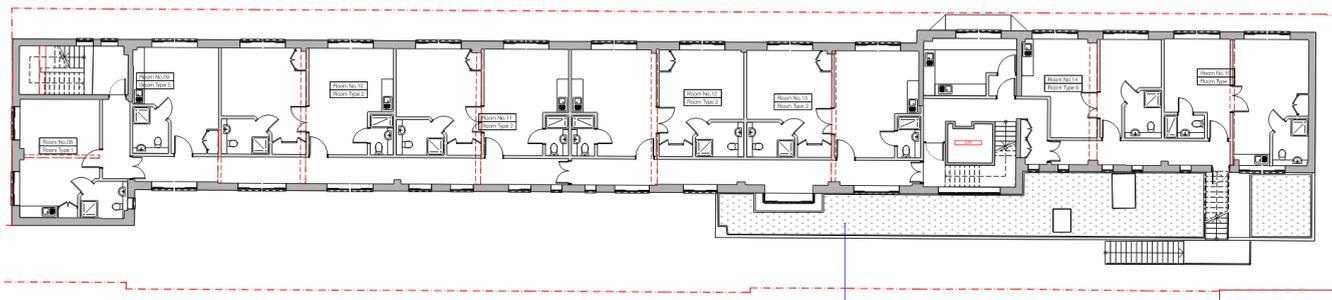
**Proposed Use**

**Temporary Living Accommodation**

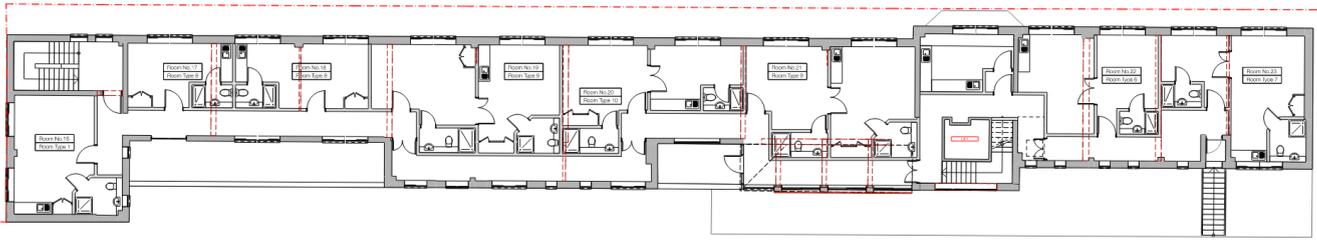
- 10.34 The proposal would comprise internal reconfiguration of the site to create 23 units, each with its own bathroom and kitchen facilities. There would be communal laundry rooms on the first and second floors. The layouts are shown in the images below.



**Image 13 – Proposed Ground Floor Plan**



**Image 14 – Proposed First Floor Plan**



**Image 15 – Proposed Second Floor Plan**

- 10.35 The proposed layouts as shown on the above plans have very specific characteristics. The accommodation is: (1) offered to a specific group in specific circumstances only; (2) it can be for prolonged periods but may be for short periods. All those using the accommodation will be temporary residents and their occupation will only last so long as their family member is receiving medical care in Central London Hospitals under the Puttinu Cares programme.
- 10.36 It is understood that residents would not pay any financial contribution to stay at the property as requiring the payment of any form of contribution would fall outside of the charity's legal aims and objectives. The applicant states that residents would not be required to sign a contract setting out a fixed length of occupation. When patients are discharged from hospital, they will be assisted by Puttinu to vacate the property (along with any family members) and return to Malta. Residents would sign a basic agreement that covers their terms of occupation, such as what rules they are expected to abide by, what they must do if accidental damage is caused to the property etc. The details of these arrangements would be set out in a Operational Management Plan. Puttinu has stated that any unoccupied units would not be privately rented.
- 10.37 Puttinu state that there is an existing (and urgent) demand as over 60-90 patients travel from Malta for treatment every month. On this basis it is understood that all 23 units would become fully occupied almost immediately.
- 10.38 The units are not offered on a commercial basis, the nature of the use is neither visitor accommodation nor is it an entirely self-contained C3 use due to the unique nature of its use. Therefore the proposed use is considered to be a sui generis use defined as temporary living accommodation for use by the families of Maltese Nationals receiving medical treatment at hospitals in the UK, run by the charity Puttinu Cares.

#### Assessment of Proposed Use

- 10.39 As officers now consider the loss of the existing hostel justified under adopted Development Management policy DM3.9 part F as outlined in the earlier part of this land use assessment, part G of the policy now applies. The policy states:

*“Where the loss of a hostel is acceptable, development should provide accommodation to meet an acute need identified by the council's housing department, which may include social rented housing.”*

Requirement to meet an acute need identified by the Council's housing department

- 10.40 As identified above, officers consider that the use constitutes sui generis temporary living accommodation. As the Borough's acute need is for conventional social rented housing, the proposed use does not meet an identified need in line with the NPPF, i.e. it does not meet a local housing need as set out in the draft Local plan evidence base – the Islington Strategic Housing Market Assessment. Therefore, to ensure full policy compliance the applicant would need to contact the Council's Housing Team to identify the acute need. Officers are not aware of any discussions between the applicant and the Council's Housing department.
- 10.41 Paragraph 3.121 of the draft Local Plan DPD - *Strategic and Development Management Policies September 2019 - Regulation 19 submission*, identifies a range of people/groups that would constitute supported housing. However, the proposed occupiers do not meet any of the categories listed. The accommodation would offer limited support services to occupiers and the communal facilities are largely limited to a laundry room and some outside shared amenity space at the rear of the site.
- 10.42 The applicant contends that the proposals meet an important identified need, and that the use would be appropriate in this predominantly residential location. In considering this, officers note the requirements of London Plan policy H12 *Supported and specialised accommodation*, part A requires the delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. Officers also note the contents of supporting paragraph 4.12.1 which requires boroughs to '*undertake assessments of the need for supported and specialised accommodation, existing accommodation options available within boroughs should be audited identifying any shortages in capacity or potential extra capacity within schemes, as well as accommodation in need of refurbishment. Boroughs should then use this information to plan to meet identified need, working with relevant authorities, such as children's and adult services, the NHS and relevant charities. For some groups, need may be best assessed and met on a multi-borough or pan-London basis.*'
- 10.43 It is accepted that the proposed use does not meet a local housing need as set out in the draft Local Plan evidence base – the Islington Strategic Housing Market Assessment.
- 10.44 Part A of policy H9: *Supported Housing*, of the draft Local Plan refers to the Council supporting the provision of new supported housing where it meets an identified need, including larger-than-local need. Supporting paragraph 3.121 lists the groups of supported housing with an identified need. Officers consider that this policy does not apply, as the proposed use is not included in any of the groups listed.
- 10.45 Therefore, the provision of 50 percent on-site affordable housing would be required for a fully policy compliant provision to meet the identified housing need. However, it should be noted that the site context is such that conventional housing would be unlikely to be supported on the site and the units proposed, with single aspect and little communal private outdoor amenity space would be unlikely to meet Islington and London Plan housing standards. On this basis, the proposed use would not be non-

compliant with policy DM3.9 (G) and therefore it would not be considered to be reasonable to reasonably expect the delivery of 50% affordable units on site.

#### Information submitted

10.46 In seeking to demonstrate the degree of policy compliance and the further benefits that are supported by the proposals, in discussions with officers, the applicant has provided the following details:

- *“There is an acute need for this type of accommodation and the use of William Martin Court for this purpose as it would relieve the burden on the already-stretched family accommodation at GOSH and other North London hospitals;*
- *The proposal would enable the charity to stop placing families in private rental properties, providing better long-term financial security for the charity and enabling more effective day-to-day management of the charity’s functions;*
- *The location of Maltese families all in one place in a building directly managed by Puttinu fulfils the charity’s aims more effectively in that it facilitates a feeling of community, enables the provision of on-site support and reduces commuting time for families already experiencing a great deal of stress and anxiety.*

#### Need/reducing pressure on other forms of accommodation

*As set out in previous correspondence, the primary reason for seeking accommodation in Islington and surrounding area is its proximity to Great Ormond Street Hospital. The paediatric department at the hospital in Msida has historic links with GOSH and around 130 Maltese children receive treatment there each year. As set out in previous emails, GOSH do provide a limited amount of accommodation for parents, managed either directly by GOSH or via the Sick Children’s Trust. However, this is not enough to meet demand. Puttinu Cares estimates that only a small proportion of Maltese families who are referred to the charity end up being placed in hospital-managed accommodation (in general this will only be families who have children in intensive care). The remaining families are either:*

- *placed in an apartment in the charity’s building in Sutton, which means a commute to Camden/Islington-based hospitals of between 1-2 hours;*
- *placed in private rented accommodation, which has substantial resource implications for the charity;*
- *if the family’s needs cannot be met, they are turned away and forced to find their own accommodation in hotels or short-let accommodation. Our client estimates that this happens to approximately 30% of families that approach them for help.*

*The property at William Martin Court would provide for 23 families at one time, meaning that:*

- *There would be 23 fewer families competing for a coveted spot at GOSH accommodation (or other hospitals), freeing up accommodation for the relatives of other patients, most of whom are UK-based; and*
- *There would be fewer families staying in private rented accommodation, thereby freeing up this stock for Islington residents or other Londoners.*

*The London Plan provides that the networks and facilities that support London’s role as a centre of medical excellence should be supported. Policy H12 also gives support to specialised accommodation which, as set out in the supporting text, ‘can include*

accommodation that incorporates support for a particular group, sometimes until they are ready to move on'. The definition of what constitutes 'specialised accommodation' is not closed and we contend that it can apply to this very specific need for a very specific group of people. As demonstrated in our submission (particularly the supporting letters from the Maltese government and GOSH), this is a need which demonstrably exists and, furthermore, is not properly served by the private rental market or conventional visitor accommodation. As the use is so specific and so poorly understood, it is not provided for in local development plans and, coupled with the fact that most planning policies in London seek to protect residential and employment land, finding sites to meet this need is extremely difficult. Puttinu have been searching for a suitable property now for approximately 5 years.

In summary, the use may not constitute a locally specified need, but it does meet a wider need and it helps GOSH (and other hospitals) meet their objectives as internationally renowned centres of medical excellence, which is a material planning consideration which can be given considerable weight. Officers may wish to refer to the planning permission given to Puttinu Cares by the London Borough of Merton in 2011 (Ref: B/2011/64707), which recognised the use as a unique form of temporary accommodation which met a very specific need associated with the Royal Marsden Hospital, ultimately granting Puttinu Cares a personal consent.

#### Long-term financial benefits/rationalisation

The charity currently owns 20 flats in Sutton which were intended to cater solely for patients receiving treatment at the Royal Marsden but now also accommodate patients receiving treatment at other London hospitals, including GOSH. In addition to this, Puttinu Cares also rent a number of private properties to house patients who are unable to secure a place in hospital accommodation. This poses several challenges:

- Privately renting accommodation results in a prohibitively high 'cost per family' scenario;
- Long term, it is far more sustainable for the charity to invest in an asset and directly manage that asset for charitable purposes, rather than spending charitable donations on the private rental market;
- It is a considerable administrative burden for the charity to spend time looking for and securing accommodation which meets a particular family's needs, particularly in terms of location;
- Arranging privately rented accommodation can take months, making this option unsuitable for families of patients requiring urgent treatment.

The charity's ultimate aim is to get to a position where it no longer needs to rely on privately rented accommodation. This will significantly reduce the amount of administration required and enable resources to be redirected towards its other charitable work in Malta and the UK.

#### Charitable aims

Puttinu Cares exists primarily to alleviate the pain and suffering of Maltese children diagnosed with cancer and their families. In this proposal, the charity sees an opportunity to fulfil those aims more effectively. In addition to the stress that families experience from the moment their child is diagnosed, if their child requires specialist treatment in the UK they must travel to an unfamiliar country, away from their usual

*support network. The charity believes that parents should not have to cope with additional worries, such as where they are going to sleep, how they are going to manage 3-4 hours of travel each day and whether long commutes on public transport will be putting their immunocompromised child at risk (something which has become an even greater concern following the COVID-19 pandemic). The proposed use at 65 Margery Street would enable families to stay in a building where on-site support is provided, where day-to-day premises management is taken care of, and which is only a 15-20 minute walk or short bus ride from the hospital where their child is staying. This has significant impacts for the wellbeing of families who are already in a very challenging situation.”*

#### Level of Demand for Temporary Living Accommodation

10.47 The applicant's submission sets out the following:

*“The primary reason for seeking accommodation in Islington is its proximity to four specific hospitals. These are Great Ormond Street Hospital, the National Hospital for Neurology and University College London Hospital (all located within a few minutes' walk of each other in Bloomsbury, within the London Borough of Camden) and Moorfields Eye Hospital (located on City Road, within Islington). Of the 786 Maltese patients who travelled to the UK for treatment in 2019, 314 (40%) were under the care of these four hospitals. Of those, 122 (39%) were children receiving treatment at GOSH. These statistics are reflective of a typical year prior to the pandemic, with up to 130 Maltese children receiving treatment at GOSH every year.”*

10.48 The applicant has provided the following further comments:

*“Analysing 2019 – which as stated is representative of a typical year leading up to 2019, the 314 who are receiving treatment is equivalent to 314 families. Each family will comprise the person undergoing treatment, and then typically 2 but sometimes 1 parent(s), close family member(s) or carer(s). So, assuming a crude average of 1.75 parents / family members / carers per person undergoing treatment, then 314 families is equivalent to 864 Maltese nationals.”*

10.49 Officers' note that based on the above additional information, the demand for the accommodation is significantly in excess of the proposed 23 units. This information is considered to address Planning Policy comments relating to the potential for use of the rooms as visitor accommodation.

#### Unique circumstances of the proposed use

10.50 Whilst the proposed use does not meet an identified need, or larger-than-local need as defined by the adopted policy, officers note the unique nature of the proposed use and the benefits of the proposals as outlined by the applicant and the unique merits of the use, which could not be recognised by any adopted policy.

10.51 Officers consider there are clear merits on an international level and there is a need for the use which is therefore beneficial in planning terms although not expressly recognised in planning policy terms. The Bilateral Agreement between the UK and Maltese Governments which allows Maltese nationals to receive medical treatment in the UK, is a material consideration to which officers attach weight in the planning

balance. The benefits of the proposals enable convenient and quick access for patients and their parents/guardians to the central London hospitals including GOSH which provide the medical treatment, and this medical treatment is the subject of the Bilateral Agreement.

10.52 Officers have also given consideration to the planning benefits provided by the applicant to date, and further material considerations which are considered below.

#### Planning Benefits/Material Considerations

- 10.53 Great Ormond Street Hospital (GOSH) currently provides a limited number of 'Family Accommodation Units' in the vicinity of Great Ormond Street Hospital for the families of children receiving treatment at the hospital, most of which are on-site in small shared units, or off-site in properties managed by the hospital (more info at this link: <https://www.gosh.nhs.uk/your-hospital-visit/patient-and-family-accommodation/>). As confirmed by a letter of support from Great Ormond Street Hospital, their supply is extremely limited and they are unable to cater for every parent.
- 10.54 It is understood that Puttinu have been working with Great Ormond Street Hospital for many years to help place Maltese patients in their accommodation. This site would be the first port of call for any Maltese patient receiving treatment at GOSH, meaning that the Great Ormond Street accommodation would be freed up for other families.
- 10.55 It is understood that Puttinu Cares also rent a number of private properties to house patients who are unable to secure a place in hospital accommodation. As a result the proposals would avoid the need for these families to be placed in the private rental sector, relieving pressure on the housing market and reducing the need for visitor accommodation.
- 10.56 Therefore the benefits of reducing pressure on other forms of accommodation including relieving pressure on the limited family accommodation at GOSH are identifiable benefits, as well as the benefits to the charity.
- 10.57 Officers note the proposal will provide the following local planning benefits, albeit somewhat limited:
- Increased local spend (information on local facilities and services will be provided to occupants of the building);
  - The employment of local people (or a local company) in cleaning and maintenance roles; and
  - Energy enhancements to the building;
  - Overall improvements to the buildings operation/up keep;
- 10.58 Although Great Ormond Street Hospital is where the majority of patients will go, it is not solely this hospital – Puttinu also assists patients receiving treatment at the Moorfields Eye Hospital, which is within Islington (although shortly to move to Camden). It is understood that a similar situation exists here, where on-site accommodation is provided by a charity, but is extremely limited.
- 10.59 The applicants assert that whilst the use may not constitute an identified local need, it does meet a wider need in helping Great Ormond Street Hospital and Moorfields meet

their objectives as providers of NHS care to overseas patients. Following the analysis of the development plan policies, outlined above, officers consider that this is a material planning consideration that should be given weight in the planning balance.

#### Lack of suitability for affordable housing

- 10.60 The applicant has urged the Council to consider the likelihood of alternative uses coming forward at this site. Officers note that the site is physically constrained due to the close relationship to the residential units at the rear of the site, and as such the conversion to conventional residential use would have to give significant consideration to the amenity impacts. There are also heritage and townscape implications associated with any new build development which would also limit the scale of redevelopment. Officers note the issues that would arise if a mixed use scheme was presented which sought to achieve policy compliance through the provision of on-site affordable housing units and temporary accommodation for the proposed use. Officers note that such a scheme would be highly unlikely to be viable for the applicants as a charity, to be able to include as part of any proposals.
- 10.61 It is noted that prior to the grant of consent P2016/2405/FUL which made the existing use lawful, officers sought an affordable housing contribution. However, the Council accepted that the applicant's viability evidence demonstrated it was unviable to provide any off-site contribution. No viability evidence has been provided with the current submission.
- 10.62 The applicant suggests that the building would be left vacant if the proposed use did not come forward, and this would be contrary to the core principles of the NPPF, London-wide and local policy. The applicant also suggests that there is an opportunity for an important need to be met without impact on residential or employment land. The applicant suggests that this is a material consideration which should be given significant weight. Officers acknowledge that these matters are material considerations that should be given some weight in the assessment of the application.

#### Use of Legal Agreement to restrict occupation

- 10.63 To secure the occupation of the site is restricted solely to those eligible persons connected with the Puttinu Cares programme, the approval of the proposal use would include the provision of a legal agreement including a planning obligation. It is intended for predominant use by children but does not preclude treatment from adults as part of the charitable programme provided by Puttinu Cares.
- 10.64 The terms of the planning obligation would restrict occupation of the property to patients receiving medical treatment and their family, as part of a programme operated by the Puttinu Cares Foundation (Company No: 10180584) (but for clarity not being treated at the site) and the parents/relatives/guardians/carers of those patients receiving medical treatment at one of the specified hospitals listed (or at a private facility following referral from one of the specified hospitals) and no other individuals.
- 10.65 The Heads of Terms are listed in **Appendix 1**.

## Land Use Conclusion

- 10.66 In conclusion, the unique circumstances of the proposed sui generis use as temporary living accommodation solely for use by Puttinu Cares secured through a legal agreement, ensures that despite not providing accommodation that meets an acute need identified by the council's housing department, as required by DM3.9 part G, the proposal would not raise a conflict with the aims of the policy, that could act as an undesirable precedent elsewhere in the borough.
- 10.67 It is considered that in addressing a need for accommodation to support an internal agreement for the provision of medical care, that the proposal would reduce pressure on accommodation at London based medical facilities and free up accommodation for conventional residential use, the proposal would provide considerable benefit. It is therefore considered that subject to the recommended planning obligation to restrict the occupancy and use of the building, which would prevent any unacceptable change of use without planning permission in the future, the proposal would be acceptable in land use terms, subject to compliance with other Development Plan policies.

## Design, Conservation and Heritage

### **Policy context**

- 10.68 Paragraph 126 of the NPPF (July 2021) highlights that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.69 Paragraph 132 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
- 10.70 Paragraph 133 goes on further to state that in assessing applications, local planning authorities should have regard to the outcome of tools and processes for assessing and improving the design of development, including any recommendations made by design review panels.
- 10.71 Paragraph 195 states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

- 10.72 Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 10.73 Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.74 Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 10.75 Paragraph 206 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 10.76 In terms of conservation area and heritage asset, the Planning (Listed Buildings and Conservation Areas) Act 1990 (amended) requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (section 72); it also requires the decision maker to have special regard to preserve or enhance the significance of heritage assets through the planning process (section 66).
- 10.77 PPG paragraph 013 Reference ID: 18a-013-20190723 states:  
*[...When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change...]*

### **London Plan**

- 10.78 LP Policy D3 states that development must make the best use of land by following a design-led approach that optimises the capacity of sites, to ensure that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. It further states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 10.79 In terms of design and heritage considerations, LP Policy D3 part D states that development proposals should:
- enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

- respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character;
- be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

10.80 Policy D4 stipulates the importance of design scrutiny of development proposals starting from pre-application stage. It states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising analytical tools, local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process.

10.81 Policy HC1 (C) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

### **Local Plan**

10.82 ICS Policy CS9 (Protecting and enhancing Islington's built and historic environment) requires the borough's unique character to be protected by preserving the historic urban fabric, and new buildings should be sympathetic in scale and appearance and to be complementary to the local identity.

10.83 IDMP Policy DM2.1 (Design) requires all forms of development to be of a high quality design, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

10.84 IDMP Policy DM2.3 (Heritage) requires developments to conserve and enhance the borough's heritage assets, in a manner appropriate to their significance.

### Emerging Local Plan

10.85 Emerging SDMP Policy PLAN1 (A) requires all forms of development to be of a high quality and make a positive contribution to local character, legibility and distinctiveness, based upon an up-to-date understanding and evaluation of the defining characteristics of an area. Part B of the policy requires development to be contextual, connected, inclusive, sustainable.

10.86 Policy DH1 (A) states that Islington supports innovative approaches to development as a means to increasing development capacity to meet identified needs, while simultaneously addressing any adverse heritage impacts and protecting and enhancing the unique character of the borough. In this context, an innovative approach

is one that contributes to the delivery of the Local Plan objectives, including making the borough an inclusive and resilient place by ensuring the design of buildings meets contemporary standards, the needs of all users and mitigates against the impacts of climate change. Part D of the policy states that the Council will conserve or enhance Islington's heritage assets – both designated and non-designated - and their settings in a manner appropriate to their significance, including listed buildings, conservation areas, scheduled monuments, Archaeological Priority Areas, historic green spaces, locally listed buildings and locally significant shopfronts.

- 10.87 Policy DH2 of the of the SDMP part B, states that development within conservation areas and their settings – including alterations to existing buildings and new development - must conserve and enhance the significance of the area, and must be of a high quality contextual design.

## **Context**

### Assessment of significance

- 10.88 The site is within the New River Conservation Area and adjacent to the GII listed Charles Rowan Court to the east of the site and 25-37 Wilmington Square to the south, and so forms part of their setting.

### New River Conservation Area

- 10.89 The New River Conservation Area is one of the largest in Islington. Paragraph 2.2 of New River (CA02) Conservation Area Design Guidelines identifies that in the view of the author, the Area is of “outstanding importance”. The area has a degree of consistency of scale, materials, design and detailing which contributes to its character and appearance. The character of the area is predominantly residential derived from its mix of residential building typologies from the late eighteenth century to the present day. The area has a largely homogenous urban structure, scale and quality of architecture which contribute to it's the consistency and the quality of its character and appearance. While parts of the Conservation Area may be very different to one another (for example, New River Head itself, and the surrounding New River Head Estate), each part of the Conservation Area possesses internal homogeneity. Inevitably though, there are isolated buildings that make a lesser contribution or detract from its character and appearance. 65 Margery Street, with its austere façades, uPVC windows and complex relationship to the street is one such building.

### 25-37 Wilmington Square

- 10.90 A GII listed group of 13 houses built during 1829-1831, by John Wilson, builder for Lord Compton and the Northampton Spa Fields Estate. Their significance lies in its fabric as well as the strength of its relationship with Wilmington Square and its buildings and the predominantly residential townscape, all of which demonstrates the evolution of Islington. This ensures that its setting makes a positive contribution, providing as it does a context within which the building's development can be appreciated.

## Charles Rowan House

- 10.91 A GII listed complex of former flats for married policemen, now council flats, on a steeply sloping site bounded by roads on all four sides. Built 1928-1930 by G. Mackenzie Trench architect and surveyor for the Metropolitan Police Authority. Its significance lies in its fabric as well as the strength of its relationship with Wilmington Square and the predominantly residential townscape, all of which demonstrates the evolution of Islington. This ensures that its setting makes a positive contribution, providing as it does a context within which the building's development can be appreciated.

### **Proposal**

- 10.92 The majority of the proposed works relate to internal reconfiguration within the existing building to facilitate the proposed change of use to temporary living accommodation. The proposed external works comprise of upgrading the existing UPVC window and door units with aluminium units and the creation of 2no. roof hatches to aid implementation of the Fire Strategy.

### Design Assessment of proposals

- 10.93 The proposal is to refurbish and reconfigure the existing William Martin Court on Margery Street from its current use as accommodation for hotel staff into accommodation for the families of Maltese citizens receiving medical treatment in the UK. The proposal mirrors the pre-application proposal in so much as the scheme involves minimal alteration to the external appearance of the building.
- 10.94 The external works are for the installation of 2no. 1sqm roof vent hatches in the main flat rooftop to facilitate the proposed fire safety strategy, installation of a sedum matt at roof level and replacement of the existing uPVC windows and doors across the building.
- 10.95 The principle of roof hatches was accepted under the pre-app as they would not be visible from the public realm as they would be low-profile and hidden behind the existing parapet of the building.
- 10.96 The installation of sedum matting to the roof would not affect the character of the building, would not be visible from the public realm and would not have an adverse impact on private views within the conservation area, and so the proposed roof material is considered acceptable in design and heritage terms.
- 10.97 Under the pre-app it was advised that a change in ownership and works to refurbish the building represent an opportunity to improve the existing building's relationship with its surroundings by softening its austere design and appearance. It was suggested that one method of doing so would be upgrading the existing UPVC window and door units and by this it was not intended that they be replaced like-for-like as proposed, rather that they be replaced with higher quality units in a more appropriate material such as aluminium or timber.
- 10.98 During the course of the application the proposed replacement windows have been revised to aluminium windows. The Design and Conservation officer has suggested

that the detail of the proposed windows should be negotiated as part of the determination process so as to ensure a more high-quality and sustainable alternative to the proposed and existing uPVC units. The proposed replacement aluminium units are of an appropriate design which would be more in keeping with the character and appearance of the conservation area, which would be a benefit of the proposals.

- 10.99 The Council's Energy Officer has commented that there is nothing in the proposed works that will increase energy consumption or carbon emissions. The replacement of the single-glazed windows, internal wall insulation and LEDs with appropriate sensors will help to reduce the energy consumption and carbon emissions. Therefore the replacement windows are accepted.

### **Impact on heritage assets**

- 10.100 The proposals external alterations would largely maintain the existing appearance of the building and so would not have an adverse impact on the character and appearance of the conservation area or the setting or significance of the adjacent listed buildings, including those at 25-37 Wilmington Square and 1-96 Charles Rowan House.

### **Design and Heritage Summary**

- 10.101 It is considered that the proposed minor external alterations would have an acceptable appearance and materiality.
- 10.102 The material details and samples of the proposed replacement windows would need to be submitted to and agreed by the council prior to the commencement of the relevant works. This would be secured by planning condition **(3)**.
- 10.103 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, as well as special regard to the desirability of preserving the setting of the nearby listed buildings and features of special architectural or historic interest which it possesses.
- 10.104 Overall, it is considered that the proposed external alterations would have an acceptable impact in terms of design and appearance, as well as their impact towards the setting to the heritage assets nearby, and in accordance with the relevant planning policies including the NPPF, London Plan Policies D3 and D4, Islington Core Strategy Policies CS9, Development Management Policies DM2.1 and DM2.3 the Urban Design Guide SPD and the Conservation Area Design Guidance for New River. The same could be said with respect of the emerging Local Plan policies relevant to Design, Conservation and Heritage.

## **Amenity Standard of Temporary Living Accommodation**

- 10.105 The proposals result in 23 units of temporary living accommodation which are largely single aspect. Each unit would have its own kitchenette facilities and bathroom or shower room. Communal laundry facilities are proposed on the first and second floors and communal outdoor amenity space is provided in the ground floor yard at the rear of the site.
- 10.106 The proposed units are considered to provide an appropriate standard of amenity given the temporary nature of the use, with consideration given to the level of privacy and overall standard of living accommodation afforded to each unit. The alterations to the layout, ensure privacy to the proposed units, in relation to neighbouring properties is maximised given the central and urban location.

## **Inclusive Design**

- 10.107 The new London Plan 2021 policy GG1 requires that development must support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides. Further, it supports and promote the creation of an inclusive London where all Londoners can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.
- 10.108 The Inclusive Design principles are set out in LP policy D5 which states that development proposals should achieve the highest standards of accessible and inclusive design. It should:
- 1) be designed taking into account London's diverse population
  - 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion
  - 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment
  - 4) be able to be entered, used and exited safely, easily and with dignity for all
  - 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 10.109 Locally, Islington's Development Management Policy DM2.2 requires all new developments to demonstrate that they:
- i) provide for ease of and versatility in use;
  - ii) deliver safe, legible and logical environments;
  - iii) produce places and spaces that are convenient and enjoyable to use for everyone, and
  - iv) bring together the design and management of a development from the outset and over its lifetime

10.110 The Council's Inclusive Design SPD further sets out detailed guidelines for the appropriate design and layout of existing proposed new buildings.

10.111 During the course of the application the scheme has been revised in response to Inclusive Design officer comments including the following key Inclusive Design considerations:

#### Wheelchair accessible bed spaces

- Revising the layouts to deliver 2 accessible units to M4(3) standard and ensuring these units have a 1200mm x 1200mm manoeuvring space to both sides of the bed, 1000mm clear access zone to the foot and to both sides of the bed, one bathroom upholding standards as required by Diagram 3.11 of ADM Volume 1.
- Revising room type 3 to ensure a wheelchair user only has to open one door to access the shared bathroom.
- Rooms with accessible bed spaces must feature like for like facilities as the remaining rooms. These facilities must be fully accessible (eg- adjustable worktops and space for wheelchair under counter where sink and drainer is located) it has been confirmed that Puttinu Cares intends for all the facilities to be fully accessible.

#### Circulations

- Requested a lift between the basement and the ground floor as it would not be safe or convenient for a wheelchair user, or their companion to exit the car park then have to make their way to the grade level entrance at the front of the building. It is understood that an evacuation lift is proposed in order to comply with Fire Safety requirements.
- The basement floor has also allocated space for charging point for mobility scooters, located adjacent to the cycle store spaces.
- Request the removal of a set double leafed doors from the main entrance hall as two sets seem to be unnecessary and also for the communal kitchens on the first and second floors. A revised Ground Floor plan has been received with a double doorset removed.

#### Accessible Cycle Parking

10.112 Whilst the proposed use would sui generis, consideration has been given to the adopted LBI policy requirement: 1 space per 80sqm GIA. Major developments, minor developments creating new residential and/or commercial units, and extensions of 100sqm or greater shall provide at least one accessible cycle parking space designated for an accessible bicycle (such as a tricycle), where the rider has priority use. In major schemes an additional accessible cycle parking space shall be provided for every 25 cycle parking spaces (or part thereof) and at least 1 space shall be provided as a minimum.

10.113 The applicant responded that due to site constraints, only a limited number of adaptable cycle spaces can be provided and a balance needs to be struck between adaptable and standard bays provided. It is considered that 4 accessible spaces will be sufficient for this site. This has been accepted by the Inclusive Design Officer, given the nature of the proposals and site constraints and the other Inclusive Design benefits that the scheme delivers.

10.114 Overall, it is considered that the proposed development would comply with the relevant policies in delivering an inclusive environment that is safe, convenient and inclusive for all future users.

### **Neighbouring Amenity**

10.115 The NPPF para 130f) states that planning decisions should ensure that developments would have a high standard of amenity for existing and future users.

10.116 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed.

10.117 London Plan Policy D3 part D states that development proposals should deliver appropriate outlook, privacy and amenity, the design of the development should also help prevent or mitigate the impacts of noise and poor air quality.

10.118 Development Management Policies DM2.1 and DM6.1 which require all developments to be safe and inclusive and to maintain a good level of amenity, including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

### **Overlooking**

10.119 The supporting text to IDMP Policy DM2.1 states at paragraph 2.14 that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this guidance, consideration has to be given also to the nature of views between windows of the development and neighbouring habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no or little harm.

10.120 Paragraph 2.3.36 of the Mayor of London's Housing SPG states that such minimum distances "can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density". This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor's guidance does not override Islington's Development Management Policies, and there remains a need to ensure that proposed developments maintain adequate levels of privacy for neighbouring residents.

10.121 The proposals result in the change of use of the existing building. No additional built form is proposed. It is proposed to replace the existing uPVC windows with aluminium windows.

- 10.122 In response to comments received in a representation it is proposed to secure the obscure glazing of two windows on the first and second floors on the rear elevation, which face towards the rear of 25 Wilmington Square as these windows have been covered over for a number of years. This has been agreed with the applicant and is secured through condition 11. The replacement of the other windows will not lead to an increase in overlooking on the existing situation and is therefore acceptable.
- 10.123 No external alterations are proposed to the building's elevations and the proposed internal reconfiguration would reduce the existing levels of overlooking towards the adjacent residential properties. The occupants of the proposed use closely resemble residential living accommodation for families on a temporary basis. The nature of this use is not considered to raise amenity impacts on the surrounding residential properties.
- 10.124 The reconfiguration will result in all units facing either onto Margery Street or onto Yardley Street. As a result there is no increase in overlooking to neighbouring properties at the rear and a general reduction in overlooking from the existing situation, as corridors on the upper floors replace habitable rooms.
- 10.125 As a result, the proposals do not raise amenity issues although a draft operational management plan has been submitted detailing the operation and management of the site. This is not considered to raise any adverse impacts on neighbouring occupiers. The details in the operational management plan are secured by condition.
- 10.126 Overall, it is satisfied that the proposal would not unduly affect the neighbours' privacy and the proposed development would not result in unacceptable overlooking towards the adjoining neighbours.

#### Daylight/Sunlight

- 10.127 The proposals comprise of a change of use and do not include any alterations or increases in built form. Therefore the proposals would not have an adverse impact on daylight or sunlight to the surrounding properties.

#### Outlook and enclosure

- 10.128 The proposals result in the change of use of the existing building. As no additional built form is proposed, the proposals would not have an adverse impact on the adjoining neighbouring properties in terms of outlook or perceived sense of enclosure, from the existing situation. Therefore the proposals are acceptable in this regard.

#### Noise and disturbance

- 10.129 The proposed change of use to temporary living accommodation is unlikely to result in a harmful increase in noise and disturbance from the operation of the use, as to adversely impact on the amenities of neighbouring occupiers. However, an Operational Management Plan has been submitted with measures to ensure the control and mitigation of disturbance. This is recommended to be secured by condition.

### Construction Impacts

- 10.130 As the proposals result in internal reconfiguration rather than demolition or construction works, the noise and disturbance likely to be generated is not as significant.
- 10.131 The construction works proposed under this application would unavoidably cause some degree of noise and disruptions which would affect neighbouring residents. It is considered that the construction works under this application would need to be carefully managed and controlled to minimise disturbance to the neighbours. As such, a Construction Management Plan is required to be submitted by condition.

### Air Quality

- 10.132 IDMP Policy DM6.1 requires developments to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote mental well-being, and states that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.
- 10.133 The proposal would not adversely affect the air quality of the local area, as the proposals would be car free with the exception of the existing disabled parking bays. Whilst some of the trips generated would use private taxis given the nature and scale of the use, this is not considered to result in a harmful impact on air quality in the local area.

### Neighbouring amenity summary

- 10.134 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity, in accordance with the requirements of policies DM2.1 and DM6.1.

### **Biodiversity, Landscaping and Trees**

- 10.135 LP policy G1 states that development proposals should incorporate appropriate elements of green infrastructures that are integrated into London's wider green infrastructure network. Policy G5 further states that Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- 10.136 ICS policy CS15 and IDMP policy DM6.5 state that the council will seek to maximise opportunities to 'green' the borough through planting, green roofs, and green corridors to encourage and connect green spaces across the borough; development proposals are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits.
- 10.137 The existing building has almost no green coverage and there is some minor greenery in the amenity space at the rear of the site which is to be retained. Therefore, it is judged that the proposal would not adversely affect the existing natural environment.

## Urban Greening Factor/Green Roof

- 10.138 The London Plan 2021 has introduced an Urban Greening Factor assessment required by Policy G5 (Urban greening) which states that all major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage to increase the overall urban greening factor of sites. The policy also expects councils to develop their own urban greening factor.
- 10.139 Draft Local Plan policy G1 (Green infrastructure) states that major developments are required to conduct an Urban Greening Factor (UGF) assessment in accordance with the methodology in the London Plan. Schemes must achieve an UGF score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.
- 10.140 Policy G1 received minor objections so has limited to moderate weight. An Urban Greening Factor assessment gives a rating to each type of surface on the site, with more biodiverse and permeable surfaces achieving a higher rating than hard landscaping and similar surfaces.
- 10.141 As outline above, currently the building has minimal ecological activity, with existing trees in the yards providing the only source of greening. The proposals include the addition of a green roof on the existing flat roof of the first floor.
- 10.142 Initially the Sustainability officer requested further investigation to improve the Urban Greening Factor score and provide biodiversity benefits including if it is possible for a green roof to be installed under and around the solar panels, including details of how much of the roof they cover. The applicant responded that whilst there is no measured survey for the solar panels, the aerial view shows the extent of the solar panel coverage, and that the solar panels are weighted, and so a green roof cannot be installed beneath them. This response has been accepted by the Sustainability Officer.
- 10.143 The Sustainability Officer noted that a sedum roof is proposed to the ground floor roof. The planting of the green roof should be based on wildflowers with substrate depth between 80 and 150mm, rather than a sedum blanket. The applicant responded that increasing the substrate thickness will require raising the roof and parapet profile, which is currently very low (see below photo). The client does not wish to enlarge the building in any way given its proximity to neighbours, and therefore a sedum roof which can be accommodated without the need to increase the parapet height is preferable. The applicant confirmed that access will be retained to allow for maintenance only. This response has been accepted by the Sustainability Officer subject to condition (5) requiring investigation of the maximum substrate thickness that the roof can accommodate without raising the parapet and that wildflower blankets and sedum blankets tend to both require a depth of around 80mm so it may be that a wildflower blanket is possible.
- 10.144 The Sustainability Officer requested that landscaping works are carried out to improve the rear courtyard including planting with a focus on biodiversity benefits i.e. planting for pollinators and that as this area is located over the basement then then planters

can be used. The applicant has agreed to this. Details of the landscaping strategy are secured through condition 20.

- 10.145 The Sustainability Officer queried if consideration had been given to planting a green wall or hedging however, the applicant confirmed that whilst they have considered both options, the tight relationship of the building with its boundaries and neighbours make this difficult (for example, any substantial hedging at the front would obstruct the ground floor windows, and any substantial green wall at the rear would likely impede upon neighbouring residential gardens). This has been accepted by the Sustainability officer
- 10.146 The Sustainability Officer requested that opportunities for installing bird and bat boxes should be investigated where appropriate and under advice from a suitably qualified ecologist. This should include swift boxes. This is secured by condition (6). The officer's preference would be for Schwegler style swift boxes as these can be used by other birds as well as swifts. This can be secured via condition.
- 10.147 The Sustainability Officer has accepted, the nature of the proposals and the site's physical and heritage constraints prevent the UGF from increasing towards the required 0.3 rating and raises no objections in this regard. Therefore the proposal is not considered to raise conflict with London Plan policy G5.

### **Energy and Sustainability**

- 10.148 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and standards relevant to sustainability are set out throughout the NPPF. Paragraph 152, under section 14. 'Meeting the challenge of climate change, flooding and coastal change', highlights that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 10.149 The NPPF para 157 states that in determining planning applications, LPAs should expect new development to a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 10.150 LP policy GG6 seeks to make London to become a more efficient and resilient city, in which development must seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero-carbon city by 2050. Proposals must ensure that buildings are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect.
- 10.151 LP policy SI 2, in support of the strategic objectives set out in Policy GG6 above, stipulates for new developments to aim to be zero carbon with a requirement for a

detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. It requires all major development proposals to contribute towards climate change mitigation by reducing carbon dioxide emissions by 35% through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). Moreover, where it is clearly demonstrated that the zero carbon figure cannot be achieved then any shortfall should be provided through a cash contribution towards the Council's carbon offset fund.

10.152 In regard to Energy Infrastructure, policy SI 3 part D states that all major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system, which should be selected in accordance with the following heating hierarchy:

- connect to local existing or planned heat networks
- use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
- use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
- use ultra-low NOx gas boilers

10.153 Policy SI 4 'Managing Heat Risk' of the new London Plan requires for development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure; The submitted energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.

10.154 Core Strategy Policy CS10 requires that development proposals are designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

10.155 IDMP Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

10.156 The Council's Energy Officer has reviewed the application submission which is for a change of use, and does not involve the creation of and additional floorspace or new built form. As a result, the degree of compliance with the Council's Energy policies has to be considered in proportion to the scale and nature of the proposals.

10.157 The officer has confirmed that given the nature of the application, as the proposals there is nothing in the proposed works that will increase energy consumption or

carbon emissions. The replacement of the single-glazed windows, internal wall insulation and LEDs with appropriate sensors will help to reduce the energy consumption and carbon emissions.

- 10.158 It is understood that an assessment will be made to check if the existing boilers should be upgraded to more efficient models at a later date. This is welcomed and officers recommend that the assessment is carried out as early in the design process as possible.
- 10.159 Therefore the proposals which relate almost entirely to the change of use of an existing building from one type of living accommodation to another, with minimal external alterations, are acceptable in terms of the Council's energy requirements.

### **Sustainable Drainage**

- 10.160 LP Policy SI 5 states that in order to minimise the use of mains water, water supplies and resources should be protected and conserved in a sustainable manner. Commercial development proposals should achieve at least the BREEAM excellent standard for the 'Wat 01' water category or equivalent, and incorporate measures such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future-proofing.
- 10.161 ICS Policy CS10 requires all development to demonstrate that it is designed to be adapted to climate change, particularly through design which minimises overheating and incorporates sustainable drainage systems. IDMP Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water runoff to a 'greenfield rate', where feasible.

### Water management and drainage

- 10.162 The current and emerging Local Plan policies require developments involving major changes of use that are likely to result in an intensification of water use include details to demonstrate that SUDS have been incorporated to reduce surface water runoff rates. It is understood that the potential for an attenuation tank has been investigated at early design stage and it has been concluded that it is not possible to provide this externally as space to the rear is so limited and installing a tank would require a reduction in the amount of external amenity space (and therefore space for planting). The applicant has also looked at providing this internally, but this would compromise the functionality of the internal spaces. The proposed change of use would have no worsening effects on current conditions and the proposed sedum roof would assist in reducing surface water run-off and would therefore represent an improvement on the current situation.
- 10.163 The Sustainability Officer has accepted these comments and has raised no objection in this regard. Given the scale of the proposals, the application and the measures outlined above, are considered to be acceptable in regards to sustainable drainage.

### Highways and Transportation

- 10.164 The NPPF para 110 states that applications should ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up,

given the type of development and its location. Development proposals should also ensure that any significant impacts from the development on the transport network or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 10.165 The New London Plan Chapter 10 relates to highways and transportation. LP Policy T4 (A) states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. Part (B) requires Transport Statements to be submitted with development proposals to ensure that impacts on the capacity of the transport network are fully assessed. Furthermore, part C of the same policy states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.
- 10.166 The IDMP Policy DM8.1 states that the design of the development is required to prioritise the transport needs of pedestrians, public users and cyclists above those of motor vehicles. Further, Policy DM8.2 states that 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.
- 10.167 The site is well located in relation to public transport and has a Public Transport Accessibility Level (PTAL) of 5 (Very good).

### **Proposal**

- 10.168 The main entrance to the existing building at is accessed from Margery Street with a secondary entrance via an external stair case from Yardley Street. There is a gated entrance into the external amenity space at the rear of the site from Wilmington Street. There is a vehicular access to the basement car park from Yardley Street and an internal staircase can be accessed via the car park.
- 10.169 The position of all access points remain unaltered, with the development being proposed to be car free, with only disabled parking retained on-site. A mobility scooter charging point is to be located in the basement

### **Accessible Vehicle parking**

- 10.170 The proposal retains 3 disabled parking bays for use by blue badge holders only. This is considered acceptable and in line with Islington's policies CS10 and DM8.5, which requires development to be car free.

### **Travel Plan**

- 10.171 It is understood that trip generation analysis has been undertaken which demonstrates that the proposed change of use results in a very minor reduction in total person trips with similar person trips in the peak hours. Due to the location of the Site and the hospitals where residents will receive treatment, it is anticipated that the majority of future travel demand will be undertaken by walking or bus, with some using taxis. An appropriate strategy will be put in place to manage taxi activity, utilising the

basement for taxi pick up, thereby minimising any potential disruption on the public highway.

10.172 The highways officer noted that given the transient nature of the occupiers, and given their likely limited knowledge of public transport facilities some basic travel planning information would be of benefit. Section 7.44 of the Planning Statement advises that a notice board will be provided and this would provide a suitable opportunity to provide a link to digital information on public transport services and a map showing the location of nearby bus stops and stations. The applicant has confirmed that they would provide links to information on public transport and the location of nearby bus stops and stations. It is considered necessary for a Local Level Travel Plan to be secured by way of condition and this is recommended.

## **Cycling**

10.173 In terms of cycling, LP Policy T5 states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. It should also secure appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

10.367 IDMP Policy DM8.4(C) requires the provision of cycle parking in accordance with the minimum standards set out in Appendix 6 of the Development Management Policies document. Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible. Cycle parking shall include an adequate element of parking suitable for accessible bicycles and tricycles.

10.367 Appendix 6 of the IDMP sets out the cycle parking requirements for each use (the area relates to Gross Internal Area for the purpose of calculations). Given the sui generis use, there are no exact standards in the local plan. It is noted that 1 space per 4 beds is required for a hostel and 1 space per 3 staff in a care home (for staff and visitors).

10.368 The London Plan Table 10.2 sets out that for *sui generis* uses, the cycle parking standards for the '*most relevant other standard*' should be applied. As set out in the Transport Statement submitted with the application, the most relevant standard in cycle parking terms is hotel/visitor accommodation (given that occupants will be staying on a temporary basis and coming from abroad, and are therefore unlikely to have their own bicycles). This would generate the need for only 3 spaces, and the scheme proposes 10 cycle parking spaces in the form of 5 Sheffield stands with 4 spaces able to accommodate enlarged or ambulant disabled cycles. Given the constraints of the site, the nature of the sui generis use as temporary visitor accommodation, the provision of cycle parking is considered to accord with the London Plan policy requirements and is generally acceptable.

10.367 It is considered that overall, the proposal would provide an acceptable level of cycle facilities to support the development and to encourage use of alternative transport modes, which complies with the objectives of LP Policy T5, and IDMP Policy DM8.4.

## **Servicing and Waste management**

- 10.174 IDMP Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 10.175 Delivery and servicing is proposed to be undertaken on-site within the basement, keeping Yardley Street free of idling vehicles. The number of vehicle trips per day is expected to be a maximum of 5, which is consistent with the staff hostel use.
- 10.176 The swept paths of the delivery van in the basement car park are acceptable, given the constraints of the existing car park. Larger vans/lorries would need to deliver on street but given the use, this is unlikely to be generate a significant number of trips.
- 10.177 The site falls within Zone A of Islington's Controlled Parking Zone (CPZ) which operates. The parking bay located opposite the front of the site on Margery Street and the bay on Yardley Street are both for residents permit holders only, operational between the hours of 08:30 – 18:30 (Monday to Friday) and 08:30 – 13:30 (Saturdays), consistent with the other local parking bays.
- 10.178 The applicant has submitted a Transport Statement (Velocity Transport Planning Ltd, November 2021), in support of the application, to demonstrate that the proposed servicing arrangements and how waste would be managed on site.
- 10.179 The Council's Highways officer reviewed the initial submission and raised no objection, however requested details of swept paths for servicing vehicles and the space to be able to access the internal disabled bays. This information has subsequently been provided during the course of the application.
- 10.180 The swept paths demonstrate that a large car can safely access and egress the accessible parking spaces, and that a light van can access and egress the site for the purposes of servicing.
- 10.181 Officers consider that the swept paths indicate that the delivery vehicles shown, can access and egress the car park in an acceptable manner. These details are secured through condition 9.

### Refuse and recycling

- 10.182 Refuse is by a private company using the basement car park and is intend to match the existing arrangements.
- 10.183 No details are provided on the existing arrangements beyond the submission of a basement floor plan. Therefore it is recommended that final details of refuse/recycling storage and collection are to be submitted and agreed by the council prior to

commencement of relevant works (Condition 16), to confirm how waste would be managed on site.

### Highways Summary

10.184 Overall, it is considered that the application would have adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries. The proposal would be acceptable subject to conditions (9 and 15), and would comply with London Plan (2021) Policy T5 and T6, Islington Core Strategy (2011) Policies CS10, CS11 and CS13; Islington Development Management Policies DM8.2, DM8.4, DM8.5 and 8.6.

### Fire Safety

10.185 London Plan policy D12 states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

10.186 During the course of the application a revised Fire Statement Ref: FE0766 dated 7<sup>th</sup> April 2022 Revision B has been submitted. The Fire Statement has been prepared by CHPK Fire Engineering (CHPKFE), consulting engineers, with details of the qualifications demonstrating their suitability as a qualified person, a member of the Institute of Fire Engineers, and their thirty years' experience of fire engineering.

10.187 The submitted Fire Statement document states the following:  
*"The building has been assessed in accordance with the guidance of Approved Document B – Volume 2. Where deviations have been identified from the prescriptive guidance, these have been assessed using fire engineering principles. All fire engineering solutions have been developed following the general methodology of BS 7974:2019."*

10.188 The submitted information is specific and relevant to the proposal.

<p><b>London Plan policy D12(b) requires all major development proposals should be submitted with a Fire Statement which details how the development proposal will function in terms of:</b></p>	<p><b>Response:</b></p>
<p>1. The building's construction: methods, products and materials used, including manufacturers' details</p>	<p>The existing structure is understood to be a reinforced concrete frame with RC floor slabs. The elevations are faced with brickwork. There are no proposals to amend this existing condition.</p> <p>Any new or uncovered existing structural steelwork will be enclosed with 2no. Layers of 12.5mm fire board.</p>

	<p>The internal walls are expected to be composed of light gauge steel frame studs, infilled with mineral wool insulation, with 2no. layers of 12.5mm fire board mechanically fixed to each side (assumed British Gypsum Fireline). This will achieve a minimum fire rating of 60 minutes. Fire stop strips to be installed where partition studs meet concrete slab at ceiling and floors</p> <p>It is envisaged that suspended ceilings will be required to much of the premises, and as such a 60min fire rated suspended ceiling will be specified, such as the Promat Supalux system. Where new services are to pass through walls or floors, intumescent collars, wraps and sealants will be specified where necessary - Envirograf Wraps or Envirograf WPCS, for example. Where existing services are redundant and removed, openings will be infilled with intumescent seals such as Envirobrick.</p> <p>Where fixtures and fittings such as lighting penetrate the fire barrier, fire hoods will be specified and installed as required.</p> <p>All doors will be fire-rated, with intumescent and smoke seals as appropriate, using standard, certified products, including replacement of existing doors where necessary. There are no internal glazed partitions proposed.</p>
<p>2. The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach</p>	<p>Means of escape for able and mobility impaired persons will meet the functional requirements of the Building Regulations B1 (Means of warning and escape). This building will adopt a simultaneous evacuation strategy throughout. Upon activation of the alarm all occupants will begin to vacate the building via the protected corridor and escape stairs. (See section 4.7 for more detail). The provisions provided will also be agreed with the approving authority</p>

	ahead of submission of the Detailed Fire Strategy to London Fire Brigade.
3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans	An L1 fire detection and alarm system designed and installed in accordance with BS 5839-6 is proposed throughout the premises. Elements of structure will be provided with 60-minutes fire resisting construction and fire suppression has been proposed in the inner bedroom of the sleeping accommodation. These active and passive fire safety measures put in place in accordance with guidance will meet the functional requirements of the Building Regulations B1, B2, B3 and Regulation 38.
4. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these	<p>Open-plan bedrooms are provided, and an automatic sprinkler system will be installed in accordance with BS 9251 or BS 8458. An engineered approach will be developed as the design progresses to demonstrate the open plan kitchen does not affect means of egress.</p> <p>Dry risers are not proposed in the design of this building as the building is less than 11m in height and the fire service have access to more than 15% of the building perimeter.</p> <p>An automatic openable vent (AOV) of 1.5m<sup>2</sup> will be installed in the dead-end corridors as a compensatory measure for the fire compartmentation in the building. The stairs will be installed with an AOV of 1m<sup>2</sup> at the head of stair. A continuously ventilated lobby will be provided between the laundry room and the stairwell.</p> <p>The fire safety systems proposed will be designed and installed in accordance with relevant British Standards and manufacturer's specification. This package will form part of the information supplied at handover in terms of Regulation 38 of Building Regulations.</p>
5. How provision will be made within the curtilage of the site to enable fire	The site is served by Margery Street, Yardley Street, and Wilmington Street, all of which are public roads. The fire

<p>appliances to gain access to the building</p>	<p>service hardstand points are all within the required distance to the entrances and the entrances are not located at a distance greater than 60m from one another. The proposed vehicle access complies with the requirements set out in guidance to meet the functional requirements of the Building Regulations B5 (Access and Facilities for Fire Service).</p>
<p>6. Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.</p>	<p>Any potential future modifications will need to meet the Building Regulations applicable at that time. A risk register will be produced to outline potential Building Regulations changes. Future proposed changes will be required to comply with all applicable Part B requirements and be submitting to the approving authority and Fire Service.</p>

- 10.189 The Fire Statement notes that the London Plan Policy D5 (Inclusive Design) requires as a minimum at least one lift per core (or more subject to capacity assessments) to be a suitably sized fire evacuation lift. The fire evacuation lift needs to be suitable for occupant evacuation and allow people who require level access from the building. The fire evacuation lifts will be constructed and designed to include the suitable and necessary controls.
- 10.190 In response to the requirements of policy D5, the Fire Statement confirms that an evacuation lift will be provided under the policy requirement D5 (inclusivity of Design) from The London Plan. An evacuation lift is a passenger or goods lift that has been designed to be used as a means of escape for physically impaired occupants under fire conditions.
- 10.191 The Fire Statement also notes that as the building is proposed to adopt a simultaneous evacuation strategy, a suitable evacuation point will need to be allocated. The position and identification of this area will be the responsibility of the Responsible Person (as defined by the Regulatory Reform (Fire Safety) Order 2005). The Fire Statement recommends that this muster point is within Wilmington Square and the route to the evacuation point is highlighted in the Fire Statement.
- 10.192 Officers have reviewed the revised Fire Statement and consulted with the Council's Building Control Officer.
- 10.193 It is noted that the document seeks to respond directly to the requirements of London Plan Policy D12 and the approach outlined in the Fire Statement is generally acceptable. However officers consider that a revised Fire Statement is required to ensure the document fully addresses all of the requirements of London plan Policy D12.
- 10.194 Therefore it is proposed that any permission should be subject to a condition **(10)** requiring the submission and approval of a revised Fire Statement prior to

commencement of development to address a small number of outstanding matters. The revised Fire Statement shall include details and drawings addressing the following:

- Evacuation Lift Management;
- Details addressing the provision of suitable access and equipment for firefighting which is appropriate for the size and use of the development;
- Identification of the refuge Locations;
- Cross corridors
- A revised lobby approach to the laundry rooms;
- Details of outward opening doors to avoid potential collision

### **Planning Obligations**

- 10.195 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 10.196 The proposed development would be subject to section 106 obligations. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.
- 10.197 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended, secured by a separate s.106 agreement for each application. The contributions outlined below relate solely to application P2021/3255/FUL:
- The occupation of the site is limited solely to patients receiving medical treatment and their family, as part of a programme operated by the Puttinu Cares Foundation (Company No: 10180584) (but for clarity not being treated at the site) and the parents/relatives/guardians/carers of those patients receiving medical treatment at one of the specified hospitals listed below (or at a private facility following referral from one of the specified hospitals) and no other individuals; Specified hospitals:
    1. Great Ormond Street Hospital
    2. Kings College
    3. Moorefields
    4. UCLH
    5. St. Bartholomew's Hospital
    6. National Hospital
    7. Royal London
    8. Royal Free
    9. Royal Marsden Fulham
    10. Charing Cross
  - Rooms which are not occupied by the identified occupants as outlined above, cannot be occupied by any other occupants at any time, including no occupation by anyone who isn't part of the identified treatment system or defined above.

- There shall be clear and precise logging of all the occupants of the site, on an ongoing basis, through such necessary processes as log books and recording of NHS numbers, to demonstrate that the site is continually occupied, solely by the identified occupants, for the purposes of ensuring that it can be demonstrated to Planning Enforcement, should the need arise, who is occupying the rooms at any one time, and to demonstrate that the use remains in compliance with the legal agreement and relevant planning conditions.
- Where the use of the site by Puttinu Cares for the use defined within this legal agreement, and as hereby permitted ceases to take place, the use of the site shall revert to that permitted under planning permission ref: P2016/2405/FUL and the applicant shall ensure any sales/marketing particulars clearly identify the lawful use of the premises.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

### **CIL**

10.198 The proposals do not result in the creation of any net additional floorspace, and therefore do not necessitate the payment of CIL.

### **Planning Balance Assessment**

- 10.199 Paragraph 47 of the NPPF dictates that "*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*".
- 10.200 There is a degree of conflict with policy DM3.9 part G which requires that where the loss of a hostel is acceptable, development should provide accommodation to meet an acute need identified by the council's housing department, which may include social rented housing. However, the proposed change of use does not propose social rented housing.
- 10.201 The lack of compliance with DM3.9 part G has been carefully examined and whilst the proposed change of use doesn't meet the requirements of DM3.9 part G) however the Local Plan doesn't envisage the proposed use as it is an especially unique use which falls outside any use class.
- 10.202 The need for this arrangement is due to a bi-lateral agreement between the UK and Maltese Governments a for patients to receive NHS care in the UK including at Great Ormond Street Hospital and Moorfields Eye Hospital.
- 10.203 In addition the Local Plan does not recognise the merits of the proposed use, however there are clear merits on a larger than local level and on an international level, and there is a need for the use which is therefore beneficial in planning terms although not recognised in planning policy terms.
- 10.204 However the terms of the Bilateral Agreement between the UK and Mata is a material consideration to which officers attach considerable weight in the planning balance. The benefits of the proposals meet an identified need in relieving pressure on hospital

accommodation and enable convenient and quick access for patients within Puttinu Care's Programme and their parents/guardians to the central London hospitals including GOSH which provide the medical treatment, and this medical treatment is the subject of the Bilateral Agreement.

- 10.205 The scheme would also reasonably comply with policies relating to design, conservation, heritage, energy, sustainability, accessibility and transportation.
- 10.206 In summary, officers consider that the aforementioned benefits, the unique nature of the use, and the use of planning obligations to restrict occupation, outweighs the lack of compliance with the requirements of the adopted policy DM3.9, in the overall planning balance.

## **11. CONCLUSION**

- 11.1 As set out in the above assessment, the proposal has been assessed against the adopted Development Plan, the emerging Local Development Plan and the comments made by a resident and consultees.
- 11.2 The submission has demonstrated exceptional circumstances due to the unique nature of the use and considerable benefits of the use have been demonstrated that are considered to weigh in favour of the proposal, subject to the conditions and obligations recommended to be secured.
- 11.3 The proposed improvement to the appearance of the building is also considered to be acceptable in relation to the streetscene and the surrounding conservation area. In terms of energy, the proposed development would provide improvements to the existing building in energy terms. The proposal would also have acceptable impacts on highways, provides sustainability measures and demonstrates compliance with inclusive design subject to conditions.
- 11.4 It is recommended that planning permission is granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations in relation to application P2021/3255/FUL 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:

- The occupation of the site is limited solely to patients receiving medical treatment and their family, as part of a programme operated by the Puttinu Cares Foundation (Company No: 10180584) (but for clarity not being treated at the site) and the parents/relatives/guardians/carers of those patients receiving medical treatment at one of the specified hospitals listed below (or at a private facility following referral from one of the specified hospitals) and no other individuals; Specified hospitals:

11. Great Ormond Street Hospital
12. Kings College
13. Moorefields
14. UCLH
15. St. Bartholomew's Hospital
16. National Hospital
17. Royal London
18. Royal Free
19. Royal Marsden Fulham
20. Charing Cross

- Rooms which are not occupied by the identified occupants as outlined above, cannot be occupied by any other occupants at any time, including no occupation by anyone who isn't part of the identified treatment system or defined above.
- There shall be clear and precise logging of all the occupants of the site, on an ongoing basis, through such necessary processes as log books and recording of NHS numbers, to demonstrate that the site is continually occupied, solely by the identified occupants, for the purposes of ensuring that it can be demonstrated to Planning Enforcement, should the need arise, who is occupying the rooms at any one time, and to demonstrate that the use remains in compliance with the legal agreement and relevant planning conditions.
- Where the use of the site by Puttinu Cares for the use defined within this legal agreement, and as hereby permitted ceases to take place, the use of the site shall revert to that permitted under planning permission ref: P2016/2405/FUL and the applicant shall ensure any sales/marketing particulars clearly identify the lawful use of the premises.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

If the Committee resolve to grant, resolution will include provision to provide flexibility to officers to negotiate and finalise s106 on behalf of the Committee.

That, should the Section 106 Deed of Planning Obligation not be completed within 2 weeks from the date of the Planning committee meeting when a resolution to approve the application is reached (or a future date as agreed by officers and the applicant), the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service 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 or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure the heads of terms as set out in this report to Committee.

## RECOMMENDATION B

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

### List of Conditions:

1	<b>Commencement (compliance)</b>
	<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	<b>Approved plans list (compliance)</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Site Location Plan - 2137/EX/001; Existing - Lower Ground Floor Plan - 2137/EX/002; Existing - Ground Floor Plan - 2137/EX/003; Existing - First Floor Plan - 2137/EX/004; Existing - Second Floor Plan - 2137/EX/005; Existing - Roof Plan - 2137/EX/006; Existing – Sections - 2137/EX/007; Existing - Front and Rear Elevations - 2137/EX/008; Existing - Side Elevations - 2137/EX/009;</p> <p>Proposed - Lower Ground Floor Plan - 2137/P/100 RevA; Proposed - Ground Floor Plan - 2137/P/101 RevC; Proposed - First Floor Plan - 2137/P/102 RevB; Proposed - Second Floor Plan - 2137/P/103 RevB; Proposed - Roof Plan - 2137/P/104; Proposed – Sections - 2137/P/105; Proposed - Front and Rear Elevations - 2137/P/106 RevA; Proposed - Side Elevations - 2137/P/107 RevA; Proposed Indicative Room Types 1 - 2137/P/108 RevD; Proposed Indicative Room Types 2 - 2137/P/109 RevB; Proposed - Ground Floor Accessibility Plan - 2137/P/110 RevD; Proposed - First Floor Accessibility Plan - 2137/P/111 RevC; Proposed - Second Floor Accessibility Plan - 2137/P/112 RevC;</p> <p>Letter from DP9 dated 2 November 2021 ref: PT/REN/DP5779; Operational Management Plan Version 1 (Draft) October 2021; Health Impact Assessment; Letter from Imperial London Hotels dated 10 May 2021; Letter from Keystone Law dated 19 October 2021 ref: PUT6/3/YPW; Letter from President of Malta dated 6<sup>th</sup> April 2021; Letter from Colliers dated 15 September 2021 ref: CH/jd; Planning Statement dated November 2021; Puttinu Cares leaflet; Testimonial - Malcolm Custo; Testimonial - Jeanelle Curmi; Transport Statement dated November 2021 Version 1.0; Bilateral Agreement - Malta and UK;</p> <p>21-133-T-001 RevA; 21-133-T-002 RevA; Letter from DP9 on behalf of Puttinu Cares dated 7<sup>th</sup> February 2022; Letter from Colliers dated 17 February 2022 ref: CH/jd; Design and Access Statement RevB; Schedule of Accessible Accommodation RevA;</p> <p>Fire Statement Ref: FE0766 dated 7<sup>th</sup> April 2022 Revision B;</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	<b>Replacement Windows (Details)</b>

	<p>CONDITION: Details and samples of the proposed aluminium windows shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of relevant works. The details shall include:</p> <ul style="list-style-type: none"> <li>- Colour of the units;</li> <li>- Details of spacer bars;</li> <li>- Section details;</li> </ul> <p>The works shall be carried in accordance with the details so approved, prior to first occupation of the use hereby 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>
<b>4</b>	<b>Cycle Parking (Compliance)</b>
	<p>CONDITION: The bicycle storage area(s) hereby approved and shown on drawings 2137/P/100 RevA, shall be covered, secure and comprise of no less than:</p> <ul style="list-style-type: none"> <li>- 10no. Secure cycle spaces and mobility scooter charging point.</li> </ul> <p>The secure bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>5</b>	<b>Green roofs (Details)</b>
	<p>CONDITION: Notwithstanding the approved plans, details of the proposed green roof at first floor level shall be submitted to and approved by the Local Planning Authority prior to first occupation of the use hereby approved. The proposed green roof shall be designed, installed and maintained in a manner that meets the following criteria:</p> <ol style="list-style-type: none"> <li>a) green roofs shall be biodiversity based with extensive substrate base;</li> <li>b) laid out in accordance with plans hereby approved; and</li> <li>c) planted/seeded with a mix of species within the first planting season following first occupation (the seed mix shall be focused on wildflower planting, and shall investigate the feasibility of a wildflower blanket).</li> </ol> <p>The green roofs hereby shall not be used as an amenity or sitting out spaces of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to improve the green infrastructure on site and help boost biodiversity and minimise run-off.</p>
<b>6</b>	<b>Bird and Bat Nesting Boxes (Details)</b>
	<p>CONDITION: Notwithstanding the approved plans, prior to first occupation of the use hereby approved, details of bird and bat boxes shall be submitted and approved by the Local Planning Authority.</p>

	<p>The details approved shall be installed prior to the first occupation of the building, 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>
<b>7</b>	<b>Accessible Showers/WC's (Compliance)</b>
	<p>CONDITION: For the hereby approved development, the accessible shower rooms and WC's shall be implemented in accordance with the layouts shown on drawing no's 2137/P/110 RevB; 2137/P/111 RevB; 2137/P/112 RevB prior to the first occupation of the development.</p> <p>The layouts shall be retained in accordance with the approved drawings for the lifetime of the building.</p> <p>REASON: To provide an accessible environment for future occupiers.</p>
<b>8</b>	<b>No Plumbing or Pipes (Compliance)</b>
	<p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the north-western external elevation of the building hereby approved.</p> <p>REASON: To ensure that such plumbing and pipes would not detract from the appearance of the building, the character and historic significance of the area.</p>
<b>9</b>	<b>Servicing and Delivery (Compliance)</b>
	<p>CONDITION: Deliveries and servicing of the site shall accord with the servicing detail shown on drawing 21-133-T-002 RevA and set out within the Planning Statement, and shall not occur outside of the following times:</p> <p>08.00 - 18.00 Mondays to Fridays, 08.00 - 13.00 Saturdays and not at all on Sundays/Bank/Public Holidays.</p> <p>The development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic, and to prevent adverse impact on the amenity of nearby residential occupiers.</p>
<b>10</b>	<b>Revised Fire Statement (Details)</b>
	<p>CONDITION: Prior to commencement of development a revised Fire Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The revised Fire Statement shall include details and drawings addressing all requirements of London Plan (2021) Policy D12, inclusive, but not limited to the following:</p> <ul style="list-style-type: none"> <li>- Evacuation Lift Management;</li> <li>- Details addressing the provision of suitable access and equipment for firefighting which is appropriate for the size and use of the development;</li> <li>- Identification of the refuge Locations;</li> <li>- Cross corridors</li> <li>- A revised lobby approach to the laundry rooms;</li> </ul>

	<p>- Details of outward opening doors to avoid potential collision</p> <p>The development shall be carried out in accordance with the Fire Statement under this condition and shall be maintained as such thereafter.</p> <p>Should any subsequent change(s) be required to secure compliance with the submitted Fire Statement, a revised Fire Statement would need to be submitted to and approved by the Local Planning Authority.</p> <p>REASON: To ensure appropriate fire safety measures, in particular adequate access for Fire Brigade appliances.</p>
<b>11</b>	<b>Obscure Glazing (Compliance)</b>
	<p>CONDITION: Of the replacement windows hereby approved, the 2 no. windows located on the rear elevation at first and second floor level at the north eastern end of the elevation, facing towards no. 25 Wilmington Square, shall be obscurely glazed and fixed shut, and retained as such in perpetuity.</p> <p>REASON: For the protection of neighbouring residential amenity.</p>
<b>12</b>	<b>Use of Balcony at Second Floor Level (Compliance)</b>
	<p>CONDITION: The use of the existing balcony at second floor level on the rear elevation shall not be used for amenity purposes whatsoever, and shall be accessed for maintenance purposes only. The door will be locked at all times.</p> <p>REASON: For the protection of neighbouring residential amenity.</p>
<b>13</b>	<b>Use of flat roof on main roof (Compliance)</b>
	<p>CONDITION: The use of the flat roof on main rooftop shall not be used for amenity purposes whatsoever, and shall be accessed for maintenance purposes only.</p> <p>REASON: For the protection of neighbouring residential amenity.</p>
<b>14</b>	<b>Use of ground floor external amenity space (Compliance)</b>
	<p>CONDITION: The use of the external amenity space at the rear of the site at ground floor, shall be restricted to only be used between the hours of 8am and 9pm, and at no other time.</p> <p>REASON: For the protection of neighbouring residential amenity.</p>
<b>15</b>	<b>Operational Management Plan</b>
	<p>CONDITION: The proposed use shall operate in accordance with the details outlined in the submitted Operational Management Plan Version 1 (Draft) October 2021, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To prevent any unacceptable impacts on the amenity of nearby residential occupiers and to ensure that the facilities provided are suitable for occupants.</p>
<b>16</b>	<b>Site Waste Management (Details)</b>
	<p>CONDITION: Details of the refuse/recycling storage facilities, locations and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of relevant works.</p>

	<p>The approved details shall be retained and maintained thereafter for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.</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>
<b>17</b>	<b>Restriction on Parking Permits</b>
	<p>CONDITION: No occupiers of the temporary living accommodation hereby permitted, with the exception of disabled persons who are blue badge holders, shall apply to the Council for a parking permit or retain such a permit.</p> <p>REASON: In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area.</p>
<b>18</b>	<b>Retention of disabled parking bays</b>
	<p>CONDITION: The 3no. Disabled parking bays in the basement level will be retained as such, throughout the lifetime of the development.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<b>19</b>	<b>Retention of Solar Panels</b>
	<p>CONDITION: The existing solar PV panels on the rooftop shall be retained and maintained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure all reasonable measures have been taken to reduce carbon emissions and to ensure the appearance of the development is acceptable.</p>
<b>20</b>	<b>Landscape Strategy (Details)</b>
	<p>CONDITION: Prior to first occupation of the use hereby approved, details of a landscaping strategy, including planting along the front boundary shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>21</b>	<b>Local Travel Plan</b>
	<p>CONDITION: A Local Level Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved and the measures shall be implemented in perpetuity, unless otherwise agreed in writing.</p> <p>REASON: To ensure the development delivers the sustainable transport objectives.</p>
<b>22</b>	<b>Construction Management Plan</b>
	<p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been</p>

submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London).

The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.

The CMP must refer to the new LBI Code of Practice for Construction Sites. The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.

REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.

## List of Informatives:

<b>1</b>	<b>S106</b>
	<p><b>SECTION 106 AGREEMENT</b>          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>
<b>2</b>	<b>Superstructure</b>
	<p><b>DEFINITION OF ‘SUPERSTRUCTURE’ AND ‘PRACTICAL COMPLETION’</b>          A number of conditions attached to this permission have the time restrictions ‘prior to superstructure works commencing on site’ and/or ‘following practical completion’. The council considers the definition of ‘superstructure’ as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of ‘practical completion’ to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
<b>3</b>	<b>Car-Free Development</b>
	<p><b>INFORMATIVE: (Car-Free Development)</b> 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>
<b>4</b>	<b>Construction works</b>
	<p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a>) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
<b>5</b>	<b>Highways Requirements</b>
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through <u><a href="#">streetworks@islington.gov.uk</a></u>. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through <u><a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a></u>. Section 50 license must be agreed prior to any works commencing.</p>

	<p>Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p>
<b>6</b>	<b>Highways Requirements (2)</b>
	<p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a> Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six months’ notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council’s Highways contractors.</p>
<b>7</b>	<b>Highways Requirements (3)</b>
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO’s) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington’s public lighting at cost to the developer. Contact <a href="mailto:streetlights@islington.gov.uk">streetlights@islington.gov.uk</a></p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer.</p> <p>Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980</p>

	Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.
<b>8</b>	<b>Fire Safety</b>
	It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Building Control on 020 7527 5999 or by email on <a href="mailto:BuildingControl@islington.gov.uk">Building Control@islington.gov.uk</a> .
<b>9</b>	<b>Thames Water – Surface Water</b>
	<p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a>.</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing <a href="mailto:trade.effluent@thameswater.co.uk">trade.effluent@thameswater.co.uk</a> . Application forms should be completed on line via <a href="http://www.thameswater.co.uk">www.thameswater.co.uk</a>. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p>

	Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
<b>10</b>	<b>Thames Water – Waste Comments</b>
	<p>The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information.</p> <p>Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a></p> <p>Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a>.</p> <p>The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason:</p> <p>The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>.</p> <p>Should you require further information please contact Thames Water. Email:<a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a></p> <p>There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-</a></p>

	<p><u>development/Working-near-or-diverting-our-pipes</u>. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at <a href="http://thameswater.co.uk/buildingwater">thameswater.co.uk/buildingwater</a>.</p> <p>On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
<b>11</b>	<b>Fire Statement</b>
	<p>INFORMATIVE: The applicant is advised that the submitted Fire Statement has been assessed in accordance with the criteria of London Plan Policy D12. The applicant must ensure that the development complies with the Building Regulations and associated statutory requirement, as well as any other relevant legislation.</p>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **National Guidance**

The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **Development Plan**

The Development Plan is comprised of the London Plan 2021, 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 2021 - Spatial Development Strategy for Greater London**

## **1 Planning London's Future - Good Growth**

Policy GG1 Building strong and inclusive communities

Policy GG2 Making the best use of land

Policy GG5 Growing a good economy

## **2 Spatial Development Patterns**

**Policy SD4** The Central Activities Zone

**Policy SD5** Offices, other strategic functions and residential development in CAZ

## **3 Design**

**Policy D1** London's form, character and capacity for growth

**Policy D3** Optimising site capacity through the design-led approach

**Policy D4** Delivery good design

**Policy D5** Inclusive Design

**Policy D11** Safety, security and resilience to emergency

**Policy D12** Fire safety

**Policy D13** Agent of Change

**Policy D14** Noise

## **4 Housing**

**Policy H4** Delivering affordable housing

**Policy H8** Loss of existing housing and estate redevelopment

**Policy H12** Supported and specialised accommodation

## **7 Heritage and Culture**

**Policy HC1** Heritage conservation and growth

**Policy HC3** Strategic and Local Views

## **B) Islington Core Strategy 2011 Spatial strategy**

### **Strategic Policies**

**Policy CS8** Enhancing Islington's character

**Policy CS9** Protecting and Enhancing Islington's Built and Historic Environment

**Policy CS10** Sustainable Design

## **C) Development Management Policies June 2013**

## **8 Green Infrastructure and Natural Environment**

**Policy G1** Green Infrastructure

**Policy G5** Urban Greening

**Policy G6** Biodiversity and access to nature

## **9 Sustainable Infrastructure**

**Policy SI1** Improving air quality

**Policy SI2** Minimising greenhouse gas emissions

**Policy SI3** Energy Infrastructure

**Policy SI4** Managing heat risk

**Policy SI5** Water infrastructure

**Policy SI7** Reducing waste and support the circular economy

**Policy SI12** Flood risk management

**Policy SI13** Sustainable drainage

## **10 Transport**

**Policy T2** Healthy streets

**Policy T3** Transport capacity, connectivity and safeguarding

**Policy T4** Assessing and mitigating transport impacts

**Policy T5** Cycling

**Policy T6** Parking

**Policy T6.5** Non-residential disabled persons parking

**Policy T7** Deliveries, servicing and construction

**Policy T9** Funding transport infrastructure through planning

## **11 Funding the London Plan**

**Policy DF1** Delivery of the Plan and Planning Obligations

**Policy CS11** Waste

**Policy CS12** Meeting the housing challenge

## **Infrastructure and Implementation**

**Policy CS18** Delivery and Infrastructure

## **2. Design and Heritage**

**DM2.1** Design

**DM2.2** Inclusive Design

**DM2.3** Heritage

## **3 Housing**

**Policy DM3.9** (Houses in Multiple Occupation, hostels and student accommodation)

## **6. Health and open space**

**DM6.1** Healthy development

**DM6.5** Landscaping, trees and biodiversity

**DM6.6** Flood prevention

## **7. Energy and Environmental Standards**

**DM7.1** Sustainable design and construction statements

**DM7.4** Sustainable design standards

**DM7.5** Heating and cooling

## **8. Transport**

**DM8.1** Movement hierarchy

**DM8.2** Managing transport impacts

**DM8.3** Public transport

**DM8.4** Walking and cycling

**DM8.5** Vehicle parking

**DM8.6** Delivery and servicing for new developments

## **9. Infrastructure**

**DM9.1** Infrastructure

**DM9.2** Planning obligations

**DM9.3** Implementation

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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

- Affordable Housing Small Sites Contributions (October 2012)
- Development Viability (January 2016)
- Environmental Design (October 2012)
- Inclusive Design in Islington (February 2014)
- Islington Urban Design Guide (January 2017)
- Planning Obligations (Section 106) (December 2016)

### **London Plan**

- Affordable Housing & Viability (August 2017)
- Housing (March 2016)
- Central Activities Zone (March 2016)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- London Planning Statement (May 2014)
- Sustainable Design and Construction (April 2014)
- Planning for Equality and Diversity in London (October 2007)

## **Draft Islington Local Plan Policies**

The following policies are considered relevant to the site and this application:

**Draft Islington Local Plan Policies**

**Policy PLAN1** – Site appraisal, design principles and process

**Policy SC3** – Health Impact Assessment

**Policy S1** – Delivering Sustainable Design

**Policy S2** – Sustainable Design and Construction

**Policy S3** – Sustainable Design Standards

**Policy S4** – Minimising greenhouse gas emissions

**Policy S5** – Energy Infrastructure

**Policy S6** – Managing heat risk

**Policy S7** – Improving Air Quality

**Policy S8** – Flood Risk Management

**Policy S9** – Integrated Water Management and Sustainable Drainage

**Policy S10** – Circular Economy and Adaptive Design

**Policy T1** – Enhancing the public realm and sustainable transport

**Policy T2** – Sustainable Transport Choices

**Policy T3** – Car-free development

**Policy T4** – Public realm

**Policy T5** – Delivery, servicing and construction

**Policy DH1** – Fostering innovation and conserving and enhancing the historic environment

**Policy DH2** – Heritage assets

**Policy DH5** – Agent of change, noise and vibration

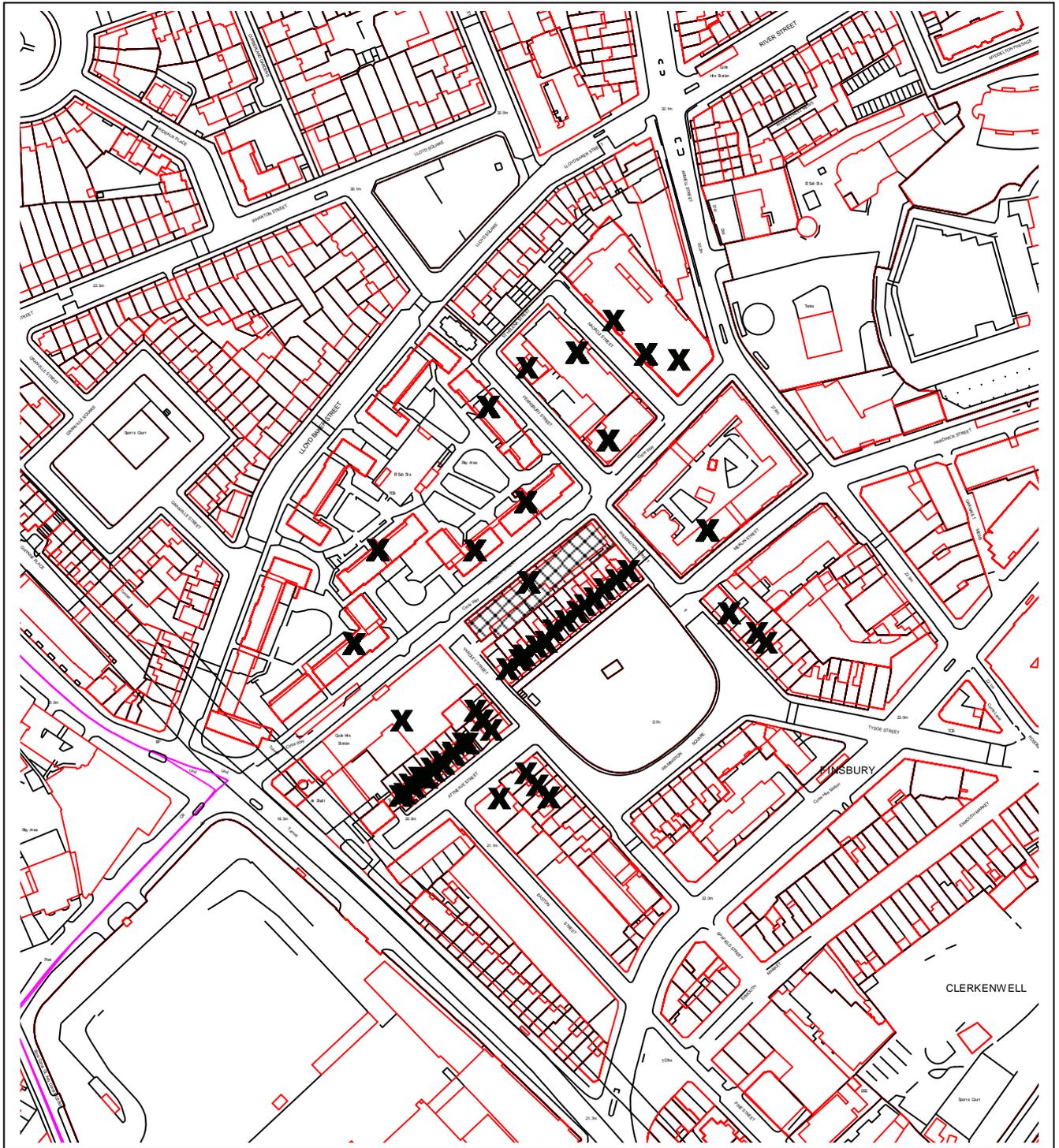
**Policy ST1** – Infrastructure Planning and Smarter City Approach

**Policy ST2** – Waste

**Policy ST3** – Telecommunications, communications and utilities equipment

**Policy ST4** – Water and wastewater infrastructure

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