

PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE A		
Date:	19 th December 2016	NON-EXEMPT

Application number	P2016/3134/FUL
Application type	Full planning application
Ward	St Georges
Listed Building	Adjacent to two Grade II Listed Buildings (nos. 1 and 2 Hilldrop Road)
Conservation Area	Adjacent to Hillmarton Conservation Area
Licensing Implications Proposal	None
Site Address	38 Hilldrop Lane, London N7 0HN
Proposal	Demolition of the existing house and redevelopment of the site to provide a two storey building with a setback third floor providing 9 no. flats, with associated amenity space, landscaping and cycle parking.

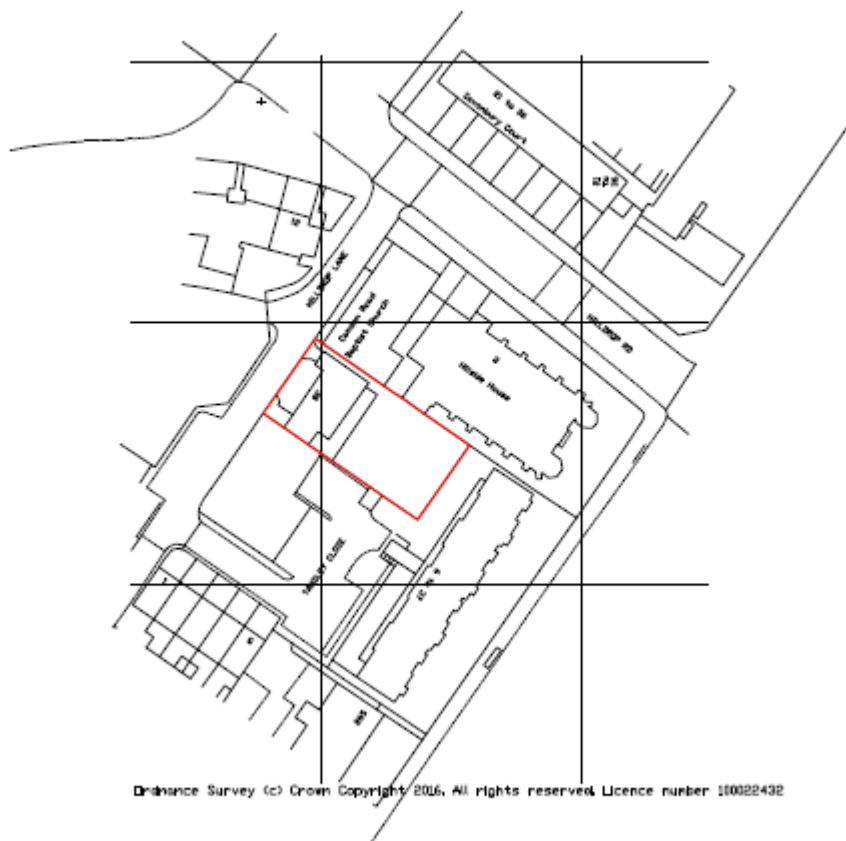
Case Officer	Daniel Jeffries
Applicant	Mr Jon Murch Davies Murch Woolbro Homes Limited
Agent	As above

1. RECOMMENDATION

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

1. The conditions set out in Appendix 1; and
2. Completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the contributions for affordable housing, carbon offsetting, tree replacement and ensuring the development remains car free.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3. PHOTOS OF SITE/STREET

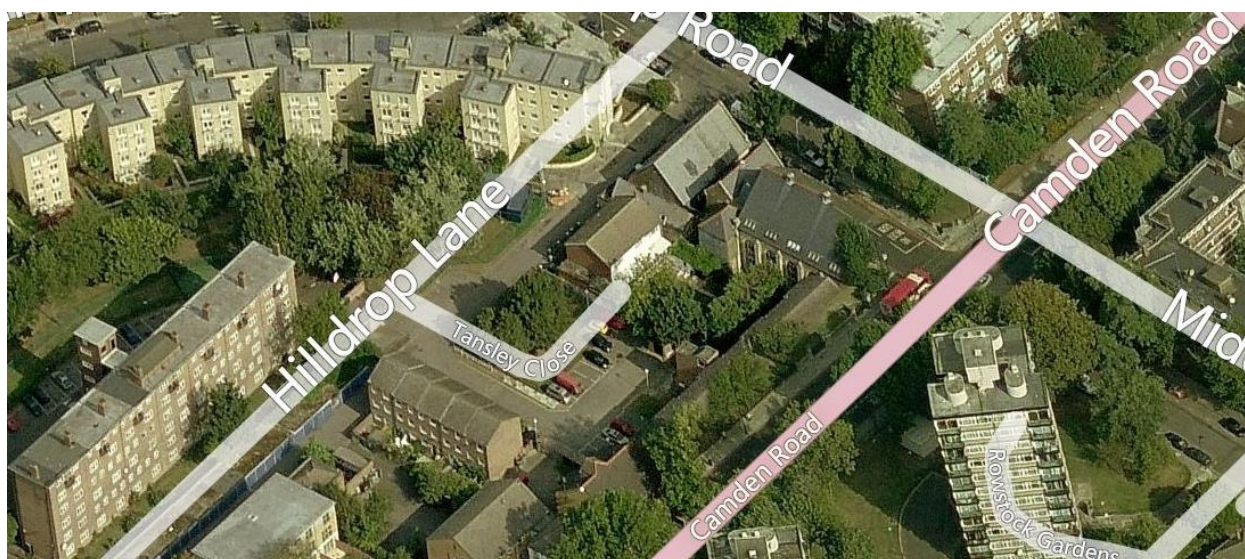


Image 1: Aerial view of site



Image 2: Front elevation of 38 Hilldrop Lane taken from north



Image 3: View of the west of the site along Hilldrop Lane



Image 4: Rear elevation to the south from rear garden

4 SUMMARY

- 4.1 The application seeks permission for the demolition of an existing single family dwellinghouse and redevelopment of the site to provide a two storey building with a set-back third floor providing 9 no. flats, with associated amenity space, landscaping and cycle parking.
- 4.2 The principle of the development is considered acceptable given that it would provide additional residential accommodation, being 9 units consisting of 7 x 2 bedroom units and 2 x 3 bedroom units.
- 4.3 The design, layout, scale and massing of the proposed development is considered to be visually acceptable and would visually integrate with the character and appearance of the surrounding area and nearby properties. It is considered that the proposal pay special regard to and preserves the historic character and visual appearance of the adjacent heritage assets of the Grade II buildings, being the Former Baptist Church and church hall, and the adjacent Hillmarton Conservation Area
- 4.4 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov 2012), incorporating a green roof and the methods included in the Sustainable Design and Construction Statement. The measures include financial contribution for carbon offsetting, and will ensure the proposal meets the 19% carbon reduction target over current 2013 Building Regulations, methods to minimise water consumption, biodiversity, climate change adaptation and the use of sustainable materials and other operational measures. The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. The proposed scheme provides a good mix of 2 and 3 bedroom residential units, which includes family sized accommodation, and is considered to comply with Policy CS12 (Meeting the housing challenge) and Development Management Policy DM9 (Mix of housing sizes).
- 4.5 Private amenity space in the form of gardens at ground floor level and terraces on the upper floors are provided in accordance with the Council's requirements. It is acknowledged that some of the units would not benefit from private amenity space, including the one of the proposed 3 bedroom units. However, in addition to the proposed roof terraces 106 sqm of private communal space is provided within the rear garden, which also includes the cycle parking storage for the proposal.
- 4.6 The proposed development will be car-free and therefor no vehicle parking is provided on site. Furthermore a condition is proposed to ensure that all future occupiers of the proposed units will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.

5 SITE AND SURROUNDING

- 5.1 The site is located on the south eastern side of Hilldrop Lane, which runs north east to south west connecting Hilldrop Road to the north with Hilldrop Crescent to the south. The site is at the north eastern end of Hilldrop Lane and is currently occupied with a two storey detached house with a pitched roof, set back from the road. The house has two garages, one at its northern end facing towards the public highway and one at its southern end, set back from the road and in line with the house. The host property benefits from a large south facing rear garden to its rear.
- 5.2 The north and east boundaries of the application site is shared with the Hillmarton Conservation Area. However, no part of the application site falls within this designation. In addition, the adjacent properties to the north and east which fall within this designation, consist of the Grade II

listed buildings of Camden Road Baptist Church and the associated hall, which is now used a hostel by St Mungo's Housing Association and is included in the listing. The church and the hall are large buildings of approximately three residential storeys. At the rear of the church and immediately adjacent to the site is a single storey building with a steep pitched roof that provides ancillary function space for the church. The church and associated building is adjacent to the house and the hostel is adjacent to the rear garden of the house.

- 5.3 To the eastern boundary of the site is the northern part of a four storey block of flats, which runs along the length of the sites eastern boundary and beyond onto Tansley Close. Separating the site from this block of flats, are a number of large coniferous trees at the end of the garden within the site.
- 5.4 To the south of the site is Tansley Close, which includes a small area of landscaped open space/park, access road and car parking for residents. Facing onto the close, there are three and four storey residential buildings, being blocks of flats and terraced properties.
- 5.5 Located to the west of the site, and to the opposite side of Hilldrop Lane is an area of communal open space at the rear of the four storey blocks of flats fronting onto Hilldrop Crescent. The end of the terrace that forms the eastern end of the crescent is to the north of the site, opposite the Camden Road Baptist Church.

6 PROPOSAL (in Detail)

- 6.1 The application seeks planning permission for the demolition of the existing two storey single dwellinghouse to be replaced with a new two storey building, with a set back third floor, consisting of 9 residential units, being seven, two bed units, and two, three bed units.
- 6.2 The proposal would be a flat roofed building with maximum height of 8metres, and a maximum width of 16.5m, and a maximum depth of 20.5metres. The proposed building would be rectangular in shape, with both the first two floors having a similar footprint, in terms of its width. However, the ground floor would have a greater depth to the rear to allow for roof terraces at first floor and the north east side elevation to allow for the communal entrance and roof terrace above.
- 6.3 The building, which would be constructed using a mixture of brick types including Terca Stanford Weathered Buff and Wienerberger Hectic Black. The fenestration details on the front, rear and side elevation of the main part of the proposed building would consist of glazed panelled windows, which would align with those above. The central south west elevation windows would be obscure glazed. The roof terraces would be positioned to the north east/side and rear elevations at first floor, and at second floor to the front and rear elevations and would include glazed balustrades. Access to the block of flats, would be made via a path from the public highway of Hilldrop Lane, which leads to the rear garden and cycle storage, along the north east boundary.
- 6.3 The proposal would incorporate external amenity space in the form of roof terraces, at first floor, to the side and rear elevations, in addition to the proposed private amenity space provided to the front and rear elevation at ground floor level. Some of the units on the upper floors would not have private amenity space but there would be 106 sqm of communal space to the rear garden. To the rear of the proposed building, there would be an area of communal private amenity space. The proposal would incorporate an area for refuse, which would be positioned adjacent to the entrance to the site, and area to the east corner of the site, designated for cycle storage provision.
- 6.4 The proposal would result in the loss of 9 trees, which are within and outside of the application site.
- 6.4 Revision 1: During the assessment of the application, a number of changes were incorporated into the final proposal. These changes included alterations to the design of the proposal, including altering the alignment of the windows on all four elevations, and the shape and height of

the third level. In addition, there were alterations in terms of the articulation of the ground floor side elevations windows to improve the amenity impact of the proposed units.

7. RELEVANT HISTORY

PLANNING APPLICATIONS:

7.1 None

ENFORCEMENT:

7.2 None

PRE-APPLICATION:

7.3 **Q2016/1635/MIN Pre-application for the demolition of an existing two property and the erection of a three storey building with setback fourth floor to provide nine residential flats** – *provided advice that the proposal is large and bulky and over-dominant on the street; 2 storeys plus set back third storey would be appropriate and should be set away from the listed building; further interest needs to be added in order to break up the bulk e.g. detailing around windows & window reveal depths; Cantilevered balconies are not considered appropriate in this location.*

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of (174) neighbouring properties on the 30th September 2016, and subsequently on 14th November 2016, providing residents with opportunity to comment on the proposed scheme.

8.2 At the time of the writing of this report 2 letters of objection had been received. The issues raised are summarised follows (with paragraph numbers stated in brackets stating where the issue is addressed)

- The footprint of the proposed block of flats is too large (10.7)
- Design and visual appearance of the surrounding area (10.11)
- Loss of daylight/sunlight to neighbouring properties(10.23)
- Loss of privacy to neighbouring properties(10.26)

8.3 In addition, 3 letters of support have been received. These letters of support included letters from the Chair of the Hilldrop TRA and the Treasurer of the Camden Road Baptist Church which adjoins the application site.

Internal Consultees

8.4 **Design & Conservation:** The proposal is an improvement on the pre-application stage proposal with the height and bulk reduced. However, the height of the top storey appears unnecessarily high, with a top heavy appearance. Alterations were suggested to the balustrade to the top floor terrace to the front to better integrate with into the design, and alterations to the proportions of the fenestration pattern and external appearance of the building. Once these amendments were secured the design and conservation officer had had no further objections to the proposal, including the impact on the adjacent heritage assets.

- 8.5 **Tree Preservation Officer:** Initially raised concerns in relation to a category B tree. However, following the proposed mitigation in terms of the mature tree replacement with at least 25-30cm girth to be provided to specification and species agreed in writing with the Local Authority, to include as a minimum a watering programme during the first growing season (post planting) and also monitoring for the same period to ensure the long term health of the tree is guaranteed, and financial contributions of £20,000, they have confirmed there are no objections to the scheme.
- 8.6 **Acoustic Officer:** The development is in close proximity to residential properties and with the proposed demolition and subsequent construction there is the potential for disruption for nearby occupiers. Advised that a condition is attached to any approval in relation to construction and demolition.
- 8.7 **Refuse Team:** No comments received.
- 8.8 **Highways Officer:** No comments received.
- 8.9 **Transport Officer:** No comments received.
- 8.10 **Greenspace:** No comments received.
- 8.11 **Housing:** No comments received
- 8.12 **Viability Officer:** Has agreed with the assessment of the findings of the Adams Integra Viability Report and the conclusions of the small sites financial contributions. The assessment is based on substantial size of the existing property to be demolished and its residual land value.
- 8.12 **Sustainability Officer:** Has confirmed that subject to the sustainability measures outlined within the Sustainable Design and Construction Statement, and agreement to financial contributions in relation to carbon offsetting the proposal would be acceptable.
- 8.13 **Inclusive Design Officer:** Has confirmed that the proposal is generally inclusive design compliant with the use of a wheelchair accessible unit, with level access to the clear communal entrance, and lift to the upper floors.

External Consultees

- 8.14 **Thames Water:** Requested a condition to attached to any approval relating to drainage strategy and relating to sustainable urban drainage (SUDs).
- 8.15 **David Coates Adams Integra:** Confirms that the report appraisal demonstrates that the scheme is able to support an affordable housing contribution of £80,000 and remain viable due to the residual land value of the application site.

9 REVELANT POLICIES

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

National Guidance

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

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

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

- Principle of the development,
- Design and conservation,
- Standard of accommodation,
- Inclusive design,
- Neighbouring amenity,
- Highways and Transportation
- Tree Impact, and
- Contributions towards affordable housing and Carbon Off setting

Land use

- 10.2 The application proposes to demolish an existing two storey single family dwellinghouse and replace it with a two storey with a set back third floor building to be used for 9 residential units. Given that the proposal would include two family units the loss of the existing family sized single dwellinghouse, would be acceptable. In addition, it is considered that the principle of new residential accommodation is acceptable as policy CS12 seeks to meet and exceed the borough housing target which is set by the Mayor of London and that housing will be re-provided on the site.

Design and conservation

- 10.3 The host building, to be demolished, consists of a two storey red brick building, with a pitched roof with white render on first front elevation, with associated garages. This property is likely to have been constructed in the 1970's and has no contribution in terms of its visual appearance on the surrounding area. It is therefore considered that in design terms the loss of this property would be acceptable.
- 10.4 The proposal would involve the construction of a three storey flat roofed building. In terms of assessing its acceptability in design terms, it is important that any future development would be in keeping with the buildings found within the surrounding area. In this instance, the surrounding area consists of buildings which are predominately three storeys and the scheme as proposed will match the prevailing heights of surrounding properties.
- 10.5 The application site is adjacent to the Hillmarton Conservation Area and Listed Buildings to the north east of the site. The listed buildings comprise the larger Camden Road Baptist Church building with its associated hall, at nos. 1 and 2 Hilldrop Road. These are positioned adjacent to the north east boundary of the application site, and are a two and a single storey buildings respectively. As a result the proposal is required to have special regard for these heritage assets and preserve or enhance the historic character and visual appearance of these designations. It is considered that the proposed building will not unduly harm the character and appearance of the area due to its sympathetic design and massing. The height of the scheme

will match prevailing heights within the surrounding area and will compliment and reinforce the character of the area.

- 10.6 Whilst the proposal would consist of a total of three storeys, the main part of the proposed building would be set away from the shared north east boundary, with the Listed Buildings and Conservation Area, by 2.7m, at first and second floor level. The nearest part of the proposal would consist of a single storey element, being the communal entrance to the site, which would be similar height to the shared north east boundary wall, albeit with glazed balustrades and would be set away by 0.8m from this shared boundary. It is considered that in comparison to the existing situation, these separation distances from the adjacent heritage assets are considered acceptable in this instance.
- 10.7 The proposal would be broadly similar to what currently exists in terms of its maximum width and height, being increased by 0.5m and 1m respectively. It is acknowledged that the maximum depth of the host property would be increased, from 10m to 20.5m, however, it is considered given the design of the proposal and the depth of the rear garden, being 25 metres, this increased footprint would be acceptable in this instance as sufficient garden land remains and the proposed building is considered to provide a modern yet contextual building which enhances the character and appearance of the area.
- 10.8 In terms of the impact on of the Hillmarton Conservation Area and Listed Buildings to the north east of the site, it is important that the proposal would preserve and enhance these heritage assets. It is acknowledged that the nearest element of the proposal would be 0.2m closer to the shared boundary wall, with these heritage assets, in comparison to the nearest point of the existing two storey property. However, the nearest part of host property forms two storeys, whereas the proposed building has been reduced to a single storey along the shared boundary with the listed buildings. The main element of the proposed building, as described above, is set away 2.7metres, from this shared boundary, with the third storey benefiting from being set away from the eaves, towards the front and rear corners approximately 7metres in both corners, at 1metre to the north and 3.3metres to the south, with the remaining 6.5 metres level with the side elevation.
- 10.9 The building itself would be setback from the front boundary in line with the existing dwellings, and incorporates private amenity space in the front garden area for one of the ground floor units, and part of the rear garden for two of the ground floor units. The detailing of the fenestration details, the setbacks of the third floor and the articulation of the side elevation windows on the ground floor, has been amended from the original design. These amendments were made to address concerns raised by the Council's Design and Conservation Officer, and to improve the quality of accommodation of the ground floor units.
- 10.10 The materials proposed (predominantly facing brick elevations and timber framed windows) will ensure that the development is in keeping with the surrounding street scene and the heritage assets. A condition is proposed to ensure the exact brick used is appropriate to the surroundings.
- 10.11 The design is considered to be acceptable and will appear as a contemporary addition to the street scene which sits comfortably within the historic surroundings. It is therefore considered that the proposed development pays special regard to and will preserve and enhance the character and appearance of the adjoining conservation area and listed buildings.

Standard of accommodation

- 10.12 Policy DM3.4 of the Islington's Development Management Policies (June 2013) sets out the standards expected of accommodation in the borough. The following table shows the proposed unit sizes and the required unit sizes as set out in Policy DM3.4:

Unit	Bedrooms	Required	Provided
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		Floor Space (m2)	Floor Space (m2)
Unit 1	2	70	76
Unit 2	2	61	75
Unit 3	3	86	86
Unit 4	2	70	76
Unit 5	2	61	68
Unit 6	3	86	86
Unit 7	2	61	68.6
Unit 8	2	61	62.4
Unit 9	2	61	61.6

All of the units would meet the minimum floorspace requirements and therefore comply with Policy DM3.4 in this regard.

- 10.13 In terms of amenity space, DMP policy DM3.5 states that all new residential developments and conversions are required to provide good quality private outdoor space. The table below shows the proposed private amenity space for each unit:

Unit	Required private amenity space (m2)	Private Amenity space
Unit 1	25	32
Unit 2	20	25
Unit 3	30	48
Unit 4	7	8.5
Unit 5	6	6.8
Unit 6	8	8.7
Unit 7	6	0
Unit 8	6	0
Unit 9	6	8.2

It is acknowledged that the proposal would not result in any private amenity space dedicated to Units 7 and 8. Whilst this does include a family sized three bedroom unit, the proposal does include a large communal amenity space to the rear garden measuring an area of 106 sqm. It is considered given this communal space and that these units are located on the upper floors the lack of dedicated private amenity space is acceptable in this instance.

- 10.14 Policy DM3.4 states that all new housing developments are required to provide dual aspect accommodation, adequate daylight and sunlight provision, legible, logical and level entrances, and acceptable shared circulation space.
- 10.15 The proposed mix of 2 and 3 bedroom (family sized) units are acceptable and compliant with DM3.1 of Development Management Policies 2013. Each of the units would achieve dual aspect and be of adequate size, complying with the minimum floorspace requirements in Table 3.2 of the London Plan 2015, with unit 2 being wheelchair accessible. The units are considered to have generally satisfactory layouts, and sized bedrooms and communal areas, and access to acceptable levels of daylight/sunlight and outlook to all habitable rooms. It should be noted that the windows to the ground floors units, being Units 1 and 2, are not ideal given the proximity to the shared boundary to the west, and the proximity to the communal entrance to the east elevation. The amendments to alter the articulation of these windows are considered to address the concerns in relation to outlook and privacy to future occupiers of these units.

- 10.20 Overall the proposal would, on balance, provide satisfactory living conditions for future occupiers of the proposed units. The proposal is compliant with policies DM3.1 DM3.4 and DM3.5 of the Development Management Policies (2013) and be acceptable in terms of the standard of accommodation.

Inclusive Design

- 10.21 The proposal is considered to have a logical entrance to the site with level access ,to the proposed building which is provided by a footpath from the public highway directly off Hilldrop Lane. This path leads to the communal/shared entrance to the building, and to the private communal rear garden. The communal entrance would be visible from the public realm, clearly identified and include a covered entrance for weather protection. In addition, all of the units would be accessed from the central core of the building, with the upper floors benefitting from a central staircase and lift access. The proposal would provide one wheelchair accessible unit (Unit 2) which would have level access and positioned at ground floor level. In addition, there would be both a wheelchair accessible lift and a staircase for the units on the upper floors. Overall the proposal is acceptable and the units would generally conform to the requirements found within the Accessible Housing SPD.

Neighbouring Amenity:

- 10.22 A daylight/sunlight report has been submitted to assess the potential impact of the proposal, in terms of daylight/sunlight impact on surrounding properties. These include the block of residential flats along Tansley Close situated to the south east of the proposal, the former church building to the north east, in use as St Mungo's shelter. The recommendations of this report conclude that there would not be any significant loss of daylight/sunlight to the surrounding properties as a result of the proposal.
- 10.23 The daylight/sunlight report states that in terms of daylight the impact on the properties along Tansley Close the results of the Vertical Sky Component (VSC) assessment, which calculates the amount of visible sky available to each window or to points on the façade of a building where windows have not yet been designed, shows that 33 of the 34 windows relevant for assessments retain VSC levels within 0.8 times their former values, with many windows experiencing an increase in light levels due to the removal of the trees to the boundary. The report concludes these impacts are considered to be excellent given the urban location of the scheme and are wholly in line with the BRE criteria. In terms of sunlight the report concludes that 'None of the windows that look towards the proposed scheme are within 90 degrees of due south. They are therefore not relevant for assessment under the Annual Probable Sunlight Hours (APSH) criteria.
- 10.24 The VSC assessment on no. 2 Hilldrop Road demonstrates that 42 of the 46 windows that may be affected by the proposal would retain VSC levels on or in excess of 0.8 times their former values and are fully compliant with the BRE targets. In terms of sunlight none of the windows that may be affected by the proposed scheme serve main living spaces within 90 degrees of due south. This property is therefore not relevant for APSH sunighting assessment under the BRE guide.
- 10.25 The orientation of the site means that the most significant impact in relation to any loss of daylight/sunlight from the proposed building would be the properties to the north, east and west of the building. However, the proposal would benefit from a significant separation distance between the nearest existing residential properties, including the public highway of Hilldrop Lane and an area of open space, to the north (approximately 20 metres), and an area of open space to the west (approximately 30 metres). The adjacent property to the east is used as a church building, and due to the setback of the additional third floor would not result in any significant loss of daylight/sunlight to neighbouring properties.

- 10.25 Given the existing separation distances, from the nearest residential properties, being 20 metres to the north, 30 metres to the west, including an area of open space, and 25 metres to the south, the proposal is considered not to result in any significant loss of outlook to occupiers of these properties. The properties to the east are the church buildings.
- 10.26 The proposed windows to the front and rear elevations, would not result in any loss of privacy to neighbouring properties over and above what currently exists. Whilst it is acknowledged that the proposed roof terraces would result in external elevated areas which potentially may result in increased noise and privacy issues to neighbouring properties, these areas are restricted in size to prevent large gatherings, and would include balustrades. The roof terraces are restricted to the rear and north east side elevation, meaning that they would be a significant distance away from the nearest residential properties. It is therefore considered that the proposal would not result in any significant loss of privacy or result in any significant noise impact on neighbouring properties.
- 10.27 The Council's Pollution team have advised that a condition be attached relating to the submission of a construction environmental management plan to assess the environmental impacts of the development, prior to the any works commencing.
- 10.28 Based on the above assessment the proposal is considered to have an acceptable amenity impact on neighbouring properties.

Trees

- 10.28 Policy CS15 of Islington's Core Strategy 2011, Policy DM6.3 and DM6.5 of the Development Management Policies include the protection of trees, open space and the landscape in their objectives. These policies state that there should be an over-riding planning benefits to offset loss, damage or adverse effects arising from development. The site is not a SINC or designated open space.
- 10.29 The trees and open space contribute materially to the amenity of the locality, providing textural diversity, a sense of scale and screening to the built environment. The trees do provide environmental benefits. There are currently 10 trees on site, positioned within the rear garden of the host property and also the adjacent car park within Tansley Close. One is a Category B tree, being of moderate quality or value capable of making a significant contribution to the area for 20 or more years. and the other nine trees are Category C trees, being of low quality, adequate for retention for a minimum of 10 years expecting new planting to take place; or young trees that are less than 15 cms in diameter which should be considered for re-planting where they impinge significantly on the proposed development. The proposed development works are to incorporate the retention of 1 of the 2 trees neighbouring the site and the removal of 8 trees within the site which have been surveyed.
- 10.30 Following an assessment of the proposal, the Tree Preservation Officer objected to the proposal due to the proposed removal of the mature tree in the neighbouring site. This was due to the lack of mitigating re-planting within the original submission, and it being identified as a Category B tree.

Following discussions the applicant proposed the following mitigation measures and has agreed to condition relating to a landscaping scheme including a mature tree replacement specimen at least minimum a watering programme during the first growing season (post planting) and also monitoring for the same period to ensure the long term health of the tree is guaranteed and a legal agreement secured by way of a Unilateral Undertaking which includes:

- A payment of £20,000.

- 10.31 Following an assessment of the impact on this tree from the proposed development, balanced with its current condition and future potential for this tree, the Tree Preservation Officer has agreed that this mitigation offer is acceptable in this instance.

10.32 On balance, subject to a condition regarding the submission of details relating to the replacement tree, and the commuted sum secured by way of a legal agreement, the proposal would not have a detrimental impact upon the biodiversity or ecological connectivity of the site. It is therefore considered compliant with Policy CS15 of Islington's Core Strategy 2011, and Policies DM6.3 and DM6.5 of the Development Management Policies.

Highways and Transportation

- 10.33 The development will be car free in accordance with the Core Strategy, and will therefore not add any additional parking pressure to Grosvenor Avenue and the nearby streets. The exceptions to this are blue badge holders and Islington residents who have already held a permit for the specified period of one year.
- 10.34 Policy DM8.4 states that minor developments creating new residential are required to provide cycle parking in accordance with the minimum standards set out in Appendix 6. 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.
- 10.35 The proposal includes provision for cycle storage to the bottom of the rear garden, to the north east corner. In this instance, 1 cycle space per bedroom (20) should be provided.
- 10.36 Bin storage is provided at the front of the site adjacent to the entrance to the site
- 10.37 The proposed development provides acceptable cycle and bin storage.

Small sites (affordable housing) and carbon Off-setting contributions

- 10.38 The SPD 'Affordable Housing Small Sites' states that in line with the evidence base, the council will expect developers to be able to pay a commuted sum of £50,000 per unit for sites delivering fewer than 10 residential units in the north and middle parts of the borough. The SPD states, in accordance with the NPPF, that in instances where the applicants consider that this level of contribution would leave the development unviable, that the council will accept viability assessments where the applicants should provide a statement with their application with a justification for not providing the full financial contribution. The applicants initially stated that no contribution was possible. In this instance the applicants originally provided information relating to viability and suggested any contribution would lead the scheme to be unviable.
- 10.39 The SPD states that 'a viability appraisal must include sufficient information to enable the council and/or an independent viability expert to review the appraisal without having to seek further information from the applicant'. The viability statement was independently assessed and it was concluded by the assessors that a contribution of £80,000 is reasonable. The Council's Viability Officer has agreed with the independent assessors conclusions, given the substantial size of the building and the residual land value of the site.

Sustainability

- 10.40 Policy DM7.2 requires developments to achieve best practice energy efficiency standards, in terms of design and specification.
- 10.41 A Sustainable Design and Construction Statement has been submitted with the application as required by policy DM7.1 for new residential units. The report provides details of a number of sustainability measures including sustainable materials, water efficiency calculations for building regulations and design stage report demonstrating that an adequate standard of

sustainable design can be achieved. The proposal also includes a green roof would be provided on the top of the proposal, a condition has been attached to submit details of the biodiversity of this roof.

- 10.42 The applicant has agreed to financial contribution in relation carbon offsetting, and the proposal would include a green roof to the top of the proposed building. In accordance with Policy DM6.5 a condition has been attached to ensure that the details of the biodiversity for the roof can be achieved.

Construction Method Plan

- 10.43 A condition requiring a construction method statement will ensure that any construction is undertaken in an appropriate manner.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks the demolition of the existing 2-storey detached house and the construction of a new two-storey building with a set third floor providing 9 residential dwellings
- 11.2 The principle of the development and providing additional residential accommodation would be acceptable in land use terms, have an acceptable impact upon the character and appearance of the adjacent properties and street scene and will preserve the character and appearance of the adjoining Hillmarton Conservation Area, and Grade II Listed Buildings. In addition, it would not be unduly harmful to the amenities of adjoining residents.
- 11.3 Given the orientation of the application site, as well as the positioning and separation distances of the adjoining residential buildings, it is considered that the development would not result in the loss of daylight, sunlight to the occupiers of the adjoining residential properties, undue increase in enclosure levels, loss of outlook or have a significant detrimental impact upon their amenity levels taken as a whole.
- 11.4 The proposed units would provide acceptable standard of accommodation with all units achieving minimum internal floorspace standards, dual aspect, and either meet the required private amenity space standards or have access to the communal private rear garden. The proposal would achieve the Accessible Housing SPD standards including a wheelchair accessible unit and level access to the entrance. In addition to meeting the Sustainable development requirements.
- 11.5 The proposed mitigation in the form of a condition relating to a replacement tree planting and a financial contribution is considered acceptable. In addition to a financial contribution relating to small site affordable housing and carbon offsetting. These contributions would be secured by way of a Unilateral Agreement.
- 11.6 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions and Unilateral Agreement.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS.

RECOMMENDATION A

That the grant of planning permission be subject to the prior completion of a unilateral undertaking in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/ Head of Service – Development Management or, in their absence, the Deputy Head of Service.

- a) A financial contribution of £80,000 towards the provision of off-site affordable housing.
- b) A financial contribution of £9000 towards CO2 off setting.
- c) A financial contribution of £20,000 towards tree replacement

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Town Planning Statement dated 05/08/2016; Financial Viability Assessment dated October 2016; Arboricultural Survey (BS5837:2012) & Impact Assessment Report dated 23 August 2016 (Appendix B and Appendix C); Daylight & Sunlight Report dated 4 August 2016; Design and Access Statement dated August 2016; Heritage Statement 2016; 1462_GA_E/Rev.C; GA_E_02/Rev.C; GA_P-01/Rev.C; GA_P_00/Rev.C; GA_P_01/Rev.C; GA_P_02/Rev.C; 1462_GA_P/Rev.J; 16049-16-01; GA_P_03/Rev.B; 1462_EX_E_01; OS Plan;</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
	Materials
3	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p>

	<p>a) solid brickwork (including brick panels and mortar courses)</p> <p>b) window treatment (including sections and reveals);</p> <p>c) roofing materials;</p> <p>d) balustrading treatment (including sections);</p> <p>e) garden fences;</p> <p>f) bin store; and</p> <p>g) divisions/ boundary treatment between gardens.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
	<p>Accessible Homes</p>
4	<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.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
	<p>Cycle parking</p>
5	<p>CONDITION The bicycle storage area hereby approved, which shall be covered, secure and provide for no less than 20 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>
	<p>Car Free Housing</p>
6	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents parking permit except:</p> <p>(1) In the case of disabled persons</p> <p>(2) In the case of units designated in this planning permission as 'non car free';or</p> <p>(3) In the case of the resident who is an existing holder of residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least a year.</p>

	REASON: To ensure that the development remains car free.
	Construction Method Statement
7	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works viii. mitigation measures of controlling noise from construction machinery during business hours <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
	Green Roof
8	<p>CONDITION: Details of the biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80- 150mm); and b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
	<p>Arboricultural Method Statement</p>
9	<p>CONDITION: No development (including demolition works) shall take place on site unless and until an arboricultural method statement (AMS) including details of the replacement scheme has been submitted to and approved in writing by the Local Planning Authority. The replacement scheme shall include a mature specimen at least 25-30cm girth shall with the specification and species agreed in writing with the Local Authority. It shall include a watering programme during the first growing season (post planting) and also monitoring for the same period to ensure the long term health of the tree is guaranteed.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities.</p>
	<p>Drainage Strategy</p>
10	<p>CONDITION: Prior to the commencement of development a drainage strategy detailing any on and/or off site drainage works, shall be submitted to and approved by, the local planning authority. The approved scheme shall be implemented in full, and maintained thereafter. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
	<p>Sustainable Urban Drainage Systems (SUDS)</p>
11	<p>CONDITION: Prior to the commencement of the development details of the implementation, adoption, maintenance and management of a sustainable drainage system shall be submitted to the Local Planning Authority and approved in writing . The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime. The approved scheme shall be implemented in full and maintained thereafter.</p> <p>REASON: To ensure sustainable drainage.</p>
	<p>Sustainable Development</p>
12	<p>CONDITION: The dwellings hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 110 l/p/d. No occupation of the dwellings shall take place until details of how these measures have been achieved</p>

	<p>have been submitted to and approved in writing by the local planning authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
	Lift Shaft Insulation
13	<p>CONDITION: Prior to the operation of the lift hereby approved sound insulation shall be installed to the lift shaft sufficient to ensure that the noise level within the adjoining residential flats does not exceed NR25(Leq) 23:00 - 07:00 (bedrooms) and NR30 (Leq. 1hr) 07:00 - 23:00 (living rooms). The sound insulation and noise control measures shall be maintained as such thereafter and no change therefrom shall take place without the prior written knowledge of the Local Planning Authority.</p> <p>REASON: To protect the amenity of adjacent residents.</p>
	Structural Method Statement
14	<p>CONDITION: No development shall be commenced on site unless and until an updated structural engineers report and excavation strategy including methodology for excavation and its effect on all neighbouring boundaries and neighbouring buildings has been submitted to and agreed in writing by the Local Planning Authority. This strategy shall be fully implemented in accordance with the approved details.</p> <p>REASON: to ensure that the proposed development would have no undue impact on the structural integrity of the neighbouring buildings.</p>
	No Plant Equipment
15	<p>CONDITION: In the event any plant equipment is proposed planning permission would be required.</p> <p>REASON: To protect the amenity of neighbouring residential properties.</p>
	Rooftop Enclosures
16	<p>CONDITION: No development shall be carried out until details of the rooftop enclosures/screening and the lift overrun are submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved plans and permanently maintained thereafter.</p> <p>Reason: To ensure the proposal does not have a detrimental impact on the street scene.</p>

List of Informatives:

1	Positive statement
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	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	<p>CIL Informative (Granted)</p>
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
3.	<p>Party Walls</p>
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act"). Environmental Legislations and the Equality Act.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM3.1 Housing Mix

DM3.4 Housing Standards

DM3.5 Private Amenity Space

Energy and Environmental Standards

DM8.4 Walking & Cycling

DM8.6 Delivery & Servicing

Health and Open Space

DM6.3 Protecting open space

DM6.5 Landscaping, trees and biodiversity

5. Designations

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

Adjacent to Hillmarton Conservation Area
and two Grade II Listed Buildings

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Conservation Area Design Guidelines (2002)
- Urban Design Guide (2006)