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<th>Application number</th>
<th>P2015/5283/FUL</th>
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<td>Full Planning Application</td>
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<td>St Georges</td>
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<td>Tufnell Park Conservation Area</td>
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<td>Licensing Implications</td>
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<td>Site Address</td>
<td>198 Brecknock Road, Islington, London, N19 5BE</td>
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<tr>
<td>Proposal</td>
<td>Change of use of the building into seven residential dwellings (C3 use class), including extensions fronting Corinne Road at lower ground, ground floor and roof level and other external alterations including replacement timber windows with new timber windows throughout. Associated landscaping and new fencing.</td>
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**Case Officer**  
Sally Fraser

**Agent**  
Aimee Squires, Savills UK

1. **RECOMMENDATION**

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

- subject to the conditions set out in Appendix 1 of this report;
- conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of this report.
2. SITE PLAN  (Site outlined in BOLD)

![Site Plan Diagram]

3. PHOTOS OF SITE/STREET

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

**Image 1** - Aerial view of the site and the properties on Celia Road
Image 2 – The subject property (right of the picture) fronting Brecknock Road

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

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

4.1 The application seeks permission for the change of use of the existing building into 7 self-contained flats, including the erection of a lower ground and ground floor extension to the north east elevation of the building and other external alterations including the replacement of all windows with new timber windows throughout.

4.2 The main issues arising from the development are the lawful use of the property and the principle of the change of use, the standard of the residential accommodation and the impact of the development on the residential amenities of the neighbouring occupiers.

4.3 Whilst the lawful use of the property is unclear, it was last used as 2 self contained flats and a small HMO (C4 use class), providing accommodation for 6 occupants. The proposed use is also residential and there would as such be no change of use arising from the development. The development would introduce additional homes into a residential area and would help the council to meet its housing targets.

4.4 In acknowledgement that whilst the last use of the property was residential, the lawful use cannot be established, the applicant has agreed to pay the full Affordable Housing Small Sites contribution relating to the development, of £350,000.
4.5 The proposal would provide a good standard of internal living accommodation and outdoor amenity space for future occupiers. The constraints of the existing building are such that there are some areas of non compliance, but in each case these have been justified.

4.6 The proposal would not unduly harm the residential amenities of either the residential occupiers abutting the site on Celia Road or the adjoining occupiers at 200 Brecknock Road. Overall neighbouring residential amenity would not be unacceptably harmed, in compliance with policy DM2.1.

4.7 The proposal would have an acceptable impact on the special character of the conservation area and the appearance of the host building, in compliance with policy DM2.3 and the Tufnell Park Conservation Area Guidance.

5 SITE AND SURROUNDINGS

5.1 The application site is a two storey, semi-detached property, with accommodation also within the basement and roofspace. There is a shallow lightwell to the front and side of the property which provides light into high level basement level windows and a full depth lightwell to the rear.

5.2 The property is currently vacant. On the basis of information submitted by the applicant, it is considered likely that the property was last used as two self-contained flats and a small HMO (House in Multiple Occupation). There is no planning history to support this use however. The lawful use, as determined by implemented planning permission P991365 dated 20/10/1999, is a hostel.

5.3 The property forms a 19th century pair with number 200 Brecknock Road. The properties are not identical- the adjoining property has two bay windows fronting Brecknock Road whereas the subject property has its main façade, with bay window and front door, fronting onto Corinne Road. The pair are very much a standalone pair in style and the immediate vicinity contains a mixture of age and style of housing. Adjacent to number 200 is a modern flatted development, on the opposite side of Corinne Road is a new terraced house attached to a 1960’s row. Further down Corinne Road and opposite the site on Brecknock Road are 19th century villas.

5.4 To the rear of the site, fronting Corinne Road, is a grassed garden containing 2 single detached garages. There is a vehicular entrance onto the site from Corinne Road. Bounding the site to the north east are the rear gardens of properties on Celia Road. The land slopes down from east to west, so that the rear gardens and windows of the adjoining properties at Celia Road sit at a lower level than the subject site.

5.5 The site is located within the Tufnell Park Conservation Area. The property is neither listed nor locally listed. There are 3 (grade C) trees within the site, on the boundary with the Corinne Road properties.

6. PROPOSAL (IN DETAIL):

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

6.2 The scheme proposes 1x 3 bed flat, 3x 2 bed flats and 3x 1 bed flats.
6.3 Access to the two basement level flats would be via stairs from the main entrance gate. Flats at ground level and above would be accessed via the main communal door.

6.4 The two basement level flats (flats 1 and 2) and flat 4 on the ground floor would have access to private outdoor space. A communal grassed area fronting Corinne Road would provide amenity space for the occupiers of the remaining flats. A bike and refuse storage area would be located within the communal gardens and the existing vehicular access onto the site from Corinne Road would be removed and replaced with a pedestrian gate, awarding level access to the gardens and storage area.

6.5 Extensions at lower ground floor and ground floor to the north eastern elevation are proposed. There would be further excavation at basement level to facilitate the amenity space for flats 1 and 2. Other external alterations include the replacement of the dormer windows, replacement windows and front door and the repair of the existing boundary treatment to Corinne Road and Brecknock Road.

6.6 The proposal would involve the loss of three trees on the Corinne Road boundary.

Revision 1 – 12th April 2016

6.7 Revisions to the scheme included:

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

Revision 2 – 4th July 2016

6.8 Revisions to the scheme included:

- On site parking removed
- Further reduction in the width of the lower ground and ground floor rear extensions

Revision 3 – 1st August 2016

6.9 Revisions to the scheme included:

- Drawings amended to include the removal of the vehicular gates into the site

Revision 4- 26th June 2017

6.10 Revisions to the scheme included:

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

7. RELEVANT HISTORY:

Planning Applications:

7.1 P831564: The retention of the three hostel bedrooms and the existing two room non-self-contained flat on the ground floor of no. 198 and the formation of a three bedroom
(5-6 room) maisonette from the first floor of no. 198 and the attic floor entailing the enlargement of the existing front and rear dormers. Approve 29/03/1984

7.2 **P991365**: Change of use to a hostel. Approved 20/10/1999

7.3 **P001165**: Conversion to provide nine studio flats, one 1-bedroom flat and two bedsits and a shared 'common room'. Refused 09/03/2001

7.4 **P122154**: Erection of a part 2 part 3 storey building to the rear of 198 Brecknock Road, fronting Corinne Road, to provide 1 x 4 bedroom dwelling with associated landscaping, boundary treatments, refuse and cycle storage and associated works. Refused 19/08/2013.

The reasons for refusal were as follows:

1. *The proposed new dwelling by reason of its height, bulk and detailed design would fail to preserve and enhance the character and appearance of the Tufnell Park Conservation Area. Further the proposal would detract from the openness of the surrounding properties, which is an important characteristic of the Conservation Area. The proposal therefore fails to comply with the NPPF, policy CS9 of the Core Strategy 2009, DM 2.1 and DM 2.3 of the Development Management Policies, the Conservation Area Guidelines and the Urban design Guidelines*

2. *The proposed new dwelling by reason of its height, bulk and mass would be overbearing which would be detrimental to the outlook of the neighbouring properties in Celia Road. This would be contrary to Policy DM2.1 of the Development Management Policies 2013.*

**Enforcement:**

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

**Pre-Application Advice:**

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

**8. CONSULTATION**

**Public Consultation:**

8.1 Letters were sent to occupants of 112 adjoining and nearby properties on 8th January 2016. A site and press notice were also displayed. The public consultation of the application therefore expired on the 29th January 2016. It is the Council’s practice however to continue to consider representations made up until the date of a decision.

8.2 A total of 13 letters of objection were received in response to the initial consultation. The following issues were raised (the paragraph numbers responding to the issues are included in brackets):

(i) The car park would be contrary to Islington’s ‘car free’ policy and would cause increased air and noise pollution (paras 10.69 and 10.70)
(ii) The loss of trees, pond and verdant garden area would impact unduly on biodiversity (paras 10.26, 10.31, 10.32 and 10.33)

(iii) The side extension would reduce the visible gap between properties (10.21, 10.22 and 10.24)

(iv) Excessive size of the extensions and subsequent overdevelopment of the site (para 10.24)

(v) The impact of the proposal on the character and appearance of the conservation area (paras 10.21, 10.22, 10.23, 10.24 and 10.29)

(vi) Overlooking and sense of enclosure with regards to the gardens and homes of the properties adjoining the site on Celia Road- from the raised balconies, windows and lower ground floor garden area (paras 10.47, 10.48 and 10.49 and conditions 6 and 9)

(vii) Loss of daylight and sunlight to and outlook from the rear windows of the Celia Road properties (paras 10.39 to 10.46 and 10.48)

(viii) Noise and disturbance from previous works carried out at the property and similar concern with regards to any future works (para 10.54)

(ix) Loss of light as a result of the proposed trellis on the Celia Road boundary (para 10.46)

(x) Lack of family sized units (para 10.56-10.58)

(xi) Lack of private outdoor amenity space for the occupiers of the flats (para 10.62)

(xii) Noise and disturbance as a result of the proposed lower ground floor garden areas (para 10.55)

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

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

Internal Consultees:

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

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

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

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

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

8.10 None

9. RELEVANT POLICIES

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

National Guidance

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

Development Plan

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT:

10.1 The main issues arising from the proposal relate to:

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

Land Use

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

10.3 Evidence supporting this claim was submitted with the application, including a letter from the relative of the previous owner, a tenancy agreement in relation to the basement flat, a marketing page for an individual room to rent and a marketing page relating to the whole property, which referenced the property as containing a self contained flat at basement level, a self contained flat at second floor level, 6 rooms at ground floor and 5 rooms at first floor. Council tax records also state that the property has been used as 3 residential units since 1993.
10.4 There is however no planning history that supports the above as the lawful use and the property has been empty for the previous 2 years, which means that the use could not be considered lawful by virtue of the fact that the property has not been continually occupied as such for 4 years.

10.5 Indeed, the most recent planning approval for a change of use was in 1999, when permission was granted for the change of use of the property into a hostel. ‘Hostels’ provide non self-contained accommodation, often for a particular group of people, where there is no significant element of care. They are classified as sui generis. The planning application file cannot be found however, and we have no details of the use and no existing or proposed floor plans. It is not clear whether this permission was implemented, or what use class the property was prior to this application.

10.6 In 2013, an HMO licence was issued. The licence gave permission for the ground floor of the property to be used as 6 HMO units, for 6 occupants. The license notes that the first and second floors of the property are to be used by one household only, as a self-contained flat, by the resident landlord and his family.

10.7 Whilst there is no planning permission for this HMO use, the property was inspected at the time by the council’s Public Protection officers and it is clear that, upon inspection the property was laid out as per the Licence. The Licence was revoked in 2015 upon the passing of the owner and upon vacancy of the property.

10.8 HMO’s are classified either as a sui generis use, if they contain more than 6 occupants, or a C4 use, if they contain 6 or fewer occupants. Providing the HMO in question was occupied by no more than 6 people, on the ground floor of the property only as per the Licence, the use class would have been C4. In this instance the HMO could have been converted to a single dwelling house without planning permission and policy DM 4.12, which aims to retain good HMO’s, does not apply. If in fact this was an HMO which provided accommodation for more than 6 people, over ground and first floor, the application must be assessed against policy DM4.12. Part C states that the council will resist the loss of good HMO’s. The HMO Licence was revoked in 2015 and it cannot therefore be established that the property provides the standard of accommodation which could be determined to be ‘good’.

10.9 In conclusion, it is likely that the property has remained in residential use for many years. Specifically, there is some evidence that the basement unit was occupied as a dwelling between 1993 and 2015 and that the second floor was historically occupied by the previous owner, who also managed the HMO at lower ground floors.

10.10 The licenced HMO, with 6 occupants, was not large enough to be protected by the Development Management policy DM 4.12 and could have been converted to a single family unit without planning permission. It is therefore reasonable to assume that no change of use is proposed here and that the redevelopment the property into 7 self-contained flats is acceptable in principle. The proposal would introduce additional residential accommodation into a residential area which would help the council to achieve their housing targets.

10.11 Whilst it is reasonable to assume that the last use of the property was 3 residential units, the lawful use of the property in this manner has not been established and is not considered able to be done so (as per paragraph 10.4 above). In acknowledgement of this, the applicant has agreed to pay the full affordable housing small sites contribution relating to the seven unit scheme, of £350,000.
10.12 The proposal is acceptable in land use terms.

**Design and Impact on the Conservation Area**

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

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

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

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

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

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

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

10.20 The scheme proposes the erection of lower ground and ground floor extensions to the north eastern elevation of the building and other external alterations. The lower ground floor extension would be 5.5m deep. The ground floor extension would be set back from the main side elevation of the building by 1m and would be 4.6m deep with a flat roof. Both the lower ground and ground floor extensions have been reduced in depth since the original submission to reduce their visual impact. The images below show the property with the development in place.
The proposal would be viewed, from Brecknock Road and from directly adjacent to the site on Corinne Road, as a side extension. The lower ground floor extension would not be visible in long views of the site as it would be screened by the existing boundary wall. This part of the proposal would as such not interfere with existing views through the site to the verdant land beyond. The ground floor extension would be visible from the public realm, although it would be screened to an extent by the 2m high boundary wall. This part of the extension would be no wider than half of the width of the side elevation of the house and would appear subordinate to the host property in this regard. It should also be noted that both the lower ground floor and ground floor extensions have been reduced in depth since submission of the application, in the case of the lower ground floor by 1.2m and in the case of the ground floor extension by 1.3m. As amended, the extension would not dominate the host building and would not encroach beyond its side building line. An open area of garden land would be retained to the east of the ground floor extension, which would preserve the spacious appearance of the site and the pleasant view of trees and rear gardens beyond. Image 9 below shows the location of built form and garden land on the site, with the development in place.

There would be glimpsed public views of the extension, as a rear extension, from further east along Corinne Road. The extension would sit a clear distance below the eaves line of the roof of the main building and would be less wide than the elevation itself. Overall the size of the extension would respect the scale of the host building when viewed from the east and would not dominate it.
10.23 The extension would be constructed of brick to match the existing house with timber fenestration. All existing windows in the property would be replaced with traditional timber sash windows and the roof would be replaced with slate tiles, which would improve its appearance in this conservation area location. A condition is recommended requiring the submission of details of all materials used in the development, prior to commencement of work, to secure a high quality finish. In addition to the replacement of the windows in the existing property, two new rooflights are proposed within the front and rear roofslopes. These are acceptable in principle given the variety of roof structures and extensions, including roof lights, in the vicinity. A condition requiring ‘conservation’ rooflights is recommended, to ensure their discrete appearance and preservation of the character of the conservation area.

10.24 Overall the extension would not inappropriately dominate the garden or main building and would respect and respond positively to the local streetscape, which as described before, is mixed in character. The size, location, design and materials of the proposed extensions would preserve the special character of the Tufnell Park conservation area.

10.25 In relation to other works, it is proposed to increase the depth and projection of the existing front and side lightwells by 1.5m and 2m respectively, to allow for the introduction of full height fenestration to the basement level rooms and an external amenity area for flat 1. Verdant garden behind the front boundary wall would be retained, in compliance with the Urban Design Guide and Basements SPD and there would be little impact on the external appearance of the front elevation of the property. It is also proposed to reduce the ground level of the western part of the rear garden by approximately 1m, to facilitate the lower ground floor extension and private outdoor space for flat 2. The extent of the basement works proposed here are not substantial and not of the size requiring compliance with the councils Basement Development SPD.

10.26 The garden area would remain verdant and, whilst built form would be introduced to the site by way of extensions, this would be offset by the soft landscaping that would be introduced through the demolition of the garages- which would promote sustainable drainage and enhance the open nature of the conservation area. This part of the proposal would have an acceptable impact on the character of the conservation area.

10.27 Other elements of the proposal would also benefit the appearance of the property and garden. In addition to the removal of the garages and the subsequent increase in soft landscaping, the boundary wall would be removed of its crumbling render and the brickwork below cleaned.

10.28 Bike and refuse storage is proposed within the rear garden area, screened to an extent behind the existing boundary wall. Details of the external appearance of the storage would be required by condition, to secure their good design.

10.29 Overall, the proposal would preserve the special character of the conservation area. With appropriate conditions to secure a high quality finish, the proposal is acceptable in design and conservation terms, in accordance with policies CS8 and CS9 of Islington’s Core Strategy 2011, policies DM2.1 and DM2.3 of Islington’s Development Management Policies Document June 2013, the Tufnell Park Conservation Area Design Guidelines and the Islington Urban Design Guide 2017.

**Trees, Landscaping and Biodiversity**

10.30 In accordance with Development Management policy DM6.5 (Landscaping, trees and biodiversity), all developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site.
10.31 It is proposed to fell 3 small Evergreen trees on the boundary with the Celia Road properties, in order to facilitate construction of the lower ground floor garden area. The council's Tree Officer has assessed the scheme in relation to the removal of these trees. The trees in question are of a low grade and are limited in size and amenity value. They are, as such, not considered to be a constraint to development. Notwithstanding this assessment, the applicant has agreed to reprovide 3 trees to replace those lost. Whilst these would not be mature specimens, they would contribute to greening and visual appearance of the site. They would be sited adjacent to the boundary fronting Brecknock Road, adjacent to the boundary fronting Corinne Road and adjacent to the boundary with the Celia Road properties.

10.32 There is currently 315sqm of soft landscaping on the site. The amount of soft landscaping with the development in place would also be 315sqm, because the area of the existing garages is the same as the area of the proposed extensions. There would as such be no adverse impact on drainage or biodiversity. It is considered that the loss of the pond in this context, and given its poor state of repair, is acceptable.

10.33 Policy DM6.5D states that developments should maximise the provision of biodiversity roofs. The proposed green roof, which would cover the ground floor extension, is supported in this context. The green roof should maximise biodiversity through thick substrate and appropriate grass species and it is recommended that this be secured by condition (condition 3).

**Neighbouring Amenity**

10.34 Development Management Policy DM2.1 states that development is required to 'provide a good level of amenity including consideration of overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook'.

10.35 The residential dwellings closest to the proposed extension are those on Celia Road to the north east of the subject site and at 200 Brecknock Road adjoining the subject property.

10.36 Firstly, to discuss the impact of the development on the amenities of the Celia Road properties. The rear facing windows of the Celia Road properties face the site, and their rear gardens abut the shared boundary. Numbers 4 and 6 Celia Road would directly face the proposed extension. Numbers 2, 8, 10, 12 and 14 Celia Road would have more oblique views.

10.37 In terms of existing boundary treatment, there is a brick wall which runs the length of the shared boundary. A small section of trellising above the wall remains in situ, on the shared boundary with numbers 12 and 14. Adjacent to the boundary with number 10, on the subject site, is the single storey garage which rises to a height of approximately 2.5m. The garden of number 8 Celia Road has a fair amount of evergreen vegetative screening adjacent to the boundary. There is very little in the way of screening adjacent to the boundary with number 6.

10.38 The ground level slopes downwards, from the subject site to the gardens of the Celia Road properties and down again to the Celia Road ground floor windows. As such, ground floor level of number 198 Brecknock Road is slightly higher than the first floor windows at the Celia Road properties.

**Daylight and Sunlight**
10.39 With regards to light, a Daylight and Sunlight Report has been provided as part of the application submission. The assessments which inform the report were carried out in accordance with the guidance and methodology set out in the Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight 2011 publication. This document provides the accepted nationally recognised guidance which is used in the assessment of sunlight and daylight impacts for planning applications.

10.40 For assessment of daylight, the BRE guidelines advises that the vertical sky component (VSC) for each window is measured and that a development would cause no significant perceivable reduction in existing daylight levels to neighbouring properties provided that:

*The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by more than 20% of its original value;*

10.41 The BRE guidelines also advises in this regard that the Daylight Distribution (DD) be measured. Daylight may be adversely affected if, with the development in place, the area in a room which can receive direct sunlight is reduced to less than 0.8 times its former value.

10.42 For assessment of sunlight, the BRE guidelines confirm that only windows facing within 90 degrees of due south warrant assessment. The guidelines stipulate that for those windows that do warrant assessment, there would be no significant perceivable reduction in existing levels of sunlight received where:

*In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Winter Probable Sunlight Hours (WSPH) between 21st Sept and 21 March – being winter; and where the APSH and WSPH is not reduced by more than 20% of its original value.*

*In cases where these requirements are breached there will still be no significant noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of APSH.*

10.43 Where the guideline values for reduction of existing levels of daylighting and sunlighting are exceeded, then sunlighting and/or daylighting may be adversely affected.

10.44 With regards to overshadowing, the BRE guidelines state that, with the development in place, at least 50% of the outdoor garden areas should receive at least two hours of sunlight on 21st March and the amount of sunlight received should not exceed 0.8 times its former value.

10.45 The daylight/sunlight report submitted with the application assessed the above in relation to numbers 4, 6, 8 and 10 Celia Road. The report concludes, in relation to daylight, that there would be no undue reduction in the value of VSC with the development in place and there would be no loss of DD with the development in place. The proposal would have an acceptable impact on the daylight received to numbers 4, 6, 8 and 10 Celia Road. There would also be no undue impact on the amount of sunlight reaching the habitable room windows of the Celia Road properties and no undue overshadowing to the rear gardens.

10.46 Concern has also been raised with regards to loss of light to the gardens and rear windows of the Celia Road properties by reason of the proposed trellis, which would sit above the existing fence line. The proposed trellis would raise the total height of the boundary treatment adjacent to the boundary with number 6 to 2m above the garden level of that property. It is not considered that this height is excessive and it would not result in any undue loss of light to or outlook from the rear windows of that property, nor
would it result in a sense of enclosure for users of the garden. The other Celia Road properties would also not be unduly affected by the additional trellis height, given the presence of foliage, existing fencing and the garage which already currently exists on the boundary.

10.47 With regards to privacy, the proposed north east facing ground floor windows of the extension would be obscure glazed and non opening, which would be secured by condition. The balcony to flat 4 is shown to be screened on its eastern side by an obscure glass privacy screen, which would be 1.5m high. A condition is recommended which requires that the privacy screen is installed prior to first occupation of the development. Notwithstanding the drawings, the condition requires that the screen be 1.7m high, to ensure that the privacy of the Celia Road properties is preserved. There would, as such, be no undue overlooking or loss of privacy to the occupiers of the Celia Road properties as a result of this part of the proposal. The lower ground floor extension would be sited behind the existing boundary wall. An additional line of trellising would be added to the top of this wall bringing it to an overall height of 2.6m. There would be oblique views from the upper floors windows of the Celia Road properties, into the lower ground floor windows of flat 2, and vice versa, at a distance of approximately 10m. This relationship, given the oblique nature of the views and extent of the proposed boundary treatment, is not considered to cause undue loss of privacy to the occupiers.

10.48 With regards to outlook and sense of enclosure, the lower ground floor extension would be sited approximately 8m from the outrigger at the number 6 Celia Road. This part of the extension would be sited behind the boundary wall and would not be visible from the ground floor windows or the garden of that property. The ground floor extension would be sited 9m from the outrigger at number 6 and would be approximately 5.5m above the Celia Road garden level. This part of the extension would be visible from all levels of the property.

10.49 It is appreciated that outlook from the rear windows and garden of the Celia Road properties would change as a result of the development. Currently, outlook from upper floor windows is of the garages and host property beyond. As proposed, the built form on the site would be closer, but still viewed in context of the higher main property behind. The garages would be removed and that part of the site would appear more verdant than existing. The proposed green roof on the ground floor extension would also give the extension a more verdant appearance. It is considered that, given the distance of the extension from the rear gardens and ground floor windows of the Celia Road properties and the height of the overall extension, that there would be no undue sense of enclosure or loss of outlook to the Celia Road occupiers as a result of the proposed development.

10.50 In relation to 200 Brecknock Road, the proposed ground floor extension would be 2.7m high, abutting the shared boundary, for a depth of 5.5m. This would be 0.8m higher than the existing shared boundary wall. The proposed ground floor extension would be 1m deep adjacent to the shared boundary, extending to 4.5m deep, 2m from the shared boundary. The Daylight Sunlight report, in relation to number 200, concludes that there would be no significant reduction in VSC or DD with the development in place and that there would as such be no discernible loss of light to the habitable room windows. The image below shows the relationship between the proposed extension and 200 Brecknock Road.
10.51 Given the depth of the extensions, the fact that the ground floor extension at its deepest would be set off the shared boundary and the favourable orientation of the properties, it is also considered that there would be no undue loss of outlook from the nearest habitable room windows of this property with the proposal in place, nor would there be any undue sense of enclosure or overbearing impact to the occupiers when viewed from their windows or rear garden.

10.52 There would be no windows on the western elevation of the rear extensions and therefore no overlooking of the windows or rear amenity area of 200 Brecknock Road would occur.

10.53 With regards to other matters raised as a cause for concern by neighbouring residents, the parking area initially included within the submission has been removed from the drawings. The development would be car free and would not contribute to additional air or traffic pollution. Condition 6 as such states that the future occupiers, subject to 2 exceptions, are not permitted to obtain residents parking permits, in the interest of sustainability.

10.54 Noise and disturbance caused by previous works is not a material planning consideration relevant to this application. Should this application be approved and implemented, the development would be required to conform to hours of construction set down by the councils Environmental Health department. These are Monday to Friday 8am to 6pm. Saturdays 8am to 1pm.

10.55 It is considered that the use of the lower ground floor amenity areas to the front and rear of the property would not result in levels of noise that would be greater than normal domestic levels associated with private garden spaces.

**Housing Mix**

10.56 Policy 3.8 of the London Plan states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings, taking account of housing requirements identified at regional, sub-regional and local levels.

10.57 Islington Core Strategy policy CS12 (Meeting the housing challenge) requires the provision of a range of unit sizes within individual schemes in order to meet the needs...
within the borough. The mix of dwellings should respond to the identified need as highlighted by the Islington Housing Needs Survey 2008 and illustrated in table 3.1 of the Development Management Policies document.

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

**Standard of accommodation**

10.59 Islington Development Management Policy DM3.4 (Housing standards) provides detailed guidance and criteria for assessing the standard of proposed residential units.

10.60 The table below sets out the required and proposed floor space and amenity space standards:

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

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

10.61 All of the proposed units would meet or exceed minimum unit sizes. All habitable rooms within each dwelling would exceed the required minimum size and the internal arrangement would allow for functional use.

10.62 Flats 2 and 4 have access to private outside space in compliance with the above standards. Whilst flat 1 would have 3sqm less than the minimum, this is not a significant shortfall given the constraints associated with the fact that this is a conversion of an existing property. The occupiers of flats 3, 5, 6 and 7 would not have access to private outdoor space. The flats in question are one bedroom units as opposed to family accommodation and communal outdoor space is provided. Again, taking into account the constraints of the existing building and the requirement to protect neighbouring residential amenity, it is considered that the correct balance between making best use of the site, future residential amenity and protecting existing adjacent residential amenity has been reached.

10.63 All of the units would be dual aspect. The seventh unit, within the roofspace, would be dual aspect only by virtue of a small dormer window. However this is a one bedroom unit, which would face south west and would be distanced from street level.

10.64 A daylight/ sunlight report with regards to the new units was submitted with the application. The report concludes that in the case of every proposed unit, rooms met or
surpassed the BRE Average Daylight Factor test and the test in relation to sunlight. It is considered that all would receive sufficient daylight, sunlight and ventilation.

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

**Inclusive Design**

10.66 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.

10.67 Notwithstanding this, an attempt was made by the applicant to provide step free access to the lower ground floor units, through the provision of sloped access from the pedestrian gate on Corinne Road. The length of the ramp deemed this impractical however and the constraints of the existing building and its conservation area location are such that the provision of an external lift was not appropriate in this instance. The units would all therefore be Category 1 due to stepped access to reach each front door.

10.68 In this context, the proposed entrance arrangements of the units are considered acceptable.

**Transportation**

10.69 The application as initially submitted included an on-site parking area. This element of the development was removed from the drawings and, in compliance with policy DM8.5 part A, the development would now be car free.

10.70 Residential occupiers would not be eligible to attain on street car parking permits for the surrounding CPZ in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure. The exceptions to this would be where, in accordance with Council parking policy, persons occupying the residential development are living in residential properties within Islington prior to moving into the development, have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit (condition 7).

10.71 Refuse storage would be provided within the rear communal area, accessed via a pedestrian gate on Corinne Road. Condition 4 in appendix B of this report requires that details of the refuse storage are submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

10.72 The drawings show that the development would provide for 10 cycle parking spaces. This is less than the 11 spaces required for provision to equal 1 space per bedroom. A condition is added (condition 8) requiring details of the cycle parking to be submitted prior to commencement of the development, to ensure compliance with policy DM8.4.

10.73 There is an existing crossover adjacent to the site onto Corinne Road which would become redundant with the development in place. The removal of this crossover would be secured through the provision of a head of term in the legal agreement. The cost of the removal is to be confirmed by LBI Highways, who carry out the works.

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

Affordable Housing

10.75 The Affordable Housing Small Site Contributions document was adopted on the 18th October 2012. This document provides information about the requirements for financial contributions from minor residential planning applications (below 10 units) towards the provision of affordable housing in Islington. As per the Core Strategy policy CS12, part G and the Affordable Housing Small Sites Contributions SPD, we would require a contribution of £50,000 per new residential unit in off-site contributions in lieu of on-site provision, subject to viability.

10.76 As stated in the landuse section of the report, whilst it is likely that the last use of the property was 3 residential units, there is not enough evidence to conclude that this is the lawful use of the property. In acknowledgement of this, the applicant has agreed to pay the full small sites affordable housing contribution required of this seven unit scheme, which is £350,000.

10.77 The granting of planning permission is subject to the applicant agreeing and entering into a Unilateral Undertaking in respect of the above.

10.78 The proposed development would also be liable for the Mayoral and Islington CIL.

11 SUMMARY AND CONCLUSION

Summary

11.1 The application seeks permission for the change of use of the existing building into 7 self-contained flats, including the erection of a lower ground and ground floor extension to the north east elevation of the building and other external alterations including the replacement of all windows with new timber windows throughout.

11.2 The main issues arising from the development are the lawful use of the property and the principle of the change of use, the standard of the residential accommodation and the impact of the development on the residential amenities of the neighbouring occupiers.

11.3 Whilst the lawful use of the property is unclear, it was last used as 2 self contained flats and a small HMO (C4 use class), providing accommodation for 6 occupants. The proposed use is also residential and there would as such be no change of use arising from the development. The development would introduce additional homes into a residential area and would help the council to meet its housing targets.

11.4 In acknowledgement that whilst the last use of the property was residential, the lawful use cannot be established, the applicant has agreed to pay the full contribution relating to the development, of £350,000.

11.5 The proposal would provide a good standard of internal living accommodation and outdoor amenity space for future occupiers. The constraints of the existing building are such that there are some areas of non compliance, but in each case these have been justified.
11.6 The proposal would not unduly harm the residential amenities of either the residential occupiers abutting the site on Celia Road or the adjoining occupiers at 200 Brecknock Road, subject to conditions relating to privacy screens, obscure glazing, fixed windows and boundary treatment. Overall neighbouring residential amenity would not be unacceptably harmed, in compliance with policy DM2.1.

11.7 The proposal would have an acceptable impact on the special character of the conservation area and the appearance of the host building, in compliance with policy DM2.3 and the Tufnell Park Conservation Area Guidance.

**Conclusion**

11.8 It is recommended that planning permission be granted subject to conditions and Unilateral Undertaking to secure the Heads of Terms, as set out in Appendix 1 – RECOMMENDATIONS.
APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

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

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

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

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

List of Conditions

<table>
<thead>
<tr>
<th></th>
<th>Commencement (Compliance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>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).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Approved Plans List: (Compliance)</th>
</tr>
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<tbody>
<tr>
<td>2</td>
<td>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>Biodiversity Roofs (Compliance)</th>
</tr>
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<tbody>
<tr>
<td>3</td>
<td>GREEN/BROWN BIODIVERSITY ROOFS (COMPLIANCE): The biodiversity (green/brown) roof(s) shall be:</td>
</tr>
<tr>
<td></td>
<td>a) biodiversity based with extensive substrate base (depth 80-150mm);</td>
</tr>
<tr>
<td></td>
<td>b) laid out in accordance with plan [xxxx] hereby approved; and</td>
</tr>
<tr>
<td></td>
<td>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</td>
</tr>
<tr>
<td></td>
<td>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</td>
</tr>
<tr>
<td></td>
<td>REASON: To ensure the development provides the maximum possible provision</td>
</tr>
</tbody>
</table>
towards creation of habitats and valuable areas for biodiversity.

### 4 Refuse and Recycling Store (Details)

**CONDITION:** Details of the dedicated refuse / recycling storage shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved. The approved refuse / recycling stores shall be completed prior to the first occupation of the new flats and shall be maintained as such thereafter.

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

### 5 Materials (Details)

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

- a) brickwork and bond;
- b) window and door treatment (including sections and reveals);
- c) roofing materials;
- d) privacy screens
- e) details of method of enclosure of the front lightwell
- f) details of the materials for the steps/ railings to garden level
- g) timber cladding to lower ground floor window
- h) any new boundary treatment including new gate

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

**REASON:** In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.

### 6 Privacy Screen

The privacy screen to flat 4, on the eastern elevation of the proposed lower ground floor extension, shall be erected prior to first occupation of the development. Notwithstanding the approved drawings, the privacy screen shall be 1.7m in height.

**REASON:** To protect the privacy of the occupiers of the properties bounding the site on Celia Road.

### 7 Parking (Compliance)

**CONDITION:** All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:

1. In the case of disabled persons;
2. In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.

**REASON:** In the interests of sustainability.

### 8 Cycle Parking (Details)
**CONDITION: CYCLE PARKING PROVISION (DETAILS):** Details of the layout, design and appearance of the bicycle storage spaces shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 11 cycle spaces.

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.

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

<table>
<thead>
<tr>
<th>9</th>
<th>Windows Obscured and Fixed Shut (compliance)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONDITION:</strong> All windows in the north eastern elevation of the proposed extension shown on drawing Nc030 hereby approved as being angled or obscurely glazed shall be provided as such prior to the first occupation of the development.</td>
<td></td>
</tr>
<tr>
<td>All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</td>
<td></td>
</tr>
<tr>
<td>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</td>
<td></td>
</tr>
<tr>
<td><strong>REASON:</strong> To prevent the undue overlooking of neighbouring habitable room windows, given the less than 18m distance between facing windows.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10</th>
<th>Water Consumption (compliance)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONDITION:</strong> The residential use hereby approved shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</td>
<td></td>
</tr>
<tr>
<td><strong>REASON:</strong> To ensure the sustainable use of water</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>11</th>
<th>Construction Management Statement (details)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONDITION:</strong> No development (including demolition works) in respect of the dwellings hereby approved shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall provide details of:</td>
<td></td>
</tr>
<tr>
<td>a. the parking of vehicles of site operatives and visitors;</td>
<td></td>
</tr>
<tr>
<td>b. loading and unloading of plant and materials;</td>
<td></td>
</tr>
<tr>
<td>c. storage of plant and materials used in constructing the development;</td>
<td></td>
</tr>
<tr>
<td>d. the erection and maintenance of security hoarding;</td>
<td></td>
</tr>
<tr>
<td>e. wheel washing facilities;</td>
<td></td>
</tr>
<tr>
<td>f. measures to control the emission of dust and dirt during construction; and</td>
<td></td>
</tr>
<tr>
<td>g. a scheme for recycling/disposing of waste resulting from demolition and construction works.</td>
<td></td>
</tr>
<tr>
<td>The development shall be carried out strictly in accordance with the Statement as approved throughout the construction period.</td>
<td></td>
</tr>
<tr>
<td><strong>REASON:</strong> to ensure no harm to neighbouring occupiers.</td>
<td></td>
</tr>
</tbody>
</table>
### 12 Carbon Reduction (compliance)

| 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. |
| REASON | In the interest of securing sustainable development. |

### Informatives:

#### 1 Positive statement

To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council’s website.

A pre-application advice service is also offered and encouraged. Whilst this wasn’t taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.

This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.

#### 2 Car-Free Development

CAR-FREE DEVELOPMENT: All new developments are car free. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.

#### 4 Sustainable Sourcing of Materials

SUSTAINABLE SOURCING OF MATERIALS: Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE’s Green Guide Specification.

#### 5 Section 106

SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

#### 6 Hours of Construction

No building work shall be carried out at the site outside the following hours:
- 8am - 6pm, Monday to Friday;
- 8am - 1pm, Saturday; and
- no audible building works to be carried out on Sunday or public holidays

#### 7 Definition of Superstructure and Practical Completion

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.

<table>
<thead>
<tr>
<th>8 Community Infrastructure Levy (CIL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</td>
</tr>
<tr>
<td>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></td>
</tr>
</tbody>
</table>
APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

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

2. Development Plan

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


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

B) Islington Core Strategy 2011

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

C) Development Management Policies June 2013

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

3. Designations

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

• Tufnell Park Conservation Area

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

The following SPGs and/or SPDs are relevant:

<table>
<thead>
<tr>
<th>Islington Local Development Plan:</th>
<th>London Plan:</th>
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<tbody>
<tr>
<td>- Affordable Housing Small Sites Contributions</td>
<td>- Housing</td>
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<td>- Sustainable Design &amp; Construction</td>
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<tr>
<td>- Tufnell Park Conservation Area Design Guidelines</td>
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<td>- Planning Obligations and S106</td>
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<tr>
<td>- Urban Design Guide</td>
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<td>- Basement Development</td>
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