

## PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department

<b>PLANNING SUB COMMITTEE B</b>		
<b>Date:</b>	27 February 2018	<b>NON-EXEMPT</b>

Application number	P2017/3903/FUL
Application type	Full Planning Application
Ward	Tollington Ward
Listed building	Not a listed building
Conservation Area	Not within a conservation area
Development Plan	Within 50m of Tollington Park Conservation Area Article 4 Direction (A1-A2)
Licensing Implications	None
Site Address	24 and 26 Almington Street, Islington, London N4 3BG
Proposal	Change of use from Sui Generis use (Hostel) to C2 use (Residential children's home) together with a joint single storey rear extension at ground floor level to facilitate conversion into single residential unit.

Case Officer	Nathan Stringer
Applicant	Single Homeless Project – Ms Elizabeth Rutherford
Agent	Avalon Planning & Heritage – Mr Murray Ross

### 1. RECOMMENDATION


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

2. SITE PLAN (site outlined in black)



**3. PHOTOS OF SITE/STREET (REMOVED - SENSITIVE)**

**Image 1:** Aerial View of the Application Site

**Image 2:** Photograph of the front of the 

**Image 3:** Photograph of the rear elevation of the Site

**Image 3:** Photograph showing the rear 

## **4. SUMMARY**

- 4.1 Planning permission is sought for the change of use of the properties at nos. 24 and 26 Alington Street from homeless support hostel (Sui Generis) to a residential children's home (use class C2), including the erection of a [REDACTED] rear ground floor extension at both properties. The key considerations in determining the application relate to the land use, including the loss of the homeless support hostel and the acceptability of the introduction of a residential children's home, the associated impact on neighbouring amenity; and the impact of the external alterations on the appearance of the existing building and on the character and appearance of the surrounding area, as well as the quality of the proposed residential children's accommodation including accessibility.
- 4.2 The application is brought to committee because the proposal has received six objections from neighbouring residents, generating a lot of interest in the development. The main concerns from objectors include the impact of the proposed use on neighbouring amenity and safety, and impacts from the proposed rear extension on the character of the area and neighbouring amenity.
- 4.3 The application site comprises 2no. two storey (plus attic) mid-terrace Victorian properties. The site is located on the western side of Alington Street. The host property is not listed, and the site is not located within a conservation area, but it is situated within 50m of the boundary of the Tollington Park Conservation Area which runs to the rear of the site. The surrounding properties are predominantly residential in character, with Victorian terraces dominating. The southern end of Alington Street is a cul-de-sac, which restricts access to through traffic. At the southern end of the street, approximately 50m away from the Site, sits the Islington Arts and Media School.
- 4.4 The proposal would result in minor internal reconfiguration of the existing properties to allow for use as a residential children's home. The external alterations include the erection of a [REDACTED]
- 4.5 The proposal is considered to be acceptable in land use terms, given that the former hostel service was decommissioned in 2013/14 and alternative provision was found for the service users. Given the standard of facilities proposed for children's services, the location of the property and suitable use of the site, the proposed change of use is considered acceptable. The proposed external alterations together with this use are not considered to harm the character nor visual appearance of the host building or the surrounding area and the adjoining conservation area. It is considered not to have a significant impact on the local highway network or the amenity of neighbouring properties.
- 4.6 The proposal is therefore considered to be acceptable and it is recommended that the application be approved subject to conditions.

## **5. SITE AND SURROUNDING**

- 5.1 The application site consists of 2no. two storey (plus attic) mid-terrace Victorian properties on the western side of Alington Street. The properties were last occupied as a homeless support hostel until September 2013, by Single Homeless Project. Prior to this, the properties were in use as self-contained residential properties, a use that ceased circa mid-1980s.
- 5.2 The application site is not located within a conservation area, however it is adjacent to the boundary of the Tollington Park Conservation Area. It is largely residential in character, and the immediate area around the application site is characterised by similar residential terrace developments to the north, south and east, and larger semi-detached residential properties fronting Turleway Close to the rear. The southern end of Alington Street is a cul-de-sac, which restricts access to through traffic. At the southern end of the street, approximately 50m to the south of the site, sits the Islington Arts and Media School, a large educational facility with a variety of building styles, heights, and designs.

## 6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for the change of use of the properties from homeless support hostel (Sui Generis) to a residential children's home (use class C2), including the erection of a [REDACTED] rear ground floor extension at both properties.
- 6.2 The existing properties have been leased by the applicant for the previous 30 years, during which they have operated as two separate hostels providing temporary accommodation for residents with substance abuse issues, each accommodating five individuals in five separate bedrooms. Following changes in government funding and care requirements, the properties were decommissioned by the Council's Supporting People team and Single Homeless Project restructured their services for clients with substance use issues by providing alternative high support beds at a facility in Ashley Road, approximately 500 metres away.
- 6.3 The application proposes to change the use of the properties to C2 (residential children's home), to facilitate the provision of a single supervised residential children's home. The applicant has confirmed that the facility would provide living accommodation for a total of 8 children aged 10-16 years old. Staff would be present at the property 24 hours per day, with a minimum of 2 staff overnight and up to 6 staff present during the day. Overnight staff would not sleep, however there are additional rooms that will be for the use of staff.
- 6.4 Planning permission is also sought for the erection of a [REDACTED] rear ground floor extension to both properties. [REDACTED]. This would allow the support home to operate as a single entity. The extension would project approximately 3.75m from the rear of the outrigger to each property when viewed from the flank. The rear elevation of the extension would be set back from the eaves, projecting approximately 2.9m from the rear of the existing outrigger. The addition would incorporate a flat roof, with a height of approximately 3.15m. The extension would be set in from the boundaries with adjoining properties by approximately 1.8m.
- 6.5 The extension would be constructed with timber cladding, with double glazed aluminium framed bi-folding doors to the rear, and an aluminium framed casement window to each flank elevation.

## 7. RELEVANT HISTORY:

**840577 (24/26 Almington Street)** – Alterations conversion and repairs to form a cluster dwelling. Application refused 28/08/1984.

REASON: The properties are two of a limited number of two storey houses in the Borough considered to provide valuable single family accommodation which it is the Council's intention to retain and conversion in the manner proposed would prejudice this aim.

**P2017/2199/COL (24 Almington Street)** - Certificate of Lawfulness (Existing) for change of use from residential (use class C3) to hostel (Sui Generis). Approved with no conditions 01/08/2017.

**P2017/2200/COL (26 Almington Street)** - Certificate of Lawfulness (Existing) for change of use from residential (use class C3) to hostel (Sui Generis). Approved with no conditions 01/08/2017.

### ENFORCEMENT

- 7.1 None

### PRE-APPLICATION ADVICE

- 7.2 Q2015/0968/MIN – Change of residential (C3) to a children's home (C2). Council advised that the use class of the site would be C3(b) if the number of full time carers did not exceed two and the number of children did not exceed four. However, the proposal would involve a change of use to C2 if the number of residents or the working patterns of the carers were to change or increase above this figure.

## 8. CONSULTATION

### Public Consultation

8.1 Letters were sent to occupants of 43 adjoining and nearby properties on 11 October 2017. The public consultation of the application therefore expired on 3 November 2017, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report 8 no. responses had been received from the public with regard to the application, with 6 no. letter of objection and 2 no. providing comment. The responses raised the following summarised concerns (paragraph numbers refers to where the matter is addressed in this report):

- the level of care and supervision to be provided for the residents of the home (paragraphs 10.1-10.17)
- concern regarding lack of information regarding operational standards of the residential home (paragraphs 10.1-10.17, and 10.47)
- impact of the proposal on street traffic (paragraph 10.42-10.43)
- neighbouring amenity impacts including noise (paragraphs 10.34-10.39)
- impact on resident health and safety (paragraphs 10.34-10.41)
- fire safety impact resulting from the combined rear extension (paragraph 10.45)
- lack of consultation with neighbours regarding the proposed use (paragraph 8.1)
- concern regarding lack of community consultation with regard to the previously approved certificate of lawfulness application regarding use of the properties as homeless support hostel (Sui Generis) (paragraph 8.2 below)
- impact of the proposed rear extension on the character of the wider area (paragraphs 10.25-10.33)
- impact of the proposed rear extension on neighbouring amenity, including access to day light and sunlight (paragraphs 10.34-10.41)

**Officer notes:** concern has been raised regarding lack of consultation with regard to the previously approved certificate of lawfulness regarding the use of the properties as a homeless support hostel. As this application was for a certificate to determine the existing lawful use of the site (and therefore no consideration was given to the merit of the scheme), public consultation was not undertaken.

### Internal Consultees

8.3 **Planning policy:** officer raised no objection, and advised that she is satisfied that the loss of the hostel is acceptable given the time that has elapsed since the hostel use ceased, and considering that an alternative provision was found for the service users. Also advised that the use of the site as a children's residential home is acceptable in accordance with policy DM3.8 part A and DM4.12 part C.

8.4 **Safeguarding and Family Support:** supports the application, as it would provide suitable accommodation for children within the borough who are currently placed more than 20 miles away from London due to an under-supply of places. Advised that the facility would need to be accredited by Ofsted prior to occupation.

8.5 **Building Control:** raised no concern regarding the proposed [REDACTED] rear extension and its impact on fire safety. Advised that an informative should be placed onto the approval recommending that internal fire safety doors be installed within each property [REDACTED].

### External Consultees

8.6 Metropolitan Police: advised that Secured by Design standards should be met for the property, including details such as doorsets and accessible windows.

## 9. RELEVANT POLICIES

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

### National Guidance

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

### Development Plan

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

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

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

## 10. ASSESSMENT

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

- Land use
- Quality of Accommodation
- Design and Conservation
- Neighbouring Amenity
- Other issues

### Land use

- 10.2 The application site consists of two adjoining dwellings with existing lawful use as a homeless support hostel (Sui Generis use class), which was granted lawful (existing use) certificates in 2017 [ref numbers P2017/2199/COL and P2017/2200/COL]. The application seeks to change the use of both properties to a residential children's home (C2 use class), which would be used to provide accommodation for a total of ■ children aged ■ years old. Staff would be present at the property 24 hours per day, with a minimum of 2 staff overnight and up to 6 staff present during the day. ■

### Loss of existing hostel use

- 10.3 The proposal would result in the loss of the existing homeless support hostel floor space (Sui Generis use class). In terms of assessing this loss, policy DM3.9 Part F of the Development Management Policies 2013 is applicable.
- 10.4 Part F of this policy states '*the council will resist the loss of hostels unless:*
- I. adequate replacement accommodation will be provided for the particular group; or*
  - II. it can be demonstrated that the accommodation is no longer needed for the particular group; or*
  - III. it can be demonstrated that the existing accommodation is unsatisfactory for modern standards and/or not fit for purpose in its current use.'*

- 10.5 The properties were previously used as a hostel for low support step down services for high support clients at a separate facility located in Ashley Road. This use at the site ceased in September 2013, when it was decommissioned in association with Council's Supporting People team following changes to funding arrangements. The site was no longer needed as the level of client needs were too high for a financially unsupported project, and all residents were resettled into private rentals sourced by Single Homeless Project or other hostel accommodation where required, and those who were unable to manage without support moved into repurposed high support accommodation at the Ashley Road facility.
- 10.6 Therefore, it is considered that policy DM3.9 part F(i) has been satisfied, given that residents were resettled into alternative accommodation, in addition to the time that has elapsed following the closure of the hostel facility and considering that it is unlikely the site would be brought back into hostel use. Council's policy officer has advised that the loss of the hostel is therefore acceptable from a policy perspective.
- 10.7 Part G of policy DM3.9 states that *'where the loss of a hostel is acceptable, development should provide accommodation to meet an acute need identified by the council's housing department, which may include social rented housing.'* In this instance, the applicant has provided information detailing the need for residential places for children in the care of Islington Council. Supporting information suggests that there is currently only one residential home for children within the borough [REDACTED] meaning that 24 Islington children were placed outside of the borough as of March 2017. The proposed change of use would provide accommodation for [REDACTED] children, which could go some way towards meeting the identified need for specialist children's services in Islington.
- 10.8 Section 22G of the Children Act 1989 requires local authorities to take strategic action in respect of those children they look after and for whom it would be consistent with their welfare for them to be provided with accommodation within their local authority area. In those circumstances, section 22G requires local authorities, so far as is reasonably practicable, to ensure that there is sufficient accommodation for those children that meets their needs and is within their local authority area. As such, the local authority is to ensure that suitable provision is available in the borough. Islington does not have enough spaces within the borough, and therefore a number of children have needed to be placed more than 20 miles away from London. Islington's Safeguarding and Family Support Commissioning Manager has advised that the Council has been working with the applicant with regard to this application, and that she has met with the applicant on two separate occasions to discuss the application in her role as Commissioning Manager. The application is therefore supported by the Safeguarding and Family Support team as it would provide much needed accommodation for local children within the borough.
- 10.9 Whilst the proposal may not comply with Part G of policy DM3.9 as children's support homes do not fall under the scope of the borough's housing department (nor does it include the provision of social rented housing), the proposed use would meet a significant gap in the existing provision of housing for vulnerable children. Given the current shortage of care facilities identified by the safeguarding and community support team, and as it provides social accommodation for vulnerable children, the proposal is considered acceptable with regard to Part G of policy DM3.9.

#### Provision of Children's Care Home

- 10.10 Policy DM3.8 Part A states that *'the council will support the provision of sheltered housing and care homes provided the development will be:*
- I. suitable for the intended occupiers in terms of the standard of facilities and the level of independence, and provide the necessary level of supervision, management and care/support;*
  - II. accessible to public transport, shops, services and community facilities appropriate to the needs of the intended occupiers; and*
  - III. a suitable use for the site considering the surrounding neighbourhood, and contribute to mixed and balanced communities.'*



- 10.11 In relation to part (i) of this policy, the applicant advises that the children's home will be registered with, and regulated by Ofsted. The proposed home would provide a fully supported domestic scale care facility for ■ children (■■■■■■■■■■) aged ■■■ who are unable to remain in the family home. Residents would generally stay for ■■■■■■■■■■. The home would provide a safe environment alongside the structure of a 'family' routine, with staff delivering care, support and all the tasks of parenting. With regard to staffing and management of the site, staff will be present 24 hours a day and will provide emotional, domestic and educational support, with the site registered and regulated by Ofsted. There would be a minimum of 2 staff overnight and up to 6 staff present during the day.
- 10.12 The Council's Safeguarding and Family Support team confirms that all children's support homes are required to be regulated. In this instance, the regulator would be Ofsted, who would undertake unannounced visits to the home throughout the year. Ofsted would have the power to downgrade the home if there are any concerns. Council's Commissioning Manager of Safeguarding and Family Support, as the responsible commissioner for the site, has confirmed that she will be required to undertake monitoring visits and assess the home prior to commencement of operations, and then yearly following this. On-site workers will not be social workers, they will however be skilled and qualified as per Ofsted regulations. All children will have their own social worker and would be open care cases with the Council. Overall, it is considered that the proposed site would be suitable for the intended occupiers, and therefore the proposal accords with part (i) of policy DM3.8.
- 10.13 In relation to part (ii) of this policy, the site is reasonably located and is accessible by public transport, being located in an area of the boundary of three different PTAL ratings of 6a, 3 and 2. This suggests that there is a good level of access to public transport from the site. The site is located within close proximity to shops, services and community facilities including educational facilities. No educational operations would be undertaken at the site, and the children will be supported to remain where possible in the schools they have been attending prior to the point where they were moved into the home. If, for risk reasons, they cannot remain in their schools they will be enrolled locally. Overall, it is considered that the proposed site is adequately accessible for the intended use, and therefore the proposal accords with part (ii) of policy DM3.8.
- 10.14 In relation to part (iii) of this policy, the applicant's assessment discusses the impact that the operation of a children's home may have on neighbouring properties. It states that the site would be wholly appropriate for the purpose, which would make a contribution to a mixed and balanced community, noting that the predominantly residential street would be an ideal location for the use of a home for children and that management would ensure that the amenity of neighbours is preserved.
- 10.15 The Council's Commissioning Manager of Safeguarding and Family support confirms that, as the responsible commissioner for the site, she would be the primary contact for any complaints regarding the operation of the site. The providers would be statutorily obliged to complete Area Risk assessments which are submitted to the regulator (Ofsted) and to the Police. The Council will work in partnership with the applicant to ensure that the group of children placed are appropriately matched with due regard to preventing any escalating issues that may impact on the community, advising that council would retain oversight in managing who goes into the placement and assessing alongside the social workers whether each individual is able to be placed.
- 10.16 Further, consideration must also be given to the current lawful use of the site as a hostel (Sui Generis), which would have the potential to be much more disruptive to local residents than the proposed use as a children's home. Overall, taking into consideration the operational and regulatory requirements of the proposed children's home, as well as council oversight regarding the placement of children in this location, it is considered that the proposed use would be suitably managed and would therefore be a suitable use for the site, contributing to a mixed and balanced community. Therefore, the proposal accords with part (iii) of policy DM3.8.
- 10.17 Overall, the proposal is considered to be acceptable, on balance, in land use terms given the supporting documentation provided, the operational regulation and oversight by Council's Safeguarding and Family Support team as well as Ofsted, and the above recommended conditions. It is therefore considered consistent with the aims of the policies on land use within London Plan 2016 policies 7.4 (Character) and the Council's policies CS8 (Enhancing Islington's character) of

the Core Strategy 2011, and Development Management Policies (2013) DM3.8 (Sheltered housing and care homes) and DM3.9 part E (Hostels).

### **Quality of Accommodation**

- 10.18 The London Plan 2016 sets out minimum overall residential size space standards (policy 3.5, Table 3.3). The council also sets out minimum housing standards for all new housing developments, including sheltered housing in policy DM3.4 of the Development Management Policies, with regard to size, shape and layout of rooms, aspect, outlook, noise, ventilation, privacy, light and circulation.
- 10.19 Table 3.2 of the Development Management Policies 2013 outlines minimum space standards for housing developments. However, this does not specifically relate to applications for sheltered housing. With regard to this proposal, whilst each bedroom in both properties would be classified as a double bedroom in a C3 residential dwellinghouse, in this instance only one occupant is to be accommodated in each bedroom. Therefore, the properties are each considered to be used for 5bed/5person occupation.
- 10.20 Each property is a purpose built dwellinghouse, and was used for this purpose up until circa 1985, when they began use as hostel accommodation. Therefore, the properties are considered to be suitable for C2 residential accommodation. Each property provides an internal area of approximately 131 sqm, which is acceptable for a 5bed/5person support dwelling. Further, each property provides a significant amount of storage space (approximately 3.8m of built in storage space in each property).
- 10.21 The largest bedrooms measure 13.9sqm in size and the smallest measure 10.2sqm. Each bedroom would exceed the minimum width required of at least 2.75m, in accordance with Table 3.3 of the Development Management Policies, and would meet or exceed minimum size standards.
- 10.22 Dual aspect dwellings must be provided in all situations in accordance with Core Strategy policy CS9 Part F, and Part D of the Development Management Policies DM3.4, unless exceptional circumstances can be demonstrated. Both properties are dual aspect, and it is noted that they would both provide windows on opposite elevations, facing different spaces. Each property benefits from suitable outlook and access to sunlight and daylight.
- 10.23 Each level would provide a floor to ceiling height of at least 2.45m within the main dwelling or 2.35 within the outrigger (and 2.23m within the attic). It is noted that these are established properties that have previously been in use as self-contained residential dwellings, and therefore the floor to ceiling height would be acceptable for residential use. Each property benefits from adequately sized living/dining/kitchen areas, each of which measure approximately [REDACTED] when taking into consideration the [REDACTED] extension at the rear of both properties.
- 10.24 Overall it is considered that the properties would provide a good level of accommodation, suitable for use as a residential children's home. Therefore, the proposal complies with policy 3.5 of the London Plan and policy DM3.4 of the Development Management Policies 2013.

### **Design and Conservation**

- 10.25 Policy CS9 of Islington's Core Strategy (CS) 2011 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.26 The Islington Urban Design Guide 2017 advises that rear extensions must be subordinate to the original dwellings. Paragraph 5.138 states that *"where they can be neatly accommodated, there will normally be scope for lower ground or ground floor extensions within a lightwell or beyond the line of the existing back addition providing sufficient garden space is retained to provide high quality and useable amenity space for day to day uses (for example clothes drying, dining, relaxation, gardening, children's play) and does not result in fragmented areas incapable of supporting soft*

*landscaping. High quality contemporary extensions are encouraged on lower floors except where conservation guidelines require extensions to conform to the design of the existing building.”*

10.27 The application proposes the erection of a [REDACTED] rear ground floor extension at the rear of the outriggers to both properties. [REDACTED]

[REDACTED] The extension would project approximately 3.75m from the rear of the outrigger of each property when viewed from the flank. The rear elevation of the extension would be set back from the eaves of the roof, projecting approximately 2.9m from the rear of the existing outrigger, and creating a covered outdoor space to the rear. It would be set in from the boundaries with adjoining properties by approximately 1.8m., and would match the width of the outrigger structure, at approximately 6m. The addition would incorporate a flat roof, with a height of approximately 3.15m. Overall the extension would appear subordinate in the context of the properties and surrounds.

10.28 The extension would be constructed of timber, with double glazed aluminium framed bi-folding doors to the rear, and an aluminium casement window to each flank elevation. It is noted that the adjoining property at no. 22 includes a rear infill extension with aluminium doors to the rear. It is considered that the aluminium doors and windows would not result in unacceptable visual harm to the appearance of the building or the character of the area given the location at ground floor. Similar materials have been adopted to the existing roof extension and also it is evident from inspections aluminium has been used within the finishes of neighbouring extensions.

10.29 The height of the extension would match the height of the bay windows to both flank elevations of the outrigger structure, and it would not project beyond the flank walls of the existing outrigger. A punctuating gap would be left between the eaves of the extension and the window cills at the rear first floor elevation of the existing outrigger. Further, the timber addition would be lightweight in appearance with large glazed bi-folding doors to the rear. For the stated reasons, it does not appear to over-dominate the rear elevation of the host building.

10.30 The existing rear garden at no.4 measures approximately 61.3sqm, whilst the adjoining rear garden at no. 26 measures approximately 65.2sqm. Following the erection of the joint rear extension, the gardens would cover an area of approximately 54.5sqm and 57.4sqm, respectively. [REDACTED]

[REDACTED] Overall, it is considered that the proposal would retain a high level of useable amenity space for day to day uses that would not result in fragmented areas incapable of supporting soft landscaping, in accordance with the Urban Design Guide 2017.

10.31 The proposed materials would be light-weight in nature and would not appear as incongruous with the host property, and the extension would appear as a well design contemporary extension when viewed from the rear. Overall it is considered that the rear extension would be subordinate to the host building due to its scale and appearance, and would not materially harm the character of the property or the wider area.

10.32 The application properties are Victorian terrace style developments with traditional style proportions and materials, including timber windows, and properties immediately adjoining and adjacent are similar in character. Many of the properties host large modern rear dormer roof extensions. To the rear of the site is the boundary to the Tollington Park Conservation Area. To the rear, and within the conservation area, sits larger semi-detached Victorian dwellings. However, these are located a significant distance from the rear boundary of the site and the rear extension would not materially harm the character or appearance of these dwellings. It is therefore not considered that the proposal would cause demonstrable harm to the character and appearance of the property or wider street scene, or the adjoining conservation area. It is considered that given the type of housing and the presence of large roof dormers to the rear on the host and a number of adjoining properties, the erection of the rear ground floor extension is acceptable.

10.33 Given the above, the proposal is considered to be consistent with the aims of Council's policies on design and accord with policies 7.6 (Character) of the London Plan 2016, CS8 (Enhancing

Islington's Character) of the Core Strategy 2011, Development Management Policies DM2.1 (Design) and DM2.3 (Heritage), and the Islington Urban Design Guide 2017.

### **Neighbouring Amenity**

- 10.34 Policy DM2.1 of the Development Management Policies 2013 states that development should not have an adverse impact on neighbouring amenity in terms of noise, overshadowing, overlooking, privacy, direct sunlight and day light, over-dominance, sense of enclosure and outlook.
- 10.35 A number of concerns has been raised by neighbouring occupiers regarding the impact of the proposed use on neighbouring amenity, primarily relating to noise and safety. These relate to operational elements of the residential children's home, including the impact of ■ additional children on the social character of the street. As discussed previously, the home would provide a high level of care with staff present 24 hours per day, with a minimum of 2 staff overnight and up to 6 staff present during the day. Further, operational standards of the property (and therefore the opportunity for the operation of the site to impact upon neighbouring amenity) would be regulated by Ofsted, who would undertake unannounced visits to the home throughout the year and would have the power to downgrade the home if there are any concerns. Should the standards have dropped below Ofsted judgement of 'Good', then the Council would review the operations of the facility with Ofsted and make an informed decision regarding the continuation of placements.
- 10.36 In addition, Council's Commissioning Manager of Safeguarding and Family Support, as the responsible commissioner for the site, would also undertake monitoring visits and assess the home prior to commencement of operations, and then yearly following this. Further, the Commissioning Manager and the Safeguarding and Family Support Team are available in the event that residents have a complaint or concerns regarding the operation of the facility. The Council and the provider would work proactively in partnership to ensure that the group of children placed are appropriately matched with due regard to preventing any escalating issues that may impact on the community, and Council will retain oversight in managing who goes into placement and assess alongside the social workers whether they are able to be placed. Therefore, taking into consideration the operational safeguards to be utilised, it is considered that the proposal would be acceptable with regard to impact upon noise and resident safety.
- 10.37 To ensure that operational standards are adequate to minimise potential impacts upon neighbouring residents, a condition has been included requiring an Operational Management Plan to be submitted and approved by Council prior to the commencement of operations at the site.
- 10.38 Concern has also been raised regarding the impact of the proposed rear extension on neighbouring amenity, relating to access to daylight and sunlight at adjoining properties. Each property within the terrace group contains an existing deep rear outrigger, and dormers are present above the outrigger at both nos. 32 and 28 Alington Street. The rear extension, which is approximately 3.15m in height, would be set back from the boundaries with no. 22 and 28 by approximately 1.8m.
- 10.39 Due to the presence of the existing deep two storey rear outriggers at each property, the orientation of the properties (which face south-west at the rear), and the setback of the proposed extension from the boundaries with neighbouring properties, the proposal is not considered to materially harm neighbouring amenity with regard to access to daylight and sunlight, or sense of enclosure. The proposal would also not fail the 45-degree initial assessment established within the BRE Guidance.
- 10.40 The rear extension would include a window on each flank elevation, facing toward the adjoining properties at no. 22 and 28. The existing outriggers also contain flank windows facing toward the adjoining properties. Therefore, it is considered that the windows would not unacceptably increase overlooking between the properties.
- 10.41 Further, due to the minor scale of the proposed works, the proposal is not expected to materially harm neighbouring amenity with regard to overlooking, privacy, over-dominance, sense of enclosure or outlook. It is therefore considered compliant with the Council's policies in relation to amenity with policy DM2.1 of the Development Management Policies (2013).

### **Highways and Transportation**

- 10.42 In accordance with policy DM8.4, the proposed development should provide one cycle parking space per three staff. In this instance, two cycle parking space should be provided. Although no cycle parking is proposed, the properties would have sufficient space in the rear garden to securely store a number of bicycles. Therefore, a condition has been included requiring details of cycle storage for 2no. bicycles to be submitted and approved in writing by the LPA prior to the first use of the approved development.
- 10.43 Concern has been raised from neighbouring residents regarding the impact of the proposal on street traffic. Due to the small scale nature of the proposal, it is not expected to materially increase traffic along Alington Street.

### **Refuse and Recycling**

- 10.44 No details have been provided regarding a dedicated refuse store or refuse collection activities. Therefore, a condition has been included requiring details of proposed refuse and recycling to be submitted to and approved in writing by the LPA prior to the first use of the approved development.

### **Fire Safety**

- 10.45 Neighbour concern has been raised regarding the impact of the [REDACTED] rear extension on fire safety, [REDACTED]. Council's Building Control officer has advised that the impact of the [REDACTED] extension on fire safety between the properties raises no concerns. However, he advised that an informative be included noting that internal fire safety doors be installed [REDACTED]

### **Other Issues**

- 10.46 The Metropolitan Police noted that the applicant's Design and Access Statement states the build would meet Secured by Design standards. However, they advised that no contact has been made by the applicant to ensure that SbD is achieved. Therefore, a condition has been included requiring the applicant provide evidence of liaison and agreement with the Metropolitan Police that SbD requirements have been met, prior to the commencement of operational use of the property.
- 10.47 Residents have raised concern regarding potential behavioural impacts on the safety and amenity of neighbours. It is noted that the Commissioning Manager and the Safeguarding and Family Support Team are available in the event that residents have a complaint or concerns regarding the operation of the facility. A condition has also been included requiring the submission and approval of an Operational Management Plan prior to the first occupation of the children's home. This condition requires that the operator provide contact details for residents in the event that they have any queries or concerns. Whilst the concerns are acknowledged, Officers consider that similar contacts and report mechanisms (including contact with the Metropolitan Police) are available to the community to report anti-social behaviour if this does in fact occur. The integration of [REDACTED] vulnerable children back in the local community with the necessary support mechanisms from the Council and other groups (including Ofsted) would far outweigh the risks in this instance. Anti-social behaviour can occur from any member of society and the regular means of reporting this are always available to members of the public to report. The Operational Management Plan would also ensure that details of the management are available to the public, if they so wish to contact them on a matter.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed change of use of the properties from an existing hostel use (Sui Generis) to a use as a residential children's home (C2 use class) is considered acceptable, on balance, in land use terms given the supporting documentation provided, and the operational regulation and oversight by Ofsted and Council's Safeguarding and Family Support team. The proposed care facilities are considered to provide a good level of accommodation for future occupiers, and would prevent [REDACTED] children being sent up to 20 miles away, keeping them closer to their families and friends. The

external alterations are not considered to materially harm the character or appearance of the host building or the wider area, nor the adjoining Tollington Park Conservation Area. The proposed use is considered not to result in any significant harm to the amenity of occupiers of neighbouring properties, subject continual oversight of operations by Ofsted and Council, and adherence to the operational management plan.

- 11.2 As such, the proposed development is considered to accord with the policies of the National Planning Policy Framework 2012, the London Plan 2016, the Islington Core Strategy 2011, the Development Management Policies 2013, and Supplementary Planning Documents and as such is recommended for approval subject to appropriate conditions.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b> CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
<b>2</b>	<b>Approved plans list</b> CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  Planning Statement dated October 2017, Design and Access Statement Revision C dated 28/09/2017, 15_002 010, 15_002 100 Rev A, 15_002 110 Rev A, 15_002 120 Rev A, 15_002 122 Rev A, 15_002 200 Rev C, 15_002 210 Rev C, 15_002 220 Rev C, 15_002 224 Rev A, 15_002 230 Rev C, 15_002 232 Rev C and 15_002 234 Rev C.  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.
<b>3</b>	<b>Materials</b> CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.  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.
<b>4</b>	<b>Standard of Care</b> CONDITION: The residential children's facilities shall be staffed 24 hours per day, with a minimum of 2 staff present on site overnight.  REASON: To ensure a high level of care and to protect the safety and amenity of neighbouring residents.
<b>5</b>	<b>Operational Management Plan</b> CONDITION: Prior to the commencement of operations, an Operational Management Plan must be submitted to and approved in writing by the LPA. The management plan shall include: a) details of the day to day operation of the facility, including staffing arrangements b) details of relevant contact information for management, including provision for the establishment of a contact point for any neighbour enquiries or complaints  REASON: To ensure a high level of care and to protect the amenity of neighbouring residents.
<b>6</b>	<b>Compliance with Secured by Design Standards</b> CONDITION: Notwithstanding the drawings hereby approved, the residential children's home units shall be constructed to achieve Secured by Design certification

	<p>Evidence, confirming that the Metropolitan Police has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the construction of the proposal to Secured by Design standards.</p>
<b>7</b>	<b>Details of refuse and recycling</b>
	<p>CONDITION: Prior to the first use of the hereby approved residential children's home facilities, details of the refuse and recycling shall be submitted and approved in writing to the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.</p> <p>REASON: To ensure the proposal benefits from adequate refuse and recycling facilities.</p>
<b>8</b>	<b>Ofsted registering</b>
	<p>CONDITION: Within 3 months of the commencement of the first use of the hereby approved residential children's home facilities, details shall be submitted to the Local Planning Authority which confirm that the approved facilities are registered with Ofsted. The facilities shall be registered until the use of the residential children's home facilities cease.</p> <p>REASON: To provide good quality children's residential facilities.</p>
<b>9</b>	<b>Details of cycle storage</b>
	<p>CONDITION: Prior to the first use of the hereby approved development details of the cycle storage shall be submitted and approved in writing to the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.</p> <p>REASON: To provide adequate cycle storage.</p>

**List of Informatives:**

<b>1</b>	<b>Positive statement</b>
	<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>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>Fire Safety</b>
	<p>It is recommended that internal fire safety doors be installed within each property [REDACTED]</p>



## **APPENDIX 2: RELEVANT POLICIES**

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

### **1 National Guidance**

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

### **2. Development Plan**

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

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

- London's living places and spaces
- Policy 3.16 Protection and enhancement of social infrastructure
- Policy 3.17 Health and social care facilities
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology

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

- Policy CS8 (Enhancing Islington's Character)
- Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
- Policy CS10 (Sustainable design)
- Policy CS11 (Waste)

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

- Policy DM2.1 Design
- Policy DM2.3 Heritage
- Policy DM3.8 Sheltered housing and care homes
- Policy DM3.9 Houses in Multiple Occupation, hostels and student accommodation
- Policy DM8.4 Walking and cycling

### **3. Designations**

- Within 50m of Tollington Park Conservation Area
- Article 4 Direction A1-A2

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

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan**
- Urban Design Guide (2017)

- Tollington Park Conservation Area Design Guidelines (2002)
- Street Services Refuse and Recycling Guidelines

