

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB-COMMITTEE B		
Date:	02 October 2018	NON-EXEMPT

Application number	P2017/4174/FUL & P2017/4227/LBC
Application type	Full Planning Permission and Listed Building Consent
Ward	Clerkenwell
Listed building	Grade II Listed
Conservation area	Clerkenwell Green
Development Plan Context	Core Strategy Key Area – Bunhill and Clerkenwell Finsbury Local Plan Area – Historic Clerkenwell Heritage Site – Historic Clerkenwell Central Activities Zone Local view from Archway Bridge (LV5)
Licensing Implications	None
Site Address	18 ½ Sekforde Street, London, EC1R 0HL
Proposal	Partial demolition of the rear courtyard wall and the insertion of a new gate to access the communal garden space and associated landscaping.

Case Officer	Rebecca Neil
Applicant	Greg Marsh and Katherine Haddon
Agent	Ackroyd Lowrie

1.0 RECOMMENDATION

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

2.0 SITE PLAN (site outlined in red)



Fig. 1 Site plan

3.0 PHOTOS OF SITE

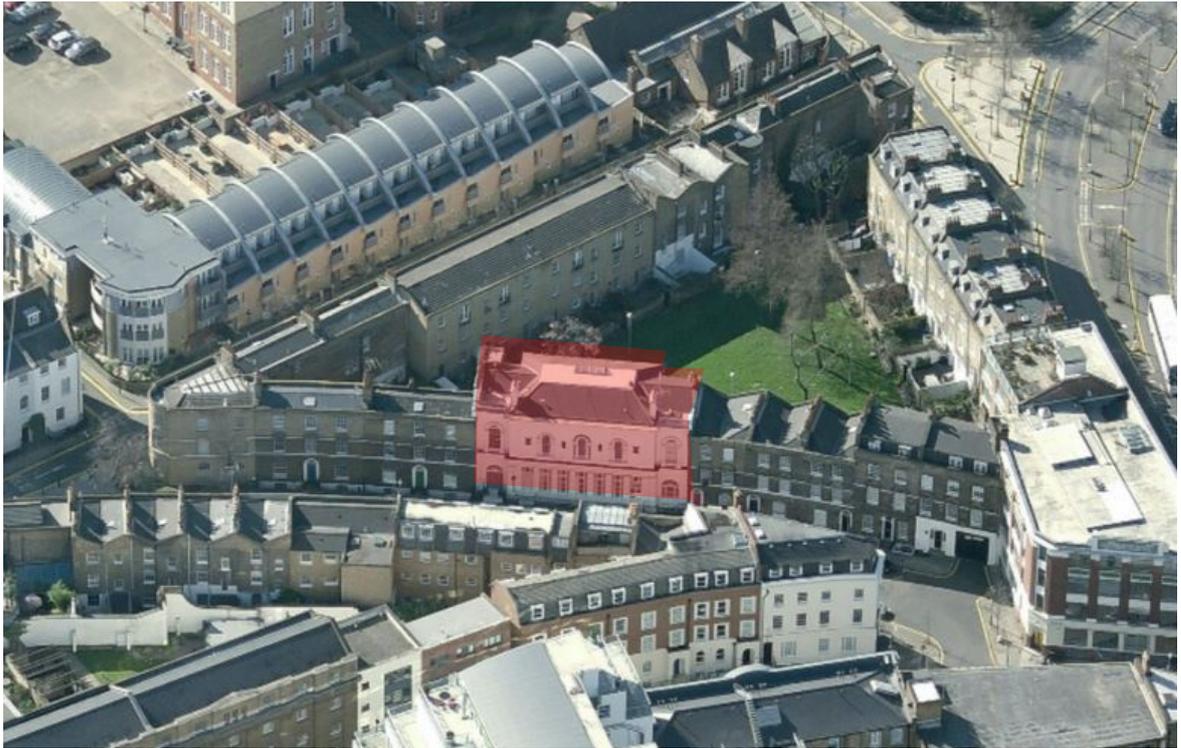


Fig. 2 Aerial view of the application site (looking west)



Fig. 3 Rear boundary wall (where alterations are proposed)

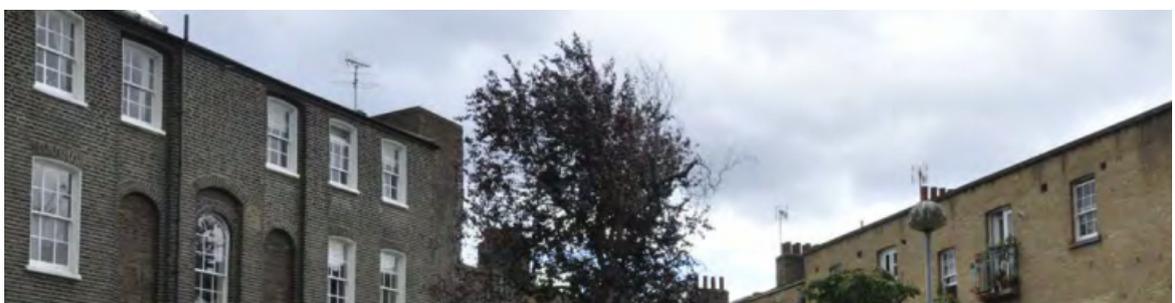


Fig. 4 Communal garden to the rear of the site

4.0 SUMMARY

- 4.1 Planning permission and listed building consent is sought for the insertion of a new gate in the historic rear boundary wall of 18 ½ Sekforde Street, as well as steps in the rear garden. The new gate and steps would enable the occupants to access the communal garden directly behind the site, which is owned by the London Borough of Islington. Consent is also sought for partial demolition of the higher rendered wall to the rear of the property.
- 4.2 The application is brought to committee because 12 objections have been received from members of the public.
- 4.3 The proposal to insert a new opening in the wall and associated alterations would result in harm to the significance of the listed building, but this harm is considered to be 'less than substantial' within the context of the National Planning Policy Framework (2018). The harm would be outweighed by the proposed enhancements to the building, namely the removal of the 1970s rendered wall abutting the historic brickwork. The proposal would not have any detrimental impacts on the amenity of neighbouring properties.
- 4.4 Although the proposal would provide a means to access to the communal garden, granting planning permission and/or listed building consent for this development does not confer any rights upon the applicant or their successors in title to use the land. The legislative regime governing rights of access is separate from that governing the planning system, and cannot be taken into account in determination of this proposal, which must be assessed according to its planning merits only. In order to access the land, the applicants must seek permission from the Council as landowner and, if members are minded to grant consent, a condition is proposed that will ensure this occurs prior to any works taking place on the site (Condition 6 of P2017/4174/FUL).
- 4.5 Given the above, the proposal is considered acceptable subject to suitable conditions as set out in **Appendix 1**, and it is recommended that the application be approved.

5.0 SITE AND SURROUNDINGS

5.1 The application site comprises a large two-storey (plus basement) terraced property located on the western side of Sekforde Street. Originally built circa 1840 for the Finsbury Savings Bank, it was later used as an office and was converted to residential use in the 1990s. The building has an attractive white stucco façade onto Sekforde Street, and retains much of the original brickwork on the rear elevation. The property has a small private courtyard at the rear enclosed by a high, rendered wall constructed in the 1970s, as shown in Fig. 3 above. Beyond this wall, there is a lower brick wall which is primarily original fabric, but has undergone several alterations, including 20th century red-tile coping, brickwork re-patching and repointing with cement mortar. The building is Grade II listed and is located within the Clerkenwell Green Conservation Area.

5.2 Behind the site is a triangular piece of land bounded by Sekforde Street, Woodbridge Street and Skinner Street/Corporation Row. This piece of land is owned by the London Borough of Islington and is accessed through a locked undercroft passage underneath 23 Sekforde Street or via locked gates on Corporation Row. The land is used as amenity space by residents of adjoining properties, some of whom enjoy direct access onto the space through gates in their rear boundary walls. Originally used as stables, the land no longer contains any permanent structures, but there are a number of items of garden furniture and gardening equipment kept there on what appears to be a permanent basis.

6.0 PROPOSAL (IN DETAIL)

6.1 Planning permission and listed building consent is sought for the demolition of the inner leaf wall for the length of the internal courtyard, and the insertion of a gate into the historic rear wall to provide access from 18 ½ Sekforde Street to the communal garden. The application also involves the repair and repointing of the brickwork to the historic wall.



Fig. 5 Rear elevation as existing

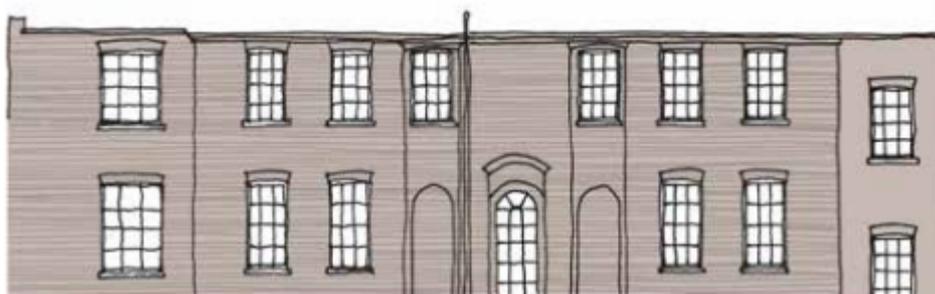


Fig. 6 Rear elevation as proposed

- 6.2 On the inside of the wall (in the rear garden of 18 ½ Sekforde Street), a small area of the courtyard will be excavated to the level of the shared communal garden, and steps will be installed.

7.0 RELEVANT HISTORY

Planning applications

- 7.1 950265 and 950266: Planning permission and listed building consent for the conversion of the building into two residential units - Approved 26/09/1995.
- 7.2 991079 and 991080: Planning permission and listed building consent for refurbishment of single family dwelling house including rearrangement of window openings to rear elevation and alterations to front entrance steps - Approved 08/10/1999.
- 7.3 P021185 and P021186: Planning permission and listed building consent for the retention of a timber door in the external wall to the rear of the property – Refused 18/02/2003.
- 7.4 P2018/1786/LBC: Listed building consent for various internal alterations at ground and first floor levels – Approved 17/07/2018.

Enforcement

- 7.5 An enforcement case was opened in relation to the site on 15 February 2002 (Ref: E010454). The alleged breach was unauthorised works to the rear boundary wall and the insertion of a door to provide access to the communal garden. Following refusal of the retrospective applications in February 2003 (see above), an enforcement notice was served and an appeal against this notice was dismissed on 22 December 2005. A visit to the site on 09 October 2006 confirmed that the notice had been complied with, the door had been removed and the wall had been repaired. The case was closed on 13 October 2006.

Pre-application advice

- 7.6 Pre-application advice was given on 13 October 2017 in relation to a proposal to insert a new garden gate to provide access to the communal garden and alterations to the rear wall (Ref: Q2017/3122/LBC). The advice given was that if the doorway and wall were finished to an appropriately high standard then the works, specifically the removal of the modern

rendered wall, would result in an improvement to the listed building and wider conservation area.

8.0 CONSULTATION

Public consultation

8.1 Letters were sent to occupants of 22 adjoining and nearby properties on Sekforde Street and Woodbridge Street on 30 October 2017. A site notice was displayed outside the site on 02 November 2017. The public consultation period expired on 23 November 2017, however it is the Council's practice to consider representations made up until the date of a decision.

8.2 To date, a total of 11 objections have been received from members of the public. Objectors have raised the following issues:

- The new gate would have a negative visual impact on the listed building and wider conservation area (objection addressed in paras. 10.6-10.12 below);
- The high boundary wall is 'an integral feature of the bank' and the proposal to demolish 48% of it infringes on the desirability of preserving the building and its historic interest (objection addressed in paras. 10.12 below);
- The reduction in the height of the boundary wall 'affects privacy' (objection addressed in paras. 10.15 and 10.16 below);
- The communal land belongs to Islington Council and is for the use and enjoyment of the Council tenants, not 18.5 Sekforde Street, which 'has never been part of the community' (objection addressed in paras. 10.2-10.5 below);
- The area adjacent to the wall is used for barbequing (objection addressed in para. 10.18 below);
- 18.5 Sekforde Street contains office accommodation and allowing access to the communal space could result in the space being used as a smoking area (objection addressed in para. 10.5 below);
- The owner has previously demolished the wall to gain access without permission, is not living at the property and is only seeking access to the rear garden so that they can sell it on (objection addressed in para. 10.17 below);
- Notification letters were not sent to everybody who accesses the communal garden area. (objection addressed in para. 10.19 below).

8.3 One resident has expressed support for the scheme on the basis that the owners wish to use the space primarily for their young daughter.

Internal consultees

8.4 Conservation and Design Team: Whilst the new opening would cause harm to the listed building, the removal of the modern rendered wall is considered to be a significant enhancement which would outweigh the harm arising from the new opening.

8.5 Housing Team: Objects to the proposal on the grounds that there is no right of way or entitlement for the applicant to use the land they would be creating access to. Granting an easement to use this land may impede any future development of the site for housing or use as public realm/greenspace (discussed in para. 10.2 - 10.5 of this report).

External Consultees

8.6 Clerkenwell Green Preservation Society – No response received.

9.0 RELEVANT STATUTORY DUTIES, DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

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

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan);
- As the development affects a listed building, the Council is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990); and
- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

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

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

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

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

9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees. This report considers the proposal against the following documents:

National Policy

9.6 The National Planning Policy Framework 2018 ('NPPF') contains a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with the development plan without delay. The NPPF is a material consideration in the determination of this application and has been taken into account during the assessment of these proposals.

9.7 The NPPF states, in para. 196, that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Development Plan

9.8 The Development Plan is comprised of the London Plan 2016, the Islington Core Strategy 2011, the Islington Development Management Policies 2013, the Finsbury Local Plan 2013 and the 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) / Documents (SPDs)

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

10.0 ASSESSMENT

10.1 The main planning issues relating to these applications are:

- Land use (planning application only);
- Impact of the proposal on designated heritage assets (planning permission and listed building consent);
- Impact upon neighbouring amenity (planning application only).

Land use

10.2 Whilst the operational development proposed as part of these applications takes place solely on land owned by the applicant, it does affect a party wall adjoining a communal garden to the rear, which is owned by Islington Council. Furthermore, the gate would allow the occupiers of 18 ½ Sekforde Street to access the communal garden. Islington's Housing Service, who manage the land, have objected to the owner of 18 ½ using this space in the absence of any formal arrangements regarding access or the payment of maintenance charges. They also consider that allowing the occupants of 18 ½ to access the land may impede any future development of the site for housing or use as public realm/greenspace.

10.3 Access to the land *per se* is not a matter for the local planning authority. Planning does not concern itself with issues of ownership - the applicant would still need to agree the terms of access to the land with the Council as landowner independently of these applications. By granting planning permission and listed building consent for this proposal, the local planning authority would be permitting the physical alterations only, *not* any use of the communal garden space. In order to access the land itself, the applicants would need to obtain formal permission (via an easement, licence or other right of way) from the Council

as freeholder (via the Housing team), and it is understood that the applicants are currently in dialogue with the housing service in respect of such an arrangement. A condition will be attached (Condition 6) which will require the relevant consents to be obtained prior to any development taking place on site.

- 10.4 Prejudice to the future development of land *is* a well-established planning consideration. Although usually applicable to much larger, comprehensive development (such as where land is subject to a Site Allocation or a Masterplan), it has been held to be relevant to individual development proposals (see, for example, *Aldergate Projects Ltd v Nottinghamshire County Council [2008] EWHC 2881*). In this instance, the insertion of the gate would not prevent the land being used as public open space at a future point. It is also considered unlikely that the land would be for housing development due to its constrained location but, in any event, the Council as landowner must grant consent for the occupants to access the land, and should be able to impose sufficient conditions on any such grant to ensure that the right could be terminated in the event of the land being required for alternative development. In conclusion, providing that the applicants resolve a method of access with the Council as landowner, as required by Condition 6, this proposal would not prejudice the future development of land and raises no land use issues.
- 10.5 It should be noted that, despite several objections from members of the public suggesting that the property is in full or partial use as an office, this is not the case. The property has been in lawful residential use since the 1990s and is currently occupied as a single family dwelling house by the applicants and their daughter. Whilst there may be reasons to resist granting the occupants of 18 ½ Sekforde Street a licence or easement to use the land, there are no sound *planning* reasons why they should be excluded from the space (to the contrary, their residential property has limited amenity space within its boundary and allowing them access to additional space accords with the general objectives of the local plan).

Impact on designated heritage assets

- 10.6 As set out in para. 9.1 of this report, the Council has a statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or its setting, or any features of special architectural or historic interest which it possesses. Additionally, the Council has a statutory duty under the same Act to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 10.7 The National Planning Policy Framework (NPPF) provides that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (para. 196).
- 10.8 London-wide planning policies relevant to design and conservation are set out in Chapter 7 of the London Plan, and the Mayor of London's Character and Context SPG is also relevant. At the local level, Policy CS9 of the Islington Core Strategy requires new buildings to be sympathetic in scale and appearance and complementary to local identity, and Policy DM2.1 of Islington's Development Management Policies requires new development, *inter alia*, to respect and respond positively to existing buildings, the streetscape and wider context.
- 10.9 Policy DM2.3 of the Islington Development Management Policies provides that alterations to buildings in conservation areas must be of a high quality contextual design so that they conserve or enhance the conservation area's significance, and that the significance of

Islington's listed buildings is required to be conserved or enhanced. Policy DM2.3 (Part C) also states: "*Proposals to repair, alter or extend a listed building must be justified and appropriate... Proposals to repair, alter or extend a listed building which harm its significance will not be permitted unless there is a clear and convincing justification.*"

- 10.10 The applicant has submitted a heritage statement prepared by Alan Baxter, in accordance with the NPPF (para. 189) and Policy DM2.3 (Part B) of the Islington Development Management Policies. This statement concludes that the front façade of the building, facing Sekforde Street, is of **high** significance, the rear elevation is of **moderate** significance, and the original brick wall is of **limited** significance. Officers broadly concur with this assessment, and this is also supported by the Inspector's decision from 2005, which concludes that the brick wall possesses some historic interest, but that its significance was '*diminished with the provision of the higher modern block wall*' (para. 7). This being the case, it is considered that this proposal would result in *some* harm to the significance of the listed building, as it results in the insertion of an opening where historically there was none, and the removal of a small amount of historic brickwork (though most of the brick to be removed dates from the reinstatement in 1995). The harm would, however, be less than substantial. Similarly, given that the gate would be visible from the semi-private realm only, and there are already several other gates in the vicinity, this gate would result in limited harm to the Conservation Area (that harm again being less than substantial within the context of the NPPF).
- 10.11 Other minor alterations are proposed within the existing courtyard area, including the lowering of the ground level to that of the garden and the provision of access steps. These alterations are minor and would not be visible from outside of the courtyard area, and they would have no impact on the character or appearance of the conservation area. However, as they form an integral part of the provision of an access to the communal garden where none would have existed previously, it is considered that they contribute towards the less than substantial harm to the listed building (the Inspector refers to this harm in para.10 of his decision as '*small but significant*').
- 10.12 Accordingly, decision makers must ask themselves whether there are any benefits offered by the proposal that would outweigh the identified harm. In this instance, the applicant is proposing to remove the higher of the two garden walls, a 1970s addition which possesses very little architectural merit and does not make a positive contribution to the special architectural interest of the listed building or to the character and appearance of the conservation area. Removing this wall will better reveal the rear elevation of the building (which is of greater significance) and improve the relationship of the property to its historic rear boundary wall and the communal garden to the rear. Overall, this part of the proposal is a significant enhancement to the listed building which outweighs any harm arising from the new opening and associated works.
- 10.13 As pointed out by several objectors, an enforcement notice was issued in 2004 requiring the removal of a similar opening in the rear boundary wall. The recipient lodged an appeal, which was dismissed on 22 December 2005. The Inspector considered that the unauthorised works had been undertaken crudely, and that no details had been received to show how the doorway would be finished. He concluded that the development resulted in harm to the listed building and wider conservation area. As set out above, officers agree with the Inspector's assessment of harm but, unlike at the time of the enforcement notice in 2005, *this* proposal involves additional works which are considered beneficial to the listed building and result in a significant enhancement which outweighs the harm caused. Additionally, unlike in 2005, this proposal is the subject of a full planning and listed building consent application supported by a robust assessment of the significance of the listed building. The local authority is now able to attach conditions accordingly to ensure that the work is carried out to an appropriately high standard.

- 10.14 The new gate would be a wooden plank gate with a painted finish. This is reflective of other gates into the communal garden and is considered acceptable. A condition will be attached to ensure that the materials used accurately replicate that of the historic masonry, and that the timber plank gate has a painted finish (Conditions 3 and 4 of P2017/4174/FUL and Conditions 2 and 3 of P2017/4227/LBC, listed in **Appendix 1**).

Impact upon neighbouring amenity

- 10.15 Policy 7.6 of the London Plan provides that development should not cause unacceptable harm to the amenity of surrounding properties, particularly residential buildings. This is reflected at local level in Policy DM2.1 of the Islington Development Management Policies, which requires developments to provide a good level of amenity, including consideration of noise, disturbance, hours of operation, vibration, pollution, overshadowing, overlooking, privacy, sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.16 This proposal does not involve making the wall higher, or creating any additional volume, so there are no impacts in terms of overshadowing, daylight or sunlight, over-dominance, sense of enclosure or outlook. The proposal involves *lowering* the boundary treatment, with some objectors expressing the view that this will affect their privacy. The resulting boundary wall (on the inside of 18 ½ Sekforde Street) would be 1.8 metres, equivalent to a standard close-boarded garden fence. Even should someone be able to look over the top, it would be only onto the communal garden space which is already overlooked by the upper floors of several other properties (and is not protected by planning policy to the same degree as habitable rooms). Consequently, the proposal would not result in any undue loss of privacy.

Other objections raised by residents

- 10.17 Objections have been received on the basis that the applicants previously carried out works without consent, and some objectors have claimed that the sole purpose of the proposal is to generate profit for the applicants when they sell the property. The past conduct or future intentions of an applicant are not material planning considerations and cannot form part of the decision-making process. Notwithstanding this, members may wish to note that the current applicants, were not the owners at the time the enforcement notice was issued and are not, to the Council's knowledge, responsible for any breaches of planning control at 18 ½ Sekforde Street. To the contrary, they have sought listed building consent on two separate occasions since taking possession of the property and have engaged with officers through the pre-application process.
- 10.18 An objection has also been received to the proposal the basis that the area where the new gate is to be installed is used by tenants for barbecuing. There are no alterations that would extend into the communal garden area that would alter the ability of users to have barbecues and there appears to be no reason why other areas of the site cannot be used for such purposes.
- 10.19 Objectors have commented that notification letters were not sent to everybody who accesses the communal garden area. Notification letters were sent to all properties directly adjoining 18 ½ Sekforde Street in accordance with council procedures, and a site notice and press advert was displayed (in accordance with statutory requirements for listed building and conservation area applications).

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 Whilst the proposal will cause some harm to the designated heritage assets, this harm is 'less than substantial' within the context of the NPPF, and is outweighed by the proposal to remove the high rendered wall to the rear of the property, which is considered to represent an enhancement to the listed building and wider conservation area. Objections from residents (and from the Council's Housing service) have been considered in the final balance of planning considerations, and it is recommended that planning permission and listed building consent is granted subject to appropriate conditions relating to materials and arrangements for securing lawful access to the land.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION 1: That the grant of **planning permission** (Ref: P2017/4174/FUL) be subject to the following conditions:

1	<p>Commencement (compliance)</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>
2	<p>Approved plans (compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>0170-GA-000 Site and location plan 0170-GA-001 Existing ground floor and landscape plan 0170-GA-002 Existing rear elevation 0170-GA-003 Existing front elevation 0170-GA-004 Existing and proposed sections CC and DD 0170-GA-010 Proposed ground floor and landscape plan 0170-GA-012 Proposed rear elevation 0170-GA-020 Proposed demolition plan</p> <p>Design and Access Statement prepared by Ackroyd Lowrie (dated 20 October 2017) Heritage Statement prepared by Alan Baxter (dated October 2017)</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant; for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials to match (compliance)</p> <p>CONDITION: The facing materials of the works hereby approved (including any new pointing to the historic masonry) shall match the existing adjacent work in terms of the methods used, colour, texture, profile and architectural detailing.</p> <p>REASON: In order to conserve the significance of the heritage asset in accordance with the National Planning Policy Framework 2018, policy DM2.3 of Islington's Development Management Policies (2013) and policy CS9 of Islington's Core Strategy (2011).</p>
4	<p>Appearance of gate (compliance)</p> <p>CONDITION: The timber plank gate hereby approved shall have a painted finish.</p> <p>REASON: In order to conserve the significance of the heritage asset in accordance with the National Planning Policy Framework 2018, policy DM2.3 of Islington's Development Management Policies (2013) and policy CS9 of Islington's Core Strategy (2011).</p>
5	<p>No consent granted for landscaping works in communal garden (compliance)</p> <p>CONDITION: Notwithstanding the approved drawings and documents, no permission is granted for any landscaping works to the land labelled 'communal garden' on the approved</p>

	<p>location plan 0170-GA-000. This permission is for works to the property at 18 ½ Sekforde Street and to the party wall only.</p> <p>REASON: To ensure appropriate management of the communal garden, which is owned by the London Borough of Islington.</p>
6	Landowner's consent (compliance)
	<p>CONDITION: No works pursuant to this planning permission shall take place until such times as the relevant agreement has been obtained from the Islington Council (as landowner) to access the land labelled 'communal garden' on the approved location plan 0170-GA-000 (including for the purposes of construction).</p> <p>REASON: To ensure that access arrangements to the site can be properly managed so as not to prejudice the future development of the adjoining land.</p>

RECOMMENDATION 2: That the grant of **listed building consent** (Ref: P2017/4227/LBC) be subject to the following conditions:

1	Commencement (compliance)
	<p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Materials to match (compliance)
	<p>CONDITION: The facing materials of the works hereby approved (including any new pointing to the historic masonry) shall match the existing adjacent work in terms of the methods used, colour, texture, profile and architectural detailing.</p> <p>REASON: In order to conserve the significance of the heritage asset in accordance with the National Planning Policy Framework 2018, policy DM2.3 of Islington's Development Management Policies (2013) and policy CS9 of Islington's Core Strategy (2011).</p>
3	Appearance of gate (compliance)
	<p>CONDITION: The timber plank gate hereby approved shall have a painted finish.</p> <p>REASON: In order to conserve the significance of the heritage asset in accordance with the National Planning Policy Framework 2018, policy DM2.3 of Islington's Development Management Policies (2013) and policy CS9 of Islington's Core Strategy (2011).</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 2018 contains a presumption in favour of sustainable development and seeks to secure positive growth in a way that 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, the Islington Core Strategy 2011, the Islington Development Management Policies 2013, the Finsbury Local Plan 2013 and the Site Allocations 2013.

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

Policy 7.2	An inclusive environment
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.8	Heritage assets and archaeology
Policy 7.18	Protecting open space and addressing deficiency

B. Islington Core Strategy 2011

Policy CS7	Bunhill and Clerkenwell
Policy CS8	Enhancing Islington's character
Policy CS9	Protecting and enhancing Islington's built and historic environment
Policy CS15	Open space and green infrastructure

C. Finsbury Local Plan 2013

Policy BC7	Historic Clerkenwell
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D. Islington Development Management Policies 2013

Policy DM2.1	Design
Policy DM2.2	Inclusive Design
Policy DM2.3	Heritage
Policy DM3.5	Private outdoor space
Policy DM6.3	Protecting open space
Policy DM6.5	Landscaping, trees and biodiversity

3. Designations

Core Strategy Key Area – Bunhill and Clerkenwell
Finsbury Local Plan Area – Historic Clerkenwell
Heritage Site – Historic Clerkenwell
Central Activities Zone
Local view from Archway Bridge LV5

4. Supplementary Planning Guidance (SPGs) / Documents (SPDs)

The London Plan

Character and Context (2014)

Islington Development Plan

Islington Urban Design Guide (2017)

Inclusive Design in Islington (2014)

Clerkenwell Green Conservation Area Design Guidelines (2012)