

# PLANNING DECISION NOTICE



# ISLINGTON

HTA Design LLP  
Dr Riette Oosthuizen  
106-110 Kentish Town Road  
London  
NW1 9PX



Development Management Service  
Planning and Development Division  
Environment & Regeneration Department  
PO Box 3333

222 Upper Street  
LONDON N1 1YA

**Case Officer:** Joe Wilson

**T:** 020 7527 3876

**E:** planning@islington.gov.uk

**Issue Date:** 10 April 2014

**Application No:** P2013/4952/FUL

*(Please quote in all correspondence)*

Dear Sir or Madam

## TOWN AND COUNTRY PLANNING ACTS

### BOROUGH COUNCIL'S DECISION: Approve with conditions and legal agreement

Notice is hereby given of the above stated decision of Islington Borough Council, the Local Planning Authority, in pursuance of its powers under the above mentioned Acts and Rules, Orders and Regulations made thereunder, relating to the application / development referred to below, at the location indicated, subject to the condition(s) listed and in accordance with the plans submitted, save insofar as may be otherwise required by the condition(s).

<b>Location:</b>	<b>Site of the Ivy Hall Community Centre and covered Car Park , 300 Holly Park London N4 4BN</b>
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<b>Application Type:</b>	<b>Full Planning (Council's Own)</b>		
<b>Date of Application:</b>	05 December 2013	<b>Application Received:</b>	05 December 2013
<b>Application Valid:</b>	12 December 2013	<b>Application Target:</b>	10 April 2014 (PPA)

### DEVELOPMENT:

The demolition of an existing single storey structure occupied by the Ivy Hall Community Centre (D1 non residential institutions use class) and also used as covered car park to construct a part-two, part-three, part-five storey mixed use building comprising of a new community centre (D1 non residential institutions use class) 1,000 sqm and 23 residential unit (8 x 1B2P flats, 11 x 2B4P flats, and 4 x 3B5P flats).

### PLAN NOS:

442 PA 001; 442 PA 002; 442 PA 003; 442 PA 004; 442 PA 004; 442 PA 005; 442 PA 010 Rev A; 442 PA 011 Rev A; 442 PA 012 Rev B; 442 PA 013 Rev A; 442 PA 014 Rev B; 442 PA 015; 442 PA 020 Rev A; 442 PA 021 Rev A; 442 PA 022 Rev A; 442 PA 024 Rev A; 442 PA 025 Rev A; 442 PA 026 Rev A; 442 PA 027; 442 PA 028 Rev A; 442 PA 029; 442 PA 030 Rev A; 442 PA 031; 442 PA 032 Rev A; 442 PA 033 Rev A; 442 PA 034 Rev A; 442 PA 035 Rev A; 442 PA 036; 442 PA 037; 442 PA 038; 442 PA 039; 442 PA 040; 442 PA 041; C100 Rev P1; DFCP 2090TSP Rev A; DFC P2090 TPP Rev B; Statement of Consultation; eb7 Daylight and Sunlight Report 15/11/13; Transport Statement December 2013; Initial Acoustic Assessment 15/10/13; Planning Statement LBI-HCC-1301; Draft Green Performance Plan 25388; BREEAM Pre-Assessment Estimator Report; Code for Sustainable Homes Pre-Assessment Report 25388; Energy Strategy Report 25388; Arboricultural Impact Assessment Rev B; Design and Access Statement.

## CONDITIONS:

- 1 **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).

- 2 **CONDITION:** The development hereby approved shall be carried out in accordance with the following approved plans:

442 PA 001; 442 PA 002; 442 PA 003; 442 PA 004; 442 PA 004; 442 PA 005; 442 PA 010 Rev A; 442 PA 011 Rev A; 442 PA 012 Rev B; 442 PA 013 Rev A; 442 PA 014 Rev B; 442 PA 015; 442 PA 020 Rev A; 442 PA 021 Rev A; 442 PA 022 Rev A; 442 PA 024 Rev A; 442 PA 025 Rev A; 442 PA 026 Rev A; 442 PA 027; 442 PA 028 Rev A; 442 PA 029; 442 PA 030 Rev A; 442 PA 031; 442 PA 032 Rev A; 442 PA 033 Rev A; 442 PA 034 Rev A; 442 PA 035 Rev A; 442 PA 036; 442 PA 037; 442 PA 038; 442 PA 039; 442 PA 040; 442 PA 041; C100 Rev P1; DFCP 2090TSP Rev A; DFC P2090 TPP Rev B; Statement of Consultation; eb7 Daylight and Sunlight Report 15/11/13; Transport Statement December 2013; Initial Acoustic Assessment 15/10/13; Planning Statement LBI-HCC-1301; Draft Green Performance Plan 25388; BREEAM Pre-Assessment Estimator Report; Code for Sustainable Homes Pre-Assessment Report 25388; Energy Strategy Report 25388; Arboricultural Impact Assessment Rev B; Design and Access Statement.

**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.

- 3 **CONDITION:** Details including drawings at a 1:5 scale and samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on the development. The details and samples shall include but not be limited to the following:

a) Facing Brickworks; Sample panels of proposed brickwork to be used showing the colour, texture, facebond and pointing shall be provided. Full Bricks Shall be used and unless otherwise approved by the Local Planning Authority shall be laid in Flemish bond, pointing shall be flush or slightly recessed.

b) Composite Windows (Reveal depth of a minimum of 130mm where not within a balcony unless otherwise agreed by the local planning authority);

c) Balcony Materials; and

d) any other materials to be used.

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.

- 4 **CONDITION:** Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.

REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.

- 5 CONDITION: Details of any general/security lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development.

The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.

REASON: To ensure that the any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the building.

- 6 CONDITION: The residential units hereby approved shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.

REASON: In the interest of addressing climate change and to secure sustainable development.

- 7 CONDITION: The biodiversity (green/brown) roof(s) shall be:

- a) biodiversity based with extensive substrate base (depth 80-150mm);
- b) laid out in accordance with plans 442 PA 015, 44 PA 011, 4420PA 012, 442 PA 013 hereby approved; and
- 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).

Except where identified as Community Roof Garden, the biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The green/brown roof shall extend underneath any PV array located on the roof space.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.

- 8 CONDITION: The community centre hereby approved shall achieve a BREEAM New Construction rating (2011) of no less than 'Excellent'.

REASON: In the interest of addressing climate change and to secure sustainable development.

- 9 CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved 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.

- 10 **CONDITION:** Details of bicycle storage area(s) which shall be covered, secure and provide for no less than 42 bicycle spaces for the residential units and 5 spaces for the community centre unless otherwise agreed by the Local Planning Authority shall be submitted and approved by the local planning authority and implemented prior to the first occupation of the development hereby approved 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.

- 11 **CONDITION:** The residential dwellings hereby approved within the development, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.

**REASON:** To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.

- 12 **CONDITION:** Details of bird and bat nesting boxes / bricks / shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than 2 bat and 3 bird nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats, and be in accordance with the Ecologist's recommendations.

The nesting boxes / bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.

**REASON:** To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.

- 13 **CONDITION:** Notwithstanding the submitted Energy Strategy a revised Energy Strategy, which shall provide for no less than a 30% or alternatively agreed highest attainable on-site total CO<sub>2</sub> reduction in comparison with total emissions from a building which complies with Building Regulations 2010, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

The development shall be carried out strictly in accordance with the approved revised Energy Strategy and maintained as such thereafter.

**REASON:** In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the CO<sub>2</sub> emission reduction targets are met.

- 14 **CONDITION :** For all the approved residential units sound insulation and noise control measures shall be used to achieve the following internal noise targets:

Bedrooms (23.00-07.00 hrs) 30 dB LAeq, and 45 dB Lmax (fast)  
Living Rooms (07.00-23.00 hrs) 35 dB LAeq,  
Kitchens, bathrooms, WC compartments and utility rooms  
(07.00 -23.00 hrs) 45 dB LAeq

Such levels shall be achieved prior to the occupation of the residential units hereby approved and shall be maintained as such thereafter.

**REASON:** To ensure that an appropriate standard of residential accommodation is provided.

- 15 **CONDITION:** No development (including demolition works) shall take place on site unless and until protective hoardings have been installed around the trees to be retained as outlined in the approved documents. Tree protecting fencing shall consist of a rigid 2.4 metre OSB, exterior grade ply high sterling board hoarding or weld mesh. Protection/retention shall be in accordance with BS 5837, 2005 'Trees in Relation to Construction'. Heras fencing in concrete, rubber or similar foot plates is not acceptable as a form of tree root protection.

The tree retention and protection shall installed/carried out prior to works commencing on site, and shall be maintained for the duration of the works.

**REASON:** To protect the health and stability of trees to be retained on the site and to neighbouring sites, and to ensure that a satisfactory standard of visual amenity is provided and maintained.

- 16 **CONDITION:** The development 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.

**REASON:** To ensure the sustainable use of water in accordance with policy 5.15 of the London Plan 2011, policy Env39 of the Islington Unitary Development Plan 2002 and policy CS10C and G of the Islington Core Strategy 2011.

- 17 **CONDITION:** Details of passive design and other measures incorporated within the scheme to ensure adaptation to higher temperatures (taking climate change projections into account) whilst minimising cooling demand should be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

These details shall include:

- a) the results of thermal modelling of the development under the higher future temperatures projected as a result of climate change to demonstrate that the likelihood of high internal temperatures during hot weather has been minimised;
- b) Proposed mitigation measures to address any potential overheating issues identified in (a) above.

The mitigation measures subsequently approved shall be carried out strictly in accordance with the details so approved, and shall be operational prior to the first occupation of the development hereby approved and maintained as such thereafter.

**REASON:** In the interest of adapting to climate change and to secure sustainable development.

- 18 **CONDITION:** Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximise water quality, amenity and biodiversity benefits.

The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec.

The approved drainage system shall be installed/operational prior to the first occupation of the development and the development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.



REASON: To ensure that sustainable management of water and to minimise the potential for surface level and other forms of flooding.

- 19 **CONDITION:** Full particulars and details of a scheme for sound insulation between the proposed community centre use and residential use of the building shall be submitted to and approved in writing by the Local Planning Authority within 3 months of implementation.

The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter.

REASON: To ensure that an appropriate standard of residential accommodation is provided.

- 20 **CONDITION :** The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.

REASON: To ensure that an appropriate standard of residential accommodation is provided.

- 21 **CONDITION :** A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.

The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.

The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To protect the amenities of surrounding residents during the construction of the development.

- 22 **CONDITION:** Landscaping works and tree planting as shown in the approved plans including the provision of permeable surfaces to provide sustainable urban drainage shall be completed / planted during the first planting season following practical completion of the development hereby approved.

The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.

REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.

- 23 **CONDITION:** A management plan for the community centre including details of hours of operation, refuse/waste management and delivery and servicing of the facility shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the community use hereby approved.

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

REASON: To ensure that the amenities of surrounding occupiers are protected.

- 24 **CONDITION:** Notwithstanding any other plans or documents hereby approved, permission is hereby granted only for the removal of the trees as detailed within the 'Arboricultural Implications Assessment' and marked T40, T8 and T9.

For the avoidance of doubt no permission is hereby granted for the removal on any other trees noted for retention within the above report and drawing shall be retained as indicated.

REASON: In the interest of the protection of trees and to safeguard visual amenities in accordance with policy 3D.15 of the London.

- 25 **CONDITION:** The three disabled parking bays hereby approved shall be constructed and available for use prior to the first occupation of the development and shall be appropriately line-marked and thereafter kept available for their intended use at all times.

At least 1 bay shall be made available for the eligible use of users/staff of the Community Centre and 2 bays available for the wheelchair accessible housing units hereby approved within the residential development.

REASON: In the interests of accessibility and equality.

- 26 **CONDITION:** All lifts serving the development hereby approved shall be installed and operational prior to the first occupation of the residential dwellings or community centre hereby approved.

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

REASON: In the interests of accessibility and equality.

- 27 **CONDITION:** The two (2) wheelchair accessible dwellings as identified within the approved plans shall be provided prior to the first occupation of the development.

For the avoidance of doubt and notwithstanding the Wheelchair Unit Schedule of Accommodation these units shall be provided as wheelchair accessible.

REASON: To secure provision of the appropriate number of wheelchair accessible units in a timely fashion and to: address the backlog of and current unmet accommodation needs; produce a sustainable mix of accommodation; and provide appropriate choices and housing opportunities for wheelchair users and their families, in accordance with policy 7.2 of the London Plan 2011 policy CS12H of the Islington Core Strategy 2011 and the Accessible Housing in Islington SPD 2009.

- 28 **CONDITION:** No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 'Trees in Relation to Demolition, Design and Construction' has been submitted to and approved in writing by the local planning authority.

Development shall be carried out in accordance with the approved details.

REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory



standard of visual amenity.

Your attention is drawn to any **INFORMATIVES** that may be listed below

- 1 You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.
- 2 **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.
- 3 **INFORMATIVE:** Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the 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 [cil@islington.gov.uk](mailto:cil@islington.gov.uk). The Council will then issue a Liability Notice setting out the amount of CIL that is payable.

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:

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

- 4 **INFORMATIVE:** (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits for controlled parking zones, except for parking needed to meet the needs of disabled people. Or other exemption under the Council Parking Policy Statement.
- 5 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 6 To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.

A pre-application advice service is also offered and encouraged.

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

The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.

- 7 **INFORMATIVE:** 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.



Certified that this document contains a true record of a decision of the Council

Yours faithfully

A handwritten signature in black ink that reads "Karen Sullivan". The signature is written in a cursive, flowing style. Below the signature is a short, horizontal line.

**KAREN SULLIVAN  
SERVICE DIRECTOR - PLANNING AND DEVELOPMENT  
AND PROPER OFFICER**

## **SUBSEQUENT REQUIREMENTS FOLLOWING THE GRANT OF PERMISSION**

### **1. The Building Acts and Building Regulations**

To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works.

T: 020 7527 5999

E: [building.control@islington.gov.uk](mailto:building.control@islington.gov.uk)

### **2. Street Naming and Numbering**

If the development results in changes to any postal address or addresses on the site you should contact the Street Naming and Numbering section. Failure to do so can result in delays to conveyancing, the connection of services or the initiation of postal deliveries.

T: 020 7527 2245 / 2611

E: [addressmanagement@islington.gov.uk](mailto:addressmanagement@islington.gov.uk)

### **3. Environmental Health, Trading Standards and Licensing**

You may need to comply with various Acts and therefore you should contact Commercial and/or Residential Environmental Health and/or Trading Standards and/or Licensing. The Licensing Team deal with premises that sell alcohol, provide entertainment, late night refreshment, gambling and special treatments such as beauty therapies, tattoos and saunas.

T: 020 7527 3186 (Commercial/Residential/Trading Standards)

T: 020 7527 3031 (Licensing)

E: [Street.Trading@islington.gov.uk](mailto:Street.Trading@islington.gov.uk)

[Licensing@islington.gov.uk](mailto:Licensing@islington.gov.uk)

[Residential.Envh@islington.gov.uk](mailto:Residential.Envh@islington.gov.uk)

[Commercial.Envh@islington.gov.uk](mailto:Commercial.Envh@islington.gov.uk)

### **4. Inclusive Design and Access for Disabled People**

The London Plan, Islington's Core Strategy and relevant Supplementary Planning Documents and Part M of the Building Regulations require the creation/maintenance of an Inclusive Environment. If you require any further information or advice on the application of the principles of Inclusive Design contact the Inclusive Design officers. Other applicable standards and design guidance are set out in:

- Inclusive Mobility – [www.dft.gov.uk/publications/inclusive-mobility](http://www.dft.gov.uk/publications/inclusive-mobility)
- Approved Document M – Access to and use of buildings
- Islington's Accessible Housing SPD – [http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Publicity/Public-consultation/2011-2012/\(2012-03-03\)-Accessible-Housing-SPD-Adopted-March-09.pdf](http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Publicity/Public-consultation/2011-2012/(2012-03-03)-Accessible-Housing-SPD-Adopted-March-09.pdf)
- Islington's Inclusive Landscape Design SPD - [http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Quality-and-performance/Reporting/2011-2012/\(2012-03-03\)-Inclusive-Landscape-Design-SPD-January-2010.pdf](http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Quality-and-performance/Reporting/2011-2012/(2012-03-03)-Inclusive-Landscape-Design-SPD-January-2010.pdf)
- BS8300:2009 – Design of buildings and their approaches to meet the needs of disabled people.

Regardless of any Planning or Building Regulations approval your client and or future occupant may have duties under the Equalities Act 2010 (which supersedes the Disability Discrimination Act). Those duties include to take all reasonable steps to ensure that disabled person experiences no less favourable treatment, which will involve the elimination of obstructive physical features.

T: 020 7527 2394

E: [planning@islington.gov.uk](mailto:planning@islington.gov.uk)

### **5. Highways**

In order to comply with the provisions of the Highways Act, and/or other Highways matters, you should contact Highways Services. Hoardings, scaffolding, skips, overhanging



structures, anything on the public highway (tables and chairs for example) are regulated by the Streetworks Team.

T: 020 7527 2000

E: [streetworks@islington.gov.uk](mailto:streetworks@islington.gov.uk)

#### **6. Parking Suspensions**

In order to secure parking bays for the sole use of contractors on site, you should contact Parking and CCTV Services.

T: 020 7527 1377/6262/6129

E: [parkingsuspensions@islington.gov.uk](mailto:parkingsuspensions@islington.gov.uk)

#### **7. Trees**

Any trees which are the subject of a Tree Preservation Order or within a conservation area may not be lopped, felled, uprooted or wilfully damaged without permission. Should you wish to undertake any such works contact the Tree Service.

T: 020 7527 2417/2150

E: [treeservice@islington.gov.uk](mailto:treeservice@islington.gov.uk)

#### **8. Storage and Collection of Refuse**

In order to ensure the intended approach/strategy to refuse, recycling, waste removal is acceptable, you should contact Street Environment Services.

T: 020 7527 2000

E: [contact@islington.gov.uk](mailto:contact@islington.gov.uk)

#### **9. Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under the Control of Pollution Act. The normal approved noisy working hours are:

- 08:00 to 18:00 Monday to Friday
- 08:00 to 13:00 Saturday
- No work on Sundays and Public Holidays

If you anticipate any difficulty in carrying out construction works other than within normal working hours (above) and by means that would minimise disturbance to adjoining properties then you should contact the Pollution Project Team.

T: 020 7527 7272

E: [pollution@islington.gov.uk](mailto:pollution@islington.gov.uk)

#### **10. Fire Precautions**

If you require continued maintenance of fire precautions in existing buildings where no building work is planned contact the London Fire Brigade.

T: 020 8555 1200 (ext: 59163)

A: Eastern Command, Fire Safety Department  
Units 5-6 City Forum  
City Road,  
LONDON EC1V 2FB

#### **11. Petrol Storage**

To ensure compliance with the Petroleum (Consolidation) Act and for advice on the storage of petroleum spirit or petroleum mixture, you should contact the London Fire and Civil Defence Authority.

T: 020 8555 1200 (ext: 59163)

A: Eastern Command, Fire Safety Department  
Units 5-6 City Forum  
City Road,  
LONDON EC1V 2FB

## APPLICANT'S RIGHTS FOLLOWING THE GRANT OR REFUSAL OF PERMISSION

### 1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six months:** Full (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time, and prior approval applications.
- **12 weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **8 weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice..

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk) or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are exceptional/special circumstances. The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

### 2. Subsequent Application Fees

No planning fee would be payable should a revised application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

### 3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council. This notice will require the council to purchase the owner's interest in the land in



accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

#### **4. Compensation**

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **5. General Information**

A planning permission does not constitute a listed building consent. Listed building consent is required before any works of development or alteration (internal or external) are undertaken to a building included on the Statutory List of Buildings of Architectural or Historic Interest.

A planning permission does not constitute a conservation area consent. Conservation area consent is required before any demolition works are undertaken to a building/structure within a designated conservation area – being the substantial demolition of a building/structure and/or demolition wall/fence fronting a public highway.

The grant of a permission does not relieve the applicant/developer of the necessity of complying with any local Acts, Regulations, Building By-laws, private legislation, and general statutory provisions in force in the area or modify or affect any personal or restrictive covenants, easements etc., applying to or affecting either the land to which the permission relates or any other land or the rights or any person(s) or authority(s) entitled to benefit thereof or holding an interest in the property.

A development for which permission is granted require new rights over other people's land such as: rights to receive light and air, rights of way, access, freeholder consent, party wall award. In such situations it is appropriate to seek professional advice – please be aware that as such matters relate are private law matters, the council cannot advise you. If planning permission is given in respect of land adjoining land belonging to the council or another public authority, you are advised to consult that authority in its capacity as landowner about your proposals. Examples of land belonging to the council include: Public Parks, Gardens, Housing Estates, Estate Roads and Public Buildings such as Council Offices, Libraries and Swimming Pools.

- 6. If you require further advice please visit our website at [www.islington.gov.uk](http://www.islington.gov.uk) or contact the Planning Enquiries team on 020 7527 2000.**

