



PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE B		NON-EXEMPT
Date:	18 th September 2014	

Application number	P2013/2885/FUL
Application type	Full Planning (Council's Own)
Ward	Mildmay
Listed building	No
Conservation area	Highbury New Park Conservation Area
Development Plan Context	Conservation Area
Licensing Implications	None
Site Address	114 Grosvenor Avenue, London, N5 2NY
Proposal	Change of use from residential children's home (Use Class C2) to 4 no. residential flats (Use Class C3) comprising 1 x 1 bedroom flat, 2 x 2 bedroom flats and 1 x 3 bedroom flat; new windows and staircase to rear elevation; provision of 12 no. cycle spaces and bin storage area to eastern elevation.

Case Officer	Krystyna Williams
Applicant	Mr Peter Holmes (Property Services) LB Islington
Agent	Simon Owen (HTA)

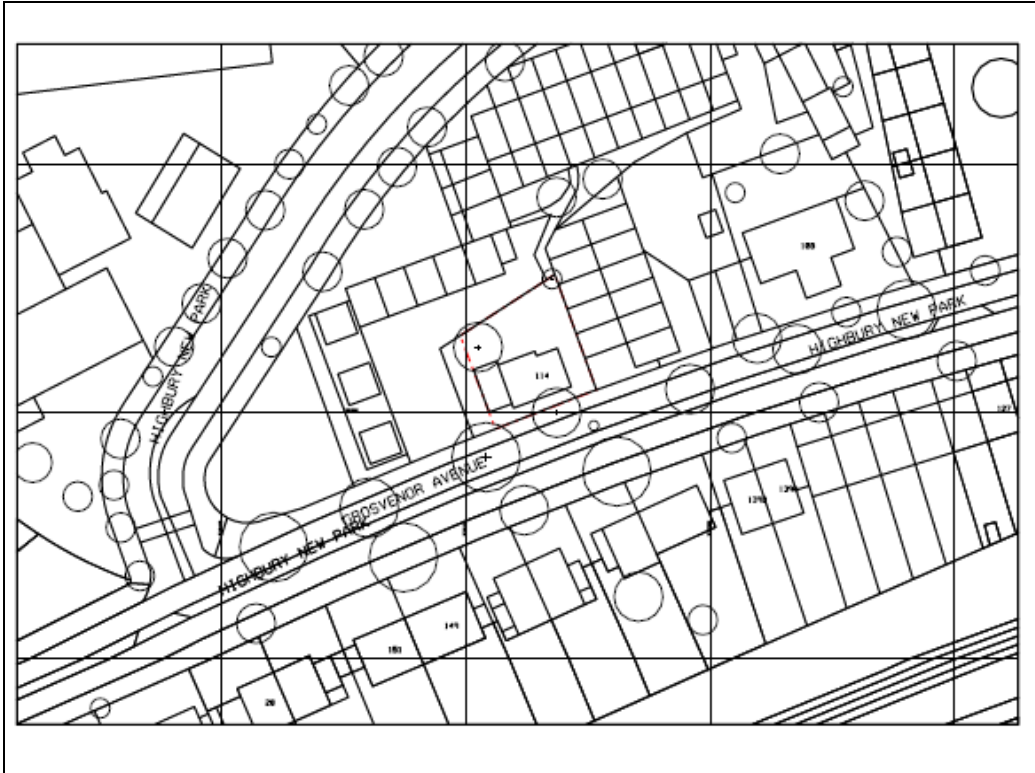
1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;
2. subject to completion of a Directors Agreement between Mike Curtis (Corporate Director of Finance & Resources) and Kevin O'Leary (Corporate Director of Environment and Regeneration) made under section

106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Front elevation of application building



Image 2: Rear elevation from adjoining residential parking

4. Summary

- 4.1 Full Planning permission is sought for the change of use from residential children's home (Use Class C2) to 4 no. residential flats comprising 1 x 1 bedroom flat, 2 x 2 bedroom flats and 1 x 3 bedroom flat. The introduction of four residential flats at the site is considered acceptable in principle.
- 4.2 The scheme went through the Council's Asset Appraisal Process in February 2012. The proposal is to convert the building into flats and sell the property in order to generate and maximise the receipt to fund new homes. Executive on 27/03/2012 approved these decisions.
- 4.3 The area is residential in character and the site is located within the Highbury New Park Conservation Area.
- 4.4 The impact of the development on neighbours is considered to be acceptable.
- 4.5 The quality and sustainability of the resulting scheme is considered to be acceptable. The housing would comply with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov, 2012). Islington's Core Strategy identifies the importance of delivering new family units. The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM9 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes.

- 4.6 Private amenity space is provided in accordance with Council's requirements.
- 4.7 The redevelopment of the site does not provide vehicle parking on site and occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site.
- 4.8 In summary, the proposal is considered to be acceptable and to be broadly in accordance with the Development Plan policies.

5. SITE AND SURROUNDING

- 5.1 The application site is located on the northern side of Grosvenor Avenue and consists of a detached Victorian villa of part one storey, part three storeys over basement level. The basement area extends under the main three storey element of the property. The main entrance to the building is via Grosvenor Avenue. The majority of the building is three storeys in height with the single storey element located to the west. The surrounding area is predominantly residential in character with purpose built flats of three to four storeys to the west, north and east. Opposite the site are large residential villas. The building is not listed and is located within the Highbury New Park Conservation Area.
- 5.2 Planning permission was granted in 1968 to convert the building into a children's care home. It is in the ownership of the London Borough of Islington. The use of the property as a children's home ceased in 2007/2008 due to operational reasons following the Council's decision that the building was no longer suitable for such a use due to managerial reasons.
- 5.3 The building has been utilised as meeting/office space for LB Islington Children's Services between 2010 and 2012 however Children's Services centralised their offices to Elwood Street in 2012. The building is currently occupied by live in caretakers only.

6. PROPOSAL (IN DETAIL)

- 6.1 Full planning permission is sought for the change of use from residential children's home (Use Class C2) to 4 no. residential flats (Use Class C3) comprising 1 x 1 bedroom flat, 2 x 2 bedrooms flats and 1 x 3 bedroom flats; new windows and staircase to rear elevation; provision of 12 no. cycle spaces and bin storage area to eastern elevation.
- 6.2 The scheme went through the Council's Asset Appraisal Process in February 2012 and subsequently the now defunct ACCB (chaired by Kevin O'Leary). The proposal is to convert the building into flats and sell the property in order to generate and maximise the receipt to fund new homes. Executive on 27/03/2012 approved these decisions.
- 6.3 The layout of the building will comprise the following unit mix:

- 1 x 2 bedroom flat (82.92sqm) at basement level (Flat 1);
- 1 x 1 bedroom flat (60sqm) located over ground and first floor (Flat 2);
- 1 x 3 bedroom flat (101sqm) at ground floor and first floor (Flat 3); and
- 1 x 2 bedroom flat (78.46sqm) at second floor (Flat 4).

- 6.4 Revised drawings have been submitted following officer concern raised through the assessment of the application. Initially, when the application was submitted, a three storey side extension (90sqm) was proposed, this has subsequently been omitted from the proposal following officer concerns regarding the full height extension which would have been the same height as the main building and would consequently be over dominant and harm the host building and surrounding conservation area. In addition, internal reconfiguration has been undertaken. The initially proposed studio flat, which is not supported by DM policies, has been removed and the proposed unit mix is now supported.
- 6.5 The overall scale of the building will remain unchanged. The originally proposed side extension has been omitted from the proposal. Existing doorways and access stairs will be maintained to the front of the building. A new doorway and access stair is proposed to enable access from the flats to the rear. A new internal stairway is proposed between ground and first floor for Flat 2 and Flat 3 which are located over two levels. A private entrance door/stair will be added to provide access from the ground floor flat to the garden.
- 6.6 An existing wheelchair lift is retained to the front of the building and potential through floor lifts are shown on proposed drawings. The existing vehicular access to the east of the site will be removed and replaced with refuse and cycle storage. 12 no. bicycle spaces are provided and one mobility scooter store is also proposed.
- 6.7 Each flat has private amenity space to the rear of the building of an acceptable size. The largest of the units, flat 3, has additional amenity space to the front of the building.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Planning permission was granted on 13th June 1968 for the Conversion of 114 Grosvenor Avenue and its use as a Children's Home. Case No. TP/0824/03/A/BVH.

Planning permission was granted on 6th July 1967 for the redevelopment of the site for housing by the erection of five four-storey houses. Case No. TP/0824/03/A/22.6.67.

ENFORCEMENT:

- 7.2 None

PRE-APPLICATION ADVICE:

7.3 None.

8. CONSULTATION

Public Consultation

8.1 A total of 107 letters were sent to occupants of adjoining and nearby properties dated 19/09/2013. Additional consultation was undertaken following the submission of additional information and a revised description of development on the 21/11/2013 and 09/07/2014. Letters were sent to No's 139 – 151 Grosvenor Avenue, 1 – 71 Spring Gardens, and 114 Grosvenor Avenue. A site notice and press advert was also displayed.

8.2 No objection letters have been received from the public with regard to the application. One letter of support has been received from a resident (Councillor Andy Hull).

External Consultees

8.3 None.

Internal Consultees

8.4 **Design and Conservation:** The existing property is an extremely handsome mid Victorian villa (c.1850s) of three storeys over basement, three bays and fine entrance portico. To one side is a one storey over basement later Victorian side extension which is clearly subordinate to the main building. The building is comparable to the GII listed villas in the area and should at the very least be locally listed. It makes a substantial positive contribution to Highbury New Park Conservation Area.

The proposed side extension is the full height of the main building and is consequently over dominant and harms the host building and the conservation area. It fails to comply with the requirements for side extensions outlined in the IUDG and CADG. This aspect has now been omitted from the proposal.

8.5 **Access and Inclusive Design:** (Comments provided following revised drawings). The housing mix is now much better and to a large extent our flexible homes standards have been met. The retention of the platform lift on the stairs would be useful from both the accessibility point of view as well as visitability. I suggest the applicant considers the installation of a platform lift within the light well to serve the lower and upper ground floor levels. If installed it would deliver visibility and adaptability to 3 of the dwellings immediately. If only the potential to install such a facility is established, then at least we have secured a level of adaptability. As it is, we may have to live without access to the second floor dwelling.

Looking at the internal arrangements, the applicant is reminded that a hoist cannot pass through a load bearing wall without major consequences. It is

acceptable that the hoist passes through the doors and along the corridor so long as the route does not pass through a living space or across the entrance.

The bathroom in flat 2 is undersized. It is not essential that a bath is provided but a 1500mm turning circle should be delivered nonetheless.

The provision of a flexible homes schedule is welcome and the fact that the development is car free accepted; however, considerations should be given to how the travel and transport needs of the residents and their visitors would be met e.g. Safe drop off, accessible cycle parking and facilities for the storage and charging of mobility scooters.

8.7 **Planning Policy:** The principle of the change from C2 – residential children’s home to C3 residential is acceptable. The applicants have sought to justify the loss of the C2 use against policy DM3.8, part B, iii in the DM Policies. This part of the policy states that the council will resist development which involves loss of floorspace in sheltered housing and care homes unless either [inter alia] *“it can be demonstrated that the existing accommodation is unsatisfactory for modern standards and/or not fit for purpose...”* – The applicants’ Planning Statement paragraphs 5.4 to 5.9 provides sufficient justification for us to accept that this is the case, in particular the difficulty in internal reorganisation and lack of opportunity to fit a lift to access multiple levels. The affordable housing contribution of £200,000 is welcomed and the mix of units is acceptable.

8.8 **Housing Department:** No comment.

9.0 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 2011, Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

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

- Highbury New Park Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

9.4 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;
- Design and Appearance;
- Neighbouring amenity impacts;
- Quality of resulting accommodation and Dwelling Mix;

Land-use

10.2 The site is not subject to any land designations in Islington's Core Strategy or Site Allocations. The site consists of a part one storey/part three storey building historically used as a children's residential home (Use Class C2) which is in the London Borough of Islington ownership.

10.3 Permission was granted in 1968 to convert the building into a children's care home and is in the ownership of the London Borough of Islington. The use as a children's home ceased in 2007/2008 due to operational reasons following the Council determining that the building was no longer suitable for such a use due to managerial reasons. Since this time the building has been used as meeting/office space for LB Islington Children's Services between 2010 and 2012 however Children's Services centralised their offices to Elwood Street in 2012. The building is currently occupied by live-in caretakers only.

10.4 The principle of the change from C2 (residential children's home) to C3 (residential) is acceptable. The applicants have sought to justify the loss of the C2 use against policy DM3.8, part B, iii in the DM Policies. This part of the policy states that the Council will resist development which involves loss of floorspace in sheltered housing and care homes unless either [inter alia] "*it can be demonstrated that the existing accommodation is unsatisfactory for modern standards and/or not fit for purpose...*". The applicants' Planning Statement, paragraphs 5.4 to 5.9, provides sufficient justification for the Council to accept that this is the case, in particular the difficulty in internal reorganisation and lack of opportunity to fit a lift to access multiple levels which results in the property being considered unfit for modern term residential care use.

- 10.5 The introduction of a C3 residential use to this site is considered to be acceptable. The adjoining uses are residential and the proposal is considered to have a neutral amenity impact over the existing adjoining buildings.

Design and Appearance

- 10.6 The existing building is a handsome mid Victorian villa (c.1850s) of three storeys over basement, three bays and fine entrance portico. To one side is a one storey over basement later Victorian side extension which is clearly subordinate to the main building. There are no extensions proposed to the existing building.
- 10.7 Existing doorways and access stairs will be maintained to the front of the building. Existing alterations include new access will be provided to the rear of the building to the amenity space. The lower ground floor flat (Flat 1) will be accessed via a new stair located alongside the existing main entrance to the building. These minimal external alterations are considered acceptable. The remainder of the building remains unaltered.
- 10.8 Objection was raised to the proposed side extension which would have met the full height of the main building and was subsequently deemed over dominant and harmful to the host building and the conservation area. This element of the proposal has consequently been omitted from the scheme.
- 10.9 The proposal is considered to be in accordance with policies 7.4, 7.6 and 7.8 of the London Plan 2011, CS9 of the Core Strategy 2011, Policies DM2.1 (Design) and DM2.3 (Heritage) of the Development Management Policies 2013.

Neighbouring Amenity

- 10.10 The application site is located on the northern side of Grosvenor Avenue and consists of a detached Victorian villa of part one storey, part three storeys over basement. The surrounding area is predominantly residential in character with purpose built flats of three to four storeys to the west, north and east, and large residential villas on the opposite side of the street. Consideration has been given to the effect of the proposed development on neighbouring amenities in terms of overlooking, loss of privacy, loss of light and outlook.
- 10.11 The application building sits within a substantial sized plot. No new windows are proposed to the east elevation or west elevation. There is one existing basement window on the east elevation and existing first and second floor windows on the west elevation, all being retained, and serving bedrooms.
- 10.12 To the rear of the site four new windows are proposed to first and second floors. These windows would serve a bedroom at first floor and a bedroom and bathroom at second floor. These windows are to be added to the existing rear elevation above existing windows at ground and basement level. The distance between the rear elevation of the host building and the buildings to the rear of the site is 16 metres. Whilst this distance falls just short of the required 18

metres set out in policy, the 1 no. bathroom window will be obscurely glazed and the three others serve bedrooms. There are site specifics which assist the inclusion of these windows in the rear elevation including the natural screening provided to the rear of the site in the form of trees and hedges at the site. In addition, there is no rearward projecting extension proposed as part of this application. The windows would be set within the existing rear elevation of the building.

- 10.13 This separation distance is subsequently not considered to result in any unacceptable overlooking / loss of privacy to warrant the refusal of this application. However, if considered necessary then the bedroom windows could also be treated / obscurely glazed as there are secondary existing windows to these rooms on the side elevation of the building.
- 10.14 There has been no objection to the proposed works from members of the public following the consultation period. To the contrary there was one letter of support.
- 10.15 There is not considered to be any adverse material impact on residential amenity in terms of loss of light, loss of privacy, sense of enclosure or overlooking as a result of the proposed development.

Quality of Resulting Residential Accommodation and Dwelling Mix

- 10.16 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires Local Authorities to deliver a wide choice of quality homes. The London Plan (2011) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.
- 10.17 Islington's Core Strategy identifies the importance of delivering new family units. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. The size mix is acceptable, offering a mix of one, two and three bed flats and at this site and in this context, this is acceptable. Half of the units are proposed to be 2-bed, which represents provision of the most needed size of market units.
- 10.18 The proposed residential units all exceed the required internal space standards and are therefore in compliance with local and national standards: (Flat 1) 1 x 2 bedroom flat (82.92sqm), (Flat 2) 1 x 1 bedroom flat (60sqm), (Flat 3) 1 x 3 bedroom flat (101sqm) and (Flat 4) 1 x 2 bedroom flat (78.46sqm).
- 10.19 Each of the proposed flats is dual aspect, hence achieving the maximum amount of natural light and ventilation through the building. In summary, it is considered that all proposed residential units would benefit from acceptable levels of natural light and an outlook that is pleasant and suitable to the

residential accommodation. This is in accordance with policy DM3.4 (Housing Standards).

- 10.20 Outdoor amenity space has been provided for all new residential each exceeding the requirements of policy DM3.5 (Private Amenity Space) of Islington's Development Management Policies. Access is achieved to the outdoor amenity space from the rear of the building in all cases apart from the additional amenity space to the front of Flat 3.
- 10.21 The proposal is for the conversion of an existing building rather than new build, and it is accepted that there are therefore constraints. Due to the width of the internal hall and location of the stair it is not possible to provide a lift within the buildings main core. The inclusion of a lift to the main core would require significant structural work and removal of original walls. An existing wheelchair lift on the front access stairs will be retained to facilitate access. In addition, Flat 3 is wheelchair accessible with potential future through floor lift and hoist locations. The WC in Flat 2 has been extended to provide an acceptable hoist path within the unit. One space for a mobility scooter has also been included.

Highways and Transportation

- 10.22 The development would be car free, as required by Core Strategy Policy CS10 and as per Condition 6 to the application, which restricts future of occupiers of both the office space and residential units, from obtaining a residents permit. This will ensure adequate provision of spaces for existing users.
- 10.23 Cycle storage is provided in line with the requirements set out in Appendix 6 of the Development Management Policies.

Affordable Housing and Financial Viability

- 10.24 The proposal is a minor application for four residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy).
- 10.25 The application is submitted by the London Borough of Islington and thereby a Directors agreement has been signed to secure the Affordable Housing and Small Sites Contribution of £200,000 in line with the requirement set out in the adopted SPD. The development is for the conversion of an existing building and subsequently the environmental off-set contribution is not applicable in this instance.
- 10.26 The applicant has submitted a completed CIL liability form. If granted planning permission, the development would be subject to the requirement of a CIL payment that would be payable on commencement of the development.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. CONTRIBUTION OF £200,000 TOWARDS AFFORDABLE HOUSING WITHIN THE BOROUGH.

That, should the Section 106 Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<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 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p>

	<p>Location Plan; GWI-AL-01-001; GWR AL (01) 002; GWR AL (01) 003; GWR AL (01) 004; GWR AL (01) 005; GWR AL (01) 010 F; GWR AL (01) 011 F; GWR AL (01) 012 A; GWR AL (01) 013 E; GWR AL (01) 015 C; GWR AL (01) 017; GWR AL (01) 018; GWR AL (01) 019; GWR AL (01) 020; GWR AL (01) 021; Design and Access Statement dated 18 June 2014; Revised Planning Statement prepared by hta dated April 2014.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	External
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	Windows
	<p>CONDITION: All new windows shall be painted timber to match the existing windows in terms of material, profile and detailing.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	Railings to match
	<p>CONDITION: All new railings and metal staircases shall be painted black upon installation and maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
6	Car Free Housing
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except :</p> <p>(1) In the case of disabled persons;</p> <p>(2) In the case of units designated in this planning permission as "non car free"; or</p> <p>(3) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: In the interests of sustainability and in accordance with the</p>

	Council's policy of car free housing.
7	Cycle Parking Provision (Compliance)
	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be secure and provide for no less than 12 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
8	Accessible Homes Standards (Compliance)
	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
9	Waste Management
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. GWR AL (01) 015 C shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

List of Informatives:

1	Positive statement
	<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. A pre-application advice service is also offered and encouraged. The LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant or have been dealt with by condition. This resulted in a scheme which accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages.</p>
2	Community Infrastructure Levy (CIL)
	<p>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</p>

	<p>Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>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</p>
3	Section 106
	SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
4	Definitions
	<p>DEFINITIONS: (Definition of 'Superstructure' and 'Practical Completion')</p> <p>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.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan polices 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 2011, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2011 - Spatial Development Strategy for Greater London

- | | |
|--|---|
| 1 Context and strategy
Policy 1.1 Delivering the strategic vision and objectives for London | 7 London's living places and spaces
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology |
| 5 London's response to climate change
Policy 5.3 Sustainable design and construction | |

B) Islington Core Strategy 2011

- Spatial Strategy**
Policy CS8 (Enhancing Islington's Character)

- Strategic Policies**
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

C) Development Management Policies June 2013

- | | |
|--|---|
| <u>Design and Heritage</u>
DM2.1 Design | <u>Energy and Environmental Standards</u>
DM7.4 Sustainable design standards |
|--|---|

DM2.2 Inclusive Design
DM2.3 Heritage

5. Designations

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

- **Highbury New Park Conservation Area**

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

The following SPGs and/or SPDs are relevant:

- | Islington Local Development Plan | London Plan |
|---|--|
| - Conservation Area Design Guidelines (2002) | - Sustainable Design & Construction |
| - Urban Design Guide (2006) | |