

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB-COMMITTEE B		AGENDA ITEM NO:
Date:	11 th February 2020	NON-EXEMPT

Application number	P2019/1945/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	No
Conservation area	Barnsbury Conservation Area
Development Plan Context	Mayors Protected Vistas (Alexandra Palace viewing terrace to St Paul's Cathedral) Local cycle routes Article 4 Direction (Barnsbury Conservation Area) Article 4 Direction A1-A2 (Town Centres)
Licensing Implications	None
Site Address	60 Morland Mews, London N1 1HN
Proposal	Conversion of 33 existing garages and 32 storage units to create six new residential units (1no. studio, 1 no. 1 bed, 4 no. 2 bed) (following external alterations and front extensions), a community centre and caretaker's office and the use of three further existing garages for refuse and cycle storage, together with associated landscaping and estate improvement works.

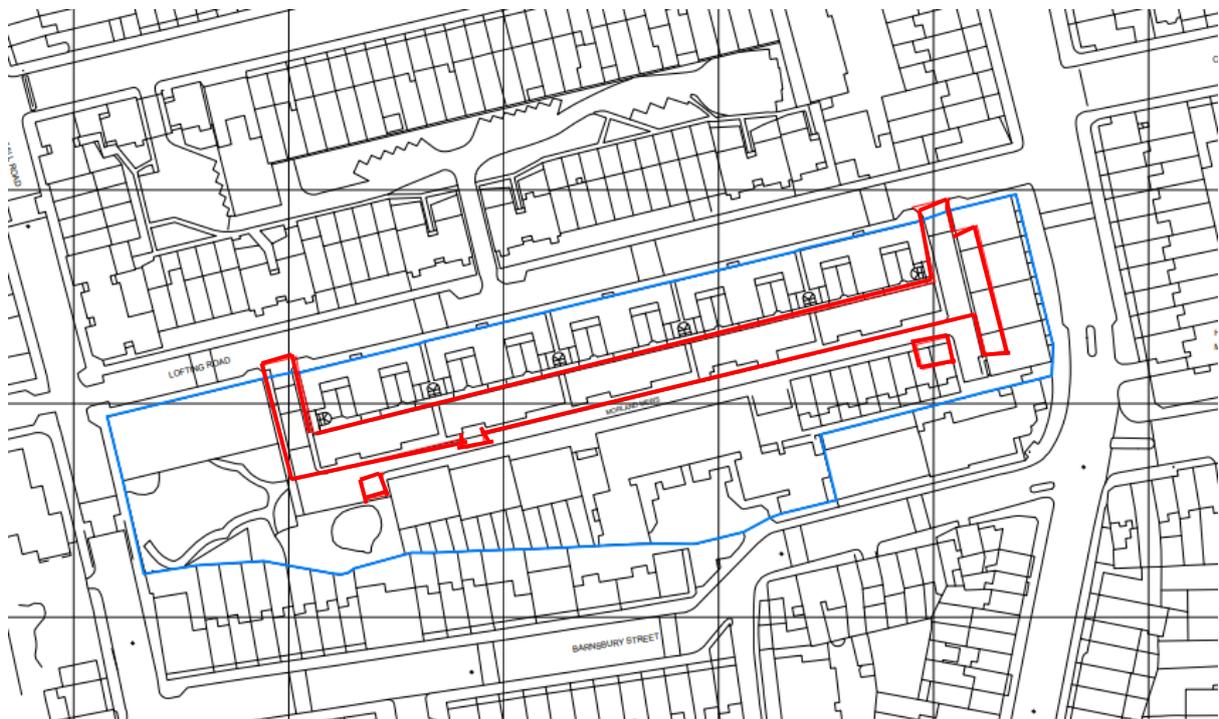
Case Officer	Mr Daniel Jeffries
Applicant	Barnsbury Housing Association
Agent	Mr Richard Norman - Lichfields Limited

1. RECOMMENDATION

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

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;
3. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET

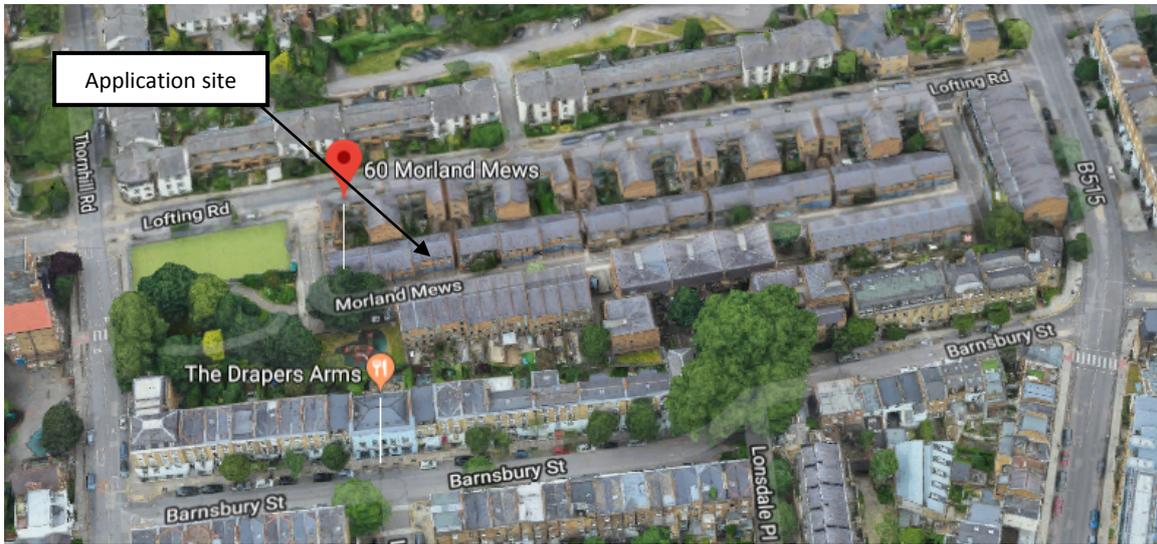


Image 1: Aerial view of the site facing north

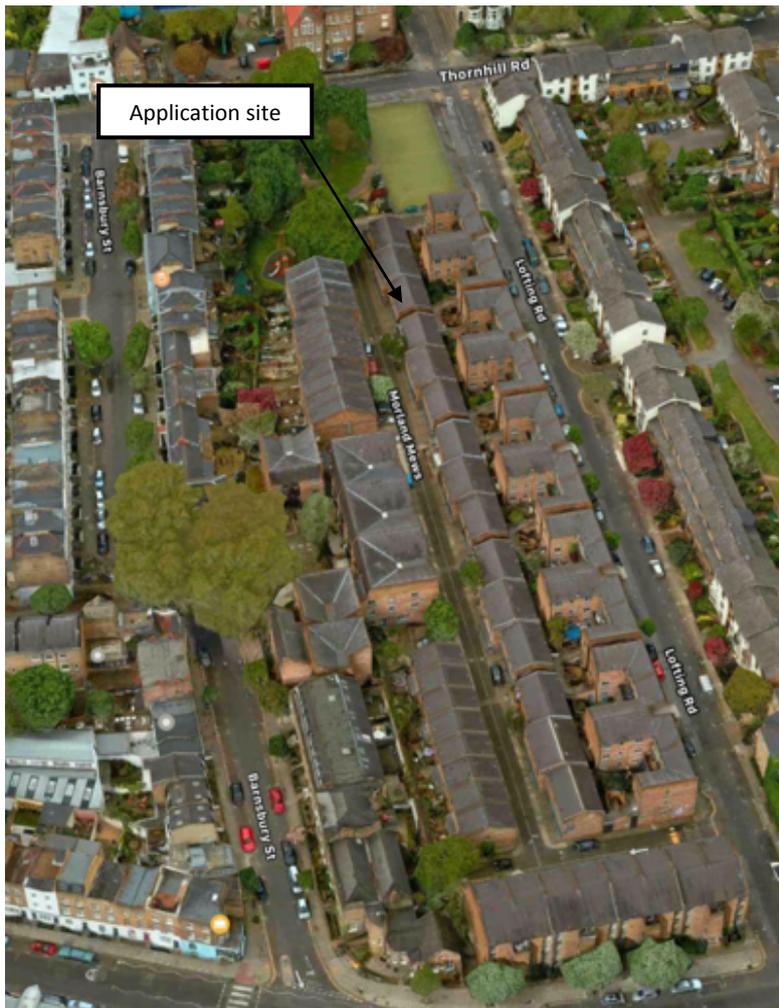
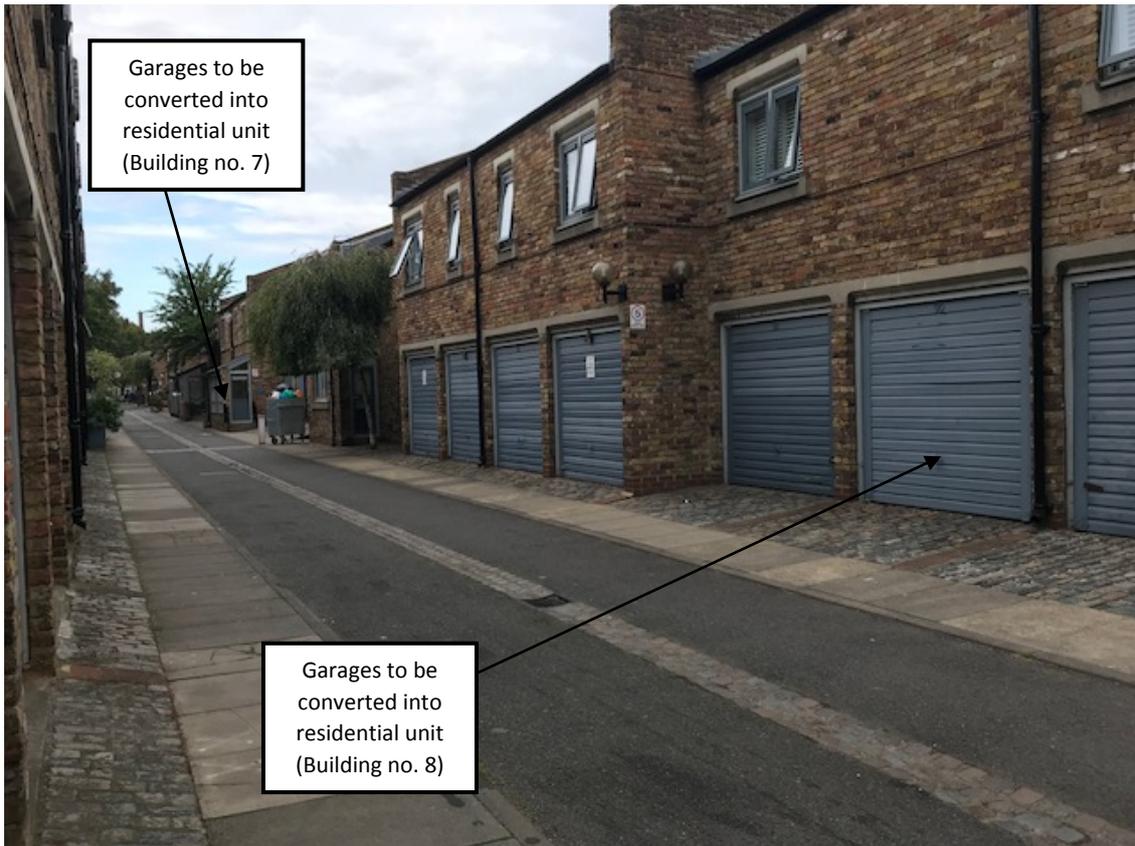


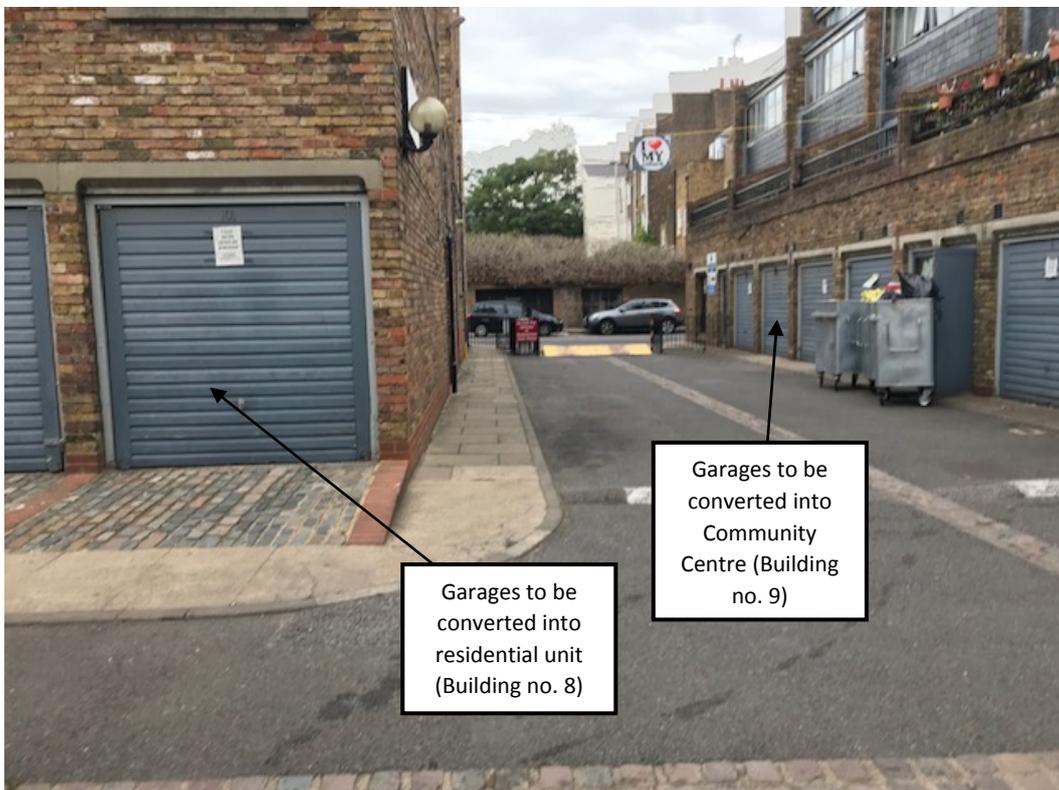
Image 2: Aerial view of the site facing west



Garages to be converted into residential unit (Building no. 7)

Garages to be converted into residential unit (Building no. 8)

Image 3: View of existing Morland Mews frontage



Garages to be converted into residential unit (Building no. 8)

Garages to be converted into Community Centre (Building no. 9)

Image 4: View of existing vehicle and pedestrian access from Lofting Road



Existing area of open space and tennis courts to west of the site

Existing residential at ground floor (Building no. 4)

Image 5: View of pedestrian access and exit point for vehicles on to Lofting Road from Morland Mews



Garages to be converted into residential unit (Building no. 4)

Location of proposed wheelchair accessible parking space

Image 6: View facing east showing existing car parking and Morland Mews frontage

4. SUMMARY

- 4.1 The application seeks planning permission for the conversion and change of use of 33 existing garages and 32 storage units to create six new residential units, following external alterations and front extensions, a new community room and caretaker's office and the use of three further existing garages for refuse and cycle storage, together with associated landscaping and estate improvement works.
- 4.2 The site as existing is made up of garages and storage units which are used as ancillary to the existing residential units within Morland Mews, which are located at ground floor and at upper floor levels. The proposed six new self-contained units would consist of 1no. studio unit, located towards the east of the site, and 1 no. 1 bedroom (2 person bedspace) unit and 4 no. 2 bedroom units, located to the north side of Morland Mews. One of the 2 bedroom units. would be classified as wheelchair accessible with associated wheelchair accessible parking space. The proposal would deliver a 100% Affordable Housing scheme
- 4.3 Principally, the proposed residential units are considered to provide a good standard of residential accommodation, providing acceptable level of daylight/sunlight, meeting and exceeding the minimum floorspace space standards, outlook and apart from the studio unit, all being dual aspect.
- 4.4 The proposal also involves the introduction of cycle storage and community room, towards the east of the site, caretakers office, to the south east corner, and refuse storage positioned centrally to the north side of Morland Mews, within the existing garages.
- 4.5 The proposed extensions would be located to the front elevation of two of the existing buildings (Building nos 4 and 5). These two extensions would infill an area to the existing frontage, being single storey measuring an area of 3.29 sqm (no.4) and 6.14 sqm (no. 5). The proposal would also introduce boundary walls/planters to the front elevation to each of the 1 and 2 bedroom units to the north side of Morland Mews, measuring 0.7m in height, around the area of proposed amenity space. The proposal would also alter the existing fenestration to all of the garages and garages subject to this application. The design, layout, scale and massing of the proposed development is considered acceptable, and considered to pay special regard to preserving the visual appearance and historic character of the wider Barnsbury Conservation Area.
- 4.7 The proposed alterations, and the introduction of residential units and ancillary functions associated with the proposal are not considered to prejudice the residential amenity of neighbouring properties insofar of loss of sunlight and daylight, increased sense of enclosure, overlooking, overshadowing or loss of privacy, or the wider public highway network and conditions have been recommended in relation to noise and the highway, including during the construction phase and upon occupation. The proposal therefore accords with policy DM2.1 of the Development Management Policies 2013.
- 4.8 Although 2 no. trees will be removed, these trees are considered poor in quality (Category U – dead, dangerous or dying) and the Tree Officer is satisfied that the remaining trees would be protected. Overall, the proposal is considered not to result in significant detrimental impact on the remaining trees, and conditions have been recommended to ensure the protection of trees during construction. A further landscaping condition is recommended to ensure maximisation of green space/landscaping where possible.

4.9 The application is referred to committee given the significant number of objections received.

4.10 The proposal is considered to accord with the relevant policies in the Development Plan.

5. SITE AND SURROUNDINGS

5.1 The application site is located on the north and east side of Morland Mews, which is accessed from the south side of Lofting Road, with car access restricted via the use of a key fob security system. Immediately to the west of the site, on the corner of Lofting Road and Thornhill Road, there is an existing play area and tennis courts, which can be accessed via Morland Mews. The mews style two and three storey buildings within the estate are post WW2 buildings, built during the 1970s. The buildings were constructed using a palette of materials, including yellow/red multi stock brick, with concrete sills and lintels. The ground-floor edges along Morland Mews are characterised by a repeating rhythm of garage doors and brick piers. There are 155 no. social rented homes within the estate which are owned and managed by Barnsbury Housing Association, this includes some garages within the estate which have already been converted into residential units containing habitable rooms on the ground floor, with the remaining residential units located on the upper floors. The residential units on the upper floors to the north side of Morland Mews are accessed via the pedestrian route Gissing Walk located to the rear, which runs parallel to Morland Mews.

5.2 The host buildings subject to this application are not listed, with the nearest listed buildings being the row of Grade II listed terraced properties along the north side of Barnsbury Street, to the south of the play area and immediately adjacent to the existing building to the south side and west of Morland Mews. There are also rows of the Grade II listed terraced properties either side of Barnsbury Street. The application is within the Barnsbury Conservation Area, which is characterised by its Victorian terraces and leafy green areas.

5.3 The surrounding area is characterised as dense urban containing residential properties, with a mix of purpose built development and period Victorian conversions and dwellings with several parks in close proximity.

6. PROPOSAL (in Detail)

6.1 The application seeks permission for the change of use and conversion of 33 no. existing garages and 32 storage units to create six new residential units (1no. studio, 1 no. x 1 bed, 4 no. x 2 bed) (following external alterations and front extensions), a community room and caretaker's office and the use of three further existing garages for refuse and cycle storage, together with associated landscaping and estate improvement works. This application follows a recent application which was withdrawn (ref. P2018/2178/FUL). The main changes to this revised scheme, in comparison to the withdrawn application, include the following:

- The number of garages and storage units (previously 35 no. existing garages and 28 storage units)
- Number of residential units (previously 7 no.)
- Housing mix (previously 1 no. studio, 2 no. 1-bed, 3 no. 2-bed, and 1 no. 3-bed)
- Revised cycle/refuse storage arrangements

- 6.2 The proposal includes single storey extensions to the front elevation of 2 no. of the existing garages (Building nos. 4 and 5) to the north of Morland Mews. The external alterations include the infilling of the existing garage openings, and the creation of windows and doors to the relevant front and rear elevations of the relevant garages. To provide defensible space the proposal includes the creation of a 0.7m high boundary wall/planters to the front elevation of the proposed residential units, positioned to the north of Morland Mews.
- 6.3 The proposal will be is an Affordable/Social Housing scheme which will be secured with Barnsbury Housing Association through a legal agreement. The housing mix will comprise compromising 6 no. units (1 no. x 1 bed, and 4 no. x 2 bed units and 1 no. x studio).
- 6.4 The proposal also includes the creation of a community room and ancillary caretaker's office for the wider housing estate, located towards the east of the site and the use of three further existing garages for refuse and cycle storage. The existing community facilities are located centrally within the Barnsbury Housing Association offices (within Building no. 7), where there is a small space used as a community area where resident led societies are able to hold meetings.
- 6.5 Amended plans were received in November 2019, to include alterations to the layout and to dwelling mix including removal of 1no. 3-bedroom studios and addition of 1no. 2-bedroom 4 person unit, as well as changes to the external appearance of the garage units. This is following comments made by the Council's Design and Conservation Officer and concerns about the lack of adequate amenity space for the proposed family sized 3-bedroom unit.
- 6.6 Whilst not part of this application (outside the application site boundary), it also noted in the supporting Planning Statement that Barnsbury Housing Association propose wider estate improvements including lighting, repainting, childrens play area and landscaping.

7. RELEVANT HISTORY

60 Morland Mews

- 7.1 920933: Change of use of one domestic garage to Housing Association office and alterations to existing office. Approved on 07/09/1992.
- 7.2 P2018/2178/FUL: Conversion of 35 no. existing garages and 28 no. storage units to create 7 no. new residential units (1 x studio, 2 x 1 bedroom, 3 x 2 bedroom, 1 x 3 bedroom) a replacement community centre and caretaker's office and the use of three further existing garages for refuse and cycle storage, together with associated landscaping, including removal of 2 no. trees, and estate improvement works. Withdrawn on 26/11/2018.

27 Morland Mews

- 7.3 992512: Incorporation of disused garages and part of communal hallway and conversion to form a wheelchair accessible 2- bedroom flat with consequent elevational alterations. Approved with conditions on 18/01/2000.

7 & 8 Morland Mews

- 7.4 P091447: Extension of two houses by incorporating four existing garages into existing dwellings and the formation of a raised planter bed. Refused on 24/12/2009.

REASON 01: The proposal would have a detrimental effect on neighbouring residential amenity by virtue of loss of privacy.

REASON 02: The proposal would lead to decreased levels of security for the application properties by virtue of the limited scope of the application.

REASON 03: The proposal would involve the loss of off-street residents parking places which in this particular case would increase the demand for on-street parking to the detriment of general amenity.

- 7.5 P100737: Conversion of existing four garages into habitable rooms and the provision of external raised planting beds. Refused on 02/06/2010.

REASON 01: The proposal would lead to decreased levels of security for the application properties by virtue of the limited scope of the application.

REASON 02: The proposal would have a detrimental effect on neighbouring residential amenity by virtue of loss of privacy.

REASON 03: The proposal would involve the loss of off-street residents parking places which in this particular case would increase the demand for on-street parking to the detriment of general amenity.

Appeal (ref. APP/V5570/A/10/2131028) Allowed with conditions on 11/10/2010.

In terms of the Character and Appearance of Barnsbury Conservation Area

The Inspectorate commented "the proposal would involve the removal of 4 of the 16 garages in the terrace and their replacement with living accommodation, with windows fronting onto the mews from behind a projecting planter. Whilst the proposal would interrupt the uniformity of the façade, this façade, in itself, is rather flat and uninteresting and the proposed alterations would add a degree of visual interest at ground floor level. Far from being detrimental to the appearance of the area, I believe it would enhance it, albeit marginally.

In terms of a safe and secure environment

The Inspectorate commented "In my view, the insertion of ground floor windows, where none at present exist, is likely to increase natural surveillance and may just deter such activity at this end of the mews. Whilst I understand the Council's desire for the matter to be addressed in a comprehensive, rather than piecemeal, manner, I can see no sustainable objection to the proposal on security grounds...likewise I am not convinced that the proposal would result in any real safety problems (paragraph 8)

In terms of the existing parking

The Inspectorate stated that "It is suggested that the loss of four garages would lead to more vehicles parking in the mews, causing congestion and danger for pedestrian users. However it is claimed, on the part of the appellants, that none of the garages in question are used for parking vehicles and that, indeed, less than a third of all garages in the overall development are used for their intended purposes. I noted that

the two garages on site, to which I was given access, were used entirely for storage purposes. The minimal size of the garages (only some 4.5m x2 m), in my view, would deter their usage for parking cars and I observed that elsewhere in the Mews, particularly among the three storey units, similar ground floor garages have been converted into living accommodation.” (paragraph 9)

In terms of the planters in front of the proposed ground floor accommodation

The Inspectorate commented that “the proposed ground floor accommodation would reduce the carriageway in the mews by some 0.5m, but I do not consider that this would force pedestrians into the path of vehicles or contribute to any diminution in safety.... I consider that the proposed planter in front of the windows would provide sufficient separation from the public domain and adequate protection of the privacy of occupants.” (paragraphs 10 and 13)

Pre-application – 60 Morland Mews

- 7.6 Q2017/1862/MJR: Conversion of garages in mews to residential units to create 14 additional units. Reconfiguration of storage and garage areas within mews. Completed on 11/07/2017.

Officers response:

- The principle of change the use of the existing garages to residential units is acceptable in land use terms.*
- The scheme would need to be a 100% affordable housing scheme to meet the Council’s policies.*
- The proposed units would need to provide a good standard of accommodation, have an appropriate housing mix and meet inclusive design requirements.*
- Any design changes would need to be in keeping with the wider area.*
- The proposal would need to have an acceptable impact on neighbouring properties.*

- 7.4 Q2017/3447/MJR: Conversion of existing garages to create 11 affordable residential units (2 x Studio, 4 x 1b, 5 x 2b) and redevelopment of existing ball court to create new sports pitch/MUGA and up to 10 affordable residential units (2 options proposed). Completed on 07/12/2017.

Officers response:

- The principle of change the use of the existing garages to residential units is acceptable in land use terms.*
- The scheme would need to be a 100% affordable housing scheme to meet the Council’s policies.*
- The proposed units would need to provide a good standard of accommodation, have an appropriate housing mix and meet inclusive design requirements.*
- Any design changes would need to be in keeping with the wider area.*
- The proposal would need to have an acceptable impact on neighbouring properties.*

8. CONSULTATION

Public Consultation

- 8.1 Letters were originally sent to occupants of adjoining and nearby properties on 4th July 2019, and following the submission of amended drawings, further consultation letters were sent on 7th November 2019, and Site and Press Adverts were also displayed. The consultation period has expired, on 22nd November 2019. However, the Council accepts any representations up until the determination of the application.
- 8.2 At the time of the writing of this report, a total of 51no. letters and a 158 no. named petition raising objections and 15no. letters of support were received. , including letters from the Barnsbury Ward Councillors (Councillor Champion, Councillor Chowdhury and Councillor Hamitouche), the Tenants Association of the Barnsbury Housing Association. The letters of representation raised the following summarised concerns and comments (with the paragraph that provides responses to each issue indicated within brackets).

Land use

- Loss of garage as a storage and as a vehicle parking space (**paragraphs 10.2 to 10.8**)
- Increased density/overcrowding for existing residents (**paragraphs 10.10 to 10.12**).
- Loss of the existing community facilities(**paragraphs 10.13 to 10.14**).

Design and character

- Proposed front boundary walls/planters have a detrimental impact on the visual appearance of the area. (**paragraphs 10.31 to 10.35**)
- Proposed front extensions disrupts rhythm of existing terrace (**paragraphs 10.31 to 10.35**)
- Design of the fenestration details to garage frontage, including position of entrances to residential units (**paragraph 10.36 to 10.40**)
- Loss of the paving and forecourt (**paragraph 10.41**)

Neighbouring amenity

Privacy

- Loss of privacy to occupiers of existing properties (**paragraphs 10.47 to 10.50**).

Noise

- Increased noise, dust and disruption during the construction phase, including safety of children (**paragraphs 10.61 to 10.64**)
- Increase noise from use of the garages as residential units (**paragraphs 10.61 and 10.62**)

Land contamination

- *The existing garages are subject to hazardous waste* (**paragraph 10.59**)

Odour

- Increased odour from residential properties (**paragraph 10.65**)

Quality of Accommodation

- Poor standard of residential accommodation including levels of light, outlook, privacy and security, and ceiling heights (**paragraphs 10.67 to 10.82**)
- Lack of daylight/sunlight, outlook and noise from Gissing Walk to proposed residential units (**paragraphs 10.67 to 10.82**)
- Lack of defensible space and security issues including along Gissing Walk, and general anti-social behaviour in surrounding area (**paragraph 10.83**)
- Use of translucent windows to front and rear will reduce levels of daylight/sunlight (**paragraphs 10.84 to 10.82**)
- Proposed amenity space does not meet standards and is of poor quality (**paragraphs 10.84 to 10.87**)
- Poor standard of the community space in comparison to existing accommodation (**paragraphs 10.88 and 10.89**)

Trees, Landscaping and Biodiversity

- Loss of trees (**paragraphs 10.105 to 10.109**)
- Lack of bird/bat boxes (**paragraph 10.104**)

Highways and Refuse

- Use of large vehicles, skips and building materials during the construction phase (**paragraph 10.99**)
- Restricted access for pedestrians/vehicles to Morland Mews (**paragraph 10.99**)
- The lack of details of the proposed cycle storage and compliance with the London Cycle Design Standards (**paragraph 10.97**)
- Impact on users accessing existing car parking spaces along Morland Mews (**paragraphs 10.98**)
- Proposal will prevent users parking along Morland Mews (**paragraph 10.99**)
- Increased rubbish and recycling (**paragraph 10.100**)

Other matters

- Use of hazardous materials used and impact on human health (**paragraph 10.111**)
- Structural issues including subsidence to the surrounding area (**paragraph 10.112**)
- Damp, mould and holes in roofs, and general poor maintenance of existing buildings and wall mounted gas pipes on the ground floor would create risk to life if affected by fire or decay (**paragraph 10.112**)
- No temporary housing is being offered during construction phase (**paragraph 10.113**)
- Loss of employment (**paragraph 10.115**)
- Lack of consultation prior to submission of application (**paragraph 10.114**)

8.2 Letters of support::

- Welcomes the creation of new residential units
- Considers that Affordable housing is required in the Borough

- Considers that the proposal provides good quality of residential accommodation
- Improve any anti-social behaviour in the area
- Improve the visual appearance of the area
- Supportive of the use of key worker studio flat

Internal Consultees

- 8.3 **Tree Officer:** No objection, and confirmed that the details in the submitted Arb. Report and Method Statement (ADAS June 2019) are acceptable, including the removal of 2 no. trees within the estate, and to protect the one remaining tree on site that may be directly affected by the proposal due to the poor condition of the trees which are considered Category U (Dead, dying or dangerous). However, the Officer requested that a condition for a construction management plan, and recommends the inclusion of green infrastructure to improve amenity and the street scene.
- 8.4 **Design and Conservation officer:** No objection, requested that conditions are attached to any approval relating to the details of the materials infill elements to replace the garage doors and the existing garage ramps, formed in granite sets, are retained.
- 8.5 **Pollution Officer:** No objection, and the Pollution Officer confirmed that in relation to contamination that the site is not on the list of hazardous sites for further investigation. The site has already been developed and is covered with hardstanding. The proposal remains covered with hardstanding, with the amenity area by the front entrance hardstanding and planters. Therefore, further information or conditions in relation to land contamination would not be required as the works proposed are on existing hardstanding with no historic hazardous recorded. However, he recommended that the any approval recommends a condition relating to a Construction Management Plan.
- 8.6 **Inclusive Design Officer:** confirmed that the flat layouts meet Category 2 and 3 Standards and acceptable. The compliant Wheelchair residential is welcomed.
- 8.7 **Housing Officer:** no objections, and confirmed that the standard of accommodation and housing mix of the proposed units would be acceptable and meet the Council's requirements as Affordable Housing.
- 8.8 **Planning Policy Officer:** no objections to the proposal.

External Consultees

- 8.9 **Crime Prevention Officer (MPS):** No objection, following a site visit and a review of the crime statistics at the location, crime in the area from non-residents misusing Morland Mews is fairly low. A request has been made for the inclusion of a planning condition to achieve Secured by Design accreditation. This would include PAS 24 2016 rated doors and accessible windows, shrouded letter plates, defensible space, no recesses on the building line deeper than 600mm, secure cycle storage any parking should be overlooked by the property it serves. Recommended that the proposed boundary walls/planters, providing defensible space to the front entrance of the proposed units to the north side of Morland Mews, are reduced in height, and include planting above.
9. **RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES**

- 9.1 Islington Council (Planning Sub-Committee B), in determining the 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, including adopted Supplementary Planning Guidance.)
 - In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.
 - In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed buildings, their setting and any features of special architectural or historic interest
- 9.2 National Planning Policy Framework 2019 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 9.3 At paragraph 8 the NPPF states that the planning system has three overarching objectives in achieving sustainable development, being an economic objective, a social objective and an environmental objective.
- 9.4 The National Planning Policy Framework 2019 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.
- 9.5 Since March 2014 Planning Practice Guidance for England has been published online
- 9.6 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.
- 9.7 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.

- 9.8 Members of the Planning Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any 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.
- 9.9 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.

Development Plan

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

Designations

- 9.11 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Islington's Development Management Policies 2013 and Site Allocations Document 2013:
- Barnsbury Conservation Area
 - Mayors Protected Vistas (Alexandra Palace viewing terrace to St Paul's Cathedral)
 - Local cycle routes
 - Article 4 Direction (Barnsbury Conservation Area)
 - Article 4 Direction A1-A2 (Town Centres)

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.12 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 assessment of any heritage impacts
 - Impact on the amenity of neighbouring residents.
 - Quality of accommodation
 - Accessibility
 - Highways and refuse facilities
 - Landscaping, trees and biodiversity
 - Affordable housing
 - Other matters

Land Use

- 10.2 The existing site is not within an Employment Growth Area, Employment designated area or within the Central Activities Zone (CAZ). The site is however within the Barnsbury Conservation Area. The application relates to the existing garages and storage rooms, which are ancillary to the existing residential units.
- 10.3 The supporting Planning Statement confirms that there were originally 96 no. undercroft garages on Morland Mews within the estate, with 20 no. garages having already been converted through previously granted planning and appeal decisions, either into the old office or into residential units. Stating that of the remaining 76 no. garages, 37 no. are let to tenants on the estate while the remainder are used by Barnsbury Housing Association, are empty or are let externally. The information states that the existing garages which are let to tenants, the majority are used for storage, with only a handful are used for cars/motorbikes. The applicant confirms that a few tenants within the estate have more than one garage, many have a garage plus a store and/or an allocated parking space.
- 10.4 The proposal would result in the loss of 33 no. existing garages and 32 no. storage units within the wider estate, within Building nos. 1, 4, 5, 6, 7, 8, and 9 (see image 7). The proposal would retain 37 no. garages and 48 no. storage areas which would be available for letting by residents of the estate. On the current take up, there would be sufficient garages/storage space retained within the site. The statement indicates that tenants leasing garages can take up vacant garage spaces if desired. There is no policy protection for retaining garages within the Development Plan

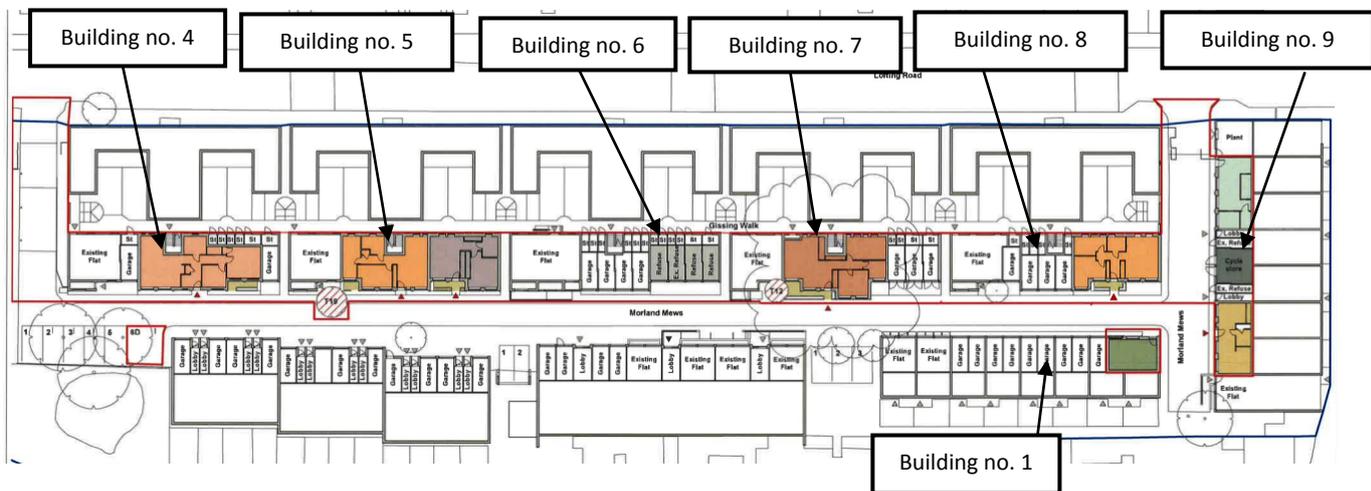


Image 7: Site Plan showing proposed layout of Morland Mews

- 10.5 In terms of the loss of garages used for vehicle parking, Part A of Policy DM8.5 of the Development Management Policies (2013) does not allow residential parking (for use class C3) for new homes, except for essential drop-off and wheelchair-accessible parking, and no parking permits will be issued to occupiers to new occupiers.

- 10.6 Therefore, the proposed loss of the existing ancillary garages as vehicle parking is considered to be consistent with the Council's policies to reduce car ownership in this regard, given they are not considered to be essential and are not supporting wheelchair users. It is also noted there are a number of existing car parking spaces located to the south side of Morland Mews which would be retained, apart from the 2 no. lost as a result of the proposed accessible car parking space for wheelchair users. It is therefore considered that the loss of the existing garages is acceptable in land use terms, in this respect. It must also be added that within the allowed appeal decision in 2010 the Inspectorate commented "*it is claimed, on the part of the appellants, that none of the garages in question are used for parking vehicles and that, indeed, less than a third of all garages in the overall development are used for their intended purposes. I noted that the two garages on site, to which I was given access, were used entirely for storage purposes. The minimal size of the garages (only some 4.5m x2 m), in my view, would deter their usage for parking cars and I observed that elsewhere in the Mews, particularly among the three storey units, similar ground floor garages have been converted into living accommodation.*" (See appendix 3) Officers would concur that most of the garages would not be suitable for modern vehicle standards and ultimately these were installed during an era when vehicles were promoted in design. This is no longer the case and policies have moved towards more sustainable development.
- 10.7 It is acknowledged that in addition to the use of the existing garages for vehicle parking, the proposal would result in the loss of existing storage spaces within these garages and the existing storage units. Whilst the proposed residential units are assessed in terms of having adequate levels of storage, in terms of having acceptable standard of accommodation, there are no specific policies relating to the loss of existing storage areas, therefore the refusal of the application on the loss of storage is not considered to be reasonable. However, it is appreciated how important storage is to the occupiers of the existing residential units. The applicant has confirmed that some of the smaller flats have limited internal storage space, and as such they have made a commitment to develop a fairer policy for storage spaces, so that tenants who want one can, in the future, have either a garage or a store. The Barnsbury Housing Association have also committed, within the supporting Planning Statement, that everyone who currently has a garage and who wants to rent one in the future will be able to.
- 10.8 Whilst this commitment made by the applicant falls outside the remit of this application, the retained 37 no. garages and 48 no. storage units considered to be adequate storage for the occupiers of the existing residential units, particularly given the proposed units would benefit from internal storage which meet the Council's policy requirements. Therefore, the proposed loss of the existing garages and storage units are considered acceptable in land use terms.
- 10.9 In land use terms, the proposal seeks to introduce 6 no. residential units (4 no. 2 bed, 1 no. 1-bed, and 1 no. studio), which would be affordable housing units, associated community centre and caretaker's office, as well as other ancillary functions including storage.
- 10.10 Policy CS12 of Islington Core Strategy Policies (2011) seeks to ensure Islington will meet its housing challenge, to provide more high quality, inclusive and affordable homes. Part G of Policy CS12 confirms that the Council will seek to increase the delivery of affordable housing in both minor and major development scheme. It is therefore considered that the principle of providing additional affordable housing is acceptable.
- 10.11 Development Management Policies (2013) confirms that high density development is needed to accommodate the projected population growth within the borough. In the

London Plan (2016) Policy 3.4, which deals specifically with optimising housing potential, confirms that housing density should take into account the local context and character, the design, and public transport capacity.

- 10.12 The application site is part of a large social housing development with approximately 150 no. existing residential units built in the 1970s. The existing housing stock is a mixture of unit sizes which is located and including from ground to second floor, the principle of the provision of residential units has been established in the area. In terms of public transport, using the Transport for London's Public Transport Accessibility Level (PTAL) Index, which is used to derive accessibility maps for London, the site is in a highly accessible location with very good transport (PTAL 5) provision, where a PTAL of 6 is the best. Whilst the acceptability of the residential units, including the housing mix, the standard of accommodation and other material considerations are assessed later within this report, the principle of providing additional residential units is considered acceptable, especially given that all of the proposed units would be for affordable housing. The addition of a further 6 no. residential units would comply with the broad aims of the Council's policies. It should also be noted that the principle of the development, in terms of the loss of the existing garages into residential use has been established since 1999 following the granting of planning permission (ref. 992512) in 1999 at no. 27 Morland Mews. In the context of the original development, Officers consider that the inclusion of 6 additional residential units would not lead to an overdevelopment, given the sites accessible location, its retention of sufficient storage and key communal spaces as well as the creation of a designated community room. It would increase the number of residential units within the wider development by approximately four percent. This is considered an acceptable increase.

Community room and Caretakers office

- 10.13 The proposal would also result in loss of the existing Barnsbury Housing Association office located within Building no. 7. The introduction of this office following the change of use of the pre-existing garages was approved (ref. 920933) in September 1992. The applicant has confirmed that the current space was converted from five garages and two sheds.
- 10.14 The drawing labelled Existing Ground Floor Plan - Building no. 7 (drawing no. BMM-LGA-07-00-DR-A-001-00/Rev. P2) provides an outline of the existing space showing 2 no. rooms within this building which would be lost. Whilst this space was originally approved for an office use (92/0933), over the elapsed period of time since granting of the original development, the existing space is now multi-functional space. The applicant has confirmed that the smaller room (11sqm) is currently used as the caretaker's office. The existing layout of the main room (66 sqm) is subdivided and includes a room used as an office or for meetings by the BHA, kitchen and toilet facilities, with the remaining part of the room used as a community space. The applicant has confirmed that there is also a computer terminal with free internet access and printer, for tenants' use only.
- 10.15 In terms of the existing community use of the large room, the applicant has confirmed that it is not used on a commercial basis or let externally, and it is only used by residents of the estate and BHA staff and, but is used for a range of activities. These activities include monthly meetings by the Morland Mews Tenants' & Residents Association usually taking place in the evenings, as well as their Christmas party, and coffee mornings (attended by 6-8 tenants) which are organised by the BHA. In addition, it is used for tenant organised weekly bingo sessions, exercise classes for older tenants, and knitting groups. These weekly activities generally take place during daytime hours and are attended by 6-10 tenants. There are also other meetings organised by BHA with tenants living on the estate, which are made on an ad hoc basis.

- 10.16 The existing caretaker office located in the small room, has no separate entrance, the caretaker is required to use the main entrance to access the existing office. As a result, this may mean that the activities taking place within the larger room are disrupted. The applicant has also confirmed that the existing facilities do not provide wheelchair accessible accommodation, including having a steep external ramp, have restricted internal doors and no accessible kitchen or toilet. The applicant considers that the existing space is not fit for its current needs being poorly laid out, with two large supporting pillars, which restricts the space and usability of the room.
- 10.17 To mitigate this the loss of the existing facilities, the proposal includes the provision of new dedicated facilities with a community room (43 sqm) and caretakers office (27 sqm). The community room would be located adjacent to the east entrance from Lofting Road (Building no. 9) and the caretakers office to the south side of Morland Mews to the east corner (Building no.1).
- 10.18 The provision of a new caretakers office is welcomed, and is considered to be an improvement on the existing facilities especially as the caretakers office would now be separate from the proposed community room given two defined ancillary spaces on site. It would result in a dedicated community room specifically for the tenants living in the complex and an uplift of facility provision (16sqm) in comparison to the existing situation.
- 10.19 In terms of the proposed community facilities, the proposed layout drawings confirm that this would include an open-plan community room (27sqm), small kitchen (7sqm) and toilet (3sqm) and a computer terminal. The applicant has confirmed that all of the existing community activities that currently take place within Building no. 7 would be retained, and the applicant hopes to expand the number of groups that use the proposed space.
- 10.20 Overall, it is acknowledged that the proposal would result in the loss of the existing BHA office space (within Building. No. 7) which has been used by the applicant and tenants of the estate, as both a caretakers office and a community facility. Whilst it is technically not a loss of a community facility, given it was originally approved as office accommodation, the existing facility is considered to be compromised by the multi-functional nature of the space and lacks accessible accommodation or a cohesive defined layout given its shared use as Office/community space. In addition to the proposal would provide dedicated caretakers office (which increases the provision) and community facilities which are purpose built, this loss is considered acceptable.

Refuse/cycle storage

- 10.21 The other proposed ancillary elements of the proposed development are to provide additional and centralised cycle (within Building no. 9) and refuse (within Building no. 6) storage for the wider estate. Whilst the acceptability of these elements of the proposal are assessed later in the report, including the standard of the provision, the principle of their introduction is considered to be acceptable in land use terms.
- 10.16 Overall, the loss of the existing garages and storage areas, to be replaced with proposed affordable housing units and ancillary functions, including dedicated community room, caretakers office, cycle and refuse storage are considered to be acceptable and would provide an acceptable housing mix in the context of existing estate also providing six units that will be secured legal agreement.

Affordable Housing/Small Sites

- 10.17 Islington's Core Strategy Policy CS 12 - Meeting the housing challenge – states in part G that to provide affordable housing 50% of additional housing to be built in the Borough over the plan period should be affordable. All sites capable of delivering 10 or more units gross should provide affordable homes on site. Schemes below this threshold should provide a financial contribution towards affordable housing provision elsewhere in the Borough.
- 10.18 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (the SPD) supports the implementation of the Core Strategy. The SPD confirms that all minor residential developments resulting in the creation of 1 or more additional residential units(s) are required to provide a commuted sum towards the cost of affordable housing on other sites in the Borough. The requirement applies not only to new build but also conversions of existing buildings resulting in the creation of new units and the subdivision of residential properties resulting in net additional units.
- 10.19 Para 4.04 of the Affordable Housing Small Sites Contributions SPD states that financial contributions towards affordable housing relates to residential schemes proposing between 1-9 units which do not provide social rented housing on site. Schemes by Registered Providers, the council or any other developer which include on site provision of social rented housing will not be required to make a financial contribution as set out in the SPD, unless the unit/s proposed on site are worth less than the full financial contribution that would be required for the scheme.
- 10.20 The Council's Housing Team have confirmed that proposal which provides 6 no. self-contained social housing residential units would meet Islington Core Strategy 2011 Policy CS12 Part G requirements of delivering 100% Affordable Housing. It is therefore considered that the proposal would be acceptable in this regard. Barnsbury Housing Association has agreed to signed a Section 106 Legal Agreement that provides on-site affordable housing provision.

Design and Conservation

- 10.22 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should contribute positively to making places better for people.
- 10.23 Paragraph 131 of the NPPF (2019) states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 10.24 Policy CS8 of Islington's Core Strategy (2011) sets out the general principles to be followed by new development in the Borough. Policy CS9 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.

- 10.25 Policy DM2.3 states that Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. The proposal is located within Barnsbury Conservation Area.
- 10.26 As noted in the site and surroundings section above, the application site is characterised as a mews style development with two and three storey buildings within the estate are post WW2 buildings, built during the 1970s. The mews style development has frontage along 2 no. major arterial routes with Liverpool Road to the east and Lofting Road directly to the north. Along Liverpool Road the buildings tend to be four storeys in height with the main entrance serving a mixture of flats. Along Lofting Road there are 2 no. access points, with a separate entrance and exit point for vehicles (one way system) which are controlled by fob security. The buildings tend to be three storeys in height and are a mixture of flats and maisonettes. The elevational treatment facing Lofting Road reflects this anterior route. The buildings along Morland Mews were constructed using a palette of materials, including yellow/red multi stock brick, with concrete sills and lintels. The ground-floor edges along Morland Mews are characterised by a repeating rhythm of garage doors and brick piers. There are also a number of these garages which have been converted into residential use, which has required external alterations to allow this adaptation.
- 10.27 Most recently, the existing buildings were assessed and rejected for Grade II statutory listing status by Historic England, on 10th August 2018. Historic England concluded that whilst the development is of interest in its planning context, the buildings are not of sufficient architectural interest to meet the high bar for national statutory listing. Nevertheless, Historic England stated that Barnsbury Mews is 'clearly of local interest for its careful, contextual, architecture and planning' and is 'good, creatively planned, housing'. On this basis, Barnsbury Mews, including Morland Mews, could conceivably be considered for Local Listing at some point in the future, particularly on the basis of its design quality and association with Kenneth Pring.
- 10.28 The Council's Design and Conservation Officer considers that the architectural interest of the original development is undoubtedly the use of the mews typology, with residential accommodation above garages or storage space, which is considered important to its character. Whilst the assessment by Historic England has identified that the host buildings *could be conceivably be considered for Local Listing at some point in the future*, the host buildings have not been designated as a Locally Listed building, and therefore the assessment of the proposal in design terms is the impact on the historic character and visual appearance of the host buildings as part of the wider Barnsbury Conservation Area, and the setting of the Grade II Listed buildings along the north side of Barnsbury Street, to the south of the site.
- 10.29 Therefore, in accordance with Section 72(1) and 66(1) of the Town and Country Planning Act (1990) the proposal is required to pay special regard to preserving or enhancing the visual appearance and historic character of the host building, setting of the Grade II listed buildings, located to the south of the site, along the north side of Barnsbury Street, and wider Barnsbury Conservation Area.
- 10.30 The design advice found within the Islington Urban Design Guide 2017 and Barnsbury Conservation Area Design Guidelines should be taken into consideration of the assessment of the proposal in design terms.
- 10.31 The proposal would involve a number of external alterations to the existing buildings subject to the application. The proposal includes extensions to two of the existing

buildings (Building nos. 4 and 5), introducing boundary walls/planters as well removing the existing garage doors and ramps, which would be infilled with matching brickwork, and altering the existing fenestration pattern, with the introduction of windows and doors.

10.32 The two extensions would infill an area to the existing frontage, of Building nos. 4 and 5, located to the north side of Morland Mews and towards the west of the estate. These extensions would be single storey in height measuring an area of 3.29 sqm (no.4) and 6.14 sqm (no. 5), and finished in brickwork and materials matching the existing development. The proposal would also introduce concrete boundary walls/planters to the front elevation to each of the 1 and 2 bedroom units to the north side of Morland Mews, measuring 0.7m in height, around the area of proposed amenity space.

10.33 Paragraphs 5.131 to 5.137 of the UDG provide advice in relation to extensions to residential properties. Whilst it is acknowledged that this advice is not strictly applicable to this proposal, given that it does not relate to a residential property per se, the advice including that they *should take into account bulk, height, massing, materials and proportion and how they relate to adjacent heritage assets, uses, building alignment and general treatment of setting*, is considered applicable in this instance. Also given that the extensions are positioned to the street frontage, the UDG advice in paragraphs 5.34 to 5.40 is also relevant which notes that *the most successful streets and places are normally well defined by a consistent building line that delivers:*

- *A sense of enclosure.*
- *Coherent architectural identity and local distinctiveness.*
- *Occasional gaps that provide light to the rear of the property but that are secured within the private realm.*

10.34 The advice in the Barnsbury Conservation Area Design Guidelines which notes that extensions and refurbishments of existing buildings, blend in with and reinforce the character and appearance of the area is created by the survival of 18th and 19th century buildings, using brick, stucco, stone, timber for windows and doors and slate or tile roofing.



Image 8: South elevation (Building no. 4) drawing showing existing (left) and proposed (middle and right) fenestration treatment

- 10.35 The proposed extensions and boundary walls/planters located to the street frontage would infill recessed areas to the front elevation of the host buildings, to the north side of Morland Mews, and would not project beyond the street frontage, aligning with the existing building line. In addition, the footprint of the proposed extensions and the boundary walls/planters are considered to be relatively modest in scale to the existing buildings, and given their height and width are considered to be relatively minor additions to the existing two storey host buildings and the wider street frontage. It is therefore considered that these additions would be subordinate to the host buildings, in terms of their scale, bulk, height, and massing.
- 10.36 Notwithstanding the above, the acceptability of the proposed changes is dependent on the proposed fenestration which would replace the existing doors to the garages and stores facing towards the street frontage, as well as the introduction of windows to the rear elevation on the units to the north of Morland Mews. Paragraph 5.48 to 5.58 of the UDG provides advice in relation to active frontages, noting that *front elevation, particularly the fenestration, should be designed so that it provides clear views onto the street from inside*. It notes that *main entrances should be located on the street. Buildings with long frontages should incorporate entrances at regular/frequent intervals to maximise the interface between the street and building*.
- 10.37 Paragraphs 5.91 to 5.95 of the UDG provide advice in relation to the design of the window arrangement and style. It confirms that *windows are a key component of the façade that help define a building's character and their arrangement is an important element in breaking down the scale of building frontages. Care needs to be taken to ensure that the windows are of an appropriate scale to the façade and that windows in the façade have some relationship with each other*. The Barnsbury Conservation Area Design Guidelines advises that development should conform to the existing pattern of fenestration.
- 10.38 As noted in para 10.26, the original mews development responded to the unique position of fronting two major routeways with its mews frontage or elevational treatment facing inwards thereby forming a new street elevation in the mews level and thereby increasing natural surveillance which is supported and create more cohesive street environment. The proposed entrance doors to each of the proposed residential units and the ancillary buildings would be located to the street frontage which is considered to accord with the above advice with the replacement garages with windows facing inwards across the street. In terms of the windows to both the front and rear elevations are considered to conform to the existing pattern of fenestration, and would be similar in design terms to the existing windows found along Morland Mews which relate to residential units. An example of the fenestration pattern on an existing ground floor residential unit along the north side of Morland Mews is shown in Image 8, which is within Building no. 4 and would be similar in design to the windows proposed as part of this application. Given the similarity of the proposed fenestration pattern to the existing ground floor residential units within the estate, it is considered that it would be in keeping the visual appearance of the streetscene and wider Barnsbury Conservation Area.
- 10.39 In terms of materiality of the proposal, as noted above, the Barnsbury Conservation Area Design Guidelines recommends that extensions and refurbishments of existing buildings, blend in with and reinforce the character and appearance of the area is created by the survival of 18th and 19th century buildings, using brick, stucco, stone, timber for windows and doors and slate or tile roofing. Paragraphs 5.111 to 5.126 of the UDG provides advice in relation to proposed materials, noting that use of materials needs to be considered in terms of their innate qualities (including in relation to thermal

performance), their relationship with the surrounding built environment, the articulation of the façade, and their durability and the appearance of durability.

- 10.40 The Design and Access Statement submitted in support of the application has provided details in relation to the proposed materials for the external alteration. This includes a number of options for the brick infill panels were explored, including consideration of lightweight versus a more solid and robust option. The documentation confirms that a number of colour and tone options were considered for the brickwork, for the proposed extensions and for the garage infills drawing on the existing varied colour palette. Following this review by the applicant they considered that a darker tone brick helps to define the recessed infill panels, accentuating the retained piers and mirroring the setback of the existing garage doors. The proposal would also retain the existing piers and concrete lintels. The new concrete window cills are proposed, which are considered by the applicant to echo the existing window cills to the flats above. The proposed boundary walls/planters which would be placed at entrances and in front of habitable rooms would be constructed using concrete. Also the proposal includes the floor slabs are lowered and existing ramps are removed, in order to create a level access threshold to the flats. The pavement would also be extended up to the front of the new dwellings, providing a more unified and continuous pedestrian walkway.
- 10.41 The Design and Conservation Officer also strongly recommended that the existing garage ramps, formed in granite sets, are retained (where they are not in front of the proposed entrances), for a number of reasons. Firstly, in the opinion of the Design and Conservation Officer they are key to the mews like character of the original design and add interest. Noting that they help form a buffer zone in front of ground level bedroom windows which would otherwise directly front onto the pavement. It was also recommended that having a distinction between the public walkway and a semi-private space by varying the surface treatment could be of great benefit to the sense of privacy of potential occupiers. Also, that if it is desirable to level the ramps, the granite sets should still be retained, a condition (19) has been recommended in this regard.
- 10.42 Whilst there are no objections to the proposed materials generally, a condition (3) has been recommended for the submission of their details, including samples, to ensure that they are in keeping with the historic character and visual appearance of the host building, the Barnsbury Conservation Area and the setting of the Grade II listed buildings.
- 10.43 Notwithstanding the above assessment, In addition, the proposed planter and walls to the front elevation to all of the proposed residential units to the north side of Morland Mews would maintain this consistent building line in terms of their projection, located within existing recessed areas. The applicant has confirmed this has been included to provide the units with defensible space and amenity space. Whilst the acceptability of the proposed amenity space is discussed within the quality of accommodation section of the report, paragraphs 5.32 and 5.33 of the UDG provide advice in relation to defining public and private space. It notes that boundary walls/railings should be designed in a manner that is consistent with the existing street and should provide an open aspect. Also that protection for residential uses from direct overlooking from the street should normally be provided by a shallow front threshold/garden area to provide the necessary defensible space between the back of the footway and the front of a residential property.
- 10.44 In this instance, as noted above the proposal provides an area of defensible space for each units to the north of Morland Mews, with the introduction of a boundary/wall planter along the street frontage. Paragraph 5.55 of the UDG confirms that *on residential streets, protection from direct overlooking from the street should normally*

be provided by a shallow front threshold/garden area to provide the necessary defensible space between the back of the footway and the front of the residential block. The introduction of this boundary wall/planter is considered acceptable in terms of its scale, position and general visual appearance, and inclusion within the streetscene. The UDG advice also confirms that *any boundary treatment should be designed in a manner that is appropriate to the existing street and should provide an open aspect.* Officers consider that this treatment would compliment the design of the development creating more active frontage and softening the appearance of the street.

- 10.45 Whilst the Metropolitan Police's Secured by Design Officer has welcomed the proposed introduction of defensible and raised no objections to the proposal generally, in terms of safety and security, they have raised concerns with the height of the proposed walls, which could be used as hiding places for potential intruders. As such the Officer has suggested that these boundary walls/planters are reduced in height, in terms of the wall, with the introduction planting above, which should be retained at the overall originally proposed height of 0.7m. This is considered to improve natural surveillance from both street level and internally from the occupiers of both the existing and proposed residential units. As recommended by the Secured by Design Officer the details are secured by condition (4) in the event the application was recommended for approval. It is considered that these changes would provide a safe and secure environment for future occupiers of the proposed units.
- 10.46 Overall, it is considered that subject to the recommended conditions relating to the details of the materials (3), the retention of the granite sets (19), as well as details of the planter/boundary walls (4), the proposal would be in keeping with the visual appearance and historic character of the area. In line with Section 16, 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Barnsbury Conservation Area and the Grade II Listed buildings along Barnsbury Street (to the south of the site), their setting and any of its features of special architectural or historic interest. It is considered that the proposed development positively reflects the character of the existing buildings and character of the Barnsbury Conservation Area, and would preserve the visual appearance and historic character of the setting of the conservation area and Grade II Listed Buildings to the south of the site, and is acceptable in design terms.

Neighbouring Amenity

Overlooking and Loss of Privacy

- 10.47 All new development is subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.
- 10.48 Paragraph 2.14 of the Development Management Policies 2013 states that *'there should be a minimum distance of 18 metres between windows of habitable rooms. This*

does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.'

- 10.49 In this instance, it is acknowledged that the proposal would result in a degree of overlooking between the proposed residential units to the north of Morland Mews (Building nos. 4 to 8) and the existing residential units (within Building nos. 2 and 3) to the south, having a 5 to 9 metre separation distance. However, the position of the units has been designed so the majority of the proposed front elevation windows would face towards either gaps between the buildings on the south side of Morland Mews or towards the existing garage doors, with the front elevation windows associated with the 2 bed unit in building no. 8, and the studio unit, in building no. 9, facing towards the proposed caretaker's office. In addition, two of the windows located on the southern elevation of the flat are now proposed to have translucent glazing.

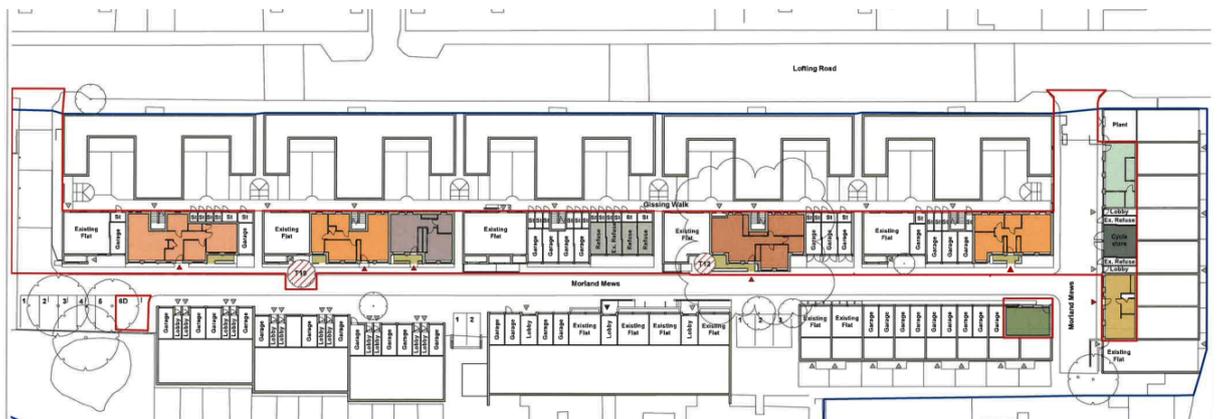


Image 9: Proposed layout showing relationship of proposed units

- 10.50 It is acknowledged that the windows to rear elevation of the proposed residential units (in Building nos. 7, 8 and 9) to the north of Morland Mews, which face on to Gissing Walk and the rear elevation of the properties along the south side of Lofting Road, would have a separation distance which would be below the 18m threshold, at 10m from the recessed rear elevation area of these residential properties. However, the layout of the units would mean that some of the windows (being the units in Building nos. 4, 5 and 6) would face towards the rear elevation of the outrigger, at 1.8m away, which has no ground floor windows. Also the layout of units results in some of these windows on this north elevation would service non-habitable rooms (being 1 no. window to each of the units in Building nos. 4, 5 and 8) with the proposed bathroom windows being fixed shut and obscurely glazed. The north facing windows that serve habitable rooms including living areas, which may result in a degree of overlooking are found within Building nos. 5, 7 and 8, as such a condition (20) has been recommended for the use of obscure glazing to the north elevation, given these windows are secondary windows (serving living areas) of these units. It should be noted that the separation distances and the relationship between the previously converted garage windows to the north side of Morland Mews, and the nearby residential properties to the north and south of the proposed residential units already exists, with 5 no. existing ground floor units located to the north side of Morland Mews, some of which are directly opposite existing residential units on the south side.

Outlook and enclosure

- 10.51 The proposed single storey extensions of building nos. 4 and 5 as well as the introduction of boundary walls fronting Morland Mews, and other external works to the

buildings, would not project beyond the north elevation of the existing garage buildings subject to this application, and would not project beyond the most southern elevation building line. There are no other changes proposed to the footprints of the remaining buildings subject to this application.

- 10.52 It is therefore considered that these alterations would not give rise to any significant loss of outlook or enclosure to neighbouring properties in the surrounding area.
- 10.53 Overall, the addition of 6 no. new units at ground floor including a single storey infill extensions would not have a detrimental impact, outlook, privacy and overlooking and would therefore be in compliance with policies DM2.1 of the Development Management Policies 2013 and the guidance set out in the Urban Design Guide 2017.

Daylight and Sunlight

- 10.54 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 10.55 The loss of daylight can be assessed by calculating the Vertical Sky Component (VSC) which measures the daylight at the external face of the building. Access to daylight is considered to be acceptable when windows receive at least 27% of their VSC value or retain at least 80% of their former value following the implementation of a development. The parameters of window size, glass transmissivity, room size and internal surface reflectance are then evaluated against the VSC for the window location to get the resulting average daylight factor (ADF). Whilst ADF is not the ordinary daylight test and normally used for assessing proposed developments' daylight receipt, it nevertheless provides supplemental information of the likely impacts.
- 10.56 Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.
- 10.57 In terms of sunlight, a window may be adversely affected by a new development if a point at the centre of the window receives in the year less than 25% of the annual probable sunlight hours including at least 5% of annual probable sunlight hours during the winter months and less than 0.8 times its former sunlight hours during either period. It should be noted that BRE guidance advises that sunlight is only an issue to a neighbouring property where the new development is located within 90 degrees of due south.
- 10.58 The proposal involves converting existing building stock with limited operational development, the only external works associated with the proposal include proposed extensions and alterations and elevations of the host buildings subject to this application. The proposed single storey extensions and the inclusion of 0.7m high boundary wall/planters, positioned along the south elevation of the host buildings to the north side of Morland Mews, would benefit from a separation distances (5 to 9 metres) between the nearest neighbouring properties to the south side of Morland Mews, to ensure that there would not be a loss of daylight/sunlight over above the existing situation to these residential properties, given the distance, positioning and height of the extensions proposed.

Land contamination

- 10.59 Objections were received in relation to potential hazardous waste and land contamination in the surrounding area. The development would not be subject to the Health & Safety Legislation and the Council's Pollution Officer raised no objections, commenting that the site is not on the Council's list of sites for hazardous waste or further investigation in relation to this matter. He confirmed that the site has already been developed and is covered with hardstanding, as such, the proposal is not considered to lead to significant contamination or hazardous waste on site. Given the proposal remains covered with hardstanding, it would not give rise to the requirement for a contaminated land condition in this instance.
- 10.60 During construction if any hazardous material are found, including asbestos or other materials identified it would require compliance with the relevant legislation identified in Health and Safety Executive, which is separate to the planning process.

Noise/dust and disruption

- 10.61 Policy DM3.7 seeks to ensure all residential development proposals shall demonstrate how potential adverse noise impact on and between dwellings will be mitigated by housing layout, design and materials. The document titled Acoustic Design Review (ref. 16500.ADR.02 dated 19th February 2019) by KP Acoustics) was submitted in support of the application. The report identifies measures to mitigate noise through the use of materials, including wall and floor constructions, hydraulic systems and non-glazed external building fabric, including the use of exterior opening glazing (doors and windows) to be airtight. Council's Pollution Officer confirmed that the site is screened from major roads and has relatively low background sound levels.
- 10.62 The Pollution Officer considers that the site is screened from major roads and has relatively low background sound levels. The Pollution Officer has noted that the performance standards for the facades and the separation between the units is more relevant in terms of assessing the proposed impact from residential properties in terms of the noise impact. As such the Officer has advised that a standard of 5dB better than the Building Regs approved document E is used as the design target. A condition (8) has been recommended to achieve this standard.
- 10.63 The proposed ancillary accommodation including community room, caretakers office and cycle/refuse storage areas are unlikely to result in any significant noise issues to neighbouring properties. The community room and caretaker's office currently take place in the existing Barnsbury Housing Association office which is a multi-functional space used by BHA staff and residents. The applicant has confirmed that the new community room will be available to the tenants of the estate when required for society's and activities, examples of these activities include weekly knitting club run by the Tenants Association, weekly exercise classes, coffee mornings, Welfare Benefits Advice, free use of computers. Additional uses of the new dedicated space include the potential for BHA to expand upon a new community development approach which will explore services such as free-cycling, community pantries, homework clubs, community gardening clubs etc, but this will obviously respond to resident demand. Given the varied use of the community room, the use of the caretakers room, which is likely to include use of equipment, and the relationship with existing residential units, a condition (9) has been recommended for details of noise mitigation between the community room and caretakers office and the nearby residential units. In addition, in order to ensure that the potential impact of the proposed community facilities would not have a detrimental impact on the occupiers of the residential properties within the surrounding area, a management plan has been recommended within the Section 106

legal agreement to secure details of the hours of use, activities and availability of this facility.

- 10.64 In addition, the Pollution Officer has acknowledged that there would be some disruption during the construction phase of the development, and has recommended that in the event the proposed development is approved, a condition (5) is recommended for a Construction and Environmental Management Plan prior to the commencement of development. This will include compliance with the hours of construction in line with Islington hours, being Monday to Friday 8am to 6pm, Saturday half day and no construction on Sundays and Bank Holidays.

Odour

- 10.65 The additional residential units are not considered to result in any additional issues in terms of odour, over and above the existing situation found from the existing residential units. This is a large residential complex and an additional 6 units would not lead to significant increases in odour.

Quality of Accommodation

Housing mix

- 10.66 Policy DM3.1 of the Islington Development Management Policies provides that all sites should provide a good mix of housing sizes. Table 3.1 sets out an indicative housing size mix required for each housing tenure. For social housing schemes, 0% of units should be 1-bed, 20% should be 2-bed, 30% should be 3-bed and 50% should be 4-bed or more. The proposal provides a mix of only 1 no. studio unit, 1 no. 1 bed unit, and 4 no. 2 bed units. Following the submission of amended drawings for the housing mix, which removed 1 no. 3 bed unit, to become a 2-bed unit. This is as a result of the site constraints as the provision of the appropriate sized private outdoor space was not possible. Given the site constraints and the Council's Housing Team who manage the Council's social housing provision, raised no objections to housing mix confirming it meets Council's social housing needs, the proposed mix is considered acceptable in this stance. The overall quality of the units and the amenity space requirements for these units is discussed in this section below.

Quality of residential accommodation

- 10.67 In terms of new residential development, as well as having concern for the external quality in design terms it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and also be dual aspect. London Plan (2016) policy 3.5 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.3 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 10.68 The Nationally Described Space Standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015.

10.69 Policy DM3.4 of the Islington's Local Plan: Development Management Policies (adopted June 2013) sets the context for housing standards for new development. Table 3.2, which supports this Policy and gives the minimum gross internal areas (GIA) that new residential developments would be expected to achieve.

10.70 The table below provides a summary of how the proposal meets the minimum floorspace standards:

Table 1: Minimum floor and storage space

No. Bedrooms / Expected Occupancy	Floor Space Provided	Minimum Required	Provided Storage	Required Storage
Studio	42 sqm	37 sqm	2 sqm	1.5 sqm
1 bed/2 person	57 sqm	50 sqm	5 sqm	1.5 sqm
2 bed/3 person	69 sqm	61 sqm	2 sqm	2 sqm
2 bed/3 person	67 sqm	61 sqm	2 sqm	2 sqm
2 bed/3 person (Accessible)	89 sqm	61 sqm	4 sqm	2 sqm
2 bed/4 person	84 sqm	70 sqm	4 sqm	2.5 sqm

10.71 The proposed dwellings would all comply with the space standards in both the size of the units and the size of bedrooms, additionally, the living spaces including kitchen, dining and living space comply with the requirements of Policy DM3.4 of the Islington's Local Plan: Development Management Policies (adopted June 2013) and the London Plan (2016) Policy 3.5 providing a good level of floorspace for each unit. Units would provide a good level of storage, some going well beyond the standards.

10.72 The London Plan states that a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged. The Development Management Policies go further than this, advising that ceiling heights of at least 2.6m provide a greater sense of space and help keep rooms cool in summer months.

10.73 It is acknowledged that the proposed units would be short of DM Policies 2.6m, being 2.4m, but the floor to ceiling heights are constrained by the existing height on the ground floor and the additional excavation works necessary to achieve Islington's height standards would compromise design and accessibility. In this instance, given the site constraints of the existing building (floor to ceilings) and the fact the proposal relates to a conversion of an underutilised existing building space, the overall internal floor to ceiling height is considered acceptable by Officers and the proposal would meet the nationally described space standard sets a minimum ceiling height of 2.3 metres for at least 75% of the gross internal area of the dwelling, it is considered to be acceptable. It must however also be noted that the proposal would include the majority of units providing generous floorspace which is over and above the minimum

requirements. On balance, therefore, the proposed floor to ceiling heights are considered acceptable.

- 10.74 Dual aspect flats must be provided in all situations in accordance with policy CS9F of the Core Strategy 2011, and policy DM3.4D of the Development Management Policies 2013, unless exceptional circumstances can be demonstrated. Policy DM3.4E also stipulates that all living areas, kitchens and dining spaces should preferably receive direct sunlight. It is considered that apart from the proposed studio unit, all of the proposed dwellings would satisfy the requirements for dual aspect. Whilst some of the rear elevation windows facing Gissold Walk are restricted in terms of the outlook, some of these windows facing this orientation serve non habitable spaces such as bathrooms (4 no.) and include bedrooms (3 no.). However, given the proposed units to the north side of Morland Mews are dual aspect, meet and in some cases significantly exceed the minimum floorspace requirements, and likely to receive direct sunlight, given their orientation and generally provide a good standard of accommodation this situation is considered acceptable.
- 10.75 It is acknowledged that the studio unit would be single aspect with the only windows on the front elevation facing west, which would not ordinarily be accepted. The unit is also restricted in terms of its depth thereby maximising light to this unit, and its layout, with the bathroom/storage located to the rear wall, meaning the main living and sleeping areas are adjacent to the proposed openings. The unit would also exceed the minimum floorspace standards so it is therefore considered to provide future occupiers with a good level of accommodation, in terms of the levels of daylight/sunlight, outlook and aspect, and the lack of dual aspect is considered acceptable on balance.
- 10.76 The report titled 'Daylight Report' dated 27th February 2019 by JAW Sustainability was submitted and outlines the results of internal daylight calculations to support the planning application. It outlines the results of the internal daylight calculations undertaken for all the habitable rooms of the proposed scheme. The assessment has been undertaken in line with the guidance available in Building Research Establishment Report 'Site layout planning for daylight and sunlight - A guide to good practice' (2011) and British Standard BS 8206-02 'Lighting for buildings – Part 2: Code of practice for daylighting' (2008).
- 10.77 The report confirms that the average daylight factor (ADF) is used as the measure of general illumination from skylight. The average daylight factor is the ratio of total daylight flux incident on a reference area to the total area of the reference plane, expressed as a percentage of outdoor illuminance on a horizontal plane due to an unobstructed hemisphere of sky of assumed or known luminance distribution. The assessment has been carried out only for the habitable rooms where occupants have a reasonable expectation of daylight. As the BRE guide states that 'The guidelines given here are intended for use in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed.' The assessment was carried out under an overcast sky condition to ascertain the daylight availability

within the rooms in worst scenario when the outside illumination is minimum. In London the outside illuminance level in such scenario is approximately 4000lux.

10.78 In addition to the BRE guide, the British Standard BS 8206-02 ‘Lighting for buildings – Part 2: Code of practice for daylighting’ (2008) has also been used to identify the minimum daylighting requirements in a dwelling. These are as following:

- 1% in bedrooms
- 2% in kitchens, and
- 1.5% in living rooms

10.79 The guidance confirms that where rooms are used for more than one function, the higher value of ADF must be met. Therefore, for a living/kitchen or studio apartment the minimum daylighting required is 2%.

10.80 As shown in the table below, which was carried out on the original proposal and includes a 3 bedroom unit in the assessment, the proposal would meet and exceed the required ADF requirements in terms of providing adequate levels of daylight/sunlight to all habitable rooms:

Table 2: Annual Daylight Factor (ADF) results of proposed habitable rooms

Table 4-1 Average Daylight Factor results

Building No.	Room Use	ADF achieved (%)	ADF required (%)
Building 4	L/K/D	3.16	2%
	Bedroom 1	1.70	1%
	Bedroom 2	1.43	1%
Building 5 (2B 3P)	L/K/D	3.03	2%
	Bedroom 1	2.55	1%
	Bedroom 2	1.61	1%
Building 5 (1B 2P)	L/K/D	2.65	2%
	Bedroom 1	2.27	1%
Building 7 (3B 4P)	L/K/D	3.01	2%
	Bedroom 1	3.15	1%
	Bedroom 2	2.52	1%
	Bedroom 3	1.01	1%
Building 8	L/K/D	3.00	2%
	Bedroom 1	3.10	1%
	Bedroom 2	1.15	1%
Building 9	Studio-Apt	3.68	2%

Please note now a 2 bed unit

10.81 The originally proposed 3 bedroom unit (Building no. 7) has been altered to be a larger 2 bedroom unit, meaning that ‘Bedroom 3’ which meets the minimum requirement would be improved in terms of the level of daylight/sunlight experienced

by future occupiers, by the amendments made within the application. It is therefore considered that the proposal would provide an acceptable standard of residential accommodation for future occupiers.

- 10.82 Concerns have been raised in relation to the position of the entrances to the residential units. However, their position to the front of the units is considered to be appropriate, providing natural surveillance along Morland Mews and provide a street frontage.

Secured by Design

- 10.83 The Metropolitan Police Secured by Design Officer has considered that the proposal would meet secured by design principles. Whilst the Officer has welcomed the introduction of defensible space, with the inclusion of planters/boundary wall to the street frontage, the Officer has considered that the details should be secured by way of condition (4), to reduce the height of the boundary wall, and increase the height of the planters. In addition, the Secured by Design Officer has confirmed that the Police records indicate that there is no history of anti-social behaviour in the area from outside intruders, and that records indicate that they are domestic related instances.

Private outdoor space

- 10.84 Policy DM3.5 identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. In order to address this policy the proposal has included an area to the units to the front elevation of the proposed 1 and 2 bed units on the north side of Morland Mews. This would result in all of the units (apart from the studio unit) having a small outdoor amenity space measuring between 3-7 sqm. Officers do note that this amenity space is not private however within the context of the wider development there are few private amenity spaces. The adoption of amenity space to the front is akin to mews style development and would overtime help create a sense of place and thereby contributing towards active streets and towards a sense of community. It must be the wider estate is in close proximity to other green spaces such as Barnard Park, Thornhill Road Garden, Lonsdale Square Garden and Barnsbury Square Garden, which are all within walking distance.
- 10.85 It is acknowledged that the lack of any amenity space for the studio unit, and restricted size and quality of the amenity space for the other units, means that the proposal would not strictly accord with the minimum outdoor space requirements identified within Policy DM3.5. However, the lack of compliance with the private amenity space standards would be more of a concern for larger family sized (3 bedroom) units. The proposal has no family sized units, and the constraints of the site means that providing the recommended sized private amenity space for each unit is more difficult. Therefore, a more balanced approach is required taking into consideration the overall size of the units. In this regard, it is considered that the amenity space provided is the maximum that could reasonably be provided, given the constraints of

the site, and given each of the proposed units exceed the minimum floorspace standards, on balance, this lack of compliance is considered acceptable.

- 10.86 Additionally, future occupiers would benefit from the existing area of open space located immediately to the west of the site, which includes a play area and tennis courts. This area which measures 1.2 square kilometres (excluding the tennis courts) is located between Morland Mews and Thornhill Road. Whilst not part of the proposed planning application, the applicant has confirmed that they will be carrying out enhancements and improvements to the wider estate, including to this area. These enhancements include the resurfacing of the play area and the relandscaping on the open space. Given the time period for the construction of the proposal it is likely that any future occupiers of the proposed residential units would benefit from these improved facilities if these changes were made. Therefore, on balance it is considered that the non-compliance of the scheme with Policy DM3.5 is acceptable in this instance.



Image 8: View facing west from pedestrian entrance from Morland Mews of existing area of open space



Image 9: View of existing play area within existing open space to west of Morland Mews

- 10.87 For the above reasons, it is concluded that the proposed residential element of the development provides acceptable living conditions for future occupants in terms of the standard of accommodation and amenity space. Therefore, the proposal accords with policy 3.5 of the London Plan 2016, policies CS8, CS9 and CS12 of the Islington Core Strategy 2011 and policies DM2.1, DM3.4 and DM3.5 of the Islington Development Management Policies 2013 and the National Space Standard 2015.

Quality of community room accommodation

- 10.88 Concerns have been raised in relation to the quality of the accommodation of the proposed community room associated with the proposed residential units. The applicant has confirmed that this is an area for local residents where resident led societies are able to hold meetings amongst other activities, which are currently held in the main Barnsbury Housing Association office.
- 10.89 Policy DM4.12 confirms that new social infrastructure should be inclusive, accessible, flexible and be designed to have space standards to meet the needs of its intended occupiers of the intended occupiers. However, it should be noted that the function of the community room and caretaker's office are not independent from the residential units and would be managed by the Barnsbury Housing Association. The layout of the community room includes a kitchen, toilets as well as the main room. Whilst there are no minimum standards for these types of uses, at 43 sqm, the community room, and the caretaker's office, at 27 sqm, are considered to be adequate in terms of size and would provide a much needed suitable space for meetings, for the community room, and other proposed activities. As highlighted earlier in the report (paras 10.13 to 10.20) the creation of a community space separate from the office would ensure more clarity to the function of the space and Officers would view this as a benefit to the overall scheme.

Accessibility

- 10.90 As a result of the change introduced by the Deregulation Bill (Royal Assent 26th March 2015) Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor wheelchair housing standards.
- 10.91 On 1st October 2015, a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, to be enforced by an Approved Inspector. Residential development containing fewer than 10 units should be designed so that all dwellings meet Category 2 of the National Housing Standards. A written statement explaining how each of the units meets the requisite standard should be provided with the application (this can be contained within the Planning Statement). Plans should indicate notional furniture layouts.
- 10.92 Policies 3.5 and 7.2 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies, which requires developments to

demonstrate, *inter alia*, that they produce places and spaces that are convenient and enjoyable to use for everyone.

- 10.93 In terms of assessing the acceptability of the proposal in meeting the Council's policies in terms of providing accessible the 2015 edition of Approved document M, Volume 1: Dwellings, introduced three different types of dwelling:
- Category 1 – Visitable dwellings. Compliance with this requirement is achieved when a new dwelling makes reasonable provision for most people, which includes wheelchair users to access and enter the dwelling, and access habitable rooms and sanitary facilities on the entrance level.
 - Category 2 – Accessible and adaptable dwellings. This requirement is met when a new dwelling provides reasonable provision for most people to access the dwelling and includes features that make it suitable for a range of potential occupants, including older people, individuals with reduced mobility and some wheelchair users.
 - Category 3 – Wheelchair user dwellings. Wheelchair user dwellings. This requirement is achieved when a new dwelling provides reasonable provisions for a wheelchair user to live in the dwelling and have the ability to use any outdoor space, parking and communal facilities.
- 10.94 Following a review of the proposal, the Council's Inclusive Design Officer has raised no objections in regards to providing accessible accommodation. The Officer has welcomed the proposed wheelchair accessible unit, which is for a 2 bedroom/3 bedroom unit, located towards the west of Morland Mews, in addition to the inclusion of an accessible car parking space immediately opposite this unit. Following the submission of amended to ensure the proposed residential units would meet M4(2) Category 2: Accessible and adaptable dwellings and M4(3) Category 3: Wheelchair user dwellings (for the wheelchair accessible unit) the Inclusive Design Officer is satisfied that that the proposal would meet the Council's requirements of providing accessible accommodation.

Highways and refuse facilities

- 10.95 Islington policy identifies that all new development shall be car free. Policy DM8.5 stipulates that no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair accessible parking. The proposal does not include the provision of off-street car parking, apart from the creation of 1 no. wheelchair accessible parking space and the loss of the existing 2 no. parking spaces is considered to be acceptable. A condition (17) has been recommended to ensure the wheelchair accessible parking would be set out in accordance with best practice standards, as set out in the council's Planning Obligations SPD and Accessible Housing SPD, and BS8300:2009, to meet the requirements of Policy DM8.5C.
- 10.96 Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed

to meet the needs of disabled people. This will be secured via a s106 agreement as set out in the terms of Appendix 1 of this report.

- 10.97 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines' and Policy DM8.4 and Appendix 6 of the Development Management Policies 2013. In accordance with Appendix 6, 10 bicycle spaces should be provided for the 8 bedrooms proposed. The development will provide 11 no. cycle spaces within a dedicated cycle store, to the east of the site, which will be created through the conversion of three existing ground floor storage units. This provision would surpass the requirements for the proposed development which would fulfil the requirements under Appendix 6. The arrangements are considered acceptable in principle and these shall be provided subject to a pre-commencement condition for details of the cycle storage. This space has the potential to provide more cycle parking to the wider estate to benefit existing residents. The proposal is considered to accord with policy DM8.4 and Appendix 6 of the Development Management Policies 2013 and the Cycle Parking Standards – TfL Proposed Guidance
- 10.98 The submitted Transport Statement (by EAS dated June 2019) has provided details of a swept path analysis to determine that cars will be able to enter and leave the parking spaces in the east – west portion of the Mews. The analysis also included a test of whether these cars would be able to pass a location, immediately to the left of the pair, where cars have been observed to park informally in front of garages. The swept path analysis has confirmed that the cars can enter and leave the car parking spaces in the Mews without difficulty.
- 10.99 Concerns have been raised in relation to the impact of the proposed development on vehicles, including access for emergency vehicles, delivering packages and for refuse vehicles, as well as vehicle parking along Morland Mews. The concerns relate to the narrowness of the existing access, with the proposed extensions further reducing the ability for vehicles to pass. It must be noted that speed restrictions are in play and incoming security fob system ensuring traffic is slow. Whilst it is acknowledged that the proposed single storey extensions and planters would result in the loss of some of the existing pavement to the existing street frontage, given that these elements would be limited to only two relatively modest sized areas (to building nos. 4 and 5) and would match the building line of the south elevation, infilling recessed areas, it is not considered to result in a significant impact over and above the existing situation.
- 10.100 Paragraph 5.2 of the Islington Street Environment Services 'Recycling and Refuse Storage Requirements' provides advice in relation to acceptable refuse and recycling provision for new residential units. The proposed refuse areas have been consolidated and shown on the proposed plan as being located to the ground floor of Building no. 6 following the conversion of the existing garage and storage areas. When taking into consideration that the refuse area would not be visible from the street, the proposed refuse storage requirements are acceptable and would cause no harm to the character or appearance of the host building. The arrangements are

acceptable in principle, however further details including plans and sections shall be provided subject to a pre-commencement condition for the approval of the Local Planning Authority prior to occupation of the development.

Sustainability and Ecology

- 10.101 Policy DM7.1 provides advice in relation to sustainable design and construction, stating 'Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development'.
- 10.102 The Sustainable Design Statement submitted states that the scheme has been designed in accordance with London Plan Policies 5.2 and 5.3 which seek to address sustainable design and construction, including minimising carbon dioxide emissions.
- 10.103 The Sustainable Design Statement concludes that the development follows the energy hierarchy, incorporating passive design measures and energy efficient equipment. The development employs an efficient building fabric, including new insulation and highly efficient glazing, efficient gas heating and heat recovery ventilation to maximise carbon savings for the site. Measures are also incorporated to minimise pollution and reduce water use. It is considered therefore that the development complies with the sustainability policy of the London Borough of Islington and the London Plan, for minor developments
- 10.104 In light of comments received from the Islington Swifts Society, it is recommended that a pre-commencement condition be included to ensure bat and bird boxes are implemented based on information on the most suitable locations in accordance with the Council's biodiversity objectives.

Landscaping, Trees and Biodiversity

- 10.105 DM6.5 states that Developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitats and support the council's Biodiversity Action Plan.
- 10.106 The applicant site is located adjacent to existing (non-designated) play area, and there are a number trees within this play area and along Morland Mews. These trees are protected by their location within the Barnsbury Conservation Area. Policy DM6.5B seeks to ensure *developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably reprovided. Developments within proximity of existing trees are required to provide protection from any damage during development.* This policy confirms that the

Council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.

- 10.107 To assess the impact of the existing affected trees an Arboricultural Planning Statement (dated June 2019 by RSK ADAS Ltd) was submitted in support of the application. This report was reviewed by the Council's Tree Officer, who has confirmed that the two small trees to be removed to facilitate the development are considered to be of poor condition being Category U, those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years. Also that the details in the submitted Arb. Report and Method Statement (ADAS June 2019) are adequate to protect the remaining trees on site that may be directly affected by the proposal.
- 10.108 However, the Tree Officer notes that no construction management plan appears to be submitted and has therefore recommended that a Construction Management Plan is submitted for the construction activities (site storage, welfare facilities, etc.) which may overspill on to adjacent 'open areas' (outside of the red-line) where more significant trees are located. A condition (5) has been recommended to secure the submission of these details and it is therefore considered that the proposal is considered acceptable in this regard.
- 10.109 Notwithstanding the above, the Tree Officer has identified that that no landscaping, including tree planting, has been proposed, which would improve the amenity and the street scene and provide eco-system service benefits. A condition (14) has been recommended that details of landscaping details, including tree planting are submitted for proposed landscaping for the area.
- 10.110 Whilst they are not part of this proposal, the applicant has confirmed that are to carry out a number of wider estate improvements and enhancements which would cost up to £35,000. These include increased defensible space by way of planting beds, improved lighting to Gissing Walk, repainting of garage and storage units, upgrading waste and recycling and upgrades to the existing amenity space. The enhancements to the amenity space would include to the existing open space and play area to the west of the estate and Morland Mews. The open green space is proposed to be re-landscaped, and the children's play area will be resurfaced. Given the limited details provided to the Council in relation to these enhancements, and that these improvements are likely to be part of a general estate maintenance, the Council has not included these as part of any legal agreement, and whilst welcomed fall outside the scope of this application. A landscaping condition (14) would ensure that improvement to the hard and soft surfacing are provided within the site curtilage via further details to be submitted and approved. Any changes outside the site red line would still benefit existing and future occupiers from these enhanced facilities and improvements to the estate.

Other Matters

- 10.111 Whilst there is no reason to believe the applicant would use materials which would be hazardous to human health, a condition has been recommended in relation to the details of materials.
- 10.112 A number of matters have been raised in the consultation which are not considered to be material planning considerations and therefore cannot be considered in the determination of the application. This includes structural issues such as subsidence to the existing buildings. The proposal does not include any basement excavation and any structural issues are likely to be covered within the Building Regulations process. The concerns relating to damp, mould and holes in roofs, and general poor maintenance of existing buildings are a matter for the applicant and fall outside the assessment of the application and not considered to be relevant to the assessment of the application. The potential for fire or decay as a result of the installation of wall mounted gas pipes on the ground floor, none of which are proposed, is not considered to warrant the refusal of the application. The proposed units would also be required meet Building Regulations required in this regard. An informative has been attached noting the need to comply with other requirements.
- 10.113 Given the limited scale of the proposal, the fact that alternative accommodation is not being offered during construction phase is not considered to warrant the refusal of the application.
- 10.114 Whilst there is no statutory requirement for consultation prior to the submission, for the scale of the development proposed, the submitted Design and Access Statement has detailed the level of consultation carried out by the applicant, including consultation carried out with the existing residents, Tenants' Association and the Council.
- 10.115 Concerns have been raised in relation to the loss of earnings and employment as a result of the loss of the existing garage. However, the Council's planning or VOA records do not indicate that there are any garages authorised to be used as a commercial garage. The garages were part of the original social housing scheme as ancillary storage/vehicular parking, as identified in the land use section, and as noted a large proportion remain empty at present.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of the loss of the existing ancillary garages and storages are considered acceptable in land use terms, and compliant with the Council's car-free policies. The proposal to introduce 6 no. self-contained residential units in this location, particularly affordable housing units, which is one the Council's key objectives is considered to be acceptable in land use terms.
- 11.2 The proposal, subject to detailed conditions in relation to the materials and the height of the planter/boundary walls, is considered to pay special regard to the visual

appearance and historic character of the host buildings, wider estate and the Barnsbury Conservation Area, is considered acceptable in design terms.

- 11.3 The proposed affordable housing units, being for 5no. (1 no. 1 bed, 4 no. 2 bed) social rented housing and for 1 no. studio unit for key workers, let at London Living Rent, are considered to meet the Council's objectives of achieving 100% affordable housing for scheme Registered Social Landlords. The units are considered to provide an acceptable standard of accommodation, meet the minimum requirements in terms of Annual Daylight Factor, have dual aspect (apart from the studio unit), good level of outlook and exceed the minimum floorspace standards, including 1 no. wheelchair accessible unit with an associated wheelchair car parking space. The proposal would also provide improved ancillary accommodation, including a centralised refuse and cycle storage, a new community room and a caretaker's office, which represents a wider benefit to the estate.
- 11.4 Conditions have been recommended to mitigate the impact of the development on the amenity of the occupiers of the existing residential units in the surrounding area, the trees within surrounding area, and to the surrounding public highway network, including a legal agreement to restrict future occupiers from obtaining car parking permits, as well as securing the management of the community room.
- 11.5 Overall, subject to conditions, the proposal is considered to accord with the relevant policies found within the Development Plan and is recommended for approval.

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:

- Requiring the 6 no. units (1 no. x studio, 1 no. x 1-bed, 4 no. x 2-bed) to be social/affordable housing
- Restrict future occupiers from obtaining car parking permits
- Community office management plan: detailing hours of use, activities and availability

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:

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>Existing drawings: BMM-LGA-00-00-DR-A-100-00/Rev.P2 (Site Location Plan), BMM-LGA-00-00-DR-A-001-00/Rev.P3 (Existing Site Plan), BMM-LGA-01-00-DR-A-001-00/Rev.P2 (Existing Ground Floor Plan - Building 1), BMM-LGA-04-00-DR-A-001-00/Rev.P2 (Existing Ground Floor Plan - Building 4), BMM-LGA-05-00-DR-A-001-00/Rev.P2 (Existing Ground Floor Plan - Building 5), BMM-LGA-07-00-DR-A-001-00/Rev.P2 (Existing Ground Floor Plan - Building 7), BMM-LGA-08-00-DR-A-001-00/Rev.P2 (Existing Ground Floor Plan - Building 8), BMM-LGA-09-00-DR-A-001-00/Rev.P2 (Existing Ground Floor Plan - Building 9), BMM-LGA-01-00-DR-A-003-01/Rev.P2 (Existing Elevations - Building 1), BMM-LGA-04-00-DR-A-003-01/Rev.P2 (Existing Elevations - Building 4), BMM-LGA-05-00-DR-A-003-01/Rev.P2 (Existing Elevations - Building 5), BMM-LGA-07-00-DR-A-003-01/Rev.P2 (Existing Elevations - Building 7), BMM-LGA-08-00-DR-A-003-01/Rev.P2 (Existing Elevations - Building 8), BMM-LGA-09-00-DR-A-003-01/Rev.P2 (Existing Elevations - Building 9), BMM-LGA-05-00-DR-A-002-02/Rev.P2 (Existing Section - Building 5 Flat 2), BMM-LGA-08-00-DR-A-002-01/Rev.P2 (Existing Section - Building 8), BMM-LGA-09-00-DR-A-002-02/Rev.P2 (Existing Section - Building 9 Studio), BMM-LGA-00-00-DR-A-002-AA/Rev.P2 (Existing Site Section AA), BMM-LGA-00-00-DR-A-002-BB/Rev.P2 (Existing Site Section BB),</p> <p>Proposed drawings: BMM-LGA-00-00-DR-A-100-01/Rev.P3 (Proposed Site Plan), BMM-LGA-00-00-DR-A-100-03/Rev.P3 (Site Plan - Proposed Extensions), BMM-LGA-00-00-DR-A-10-04/Rev.P3 (Site Plan - Showing rationale of selected garages to be converted), Site Plan BMM-LGA-01-00-DR-A-010-00/Rev.P2 (Proposed Ground Floor Plan - Building 1), BMM-LGA-04-00-DR-A-010-00/Rev.P2 (Proposed Ground Floor Plan - Building 4), BMM-LGA-05-00-DR-A-010-00/Rev.P2 (Proposed Ground Floor Plan - Building 5), BMM-LGA-07-00-DR-A-010-00/Rev.P5 (Proposed Ground Floor Plan - Building 7), BMM-LGA-08-00-DR-A-010-00/Rev.P2 (Proposed Ground Floor Plan - Building 8), BMM-LGA-09-00-DR-A-010-00/Rev.P2 (Proposed Ground Floor Plan - Building 9), BMM-LGA-01-00-DR-A-030-01/Rev.P3 (Proposed Elevations - Building 1), BMM-LGA-04-00-DR-A-030-01/Rev.P3 (Proposed Elevations - Building 4), BMM-LGA-05-00-DR-A-030-01/Rev.P3 (Proposed Elevations - Building 5), BMM-LGA-07-00-DR-A-030-01/Rev.P4 (Proposed Elevations - Building 7), BMM-LGA-08-00-DR-A-030-01/Rev.P3 (Proposed Elevations -</p>

	<p>Building 8), BMM-LGA-09-00-DR-A-030-01/Rev.P3 (Proposed Elevations - Building 9), BMM-LGA-05-00-DR-A-020-02/Rev.P2 (Proposed Section - Building 5 Flat 2), BMM-LGA-08-00-DR-A-020-01/Rev.P2 (Proposed Section - Building 8), BMM-LGA-09-00-DR-A-020-02/Rev.P2 (Proposed Section - Building 9 Studio), BMM-LGA-00-00-DR-A-020-AA/Rev.P2 (Proposed Site Section AA), BMM-LGA-00-00-DR-A-020-bb/Rev.P4 (Proposed Site Section BB)</p> <p>Reports: Acoustic Design Review by KP Acoustics ref. 16500.ADR.02 dated 19 February 2019, Arboricultural Planning Statement by RSK ADAS Ltd dated June 2019, Daylight Report by Jaw Sustainability dated 27th February 2019, Morland Mews Design and Access Statement dated May 2019 v.2.0, Planning Statement dated 21 January 2020, Transport Statement ref. 1468/2019 Rev. D dated 25/06/2019, Noise Impact Assessment ref. 16500.NIA.01/Rev.A dated 22/02/2019, Sustainability Statement by Jaw Sustainability dated 4th March 2019,</p> <p>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.</p>
3	Materials (Details)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Final colour, type and sample panel of brickwork for the main elevations b) window and door treatment (including sections and reveals); c) pavements (including details to retain the granite sets) d) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</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 and preserves the character and appearance of the Barnsbury Conservation Area.</p>
4	Details of boundary wall/planter
	<p>CONDITION: Notwithstanding the details shown within the hereby approved drawings, details of the boundary walls/planters positioned adjacent to the area described as amenity space shall be submitted and approved in writing prior to the relevant part of the development commences. The approved details shall be implemented in full and retained thereafter into perpetuity.</p> <p>REASON: To protect the amenity of neighbouring properties and future occupiers.</p>
5	Construction and Environmental Management Plan

CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP shall include details and arrangements regarding:

- a) The notification of neighbours with regard to specific works;
- b) Advance notification of any access way, pavement, or road closures;
- c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;
- d) Details regarding the planned demolition and construction vehicle routes and access to the site;
- e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;
- f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)
- h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;
- i) Details of measures taken to prevent noise disturbance to surrounding residents;
- j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;
- k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;
- m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and
- n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.
- o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.
- p) Details of tree protection measures during construction

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.

	<p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>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.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
6	Refuse/Recycling
	<p>CONDITION: Details of refuse / recycling storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.</p> <p>The refuse / recycling storage and collection arrangements shall ensure that storage bins do not obstruct the public highway. The dedicated refuse / recycling enclosure(s) approved 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>
7	Cycle parking
	<p>CYCLE PARKING PROVISION (DETAILS): Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) for the site shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the residential units approved under this consent. The storage area(s) shall be secure and provide maximum number of cycle spaces for both proposed and existing residents of the estate.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
8	Acoustic Design Statement
	<p>CONDITION: The hereby approved development shall be carried out in accordance with the measures identified within the hereby approved Noise Impact Assessment by KP Acoustics (ref. 16500.NIA.01 Rev. A dated 04/02/2019), including achieving the standard of 5dB better than the Building Regulations Part E, and be retained thereafter into perpetuity.</p> <p>REASON: To protect the amenity of neighbouring properties and future occupiers.</p>

9	Details of noise mitigation (community room/caretakers office)
	<p>CONDITION: Prior to the first occupation of the hereby approved development details of noise mitigation details to protect the amenity of the adjoining residential units for the use of the approved community room and caretakers office. The approved details shall be implemented in full and retained thereafter into perpetuity.</p> <p>REASON: To protect the amenity of neighbouring properties and future occupiers.</p>
10	Secured by Design accreditation
	<p>SECURED BY DESIGN: Prior to commencement of the development hereby approved, details of how the development achieves Secured by Design accreditation shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
11	Sustainable Design Measures
	<p>CONDITION: The hereby approved development shall be constructed in accordance with the measures identified within the approved Sustainable Statement (JAW Sustainability) dated 4th March 2019 including energy performance, materials, waste management and construction, noise and light pollution. The details shall be implemented in full and retained thereafter into perpetuity.</p> <p>REASON: To ensure a sustainable development</p>
12	Water efficiency requirements
	<p>CONDITION: Prior to the occupation of the hereby approved development, details shall be submitted and approved in writing, demonstrating compliance with the water efficiency requirements of Part G of Policy 7.4 of Development Management Policies (2013) and Environmental Design SPD. The approved measures shall be implemented in full and retained thereafter.</p> <p>REASON: To ensure the water efficiency of the development.</p>
13	Carbon efficiency
	<p>CONDITION: The development hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2015 and an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with <i>Building Regulations Part L</i> 2010 (equivalent to Code for Sustainable Homes level 4), unless such provision is not feasible.</p> <p>REASON: In the interest of securing sustainable development.</p>

14	Landscaping
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>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. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
15	Ecology protection
	<p>CONDITION: The hereby approved development shall provide a minimum of 3 no. bird/boxes and retained thereafter into perpetuity.</p> <p>REASON: To provide suitable nesting locations in accordance with the Council's biodiversity objectives.</p>
16	Accessible Homes Standards
	<p>ACCESSIBLE HOMES STANDARDS - (COMPLIANCE): The residential dwellings, in accordance with the Design and Access Statement and plans hereby approved, shall be constructed to the standards for the requirements set out in M4(2) Accessible and adaptable dwellings and M4(3) Wheelchair user dwellings.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
17	Wheelchair car parking space
	<p>CONDITION: The hereby approved wheelchair accessible car parking space shall be implemented prior to the first occupation of the hereby approved residential units. The car parking space shall be constructed in accordance with the with best practice standards, as set out in the Islington Council's Planning Obligations SPD and Inclusive Design SPD, and BS8300:2009, and retained thereafter into perpetuity.</p> <p>REASON: To ensure adequate wheelchair accessible car parking.</p>
18	Tree Protection Measures
	<p>CONDITION: The hereby approved development shall be constructed in accordance with the tree protection measures hereby approved Arboricultural Planning Statement prepared by RSK ADAS Ltd dated June 2019. The measures shall be implemented in full throughout the duration of the development.</p>

	REASON: To ensure the protection of trees
19	Granite sets
	<p>CONDITION: Notwithstanding the details shown on the hereby approved drawings, apart from where they are positioned immediately in front of the entrance to the approved residential units, the granite sets shall be retained.</p> <p>REASON: To preserve the visual appearance and historic character of the host building and wider area.</p>
20	Obscure glazing
	<p>CONDITION: For the hereby approved residential units the windows in the north elevation serving habitable rooms shall be obscurely glazed up until a height of 1.7m above the finished floor level, prior to their first occupation, and retained thereafter.</p> <p>REASON: To protect the amenity of neighbouring properties.</p>

List of Informatives:

1	Construction works
	<p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
2	Highways Requirements
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p>

	<p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>
	<p>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.</p>

APPENDIX 2: RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE

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

1. National and Regional Guidance

The National Planning Policy Framework 2019 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.

- NPPF (2019)

2. Development Plan

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

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

Policy 3.3 Increasing Housing Supply
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality & Design of Housing Developments
Policy 3.8 Housing choice
Policy 3.12 Negotiating affordable housing
Policy 3.14 Existing housing
Policy 4.3 Mixed use development and offices
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.9 Overheating and cooling
Policy 6.7 Better streets and surface transport
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.1 Lifetime neighbourhoods
Policy 7.2 An inclusive environment
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology

B) Islington Core Strategy 2011

Policy CS8 Enhancing Islington's character
Policy CS9 Protecting and enhancing Islington's built and historic environment
Policy CS10 Sustainable design
Policy CS11 Waste
Policy CS12 Meeting the Housing Challenge
Policy CS18 Delivery and infrastructure

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Housing

DM3.1 Mix of housing sizes
DM3.3 Residential conversions and extensions
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.7 Noise and vibration (residential uses)

Shops, culture and services

DM4.4 Promoting Islington's Town Centre
DM4.5 Primary and Secondary Frontages

Health and Open Space

DM6.3 Protecting open space
DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable Design and Construction
DM7.2 Energy efficiency and carbon reduction in minor schemes

Transport

DM8.4 Walking and Cycling
DM8.5 Vehicle Parking
DM8.6 Delivery and servicing for new developments

3. Designations

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

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

The following SPGs and/or SPDs are relevant:

<u>London Plan</u>	Accessible London (2016)
	Character and Context (2014)
	Housing (2016)
	Sustainable Design and Construction (2014)
	Town Centres (2014)

Islington

Conservation Area Design Guidelines (Canonbury Conservation Area; 2002)

Basement Development (2016)

Environmental Design (2012)

Inclusive Design in Islington (2014)

Islington Urban Design Guide (2017)

APPENDIX 3: Appeal Decision



Appeal Decision

Site visit made on 4 October 2010

by **Graham Edward Snowden BA BPhil**
Dip Mgmt MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.qsi.gov.uk

Decision date:
11 October 2010

Appeal Ref: APP/V5570/A/10/2131028 Houses 7 and 8 Morland Mews, London N1 1HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Geoff Lewis of Barnsbury Housing Association against the decision of the Council of the London Borough of Islington.
- The application Ref P100737, dated 1 April 2010, was refused by notice dated 2 June 2010.
- The development proposed is the conversion of existing four garages into habitable rooms and the provision of external raised planting beds.

Application for Costs

1. An application for costs was made by Mr Geoff Lewis of Barnsbury Housing Association against the Council of the London Borough of Islington. This application is the subject of a separate decision.

Decision

2. I allow the appeal, and grant planning permission for the conversion of existing four garages into habitable rooms and the provision of external raised planting beds in accordance with the terms of the application, Ref P100737, dated 1 April 2010, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos. MM1-P.02 and MM1-P.05.

Main issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of Barnsbury Conservation Area;
 - the maintenance of a safe and secure environment and
 - the privacy of occupants.

Reasons

Character and appearance of Barnsbury Conservation Area

4. The Conservation Area, which is predominantly residential in nature, is dominated by early to mid C19 formally laid out development of two and three
-

storey squares, terraces and crescents. Some modern development exists, including the 1970s development on the south side of Lofting Road, which comprises of three storey brick frontage development, with smaller scale rear mews development, in a modern interpretation of a traditional arrangement. The appeal properties are two units of an 8 unit terrace, which is part of the rear mews development. The rear elevations of this terrace face the mews itself and are of a uniform appearance with serried ranks of garages at ground floor level, taking directly off the back of footway.

5. The proposal would involve the removal of 4 of the 16 garages in the terrace and their replacement with living accommodation, with windows fronting onto the mews from behind a projecting planter. Whilst the proposal would interrupt the uniformity of the façade, this façade, in itself, is rather flat and uninteresting and the proposed alterations would add a degree of visual interest at ground floor level. Far from being detrimental to the appearance of the area, I believe it would enhance it, albeit marginally.
6. In line with the advice in section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In my view, the proposal would preserve the character and marginally improve the appearance of the Conservation Area, and this does not appear to be disputed by the Council.

The creation of a safe and secure environment

7. Policy D3 in the Islington Unitary Development Plan (UDP) requires new development to be designed to create a safe and secure environment and Policy Env12 gives the highest priority to enhancing community safety and reducing opportunities for crime. In their objections to the present proposal, residents refer to anti-social behaviour in the mews, particularly the problems of youths congregating and riding scooters up and down the roadway.
8. In my view, the insertion of ground floor windows, where none at present exist, is likely to increase natural surveillance and may just deter such activity at this end of the mews. Whilst I understand the Council's desire for the matter to be addressed in a comprehensive, rather than piecemeal, manner, I can see no sustainable objection to the proposal on security grounds.
9. Likewise, I am not convinced that the proposal would result in any real safety problems. It is suggested that the loss of four garages would lead to more vehicles parking in the mews, causing congestion and danger for pedestrian users. However it is claimed, on the part of the appellants, that none of the garages in question are used for parking vehicles and that, indeed, less than a third of all garages in the overall development are used for their intended purposes. This is not disputed by the Council and I noted that the two garages on site, to which I was given access, were used entirely for storage purposes. The minimal size of the garages (only some 4.5 x 2 metres), in my view, would deter their usage for parking cars and I observed that elsewhere in the Mews, particularly among the three storey units, similar ground floor garages have been converted into living accommodation. I consider, therefore, that there is little evidence to suggest that the proposal would lead to any significant

parking congestion or increased potential conflict between pedestrians and vehicles.

10. The creation of planters in front of the proposed ground floor accommodation would reduce the carriageway in the mews by some 0.5 metres, but I do not consider that this would force pedestrians into the path of vehicles or contribute to any diminution in safety. The mews is a shared surface area, with restricted access for vehicles and, whilst appreciating the concerns of elderly residents, I do not consider that the proposal would have any significant effect on pedestrian safety.
11. On this issue, therefore, I conclude that the proposal would not have any effect on the maintenance of a safe and secure environment and, to that extent would not be in conflict with UDP Policies D3 or Env12.

The privacy of occupiers

12. The proposal would not result in any change in existing separation distances between dwellings and I noted that the properties on the opposite side of the mews had garages at ground floor level. The proposal would not create any real opportunity for increased mutual overlooking.
13. Although the proposal would introduce windows at ground floor level, lighting living accommodation, this is not an environment with unrestricted access, or adjacent to a public through route. In such circumstances, I consider that the proposed planter in front of the windows would provide sufficient separation from the public domain and adequate protection of the privacy of occupants. This would comply with the provisions of criterion ii) under UDP Policy D3 that new development should be designed to respect privacy.

Other considerations

14. In reaching my conclusions, I have taken into account arguments advanced on behalf of the appellants that there is a shortage of family housing in Islington and that the loss of garages would be in line with UDP Policy T18 to discourage private car journeys. Whilst these are valid considerations, they are by no means determinative. However, they reinforce my conclusion that the development is acceptable. On the other hand, whilst appreciating the concern of elderly residents, who predominate in the area, I am not convinced that the creation of two units of family housing would result in any significant noise nuisance.
15. Apart from the standard time limit condition, the Council has not suggested any conditions in the event of the appeal being allowed. However, for the avoidance of doubt, I shall impose a condition defining the plans with which the development should accord.
16. Subject to those conditions, for the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Graham E Snowdon

INSPECTOR
