

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB-COMMITTEE A	AGENDA ITEM NO:
Date: 10 November 2020	NON-EXEMPT

Application numbers	P2020/0568/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	Not listed
Conservation area	Barnsbury Conservation Area (and Article 4 Direction)
Development Plan Context	Core Strategy Key Area – Kings Cross & Pentonville Road Caledonian Road (Central) Local Shopping Area SRN Road Local view from Archway Road Local view from Archway Bridge Article 4 Direction A1-A2 (Local Shopping Area)
Licensing Implications	None
Site Address	334-340 Caledonian Road, Islington, London, N1 1BB
Proposal	Erection of a combined roof extension above nos. 334-340, to facilitate the creation of 1no. Additional 2bed/4person flat and associated alterations.

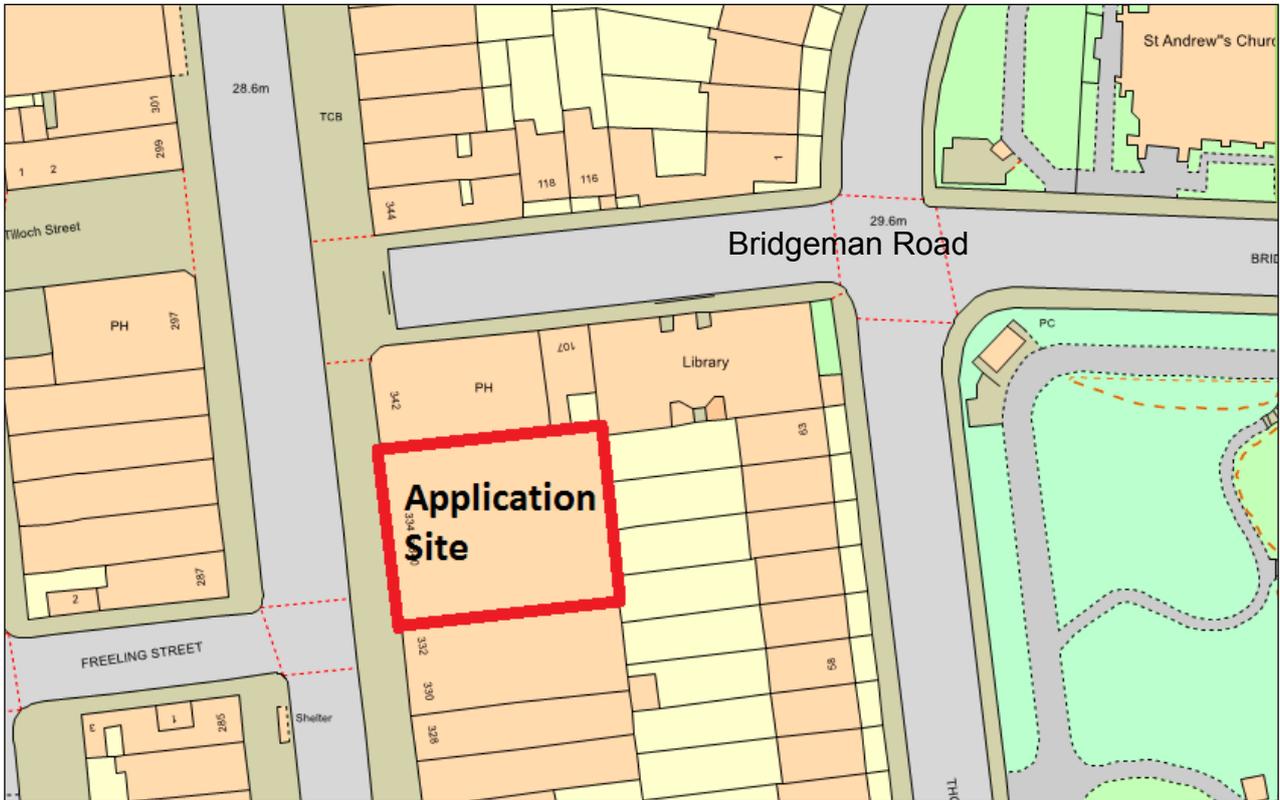
Case Officer	Zeb McInnes
Applicant	Mr Andrew Panayi
Agent	GCK Architects Limited – Mr George Kounnou

1. RECOMMENDATION

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

- 1.1 Subject to the conditions set out in Appendix 1; and
- 1.2 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 RED)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of the application site



Image 2: Aerial of rear roofline (site in centre)



Image 3: Caledonian Road looking south (site on left)



Image 4: Caledonian Road looking north (site on right)

4. SUMMARY

- 4.1 Planning permission is sought for the erection of a combined mansard roof extension above nos. 334-340, to facilitate the creation of an additional 2bed/4person flat. The mansard would incorporate four dormer windows to the front elevation and dormer windows to the rear elevation, each set behind existing parapets. The key considerations in determining the application relate to the land use; the quality of residential accommodation proposed; the impact of the proposal upon the character and appearance of the host buildings, wider streetscene, and the Barnsbury Conservation Area; the associated impact on neighbouring amenity at adjoining and adjacent residential properties; and the provision of the affordable housing small sites contribution.
- 4.2 The proposal is brought to committee because the application has received 14 objections from neighbouring occupiers.
- 4.3 The application site comprises three adjoining three-storey mid-terrace properties located on the eastern side of Caledonian Road. The buildings contain commercial units at front ground and basement floor levels, with residential at rear ground and first and second floor levels (22 flats in total, including 15 studios at ground floor rear).
- 4.4 The site is located within the Barnsbury Conservation Area and the rear of the site adjoins the rear gardens of the Grade II listed late-Georgian residential terraces at Nos. 60-63 Thornhill Square, and the Grade II listed West Library at the junction of Thornhill Square and Bridgeman Road. The site is also located within the Caledonian Road (Central) Local Shopping Area, and the Kings Cross & Pentonville Road Core Strategy Key Area.
- 4.5 The provision of an additional residential dwelling in this location is acceptable, and appropriate given the existing surrounding uses, and the level of accommodation to be provided for future occupants of the dwelling would also be acceptable. The proposed mansard roof extension is considered to be acceptable in design terms, and would not cause harm to the character or appearance of the host buildings or the wider Barnsbury Conservation Area, nor to the setting of the adjacent Grade II listed buildings. The proposal would not cause undue harm to the level of amenity experienced by neighbouring residential occupiers. Further, the applicant has agreed to enter into a Unilateral Undertaking to secure an Affordable Housing Contribution of £50,000.

- 4.6 It is recommended that the application is approved subject to conditions set out at Appendix 1, and 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.

5. SITE AND SURROUNDINGS

- 5.1 The application site at No. 334-340 Caledonian comprises three adjoining three-storey mid-terrace properties located on the eastern side of Caledonian Road, close to its junction with Bridgeman Road. Whilst Caledonian Road is largely comprised of Victorian buildings, the application site appears as a post-war infill development. However, it does not detract from the streetscene. The buildings contain commercial units at front ground and basement floor levels, with residential at rear ground and first and second floor levels (22 flats in total, including 15 studios at ground floor rear).
- 5.2 The buildings are not statutorily nor locally listed, however the site is located within the Barnsbury Conservation Area. The buildings occupy the entirety of the site's footprint. The rear of the site adjoins the rear gardens of the Grade II listed late-Georgian residential terraces at Nos. 60-63 Thornhill Square, and the Grade II listed West Library at the junction of Thornhill Square and Bridgeman Road. The shopfront of the adjoining public house to the north of the south is also locally listed.
- 5.3 The site is also located within the Caledonian Road (Central) Local Shopping Area, and the Kings Cross & Pentonville Core Strategy Key Area. This section of York Way is predominantly mixed-use in character, with mainly retail/commercial at ground and basement levels, with residential above.

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks permission for the erection of a combined mansard roof extension above nos. 334-340, to facilitate the creation of an additional 2bed/4person flat. The mansard would incorporate four dormer window to the front elevation and five dormer windows to the rear elevation, each set behind existing parapets.

7. RELEVANT HISTORY:

Planning Applications

- 7.1 **P2017/4995/FUL (336-338 Caledonian Road):** Conversion of basements in 336 and 338 Caledonian Road to provide 2no. 1 bedroom/2 person flats. Removal of mono-pitched roofs to rear to create open court, insertion of timber doors at rear elevation fronting court. **Refused** 12/04/2018, subsequent appeal dismissed 13/12/2018.

REASON: The proposed basement level flats would fail to achieve a satisfactory standard of residential amenity by virtue of inadequate outlook and levels of daylight, and poor access to natural light. The proposed residential unit is therefore substandard and contrary to the provisions of the adopted London Plan's Housing Supplementary Planning Guidance (November 2016), policy CS12 of Islington's Core Strategy (2011) and policy DM3.4 of the Islington Development Management Policies (2013).

REASON: The proposed basement flat at no. 338 Caledonian Road would cause a net loss of retail floorspace within a protected local shopping area and a sufficient justification for the loss of the Class A1 unit has not been provided. It would therefore diminish the potential range of local shopping facilities and harm the health of the local shopping area. This is contrary to policy DM 4.6 of the Development Management Policies and CS 14 of the Core Strategy.

- 7.2 **P2017/4903/FUL (334-336 Caledonian Road):** Change of use of the ground floor unit from a Supermarket (A1 use class) to a Restaurant and Take Away (Sui Generis), and the installation of a replacement shopfront. **Refused** 01/08/2018.

REASON: By reason of a loss of A1 retail floorspace with no supporting marketing/vacancy evidence, demonstrating a lack of demand for retail floor space and no exceptional circumstances exists to justify the loss, the proposed change of use from retail (A1 use) to a restaurant and take-away (Sui Generis) would harm the vitality and viability of the Local Shopping Area and therefore would be contrary to policies CS14 of the Core Strategy 2011 and policy DM4.6 of the Development Management Policies (2013)..

REASON: The loss of a retail unit within the local shopping area would result in an overconcentration of takeaways, and no information has been provided to demonstrate that the proposal would not result in negative cumulative impacts which would cause unacceptable disturbance or detrimentally affect the amenity, character and function of the area. The proposal is therefore contrary to policies DM4.2 and DM4.3 of the Islington Development Management Policies (2013) and the National Planning Policy Framework (2018).

- 7.3 **P2017/0348/FUL (334-336 Caledonian Road):** Alteration to shopfront including replacement lightwell windows (6 No.) to street facade from white upvc to white hardwood. **Approved** with conditions 10/08/2017.

- 7.4 **P2013/4903/COL (Flat 15, 33B Caledonian Road):** Certificate of Lawfulness for existing self contained residential use of Flat 15. **Approved** with no conditions 27/01/2014.

- 7.5 **P090914 (334-336 Caledonian Road):** Change of use to A3 restaurant. **Approved** with conditions 17/07/2009.

- 7.6 **P082543 (340 Caledonian Road):** Proposed ground floor studio flat and reduction in size of existing shop unit. **Refused** 30/04/2009.

REASON: The reduction in the floorspace of the ground floor shop unit would compromise its commercial viability to the detriment of the vitality of the protected shopping frontage along Caledonian Road and the existing character of the Conservation Area contrary to policies S16 and S18 of Islington's Unitary Development Plan 2002.

REASON: The proposed creation of a studio unit on the ground floor is considered to create a poor living environment in terms of inadequate access to natural daylight, poor ventilation and a poor outlook which would result in a sub -standard living environment for prospective occupiers of the unit. The proposed development therefore is considered to be contrary to Islington Unitary Development Plan policies H3, H7, H10 and Islington's Planning Standards Guidelines 2002.

REASON: The proposed creation of a studio unit on the ground floor is considered to create a cramped development which would result in a sub -standard living environment for prospective occupiers of the unit. The proposed development therefore is considered to be contrary to Islington Unitary Development Plan policies H3, H7, H10 and Islington's Planning Standards Guidelines 2002.

- 7.7 **P022894 (224-240 Caledonian Road):** Conversion of rear retail unit into nine unit hostel accommodation, including formation of courtyards and conversion of front basement accommodation into commercial storage. **Refused** 07/02/2003, subsequent appeal dismissed.

REASON: The loss of basement storage space to the existing ground floor shops would compromise their viability to the detriment of the vitality of the Caledonian APP/V5570/W/18/3202756 336-338 Caledonian Road, London, N1 1BB 3 Road shopping area and character of the Conservation Area contrary to policies D20 and S16 of Islington's Unitary Development Plan.

REASON: The proposed use is inappropriate in this backland site and would have a detrimental impact on the amenities of the adjoining residents contrary to policy D3 and H13 of the Islington Unitary Development Plan.

REASON: The proposal does not provide a satisfactory standard or layout of accommodation contrary to policy H13 of Islington's Unitary Development Plan.

- 7.8 **871886 (334-340 Caledonian Road):** Conversion of upper floors into four 1 bedroom flats and two 2 bedroom maisonettes. **Approved** with conditions 09/05/1988.
- 7.9 **870826 (334-340 Caledonian Road):** Conversion of first and second floors to provide one 2-bedroom maisonette and six 1-bedroom flats and elevational alterations. **Approved** with conditions 11/04/1988.
- 7.10 **P2013/4901/COL (Flat 13, 338A Caledonian Road):** Certificate of Lawfulness for existing self contained residential use of Flat 13. Certificate of existing use **Granted** 10/12/2013.
- 7.11 **P2013/4903/COL (Flat 15, 338A Caledonian Road):** Certificate of Lawfulness for existing self contained residential use of Flat 15. Certificate of existing use **Granted** 10/12/2013.
- 7.12 **P2012/0312/COL (Flat 1, 338A Caledonian Road):** Existing use of Flat 1 as a self contained residential unit. Certificate of existing use **Granted** 24/01/2013.
- 7.13 **P2012/0320/COL (Flat 2, 338A Caledonian Road):** Existing use of Flat 2 as a self contained residential unit. Certificate of existing use **Granted** 22/01/2013.
- 7.14 **P2012/0321/COL (Flat 3, 338A Caledonian Road):** Existing use of STUDIO 3 at basement level as a self contained residential unit. Certificate of existing use **Granted** 22/01/2013.
- 7.15 **P2013/0368/COL (Flat 14, 338A Caledonian Road):** Existing use of Flat 14 as a self contained residential unit. Certificate of existing use **Granted** 22/01/2013.
- 7.16 **P2012/0629/COL (Flat 9, 338A Caledonian Road):** Existing use of flat 9 as a self contained studio flat. Certificate of existing use **Granted** 22/01/2013.
- 7.17 **P2013/0639/COL (Flat 10, 338A Caledonian Road):** Existing use of self-contained residential flat at lower ground floor level (C3 use). Certificate of existing use **Granted** 22/01/2013.

Enforcement History

- 7.18 **E/2017/00034 (336 Caledonian Road):** Basement converted to flat. Case Closed 21/02/2017.

7.19 **E/2012/06387 (334-336 Caledonian Road):** Conversion of basement to flats. Case Closed 28/08/2012.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of adjoining and nearby properties on 7 April 2020. A site notice and press advert were also displayed. The public consultation of the application therefore expired on 1 May 2020, however it is the Council's practice to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report, 15 objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):

- Impact of the proposal upon the character and appearance of the host building and the wider Barnsbury Conservation Area (**see paragraphs 10.7-10.34**)
- Impact upon neighbouring amenity, including noise disturbance, overlooking and loss of privacy (**see paragraphs 10.45-10.47**)
- Construction impacts including noise and dust pollution (exacerbated during the COVID-19 crisis and associated lockdown), loss of light from scaffolding, and security concerns with construction workers gaining access (**see paragraph 10.48-10.49**)
- The condition of the existing building is poor (lack of maintenance etc.), applicant provides poor building management resulting in poor living conditions (**see paragraph 10.63 to 10.64**)
- Additional pressures in communal areas from additional flat, including congestion on stairs and in hallways in case of emergency (**see paragraph 10.63 to 10.64**)
- Impact upon residential property values (*Officer Note: this is not a material planning consideration and therefore has not been considered in the assessment of the application*).

Internal Consultees

8.3 **Design and Conservation:** note that the proposal is undesirable, however no objection raised given the combined nature of the proposal (i.e. four adjoining mansards) and the existing roof extensions to the south of the terraced group.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

9.1 Islington Council (Planning Sub-Committee A), 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.)
- As the development affects the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;
- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

9.2 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 NPPF 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 Quality 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, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 9.11 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013:
- Barnsbury Conservation Area (and Article 4 Direction)
 - Core Strategy Key Area – Kings Cross & Pentonville Road
 - Caledonian Road (Central) Local Shopping Area
 - Employment Growth Area
 - SRN Road
 - Local view from Archway Bridge
 - Local view from Archway Road
 - Article 4 Direction A1-A2 (Local Shopping Area)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Emerging Policies

Draft London Plan (Intend to Publish Version, December 2019)

- 9.13 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State has appointed a Panel to conduct an examination in public (“EIP”) this opened on 15 January 2019 and continued until May 2019. The Planning Inspector made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with a version which is intended to be published by March 2020. The Secretary of State has now considered the ‘Intend to Publish’ version and the proposed changes and has made several recommendations, which are referenced in the main body of the Inspector’s report. Whilst the draft London Plan does not have the full weight of a statutory development plan at this stage, it is capable of being considered a material consideration. The emerging London Plan policies have been taken into account. Relevant policies in the emerging London Plan are set out below:

- Policy D4: Delivering good design
- Policy D5: Inclusive design
- Policy D6: Housing quality and standards
- Policy D7: Accessible housing
- Policy H1: Increasing housing supply
- Policy H2: Small sites
- Policy HC1: Heritage conservation and growth
- Policy T5: Cycling
- Policy T6: Car parking

9.14 It is worth noting that the Secretary of State has written to the Mayor of London setting out various directions to alter aspects of the emerging London Plan. It is not known at this stage what response the Mayor will make to the directions. Given what is proposed in the application, the direction does not alter the assessment in this case.

Draft Islington Local Plan 2019

9.15 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process in progress.

9.16 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

9.17 Emerging policies relevant to this application are set out below:

- Policy PLAN1: Site appraisal, design principles and process
- Policy SP2: King's Cross and Pentonville Road
- Policy H4: Delivering high quality housing
- Policy R4: Local Shopping Areas
- Policy S1: Delivering sustainable design
- Policy DH1: Fostering innovation and conserving and enhancing the historic environment
- Policy DH2: Heritage assets

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Standard of Accommodation
- Design and Conservation
- Neighbouring Amenity
- Inclusive Design
- Highways and Transportation
- Refuse and Recycling
- Affordable Housing Small Sites Contributions
- Other Matters

Land Use

Existing uses at Site

- 10.2 The application site comprises four adjoining three-storey terraced buildings. Most contain retail/commercial uses at front-ground and basement floor, with residential above. However, Nos. 334 and 336 also contain flats at basement level. The entirety of the footprint of the site is built-upon, and a large structure across the rear of the site houses 11 studio flats. At first and second floor levels, the buildings contain one 2 bed maisonette and six 1 bed flats.
- 10.3 The flats at first and second floor levels were granted permission in 1988, under application ref: 870826. At ground and basement floor levels, eight of the flats benefit from a certificate to confirm that the C3 use is lawful. However, no planning records can be found for five of the flats at ground and basement floor levels, including for the properties known as:
- Flat 4, 388A Caledonian Road;
 - Flat 5, 388A Caledonian Road;
 - Flat 8, 388A Caledonian Road;
 - Flat 11, 388A Caledonian Road; and
 - Flat 12, 388A Caledonian Road.
- 10.4 The applicant has not provided evidence to demonstrate that these flats, as shown on the drawings provided, are subject to a lawful C3 residential use. However, the application does not seek to regularise these, and the proposed additional dwelling at roof level is not associated with or reliant on these units. Therefore, the council is only considering the planning merits of proposed roof extensions to the building in this case.
- 10.5 For the avoidance of doubt, the drawings submitted with the application which demonstrate the presence of the above flats, have been omitted from the list of approved drawings within recommended Condition 2. This is to ensure that should the application be approved, planning permission would not be incidentally granted for the C3 use of these other units. Further, the above matter has been referred to the Planning Enforcement Team for further investigation and action where expedient.

Proposed C3 use

- 10.6 As noted above, the building contains a number of residential properties. Caledonian Road is a Local Shopping Area, which is mostly comprised of buildings with commercial uses at ground and basement levels, and residential above. Overall, the proposed C3 use at roof level is considered to be appropriate in this location. The provision of additional housing would accord with policy CS12 of the Core Strategy which seeks to meet and exceed the borough housing targets through the provision of additional housing in suitable locations. As noted in the supporting text paragraphs, the quality of our housing has a considerable impact on our overall quality of life. In line with the requirement of London Plan policy 3.5, housing developments would only be supported where it is of the highest quality internally, externally and in relation to their context and the wider environment. The quality of accommodation proposed is discussed further within the report below.

Design and Conservation

- 10.7 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.
- 10.8 Paragraph 131 of the NPPF (2019) states that in determining planning 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.
- 10.9 Policy CS9 of Islington's Core Strategy 2011 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.10 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.
- 10.11 The application site comprises four adjoining three-storey mid-terrace properties on the eastern side of Caledonian Road. The site is located within the Barnsbury Conservation Area, which is the largest in Islington and was declared to be of outstanding importance. It contains many of the best examples of formal late-Georgian/early-Victorian residential developments in London. Overall, the area has a rare quality of consistency and completeness which requires careful and sensitive policies to protect and enhance it.
- 10.12 The application buildings are not locally nor statutorily listed but are not considered to detract from the character or appearance of the conservation area.
- 10.13 The application seeks permission for the erection of a combined mansard roof extension above the properties at Nos. 334-340 Caledonian Road. The mansard would host four dormer windows to the front elevation, and 5 dormer windows to the rear, each set behind existing parapets.

Principle of roof extension

- 10.14 The Islington Urban Design Guide 2017 advises that the roofline is an important factor contributing to the rhythm and uniformity of a residential terrace or street. A well-defined roofline throughout helps give terraces their inherent rhythm and unity. Paragraph 5.150 states that, within conservation areas, proposals for roof extensions anywhere along an unaltered roofline will not generally be acceptable. Where the roofline is broken, the scope for roof extensions will normally be dependent on the number of existing roof extensions; the length of the terrace; and the presence of any listed buildings.
- 10.15 The property forms part of a long terraced group on the eastern side of Caledonian Road, bounded by Bridgeman Road to the north and Richmond Avenue to the south. The group consists of 37 individual properties from Nos. 270-342 Caledonian Road. The properties primary consist of hidden valley roofs behind the front parapets; however, the valley roof at No. 334 has been removed and converted to a flat roof, including the loss of the original butterfly parapet at the rear for well over 4 years at the writing of this report.
- 10.16 Of the properties within the terrace group, 13 host roof extensions (35%), and the original valley roof has been removed at 2 buildings (including at No. 334). The original roofline of the terrace has therefore been altered; however, the roof extensions largely comprise two groupings and are located at the southern end of the terrace. Further, there is a large gap (17no. properties) between the existing roof extensions and the application site. Therefore, the roofline within the immediate vicinity of the application site is largely unaltered, and the existing roof extensions are largely obscured in all public sightlines which view towards the application site.
- 10.17 The Design and Conservation Officer has raised concerns with the principle of a roof extension in this location, noting that the roofline in the immediate vicinity is largely unaltered, and also notes that the application site (and roofline) is highly visible in public sightlines from Freeling Street to the west. However, the Design and Conservation Officer has not raised objection given that there are existing roof extensions at the southern end of the terrace, and that the proposal includes the erection of a cluster of adjoining roof extensions (i.e. not a single roof extension breaking the predominant roofline within the vicinity) which provides a degree of uniformity and coherency in the overall appearance of the four properties, which would otherwise not be achieved by individual extensions on several different properties. The grouped extension across four properties crucially would avoid a gap tooth finish which would have a detrimental visual impact on the host terrace and surrounding Barnsbury Conservation Area. Image 6 below shows the roofline of the terrace group, as seen from the west. The existing roof extensions are shown in yellow, whilst the application site is outlined in red.

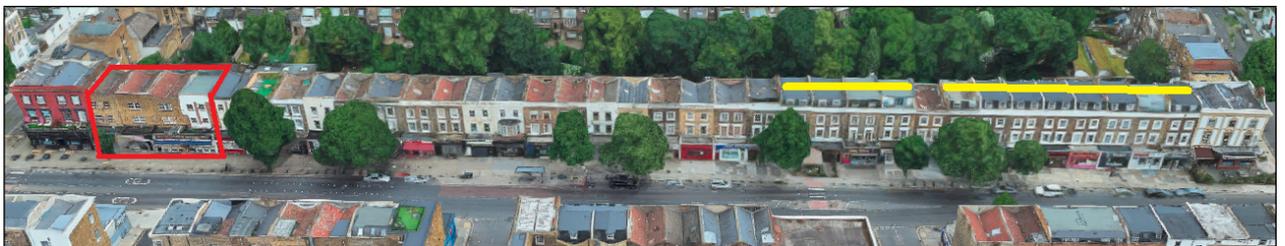


Image 5: Aerial of terrace group from the west. Existing roof extensions shown in yellow, application site outlined in red.

- 10.18 For the above reasons, the proposed erection of a roof extension in this location is supported. The proposed combined/adjoining mansards would be uniform in height and appearance, and would not cause harm to the character or appearance of the host buildings, the terrace group on the eastern side of Caledonian Road, or the wider streetscene. The proposal is therefore acceptable in principle, subject to detailed design

Detailed Design of mansard extension

- 10.19 Paragraphs 5.154-5.158 of the Urban Design Guide 2017 discusses the most appropriate types of roof extensions for different types of roof forms, as well as the design principles that should be employed for each type. It is noted that mansard roof extensions are best suited for valley roofs on traditional properties. The guidance states that roof extensions to historic terraces should retain the historic parapet form and be set behind it. Particularly to Victorian/Edwardian terraces, the raising of the brickwork should be avoided, with clear distinction between the host building and the roof extension above being maintained. Valley 'butterfly' parapet profiles are a strong characteristic of rooflines in Islington and where these survive they should be retained. Party walls should follow the form of the roof and should not include a 90 degree up stand projecting beyond the form of the roof extension, and chimney stacks should be retained and only raised where they will not disrupt the rhythm of the terrace.
- 10.20 The proposed mansard roof extension would be set behind the existing building parapets to the front, and would retain the existing parapets to the rear. It would have a height of 2.8m, however from the front it would only project above the parapet by 1.2m. The roofline/eaves of the mansard extension would be set back from the parapet by 2.6m. The mansard includes brick upstands at the individual building lines in order to continue the appearance of separate buildings. The extension would be clad in blue/black Welsh slates, with the main roof over the extension finished in asphalt.
- 10.21 From street level on Caledonian Road, the combined mansard roof extension would not be overly prominent given both the minimal height of the extension above the parapet, and the proposed set back. Whilst the roofline of the application site is highly visible in longer views from Freeling Street to the west, any views towards the extension would be of the mansard's traditional design and it would not appear prominent or overbearing within the immediate streetscene context given its height.
- 10.22 Overall, the design of the mansard extension would match the principles set out within the Urban Design Guide. It would retain and be set behind the parapets to the front and rear of the building, retaining the parapets, which is considered to be a strong characteristic of the terrace group.
- 10.23 With regard to the design of dormer windows, paragraph 5.161 of the Urban Design Guide 2017 states:

'The detailed design and proportions of the dormer should relate to the windows of the original house. The solid surrounds (cheeks) of the dormer should be as slender as possible; simple lead cheeks with a doubly hung timber sash window is often the best solution in historic buildings. Except for the window frame and cheeks, there should not be any solid face. The dormer should be positioned a clear distance below the ridge-line, significantly clear of the boundary parapets, and above the line of the eaves.'

10.24 The proposal includes the installation of four dormer windows to the front (one for each building), and 5 to the rear (including 2 separate dormer windows at No. 338). The dormer windows to the front elevation would each be identical, double-window dormers with a width of 2.7m. At the rear, the dormers would comprise of 2 double-window dormers (width 2.4m) and 3 single dormer windows (width 1.7m). All dormer window would be set down from the ridge by 0.6 and away from the boundary parapets, and would align with the fenestration on the elevation below, in accordance with the guidance contained within the Urban Design Guide.

Impact of the proposal upon significance of designated heritage assets, and Balance of harm

10.25 As noted above, the application site not locally nor statutorily listed. However, the properties adjoining the rear of the site at Nos. 60-63 Thornhill Square are Grade II listed, as is the West Library at the rear of the site at the junction of Thornhill Square and Bridgeman Road. The site is also located within the Barnsbury Conservation Area.

10.26 Therefore, in the determination of the application, the assessment of the proposal must consider the impact on these heritage assets in accordance with the legislation set out in Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which is outlined below.

- Section 66(1) provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- Section 72(1) provides that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of (amongst others) the planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character.

10.27 The South Lakeland District Council v Secretary of State for the Environment case and the Barnwell Manor case (East Northamptonshire DC v SSCLG) establish that “preserving” means “doing no harm”

10.28 The decision of the Court of Appeal in Barnwell Manor confirms that the assessment of the degree of harm to the heritage asset is a matter for the planning judgement of the decision-maker. However, where the decision-maker concludes that there would be some harm to the heritage asset, in deciding whether that harm would be outweighed by the advantages of the proposed development, the decision-maker is not free to give the harm such weight as the decision-maker thinks appropriate. Rather, Barnwell Manor establishes that a finding of harm to a heritage asset is a consideration to which the decision maker must give considerable importance and weight in carrying out the balancing exercise.

10.29 There is therefore a “strong presumption” against granting planning permission for development which would harm a heritage asset. In the Forge Field case the High Court explained that the presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. Paragraph 196 of the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. A local planning authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory

presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.

- 10.30 The case-law also establishes that even where the harm identified is less than substantial (i.e. falls within paragraph 196 of the NPPF), that harm must still be given considerable importance and weight.
- 10.31 When more than one heritage asset would be harmed by the proposed development, the decision-maker also needs to ensure that when the balancing exercise is undertaken, the cumulative effect of those several harms to individual assets is properly considered. Historic England does not suggest that the cumulative effect of the individual instances of harm identified amounts to substantial harm and officers do not consider that the total harm (i.e. the cumulative effect of the several instances of harm identified) amounts to substantial harm.
- 10.32 The principle of a combined roof extension, rather than a single extension, is acceptable in this instance given the presence of existing roof additions at the southern end of the host terrace group and is in keeping with the predominant character and appearance of the area and this section of terrace along Caledonian Road. On balance, the works would create a neutral impact on the significance of the heritage assets.
- 10.33 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Barnsbury Conservation Areas. In accordance with Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been had to the desirability of preserving the setting of the adjacent listed buildings. Overall, the proposal is considered to have represent a neutral impact upon the significance of the heritage assets. The proposal therefore accords with the NPPF 2019, policies 7.4, 7.6 and 7.8 of the London Plan 2016, policy CS9 of the Islington Core Strategy 2011, policies DM2.1 and DM2.3 of the Islington Development Management Policies (2013), and the guidance contained within the Urban Design Guide 2017 and the Conservation Area Design Guidelines.
- 10.34 The drawings and submitted documents also indicate that the existing timber windows at upper floor levels are to be refurbished and restored. For the avoidance of doubt, an informative has been included to confirm that no permission is granted for the replacement of any of these windows.

Standard of Accommodation

- 10.35 The London Plan 2016 sets out the minimum overall flat size space standards (policy 3.5, Table 3.3). The Council sets out minimum room size standards in the Development Management Policies 2013. The size of the proposed units and bedrooms is assessed in the tables below.

No. Bedrooms / Expected Occupancy	Floor Space Provided	Minimum Required	Provided Storage	Required Storage
Flat 8 (2bed/4person)	106.00 sqm	70.00 sqm	0.80 sqm	2.00 sqm

Bedroom	Floor Provided	Space	Minimum Required Floor Space
Bedroom 1	25.50 sqm		12.00 sqm
Bedroom 2	12.10 sqm		12.00 sqm

- 10.36 NB: The Council considers that where a bedroom is in excess of 11 sqm, it is a double (two person) room. Also, a second bedroom in excess of 10 sqm will be considered to be a double room
- 10.37 The flat would significantly exceed the minimum required floor area. Whilst the storage proposed would fall short of the minimum, given the large size of the flat this is not considered to warrant a reason for the refusal of the application due to the ability of the unit to easily accommodate non-fixed storage. Whilst it is acknowledged the flat could accommodate three bedrooms, it is considered to be acceptable in this instance due to the inability of the roof space to create an adequate and functional family amenity space in this specific case.
- 10.38 Each of the two bedrooms proposed would also exceed the minimum required floorspace for a double bedroom. Each of the bedrooms would have a minimum width of at least 2.75m, in accordance with Table 3.3 of the Development Management Policies 2013.
- 10.39 The London Plan states that a minimum floor to 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 floor to ceiling heights of at least 2.6m provide a greater sense of space and help keep rooms cool in summer months. It must be noted that these figures are stated for new residential development; the application site is an existing building, albeit the mansard extension is a new-build element.
- 10.40 The floor to ceiling height of the proposed unit would be 2.5m to the top of the mansard, with a slightly reduced height in areas beneath the pitched mansard roof. Whilst this would be lower than the 2.6m outlined in the Development Management Policies, it would meet the minimum ceiling height as set out within the London Plan. Considering this and that the proposed unit would be within a roof addition, the proposed floor to ceiling height is considered to be acceptable, in this case.
- 10.41 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. The proposed flat would be dual aspect. The level outlook to be provided for each of the living areas and bedrooms would also be acceptable.
- 10.42 Policy DM3.4E stipulates that all living areas, kitchens and dining spaces should preferably receive direct sunlight. This would be achieved for in this instance.
- 10.43 Policy DM3.5 advises the minimum requirement for private outdoor space for each flat. In this instance, 7 sqm would be required. The proposal does not include any outdoor amenity space; however, given the constraints of the site (being an existing building located within a conservation area), and noting the significant amount of internal floorspace proposed, this is not considered to represent a reason for the refusal in this instance.

- 10.44 Overall, the proposed dwelling is considered to offer a good standard of accommodation for future occupiers. The application is therefore considered to be acceptable, and accords with the provisions of London Plan's Housing SPG, policy CS12 of the Core Strategy 2011, and policy DM3.4 of the Development Management Policies 2013.

Neighbouring Amenity

- 10.45 Policy DM2.1 of the Development Management Policies 2013 states that development should not have an adverse impact on neighbouring amenity in terms of noise, overshadowing, overlooking, privacy, direct sunlight and day light, over-dominance, sense of enclosure and outlook. Policy 7.6 of the London Plan 2016 requires buildings and structures not to cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing, in particular.
- 10.46 The proposed mansard addition would be located at roof level and within the existing footprint of the buildings, set in from the front and rear of the properties. Given the modest height increase, it is not considered to result in material adverse impacts to neighbouring amenity with regard to overshadowing, access to daylight and sunlight, over-dominance, sense of enclosure or outlook such that the council could reasonably refuse the development on this basis.
- 10.47 Some concern has been raised by neighbouring occupants that the proposal would cause undue overlooking into neighbouring properties and gardens. Officers note that the dormer windows to the rear of the extension would be separated from the rear-facing windows at the properties at Nos. 60-63 Thornhill Square by at least 32m, and from the properties on the opposite side of Caledonian Road by at least 22m. It would therefore not cause undue harm to the level of privacy experienced by occupiers of these properties. Whilst the additional windows to the rear would allow overlooking into the rear gardens (i.e. not habitable rooms) of Nos. 60-63 Thornhill Square, this would be from a distance of at least 15m. It is also noted that there is already a level of established mutual overlooking between the properties, taking into consideration the existing windows on the elevation below. Overall, it is considered that the proposal would not cause undue harm to the level of privacy experienced by adjoining and adjacent occupiers

Construction Impacts

- 10.48 Concerns have been raised by neighbouring residents that the construction of the mansard addition would cause undue harm to amenity, by reason of increased noise and disturbance. Additional concern has also been raised regarding the increased impact of these during the response to the COVID-19 pandemic. Whilst officers are sympathetic to these concerns, the construction impacts of a scheme of this scale do not require the provision of a construction management plan, nor would it be reasonable to withhold planning permission on this basis.

Conclusion

- 10.49 It is considered that the proposal would not cause undue harm to the level of neighbouring amenity with regard to noise and disturbance, overshadowing, overlooking, privacy, access to sunlight and daylight, over-dominance, sense of enclosure or outlook. The application therefore accords with policy DM2.1 of the Development Management Policies 2013 and policy 7.6 of the London Plan 2016.

Inclusive Design

- 10.50 Policy DM2.2 stipulates that all developments must demonstrate that they provide for ease of and versatility in use; deliver safe, legible and logical environments; produce places and spaces that are convenient and enjoyable to use for everyone; and bring together the design and management of a development from the outset and over its lifetime.
- 10.51 Officers note that the proposed additional dwelling would not be wheelchair accessible, nor would it be visitable. However, consideration must be given to the constraints of the site, and the location of the dwelling within a rooftop extension. Therefore, this is not considered to warrant a reason for the refusal of the application in this instance.

Highways and Transportation

- 10.52 In accordance with Appendix 6 of the Development Management Policies 2013, one bicycle space should be provided for each bedroom proposed. Therefore, in this instance, two cycle spaces would be required. The proposed flat is located at roof level of an existing building, with access limited to a communal entrance directly from the pavement. The site also does not contain any external amenity space at ground floor level. The application does not include any cycle parking spaces within the site, however the Design and Access Statement advises that the applicant is willing to provide cycle parking spaces on the forecourt of the property (this would be on the public pavement, outside of the site boundary). This is not considered to be an acceptable solution. Therefore, due to the constraints of the site, the lack of on-site cycle parking provision does not warrant a reason for the refusal of the application in this instance.
- 10.53 Policy CS10 Part H of the Core Strategy states that all new developments will be car free. Footnote 15 after the words 'car free' confirms that this 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." Note the words 'no parking provision will be allowed on site.' Providing further detail in the Development Management Policies (DMP) policy DM8.5 part A states that "no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair-accessible parking. In line with the Core Strategy, all additional homes will be car-free."

The proposal does not include the provision of any off-street parking. A completed Unilateral Undertaking for this application will secure a Car free development to be agreed

Refuse and Recycling

- 10.54 The property would be subject to the existing procedure used for the collection of refuse and recycling at existing properties on Caledonian Road, comprised of a waste collection service from the public pavement twice daily from 6am-7:30am and 6:30pm-7:30pm.
- 10.55 For the avoidance of doubt, a condition (Condition 5) has been recommended to require that refuse and recycling facilities meet current and future collection practices and targets.

Affordable Housing Small Sites Contribution

- 10.56 Policy CS12G of Islington's Core Strategy 2011 states 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 should provide affordable homes on site. Schemes below this threshold should provide a financial contribution towards affordable housing elsewhere in the Borough.
- 10.57 The Council's Affordable Housing Small Sites Contributions SPD supports the implementation of the Core Strategy. The SPD confirms that all minor residential developments resulting in the creation of one or more additional residential unit(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 to conversions of existing buildings resulting in the creation of new units and the subdivision of residential properties resulting in net additional units. Based on a study of the level of financial contribution that would be viable, the required contribution of £50,000 is required per unit for north and mid-borough locations, which includes Hornsey Road. Provision is made to take account of site specific circumstances, if supported and justified by viability evidence.
- 10.58 In this instance, the required contribution is £50,000. Upon submission of the application, the applicant agreed to pay the Affordable Housing Small Sites contribution, as well as the Council's reasonable costs incurred during the preparation of the Unilateral Undertaking. Therefore, subject to the completion of a Unilateral Undertaking to confirm that the applicant agrees to pay the Affordable Housing Contribution to the Council on or before commencement of the development, the proposal accords with the requirements of policy CS12G of the Core Strategy 2011 and the Affordable Housing Small Sites Contributions SPD.

Energy and Sustainable Design and Construction

- 10.59 Policy DM7.1 of the Islington Development Management Policies state that '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'. Policy DM7.2 seeks to ensure energy efficiency and carbon reduction in minor schemes.
- 10.60 An Energy Statement and a sustainability statement were not submitted as part of the application. Given the overall scale and extent of the development the sustainability measures that can be realistically made to a roof extension and conversion are limited.
- 10.61 The applicant has stated that the following sustainability measures will be incorporated into the development:
- All timber and plywood will be sourced from a company that ensures that they have been harvested responsibly, from well managed forests that are continuously replenished and to ensure that there is no damage to the surrounding environment or to native flora and fauna
 - Timber sash windows will be used in lieu of UPVC and aluminium windows existing elsewhere on the property. The timber will be obtained from sustainable sources.
 - Natural Welsh slates have been specified for the mansard roof finish, avoiding the use of manufactured materials such as fibre cement slates.

- Asphalt and lead sheeting have been specified for the finish of the main flat roof areas and cladding to new roof dormers respectively, which are both 100% recyclable.
- PV solar panels for the additional residential unit will be installed above the new flat roof area, subject to planning requirements, to reduce the carbon footprint of the proposal.

10.62 It is considered that the proposed development, in terms of sustainability, is acceptable and conforms to the relevant policies offering a commensurate and proportionate improvements relative to the scale and scope of the development as a whole. The £1,000 carbon offsetting fee will also be secured through the Unilateral Undertaking to be competed in relation to this application.

Other Matters

10.63 Concern has been raised in representation that the existing building is of a poor quality (due to lack of maintenance and upkeep), and that the applicant provides a poor level of building management resulting in poor living conditions. The upkeep of the existing property is not a material planning matter when considering the acceptability of application. These matters can be pursued by residents outside of the planning system, under the Defective Premises Act 1972.

10.64 Concerns have also been raised in representations regarding resulting additional pressure on communal areas, including increased congestion on stairs and in hallways in case of emergency. Officers note that the application proposed the provision of a single additional unit, with a capacity for four occupiers, and therefore additional pressures would be limited. However, it must also be noted that these matters are covered by the Building Regulations 2010; building regulations approval is separate from the planning process.

11. SUMMARY AND CONCLUSION

Summary

11.1 A summary of the proposal is set out at section 4 of this report.

Conclusion

11.2 It is recommended that planning permission be granted subject to the conditions and prior completion of a Deed of Planning Obligations made under S106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- Contribution of £50,000 towards affordable housing within the borough
- Contribution of £1,000 towards carbon off-setting
- Car free restriction

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Design and Access Statement submitted 11/05/2020, and drawing numbers: L (PL) 334-340CR-12, L (PL) 334-340CR-13B, and L (PL) 334-340CR-14B.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Compliance)
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the approved plans and within the Design and Access Statement. 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.</p>

4	Waste and Recycling Provision
	<p>CONDITION: All refuse and recycling facilities provided shall meet current and future collection practices and targets, and must be accessible to all and be installed prior to the first occupation of the hereby approved unit and be maintained as such thereafter into perpetuity.</p> <p>REASON: To ensure the adequate provision of waste and recycling facilities and waste is managed effectively through the life of the development.</p>
5	Flat roof not to be used as amenity space
	<p>CONDITION: Notwithstanding the hereby approved plans, no permission is granted for the front flat roof area adjoining the approved roof extension to be used as any form of amenity/sitting out space into perpetuity.</p> <p>REASON: To protect neighbourhood amenity.</p>

List of Informatives:

1	Community infrastructure Levy (CIL)
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended).</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
2	Other Legislation
	<p>You are advised that the planning permission hereby approved would be subject to fully complying with other legislation outside the realms of the planning regulations including licensing, environmental acts, building control and fire safety regulations.</p>

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

The National Planning Policy Framework 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.

2. Development Plan

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

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

- Policy 3.3 – Increasing housing supply
- Policy 3.4 – Optimising housing potential
- Policy 3.5 – Quality and design of housing developments
- Policy 3.8 – Housing choice
- Policy 3.12 – Negotiating affordable housing
- Policy 5.2 – Sustainable design and construction
- Policy 6.9 – Cycling
- Policy 6.10 – Walking
- Policy 6.13 – Parking
- 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 CS6 – Kings Cross
- Policy CS9 – Protecting and enhancing Islington's built and historic environment
- Policy CS12 – Meeting the housing challenge

c. Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.3 – Inclusive design
- Policy DM2.3 – Heritage
- Policy DM3.4 – Housing standards
- Policy DM3.5 – Private outdoor space
- Policy DM7.1 – Sustainable design and construction
- Policy DM8.4 – Walking and cycling
- Policy DM8.5 – Vehicle parking

3. Designations

- Barnsbury Conservation Area (and Article 4 Direction)
- Core Strategy Key Area – Kings Cross & Pentonville Road
- Caledonian Road (Central) Local Shopping Area
- SRN Road
- Mayor's Protected Vistas – Parliament Hill summit to St Paul's Cathedral
- Local view from Archway Road
- Local view from Archway Bridge
- Article 4 Direction A1-A2 (Local Shopping Area)

- Adjacent Grade II listed buildings at Thornhill Square

4. SPD/SPGS

- Urban Design Guide 2017
- Conservation Area Design Guidelines
- Affordable Housing Small Sites SPD