

PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE A		
Date:	2 nd December 2014	NON-EXEMPT

Application number	P2014/3582/FUL
Application type	Full Planning (Council's Own)
Ward	Tollington
Listed Building	No
Conservation Area	Not in a conservation area
Licensing Implications Proposal	None
Site Address	Garages, Gainsborough House, 116 Thorpedale Road, London N4 3BS
Proposal	Demolition of existing garages and redevelopment of the site to provide 2 x 2 bedroom two storey residential dwellings with associated garages and garden areas.

Case Officer	Eoin Concannon
Applicant	Islington Council
Agent	Mr Roger Stong

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;
2. conditional upon the prior completion of a Directors Agreement securing the heads of terms as set out in Appendix 1.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET



Photo 1: Aerial view of Thorpedale Road



Photo 2: Subject site existing garages adjoining No.138 Thorpedale Road



Photo 3: View of site from the north east



Photo 4: Existing garages to the front of the site



Photo 5: Rear garages to be demolished



Photo 6: Neighbouring property No.138 Thorpedale Road



Photo 7: Neighbouring property Gainsborough House

4 SUMMARY

- 4.1 The application seeks permission to demolish the existing garages to the front and rear and to erect 2 x 2 bedroom two storey residential dwellings with associated garages and garden areas. The subject site within a residential street and the two additional dwelling is acceptable in principle.
- 4.2 The main considerations are the impact of the development on the character and appearance of the area as well as the residential amenity of the neighbouring occupiers, quality of accommodation and associated facilities.
- 4.3 The design of the two dwellings would maintain a similar footprint of the attached property at No.138 Thorpedale Road with a slight variation in finish which is acceptable in this instance given the variation in architecture adjoining the site (Gainsborough House). The overall quality and sustainability of the resulting scheme is considered to be acceptable. The housing would comply with the minimum internal space standards required by the London plan and Islington's Development Management policies standards. The Development Management Policies also supports the creation of two bedroom units and given the constraints of the site, this mix (2 X 2 bedroom units) is appropriate in this instance.
- 4.4 The development would not infringe on the adjoining neighbouring properties amenity in terms of loss of light, overlooking or overbearing effect. Private amenity space is provided in accordance with Council's requirements. The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. The site also has sufficient space for cycle storage in accordance to the Council's policies.
- 4.5 These residential units will be solely used for social housing secured by Director's Agreement. In summary, the proposal is considered to be acceptable and to be broadly in accordance with the Development Plan policies.

5 SITE AND SURROUNDING

- 5.1 The application site is situated on the northern side of Thorpedale Road and consists of single storey garages attached to the flank wall of No.138 Thorpedale Road. The adjoining property (No.138 Thorpedale Road) comprises a two storey end of terrace Victorian dwelling with small garden area to front and original outrigger to the rear.
- 5.2 Directly west, separated by a private access lane, lies Gainsborough House, a large three storey post war Council block of flats with a similar height as the existing terrace buildings on the street and a common garden area to the rear of the building.

- 5.3 The subject site comprises of three single storey garages to the front and four garages to the rear that are separated by a hard standing area. These garages historically served Gainsborough House. Abutting the site to the rear are Nos. 123-127 Corbyn Street, a similar terrace Victorian style dwellings.
- 5.4 To the front, the site lies opposite the playing fields belonging to the Islington Arts and Media School. The application property is not a listed building nor does it lie within a Conservation Area.

6 Proposal (in Detail)

- 6.1 The application seeks planning permission to demolish existing garages and to erect two residential dwellings with associated garden and cycle parking. The proposal seeks to erect 2 similar style dwellings at the end of the existing terrace (adjacent to No.138 Thorpedale Road) and opposite the flank wall of Gainsborough House. The front elevation of the dwellings would have a similar height and building line as the adjacent properties.
- 6.2 A small garden area to the front would separate the site from the pedestrian footpath. There would be a slight variation to the fenestration and detailing to the front with a bay window canopy entrance and finished in smooth faced concrete. The building would be finished in an Ibstock Multi Cream brick material with brushed flush pointing. The final colour can be secured via condition.
- 6.3 Along the rear elevation, a two storey return would be set in 2 metres from the boundary with No.138 and set down below the main roof line, projecting a similar distance behind the main as the existing original outriggers along Thorpedale Road. Two small garden areas (approximately 30 sq.m) serving both dwellings would separate the site from the properties along Corbyn Street.
- 6.4 Adequate refuse and cycle storage is allocated to serve each of the new units within the development.
- 6.5 Minor amendments to the detailing of the elevations have been submitted during the processing of this application following Design and Conservation Officer comments. The amendments include
- Repositioning and altering of front windows to appear more in line with No.138 Thorpedale Road
 - Alterations to boundary treatment with inclusion of brick wall
 - Alterations to glazing, windows ledge and canopies
 - Reduction in the height of the two storey return by 750mm

7 RELEVANT HISTORY

Planning Applications:

7.1 None

Enforcement:

7.2 None

Pre- Application Advice:

7.3 **Q2013/3093** – Pre-application in relation to the demolition of existing garages and erection of 2 dwellings including mansard roof element and associated amenity space. **(Principle acceptable however concerns raised regarding additional mansard floor and also fenestration pattern.)**

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of adjoining and nearby properties on the 10th September 2014. A site notice was also displayed. The public consultation of the application therefore expired on 1st October 2014 however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report, 1 letter of objection and 1 letter of support were received. The following objection issues were raised (and the paragraph numbers responding to the issues in brackets).

- **Rear Boundary Wall:** concerns raised regarding the impact the demolition works would have on the rear boundary wall adjoining the rear property at 125 Corbyn Street. What measures would be taken to prevent damage to the garden wall. (Paras. 10.29-10.31)

Internal consultees

8.3 **Design and Conservation:** Whereas the height, scale, layout and fenestration is sufficiently contextual the design and detailing/materials are not sufficiently high quality and or not sufficiently clear.

- The use of glass bricks is not acceptable and would have unsatisfactory dated appearance. The design should be amended to proper windows.
- The front boundary treatment should be low yellow stock wall
- No details of windows ledges and bay windows how these would be detailed

- There is no detail or material specified for the canopies to the bay windows, these should be possibly lead and a swept or slightly canted canopy would be less utilitarian.
- A high quality yellow stock brick with a brushed flush/slightly recessed not weatherstruck pointing is required.
- Plantation of trees in front garden if possible.

Officer Comments: Amended plans were received that have addressed the material concerns of the Design and Conservation Officer. Further details can also be secured by condition.

Acoustic Officer: No objections received and land contamination conditions required. A condition requiring noise isolation measures to the habitable rooms would secure better quality living accommodation for future occupiers of the units.

Access Officer: Acceptable

Tree Officer: No objection subject to condition

9 REVELANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

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

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The relevant SPGs and/or SPDs are listed in Appendix 2.

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Land use;
- Design, scale, appearance and impacts of the proposed development on the character and appearance of the area;
- Neighbouring amenity impacts;
- Quality of resulting accommodation and dwelling mix;
- Sustainability & energy efficiency and renewal energy;
- Transport and highways;
- Accessibility;
- Landscaping
- Refuse facilities

Land use

10.2 The site is within a residential street with a mixture of terrace dwellings and post war Council apartment blocks. It is currently occupied by nine garages, three of which are attached to the flank wall of No.138 Thorpedale Road. The demolition of the garages and the erection of 2 similar style dwellings to the general street character would be acceptable in principle.

10.3 The current garages are presently underutilised and the proposal would add 2 additional residential units which would be for social housing thereby increasing the Council residential stock in the borough. The principle would be acceptable subject to complying with the remaining issues dealt with in the rest of the report. It would therefore generally comply with Policies 3.3 (Increasing housing supply) 3.4 (Optimising housing potential) of the London Plan 2011, Policy CS12 (Meeting the housing challenge) of the Islington's Core Strategy 2011, Policy DM3.1 (Mix of housing sizes) of the Development Management Policies.

Design, scale, appearance and impacts of the proposed development on the character and appearance of the area

10.4 The Islington Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonise with their setting. They should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent/coherent setting for the space or street it defines.

10.5 The site is situated within a predominately residential area outside the designated Conservation Area. Thorpedale Road is defined by a mixture of two storey Victorian terrace dwellings and post war Council flats which were constructed on vacant land following the war. The subject site is sandwiched between these two types of development with the end of terrace dwelling at No.138 Thorpedale Road directly east of the site and Gainsborough House post war flats to the west. The two dwellings would attach to No.138 Gainsborough House retaining a similar scale, height, layout and fenestration pattern as this neighbouring property. The brickwork would be similar in appearance to the neighbouring properties and its overall impact on the street scene would be minimum.

- 10.6 The Design and Conservation Officer had been consulted and raised no objection to the scale of the development. The Design and Conservation Officer had noted some design improvements were needed (glazing, boundary treatment, window ledges and canopies) which has been addressed by the applicant through amended plans. Further conditions can be secured on the brick work, windows and boundary treatment to improve the final design in the context of the street.
- 10.7 The slight variations to the design from the period terrace are acceptable in this instance given the location of the larger Gainsborough House adjacent to the site. It is considered that the proposal offers a sympathetic yet different building when seen in the local context. The proposed building picks up enough of the features of the existing terrace along Thorpedale Road to blend in with the street.
- 10.8 To the rear, the Urban Design Guidelines normally do not support full width rear extensions at ground and more than half width first floor levels. However, there are particular circumstances where exceptions can be supported. This is a new build property and although reflective of the adjoining Victorian houses in terms of plot width, front building line and overall height, the interpretation can differ, in particular to the rear and side elevations. Given the broader context and the variety and scale of development to the rear of the property, the design is not considered harmful to the appearance of the terrace. Secondly, the scheme has been designed to accommodate fully accessible units that meet the Council's floorspace standards. To achieve this and comply with current internal and external design standards, the full width rear extension to the first floor is justified.
- 10.9 The proposed scale and height of the development is a representative balance of the surrounding building and provides a uniform finish, following the same roof pattern and thereby not becoming a dominant development along the street. As such, the proposal is considered to be in accordance with policies 7.4 (Character), 7.6 (Architecture) of the London Plan 2011, CS8 (Enhancing Islington's character) of the Core Strategy 2011, Policy DM2.1 (Design) of the Development Management Policies 2013.

Neighbouring Amenity

- 10.10 The main concerns in regard neighbouring property would relate to overlooking, impact on light and overbearing concerns. There have been no objections received from any adjoining resident highlighting concerns regarding any potential adverse impacts of the development on their amenity levels.

- 10.11 The applicant has provided a daylight/sunlight report data taken from August 2014 which examines the potential impact of the two units on the residents that surround the site. Within this report, it highlights No. 138 Thorpedale Road, Nos.125 & 127 Corbyn Street and Gainsborough House as the properties that the proposed development potentially affect. The BRE guidelines – Site Layout Planning for Daylight and Sunlight: a guide to good practice (2011) was used in the assessment.
- 10.12 The results of the assessment confirm that the proposed properties would not lead to a decrease in sunlight below the accepted BRE guidance. Nos.125 & 127 Corbyn Street would not be affected by daylight due to their positioning with significant separation (15 metres) from the application site. Although the windows on the flank wall of Gainsborough House, would have a reduction in their former value below the 27% Vertical Sky Component value, given their role as secondary windows, it would be acceptable in this instance within this dense urban setting.
- 10.13 In regard, No. 138 Thorpedale Road, amended plans had been received showing the reduction of the rear parapet wall by 750mm which further reduces the impact on light to this neighbours property. There are several flank windows on No.138 Thorpedale Road projecting onto the site. The existence of a 3metre wall along the common boundary already screens the lower ground windows from the proposed site and the additional building would not affect these windows given the 2 metre set in of the two storey return.
- 10.14 The first floor windows include a secondary window bedroom window and 2 other non-habitable windows serving a toilet and an office/storage room. Given that the bedroom is served by additional light from the primary windows facing the rear garden, this slight reduction in light to the secondary flank window would be acceptable in this instance. It would not be necessary to protect light into non-habitable rooms such as toilets/domestic offices/storage or hallways as these windows do not affect the overall amenity of the residents. As such, the reduction in daylight to these flank windows that project onto the application would not justify a refusal due to loss of amenity to this neighbouring property.
- 10.15 In regard the other amenity issues (overlooking/dominance), the flank windows will be obscure glazed and would not overlook Gainsborough House. To the rear, there would be minimum 15 metres separation from wall to wall from Corbyn Street and the proposed development. This would be a similar to the existing separation between dwelling on both and would therefore not justify a refusal on overlooking grounds in this instance.
- 10.16 It is considered that the proposal would not infringe on the neighbours outlook, daylight or sunlight. There would be no overlooking or overbearing impact. Overall, the proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 (Design) of the Development Management Policies Plan 2013.

Quality of resulting accommodation and dwelling mix

- 10.17 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2011) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.
- 10.18 Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes.
- 10.19 The proposed development consists of 2 x 2 bed units. It is noted that the physical constraints of the site do not facilitate the creation of good sized larger family units with appropriate amenity space provision. However the proposed units are well laid out and would form attractive and high quality internal living environments. While the proposed units are similar in size, it is considered that the creation of 2 very comfortable and well laid out 2 bed units maximises the potential of the site and creates very attractive units which there is a clear market demand for. Both units will have very good access to light/daylight and will create spacious internal spaces.
- 10.20 Each of the units would include approximately 30 square metres between the front and rear gardens. This would comply with policy DM3.5 of the Development Management Policies Plan 2013. Given the generous sizes of the units, including dual aspect design and overall layout, the proposal would provide a satisfactory living environment for future occupiers of the units and therefore comply with policy DM3.4 (Housing Standards) of the Development Management Policies Plan 2013.

Sustainability, Energy Efficiency and Renewable Energy

- 10.21 The commitment to achieved Level 4 of the Code for Sustainable Homes (CfSH) for the new residential properties would accord with the requirements of policy 5.1 of the London Plan 2011 and policies DM7.2B and DM7.4B of the Development Management Policies June 2013). The applicant has confirmed within their Sustainability Design and Construction Statement that this will be the case and a condition would be placed on any approval of permission requiring compliance. Further conditions regarding climate change mitigation measures will be secured by condition. The applicants have signed and completed a Directors Agreement to pay £ 3,000 to offset some of the CO2 emissions from the proposed development here.

Highways and Transportation

- 10.22 The development would be car free, as required by Core Strategy Policy CS10 and as per proposed condition 9 to the recommendation B, which

restricts future of occupiers of residential units from obtaining a residents permit. This will ensure adequate provision of spaces for existing users.

10.23 The development would also involve demolishing of existing garages which were originally associated with the Marlborough House flat complex. These garages do not meet the vehicular parking standards (2.4 metres wide by 4.8 metres deep) and given that the Council's transport policies which are directed towards more sustainable modes of travel (cycle, walking, public transport), the loss of the garages are considered acceptable. Furthermore, the demolition and the erection of two social housing residential units would fully outweigh the loss of these garage spaces and add to the Council's social housing stock.

10.24 As per policy DM8.4 of the Development Management Policies, the proposal would require to provide cycle parking in accordance with the minimum standards set out in Appendix 6. For residential units, it would require 1 cycle space per bedroom. The proposal would therefore need to provide 2 cycle space for each dwelling within a secure location. A condition can be attached requesting these details prior to the commencement of the development.

Accessibility

10.25 The residential units embrace flexible home standards and have spaces to accommodate and demonstrate a lift can be accommodated into the layout in future if required. Generally the development is considered to create an acceptably inclusive development bearing in mind the scale of the site. The final accessibility credential of the site will be secured via condition to ensure the development merits as many as possible of the council flexible home standards prior to the implementation of the scheme.

Landscaping

10.26 The application would involve the loss of a tree within front garden. The Tree Officer has been consulted and advised a landscaping scheme be submitted showing replacement planting. Given that the site is presently predominately hard landscaped, the inclusion of garden area and landscaping would improve the green environment. As such, the proposed development is acceptable with regard to landscaping and trees and is in accordance with policy 7.21 (Trees and Woodlands) of the London Plan 2011 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

Refuse facilities

10.27 Both dwellings would have sufficient space to the front for secure bin storage and therefore which would be in suitable position for kerbside collection.

Housing and Financial Viability

- 10.28 The proposal is a minor application for two residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy).
- 10.29 The proposal is subject to a Directors' Agreement to ensure that the housing remains in social ownership and is not disposed of on the private market. The development is also subject of contribution of £3,000 towards the environmental off-set contribution which has also been secured by Directors agreement.

Other issues

- 10.30 The objection raised concerns regarding the rear boundary wall which serves as a party wall separating the site from the properties to the rear along Corbyn Street. The objector has raised concerns regarding the long term future of this wall which has matured overtime with landscaping serving the amenity of this neighbouring property.
- 10.31 The applicant has confirmed that although it is the intention to demolish the garages, the party wall would not be disturbed. It is also proposed to temporarily prop the wall during the construction phases and include some retaining structure brick piers along the application side of the site to further secure the site.
- 10.32 It has also been indicated that the development along the rear would be subject to Party Wall Agreement between the Council and adjoining landowners in accordance with the Party Wall Act. These considerations would be outside the realms of the planning assessment and any structural damage during the construction of the site would be a civil matter between the applicant and the adjoining owners. An informative can be attached informing the applicant of the need to comply with regulations outside the realms of the planning legislation.

11 SUMMARY AND CONCLUSION

Summary

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

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions and Directors level agreement for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Director level agreement between the Service Director of the Council's Housing and Adult Services department and relevant officers in the local planning authority in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or in their absence the Deputy Head of Service:

1. Securing the Provision of two two-bedroom residential units for social housing
2. Contribution of £3,000 towards carbon off-setting

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<p>3 YEAR CONSENT PERIOD: 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: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>TR001, TR002 Rev A, TR003 Rev A, TR004 Rev A, TR005 Rev B, TR006 Rev B, TR007, TR008, TR009, 134-136 Thorpedale Road Daylight/Sunlight Report August 2014, 134-136 Planning Application Statement July 2014</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and Samples
	<p>CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. These shall include:</p> <ol style="list-style-type: none"> a) Samples of all facing brickwork types, including mortar and pointing. b) Window and door treatment (including sections and reveals); c) details (including sections and reveals) and sample of window frames showing colour and texture d) details and sample of roofing materials

	<p>f) any other materials to be used</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Boundary Treatment
	<p>CONDITION: Detailed drawings at scale 1:10 or similar in respect of the following, shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site:</p> <p>Front and side boundary walls</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	Code for Sustainable Homes (Compliance)
	<p>CONDITION: The development shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
6	Cycle Parking Provision (Compliance)
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 2 cycle spaces per dwelling. 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>
7	Accessible Homes Standards (Compliance)
	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>

<p>8</p>	<p>Waste Management</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no.TR 003 Rev A 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>
<p>9</p>	<p>Car free development</p> <p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year. <p>REASON: To ensure that the development remains car free.</p>
<p>10</p>	<p>Removal of Permitted Development Rights (Compliance)</p> <p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
<p>11</p>	<p>Noise Control Measures</p> <p>A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p style="padding-left: 40px;">Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq,8\text{ hour}}$ and 45 dB $L_{max\text{ (fast)}}$</p> <p style="padding-left: 40px;">Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16\text{ hour}}$</p> <p style="padding-left: 40px;">Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16\text{ hour}}$</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: To secure an appropriate internal residential environment for future residents.</p>

12	Construction Controls
	<p>CONDITION: During the demolition and construction on site, the developer shall comply with Islington Council's Code of Construction Practice and the GLA's Best Practice Guidance for the control of dust and emissions from construction and demolition. The developer shall ensure that:</p> <p>1 The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site.</p> <p>2 The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08.00-18.00 Monday- Fridays, 08.00- 13.00 Saturdays and at no time during Sundays or public holidays.</p> <p>3 All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.</p> <p>REASON: In order to safeguard the amenity levels of adjoining occupiers during the construction process.</p>
13	Obscure glazing
	<p>CONDITON: The landing windows to the side elevations at first floor level shall be constructed of obscure glazing and maintained permanently thereafter. The glazing shall be installed prior to first occupation.</p> <p>REASON: To protect amenity of adjacent residents.</p>
14	Trees
	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved, a landscape scheme A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority The submitted scheme is required to incorporate the planting of a tree within the first planting season of removal of the existing tree (November to March).</p> <p>The position, size, species, soil preparation, tree pit detail , staking and a three year scheme of maintenance/watering provision for the trees are to be agreed in writing by the local planning authority prior to planting taking place.</p> <p>In the event of the tree dying within 5 calendar years form the completion of works a tree of the same species and size or an approved alternative shall be planted to the satisfaction of the Local Planning Authority.</p> <p>REASON: To ensure the continued amenity and environmental benefits provided by the trees and the planting of appropriate species. In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained</p>

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Community Infrastructure Levy (CIL)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/</p>
3	Directors Agreement
	<p>Please note that this application is subject to a Service Level Agreement between directors to ensure that the residential units remain as social housing.</p>
4	Other legislation
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act").</p>
5	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, 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 2011 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

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 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.15 Coordination of housing development and investment

5 London's response to climate change

Policy 5.3 Sustainable design and construction

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

Health and open space

DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

Transport

DM8.5 Vehicle parking

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design

Small Sites Contribution

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106

Urban Design Guide

London Plan

Accessible London: Achieving and Inclusive Environment

Housing

Sustainable Design & Construction