

**PLANNING COMMITTEE REPORT**

 Development Management Service  
 Planning and Development Division  
 Community Wealth Building  
 Department

<b>PLANNING SUB-COMMITTEE</b>		<b>AGENDA ITEM NO:</b>	
<b>Date:</b>	13 <sup>th</sup> September 2022	<b>NON-EXEMPT</b>	

Application number	P2021/2385/FUL
Application type	Full Planning Application
Ward	Tollington Ward
Listed building	N/A
Conservation area	Tollington Park Conservation Area
Development Plan Context	Mayors Protected Vistas-Alexandra Palace viewing terrace to St Paul's Cathedral Article 4 Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	81 Turlewray Close, London N4 3LR
Proposal	Erection of a two-bed dwellinghouse located to the rear garden including associated demolition of existing front garage, landscaping works, new 2m boundary fencing, construction of cycle storage, refuse/recycling storage and mobility scooter storage.

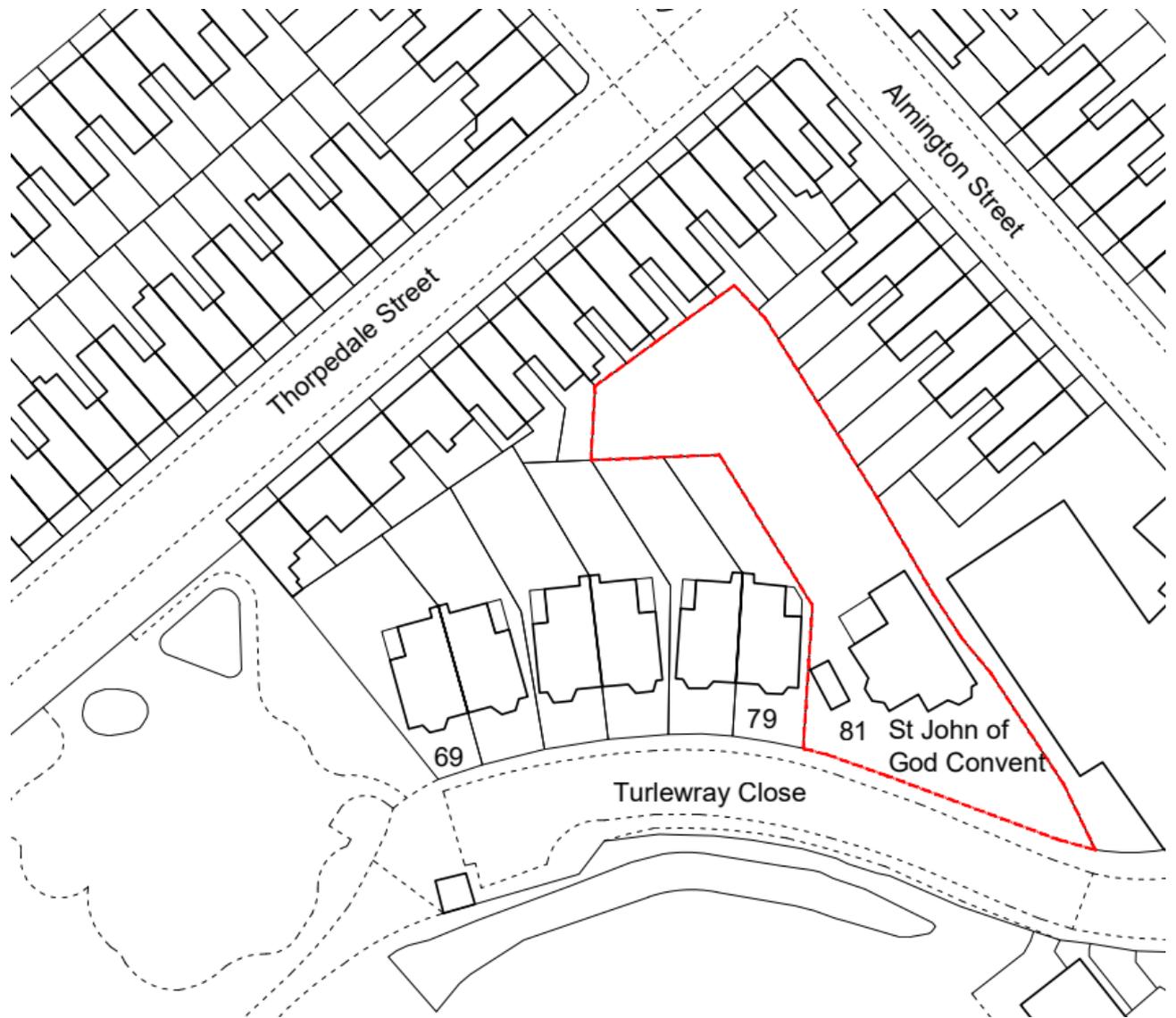
Case Officer	Luke Bates
Applicant	Mr Solma
Agent	Mr Jacob Low - Jak Studio Consultancy Ltd

**1. RECOMMENDATION**

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

1. subject to the conditions set out in Appendix 1; and
2. subject to the prior completion of a legal agreement 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 highlighted in red)**



### 3. PHOTOS OF SITE



**Image 1:** Aerial view with site outlined in red.



**Image 2:** Existing garage that would be demolished as part of the development.



**Image 3:** Front elevation of no. 81 Turlewray Close



**Image 4:** View from west of Turlewray Close



**Image 5:** Rear elevation and rear garden

#### **4. SUMMARY**

- 4.1 The proposal seeks planning permission for the erection of a two-bed dwellinghouse located to the rear garden of 81 Turlewray Close including the demolition of a front garage, landscaping works, new 2 metre high boundary fencing, construction of a cycle store and refuse/recycling store and the provision of mobility scooter storage box.
- 4.2 The proposed building, which was subject to amendments during the application process (which included but is not limited to the removing of the proposed embankments and replacing with lightwells, reducing the extent of glazing and reducing from a 3 bed to a 2 bed unit) is considered acceptable in design terms subject to conditions and would comply with National Planning Policy Framework (NPPF) 2021, Policies D3 and D4 London Plan 2021, Policies CS8 and CS9 of Islington's Core Strategy 2011, Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013, the Islington Urban Design Guide 2017 and the Conservation Area Design Guidelines 2002.
- 4.3 The proposed dwellinghouse would provide a high quality of accommodation complying with policy CS12 of Islington Council's Core Strategy 2011, Policy DM3.4 Islington's Development

Management and Policy D6 of the London Plan 2021 as well as Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021.

- 4.4 The proposal is also not considered to adversely impact on the residential amenity of adjacent residential properties in line with policy DM2.1 of the Development Management Policies 2013
- 4.5 The Council's Small Sites Affordable Housing contribution will be secured by a legal agreement in line with policy CS12 Part G and the Council's Affordable Housing Small Sites SPD (2012).
- 4.6 The application is referred to the Planning Sub Committee because of the high number of relevant planning objections. Overall, the application is considered to be in accordance with the relevant policies within the Development Plan, and is therefore recommended for approval subject to appropriate conditions.

## **5. SITE AND SURROUNDING**

- 5.1 The site is located on Turleway Close in a largely residential area and falls within the Tollington Park Conservation Area. The architectural stock is composed of charming and well detailed Victorian semi-detached houses within a crescent of which number 81 forms a visual stop as a detached house. The crescent is only half formed and clearly the remnants of WW2 bomb damage. Therefore, it is neighboured by numerous eclectic additions from later time periods, most notably the modern aesthetic of the London Boys Ballet School to the east and the Wray Crescent Open Space to its West and South, whereas to the North it is bordered by multiple back gardens of two storey Victorian terraces.
- 5.2 The site is well placed in terms of facilities, amenities and transport. It is in close proximity to Finsbury Park and Crouch Hill with its variety of cafes, shops and restaurants as well as immediate amenities of Turleway Close Open Space and Finsbury Park. In terms of transport, it is located in close proximity to a wide number of bus routes and the closest stations are Crouch Hill (Overground) and Finsbury Park (Underground).
- 5.3 The site itself has an almost 'L' shaped layout measuring on the longest sides 35 meters (north) and 87 meters (east). The rear garden area is approximatively 1515 square meters / 0.15 hectares. The enclosed rear garden is surrounded by the rear gardens of 17 properties facing on Turleway Close (south), Almington Road (east) and Thorpedale Road (north). Surrounding buildings are situated between 3 to 18 meters, away from the garden boundaries. The rear garden is not visible from any of the surrounding streets.

## **6. PROPOSAL (IN DETAIL)**

- 6.1 The proposal involves the subdivision of the rear garden at no. 81 Turleway Close. It is proposed to erect a single-storey over a basement level two-bed (4 persons) single private dwellinghouse sited in the newly created plot and will have a private garden all around covering an area of approx. 356m<sup>2</sup>. The resulting structure would be set in from all boundaries. In terms of massing the building would have a height of 3.2m at ground floor level and 2.85m at basement level.
- 6.2 In terms of materials, the ground floor north and south elevations would be finished with dark zinc cladding; the east and west elevations feature a light grey coloured brick that includes two glazed openings framed by anthracite colour aluminium flashings. At the lower ground floor level, the same grey coloured brickwork frames the lightwells and includes some glazed fenestration and openable glazed panels designed to create a brick plinth that supports the lighter zinc box above. The lightwells will incorporate metal railing balustrading. The building would have a green roof.

- 6.3 The Gross Internal Area (GIA) of the dwelling is approx. 112.9m<sup>2</sup> divided across two floors. The ground floor of 55.5m<sup>2</sup> will include a large open space with living, dining and kitchen areas, as well as a WC/ Utility room. The 57.4m<sup>2</sup> lower ground level will accommodate two bedrooms and a bathroom.
- 6.4 It is proposed to demolish the existing non-historic garage at the front of the property to create a new private pedestrian access/pathway for the proposed house located in the rear garden. The proposal also includes provision of a combined refuse/recycling store and cycle store which would measure approx. 1550mm high x 1000mm wide and 6000mm long. It would be timber clad with powder coated aluminium roof and flashing. The structure would be located along the pathway to the new dwellinghouse. The cycle storage would provide 2 no. cycle parking spaces and the refuse/recycling store is designed to accommodate 1 no. 240L wheelie bin and 1 no. 240L recycling bin. It is also proposed to install an enclosed timber clad mobility scooter store which is 1430mm wide, 1634mm deep and 1152mm high. The resulting structure would be located adjacent the footpath and abutts the fence along the boundary with the rear garden to the main property at no. 81 Turleway.
- 6.5 It is also proposed to erect new 2m high boundary timber fencing to the perimeter of the subdivided plot and newly created pathway including provision of an entrance gate set in from the street. The landscaping has been designed with minimal hard surfaces.
- 6.6 Details of sustainability measures including solar panels, a swale and 2 no. attenuation basins, rainwater recycling, and provision of an Air Source Heat Pump have been secured via condition.

#### Amendments during the application

- 6.7 During the application process a number of amendments to the scheme were submitted, including:
- Reduction in bedroom numbers from 3 no. bedrooms to 2 no. bedrooms
  - Re-siting of building further away from the northern boundary by 2175mm and from the eastern boundary by 620mm
  - Omission of broad embankments and lightwells reduced in size
  - Changes to facing materials
  - Reduced in expanse of glazing to elevations
  - Reconfiguration of stairs to arrive directly to the hallway
  - Provision of slab with a soft spot for the installation of a lift
  - Provision of an enclosed mobility scooter store
  - Provision of refuse storage

## 7. RELEVANT HISTORY:

### Planning applications

- 7.2 **September 2005:** Planning Permission (Ref. **P051904**) for Change of use of convent to house in multiple occupation with 14 bedrooms – **Granted**.

### Pre-application

- 7.3 **June 2021:** Pre-application Enquiry (**Ref. Q2021/0779/MIN**) for the partial demolition of the existing rear extension; conversion of the house from an HMO back to a single-family dwelling; refurbishment of the front façade; reduction of the rear garden; construction of a new 2 storey 3-bedroom dwellinghouse to the rear garden area; creation of a private road for the new house.

- 7.4 Officers raised no objection to the proposed works to the main dwellinghouse at no. 81 Turleway Close. It was stated that a single family dwellinghouse could be supported and the alterations to the front façade were acceptable to the conservation area setting.
- 7.5 In principle, from a land use perspective, Officers had no objection to the provision of a single storey (with basement) dwellinghouse rear subdivided land. However, it was advised that consideration should be given towards the proposed building's height and footprint in the context of the Tollington Park Conservation Area in order to minimise its visual presence. It was further advised that subdivision of the site would need to be re-worked to achieve a more appropriate balance of amenity space between no. 81 Turleway Close and the proposed dwellinghouse. It was acknowledged that this may necessitate the proposed new dwellinghouse being repositioned within the curtilage.
- 7.6 Officers found that the proposed dwellinghouse could be acceptable in terms of neighbouring amenity, subject to reductions in scale and the submission of a daylight/sunlight report to assess the impact upon neighbours. Furthermore, in the likelihood of the dwellinghouse needing to be re-positioned, careful attention was required to be paid towards ensuring overlooking between neighbouring buildings remains minimal.
- 7.7 Concerns were also raised regarding the provision of onsite car parking which was not policy compliant. Officers suggested that the private accessway could remain in its proposed location but should be reduced in width, with the primary emphasis being on pedestrian and cycle access only.



**Image 6.** Proposed CGI of pre-application scheme.

#### Enforcement

- 7.8 April 2016: Enforcement Case (**Ref. E/2015/057**) relating to 5 self-contained units. Closed.
- 7.9 April 2010: Enforcement Case (**Refs. E10/04665 & E10/04666**) relating to an Unauthorised Satellite Dish. Closed.

## CONSULTATION

### Public Consultation

7.10 Letters were sent to 67 occupants of adjoining and nearby properties at Turlewray Close, Turle Road, Thorpedale Road, Almington Street and Tollington Park on 11 October 2021. A site and press notice were also displayed. Following the receipt of amended drawings notification letters were re-issued for a 21-day consultation period on 17 March 2022. The re-consultation expired on 7 April 2022. However, it is the Council's practice to continue to consider representations made up until the date of a decision. At the time this report was published 8 letters of objection had been received representing 5 local addresses. One letter of support was also received. The objections can be summarised as follows:

#### Objection comments:

- Concerns regarding the excavation of the site and the impact on the structural integrity of surrounding buildings (**Paragraphs 9.36 – 9.43**)
- Overlooking and loss of privacy and how the 2m high fence will address level differences (**Paragraphs 9.61 – 9.71**)
- Loss of light (**Paragraphs 9.72 – 9.80**)
- Design and the positioning of the dwelling (**Paragraphs 9.17 – 9.24**)
- Development will have a harmful impact on tree roots, opposed to any tree felling of trees and clearing of mature shrubs, and mature trees are not accurately shown in the drawings (**Paragraphs 9.110 – 9.113**).
- Loss of greenspace (**Paragraph 9.109**)
- Unclear how a 2m high boundary fence is possible with trees alongside (**Paragraph 9.131**).
- Unclear of positioning of solar panels and visual impact (**Paragraph 9.28**)
- Security concerns have been raised regarding the front entrance with a suggestion made to move entrance access gate to align with the neighbours side and thereby remove dark unsecure space (**Paragraph 9.132**)
- Unclear of amendments and new positioning of dwellinghouse (**Paragraph 9.133**)

#### Support comment

- Will benefit the area, has a stunning architectural design and will visually enhance and improve overgrown gardens

7.11 **The Swift Group** commented that they support the proactive specification of a green roof and request that this is a biodiverse type in accordance with the Islington Biodiversity Action Plan.

### Internal Consultees

7.12 **Design and Conservation:** There was an objection to the design of the original scheme as the extent of glazing and timber cladding were considered to be unacceptable. The building was considered to inappropriately read as an imposing two-structure in the rear garden due to the extent of the broad embankments and the materiality. Concerns were also raised in relation to light spillage, and it was stated that the 3-bedroom unit is too ambitious. It was recommended that the building would be better located close to the host building.

7.13 The revised scheme has been considered and no objections to the principle of the development were raised, as well as the layout and massing of the proposed building. The proposed lightwells were also considered acceptable. However, concerns were raised regarding the main material used (Zinc) which is more contemporary in style. A preference for a more traditional material finish was stated and the use of the contemporary material would need to be justified within the

site context. No concerns were raised regarding the proposed light grey brickwork. A query was also raised regarding the lack of detail submitted on the treatment to the proposed new entrance to the building.

- 7.14 The Design Officer noted concerns regarding the demolition of the garage and replacement walls and gates at the frontage. These works should be carefully considered in order that they do not erode the spaciousness of the gaps between villas which are contributor to the character of the conservation area.
- 7.15 **Sustainability** commented that the proposed carbon reductions are welcomed, however the Energy Statement appears to propose to heat the dwelling with a gas boiler. It was recommended that an air source heat pump is installed as this will ensure carbon emissions are minimised and ensure compliance with the government's future plan to phase out the use of gas boilers.
- 7.16 U-values specified in submission, proposed green roof and the use of sustainable drainage systems and BRE Green Guide rating for different building elements were welcomed. Conditions were recommended in relation to securing appropriate sustainability measures and for details to be submitted to the council.
- 7.17 **Inclusive Design** commented that the stairs seem to lead down into a shared bathroom which was considered to be problematic in terms of privacy. Clarification was also sought in relation to the location of the mobility scooter storage, type of cycle and refuse/recycling stores proposed.
- 7.18 The width of the pathway from cycle and refuse/recycling stores to home entrance was requested. It was stated that 900mm is the minimum required to avoid a pinch point. The gradient of ramp on this pathway was also requested. It was stated that it would be crucial to get lighting right for this approach route.
- 7.19 It was highlighted that tapered stair treads are generally resisted. However, it is accepted that they may be unavoidable with this configuration. Applicant required to confirm if a 1200mm clear space is provided in front of the cooker and sink in the kitchen.

Following receipt of amended drawings, the Inclusive Design Officer was satisfied with modifications. However, it was noted that the mobility scooter storage had been removed. This was requested again. The escape stair and lift were welcomed.

- 7.20 **Acoustic Officer** stated that the EPPP Team raised no objections to the proposal. It was commented that there are no recorded previously polluting uses for the site, however the responsibility to properly address contaminated land issues, including safe development and secure occupancy, and irrespective of any involvement by this Authority, lies with the owner/developer of the site. An informative has been attached to this effect.
- 7.21 **Tree Preservation Officer:** No objection to the development. The trees that are proposed to be removed are of a low amenity value and should not be considered a constraint on development. The proposed Tree Protection Plan and overall landscaping plan is also acceptable as it sufficiently demonstrates that all retained trees will be protected from harm. There are no trees within neighbouring gardens that would be impacted by the development.
- 7.22 **Building Control Officer** stated that the originally submitted Fire Statement had insufficient detail and was not set out in accordance with the template of Policy D12(A) of the London Plan (2021). A revised Fire Statement was provided to address the initial concerns. The Building Control Officer reviewed the revised Fire Statement and required that further clarification was needed on the following points: If a fire appliance is to park on a particular privately owned location (it is suggested this would be the front garden of no. 81 Turleway Close) then this

should be available at all times, accessible to the appliance (i.e., to allow for sufficient manoeuvrability and provide sufficient capacity to support a fire appliance vehicle). The length of fire hose from the appliance to the furthest point of the building internally is 45m – this is not shown or mentioned in the statement. In addition, a full and definitive escape strategy should be provided and not offered as a possible strategy.

7.23 The Building Control Officer also provided an additional note that where the building is to be occupied by persons with a disability direct escape windows with a cill height of max 1100mm above floor level will not be appropriate.

## **8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES**

8.1 Islington Council (Planning Sub Committee), 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).

8.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.

8.3 The National Planning Policy Framework 2021 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.

8.4 Since March 2014 Planning Practice Guidance for England has been published online.

8.5 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.

8.6 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.

8.7 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.

- 8.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of 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.
- 8.9 The Development Plan is comprised of the London Plan 2021, 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.
- 8.10 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

### **Emerging Policies**

#### Draft Islington Local Plan 2019

- 8.11 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 now in progress. As part of the examination consultation on pre-hearing modifications took place between is taking place from 19 March to and 9 May 2021. The Examination Hearings took place between 13 September and 1 October. The Council has been consulting on main modifications to the plan from 24 June 2022 to 7 August 2022.
- 8.12 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 of 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).
- 8.13 Emerging policies relevant to this application are set out below:

Policy G4 Biodiversity, landscape design and trees  
Policy G5 Green roofs and vertical greening  
Policy H4 Delivering High Quality Housing  
Policy H5 Private Outdoor Space  
Policy S1 Delivering Sustainable Design  
Policy S2 Sustainable Design and Construction  
Policy T3 Car Free Development Parking

Policy T2 Sustainable Transport Choices  
Policy T5 Delivery, Servicing and Construction  
Policy DH1 Fostering innovation and conserving and enhancing the historic environment  
Policy DH2 Heritage Assets  
Policy DH4 Basement Development  
Policy ST2 Waste

## 9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation
- Basement Development
- Quality of Accommodation
- Inclusive Design
- Neighbouring Amenity
- Refuse and Recycling
- Highways and Transportation
- Sustainability
- Landscaping, Biodiversity and Trees
- Fire Safety
- Small Sites Contributions and Carbon Off-Setting Contributions
- Community Infrastructure Levy and S106 Planning Obligations

### LAND USE

- 9.2 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy H1 (and table 4.1) seeks to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity.
- 9.3 Policy DM6.3(E) of Islington's DMP (2013) precludes development on private open space where there would be a '*significant loss of open space/open aspect*' and where there would be a '*significant impact on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and/or flood alleviation.*'
- 9.4 Islington's Urban Design Guide (2017) sets out the design principles for backland development and outlines that not all backland sites are appropriate for development due to the importance of open space for providing visual relief as well their contribution to the environment. In conservation areas, backlands sites can also be a positive contributor to the significance of their character. Where, backland residential development is acceptable in principle, new buildings should be subservient to the surrounding development, contextual in their design, and meet all other planning standards.
- 9.5 Paragraph 25.3 of the Tollington Park Conservation Area Design Guidelines (2002) outlines how the Council will not grant permission for developments which '*change, expand or intensify uses which would harm the character of the conservation area.*' The CADG also outlines how the Council will '*not normally grant change of use from residential to any other use.*'

- 9.6 The proposed development is for the erection of a dwellinghouse on existing garden land that is part of the curtilage of 81 Turlewray Close (a former convent that is in residential use). The garden of no. 81 would be subdivided to facilitate the proposed development. This garden land is in residential use and it is not identified as brownfield land within the Council's Brownfield Land Register. As such, there would be no material change in the use of the site from the proposed development — the land would remain in residential use in an area which is predominately residential in character.
- 9.7 The existing rear garden at no. 81 is very generous in size with an area of approx. 760m<sup>2</sup> which is significant. The dwellinghouse would occupy a built footprint of approx. 97m Gross External Area (including the lightwells) and would be provided with an approx. 356m<sup>2</sup> private garden as part of the subdivision of the land. The erection of a new dwelling would lead to a more intensive use of the site and there would be a reduction in the extent of open space. However, the scale of the development is considered by Officers to be proportionate to the site and sizable private open spaces that can support soft landscaping and provide a high quality of amenity would be retained both for no. 81 Turlewray Close (an approx. 230m<sup>2</sup> rear garden) and future occupiers of the proposed development (the proposed dwelling would have access to an approx. 356m<sup>2</sup> garden). As such, the reduction in private open space would not be 'significant' which is the key test under Policy DM6.3 regarding the development on private open space. Due to the sizable extent of open space retained the development would not conflict with the objectives of Policy DM6.3(E).
- 9.8 Overall, as the reduction in private open space would not be 'significant' and as the land would remain in residential use, the proposed development would achieve an acceptable degree of compliance of Policy DM6.3(E) as well as the guidance of the UDG and the CADG from a land use perspective. The footprint of the building would be modest and proportionate to the overall size of the garden continuing to appear subservient amongst the larger two/three storey developments that surround the site. The buildings modest height and overall scale ensures the green landscape would continue to play a dominant role in the prevailing character of this backland development.
- 9.9 It would also be consistent with policy CS12 in providing new high quality new housing within the borough. The proceeding sections of this report provide an assessment of the other material planning considerations relevant to this development and a more detailed analysis of the design of the scheme against the guidance of the UDG and the CADG on new build residential development is provided in the Design and Conservation section.

## **DESIGN AND CONSERVATION**

### ***Policy Context***

- 9.10 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 create better places in which to live and work and helps make development acceptable to communities. Paragraph 134 of the NPPF (2021) states that in determining applications, significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or 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.
- 9.11 Core Strategy Policy CS8 states that the scale of development will need to reflect the character of the area.

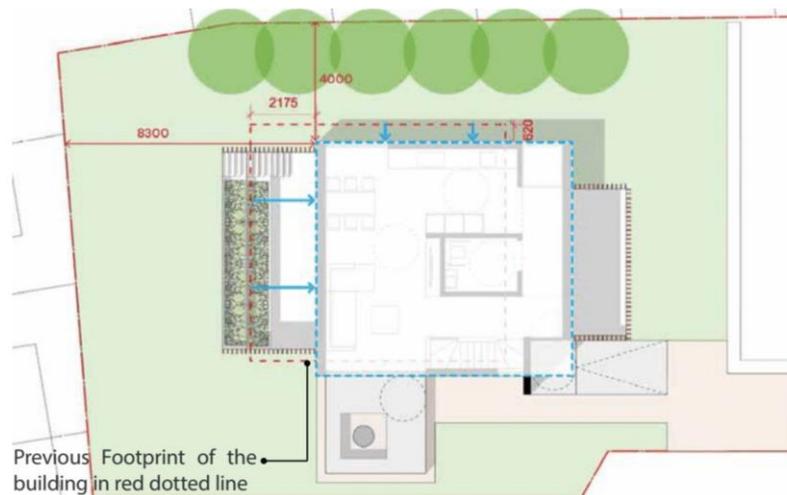
- 9.12 Core Strategy Policy CS9 states that the Islington's heritage assets and historic environment will be conserved and enhanced whether they are designated or not. All development will need to be based on coherent street frontages and new buildings need to fit into the existing context of facades.
- 9.13 Development Management Policies DM2.1 requires all forms of development to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics.
- 9.14 Development Management Policies DM2.3 states that non-designated heritage assets, including locally listed buildings and shopfronts, should be identified early in the design process for any development proposal which may impact on their significance. The council will encourage the retention, repair and reuse of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted.

### ***Site and context***

- 9.15 The site is located within the Tollington Park Conservation Area (TPCA). It does not include or adjoin any statutory or locally listed buildings. Neighbouring properties 69-79 Turleway Close are within the conservation area. Neighbouring properties also include the western section of the terrace along Almington Street and nos. 65-97 on Thorpedale Road. Both these terraces back onto the site.
- 9.16 Originally the site formed part of a large garden serving No. 81, which was reduced in scale over the course of the twentieth century by sale to neighbouring sites. The house at 81 Turleway Close (originally 81 Wray Crescent) is a late nineteenth century detached villa. Although the design of 81 differs from that of the semi-detached villas at 69-79, it nonetheless makes a positive contribution to the conservation area. In this part of the borough No. 81 also has comparative rarity as a large, detached villa standing in its own grounds, even though the extent of those grounds has been reduced since the original period of construction.

### ***Proposed Development***

- 9.17 A single storey over basement level dwelling is proposed to be located within the subdivided rear garden. In response to the pre-application advice provided by Officers, the current scheme presents a reduced GEA from 70m<sup>2</sup> to 63.6m<sup>2</sup> at ground floor level and reduced height from 3.5m to 3.20m. However, in the original scheme proposed as part of this application, Officers considered that the large expanse of glazing, broad embankments and sizeable ground floor cantilevers made the resulting structure appear overly prominent, insensitive, and less contextual for a backland development and imposing when viewed from neighbouring properties. The timber cladding was also considered to be inappropriate and a more balanced glass to solid wall ratio was required. The larger expanse of glazing would have resulted in excessive light spillage to the backland location and draw attention to the two levels of the resulting structure.



**Image 7:** Previous and current position of proposed new dwelling

### ***Footprint and building form***

- 9.18 Amended drawings were received showing the broad embankments omitted and the lightwells were reduced in scale and give a more vertical emphasis to ensure that the building had a more single storey appearance. The ground floor level footprint was amended to be no wider than the basement level footprint thus omitting the cantilever at ground floor level.
- 9.19 With regard to the location of the building on the site, it is acknowledged that the pre-application advice in 2021 recommended consideration of repositioning the new dwelling house, most likely closer towards the boundary with the adjoining properties on Thorpedale Road. However, following further assessment of the proposed scheme, on-going discussions and concerns raised by neighbours it was considered that it would be more appropriate to reposition the building away from the boundary with the adjoining properties on Thorpedale Road. Further amended drawings were received detailing a repositioned dwelling 2.17m from north to south; the northern flank elevation is now 8.3m away from the northern boundary with the terrace along Thorpedale Road. The footprint of the house has also been moved by 0.62m from east to west; the eastern flank elevation is now 4m away from the eastern boundary adjoining the terrace along Almington Street. This is considered to be an acceptable position considering the limited building height at 3.2m and that there would be a 2m high fence along the boundaries.
- 9.20 The Tollington Park CADG (2002) outlines how the TPCA has a predominately spacious character and much of this derived from the existing gaps between the semi-detached pairs and detached villas which atypical of the built form in the TPCA. The subject site has an exceptionally large rear garden and the proposed development would introduce a built form into this garden which is currently open space.
- 9.21 Paragraph 5.41 to paragraph 5.47 of Islington's Urban Design Guide (2017) provides guidance on backland development and states that where acceptable in principle, backland developments should be subordinate to the buildings that front the street, they should be perceived as a traditional mews or a contemporary interpretation of a mews and employ contextually appropriate designs.
- 9.22 The proposed development would be two-storeys but as it would be approx. 3.2m high above ground level it would be read as a single-storey building. This reasonably low-rise nature of the development coupled with its overall massing would result in the development being a clearly diminutive addition in the context of the surrounding two-storey built form (which includes the

buildings fronting the street). It would be suitably set in from all neighbouring boundaries and retain approx. 356m<sup>2</sup> of private garden space (230m<sup>2</sup> of rear garden space would be retained by 81 Turleway Close as part of the subdivision of the site).

- 9.23 The built footprint of the development would also be located approx. 22.8m behind the rear elevation of 81 Turleway Close. The relatively low-rise nature of the development, its sizable distance set back from 81 Turleway Close and the large extent of retained garden space (which would allow for ample soft planting) would ensure that the development would not be overly perceptible from the street scene on Turleway Close.
- 9.24 The overall design, height, massing and siting of the proposed development would prevent it from being a visually dominant feature. Whilst there would be a reduction in open space, Officers do not consider the reduction to be significant and a reasonable extent of open space would be retained. Given this context, the development is not considered to detract from the open and spacious character of the conservation area. It would appear both proportionate and subservient within the garden with visibility of the development predominately from private viewpoints given its backland location. The overall scale, size, positioning and design would not cause harm to the wider conservation area. The demolition of the standalone garage adjacent to no. 81 Turleway Close would also improve the sense of space and legibility of the gap between no's 79 and 81 Turleway Close. Presently, this garage sits awkwardly to the front of the attractive projecting gable and partially screening some of lower floor features of the main building fronting Turleway Road. The removal of the garage would thereby open up this elevation to the wider street scene which would contribute to enhancing the character. Whilst the Design Officers comments in regard to the lack of detail regarding the boundary treatment are noted, Planning Officers still consider that the removal of the garage is welcomed and a benefit to the wider street scene. A condition has been recommended requiring details of the boundary treatment to be submitted for approval to ensure it would have an acceptable visual impact. This condition would also be used to ensure that the height of the boundary treatment would be appropriate to ensure it would be subtle and non-obtrusive feature.

### ***Materials***

- 9.25 The proposed material treatment consists of vertical zinc cladding to the ground floor north and south elevations (there would be no ground floor window openings within either of these elevations). The ground floor east and west elevations would be finished in light grey brickwork which would incorporate double glazing with anthracite coloured aluminium flashings. The lightwells would be framed by the same light grey brickwork and glazing. The roof would be composed of a flat green roof.
- 9.26 A greater extent of glazing was originally proposed but this was reduced following overlooking and light spillage concerns raised by Officers. The revised proposal incorporates vertical zinc cladding which is a robust material and provides much more appropriate glass to solid wall ratio.
- 9.27 Officers acknowledge that the Design & Conservation Team have a preference for a more traditional material treatment and queried the appropriateness of the zinc cladding. However, Officers consider that the contemporary style of the material palette is acceptable due to the low-rise nature of the development, its positioning within a backland site ensuring a very limited visibility from the street scene and its overall high-quality finish. It would provide a robust and high-quality finish and both the cladding, and the green roof would be compatible with the garden setting and wider character of the conservation area. Nonetheless, should permission be forthcoming and in the interests of securing a high-quality external finish a condition is recommended requiring full details of all materials to be submitted to the Council for consideration (condition no. 3).

9.28 Solar PV panels are also proposed within the roof the development as part of the energy efficiency measures at the site. However, these items are now shown in the proposed plans. To ensure that the PV panels would not negatively impact the appearance of the conservation area a condition is recommended requiring details of the PV panels (their design, height and positioning) to be submitted so Officers can make an assessment of this.



**Image 8:** Indicative 3D aerial view of the proposed development and surrounding context. The proposed new dwelling is in the background with 81 Turleway Close in the foreground. Note the low-rise nature of the development in the context of the surrounding development and the extent of open space that would be retained.



**Image 9:** Indicative image of proposed south elevation and material finishes.



**Image 10:** Indicative image of proposed green roof and material finishes.

### ***Demolition, Entrance and Landscaping***

- 9.29 The existing standalone garage within the front garden of no. 81 Turleway Close would be demolished as part of the development to facilitate the creation of a private pathway between the street and the proposed dwelling. The garage is not an historic structure, and its removal would enhance the sense of space and legibility of the gap between no's 79 and 81 Turleway Close. As such, there is no objection to its demolition as it would be an improvement to the streetscape.

- 9.30 The proposed combined refuse/recycling store and cycle store would be timber clad with an aluminium roof. It would measure approx. 1.35m high x 0.8m deep x 6m long and sit within the entrance pathway against the proposed timber boundary fence shared with no. 81 Turlewray Close. The overall scale of this structure is not excessive and given its positioning and height it would not be perceptible from the street scene and it would not obstruct the elevations of the proposed dwelling. The material finish is also appropriate for the garden setting.
- 9.31 A storage box for mobility scooter is also proposed within the garden. It would feature timber side and rear panels and an aluminium roof. It would be modest in scale and coupled with its positioning it would not be considered to detract from the character of the proposed dwelling or immediate context.
- 9.32 The proposed timber fencing around the site (approx. 2m high) is considered to be acceptable and is an appropriate boundary treatment. It is a feature that can be expected within garden settings and it would not be consider to look out of place.
- 9.33 Detailed elevation drawings of the proposed boundary treatment and gate along the entrance pathway to the site have not been provided. To ensure that this would be acceptable from a design perspective and provide a sufficient degree of security at the site, a condition is recommended requiring details of the gate and boundary to be submitted to the Council to be assessed. The condition would be used to ensure that the boundary treatment would be lower in height in front of the building lines of no's 79 and 89 Turlewray Close and rise as it extends back to the rear and abuts the boundary of no. 79. This condition would allow the Council to assess both the positioning and suitability of these items.
- 9.34 There is an existing continuous wall that would run alongside the proposed pathway into the development. This could support wall mounted lights to support visibility in low light and the applicant intends to prepare a lighting scheme to ensure that the entrance pathway would be sufficiently illuminated. A condition is recommended requiring a lighting scheme to be submitted so the Council can review the acceptability of this in terms of its design and impact on neighbouring amenity. Any lighting scheme should be sensitively integrated and required to be at reasonably low level of illuminance so as to avoid adverse light spillage into neighbouring properties.
- 9.35 Overall, 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 and enhancing the character and appearance of the conservation area. The proposal is considered to be acceptable and would preserve the character and appearance of the Tollington Park Conservation Area. The application therefore accords with National Planning Policy Framework (NPPF) (2021), policies D3 and D4 of the London Plan (2021), Policies CS8 and CS9 of Islington's Core Strategy (2011), policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013 and the Tollington Park Conservation Area Design Guidelines (2002) and Islington's Urban Design Guide (2017).

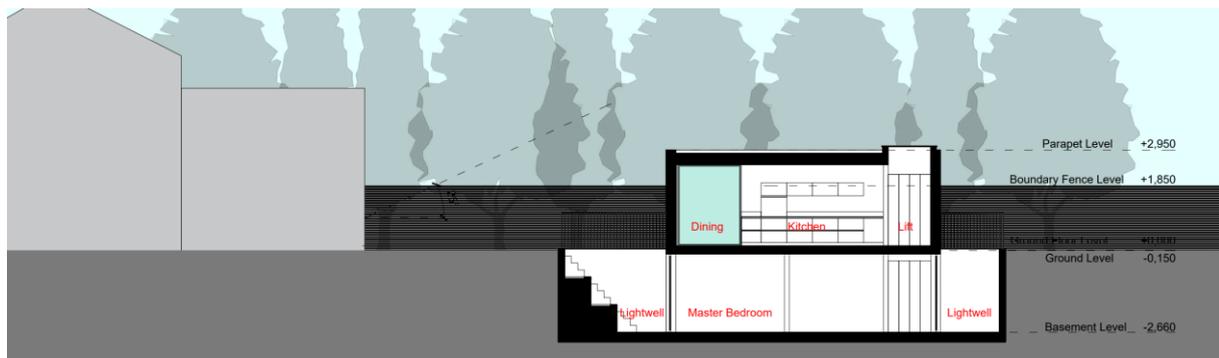
## **BASEMENT DEVELOPMENT**

- 9.36 Paragraph 5.167 of the Urban Design Guide states '*Basement development in most instances involves changes to the existing building and/or the introduction of new above ground structures, which impact on both the character and appearance of a locality. New or extended basements should therefore be designed to ensure that any associated external manifestation responds to the prevailing streetscape.*'
- 9.37 DI.14 of the Basement Development SPD states that '*basements within gardens of properties within a Conservation Area should not alter the prevailing garden level and should minimise any*

cut and fill within these areas.’ This is supported by Paragraph 8.4 of the Basement SPD states that basements within CAs should be designed to

- Protect and enhance gardens, open area and open aspect
- Maintain and repair prevailing garden level of an area and avoid undue cut and infill outside of the building footprint
- Protect trees and other established planting.

9.38 Policy DI.15 of the Basement Development SPD states ‘a basement design should demonstrate how regard has been given to the applicable Conservation Area Guidelines including how actions suggested in the guidelines have been incorporated insofar as possible.’



**Image 11:** North to South Section of proposed dwelling.



**Image 12:** East to West Section of proposed dwelling.

9.39 The new dwelling house would incorporate a single storey basement floor level with a floor to ceiling height of 2.6m.

9.40 The existing rear garden is approx. 760m<sup>2</sup> in area and the subdivided plot is 461.92m<sup>2</sup>. The proposed basement floor level and associated lightwells would occupy an area of approx. 97m<sup>2</sup>. The resulting basement floor level and associated lightwells would therefore occupy 12.76% of the original rear garden and 20.9% of the subdivided plot (excluding the associated pathway). This would comply with the Basement Development SPD 2016 requirement for basements/structures to occupy less than 50% of the original garden/unbuilt area.

9.41 In terms of depth, the proposed basement level would also accord with the Basement SPD which requires excavation to be no more than one storey below ground and for the height not to exceed a 3m floor to ceiling height.

- 9.42 Overall, the principle of a basement level and associated lightwells is considered acceptable in this location. The current submission includes a Structural Method Statement (SMS) signed and endorsed by a Chartered Civil Engineer or Chartered Structural Engineer, in line with appendices A and B of the basement SPD.
- 9.43 Within the objection comments received, a concern was raised regarding the excavation of the site and the potential impact on the structural integrity of the surrounding buildings. If permission is forthcoming, a condition is recommended requiring the Chartered Structural Engineer certifying the submitted Structural Method Statement to be retained to support the approved development (or a replacement person holding equivalent qualifications shall be appointed and retained) for the duration of the development. The Engineer will be required to monitor the safety of the construction stages and to ensure that the long-term structural stability of the existing buildings and other nearby buildings are safeguarded, in line with the supporting SMS. A condition is also recommended requiring a Sustainable Design and Construction Statement to be submitted for the basement aspect of the development.

### **QUALITY OF ACCOMMODATION**

- 9.44 In terms of new residential development, it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and dual aspect layouts. London Plan (2021) policy D6 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.1 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 9.45 A new nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015.
- 9.46 Policies CS9 and CS12 of the Core Strategy, and policy DM3.4 of Islington's Development Management Policies Document state that new development should provide accommodation of an acceptable standard with satisfactory aspect, daylight and sunlight.
- 9.47 Policy DM2.1 of the DMP concerns quality of design, including the requirement for development to provide good levels of direct sunlight and daylight.
- 9.48 Tables 3.2 and 3.3 of Policy DM3.4 of the Islington's DMP stipulate the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably for the proposed dwelling house.
- 9.49 The proposed development would provide a 2 bed, 4 persons, two-storey dwellinghouse with a GIA of approx. 112.9m<sup>2</sup>. This would exceed the minimum standard outlined in Table 3 of Islington's DMP which is 83m<sup>2</sup> for a dwelling of this permutation.
- 9.50 A 3-bed unit with a GIA of approx. 114.6m<sup>2</sup> was originally proposed but this was amended to a 2-bed unit following Officer request. This was to ensure that the layout would provide the optimum degree of natural light and outlook to the basement bedrooms and to ensure that the highest standards of inclusive design and accessibility were incorporated (including sufficiently sized circulation spaces and wheelchair turning spaces and an internal lift was also introduced).
- 9.51 Table 1 below demonstrates that each of the habitable rooms would exceed the minimum standards as outlined in Table 3.3 of Islington's DMP.

	<b>Proposed Room Size (sqm)</b>	<b>London Plan Requirement (sqm)</b>	<b>Islington DM Policies Requirement (sqm)</b>
Master Bedroom	24	11.5	12
Bedroom	12	11.5	12
Kitchen/ Dining/ Living Space	34.4	-	27
Storage size	3.5	2	2.5

**Table 1:** Proposed habitable rooms and storage provision.

- 9.52 The floor to ceiling height of the proposed accommodation would be 2.6m high at both basement and ground floor levels. This would accord with the Islington's DMP which encourages floor to ceiling height of least 2.6m. The 2.6m height is appropriate and would ensure a sense of space and support passive cooling in warmer months.
- 9.53 The daylight/sunlight study submitted with the application relates to the pre-application scheme which featured large expanse of glazing and broad embankments which have been omitted from the proposal. Nevertheless, the dwellinghouse's open plan layout at ground floor level would allow for the habitable space to obtain acceptable levels of natural light, with acceptable levels of outlook and cross ventilation also arising as a result of the dual aspect, fenestration layout, adequate levels of glazing and ceiling heights. The proposed lightwells are of an adequate size and would provide sufficient degree of natural light and outlook to the basement bedrooms.
- 9.54 Policy DM3.5 of Islington's DMP outlines the minimum standards expected for the provision of private outdoor amenity space for new residential development. A minimum of 25m<sup>2</sup> of private garden space would be expected for this development (a 2 bed, 4 persons dwelling). The proposed development would have access to an approx. 356m<sup>2</sup> private garden which would provide a high-quality amenity space well above the minimum standards. The retention of the extensive garden space would be appropriate in this instance as would be in keeping with the wider character of the Tollington Park Conservation Area maintaining its largely green appearance and would ensure that the loss of the private open space for the provision of a new dwelling would not be significant.
- 9.55 Overall, the proposed development is considered to be provide a satisfactory quality of accommodation and would achieve an appropriate degree of compliance with policy CS12 of the Core Strategy (2011), policies DM3.4 and DM3.5 of Islington's DMP (2013) and policy D6 (Housing quality and standards) of the London Plan 2021 as well as Technical Housing Standards Nationally Described Space Standards (March 2015) and the NPPF (2021).

## **INCLUSIVE DESIGN**

- 9.56 Policy DM2.2 of Islington's states outlines the Council's objectives in relation to inclusive design. The Inclusive Design in Islington SPD (2014) provides further guidance. Policy DM2.2 states that all developments should demonstrate that they:
- i) provide for ease of and versatility in use;*
  - ii) deliver safe, legible and logical environments;*
  - iii) produce places and spaces that are convenient and enjoyable to use for everyone, and*
  - iv) bring together the design and management of a development from the outset and over its lifetime.*

- 9.57 In addition to the objectives of Policy DM2.2 and the Inclusive Design SPD, the proposed development would be required to satisfy Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).

Amendments were provided over the course of the application following comments from the Council's Inclusive Design Officer. The revised scheme is considered to be acceptable and would provide a high standard of inclusive design and accessibility. Appropriate step-free access into the development was provided (a ramp gradient of 5%) as well as large internal circulation and clearance spaces, ample space for wheelchair manoeuvrability, level thresholds and an internal lift between the basement and ground floors. A detailed drawing of the proposed lift has been provided and it is an appropriate size. The proposed external refuse and cycle stores and the mobility scooter storage are also appropriately positioned to ensure ease of access for future occupiers and avoids pinch points.

- 9.58 In addition to the above, tapered stair treads are proposed internally. The applicant has stated that the rationale behind the treads is to allow for sufficient space for the entrance and the room below. It also allows for the footprint of the building to remain as proposed. Given this specific configuration and internal layout, the tapered stair treads are acceptable in this instance.
- 9.59 Officers are supportive of the proposed schemes endeavour to embed high standard of inclusivity into the design along with general lifetime home standards. The proposed development would meet the standards for Flexible Homes as set out in the Inclusive Design SPD (2014) and the overall objectives of Policy DM2.2.

## **NEIGHBOURING AMENITY**

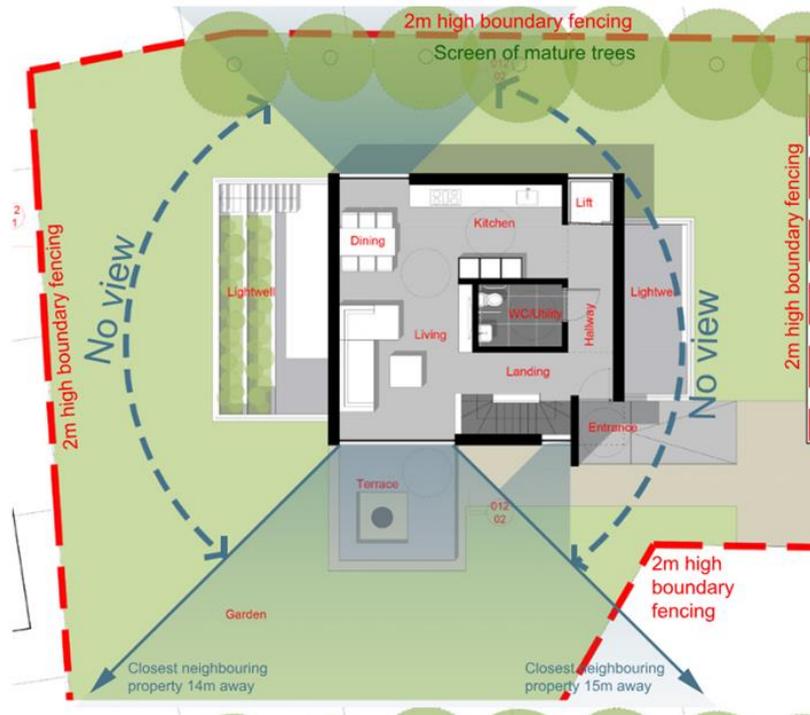
- 9.60 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy D6 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy D6 requires for buildings to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

### ***Overlooking, Privacy and Outlook***

- 9.61 Paragraph 2.14 of Islington's DMP (the supporting text of Policy DM2.1) states that '*there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.*'
- 9.62 Within the objection comments received, concerns have been raised regarding the potential for undue overlooking of surrounding properties and gardens from the development. The proposed development would have a maximum height of 3.2m above ground level and 2m high boundary fencing is proposed around the site curtilage.
- 9.63 Amendments were received over the course of the application to reduce the extent of glazing along the eastern elevation to reduce the potential for unacceptable levels of overlooking towards neighbours on Alington Street. Due to the orientation of the site, there would be a window-to-window distance ranging between approx. 14m and 15.3m between the proposed development and the ground floor rear windows within the outriggers of no's 20, 22 and 24 Alington Street. The main window within the proposed development with views towards

Almington Street would be the dining room window as the other window in this elevation would serve the lift shaft (which is not classified as a habitable room).

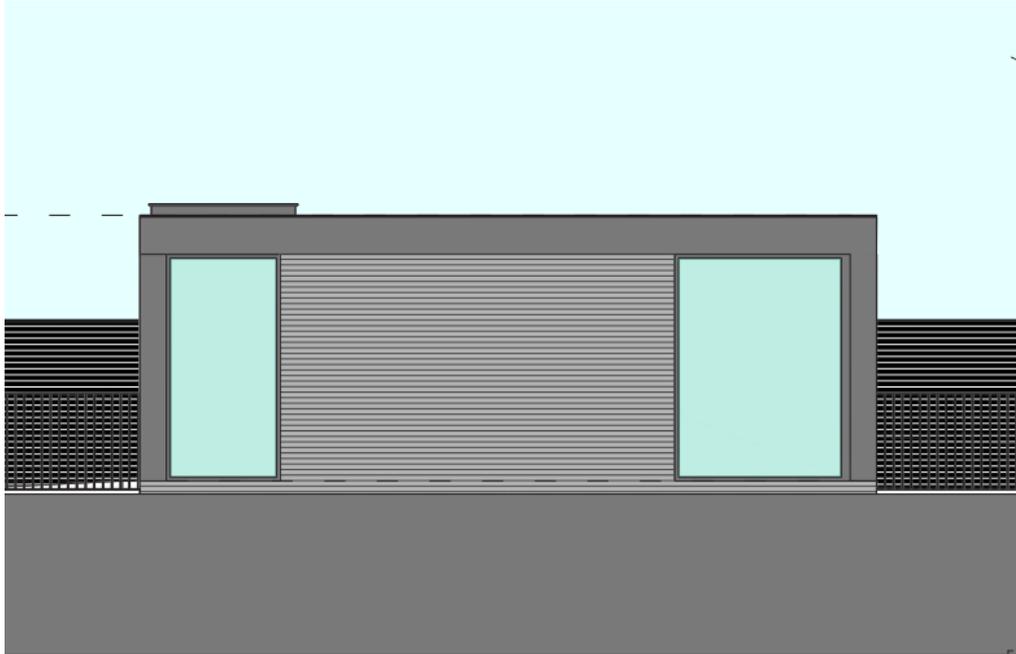
- 9.64 Officers recognise that the window-to-window distance to no's 20, 22 and 24 Almington Street would be below the 18m minimum distance recommended by Islington's DMP (2013). However, there would be a 2m high boundary fencing running along curtilage of the site that would screen views. In addition, there are trees and planting along this boundary that would provide further screening (particularly in summer months).
- 9.65 The rearmost portion of the garden of no. 22 Almington Street is raised by approx. 0.5m above the ground level of the subject site. The existing party wall between no. 22 and the subject site measures approx. 0.6m high when measured from this raised ground level. As such, the proposed 2m high boundary fencing would appear as approx. 1.5m high from this raised rear garden. As the fencing would appear as approx. 1.5m high it would allow for some views of the rear garden area. However, it is important to note that not all of the garden of no. 22 is raised as it steps up by approx. 0.5m in height from the rear of the building. As such, the proposed fencing would still appear as approx. 2m high when viewed from the ground floor glazed doors in the rear of the outrigger at no. 22 which according to planning records serves a kitchen/dining room (ref. P2015/5167/FUL). Therefore, officers are satisfied that adequate screening would be provided to mitigate against direct any window-to-window views between the subject site and no. 22.
- 9.66 There is already a mutual degree of overlooking of rear gardens from upper floor windows between properties on Almington Street and Thorpedale Road. Whilst the development would introduce a small degree of overlooking opportunities towards the raised rear garden of no. 22 Almington Street by virtue of the differing ground levels Officers do not consider it would be to an unacceptable degree. The views would not be above what is already possible from users of the existing rear garden of no. 81 Turleway Close or the existing mutual overlooking of gardens that is already present. The 1.5m/2m relative height of the fencing and the existing trees and planting would still provide a decent extent of screening to this garden.
- 9.67 There would be no ground floor window openings within the north or south elevations of the proposed development. Windows at basement level in these elevations would face directly into the proposed lightwells. Due to this arrangement, any views towards neighbouring properties and gardens on Thorpedale Road, Almington Street or back towards no. 81 Turleway Close would be of a highly oblique nature. This arrangement is not considered to introduce any unacceptable levels of overlooking to neighbouring properties.
- 9.68 Approximately 24.75m distance between the rearmost windows of no. 81 Turleway Close and the proposed window openings in the south elevation of the proposed development would be maintained. As such, Officers are satisfied that future occupiers of the proposed development would not experience an unacceptable level of overlooking from the upper floor windows of no. 81.
- 9.69 Overall there would be no undue overlooking of neighbouring properties including no's 75, 77 and 79 Turleway Close and neighbours on Thorpedale Road from the proposed ground floor windows within the west elevation. This due to the orientation of the proposed development as the windows would not directly face any window openings of these properties so any views would be of a highly oblique nature and would be screened by the proposed 2m high timber fencing.



**Image 13:** Fenestration views at ground floor level.



**Image 14:** Proposed site plan showing ground floor windows and where they would be looking towards.



**Image 15:** Proposed west elevation of current scheme.

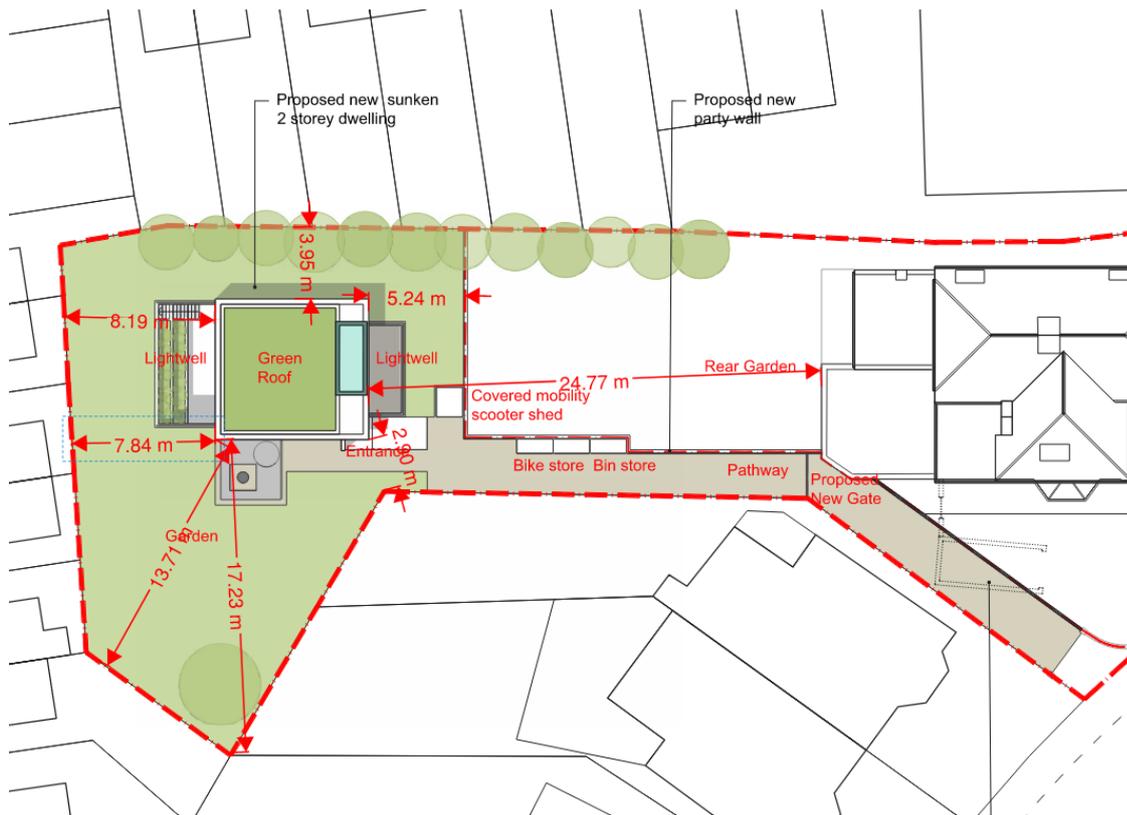
- 9.70 As mentioned in the Design and Conservation of this report, the applicant has proposed a lighting scheme along the entrance pathway for safety and security reasons. A condition has been recommended requiring details of this and to ensure that the positioning and levels of illuminance would be kept low in the interests of avoiding any adverse light spillage to neighbouring properties.
- 9.71 In light of the above, as the proposed development would be screened by a 2m high boundary fence and as there's trees along the north and eastern boundaries coupled with the positioning, height and orientation of the development, Officers do not consider that any neighbours would experience an unacceptable loss of privacy. This would accord with Policy DM2.1 of Islington's DMP (2013) as well as the guidance of Islington's UDG (2017).

### ***Daylight, Sunlight and Outlook***

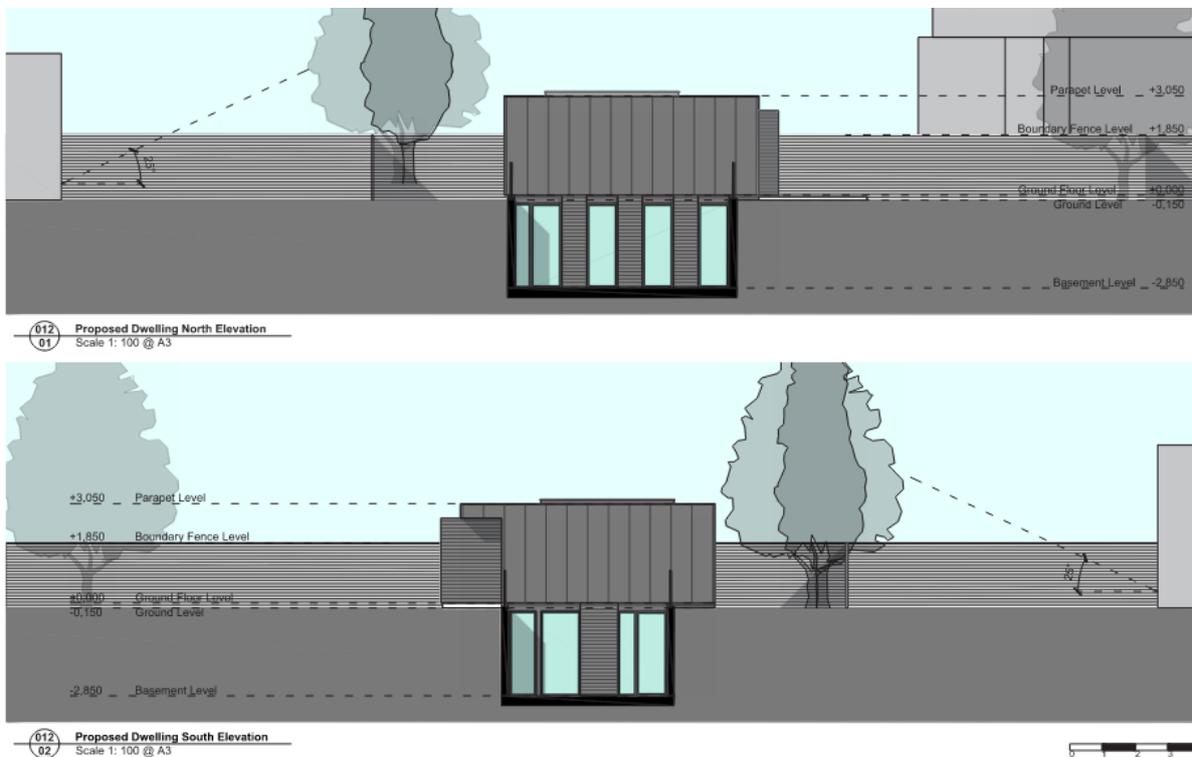
- 9.72 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 9.73 The 'first test' to test available daylight in such circumstances would be the '45 degree' test which is used to assess the daylight impact to windows that are at a right angle to the proposed development. A 45-degree angle line is drawn out from the centre point of the window on the elevation and also on the floorplan. The BRE Guidelines state that if a proposed neighbouring extension obstructs both of these 45-degree lines (i.e., in height and depth) then the extension may cause noticeable loss of light and a more detailed BRE compliant daylight/sunlight assessment should be carried out. If it obstructs one of these lines, but not both, then sufficient light should be maintained.
- 9.74 For windows that are directly opposite a proposed development, a 25-degree line is used. A line is drawn out from the lowest potentially affected window at a 25-degree angle and if the proposed development does not intersect with this line, then it is not considered to result in a

discernible loss of interior diffuse daylight. If both the 45-degree and 25-degree tests are passed by a proposed development, then no further daylight analysis or tests are required.

- 9.75 The proposed development has been designed with a reasonably low height (approx. 3.2m) and positioned to be set back from all neighbouring boundaries. It would be set back by approx. 3.95m from the boundary with properties on Almington Street, by approx. 5.2m with the proposed boundary with no. 81 Turleway Close, by approx. 7.8m to 8.1m from the boundaries with no's 79, 81, 83 and 85 Thorpedale Road, by between approx. 13.7m and 17.2m with the boundary of no. 77 Thorpedale Road, and due to the orientation of the site, there would be a distance ranging between approx. 2.9m and 17.2m with the boundary shared with no's 79 and 77 Turleway Close. Given these respective setbacks coupled with the reasonable height of the development, Officers do not consider that it would appear unduly overbearing to these neighbouring properties (both their respective gardens and internal habitable rooms) or have a discernible impact on the quality of outlook that is currently enjoyed (see image 16 for a site plan showing distances to neighbouring properties).
- 9.76 The proposed development is compliant with both the 45-degree rule and the 25-degree rule to all the relevant ground floor windows within neighbouring properties that are closest to the development. The proposed elevation drawings include the 25-degree rule which demonstrates compliance. As such, no further daylight analysis is required as the respective tests are passed and as per the BRE guidance, this means that neighbours would not experience an adverse loss of daylight.
- 9.77 Notwithstanding the compliance with the 25-degree and 45-degree tests, Officers note that the applicant provided an 'Internal Daylight and Overshadowing Study' prepared by Base Study which provided an assessment of the pre-application scheme (ref. Q2021/0779/MIN). Whilst this was based on the pre-application scheme it is nonetheless considered relevant as it found that there would be no adverse harm to the quality of sunlight and daylight experienced by neighbouring properties. The proposed development features a slight reduction in scale compared to the pre-application scheme. It has been reduced in height from 3.5m to 3.2m above ground level and set further back from the northern and eastern boundaries. Due to the reduced scale, the impact would be lesser than that which has already been demonstrated as acceptable from a daylight perspective as per the BRE guidance. Officers are satisfied given the positioning of the development set away from the boundaries as well as the relatively low level height of the dwelling, there would be no impact on neighbouring gardens in terms of overshadowing.
- 9.78 As part of the development, the existing rear garden is to be subdivided between the subject site and no. 81 Turleway Close and a 2m high boundary fence erected around the site. The 2m high fence is not an unreasonable height and treatment for a boundary in a residential environment. It would not be overbearing to neighbours nor impede on outlook. The 2m height would deliver an appropriate degree of privacy.
- 9.79 No. 81 Turleway Close would retain an approx. 19m deep rear garden (approx. 230m<sup>2</sup> in area) which is sizable and would ensure that they would retain an acceptable level of outlook and a high-quality private amenity space.
- 9.80 Overall, in light of the above, the proposed development is not considered to adversely impact the amenity of any neighbouring residential occupiers and so an appropriate degree of compliance with Policy DM2.1 of Islington's DMP (2013) and the guidance of Islington's UDG (2017).



**Image 16.** Proposed site plan showing wider context. The measurements between the development and neighbouring properties have been annotated by Officers.



**Image 17:** Proposed north and south elevations with 25-degree lines shown.

## **REFUSE AND RECYCLING**

- 9.81 Waste storage facilities are required to be provided in order to fit current and future collection practices and targets. Facilities must be accessible to all in accordance with Islington's Core Strategy CS11. Development Management Policy DM8.6 seeks those details of refuse and recycling collection be submitted indicating locations for collection vehicles to wait and locations of refuse and recycling stores. A copy of the council's 'Refuse and Recycling Storage Requirements' (2008) document is required to be referred to for designing-in appropriate refuse and recycling requirements.
- 9.82 Recycling and Refuse Storage Requirement guidance requires size of unit total storage capacity of at least 200 litres for 1 bedroom unit or a further 140 litres for each additional bedroom. At least 50% of total storage capacity must be allocated for recycling.
- 9.83 Under the guidance and based on 2 bedrooms the total capacity that would be required in this instance is 340 litres, which breaks down to 170L refuse and 170L recycling. Amended drawings were received clarifying that it is proposed to provide 1 no. 240L refuse wheelie bin and 1 no. 240L recycling wheelie bin. This would be in accordance with the Islington's Refuse and Recycling Storage guidelines.

A dedicated refuse/recycling store is provided along the pathway close to the entrance for weekly collection as per the current arrangement for the existing dwelling. No objection is raised in this regard, and officers consider this to be the most appropriate siting. The arrangements are acceptable in principle and a condition is recommended requiring this to be provided prior to first occupation.

## **9.84 HIGHWAYS AND TRANSPORTATION**

### ***Car Free Development***

- 9.85 The council expects that all new development be 'car-free' in accordance with policy CS10H (with the exception of car parking for disabled users). All planning permissions granted for the provision of residential accommodation are conditioned to ensure 'car-free' development.
- 9.86 Islington policy identifies that all new development shall be car free. Policy DM8.5 stipulates that no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair accessible parking. Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
- 9.87 The submission details that the proposal will be car free. This has been included within the Unilateral Agreement and must be adhered to.

### ***Construction Management and Deliveries***

- 9.88 In line with the comments of the Highways and Public Protection Officer, a Construction Management Plan would be required detailing how the development would not result in congestion on the highway and to mitigate the impacts of the construction works on local residents. A CEMP is recommended to be secured via condition and this would be required to be developed in accordance with the guidance of the Code of Construction Practice for Construction Sites (CoPCS).

### **Cycle storage**

- 9.89 Policy DM8.4 and Appendix 6 of Islington's DMP (2013) outline the standards for cycle parking and advise that cycle spaces should be sheltered, secure, accessible and conveniently located in the interests of supporting sustainable transport. This is also an expectation of Transport for London's guidance: '*Cycle Parking Standards – TfL Proposed Guidelines.*'
- 9.90 In accordance with Appendix 6, a minimum of 1 bicycle space per bedroom is required in new residential developments.
- 9.91 A timber clad cycle store would be provided that can accommodate 2 cycles. The store would be secure, sheltered and well located and the provision of 2 spaces would meet the minimum requirement of Appendix 6 (2 spaces). In addition, a storage box for a mobility scooter would also be provided. There are no specific policy provisions on mobility scooter storage within Islington's Local Plan but officers are supportive of this provision.
- 9.92 A condition is recommended requiring the proposed cycle storage to be provided prior to the first occupation of the development. Subject to this condition, the development would suitably accord with Policy DM8.6 and Appendix 6 of Islington's DMP (2013) as well as the Cycle Parking Standards – TfL Proposed Guidance.

### **SUSTAINABILITY**

- 9.93 It is the council's and the Mayor's objective that all developments meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in CO<sub>2</sub> emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise CO<sub>2</sub> emissions. In this regard, it is policy that the feasibility of providing Combined Heat and Power (CHP) / Combined Cooling Heat and Power (CCHP) be fully explored.
- 9.94 Policy DM7.1 provides advice in relation to sustainable design and construction, stating '*Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development.*' The proposed development should be maximised in terms of energy efficiency and carbon emission reduction, in accordance with policy DM7.2.
- 9.95 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF. Further planning policies relevant to sustainability are set out in chapter 5 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.
- 9.96 A Sustainable Design and Construction Statement Guidance for minor developments (in Appendix 7 and 8 respectively) summarise the information that needs to be submitted on sustainable design issues as part of a planning application.
- 9.97 For minor new build residential schemes, a 25% CO<sub>2</sub> reduction target (Development Management policy DM7.2) shall continue to apply to all schemes and shall be demonstrated through the submission of a suitable sustainability standard (i.e., BREEAM, Code or HQM) or submission of an Energy Statement or addressed within a section of the Sustainable Design and Construction Statement.

- 9.98 The application is supported by an Energy Statement by FES Group (November 2021). It is stated that the report reviews the proposed energy and carbon reduction strategy within the context of local and national planning policy. The report in particular considers and evaluates the measures incorporated into the design of the development to reduce the predicted CO<sub>2</sub> consumption of the site equal to a 35% improvement over 2013 building regulations under SAP2012. It is also noted that the report looks and Sustainable Design, in particular material selection, Flood risk, Pollution during construction, Health and Wellbeing and water efficiency.

### ***Energy***

- 9.99 In terms of energy, the proposed carbon reductions are welcome. However, the Energy Statement proposed to heat the dwelling with a gas boiler. The Sustainability Officer recommended that an air source heat pump is installed as this will ensure carbon emissions are minimised and ensure compliance with the government's future plan to phase out the use of gas boilers. During the course of the application, the energy statement was updated to show the installation of an air source heat pump instead of a gas boiler. The air source heat pump is appropriate as this would ensure carbon emissions are minimised and ensure compliance with the government's future plan to phase out the use of gas boilers.
- 9.100 A high standard of fabric energy efficiency is particularly important where the use of an individual ASHP is proposed to ensure the development will achieve minimal heat demands. The U-values specified on page 18 of the Energy Statement are welcomed. The Sustainability Officer recommended reducing the U-values for the glazing and doors, and the floors if possible. During the course the application, the applicant confirmed that they are targeting some further reduced U-Values including triple glazing.
- 9.101 The proposed PV panels are welcomed and have been secured via condition. The Sustainability Officer also commented that the solar panels could be mounted above the green roof. It is also confirmed that the scheme has dual aspect so will benefit from passive cross ventilation.
- 9.102 In accordance with Policy DM7.2 of Islington Development Management Policies, the development will be required to pay a carbon offsetting contribution. This is secured as part of the Heads of Terms.

### ***Materials***

- 9.103 The proposed BRE Green Guide ratings for different building elements is welcome. The Sustainability Officer recommended that the materials and products selected for the construction should derive from recycled and re-used content where possible. The building should also be made from components and materials that can be re-used or recycled where possible. The applicant confirmed that it is their intention to utilise recycled and re-used content where possible and they intend to have a waste management plan as part of the construction phase.

### ***Greening and drainage***

- 9.104 The proposed green roof is appropriate as it would contribute towards benefits for biodiversity and drainage thus improving the environmental quality of the building. This would be in line with policy DM6.5 which seeks developments to provide green roofs where possible to maximise biodiversity and drainage benefits. It was also recommended that a standard green roof condition should be applied to ensure the requirements in terms of substrate depth and a focus on wildflowers are met.
- 9.105 The proposed use of sustainable drainage systems is also an appropriate element of this development. As part of this, the applicant has proposed a swale and 2 no. attenuation basins

within the site as well as rainwater recycling. Further details in relation to the design and location of these features are recommended to be requested via condition (condition no. 12).

- 9.106 In terms of drainage and surface water run-off levels at the site, details on how the scheme is designed to ensure no net increase in surface water drainage from the site post development is achieved is also recommended to be conditioned in accordance with the standards stipulated by policy DM6.6.

## **LANDSCAPING, TREES AND BIODIVERSITY**

- 9.107 In accordance with Development Management Policy DM6.5 (Landscaping, trees and biodiversity), all developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitats and support the Council's Biodiversity Action Plan. It is expected that the development should incorporate biodiversity green roofs and bird / bat boxes to help boost biodiversity.

### ***Landscaping***

- 9.108 The landscaping has been designed with minimal hardstanding and permeable surfacing has been proposed where the non-original garage was and along the new footpath. Notwithstanding this, a condition is recommended requiring submission of a detailed landscaping scheme. This would require incorporating any measures to enhance the biodiversity of the site i.e., wildlife friendly planting and sustainable drainage systems.
- 9.109 Within the objection comments received, concerns have been raised regarding the loss of greenspace and the environmental impact of this. Officers consider that due to the significant size of the existing curtilage, there is scope to accommodate a new dwelling in this location and a sizable amount of greenspace is to be retained (in the form of the garden for the proposed dwelling and the retained garden area for no. 81 Turleway Close). The proposed basement floor level and associated lightwells would occupy approximately 12.76% of the original rear garden and approximately 20.9% of subdivided plot (excluding the associated pathway). As such, the majority of the site would remain as greenspace and their development would make a modest contribution to the Council's objectives of maximising the supply of homes within the borough. The dwelling would also feature a number of sustainability and carbon reduction measures that would be conditioned to ensure compliance. On balance, the proposed development is considered acceptable as it would provide a new dwelling with good sustainability credentials whilst maintaining a significant area of greenspace.

### ***Trees***

- 9.110 An Arboricultural Report prepared by ACS (Trees) Consulting dated September 2021 has been submitted in support of the development. It outlines the development will require the removal of one tree group and three individual trees from the site curtilage. The tree group (G2) is comprised of apple trees (located towards the centre of the site) and the individual trees are a mature Fig (T1) which is located close to the boundary with no. 79 Turleway Close and within the proposed entrance to the development, a self-set Sycamore (T4) which is in poor condition and a Laburnum (T7) which has become uprooted and leans upon the garage and the report argues that this needs to be removed for safety reasons. The report also details the measures that will be taken to safeguard the existing trees on the site including a row of Cypress trees (G6) which run adjacent to the boundary with neighbours on Alington Street.

- 9.111 The report has been reviewed by the Council's Tree Preservation Officer and they have raised no objections to the development. All of the trees that are to be removed are of a low amenity value and so they should not be considered as a constraint on the development. The proposed tree protection measures for the retained trees are also considered to be acceptable, and the trees within the site would be adequately safeguarded from harm during and post construction. There are also no trees within adjoining gardens that would be negatively impacted by the proposed development.
- 9.112 Within the objection comments received, concerns have been raised regarding the felling of trees at the site and that not all the mature trees are accurately represented in the proposed plans. Officers acknowledge that the trees on the submitted plans are indicative and not to scale. However, the submitted arboricultural report includes full details and photos of all trees and Officers are satisfied that enough information has been provided to make an accurate assessment on the impact to trees. In terms of the proposed tree removals, as noted above all of the trees that are to be felled are of a low amenity value and in some cases are in quite a poor condition (e.g., the Laburnum). Furthermore, a condition has been recommended requiring a full landscaping scheme to be submitted. The landscaping scheme would include new planting around the site (including potential replacement trees in line with Policy DM6.5) which would aid in screening the development and mitigating some of the impact to the environment. As such, due to the low amenity value of the trees proposed to be removed, the secluded nature of the site, and as a full landscaping scheme has been secured via condition, the overall impact on the landscape has been found acceptable by Officers and an appropriate degree of compliance with Policy DM6.5 of Islington's DMP would be achieved.
- 9.113 An informative is recommended requiring minimisation and mitigation of any adverse impact on the quality of the immediate and neighbouring landscape resulting from the removal of trees.

### ***Biodiversity***

- 9.114 The Council's Sustainability Officer has reviewed the proposed development and requested that measures to enhance the biodiversity of the site should be incorporated where possible (such as wildlife friendly planting and bird boxes where appropriate). During the course of the application the applicant proposed provision of a variation of dedicated bird boxes within the boundary, planting of locally appropriate native bulbs, shrubs and trees, an Urban Bee Nester (on a building or wall, the adoption of good horticultural practice, i.e., avoidance of the use of pesticides and compost containing peat. These measures would be considered to enhance the biodiversity of the site and the proposed biodiversity-based green roof would also make a contribution to this. A condition is recommended to secure the proposed biodiversity measures.
- 9.115 Overall, the proposal would not contravene with policy DM6.5 (Landscaping, trees and biodiversity) which stipulates that all developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats.

### **FIRE SAFETY**

- 9.116 Policy D12(A) of the London Plan (2021) requires new developments to achieve the highest standards of fire safety, embedding these at the earliest possible stage. This application proposes a new build dwellinghouse and a Fire Statement (FS) has been submitted in support of this application, which has been compiled by Jak Studio Consultancy Ltd.
- 9.117 A revised FS was provided to address some initial concerns raised by Building Control Officers with the original statement that was submitted. It addresses the six criteria of Policy D12(A) and covers means of warning and active and passive safety measures, construction methods

and materials, means of escape and the proposed access for Fire Appliances in the event of fire.

- 9.118 Building Control Officers found that the revised statement satisfactorily addressed many of the objectives of Policy D12(A) however there were some areas of deficiency that would require further clarification to ensure that the development would provide the highest standards of fire safety. The areas of concern were the fact the submitted diagram accompanying the FS suggested that Fire Appliances would park on the private front garden of no. 81 Turleway Close to access the development; confirmation would be needed to ensure that this location would be available at all times and accessible to the appliance (i.e., that it would provide sufficient manoeuvrability and capacity to support a fire appliance vehicle). Officers also found that the length of a fire hose that would be needed to reach the furthest point of the building internally from the appliance location would be 45m and yet there was no mention of this within the FS.
- 9.119 In addition to the above, the proposed evacuation strategy outlined in the FS is described as a possibility rather than a definitive strategy. This is also partly due to the fact that the proposed boundary treatment and gate access to the development have not yet been finalised and details of this are recommended to be submitted via condition.
- 9.120 In order to ensure that the development would provide an appropriate degree of fire safety that meets the objectives of Policy D12(A) Officers recommend that a pre-commencement condition is imposed requiring a new Fire Statement to be submitted. This will require a robust and definitive evacuation strategy and a more detailed analysis of how Fire Appliances will access the site to be developed in consultation with the London Fire Brigade Emergency Planning Authority and Building Control.
- 9.121 Subject to compliance with the recommended condition, the development would have capability of providing a high level of fire safety that meets the objectives of Policy D12 of the London Plan (2021).

### **SMALL SITES CONTRIBUTIONS AND CARBON OFF SETTING CONTRIBUTIONS**

- 9.122 Islington's Core Strategy Policy CS12 (Meeting the housing challenge) states in part G that to provide affordable housing 50% of additional housing to be built in the Borough over the plan period should be affordable. All sites capable of delivering 10 or more units gross should provide affordable homes on site. Schemes below this threshold should provide a financial contribution towards affordable housing provision elsewhere in the Borough.
- 9.123 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (the SPD) supports the implementation of the Core Strategy. The SPD confirms that all minor residential developments resulting in the creation of 1 or more additional residential units(s) are required to provide a commuted sum towards the cost of affordable housing on other sites in the Borough. The requirement applies not only to new build but also conversions of existing buildings resulting in the creation of new units and the subdivision of residential properties resulting in net additional units. Based on a study of the level of financial contribution that would be viable, the required contribution is £50,000 per additional (net) unit.
- 9.124 The applicant has agreed to contribute the full sum of £50,000 to the Council's Affordable Housing Small Sites Contributions as outlined within the Supplementary Planning Document (the SPD). This has been secured through a Unilateral Undertaking.
- 9.125 The Affordable Housing Small Site Contributions document (2012) provides information about the requirements for financial contributions from minor residential planning applications (below 10 units) towards the provision of affordable housing in Islington. As per the Core Strategy policy CS12, part G and the Affordable Housing Small Sites Contributions SPD, the Council requires

a contribution of £50,000 per new residential unit in off-site contributions in lieu of on-site provision. The applicant has signed a Unilateral Agreement agreeing to make the full required contribution of £50,000 affordable housing contributions, for the dwelling proposed.

### ***Carbon Offsetting***

- 9.126 The Environmental Design Planning Guidance Supplementary Planning Document (SPD) 2012 is supplementary to Islington's Core Strategy policy CS10 Part A, which requires minor new-build developments of one residential unit or more to offset all regulated CO2 emissions not dealt with by onsite measures through a financial contribution. The cost of the carbon off-set contribution is a flat fee based on the development type as follows: Houses (£1500 per house), Flats (£1000 per flats).
- 9.127 The applicant has signed a Unilateral Agreement also agreeing to make the full required contribution of £1500 carbon off-set contribution.

### **COMMUNITY INFRASTRUCTURE LEVY AND s106 PLANNING OBLIGATIONS**

- 9.128 The Community Infrastructure Levy will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. Both LBI and London Mayoral CIL will apply to the scheme. The payments would be chargeable on implementation of the development.
- 9.129 The Islington CIL was adopted on 1 September 2014 and all applications determined after this date are liable for an Islington CIL payment.
- 9.130 The following heads of Terms would be secured within a s106 agreement (Unilateral Undertaking):
- 1) Small Sites Contribution towards affordable housing: £50,000
  - 2) CO2 offset payment: £1,500
  - 3) Car free development.
  - 4) Removal of dropped kerb and reinstatement of footway at applicants' expense

### **OTHER MATTERS**

- 9.131 Within the representations received, it was stated that it is not clear how the 2m high boundary fence would be possible due to the close proximity to existing trees. Detailed drawings including sections of the proposed fencing and required foundations are recommended to be submitted via condition to ensure that this can be carried out without harm to these trees. It was also stated that the positioning of solar panels and their visual impact is unclear. A condition is recommended requiring details of the solar panels to be submitted to the Council so Officers can make an assessment on the visual impact to the conservation area.
- 9.132 Concerns were also raised within the objections citing a potential security risk from the siting of the new gate within the front entrance as it could potentially create some dead space. As detailed within the design section, limited detail has been provided on the proposed boundary treatment and access gate along the entrance to the proposed development. As such, if permission is to be forthcoming, Officers have recommended a condition requiring detailed drawings of the design, positioning and treatment of the entranceway to be provided. This will allow the Council to ensure that any gates and boundary treatment along here would be adequately secure and in keeping with the character of the conservation area.

- 9.133 Representations also raised concern that the amendments received were unclear. The amended plans were published on the Council's Planning webpages. The case officer also discussed the amended plans with a number of neighbouring occupiers.

## **10. SUMMARY AND CONCLUSION**

### **Summary**

- 10.1 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character or appearance of the local area. The proposal has been carefully considered from the pre-application stage, with a number of amendments to the design to ensure the proposed dwelling is of satisfactory design and appearance within the backland location and retains a sufficient amount of private open space in line with Policy DM6.3 of Islington's DMP.
- 10.2 Overall, following the submission of amended plans the proposed residential building is acceptable in design terms subject to conditions and would comply with National Planning Policy Framework (NPPF) 2021, Policies D3 and D4 London Plan 2021, Policies CS8 and CS9 of Islington's Core Strategy 2011, Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013 and the Conservation Area Design Guidelines.
- 10.3 The proposed residential building is not considered to adversely impact the residential amenity of adjacent residential properties in line with policy DM2.1 of the Development Management Policies 2013 being designed in a manner that is appropriate in backland site. The proposal accords with policy DM2.1 of the Development Management
- 10.4 The proposed dwelling is considered to provide an acceptable level of accommodation complying with policy CS12 (meeting the housing challenge) of Islington Council's Core Strategy 2011, Islington's Development Management Policy DM3.4, policy D6 (Housing quality and standards) of the London Plan 2021, Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021.
- 10.5 The applicant has also agreed to pay the full required affordable housing contribution of £50,000 in line with policy CS12 Part G and the Council's Affordable Housing Small Sites SPD (2012) and the proposed arrangements to minimise emissions through evidence in the submitted Sustainable Design and Construction Statement and through carbon offsetting contributions (£1,500 contribution agreed) is considered to be an improvement over the environmental quality of the existing site, and is therefore in line with policy DM7.1.
- 10.6 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 and the Islington Development Management Policies and should be approved accordingly.

### **Conclusion**

- 10.7 It is recommended that planning permission be granted subject to conditions and legal agreement 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 £1,500 towards carbon off-setting.
- Car Free Development.

If the Committee resolve to grant, resolution will include provision to provide flexibility to officers to negotiate and finalise s106 on behalf of the Committee.

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

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

### RECOMMENDATION B

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

#### List of Conditions:

<b>1</b>	<b>COMMENCEMENT (3 YEAR CONSENT PERIOD)</b>
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
<b>2</b>	<b>APPROVED PLANS LIST</b>
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  7757_000; 7757_001; 7757_005 Rec C; 7757_006 Rec C; 7757_007 Rev B; 7757_008 Rev C; 7757_009 Rev C; 7757_010 Rev B; 7757_011 Rev B (Proposed Elevations West & East); 7757_012 Rev B); 7757_013 Rev C; 7757_014 Rev A; 7757_015; 7757_016 Rev A; 7757_017; 7757_018; Design and Access

	<p>Statement dated 29<sup>th</sup> June 2022; Planning Fire Safety Statement Revision B by Jesus Ciller on behalf of Jak Studio Consultancy Ltd.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>MATERIALS (DETAILS)</b>
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) Brickwork (including brick panels and mortar courses);</li> <li>b) Zinc Cladding;</li> <li>c) Roofing and flashing;</li> <li>d) Window and door treatment;</li> <li>e) Lightwell balustrade;</li> <li>f) Boundary treatments;</li> <li>g) Gate(s); and</li> <li>h) Any other materials to be use.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the surrounding area.</p>
<b>4</b>	<b>CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (DETAILS)</b>
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP should refer to Islington's Code of Practice for Construction Sites (2018) and include details and arrangements regarding:</p> <ul style="list-style-type: none"> <li>a) The proposed programme of works;</li> <li>b) The notification of neighbours with regard to specific works;</li> <li>c) Advance notification of any access way, pavement, or road closures;</li> <li>d) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;</li> <li>e) Details regarding the planned demolition and construction vehicle routes and access to the site;</li> <li>f) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;</li> <li>g) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> </ul>

	<p>h) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)</p> <p>i) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;</p> <p>j) Details of measures taken to prevent noise and vibration disturbance to surrounding residents;</p> <p>k) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</p> <p>l) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</p> <p>m) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;</p> <p>n) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>o) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area;</p> <p>p) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration;</p> <p>q) Details of measures taken to deal with any form of asbestos during the demolition of the existing garages; and</p> <p>r) The details of the site manager/liaison officer.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
5	<b>REFUSE/RECYCLING PROVIDED (COMPLIANCE)</b>
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no's 7757_006 Rev C, 7757_008 Rev C and 7757_016 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>
6	<b>CYCLE PARKING PROVISION (COMPLIANCE)</b>
	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be covered, secure and provide for no less than 2 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p>

	REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.
<b>7</b>	<b>FIXED PLANT NOISE (DETAILS)</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq Tr}</math> arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90 Tbg}</math>. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014+A1:2019.</p> <p>REASON: To protect the amenity of future occupiers of the proposed residential units and neighbouring residential properties.</p>
<b>8</b>	<b>WATER EFFICIENCY REQUIREMENTS (DETAILS)</b>
	<p>CONDITION: Prior to occupation of the development hereby permitted, details showing how the development shall achieve the water efficiency requirements (95 litres/person/day) of Part G of Policy 7.4 of Development Management Policies (2013) and Environmental Design SPD shall be submitted in writing. The measures shall be implemented in full and retained thereafter.</p> <p>REASON: To ensure the water efficiency of the development.</p>
<b>9</b>	<b>RENEWABLE ENERGY (DETAILS)</b>
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology (including Photovoltaic Panels mounted above the greenroof and an Air Source Heat Pump), which shall provide for no less than 35% on-site total CO<sub>2</sub> reduction as detailed within the 'Energy Statement dated November 2021' shall be installed and operational prior to the first occupation of the development. Details of the renewable energy technology(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include:</p> <ol style="list-style-type: none"> <li>a) the resulting scheme, together with any flue/stack details, machinery/apparatus location, specification and operational details;</li> <li>b) a management plan and maintenance strategy/schedule for the operation of the technologies;</li> <li>c) a servicing plan including times, location, frequency, method (and any other details the Local Planning Authority deems necessary);</li> <li>d) a noise assessment and air-quality assessment regarding the operation of the technology; and</li> <li>e) Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</li> <li>f) a revised scheme of renewable energy provision, which shall provide for no less than 35% onsite CO<sub>2</sub> reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site, The final agreed scheme shall be installed and operational prior to the first occupation of the development.</li> </ol> <p>The energy efficiency measures/features and renewable energy technology(s) shall be provided/carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO<sub>2</sub> emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
<b>10</b>	<b>DRAINAGE (DETAILS)</b>
	<p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system including, rainwater recycling, swale and 2 no. attenuation basins shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximize water quality, amenity and biodiversity benefits. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve a no net increase in surface water run-off from the site post-development. The drainage system shall be installed/operational prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable management of water.</p>
<b>11</b>	<b>SECURE BY DESIGN (DETAILS)</b>
	<p>CONDITION: Prior to commencement of the development approved, details of how the development achieves Secured by Design accreditation shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interests of safety and security.</p>
<b>12</b>	<b>LANDSCAPING PLAN (DETAILS)</b>
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</li> <li>b) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>c) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> <li>e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</li> <li>g) any other landscaping feature(s) forming part of the scheme. All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved.</li> </ul>

	<p>The landscaping and tree planting shall have a two-year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>13</b>	<b>ACCESSIBLE HOME STANDARDS (COMPLIANCE)</b>
	<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 and be Part M 4(2) Building Regulations compliant.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
<b>14</b>	<b>GREEN/BROWN BIODIVERSITY ROOFS (COMPLIANCE)</b>
	<p>CONDITION: The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> <li>a) biodiversity based with extensive substrate base (depth 80-150mm);</li> <li>b) laid out in accordance with the plans hereby approved; and</li> <li>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li> </ul> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>15</b>	<b>BAT/BIRD BOX/BRICKS AND WILDLIFE FRIENDLY PLANTING (COMPLIANCE)</b>
	<p>CONDITION: A minimum of 6 no. bat and/or bird nesting boxes / bricks and wildlife friendly planting shall be installed/ provided prior to the first occupation of the approved development and shall be retained into perpetuity.</p> <p>The bird boxes and planting shall also include the following recommendations:</p>

	<ul style="list-style-type: none"> <li>- Vivara Pro Seville 32 mm Woodstone Nest Box for birds on a building (purchase from <a href="http://www.nhbs.com">www.nhbs.com</a>). The box should be placed at least 3 m high, facing an easterly direction;</li> <li>- Vivara Pro Barcelona Woodstone Open Nest Box for birds on a building (purchase from <a href="http://www.nhbs.com">www.nhbs.com</a>). The box should be placed at least 3 m high, facing an easterly direction;</li> <li>- Beaumaris Woodstone Bat Box on a building (purchase from <a href="http://www.nhbs.com">www.nhbs.com</a>). The box should be placed at least 3 m high, facing a southerly direction;</li> <li>- The planting of locally appropriate native bulbs, shrubs and trees;</li> <li>- One Urban Bee Nester (purchase from <a href="http://www.nhbs.com">www.nhbs.com</a>) on a building or wall. The Nester should be placed between 0.75 m and 1.5 m above ground in a warm south / south east position; and</li> <li>- The adoption of good horticultural practice, i.e. avoidance of the use of pesticides and compost containing peat</li> </ul> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and bio-diversity enhancements.</p>
<b>16</b>	<p><b>BOUNDARY TREATMENT AND GATE(S) (DETAILS)</b></p> <p>CONDITION: Details and the positioning of any boundary treatment(s) and any new gate(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion of the development. The details shall include all walls, fencing, gates, footings, their design, appearance and materials, the details shall also indicate whether the boundary treatments form proposed, retained or altered boundary treatments. The proposed boundary treatment shall accord with the following:</p> <ul style="list-style-type: none"> <li>- The proposed boundary treatment in front of the building lines of no's. 79 and 81 Turleway Close shall not exceed a height of 1.2m.</li> <li>- The boundary treatment fronting the highway shall match or not exceed the existing height of the wall serving No 81 Turleway Close and shall be similar in appearance.</li> <li>- The part of the boundary treatment that would sit adjacent to the flank elevation of no. 79 Turleway Close shall not exceed a height of 2m.</li> </ul> <p>The boundary treatments and gate(s) shall be carried out strictly in accordance with the details so approved, installed/erected/operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the resulting boundary treatment(s) is functional, attractive and secure.</p>
<b>17</b>	<p><b>LIGHTING (DETAILS)</b></p> <p>CONDITION Details of general and security lighting to the new development and footpath shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill; and support structures. The lighting should as far as is practicable be positioned at a low level to minimise light spillage to neighbouring properties.</p> <p>All lighting to the new development and footpath shall be carried out strictly in accordance with the details so approved, shall be installed prior to the first</p>

	<p>occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed too not adversely impact neighbouring residential amenity and are appropriate to the overall design of the building.</p>
<b>18</b>	<b>BASEMENT DEVELOPMENT MONITORING:</b>
	<p>CONDITION: The Chartered Structural Engineer (CENG MIStructE) certifying the Structural Method Statement dated September 2021 submitted to support the hereby approved development shall be retained (or a replacement person holding equivalent qualifications shall be appointed and retained) for the duration of the development to monitor the safety of the construction stages and to ensure that the long term structural stability of the existing buildings and other nearby buildings are safeguarded, in line with the supporting Structural Method Statement. At no time shall any construction work take place unless a qualified engineer is appointed and retained in accordance with this condition.</p> <p>REASON: To ensure that the construction work carried out is in accordance to the submitted Structural Method Statement for the duration of the construction and maintain compliance with the Islington Basement Development SPD (2016).</p>
<b>19</b>	<b>SOLAR PANELS (DETAILS)</b>
	<p>CONDITION: Detailed drawings of the design and positioning of the proposed solar panels shall be submitted to and approved in writing by the local planning authority prior to their installation.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the surrounding area.</p>
<b>20</b>	<b>FIRE STATEMENT (DETAILS)</b>
	<p>CONDITION: Prior to any works commencing at the site, a Fire Statement shall be submitted to and approved in writing by the Local Planning Authority in consultation with London Fire Brigade Emergency Planning Authority and Building Control. The statement should address, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>- Information on space provisions for fire appliances and assembly points</li> <li>- Information on means of escape and evacuation strategy</li> <li>- Information on access and equipment for firefighting</li> </ul> <p>The works shall be undertaken in accordance with the details of the Fire Statement hereby approved.</p> <p>REASON: In the interests of the safety of occupants of the buildings in the event of a fire and to comply with policy D12 of the London Plan.</p>

**List of Informatives:**

<b>1</b>	<b>S106</b>
	<p>INFORMATIVE: The application is acceptable subject to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.</p>

<b>2</b>	<b>Construction works</b>
	INFORMATIVE: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a> ) or seek prior approval under Section 61 of the Act.
<b>3</b>	<b>Highways Requirements</b>
	INFORMATIVE: Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a> . All agreements relating to the above need to be in place prior to works commencing. Can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a> . Section 50 license must be agreed prior to any works commencing. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a> .
<b>4</b>	<b>Highways (Additional)</b>
	The Public footpath should not be obstructed at site entrance.
<b>5</b>	<b>Tree Works</b>
	INFORMATIVE: The following British Standards should be referred to: <ul style="list-style-type: none"> <li>a. BS: 3998:2010 Tree work – Recommendations</li> <li>b. BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.</li> </ul>
<b>6</b>	<b>Removal of Trees Mitigation</b>
	INFORMATIVE: The applicant is required to minimise and mitigate any adverse impact on the quality of the immediate and neighbouring landscape resulting from the removal of trees.
<b>7</b>	<b>Contaminated land issues</b>
	INFORMATIVE: The Public Protection Team has advised that there are no recorded previously polluting uses for the site. The applicant is advised that the responsibility to properly address contaminated land issues, including safe development and secure occupancy, and irrespective of any involvement by this Authority, lies with the owner/developer of the site.

## **APPENDIX 2 - RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE**

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

### **1. National and Regional Guidance**

The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- NPPF (2021)

## **2. Development Plan**

The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

### **A) The London Plan 2021 - Spatial Development Strategy for Greater London**

**Policy D1** London's Form, Character and Capacity for Growth

**Policy D4** Delivering Good Design

**Policy D5** Inclusive Design

**Policy D6** Housing Quality and Standards

**Policy D7** Accessible Housing

**Policy D12** Fire Safety

**Policy D14** Noise

**Policy HC1** Heritage Conservation and Growth

**Policy H1** Increasing Housing Supply

**Policy H6** Affordable Housing Tenure

**Policy H10** Housing Size Mix

**Policy G6** Biodiversity and Access to Nature

**Policy SI 1** Improving air quality

**Policy SI 2** Minimising greenhouse gas emissions

**Policy SI3** Energy Infrastructure

**Policy SI8** Waste Capacity and Net Waste Self-Sufficiency

**Policy T1** Strategic approach to transport

**Policy T5** Cycling

### **B) Islington Core Strategy 2011**

**Policy CS8** Enhancing Islington's character

**Policy CS9** Protecting and Enhancing Islington's Built and Historic Environment

**Policy CS10** Sustainable Design

**Policy CS11** Waste

**Policy CS12** Meeting the housing challenge

**Policy CS15** Open Space

**Policy CS18** Delivery and infrastructure

### **C) Development Management Policies June 2013**

**Policy DM2.1** Design

**Policy DM2.2** Inclusive Design

**Policy DM2.3** Heritage

**Policy DM3.1** Mix of housing sizes

**Policy DM3.4** Housing standards

**Policy DM3.5** Private outdoor space

**Policy DM3.7** Noise and vibration (residential uses)

**Policy DM6.1** Healthy development

**Policy DM6.3** Protecting open space

**Policy DM6.5** Landscaping, trees and biodiversity  
**Policy DM6.6** Flood prevention  
**Policy DM7.1** Sustainable design and construction  
**Policy DM7.2** Energy efficiency and carbon reduction in minor schemes  
**Policy DM7.4** Sustainable design standards  
**Policy DM8.4** Walking and cycling  
**Policy DM8.5** Vehicle parking

### **3. Designations**

The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Mayors Protected Vistas-Alexandra Palace viewing terrace to St Paul's Cathedral
- Article 4 Direction A1-A2 (Rest of Borough)

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

The following SPGs and/or SPDs are relevant:

#### London Plan

- Accessible London (2016)
- Character and Context (2014)

#### Islington

- Urban Design Guide
- Inclusive Design
- HMO Standards
- Refuse and Recycling Storage Requirements

### **5. Emerging Policies**

#### Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

**Policy DH1** Fostering innovation and conserving and enhancing the historic environment  
**Policy G4** Biodiversity, landscape design and trees  
**Policy G1** Green Infrastructure  
**Policy G5** Green Roofs  
**Policy H4** Delivering High Quality Housing  
**Policy H5** Private Outdoor Space  
**Policy S1** Delivering Sustainable Design  
**Policy S2** Sustainable Design and Construction  
**Policy T3** Car Free Development Parking  
**Policy T2** Sustainable Transport Choices  
**Policy T5** Delivery, Servicing and Construction  
**Policy ST2** Waste