

PLANNING COMMITTEE REPORT

Development Management Services
 Planning and Development Division
 Community Wealth Buildings

PLANNING COMMITTEE		AGENDA ITEM NO:	B2
Date:	22 nd May 2023	NON-EXEMPT	

Application number	P2022/4295/FUL
Application type	Full Planning Application
Ward	Canonbury Ward
Listed building	Adjacent to Locally Listed 292 Essex Road Adjacent to Locally Listed Northchurch Road residences
Conservation area	Adjacent to East Canonbury Conservation Area
Development Plan Context	Adjacent to Essex Road Local Shopping Area Within 500m of Angel Town Centre Article 4 Direction – A1 to A2 Article 4 Direction - A1, B1, D1 to temporary 'flexible uses' Crossrail 2 Safeguarding Area (2013)
Licensing Implications	N/A
Site Address	Lindsey Mews Playground, Lindsey Mews, London, N1 3EG
Proposal	The construction of 13 new dwelling units comprising 2 x 1B2P units, 3 x 2B3P units, 2 x 2B4P units, 3 x 3B4P units, 2 x 3B5P units and 1 x 3B6P units with associated amenity space, provided in three new residential blocks ranging from 1 to 4 storeys in height, along with provision of bicycle storage and refuse and recycling facilities, improvements to access, landscape, and public realm, and the demolition of external storage facilities.

Case Officer	Joseph Hennessy
Applicant	London Borough of Islington - New Build
Agent	Nour Sinno - HTA Design

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in red, estate outlined in blue)

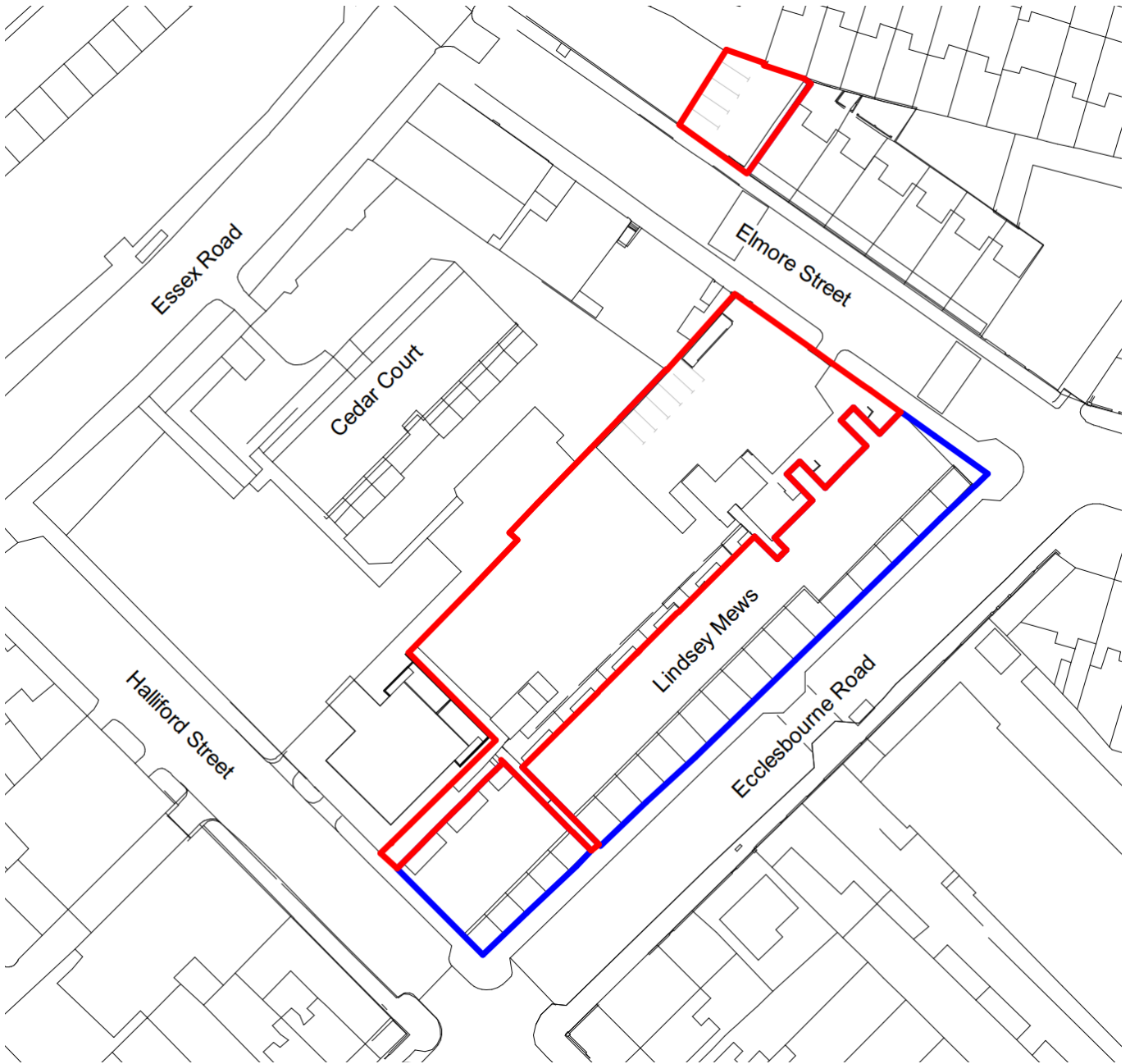


Image 1 - Site Plan

3. PHOTOS OF SITE/STREET



Image 2 - Aerial view from south



Image 3– Lindsey Mews entrance on Elmore Street - looking west



Image 4 - View from the walkway on Lindsey Mews - looking north



Image 5– Elmore Street housing - looking north-east



Image 6– Elmore Street car park

4. SUMMARY

- 4.1 The application seeks planning permission for the demolition of external storage facilities and the construction of 13 new dwelling units with associated amenity space, provided in three new residential blocks ranging from 1 to 4 storeys in height. Improvements to estate access, landscape, and public realm are also proposed, along with the provision of new bicycle storage and refuse and recycling facilities.
- 4.2 The 13 residential units would consist of 2 x one bedroom, 5 x two bedroom, and 6 x three bedroom units. The proposal would deliver 8 social rented units (62% by unit and 60% by habitable room).
- 4.3 The principle of the proposal, in delivering new residential accommodation with 62% for social rent, is considered acceptable. Whilst the development involves building over part of the estate open space, the proposals also involve the re-provision of open space of an improved quality and higher biodiversity value. As such, in land use terms, the proposed development is considered to be acceptable in principle and is consistent with the aims and objectives of the NPPF as well as London Plan policies and existing and emerging local policy.
- 4.4 The proposal is considered to introduce well-designed and contextual buildings that would enhance the surrounding townscape. The development has been sensitively designed to enhance the setting of the neighbouring East Canonbury Conservation Area. Moreover, the proposal includes a well-considered landscape strategy that would increase the site's dedicated play space and deliver a higher than required Urban Greening Factor score.
- 4.5 The proposed development is considered to have been designed to minimise impacts on residential amenity but would nonetheless result in some adverse impacts in terms of loss of daylight and sunlight on neighbouring residential properties. However, the adverse impacts are considered to be limited and on balance, acceptable in this case. Other impacts on neighbouring amenity such as overlooking, outlook, sense of enclosure, noise / disturbance and transport impacts are considered to have been successfully mitigated and minimised, subject to appropriate conditions as detailed in Appendix 1.
- 4.6 The proposal is considered to be a sustainable form of development on brownfield land in a sustainable location. The application proposes a number of energy efficiency measures and a large reduction in carbon emissions in accordance with adopted policy. The proposal would be a car-free development.
- 4.7 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and a legal agreement with suitable planning obligations and financial contributions in order to mitigate the impacts of the development.

5. SITE AND SURROUNDINGS

- 5.1 The application site is located along Elmore Street, south of Essex Road, and is comprised of two adjacent plots. The larger plot (Plot A) is located within the grounds of the Lindsey Mews Estate and is bound by Elmore Street, Ecclesbourne Road, Halliford Street, and the Cedar Court Estate. The smaller plot (Plot B) sits between 142 and 128 Elmore Street.
- 5.2 Plot A is located within the Lindsey Mews estate, which was built in the 1970s. The Lindsey Mews estate comprises three blocks, including five three-storey terraced houses, a four-storey building with 22 maisonettes, and a three-storey building with 15 flats. These buildings do not form part of the application site.
- 5.3 The Lindsey Mews estate currently comprises 18 parking spaces and shared amenity space consisting of a grassed area and paved open space, alongside storage facilities. There is a lack of playspace provision on the estate and estate permeability has been eroded over time, with the

pedestrian access routes on Halliford Street and Ecclesbourne Road gated due to concerns over anti-social behaviour.

- 5.4 To the north of Plot A is The Children's House Nursery, a three storey building with a pitched roof and a unique brick pattern which is a key feature of Elmore Street. To the north-west of Plot A is Cedar Court, a six-storey block of flats built in the 1960's. Cedar Court includes a large, shared amenity space, which is separated from Plot A by a brick wall. To the south, Plot A fronts onto 68 Halliford Street, a contemporary three storey residential block with a number of windows overlooking the site.
- 5.5 Plot B currently comprises 5 car parking spaces. The plot fronts onto Elmore Street to the south and is bound by the gardens of a row of four storey traditional terraced townhouses to the north. To the east, it is adjacent to 118-128 Elmore Street, a row of two storey maisonettes. To the west, the plot is adjacent to a contemporary four storey block of flats.
- 5.6 The surrounding townscape is predominantly residential but diverse in form, with 1960/70's flatted blocks, terraced townhouses, ornate brick buildings (such as 77 Elmore Street and 110-116 Elmore Street), and more contemporary buildings all nearby. The surrounding building heights are generally low to mid rise, with most buildings ranging between two to six storeys.
- 5.7 The site has no listed buildings and is not within a Conservation Area although the site is bound by the East Canonbury Conservation Area (CA23) along Halliford Street, Ecclesbourne Road, Elmore Street, and Northchurch Road. The buildings to the rear of Plot B are all locally listed. Plot B sits within the Crossrail 2 Safeguarding Area (2013). The site is not subject to any other relevant designation.
- 5.8 In terms of accessibility, the site is located within easy walking distance of Essex Road, a Local Shopping Area, which provides a wide range of local facilities and services including retail, leisure, and health. Upper Street Local Shopping Area and Angel Town Centre are also nearby.
- 5.9 The site has a PTAL rating of 6a, indicating excellent levels of connectivity to public transport, with numerous bus stops and Essex Road Station nearby. Canonbury Overground Station is also 850m from the site.

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks permission for the construction of 13 new dwelling units, provided in three new residential blocks, along with provision of bicycle storage and refuse and recycling facilities, improvements to access, landscape, and public realm, and the demolition of external storage facilities.

Demolition

- 6.2 The proposal includes the demolition of a number of structures as detailed below:
- The bulk store, storage units, the caretaker's store, near the stair core closest to Elmore Street, alongside the metal entrance extension;
 - The pram sheds near the core closest to Halliford Street;
 - The brick wall facing onto Elmore Street.

Proposed Residential

- 6.3 The scheme proposes the construction of 13 dwellings (Use Class C3), comprising 2 x 1B2P units, 3 x 2B3P units, 2 x 2B4P units, 3 x 3B4P units, 2 x 3B5P units and 1 x 3B6P units, across three blocks.

6.4 A total of 8 units would be social rent, and 5 units would be for private sale. This represents a delivery of 62% affordable housing (by net additional unit).

6.5 Below is an extract from the submitted Proposed Ground Floor Plan (drawing ref: 3229-LB-XX-00-DR-A-110000 Rev.P01) which shows the proposed site layout

Building A

6.6 Located in the south-west corner of the Lindsey Mews grounds, Building A provides 2x 1-bedroom-2-person dwellings. Building A is part one storey in height and part two storey with an upper level dormer.

Building B

6.7 Located on the existing car park in the north of the Lindsey Mews grounds, Building B provides 1x 2-bedroom-3-person unit, 1x 2-bedroom-4-person unit, 3x 3-bedroom-4-person, 2x 3-bedroom-5-person units, and 1x wheelchair accessible 2-bedroom-3-person unit. Building B is four storeys in height, with the top floor being a mansard roof.

Building C

6.8 Located on the existing car park between 142 and 128 Elmore Street, Building C provides 1x 2-bedroom-3-person unit, 1x 2-bedroom-4-person unit, and 1x 3-bedroom-6-person unit. Building C is four storeys in height.

Proposed Landscaping, Play Space and Public Realm

6.9 The application includes proposals to enhance the quality of the existing green space within Plot A to encourage better use of the space and to provide sustainable drainage and biodiversity benefits. The application also proposes to provide new play equipment, refuse and recycling facilities, and cycle storage within the grounds of Lindsey Mews.

6.10 Revisions

6.11 Over the course of the application a number of revisions to both plans and documents have been undertaken. These include:

- Design and Access Statement and Landscaping Drawings updated to reflect updates to Landscaping, Secure by Design, and Play strategies;
- Daylight, Sunlight & Overshadowing Report updated to include a window not previously considered in 185C Northchurch Road;
- Building A Roof Plan Drawing and Internal Daylight and Sunlight Assessment updated to reflect larger rooflight in Unit A.00.01 LKD;
- Statement of Community Involvement updated to reflect applicant's consultation after application was submitted;
- Noise Impact Assessment updated to include assessment of noise from neighbouring Children's House Nursery;
- Transport Statement updated to show that vehicles could safely reverse in to the site and leave in forward gear.

7. RELEVANT PLANNING HISTORY:

7.1 The applications relevant to the application site are as follows:

P081406 – Sander House, 110- 116, Elmore Street – Conversion of existing buildings for mixed commercial and residential use comprising one commercial unit (B1) and 17 residential units, including addition of third storey to main building – Approve with conditions 02/10/2008.

P2015/0362/FUL – 68 Halliford Street London N1 3HF – Extension to the existing building comprising a single storey extension above roof and 4-storey, stepped side extension with lower ground floor to create 8 no. residential units (7 x 2 bed, 1 x 4 bed). Provision of cycle storage and refuse facilities – Approve with conditions 09/03/2016.

8. PRE-APPLICATION ADVICE

- 8.1 Pre-Application engagement between the Applicant and the Council was undertaken (reference: Q2020/1830/MJR) prior to the submission of the planning application. It was advised that the provision of additional housing, especially affordable housing, in this location could be supported in land use terms.
- 8.2 In terms of the design, the development of two four-storey buildings along Elmore Street would be acceptable, subject to consideration of the surrounding conservation area and consideration of impact on neighbour amenity. An additional one-storey building would be acceptable, subject to refining the siting and massing to ensure minimal impacts on 68 Halliford Street. It was highlighted that there were opportunities to improve the estate's permeability and that open space improvements would be required to compensate for the loss of open space from new buildings.
- 8.3 The application has developed in response to the pre-application advice and comments from the Council's Urban Design Officer over the history of the scheme with further refinement to the location of buildings, their massing, and their elevations. In addition the applicant sought advice from the Council's Inclusive Design Officer and Refuse Officers, and the Metropolitan Police's Design Out Crime Officer. Extensive consultation with the local community also informed the development of the proposals.

9. CONSULTATION

Public Consultation

- 9.1 Letters were sent to occupants of 351 adjoining and nearby properties on 16th February 2023. A site notice and press advert were displayed on 23rd February 2023. The public consultation of the application therefore expired on 19th March 2023; however, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 9.2 At the time of the writing of this report 12 letters of objection have been received from 8 individuals in response to the consultation on this planning application. A petition has also been received which raises objection to the proposal and includes 21 signatures.
- 9.3 The issues raised can be summarised as follows (*with the paragraphs in brackets indicating where in the report the respective points have been addressed*):
- Concern with the applicant's consultation process (9.4-9.7);
 - More residents on the estate will cause a strain on existing services in the area (11.336-11.339);
 - Adding new residents while reducing the refuse space would add to existing waste issues on the estate (11.210-11.214);
 - The proposals represent overdevelopment of the area (9.25; 11.26);
 - The proposed buildings would look out of place and dominating due to the huge difference in scale in contrast to 118-128 homes (11.26-11.36);
 - The proposed buildings would increase overlooking in to existing properties (11.179-11.184);
 - No indication of where associated car parking would be (11.219);
 - Proposals would result in significant increase in traffic and parking demand (11.129);

- Increase in the number of people living in the area would increase noise and air pollution (11.189-11.199; 11.281-11.289);
- Construction would result in increased noise and air pollution (11.198-11.199; 11.286);

A number of concerns were raised regarding Building C in particular. These are listed below:

- Proposed access route between Building C and 118-128 Elmore Street would give rise to security and safety issues (11.304-11.306);
- Police and London Fire Brigade and they have stated the plans will impact safety (11.292;11.306);
- The doors within Building C along the proposed access route may be left open, restricting the width of the route, and limiting access (11.306);
- Building C has unacceptable impacts on the daylight levels and outlook of neighbouring properties (11.170-11.175; 11.177).

Petition

- The petition raises similar issues to those listed above, with particular emphasis on the applicant's consultation process and the design of Buildings B and C.

Applicant's Consultation

- 9.4 In addition to the statutory consultation noted above, the applicant carried out consultation with local residents prior to the submission of the application, which is outlined in detail in the submitted Statement of Community Involvement prepared by HTA, dated April 2023.
- 9.5 Newsletters were distributed to all existing residents of Lindsey Mews and 118-128 Elmore Street in June 2022. Subsequent newsletters and flyers, sent in September 2022, were distributed more widely to also include residents in Cedar Court, Halliford Street, Ecclesbourne Road and Essex Road, and local businesses.
- 9.6 Two drop-in resident engagement meetings were held prior to the submission of the application. The first, held in June 2022, was held for residents of Lindsey Mews and 118-128 Elmore Street whilst the second meeting, held in September 2022, also invited the wider local community including residents from neighbouring streets and local businesses, including the Children's House Nursery.
- 9.7 Further to the pre-application consultation, the applicant has continued to send newsletters to local residents since the application was submitted and has offered to meet with residents who have raised concerns regarding the proposals and the consultation process.

9.8 External Consultees

- 9.9 **Health and Safety Executive (HSE):** Confirmed that they had no comments in relation to the scheme.
- 9.10 **Islington Swift Group:** This development is in an area where swifts (on the RSPB amber list due to rapidly declining numbers) are currently nesting and will potentially nest, with nest sites on adjacent Halliford Street and Southgate Road. We therefore request that a significant number of integrated swift nest box bricks are installed.
- 9.11 **TfL - Crossrail 2:** Confirmed that they had no comments in relation to the scheme.
- 9.12 **London Fire Brigade:** Reviewed the submitted information and confirmed they have no observations to make, although noted that should any material amendments to the scheme be made, a further consultation may be required.

9.13 **Secure by Design - Metropolitan Police:** Noted that the applicant discussed the proposals with the them prior to the submission of the application. The DOCO welcomes the incorporation of Secured by Design principles, including the incorporation of defensible space, the increased levels of natural surveillance and so on. The officer raised the following concerns:

- Sufficient anti-climb measures should be incorporated in to the design of Building A to remove the potential intrusion opportunity that is created by the building's lower level pitched roof.
- The security gate at the side of Building C should be at least 2m high with an 'unfinished topping' to help to remove its use as a climbing aid. This should be secured by a British Standard lock (BS 3621, BS 8621 etc), key operable upon both sides. Access should be reserved for residents and maintenance use only.
- There are concerns regarding the open-topped cycle store as the lack of a roof allows intruders an easy way in. It is recommended that the applicant either pursues a non-visually permeable, robust, and secure, full enclosure (with PAS24:2022 door and access control via fob) or individual security rated cycle lockers to at least security rating Sold Secure Gold or LPS 1175 Issue 7:SR1.
- There are concerns regarding the use of low-level bollard lighting as the sole light source for the site. It is recommended that the applicant incorporates either column or bulkhead lighting to allow for better light uniformity and identification of persons/hazards etc. Bollard lighting can then compliment this.

The officer made the following recommendations:

- All ground floor doors, windows, and glazing should meet at least security rating PAS24:2022.
- It is recommended that a layer of security laminate to at least security rating BS EN 356:2000 P2A is added to any glazing that is 'easily accessible'.
- The refuse store doors should be security rated to at least PAS24:2022 and should be fob controlled for tenants and residents use/refuse collectors only.
- All residential dwellings should meet the guidance from the SBD residential guide (currently 'Homes 2023'), including the incorporation of secure entrance door-sets to each dwelling to PAS24:2022 and any lightweight framed walls between communal areas and dwellings to incorporate a secure walling system.
- The electric charging points located on the site should be lockable for authorised use only.
- The proposed scheme be required to achieve Secure by Design accreditation via condition.
- Ongoing consultation with the police will be required by the applicant.

9.14 **Thames Water:** No objection subject to a condition relating to a Piling Method Statement and informatives regarding obtaining a Groundwater Risk Management Permit, working near Thames Water assets, and Thames Water's minimum water pressure

Internal Consultees

9.15 **Ecology Officer:** Welcomes the BNG score of 13.59% and UGF of 0.5. Noted that it will be important to check the final planting plan to ensure that the applicant includes the species that have been recommended in the BNG report and the PEA. Especially in terms of the dense shrub planting and the nectar rich planting.

A lighting scheme which is sensitive to ecology should be put in place. Integrated swift bricks are preferred to starling boxes or sparrow terraces. Blue tit and great tit boxes should be placed on trees. Bat bricks incorporated into the building would be better than bat boxes on the trees.

9.16 **Energy Officer:** Welcomed the proposals, however recommended the application be resisted until the applicant confirms a correctly calculated Carbon Offset Sum of £7,912 and demonstrated that the development will be futureproofed for connection to a future DEN.

- 9.17 **EPPP Officer – Air Quality:** No objections. The Sustainable Design and Construction Statement proposes that ASHPs are used for the development. There are no combustion sources proposed and the site builds over existing car parking spaces and the site is a car-free development. Therefore, the development will be air quality “neutral”. The predicted concentrations for future occupiers are below the AQ objectives and in London Council’s APEC “A” where there are no air quality grounds for refusal.
- 9.18 **EPPP Officer – Contamination:** No objection subject to requested condition securing submission of a remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation and a verification report
- 9.19 **EPPP Officer – Noise:** Initially requested that the Noise Impact Assessment be updated to consider noise from the adjacent Children’s House Nursery. The applicant provided this information, and no further concerns were raised.

No objections subject to conditions requiring details of sound insulation and noise control measures, and imposing noise level limits on the proposed air source heat pumps.

- 9.20 **Highways and Traffic:** Details of the submitted transport strategy, including swept path drawings and construction routes, were presented to the Council’s Highways Officer. The Officer confirmed they had no objections subject to confirmation that vehicles would reverse in to Lindsey Mews and leave in forward gear.
- 9.21 **Inclusive Design Officer:** Resisted the inclusion of two units which do not meet local policy requirements in term of accessibility but raised no further concerns subject to appropriate conditions requiring details of inclusive design measures.
- 9.22 **Planning Policy:** The proposals would result in the development of eight genuinely affordable homes that will contribute towards meeting Islington’s significant housing need. It is considered that the proposals would deliver improvements to the Lindsey Mews estate in terms of soft landscaping and permeability, as well as through the provision of formal play space and informal playable spaces. However, there are some inconsistencies with policy in terms of the provision of wheelchair accessible housing and private amenity spaces and some concerns about the amenity implications for existing and future residents of the site and surrounding area given the close proximity of the proposed buildings to existing properties.
- 9.23 **Sustainability:** Officers raised concerns with the SUDS strategy, lack of green roof on Building C, and the lack of a whole life carbon cycle assessment. The applicant has provided further details on the SUDS strategy and the Sustainability Officer has confirmed that all outstanding concerns can be dealt with via appropriate conditions.
- 9.24 **Trees Preservation Officer:** No objections. The three removed trees are of poor condition, location, and amenity value and as such should not be seen as a constraint to development.

Recommended conditions requiring a tree protection plan and arboricultural method statement, details of site supervision, and details of tree planting and tree pit proposals.

9.25 **Urban Design & Conservation Officer:** The three buildings work well together. Buildings B and C repair the broken street frontages along Elmore Street, reinstating a perimeter block form, whilst Buildings B and A animate Lindsay Mews, creating a better overlooked and safer route and proper mews street. The building heights, form, and appearance have been driven by the surrounding character. It is considered that the site could accommodate more development but that this would be to the detriment of the quality of the scheme.

The scheme delivers a high-quality new development and should be consented subject to conditions requiring details of the proposed facing materials and landscaping strategy.

10. RELEVANT POLICIES

- 10.1 Islington Council (Planning Committee), in determining the planning application has the main following statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
 - As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area (s72(1)).
- 10.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 10.3 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
- 10.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 10.5 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.
- 10.6 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.
- 10.7 Members of the Planning 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.
- 10.8 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 equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications.

In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 10.9 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.
- 10.10 In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the desirability of preserving the adjoining listed buildings, their setting and any of their features of special architectural or historic interest.

Development Plan

- 10.11 The Development Plan is comprised of the London Plan (March 2021), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013, and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Emerging policy: draft Islington Local Plan

- 10.12 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation, with consultation on the Regulation 19 draft taking place from 5 September 2019 to 18 October 2019. The Draft Local Plan was subsequently submitted to the Secretary of State for Independent Examination in February 2020. The Examination Hearings took place between 13 September and 1 October 2021. The Council consultation on Main Modifications to the plan between 24 June to 30 October.
- 10.13 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).
- 10.14 Given the advance stage of the draft plan and the conformity of the emerging policies with the Framework it is considered that policies can be afforded moderate to significant weight depending on the significance of objections to main modifications.
- 10.15 Emerging policies that are relevant to this application are set out in Appendix 2. The emerging policies are considered to be consistent with the current policies.

Designations

- 10.16 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013, and Site Allocations 2013:
- Local Cycle Routes
 - Major Cycle Routes

- Site within 100m of an SRN Road
- Site within Rail Safeguarding Area (Crossrail 2)
- Site within 50m of Conservation Area (East Canonbury)
- Article 4 Direction – A1 to A2 (Rest of Borough)

Supplementary Planning Guidance (SPG) / Document (SPD)

10.17 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

11. ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Land Use
- Design, Conservation & Heritage Considerations
- Landscaping
- Ecology
- Accessibility & Inclusive Design
- Quality of Accommodation
- Dwelling Mix
- Neighbouring Amenity
- Transport and Highways
- Energy & Sustainability
- Waste Management
- Urban Greening Factor
- Fire Safety
- Crime Prevention
- Flood Risk & Sustainable Drainage
- Land Contamination
- Affordable Housing & Viability
- Planning Obligations, CIL, and Local Finance Considerations.

Land-Use

- 11.2 The proposal is for the demolition of the existing external storage facilities and the construction of 13 new dwellings with associated amenity space, provided in 3 blocks, ranging in height between one to four storeys, alongside the provision of bicycle storage, refuse and recycling facilities, and improvements to access, landscape, and public realm.
- 11.3 The London Plan supports the building of more homes through Policy GG4, which promotes the delivery of genuinely affordable homes and the creation of mixed and inclusive communities, with good quality homes that meet high standards. Policy GG2 requires development proposals to make the best use of land by enabling development on brownfield land well-connected by public transport and by applying a design-led approach to determine the optimum development capacity of sites.
- 11.4 The London Plan also supports increasing housing supply and optimising housing potential through Policy H1, which states that the potential for housing delivery on all suitable and available brownfield sites should be optimised. Policy CS12 of the Core Strategy states that Islington will meet its housing challenge, to provide more high quality, inclusive and affordable homes by seeking to meet and exceed the borough housing target, seeking the maximum reasonable amount of affordable housing, especially social rented housing.
- 11.5 In terms of emerging local policy, strategic and development management policy H1 supports the delivery of genuinely affordable housing that is integrated and inclusive, providing places where people of different incomes, tenures and backgrounds can live in mixed and balanced communities,

which are economically, environmentally, and socially healthy and resilient. Policies H1 part C and H2 part B require proposals involving new housing to demonstrate the use of the site is optimised.

- 11.6 The proposal involves the creation of 13 new homes, 8 of which would be for social rent. As outlined above, delivery of genuinely affordable housing is a key priority of the Local Plan as well as the London Plan. The overarching strategic target over the plan period is for 50% of all new housing to be genuinely affordable and housing proposals are expected to deliver the maximum reasonable number of affordable homes, especially social rented tenure. Moreover, the affordable housing tenure split on all schemes must prioritise forms of affordable housing which are genuinely affordable for those in need, particularly social rented housing. As such, the delivery of genuinely affordable housing across the estate, by ensuring that 62% of the new residential units would be for social rent, is supported in principle
- 11.7 The application proposes new buildings on semi-private estate open space. It is crucial that any loss of open space is suitably justified as well as adequately compensated with overriding planning benefits to support the proposal. The total site area is 1,974.1sqm, of which 92.8sqm is currently built on and 1,247.6sqm is hardstanding. The majority of green open space on the estate, some 436sqm is soft landscaped amenity space, while 94.7sqm is buffer planting.
- 11.8 Policy G2 of the emerging Local Plan protects open space on housing estates. Where development is proposed on open spaces on housing estates, on-site re-provision of the same quantum of space of an improved quality is encouraged. Proposals which will lead to a net loss, but which will re-provide a quantum of on-site open space which is both functional and useable may be acceptable in a number of circumstances including if the lesser amount of space is of a higher quality. Multi-functional use of the space is encouraged as well as greater permeability and connectivity within and between. These policy objectives are discussed in more detail in subsequent sections of the report.
- 11.9 The proposal involves building on existing hardstanding as well as on existing green spaces, while at the same time providing enhanced green and open spaces for residents including species-rich grassland, new trees and planted areas with higher biodiversity value. The resulting change in open space, including green spaces and hardstanding, private and communal, as well as building footprint is as follows:

Description	Existing (m ²)	Proposed (m ²)	Change (m ²)
Car Park / Hardstanding	693.6	0	-693.6
Pedestrian Routes / Footpaths	267	404.9	133
Dedicated Play Space	0	27.1	27.1
Amenity Space – Hard Landscaping	287	0	-287
Total Hardscaping	1247.6	432	-847.6
Amenity Space – Soft Landscape	436	324	-76
Buffer Planting	94.7	304	260.3
Playable Landscaping	0	84.3	684.3
Green Roof	0	67	67
Total Soft Landscape	530.7	779.3	251.3
Building Footprint	92.8	532.7	482.2
Private Residential Amenity Space	103	230.1	128.6
Total Building Footprint/Private Amenity Space	195.8	762.8	567
Total	1974.1	1974.1	0

Table 1: Existing and proposed buildings and open space

- 11.10 As detailed in the table above, there is proposed to be a significant reduction in hard landscaped amenity space and a smaller reduction in soft landscaped amenity space. Whilst some of Building A is to be built on soft landscaped amenity space, most of this loss in amenity space is re-provided

as buffer planting. There is considerable increase in planted areas leading to an overall increase in green space on the estate. The loss of grassland is thus compensated for by an increase in species-rich, planted areas. The landscaped areas would be planted with trees and plants with ecological value and the proposed buildings will be provided with green roofs. As such, the estate's Urban Greening Factor will be enhanced as a result of the proposal. Furthermore, whilst there is a reduction in the total amount of soft landscaping, new planting and hard landscaping will make the estate's open space more useable for residents. The matters raised in this section will be considered in more detail in the landscape section of this report.

- 11.11 Whilst the potential of converting existing hardstanding to useable green space should not be dismissed, it remains a Council priority to deliver affordable housing. It also remains a Council priority to reduce reliance on car use. As such, the replacement of hardstanding and car parking for high quality housing and landscaping is a clear planning benefit.
- 11.12 In land use terms, the proposed development is considered to be acceptable in principle, subject to a further assessment of the other more detailed aspects of the proposal, and thus would be consistent with the aims and objectives of NPPF as well as London Plan Policies GG2, GG4, and H1 Islington Core Strategy Policy CS12 and emerging Policies H1 and H2.

Design, Conservation and Heritage Considerations

Policy Context

- 11.13 Quality of design lies at the heart of the planning system and is stressed at Chapter 12 of the NPPF (Achieving well-designed places). It states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The NPPF requires that developments are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Further it states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 11.14 The London Plan, throughout Chapter 3 (Design) sets out its support for high quality architecture and public realm, which responds to local context by delivering buildings that are positioned and of a scale, appearance, and form that response to the identity and character of the locality.
- 11.15 London Plan Policy D3 sets out the design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure, and amenities by public transport, walking and cycling. Where these locations have existing areas of high-density buildings, expansion of the areas should be positively considered by Boroughs where appropriate.
- 11.16 London Plan Policy D3 also sets out criteria relating to appropriate form, layout, experience, quality, and character which will be addressed in this section.
- 11.17 At the local level, policy CS9 of Islington's Core Strategy (2011) sets out an aim for new buildings to be sympathetic in scale and appearance and to be complementary to local identity.
- 11.18 Development Management (2013) Policy DM2.1 states all forms of development are required 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. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 11.19 Draft Local Plan Policy PLAN1 states that all forms of development are required to be of a high quality and make a positive contribution to local character, legibility, and distinctiveness, based upon an up-to-date understanding and evaluation of the defining characteristics of an area. This policy outlines the high-quality design expectations which proposals will need to meet.
- 11.20 Islington's Urban Design Guide (2017) provides guidelines and principles for good urban design, e.g., how buildings look and fit into their setting, the layout and organisation of public spaces and the appearance of street frontages. Of particular significance is paragraph 5.67 which states that 'new development should create a scale and form of development that relates to the existing built form and provides a consistent and coherent setting for the space or street that it defines or encloses'. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (The Setting of Heritage Assets), the council's Urban Design Guide SPD and the Mayor of London's Character and Context SPG are also relevant to the consideration of this application

Site Context

- 11.21 The application site relates to two parcels of land. Plot A comprises the area of open space and car parking at the rear of the Lindsey Mews Estate, a 1970s development of 3 and 4 storey buildings. Plot B comprises an area of car parking between a 2-storey council housing building and 4-storey block of apartments that sits on the corner of Elmore Street and Essex Road.
- 11.22 The Lindsey Mews Estate is comprised of simple, flat roofed brick buildings that line Elmore Street, and they are all a similar width and style. The buildings face away from the street, towards the open space and car parking, creating a confusing arrangement which works against the predominant pattern of development in the area. The entrances to the estate are not legible and the lack of passive surveillance along this route encourages anti-social behaviour. The open space is of a poor quality and has large sections of hardstanding which create an unattractive setting for the existing homes.
- 11.23 The car park on Elmore Street breaks the street frontage, leaving a gap that is out of character with the surrounding area. This plot backs onto Northchurch Road, which is lined with 4 storey, traditional terraces and which sits within the East Canonbury Conservation Area.
- 11.24 The surrounding area is of a mixed character, with some heritage assets. To the north-west of the site is the Children's House Nursery, a former mission hall building which has windows overlooking the site. Whilst not listed, this building sits within the conservation area. 68 Halliford Street is a 3-4 storey modern residential building which abuts the Lindsey Mews Estate at the south-east boundary.
- 11.25 Along Essex Road, there are two locally listed buildings; 292 Essex Road, a white stucco Palladian style building dating from 1812, and 304 Essex Road, a 19th Century brick-built terrace with shops at ground floor. The remainder of the Essex Road frontage is made up of Cedar Court, a 1960s housing block that sits back from the roadside behind a car park and row of mature trees. Cedar Court backs onto the Lindsay Mews site and overlooks it.

Principle of Development

- 11.26 As noted above, the Lindsey Mews Estate suffers from poor legibility and a lack of passive surveillance, whilst the Elmore Street has a broken street frontage as a result of the existing car parking spaces. The proposed buildings, assessed in more detail below, work well together. Buildings B and C repair the broken street frontages along Elmore Street, reinstating a perimeter block form, and Buildings B and A animate Lindsay Mews, helping to reinstate the estate as a mews street by creating a better overlooked and safer route. The building heights and form have been driven by the surrounding character. It is considered that the proposed arrangement follows a design led approach and satisfies the criteria set out in London Plan Policy D3 which seeks to ensure site capacity is optimised through the design led approach.

Assessment

Siting and Massing

- 11.27 Three buildings are proposed across the application site, with Building A sitting within the Lindsey Mews Estate and Buildings B and C infilling existing car parking along Elmore Street. It is considered that the proposed buildings are of a characterful form and contribute positively to the overall quality of the development. Furthermore, the siting of these buildings successfully restores the broken street frontage along Elmore Street and reinstates Lindsey Mews Estate as a mews route, with an improved communal courtyard and widened pedestrian routes and entrances.

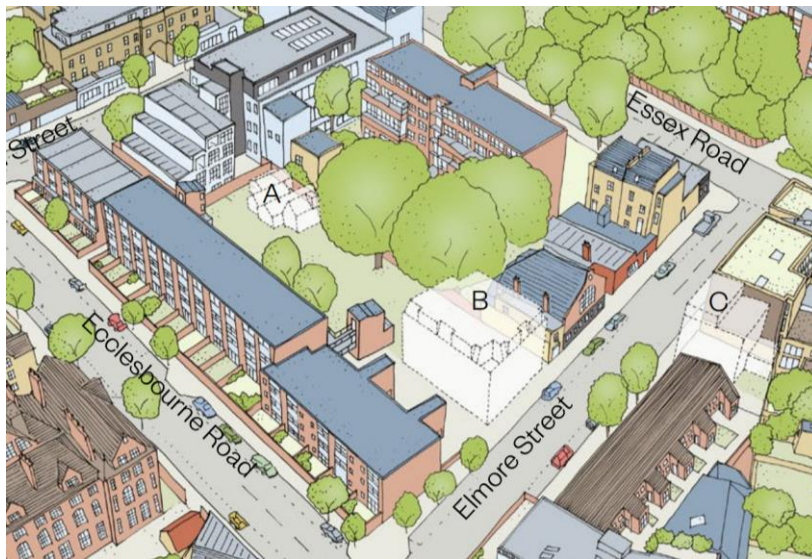


Image 7 – Buildings A, B, and C in situ

Building A

- 11.28 Building A, located in the south-west corner of Lindsey Mews, is one storey in height with an upper-level dormer in one of the homes. Its form responds directly to the immediate surroundings by minimising height and addressing the courtyard through the detailed design.
- 11.29 The shape of the building has been carefully formed, with a stepped frontage along its southern boundary which minimises outlook and daylight impacts to the neighbouring properties within 68 Halliford Street.
- 11.30 The roof is profiled in four, tall, pitched sections which break up the bulk of the building and create a form that adds interest to the site. The height of the roof rises from south to north – placing the tallest element as far away as possible from the neighbouring flats at 68 Halliford Street. A tall dormer window is placed on the northern gable, overlooking the courtyard, and adding to the level of passive surveillance.
- 11.31 To the rear of the building, private courtyard gardens are located between steps in the building's footprint. These sit on the site boundary with Cedar Court. The spaces have been placed below the level of the neighbouring property and screening has been provided to further safeguard the privacy of residents.

Building B

- 11.32 Building B is four storeys high with the top floor accommodated in a mansard roof with dormer windows. The profile of the building sits well in its context. Its shoulder height corresponds to the

height of the Nursery building to the north and the mansard roof reflects the character of the surrounding conservation area.

- 11.33 The north-west façade, next to the Children's House Nursery, steps back by 1.5m to respond to the existing windows on this neighbouring building. The apartment and windows on this edge have been designed to avoid overlooking into the nursery
- 11.34 Building B successfully provides active frontages to both Elmore Street and Lindsey Mews whilst providing a good amount of defensible space to the ground floor units. It is considered that the siting of Building B restores the broken street frontage of Elmore Street whilst also helping to define the Elmore Street entrance to the estate.

Building C

- 11.35 Building C is four storeys and broadly follows the height of the adjacent apartment block. The massing of building C steps back from the rear boundary at 1st floor and again at 3rd floor to provide adequate daylight to the homes and amenity spaces on Northchurch Road.
- 11.36 Building C successfully restores a break in the existing street frontage and responds well to the massing of the adjacent apartment block and the surrounding townscape. The stepped massing limits the impact to neighbouring Northchurch Road properties and respects the East Canonbury Conservation Area.

Appearance

- 11.37 The language of the proposed buildings is rooted in the materials and expression of the existing estate and surrounding townscape. As a result, the proposed buildings establish a collective identity and continuity whilst still allowing the new and existing buildings to be read as distinct phases of the area's development. The design of the buildings is therefore considered to be in line with Policy DM2.2, the NPFF (paragraph 13) and the London Plan Policy D3 which all require buildings to respond to local character.
- 11.38 The three buildings use the same material palette and share elements of architectural details, with all buildings using a light tone brick as the main material and a darker toned brick to emphasise details. However, the buildings each remain distinct through their form, mass, and scale, allowing them to respond to their individual settings.
- 11.39 Building A has a more unique character than Buildings B and C, reflecting its mews location. The building has been designed to integrate into the estate open space whilst minimising impacts on neighbouring amenity. The stacked brick bond of the wall that surrounds the private courtyard is expressed up to the head height of the windows and helps to ground the structure. A lighter brick in a stretcher bond pattern clads the upper part of the walls and gable ends of the roofs. The two brick patterns are separated by a row of light brick set in a soldier course. The pitched roof and dormer window are clad in zinc, complementing Building B and relating well to the building's darker brick.



Image 8 – Building A, as seen from the courtyard

- 11.40 Buildings B and C complete the broken frontages along Elmore Street. Their facades have been inspired by the design of the floorcloths that would have been produced in the former factory building at 292 Essex Road. The facades use geometric shapes sectioned off into squares to create a clearly defined brick work grid. The arched brickwork of Buildings B and C replicate the arches of 116 Elmore Street and therefore, the architectural references to the surrounding area's heritage is considered to create buildings which sit well within the surrounding townscape.
- 11.41 In Building B sections of recessed brick work sit behind the grid, adding relief to the frontages. Darker colour arches are expressed within the grid and add interest to the façade. The height of the brick bays decreases as the building's grid rises, matching the proportions of Victorian buildings where openings decrease from ground to upper levels. The windows sit in pairs within each archway and their proportions match the surrounding Victorian architecture. The building has horizontal concrete banding at parapet level and above the ground floor openings. These relate to the access deck of Lindsey Mews and add some contrast to the brick façade.
- 11.42 Special attention has been paid to Building B's relationship with the adjacent Children's Place nursery. In addition to reflecting the surrounding conservation area, Building B's zinc clad mansard roof has been designed to reduce the mass of the building in relation to the Children's House nursery next door. Furthermore, the recessed ground floor contrasts with the remainder of the building which works well with the neighbouring nursery, whose base is darker in colour and contrasts with the upper levels. It is considered that the tone of the brick relates well to the nursery building whilst also complementing the existing Lindsey Mews buildings.



Image 9: Building B, with the Children's Place Nursery in the background

11.43 Building C has been designed to read as 2 symmetrical town houses, with the paired windows repeated up the facade, comparable to Victorian town houses found in the surrounding area. The front elevation of building C follows a similar strategy to building B with darker brick arches set neatly in the brick recesses. The arches are expressed over 2 storeys and help marry the two scales of the neighbouring buildings. The building has three levels of concrete banding which divide the structure into a single storey base, double storey middle section and top floor level. This breaks up the mass and adds interest.



Image 10: Building C

11.44 Overall, the architectural approach and proposed materials palette is considered to be suitably robust and contextual. To ensure the quality and sustainability of the materials and architectural

detailing set out in the proposal is achieved, a condition (10) is recommended to secure details and samples of the materials. This condition would include specific requirements to provide details of brickwork, showing how the different brickwork would be built out.

Assessment of Significance to East Canonbury Conservation Area

- 11.45 The application site is bounded by the East Canonbury Conservation Area in multiple areas as demonstrated in the image below:



Image 11: Application site (red) and East Canonbury Conservation Area (green)

- 11.46 Historic England's guidance on the Setting of Heritage Assets notes that setting may include:

Consideration of setting in urban areas, given the potential numbers and proximity of heritage assets, often overlaps with considerations both of townscape/urban design and of the character and appearance of conservation areas..... the numbers and proximity of heritage assets in urban areas mean that the protection and enhancement of setting is intimately linked to townscape and urban design considerations. These include the degree of conscious design or fortuitous beauty and the consequent visual harmony or congruity of development, and often relates to townscape attributes such as enclosure, definition of streets and spaces and spatial qualities as well as lighting, trees, and verges, or the treatments of boundaries or street surfaces.

- 11.47 The site is considered to form part of the setting of the East Canonbury Conservation Area, helping to shape the overall character and appearance of the historic streetscape and townscape hierarchy.
- 11.48 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') requires decision makers with respect to any buildings or other land in a Conservation Area to pay 'special attention... to the desirability of preserving or enhancing the character or appearance of that area'.
- 11.49 Along with improvements to the Lindsey Mews Estate's landscaping, the proposed works involve the construction of one one-storey building within the grounds of the estate and two four-storey buildings which would infill existing carparks along Elmore Street. The carparks within the application site at present are unsightly and diminish the experience of townscape locally,

especially walking down Elmore Street. The two four-storey buildings are similar in bulk, height, and massing to existing buildings along Elmore Street and, by taking design cues from the surrounding architecture, it is considered that the proposals represent an improvement on the existing situation and an enhancement to the setting of the neighbouring conservation area.

Conclusion

- 11.50 The application proposes well-designed new buildings that are considered to mediate successfully between the architecture of the existing estate and the built form of the surrounding streetscape. The proposal makes a positive contribution to the townscape and public realm while suitably protecting the surrounding conservation area. In terms of design and appearance, heritage and conservation, the proposal is considered to be in accordance with London Plan Policies D1, D2, D3 and HC1, Islington Core Strategy Policies CS8 and CS9, Development Management Policies 2013 DM2.1 and 2.3, and emerging Local Plan PLAN1, DH1, and DH2 as well as Islington's Urban Design Guide (2017) and Historic England advice GPA3 (The Setting of Heritage Assets).

Landscaping

- 11.51 Islington's Core Strategy Policy CS15 on open space and green infrastructure states that the council will provide inclusive spaces for residents and visitors and create a greener borough by protecting all existing local spaces, including open spaces of heritage value, as well as incidental green space, trees, and private gardens. Development Management Policy DM6.5 and Emerging Local Plan policy G4 state that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. Furthermore, developments are required to minimise any impacts on trees, shrubs and other significant vegetation. At the same time any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits.
- 11.52 Regarding open space, Development Management Policy DM6.3 states that development is not permitted on semi-private amenity spaces, including open space within housing estates and other similar spaces in the borough not designated as public open space, unless the loss of amenity space is compensated, and the development has over-riding planning benefits. Moreover, both Development Management Policies DM2.1 and DM8.4, and emerging Local Plan policy PLAN1, encourage greater permeability by improving movement through areas and seeking an improved pedestrian environment following Islington's 'Streetbook' SPD.
- 11.53 Currently, the landscaping of Lindsey Mews is defined by poor biodiversity value lawn and hardstanding. The estate has no existing formal playspace and suffers from poor permeability, with existing routes through the mews being narrow and poorly signposted.
- 11.54 Whilst Buildings A and B would occupy the space currently covered in hardstanding, landscaping interventions are proposed across the existing open space to create greener areas with greater amenity and biodiversity value which will allow for the estate open space to be better used and more pedestrian friendly.



Image 12: Lindsey Mews Landscaping Strategy

- 11.55 The application proposes to enhance the existing open space through a number of interventions. In response to feedback from resident consultation, the lawn space is to be maintained between Buildings A and B, however the applicant seeks to re-provide this as species rich lawn. In terms of soft landscaping, it is proposed to provide new meadow planting with playable features installed within it, along with new shrub planting and raised food growing beds. New dedicated play spaces and seating is also proposed.
- 11.56 Hard landscaping is also proposed to provide new defined routes through the estate, with permeable paving being included at various locations across the estate. Two new bike and bin stores are to be provided in two locations in the courtyard and it is proposed that these would have green roofs installed. Details of the design of these stores is to be required via condition (15).

Pedestrian Improvements

- 11.57 It is proposed to reinstate Lindsey Mews as an attractive mews route by enhancing existing east-west routes through the estate, from Elmore Street to Halliford Street. The design provides a safer pedestrian route by widening the path, introducing new paving and lighting, and increasing the level of passive surveillance. Whilst not a new route, by highlighting the entrances and widening the paths, it is considered that the proposed pedestrian improvements enhance estate permeability and support local policy which seeks to open up areas of green space to the wider public in order to address the borough's open space deficiencies.

Children's Play Space

- 11.58 London Plan Policy S4 states that 'development proposals for schemes that are likely to be used by children and young people should:
- 1) increase opportunities for play and informal recreation and enable children and young people to be independently mobile
 - 2) for residential developments, incorporate good-quality, accessible play provision for all ages. At least 10 sqm of playspace should be provided per child.'
- 11.59 Development Management Policies DPD Policy DM3.6 requires all housing developments of more than 10 dwellings to make provision of play based on anticipated child yield. Adopted Islington

policy sets a reduced standard of 5 sqm private / informal play space per child, including private outdoor space.

- 11.60 The draft Local Plan Policy SC2 requires at Part (C) states 'all major residential development must make appropriate on-site provision for free to-use publicly accessible play space, which is suitable for children and young people of all ages and abilities. Provision must be proportionate to the anticipated increase in child population as a result of development proposals. All proposed provision of new play space within development sites must be designed in partnership with Islington Council, in line with any relevant best practice standards.'
- 11.61 Paragraph 3.167 notes in the supporting text for Policy SC2 that 'the Council will take into consideration the London Plan benchmark for 10sqm of play space to be provided per child as a starting point, but it is recognised that in Islington's context, delivery at this level may not always be feasible.'
- 11.62 Using the GLA population yield calculator the number of children that are expected to live at the development is 12.3. Therefore, 123sqm of play space is required to be delivered by the development. This is set out in the table below, with the breakdown in age groups:

Children's Age Range	Anticipated no. of children
0-4	4.8
5-11	4.0
12-16	2.2
16-17	1.2
Total	12.3

Table 2: Results from GLA population yield calculator

- 11.63 The proposal seeks to provide a 27sqm dedicated play area in addition to a number of play-on-the-way installations. A further 96qm of playable features are provided with the lawn and low level planting. This results in a total of 123sqm of play space, meeting the London Plan requirements.
- 11.64 The proposed play strategy seeks to provide play space for the 0-4 and 5-11 age groups, with no dedicated spaces for the 12-16 and 16-17 age groups. Whilst this is regrettable, it is considered that the play proposals represent a marked improvement on the estate's existing lack of play provision. Furthermore, there a number of publicly accessible parks, playgrounds and sports facilities within walking distance of the estate.
- 11.65 Considering the dedicated play area and informal opportunities for play including the lawns and landscaping, the incidental play features across the site, as well as private garden and terrace spaces, the standards for play space required by the London Plan are met by the proposed play strategy and significantly exceed DM3.6 requirements.
- 11.66 The Design and Access Statement submitted with the application provides details of an indicative layout for the play provision, however further details, including a play space management plan and maintenance plan, would be secured via the landscaping condition (12).

Trees

- 11.67 Development Management Policies Policy DM6.5 states that developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to

trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, and must be agreed with the council and suitably re-provided.

- 11.68 Emerging Local Plan Policy G4 states any loss of or damage to trees or other significant planting, or adverse effects on their growing conditions or survival, will only be permitted where it is demonstrably unavoidable in order to meet other relevant Local Plan policy requirements (as agreed with the Council). In such circumstances, suitable high-quality re-provision of equal value must be provided on-site. Where on-site re-provision is demonstrably not possible (as agreed with the Council), a financial contribution of the full cost of appropriate re-provision will be required.
- 11.69 22 trees are assessed in the submitted Arboricultural Method Statement. Four of these trees sit within the communal open space of Lindsey Mews Estate, while 13 trees sit within the highways land which runs along the perimeter of the estate. A further 5 trees sit within the neighbouring Cedar Court Estate. None of the trees on, or adjacent to the site are protected by a Tree Preservation Order (TPO) nor are they located within a conservation area.
- 11.70 In order to facilitate development, the applicant seeks to remove two Category C trees within the Lindsey Mews open space. These comprise a silver maple, a rowan. The applicant also seeks to remove a Category U rowan due to its poor form and low vitality.
- 11.71 Islington's Tree Protection Officer was consulted on the scheme, and it was confirmed that the three trees proposed to be removed are of poor condition, location and amenity value and as such should not be seen as a constraint to development.
- 11.72 Whilst no objection is raised to the removal of these trees, emerging policy G4 requires that their combined canopy cover be replaced. In order to achieve this, the applicant proposes to plant 10 new trees within the Lindsey Mews landscaping scheme which,, will provide the same level of canopy cover by year nine after planting. The Council's Tree Officer has noted that the lost canopy coverage could be achieved prior to that.
- 11.73 A large Category A silver maple tree sits within the Lindsey Mews open space and the Council's Tree Officer has confirmed that the submitted tree protection plan adequately considers the retained trees. In order to ensure the retention and protection of these trees, a condition (4) will be added to secure an updated Tree Protection Plan and Arboricultural Method Statement prior to the commencement of development. Details of the proposed trees will be secured via the landscaping condition.

Urban Greening Factor

- 11.74 London Plan Policy G5 sets out the expectation for major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments.
- 11.75 The UGF should be based on the factors set out in Table 8.2 of the London Plan but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development (excluding B2 and B8 uses).
- 11.76 Emerging Local Plan Policy G1 requires that Islington major developments are required to conduct an Urban Greening Factor (UGF) assessment in accordance with the methodology in the London Plan. Schemes must achieve an UGF score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.

- 11.77 Through the measures set out in the Biodiversity and Trees sections above the proposal would achieve a UGF score of 0.502 well exceeding the policy target. To ensure the urban greening factor is maximised, a minimum UGF of 0.502 shall be secured via condition (12).

Conclusion

- 11.78 Overall, it is considered that the landscaping proposals would create a greener and more useable space. Dedicated play space and pedestrian improvements mean that the proposals are successful in creating an attractive and safe mews route which would benefit new and existing Lindsey Mews residents as well as members of the public from the surrounding area. While the landscape strategy is supported in principle, further details would be required by condition in the event of permission being granted to ensure that the final design of the landscaping is of the highest quality and properly implemented.

Ecology

- 11.79 Chapter 15 of the NPPF states opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 11.80 London Plan Policy G6 states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
- 11.81 Core Strategy Policy CS15 outlines the requirement to protect and enhance biodiversity across the borough and address deficiencies in access to nature.
- 11.82 Development Management Policies Policy DM6.5 states that developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitats and support the council's Biodiversity Action Plan.
- 11.83 Emerging Local Plan Policy G4 states that all developments must protect, enhance and contribute to the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting and enhancing connectivity between habitats.
- 11.84 A Preliminary Ecology Appraisal, and a Biodiversity Impact Assessment were submitted with the application.
- 11.85 The site is located within an urbanised landscape, surrounded on all aspects by residential apartment Buildings and houses, with associated gardens, both private and communal. In terms of landscaping, the site at Lindsey Mews comprises a communal grass area, and a car park. The site at Elmore Street comprises a hardstanding car park only.
- 11.86 The baseline biodiversity value of the site is calculated to be 0.98 area-based biodiversity units, with poor condition grassland and a number of poor condition trees. Through the landscaping and ecology proposals, the proposed development stands to result in a net gain of 0.13 area-based biodiversity units which corresponds to a total net biodiversity gain of 13.59%.
- 11.87 The submitted Preliminary Ecology Assessment notes that the site is considered to provide limited suitable commuting and foraging habitat for bats but that the trees which could support bat roosts are to be retained throughout the construction and operational phases of the development and it is therefore unlikely the development would result in the loss or degradation of bat habitats. To ensure

suitable bat habitats are provided, the Ecology Assessment outlines recommendations for a lighting scheme which is sensitive to ecology.

- 11.88 In terms of nesting birds, trees and buildings would be cleared between September and February (inclusive) to avoid the main breeding bird season. Alternatively, an ecologist will check potential nesting habitats immediately before clearance if it is scheduled during the main breeding season (March to August inclusive). Any active nests identified will be retained in situ with a suitable buffer until the ecologist has confirmed that the chicks have fledged, and the nest is no longer active.
- 11.89 The Biodiversity Impact Assessment states that biodiversity net-gain will be achieved with green roofs and walls, general use bird boxes, sparrow terraces for house sparrow and planting a diverse range of native plant species including small trees and shrubs.
- 11.90 The submitted reports were reviewed by Islington's Ecology Officer who agreed with their recommendations for biodiversity enhancements but requested swift boxes instead of starling boxes or sparrow terraces. The Officer also requested a lighting scheme that is sensitive to ecology is also put in place and that the green wall be created by climbers planted in the ground, noting that if a modular living wall system is proposed then it should be fed by rainwater or grey water.
- 11.91 A condition is recommended requiring that the above recommendations are carried out to ensure any on-site biodiversity is enhanced (12) and further details of bird boxes/swift bricks would be secured by condition 13.
- 11.92 Islington's Sustainability team stated that the green roofs should be wildflower based with no more than a maximum of 25% sedum.
- 11.93 A condition (19) is recommended requiring that details of green roof are submitted to and approved by the Local Planning Authority alongside a maintenance plan. This is to ensure that the green roof will be of good quality, will make a meaningful contribution to on-site biodiversity and greening and will be maintained in the future.

Accessibility and Inclusive Design

- 11.94 London Plan Policy D7: Accessible housing requires that proposals provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that:
- 1) at least 10% of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'
 - 2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
- 11.95 Policy DM2.2 of the Islington Development Management Policies requires all development to demonstrate that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of development from the outset and over its lifetime.
- 11.96 Emerging Local Plan policy H4 outlines how new housing must be built to be accessible and adaptable to meet changing occupier circumstances over the lifetime of the development and must provide 90% of dwellings to Category M4(2) 'Accessible and Adaptable' standard; and the remaining 10% of dwellings to Category M4(3) 'Wheelchair user dwellings' standard.
- 11.97 To achieve this the proposal should be designed in accordance with Islington's Inclusive Design in Islington (2014) SPD.

- 11.98 The proposal would provide 1 wheelchair accessible unit that meets Building Regulations Part M4(3), equating to 7.7% of the total number of units. Whilst it is regrettable that the proposals do not achieve the 10% requirement for wheelchair accessible homes, it is considered that the provision of one wheelchair accessible home is acceptable, given the constrained nature of the site and the number of homes being provided.
- 11.99 The remainder of the proposed units are designed to be wheelchair adaptable, meeting M4(2) standards, with the exception of two maisonettes provided in Building C. Building C's upper floor units do not have step-free entrances because it was not possible to provide a communal lift in the building without resulting in inadequate layouts on the first floor entrance level and the loss of one unit. In line with the requirements of the Equalities Act, Officers have had due regard to the possible impact and indirect impact this would have on people with protected characteristics, particularly those who are disabled. However, given the site constraints and the inefficiencies associated with introducing a lift to such a small building, it is considered acceptable that level access is not provided to the upper floor units in Building C, in this case.
- 11.100 Whilst it is regrettable that these units do not achieve the M4(2) requirement, on balance this is not considered to outweigh the benefits of providing an additional family sized unit in this location at a scale of development that is contextual and takes advantage of the excellent transport accessibility.
- 11.101 Further details are required to be submitted to demonstrate compliance with the requirements of local policy and the Inclusive Design SPD. Recommended conditions 12, 15, 16, 20 would secure these requirements.

Quality of Residential Accommodation

- 11.102 London Plan Policy D6 requires housing development to be of high-quality design and provide adequately sized rooms (in accordance with Table 3.1 in the London Plan) with comfortable and functional layouts, which are fit for purpose and meet the needs of Londoners without differentiating between tenures. The policy also requires qualitative aspects of a development to be addressed to ensure successful sustainable housing. Moreover, housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings.
- 11.103 Finally, the design of development should 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.
- 11.104 Islington's Core Strategy policy CS12 advises that to help achieve a good quality of life for Islington residents, residential space and design standards will be significantly increased and enhanced from their current levels. Development Management Policy DM3.4 sets out the detail of these housing standards. Policy DM3.4 (part D (i)) states that 'new residential units are required to provide dual aspect accommodation unless exceptional circumstances can be demonstrated.
- 11.105 Emerging policy H4 (Delivering High Quality Housing) states that all new C3 housing developments must be designed and built to a high quality for the duration of its lifetime. A high quality dwelling is one which meets the criteria of local policy and the London Plan.

Private Internal Space

- 11.106 Policy H1 of the London Plan states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose.
- 11.107 Policy DM3.4(B)(i) states that all new residential developments, conversions and extensions are required to meet or exceed the minimum space standards set out in the supporting text of the policy.

11.108 Emerging policy H4(c) states that residential development must meet or exceed the minimum space standards and address other requirements for private internal space as set out in the London Plan and the relevant Supplementary Planning Guidance.

11.109 The most up to date adopted standard for internal unit size standards are as follows as taken from table 3.1 of the London Plan (2021).

11.110 All proposed units provide a compliant level of internal floor area. All units comply with the built-in storage area requirements with the exception of units A.00.01 and C.00.01, which fall slightly short by 0.2sqm and 0.1sqm respectively, albeit the units meet minimum required sizes and further storage could be provided within the proposed space.

Private Amenity Space

11.111 London Plan Policy D6 (Housing quality and standards) states that in relation to private outside space: 'a minimum of 5sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m'.

11.112 Policy DM3.5 (Private outdoor space) states that all new development should provide good quality private outdoor space. The minimum requirement for private outdoor space is 5sqm on upper floors and 15sqm on ground floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors and an extra 5sqm on ground floors up to a minimum of 30sqm for family housing (three bedroom residential units and above).

11.113 Policy H5 (Private outdoor space) of the emerging plan states that the minimum requirement for private outdoor space is 5sqm on upper floors and 15sqm on ground floors, for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors and an extra 5sqm on ground floors.

Unit	Unit Type	Private Amenity Space Provided (sqm)	Local Requirement (sqm)	London Plan Requirement (sqm)
A.00.01	1B2P	17	15	5
A.00.02	1B2P	17	15	5
B.00.01	2B3P (WC)	28	20	6
B.00.02	3B4P	20	30	7
B.00.03	3B3P	8	30	6
B.01.01	2B4P	8	7	7
B.02.01	3B5P	8	8	8
B.02.02	3B4P	8	7	7
B.03.01	3B4P	8	7	7
B.03.02	3B5P	8	8	8
C.00.01	2B3P	15	20	6
C.00.02	3B6P	13	9	9
C.00.03	2B4P	12	7	7

Table 3: Private amenity space (sqm) compared to policy requirements.

11.114 Private amenity space within the development is provided through various means, including gardens at ground level, balconies, and roof terraces. All units have an area of private open space which meets London Plan requirements. As demonstrated in Table 3, three units fail to meet local policy requirements in relation to private amenity space standards. Furthermore, Unit B.00.03 is not provided with a private amenity space at ground floor. This is an isolated incidence and,

considering the wider communal open space improvements, is considered acceptable in this instance.

- 11.115 Whilst it is regrettable that the ground floor private amenity spaces of Units B.00.02 and C.00.01 do not meet local policy space standards, they would meet the standards for upper floor units and it should be noted that were the ground floor gardens to be larger, there would be a substantial reduction in the quantity of estate open space. Given the quality of the communal open space improvements proposed, it is considered that the proposed units within the development would be provided with sufficient external private amenity space.

Daylight & Sunlight within the Proposed Development

- 11.116 The submitted Internal Daylight & Sunlight Report details that the vast majority of rooms in the proposal would achieve the respective room Lux targets as set in the BRE Guidelines with a compliance rate of 82%. It is noted that whilst there are three combined living/kitchen/dining rooms (LKDs) that would not achieve the 200 Lux target required for a kitchen, these rooms achieve levels of 178 Lux, 192 Lux, 146 Lux to over 50% of their area, meeting or getting very close to the living room target of 150 Lux. Furthermore, two kitchens which fail to achieve the 200 Lux target achieve 191 Lux and 198 Lux respectively, which is considered acceptable. Discounting these rooms, the proposal would achieve a compliance rate of 92%.

Unit	Room	Room Type	Req. Lux	Lux Value
A.00.01	R2/520	LKD	200	192
A.00.02	R3/520	LKD	200	178
B.00.01	R2/500	LKD	200	146
B.00.02	R5/500	Kitchen	200	198
B.00.02	R6/500	Bedroom	100	43
B.00.03	R4/500	Kitchen	200	191
B.02.01	R2/502	Kitchen	200	166
C.00.01	R3/510	LKD	200	101
C.00.03	R3/511	Kitchen	200	158

Table 4: Lux values for all rooms which fail to meet BRE guidance figures

- 11.117 In Building B, a bedroom achieves a median 43 Lux against a target of 100 Lux. This is a street facing bedroom and a balance needs to be found between good daylight levels and maintaining adequate privacy levels. The applicant has confirmed that the window width has been maximised and given the location, it is not considered that increasing the height of the window would be appropriate. This unit benefits from high levels of daylight in all other habitable rooms and therefore this transgression is considered acceptable, in this case.
- 11.118 Elsewhere in Building B, a unit has a kitchen which achieves a median 166 Lux level against a target of 200 Lux. This kitchen forms part of a living room/kitchen/dining room and the living room part of the room achieves a median 521 Lux. The kitchen Lux value is therefore considered acceptable, in this case.
- 11.119 In Building C, the LKD of a unit achieves a median 101 Lux. This room was redesigned following comments at pre-app stage to make the room less deep and to maximise the width of the courtyard facing, full height windows. These changes increased the median lux from 68 to 101. Whilst this falls below the 150 lux target, it is considered that the Lux value has been maximised in this room. Likewise, the kitchen of a separate unit achieves a below requirement Lux level of 158. This room is dual aspect and all opportunities to maximise the amount of glazing have been taken.

11.120 In relation to sunlight, the Sunlight Exposure has been calculated for each habitable room. The updated BRE guidelines (2022) refer to BS EN 17037 and state that a 'space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1 February and 21 March with cloudless conditions.' All units would meet this target.

11.121 For new developments, the BRE guidance suggest that dwellings should be orientated so that at least one main window wall faces within 90 degrees of due south. This would be achieved by the proposal.

11.122 Each flat would comfortably exceed the BRE target level for sunlight.

11.123 For the above reasons the proposal would be considered to provide acceptable levels of daylight and sunlight.

Other Quality Considerations

Dual Aspect

11.124 London Plan Policy D6 states: 'that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings.'

11.125 Draft Local Plan Policy H4 states: 'that all new residential units should be dual aspect unless provision of dual aspect is demonstrated to be impossible or unfavourable.'

11.126 All units would be at least dual aspect, and some would be triple aspect.

Floor-to-ceiling heights

11.127 Development Management Policies DPD Policy DM3.4 and requires that in new housing development all habitable rooms are required to have a minimum floor to ceiling height of 2.6m (between finished floor level and finished ceiling level).

11.128 Floor-to-ceiling heights would be 2.6m, or higher in some instances.

Dwelling Mix

11.129 The NPPF speaks of the importance of ensuring that the size and type of new housing meets local need. London Plan Policy H10 states that schemes should generally consist of a range of unit sizes, having regard to local evidence of need, the requirement to deliver mixed and inclusive neighbourhoods, the need to deliver a range of unit types at different price points across London, the mix of uses in the scheme, the range of tenures in the scheme, the nature and location of the site, the aim to optimise housing potential on sites, the ability of new development to reduce pressure on conversion, sub-division and amalgamation of existing stock and the need for additional family housing and the role of one and two bed units in freeing up existing family housing.

11.130 Islington Core Strategy Policy CS 12 notes that Islington will meet its housing challenge, to provide more high quality, inclusive and affordable homes by requiring a range of unit sizes within each housing proposal to meet needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing, and resisting the loss of existing units that are appropriate for the accommodation of families.

11.131 Islington's Local Plan: Development Management Policies DPD - Policy DM3.1 states that:

A. All sites should provide a good mix of housing sizes.

B. To ensure the range of housing sizes needed in the borough is provided, the housing mix required on all residential developments will be based on Islington's Local Housing Needs

Assessment, and the requirements of any updated housing needs surveys and/or assessments prepared by or on behalf of the council.

Tenure	1-bed	2-bed	3-bed	4-bed or more	Total
Market	10%	75%	15%	0%	100%
Intermediate	65%	35%	0%	0%	100%
Social Rented	0%	20%	30%	50%	100%

Table 5 - Housing size mix required for each housing tenure (adopted Local Plan)

Tenure	Studio/bedsit	1-bed	2-bed	3-bed	4-bed
Social rented	None	Low/Medium	High	Medium	Low
Intermediate rent – at London Living Rent levels (or rents akin to social rent)	None	Medium	High	Medium	Low
Intermediate rent – other Discounted Market Rent products	None	High	Medium	None	None
Intermediate – shared ownership	None	High	Medium	None	None
Market	None	Low	High	Medium	Low

Table 6 - Housing size mix priorities for each housing tenure (draft Local Plan)

11.132 The draft Local Plan recognises that it may be necessary for affordable housing schemes to require a different affordable housing mix in order to address short term changes in need / demand as a result of specific policy interventions. Policy H2 states that all development proposals for residential dwellings must provide a good mix of unit sizes which contribute to the meeting of the Council's housing size mix priorities. For social rented housing, the highest priority is for 2 bedroom homes, followed by 3 bedroom and then 1 bedroom homes.

11.133 Development Management Policies document paragraph 3.14 states that 'the mix of dwelling sizes that is appropriate to specific developments should be considered in relation to the character of the development, the site and the area'. Furthermore, the Mayor's Housing SPG states that 'boroughs should consider applying local policies on unit size mix flexibly in town centre and edge of centre sites where there is good accessibility, recognising the particular suitability of these locations for 1 and 2 bedroom units. Boroughs may also wish to take into account the potential net benefits which can arise as a result of the provision of smaller units in relation to the existing stock of family sized homes, including the extent to which the provision of smaller accessible and adaptable units may encourage downsizing, freeing up larger homes for occupation by families.'

11.134 Table 7 below sets out the proposed housing mix:

	1 Bed	2 Bed	3 Bed	Total
Social Rent				
Number	2	2	4	8
Percentage	25%	25%	50%	100%
Private Sale				
Number		3	2	5
Percentage		60%	40%	100%
Total				
Number	2	5	6	13
Percentage	15%	38%	46%	100%

Table 7 - Proposed Housing Mix (tenure and size)

- 11.135 It is proposed that of the total 13 new homes, two will be one-bedroom homes, both of which will be social rent. Five of the proposed homes would be two-bedroom homes, with three of these homes being for private sale and the other two being social rent. Three-bedroom homes represent the highest proportion of unit types, which are identified as the second most in need in the locality. Of the six three-bedroom homes, four would be for social rent and two would be for private sale.
- 11.136 The provision of 8 affordable homes would be a valuable contribution to local and strategic housing objectives. The proposed housing mix is considered appropriate given the location of the proposal site and would meet local demand and need.

Neighbouring Amenity

- 11.137 Chapter 12 of the NPPF details that new development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. With specific regard to daylight and sunlight, the NPPF states that 'when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)'.
- 11.138 London Plan Policy D1 states that development design should deliver appropriate outlook, privacy and amenity. London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight for new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outdoor space. London Plan Policy D13 seeks to reduce, manage and mitigate noise to improve health and quality of life.

Daylight and Sunlight: Assessment Guidelines

- 11.139 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.
- 11.140 The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be understood. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in 'Rainbird vs Tower Hamlets [2018]'.
- 11.141 Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.
- 11.142 The 'Effective Use of Land' section in the Government's Planning Practice Guidance (PPG), confirms that consideration is to be given as to whether a proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, setting out that all development should maintain acceptable living standards, although what will be

appropriate will depend to some extent on the context. The Guidance cites city centre locations where tall modern buildings predominate is an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings and optimise the use of land.

11.143 Whilst BRE guidelines are predominantly intended to assess the impact on residential properties, paragraph 2.2.2 (of the BRE guidelines) confirms that they may also be applied to existing non-domestic buildings where occupants have a reasonable expectation of daylight such as schools and some offices.

Daylight Guidance

11.144 The BRE Guidelines stipulate that... the diffuse daylighting of the existing building may be adversely affected if either:

- *the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value.*
- *the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.” (Daylight Distribution).”*

11.145 At paragraph 2.2.7 of the BRE Guidelines it states:

“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. This value of VSC typically supplies enough daylight to a standard room when combined with a window of normal dimensions, with glass area around 10% or more of the floor area. Any reduction below this level should be kept to a minimum. If the VSC, with the new development in place, is both less than 27% and less than 0.80 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area lit by the window is likely to appear gloomier, and electric lighting will be needed more of the time.”

11.146 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

11.147 At paragraph 2.2.10 of the BRE Guidelines state:

“Where room layouts are known (for example if they are available on the local authority’s planning portal), the impact on the daylighting distribution in the existing building should be found by plotting the no sky line in each of the main rooms. For houses this would include living rooms, dining rooms, and kitchens; bedrooms should also be analysed although they are less important. In non-domestic buildings each main room where daylight is expected should be investigated. The no sky line divides points on the working plane which can and cannot see the sky.”

11.148 Paragraph 2.2.13 considers the impact of balconies on existing windows:

“Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction opposite may result in a large relative impact on the VSC, and on the area receiving direct skylight. One way to demonstrate this would be to carry out an additional calculation of the VSC and area receiving direct skylight, for both the existing and proposed situations, without the balcony in place. For example, if the proposed VSC with the balcony was under 0.80 times the existing value with the balcony, but the same ratio for the values without the balcony was well over 0.8, this would show that the presence of the balcony, rather than the size of the new obstruction, was the main factor in the relative loss of light.”

Sunlight Guidance

11.149 The BRE Guidelines state in relation to sunlight at paragraph 3.2.13:

“If a living room of an existing dwelling has a main window facing within 90° of due south, and any part of a new development subtends an angle of more than 25° to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:

- receives less than 25% of annual probable sunlight hours and less than 0.80 times its former annual value; or less than 5% of annual probable sunlight hours between 21 September and 21 March and less than 0.80 times its former value during that period;*
- and also has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.*

The BRE Guidelines consider orientation at paragraph 3.1.6:

“A south-facing window will, in general, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East- and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90° of due south is likely to be perceived as insufficiently sunlit.

The BRE Guidelines go on to state at paragraph 3.2.3:

“... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90° of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.”

Overshadowing Guidance

11.150 The BRE Guidelines state at paragraph 3.3.1:

“Good site layout planning for daylight and sunlight should not limit itself to providing good natural lighting inside buildings. Sunlight in the spaces between and around buildings has an important impact on the overall appearance and ambience of a development.”

11.151 The open spaces where the availability of sunlight should be checked is listed at paragraph 3.3.3 including gardens, parks and playgrounds.

11.152 The test for adequate sunlight of these spaces is set out at paragraph 3.3.17:

“It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area that can receive two hours of sun on 21 March is less than 0.80 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March.”

BRE Guidance Flexibility

11.153 Where the above guidelines are exceeded then daylight, sunlight or overshadowing will be adversely affected. However, light is just one among many important aspects of a successful development and must be weighed in the planning balance. Paragraph 1.6 states:

“Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning

authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.”

Daylight and Sunlight: Assessment

11.154 The applicant submitted a daylight and sunlight assessment prepared by Point 2 Surveyors, dated April 2023.

11.155 The axonometric view below shows the proposed buildings in situ and their relationship with existing built-form and consequently existing dwellings in the surrounding area.

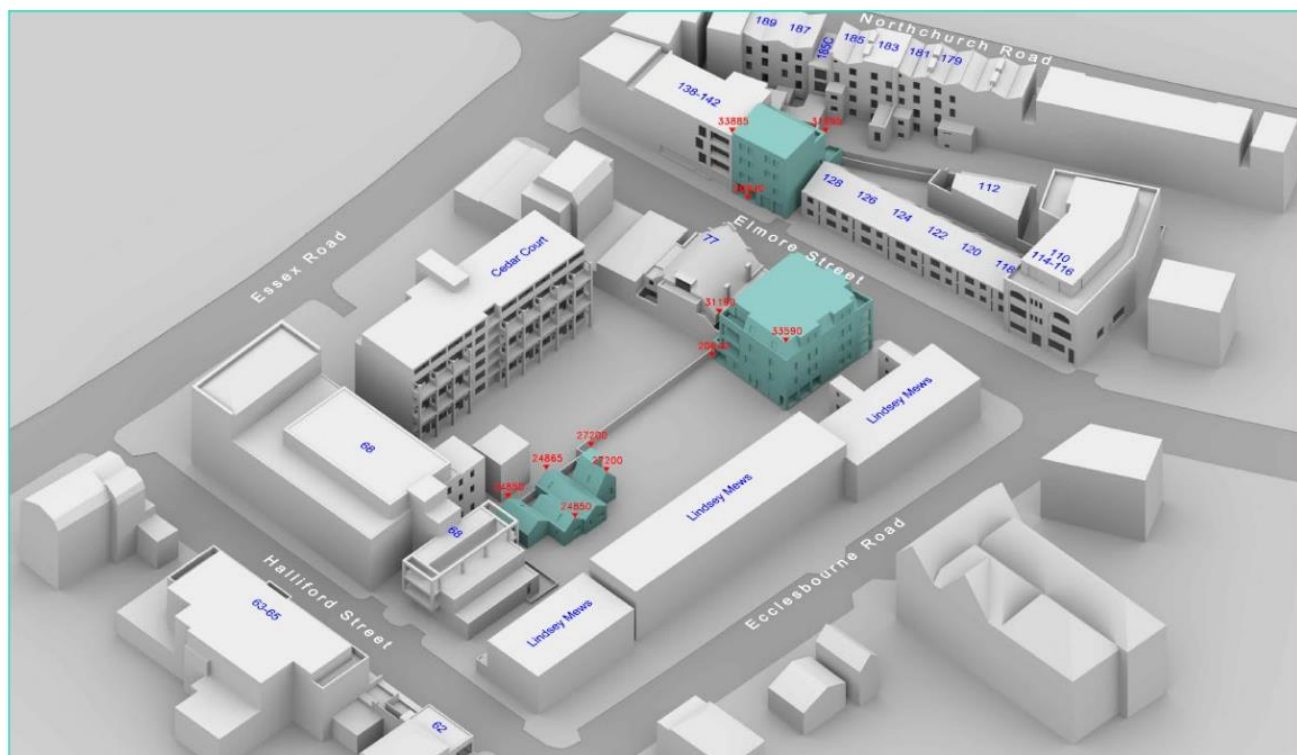


Image 13: Axonometric view of proposed development and surrounding properties

11.156 The results of the assessment show that the following 14 properties included in the analysis experience fully BRE compliant alterations in VSC, NSL and APSH. Each window and room assessed experiences either no change in light levels or negligible changes, which the BRE considers would be unnoticeable to occupiers. On this basis these properties are not considered further.

- 62 Halliford Street;
- 63-65 Halliford Street;
- Cedar Court, Essex Road;
- 10, 114-116 Elmore Street;
- 118 Elmore Street;
- 120 Elmore Street;
- 126 Elmore Street;
- 128 Elmore Street;
- 138-142 Elmore Street;
- Elmore House Lodge, 112 Elmore Street;
- 179 Northchurch Road;
- 181 Northchurch Road;
- 185 Northchurch Road;

- 189 Northchurch Road.

11.157 A further seven properties, which experience some level on non-compliance with the BRE thresholds, are assessed below.

Daylight

Lindsey Mews

11.158 The Lindsey Mews estate comprises three blocks, including five three-storey terraced houses, a four-storey building with 22 maisonettes, and a three-storey building with 15 flats. These buildings directly adjoin the application site along the south-eastern boundary. 118 windows have been assessed, which serve 74 habitable rooms. Of these 118 windows, 112 would experience fully BRE compliant alterations in VSC. Of the 74 rooms assessed, 68 would experience fully BRE compliant alterations in NSL. Six windows, highlighted in Image 14 below, would see noticeable daylight reductions. The figures are presented in Table 8 below.



Image 14–Lindsey Mews - Windows affected by daylight transgressions

		Vertical Sky Component			No Skyline (Daylight Distribution)		
Room/ Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Previous (sqft)	Proposed (sqft)	Reduction (%)
Lindsey Mews							
Ground							
R4/10 W6/10	Bed	20.95	9.29	56%	103.7	34.2	67%
R5/10 W7/10	Bed	21.20	9.80	54%	102.7	38.3	63%
First							
R4/11 W6/11	Bed	24.82	14.61	41%	105.7	43.1	59%
R5/11 W7/11	Bed	25.03	14.99	40%	104.6	45.2	57%
Second							
R4/12 W6/12	Bed	32.49	24.47	25%	109.2	66.0	40%
R5/12 W7/12	Bed	32.87	24.65	25%	106.2	66.3	48%

Table 8 – Lindsey Mews - VSC & DD Transgressions

- 11.159 Two windows located at ground floor level (W6/10 and W7/10) experience percentage reductions in VSC of 55.66% and 53.77% respectively. The rooms served by these rooms (R4/10 and R5/10) experience percentage reductions in NSL of 67% and 63% respectively.
- 11.160 Two windows at first floor level (W6/11 and W7/11) experience percentage reductions in VSC of 41.14% and 40.11%, respectively. The rooms served by these rooms (R4/11 and R5/11) experience percentage reductions in NSL of 59% and 57% respectively.
- 11.161 Two windows located at second floor level (W6/12 and W7/12) experience minor proportional reductions of 24.68% and 25.01%, respectively, which are only marginally beyond the permitted 20% change and are therefore unlikely to cause a noticeable change in light levels. The rooms served by these rooms (R4/12 and R5/12) experience percentage reductions in NSL of 40% and 48% respectively.
- 11.162 The six windows discussed are partially obstructed by building projections on either side. The projections, shown in the extract above, mean the affected windows are almost solely reliant on light received over the site of proposed Building B. The BRE recognises the effect of this design in buildings, stating that 'a larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it' (para.2.2.14).
- 11.163 Whilst it has been demonstrated that proposed Building B would have an undesirable impact on the six windows identified above, it is important to note that any reasonable residential led development of this currently open site, near a town centre location and with excellent transport links would be likely to result in some reductions to daylight and sunlight to these properties.

68 Halliford Street

- 11.164 This residential property is located west of proposed Building A and comprises accommodation between lower ground and third floor levels. 76 windows have been assessed, which serve 39 habitable rooms. Of these 76 windows, 75 would experience fully BRE compliant alterations in

VSC. Of the 39 rooms assessed, all would experience fully BRE compliant alterations in NSL. One window would see noticeable daylight reductions. The figures are presented in Table 9 below.

		Vertical Sky Component			No Skyline (Daylight Distribution)		
Room/ Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Previous (sqft)	Proposed (sqft)	Reduction (%)
68 Halliford Street							
Ground							
R2/50 W6/50	LKD	11.27	8.44	25%	243.3	243.3	0%

Table 9 – 68 Halliford Street – VSC and DD Transgressions

11.165 One ground floor LKD window would experience reductions in VSC marginally in excess of the BRE Guidelines (25%). This impact is considered minor, and isolated, with the room continuing to receive acceptable levels of daylight distribution. All other windows in this building would retain good levels of daylight.

122 Elmore Street

11.166 This residential property is located north-east of proposed Building B and comprises residential accommodation on the ground and first floor. 6 windows have been assessed, which serve 4 habitable rooms. Of these 6 windows, all would experience BRE compliant alterations in VSC. Of the 4 rooms assessed, 3 would experience BRE compliant alterations in NSL. One room would see noticeable daylight reductions. The figures are presented in Table 10 below.

		Vertical Sky Component			No Skyline (Daylight Distribution)		
Room/ Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Previous (sqft)	Proposed (sqft)	Reduction (%)
122 Elmore Street							
Ground							
R7/100 W10/100	Bed	33.65	27.41	19%	110.3	84	24%

Table 10 – 122 Elmore Street – VSC and DD Transgressions

11.167 One ground floor bedroom window would experience reductions in NSL marginally in excess of the BRE Guidelines (24%). This impact is considered minor, and isolated, with VSC levels remaining acceptable. All other windows in this building would retain good levels of daylight.

124 Elmore Street

11.168 This residential property is located north-east of proposed Building B and comprises residential accommodation on the ground and first floor. 6 windows have been assessed, which serve 4

habitable rooms. Of these 6 windows, 5 would experience fully BRE compliant alterations in VSC. Of the 4 rooms assessed, 3 would experience fully BRE compliant alterations in NSL. Two windows would see noticeable daylight reductions. The figures are presented in Table 11 below.

		Vertical Sky Component			No Skyline (Daylight Distribution)		
Room/ Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Previous (sqft)	Proposed (sqft)	Reduction (%)
124 Elmore Street							
Ground							
R5/100 W7/100	Bed	33.51	27	19%	110.3	85.8	22%
R6/100 W8/100	LKD	33.18	26.29	21%	170.9	160.6	6%

Table 11 – 124 Elmore Street – VSC and DD Transgressions

11.169 One ground floor LKD window would experience reductions in VSC marginally in excess of the BRE Guidelines (21%). One ground floor bedroom window would experience reductions in NSL marginally in excess of the BRE Guidelines (22%). These impacts are considered minor, and isolated. All other windows in this building would retain good levels of daylight.

183 Northchurch Road

11.170 This residential property is located north of proposed Building C and comprises residential accommodation on the ground to third floor levels. 9 windows have been assessed, which serve 8 habitable rooms. Of these 9 windows, 8 would experience BRE compliant alterations in VSC. Of the 8 rooms assessed, 7 would experience BRE compliant alterations in NSL. One window would see noticeable daylight reductions. The figures are presented in Table 12 below.

		Vertical Sky Component			No Skyline (Daylight Distribution)		
Room/ Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Previous (sqft)	Proposed (sqft)	Reduction (%)
183 Northchurch Road							
Ground							
R2/160 W2/160		15.95	12.68	21%	80.8	80.8	0%
R3/190 W7/100		15.51	13.21	15%	62.6	47.4	24%

Table 12 – 183 Northchurch Road – VSC and DD Transgressions

11.171 One ground floor window would experience reductions in VSC marginally in excess of the BRE Guidelines (21%). One ground floor window would experience reductions in NSL marginally in excess of the BRE Guidelines (24%). These impacts are considered minor, and isolated, with VSC

or Daylight Distribution remaining at BRE compliant levels, respectively. All other windows in this building would retain good levels of daylight.

185C Northchurch Road

- 11.172 This residential property is located north of proposed Building C and comprises residential accommodation on the ground to second floor levels. 6 windows have been assessed, which serve 4 habitable rooms. Of these 6 windows, 5 would experience BRE compliant alterations in VSC. Of the rooms assessed, 5 would experience BRE compliant alterations in NSL. One window would see noticeable daylight reductions. The figures are presented in Table 13 below.

		Vertical Sky Component			No Skyline (Daylight Distribution)		
Room/ Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Previous (sqft)	Proposed (sqft)	Reduction (%)
185C Northchurch Road							
Ground							
R1/130 W2/130	LKD	15.87	8.06	49%	659.2	567.0	14%

Table 13– 185C Northchurch Road – VSC and DD Transgressions

- 11.173 One ground floor LKD window would experience reductions in VSC in excess of the BRE Guidelines (49%). This room is served by a further two windows, W1/130 and W3/130, which experience an 11% and 6% reduction in VSC respectively. These windows are in close proximity to the boundary wall and therefore are more susceptible to light loss as a result of the massing of Building C. Overall, this room experiences a 14% loss in NSL and as such would experience only a limited reduction in daylight.

187 Northchurch Road

- 11.174 This residential property is located north of proposed Building C and is mixed use, comprising a retail unit at ground floor level and a duplex apartment at first and second floor level. 4 windows have been assessed, which serve 4 rooms. Of these 4 windows, all would experience BRE compliant alterations in VSC. Of the rooms assessed, 2 would experience BRE compliant alterations in NSL. Two windows would see noticeable daylight reductions. The figures are presented in Table 14 below:

		Vertical Sky Component			No Skyline (Daylight Distribution)		
Room/ Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Previous (sqft)	Proposed (sqft)	Reduction (%)
187 Northchurch Road							
Ground							
R1/230 W1/230		9.89	8.83	11%	39.1	26.5	33%
First							
R1/231 W1/231		24.21	19.95	18%	93.8	71.9	23%

Table 15– 187 Northchurch Road – VSC and DD Transgressions

11.175 Of the two rooms adversely affected by NSL reductions, one (R1/230) is assumed to be in commercial use and therefore does not need to be considered. The other room (R1/231) would experience reductions in NSL marginally in excess of the BRE Guidelines (23%). This impact is considered minor, and isolated. All other windows in this building would retain good levels of daylight.

Sunlight Impacts

11.176 Whilst a number of the habitable rooms assessed within the submitted sunlight analysis experience proportional reductions in winter APSH in excess of 20%, no room experiences a proportional reduction in annual APSH higher than 19%. This is within the BRE threshold and confirms that there will be no noticeable sunlight impacts on the surrounding properties annually. On this basis it is considered that there will be only a minor overall impact to sunlight to the surrounding properties.

Overshadowing

11.177 Neighbouring amenity areas including the Lindsey Mews Estate's open space and neighbouring gardens were tested for sun-on-ground. It can be seen that two properties (185 and 183 Northchurch Road) would experience some level of overshadowing impact as a result of Building C, receiving 2 hours of sunlight in 31% and 18% of their respective areas. These properties currently experience 2 hours of sunlight in 50% and 32% of their respective areas on March 21st, meaning that the overshadowing impact exceeds the BRE thresholds, and the impact would be noticeable. These properties already experience considerable overshadowing on 21st March and further assessment of the overshadowing experienced on 21st June shows that the gardens of 185 and 183 Northchurch Road would experience 2 hours of sunlight in 86% and 78% of their respective areas once the proposed development is built (compared to original values of 88% and 78%). Furthermore, these properties currently benefit from the existing gap in the Elmore Street streetscape allowing additional light in to their gardens. It is considered that any reasonable development which restores this gap, following the existing pattern of development, would have an impact on overshadowing experienced by these properties. As such, it is considered that, on balance, there is a good level of compliance with the BRE overshadowing recommendations.

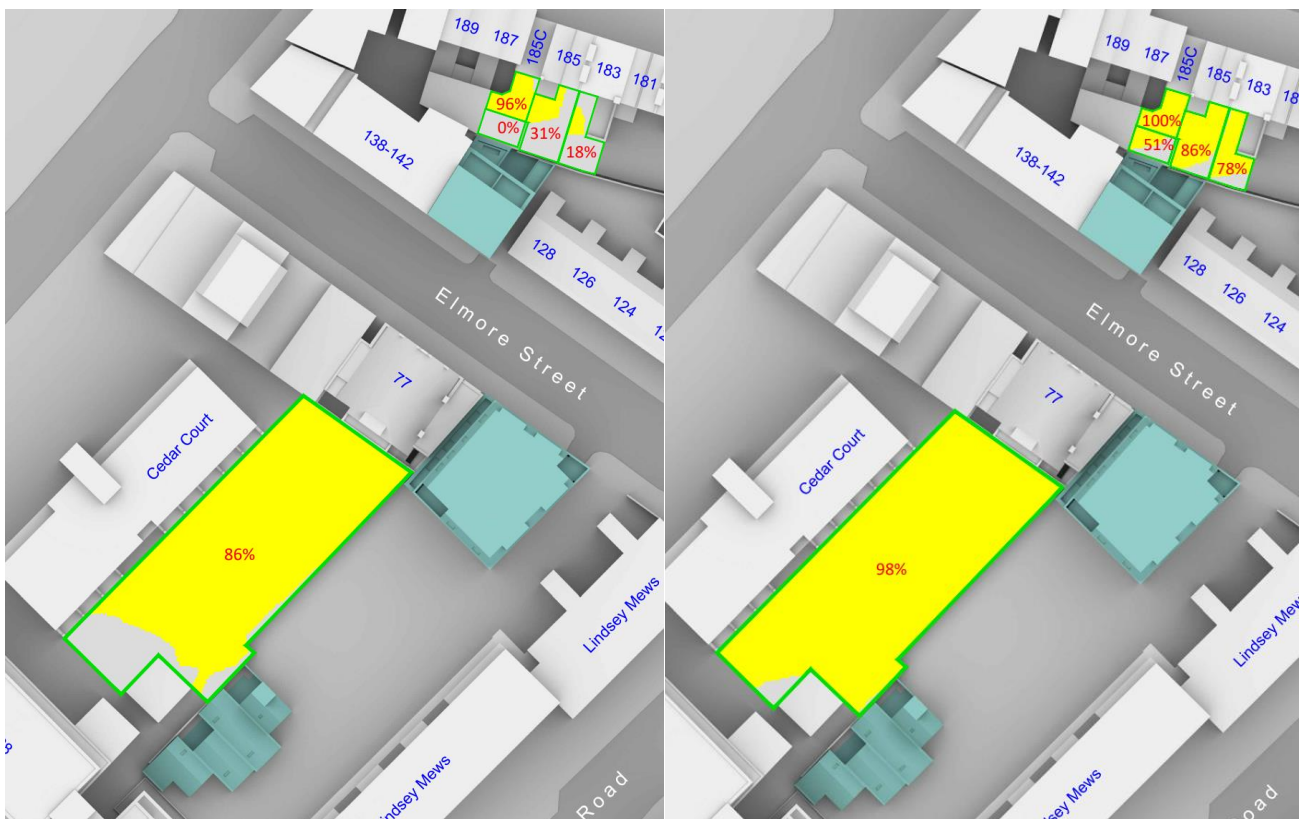


Image 15 & 16 – Two Hour Overshadowing Assessment (Proposed) - 21st March (left) and 21st June (right)

Daylight & Sunlight to Neighbouring Properties Conclusion

11.178 While the impacts of the proposal on daylight levels to several neighbouring properties are acknowledged to be harmful and weigh against the proposal, on balance this is not considered to outweigh the benefits of optimising an under-developed site to provide much needed additional affordable housing at a scale of development that is contextual and takes advantage of the excellent transport accessibility.

Overlooking

11.179 In the supporting text of Development Management Policy DM2.1 paragraph 2.14 and draft Local Plan Policy PLAN1 paragraph 1.67 and it states that to protect privacy for residential developments and existing residential properties, 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.

11.180 The Mayor's Housing SPG introduces some flexibility to this stating that 'in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city and can sometimes unnecessarily restrict density.'

11.181 In the assessment of privacy, consideration must be given also to the nature of views between windows of the development and neighbouring habitable rooms. For instance, where the views between habitable rooms are oblique because of angles or height difference between windows, there may be no harm.

11.182 Given that the proposed site is an infill site in a dense urban location, the minimum distance of 18m has not been achieved on all occasions, however, the design proposal has sought to safeguard the privacy of both existing and future residents. An assessment of the overlooking from the proposed buildings to neighbouring properties follows:

Building A

11.183 Building A is in close proximity to the existing Lindsey Mews Estate properties, with a distance of less than 12 metres between habitable rooms. Furthermore, Building A's south-west façade is near a number of windows serving the flats at 68 Halliford Street.

11.184 Building A has been sited so that all windows, bar one narrow and obscured window, face away from 68 Halliford Street. Whilst this is welcomed, it is considered that there is potential for overlooking from the south-eastern elevation to the existing ground floor Lindsey Mews properties. However, these windows would be separated by a public footpath and Building A's boundary treatment. For this reason, a condition (25) requiring the applicant to assess the level of overlooking and propose appropriate mitigation, such as partial obscuring or angled screens, is recommended.

Building B

11.185 Building B is in close proximity to the existing Lindsey Mews Estate properties, with a distance of only 11 metres between habitable rooms. Furthermore, Building B's north-west façade, next to the Children's House Nursery, steps back by 1.5m to respond to the existing windows on the existing building, which serve a staff room.

11.186 To prevent overlooking to the neighbouring nursery, obscured glazing is proposed to all windows on Building B's north-western elevation at first and second floors. With regard to overlooking towards Lindsey Mews Estate properties, the plans detail these windows to be obscurely glazed. Whilst in many instances the rooms are dual aspect and this would be acceptable, in the case of a bedroom per floor, one window would provide views back towards Lindsey Mews. Furthermore, the balconies in the south-eastern corner of Building B at all levels would also provide views back towards these properties. To address this, a condition (25) is recommended requiring details of how the windows in this elevation would include features to address overlooking and the inclusion of suitable screening to the balconies.

Building C

11.187 The rear elevation of Building C is in close proximity to a number of properties on Northchurch Road. To mitigate overlooking in this location, the rear windows at the first and second floor have a directional design with windows facing the properties obscured with a section that faces away from these properties at oblique angles. This would prevent overlooking in to the properties at 185 and 187 Northchurch Road. Whilst this is welcomed, suitable screening to the third floor roof terraces of Building C would be required to mitigate against overlooking. Details of methods to mitigate overlooking from Building C to neighbouring properties is recommended to be required by of condition (25).

Outlook

11.188 Given the relatively open nature of much of the existing estate, the development of two 4-storey buildings along Elmore Street and a further 1-storey building within the estate's open space would be visible from existing residential properties,. However, the proposed buildings are a sufficient distance from these neighbouring windows and are considered to be sympathetic in terms of height and massing and relationship with surrounding townscape and their introduction is not considered in this respect to create an unusual or unreasonable relationship to surrounding properties in the estate or in the surrounding area.

Noise and Disturbance

- 11.189 Development Management Policy DM3.7 states that residential developments should be adequately separated from major sources of noise, such as road, rail and certain types of development. Mitigation will be required where the noise environment necessitates this.
- 11.190 The emerging Local Plan Policy states that all development proposals which have the potential to cause or exacerbate unacceptable noise and vibration impacts on land uses and occupiers in the locality must fully assess such impacts. Where noise and/or vibration impacts are identified suitable mitigation measures must be put in place to reduce these impacts to acceptable levels.
- 11.191 An updated Noise Impact Assessment prepared by Max Fordham Ltd. – dated 25th April 2023 was submitted that included an assessment of the impact of activity noise at the Children's House Nursery on the proposed development which had previously been missing, in addition to noise impacts from around the site.
- 11.192 In terms of noise from the Children's House Nursery, located directly to the north of Building B, the report found that the impact of activity noise generated at Children's House Nursery on Buildings B and C is negligible.
- 11.193 In terms of traffic noise, the sound insulation performance of the facade glazing elements have been specified such that LBI internal noise targets in residential units would be met. Furthermore, the noise levels at all external amenity spaces are predicted to be typically <50 dB $L_{Aeq, 16hr}$, which represents good BS 8233 amenity space.
- 11.194 An overheating/noise control assessment was undertaken in line with Approved Document O of the Building Regulation 2012 to establish whether using open windows to control overheating would allow ADO internal noise level targets to be met. The report concludes that if the open area of the bedroom windows does not exceed 5% of the bedroom facade area, then Part O internal noise targets would be complied with.
- 11.195 The submitted report does not assess the noise impact from plant on the site as no external plant equipment is proposed as part of this application. However, the report does note that based on background noise levels, that any plant noise would achieve the Council's target of at least 5 dB below background. The submitted Sustainable Design and Construction Statement notes that air source heat pumps are to be installed and a condition (31) is recommended to ensure that noise levels arising from the ASHPs do not exceed a rating level of 42dBA.
- 11.196 Details of the proposed scheme of sound insulation and noise control measures shall be required by condition (14) to ensure that the scheme achieves the required internal noise targets for all habitable rooms.
- 11.197 The report notes that the site is over 650m from the nearest rail tracks (London Overground to the north), and 34m from the nearest main road (A104 to the north-west). Therefore, it is not considered vibration will be an issue for this site.

Construction Noise

- 11.198 An outline Construction Management Plan (CMP) was submitted with the application which sets out the initial construction programme and how noise impacts will be minimised.
- 11.199 The outline CMP has been reviewed by Islington EPPP Officers, who requested further details be provided via a full CMP once a contractor is appointed. A final Construction Management Plan is recommended to be secured by condition (3).

Impact on Neighbouring Amenity: Conclusion

11.200 The proposal would result in the development of a currently under-developed site. As such, the proposal would deliver an increase in massing and building height on site, which would in turn have a greater impact on neighbouring amenities when compared to the existing built form. It is acknowledged that especially in terms of daylight there are significant negative impacts however the level of impact is considered to not present an unacceptable impact.

Transport and Highways

11.201 The NPPF Chapter 9 emphasises the role transport policies have to play in achieving sustainable development and that people should have real choice in how they travel. Developments should be located and designed to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities, and consider the needs of people with disabilities and reduced mobility.

11.202 London Plan Policies T1, T2, T3, T4, T5, T6 and T6.1 seek for all new development to identify opportunities to improve the balance of space given to people to dwell, walk, cycle, and travel on public transport and in essential vehicles, so space is used more efficiently, and streets are greener and more pleasant. Adding to this, policies also set out requirements for levels of on-site vehicle parking, cycle parking and for servicing.

11.203 London Plan Policy T6 states that car-free development should be the starting point for all development proposals in places that are well-connected by public transport, but with provision made for disabled persons parking bays.

11.204 London Plan Policy T6.1 states that disabled persons parking should be provided for new residential developments. Residential development proposals delivering ten or more units must, as a minimum:

1) ensure that for three per cent of dwellings, at least one designated disabled persons parking bay per dwelling is available from the outset

2) demonstrate as part of the Parking Design and Management Plan, how an additional seven per cent of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient.

11.205 London Plan Policy T7 states that seeks to ensure that development proposals facilitate safe, clean and efficient deliveries and servicing.

11.206 Development Management Policy DM8.2 requires that proposals meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice.

11.207 Draft Local Plan Policy T1 requires that applicants must provide appropriate information to allow proper assessment of transport impacts and show how these impacts can be addressed. This policy goes on to state that all new development will be car-free, which will contribute to the strategic aim for a modal shift to sustainable transport modes.

11.208 The application site has a PTAL of 6a, which is considered 'excellent', due to the site's proximity to National Rail, Underground, and Overground stations as well as numerous bus links.

11.209 The application site is located within the East Canonbury Controlled Parking Zone (CPZ), 'Zone T', which operates weekdays between 08:30 – 18:30 and on Saturdays between 08:30 – 13:30.

Servicing, Deliveries and Refuse collection

- 11.210 It is proposed that servicing and deliveries will be undertaken from within the parking bays and laybys along Elmore Street.
- 11.211 All refuse generated by the development will be collected by the local authority as part of the existing refuse collection in the area. Refuse from Building C would be collected on street from Elmore Street, whilst refuse from Buildings A and B would be collected from within the Lindsey Mews Estate.
- 11.212 Access for emergency vehicles (fire and ambulance) will be provided from Elmore Street for Building C, and from within the estate for Buildings A and B.
- 11.213 The submitted swept path analysis drawings demonstrate that in order for refuse and emergency vehicles to access the site, it will be necessary for vehicles to reverse in to the site and exit in forward gear. Whilst policy requires vehicles to be able to enter and exit sites in forward gear, the proposals are a continuation of the Lindsey Mews Estate's existing access arrangements, and it would not be possible for vehicles to enter and exit in forward gear without impacting the proposed landscaping scheme. The proposed access arrangements for refuse and emergency vehicles is therefore considered acceptable.
- 11.214 LB Islington Highways/Traffic were consulted as part of this application and accept the proposed delivery and servicing arrangements subject to confirmation that vehicles will enter Lindsey Mews in reverse gear. A condition is recommended (21) requiring details of a final Delivery and Servicing Plan, including hours, frequency, location and size of vehicles to be submitted to and approved in writing by the Local Planning Authority. This condition would require the applicant to outline measures taken to ensure vehicles entering the estate do so in reverse gear.

Vehicle Parking

- 11.215 The proposed development would result in the loss of two existing car parks on-site. Existing residents affected by the loss of car parks would be able to apply for on-street parking permits. However, the proposal would be a car-free development, which would be secured by planning obligation, restricting future residents, with the exception of blue badge holders, from applying for parking permits.
- 11.216 It is proposed that one blue badge space be provided on street from the outset in order to serve the proposed wheelchair accessible home. This parking space would be secured via the Director's Agreement, with a financial contribution being paid to convert the existing street parking bay in to a blue badge holder parking bay.
- 11.217 There are currently three blue badge holders who use the car park within Lindsey Mews. To ensure that these blue badge holders are still able to access a parking space near their home, a financial contribution is secured within the Directors Agreement to enable the delivery of three on-street parking spaces. The Council's Transport Officer has advised that many blue badge holders prefer to use a Free Residents Parking Permits (FRPP) instead of their blue badges, for security reasons. Acknowledging this, the Directors Agreement is drafted so that residents will be offered the choice of either using FRPP or a having access to a blue badge parking bay within an accessible distance of their home.
- 11.218 To demonstrate that these parking spaces could be accommodated on street, the applicant has provided a plan detailing the proposed location of four on-street blue badge parking bays along Elmore Street. This represents the one additional space required for the proposed wheelchair accessible home and the three potential spaces for existing blue badge holders.
- 11.219 The proposed development would be car-free and the submitted transport statement demonstrates that the surrounding streets have capacity to accommodate the cars which currently park within

Lindsey Mews. It is therefore not considered that the proposed development would have an unacceptable impact on parking in the surrounding area. A blue badge parking bay would be provided on street in line with London Plan Policy T6.1. Furthermore, it is considered that existing blue badge holders would not be disadvantaged by the removal of the Lindsey Mews car park due to three additional spaces being secured via the director's letter.

Cycle Parking

11.220 The draft Local Plan Policy T2 states that all new developments must provide cycle parking, and associated circulation space for ease of use of cycle parking, in accordance with the minimum cycle parking standards set out in Appendix 4 Table A4.1. These standards are either in line or exceed the London Plan standards.

11.221 It states that 20% of spaces must be for accessible cycle parking (2 sqm) to provide for non-standard cycles and ambulant disabled cyclists using regular cycle. The Council will prioritise cycle parking that is practically useful for the majority of people, which is secure and allows convenient ease of access and avoids the risk of personal injury when manoeuvring a bicycle; Sheffield stands in particular are supported.

11.222 There is no existing cycle parking on the Lindsey Mews estate and the proposed cycle parking quantity has been calculated based off the number of proposed new homes only. Whilst it is regrettable that no additional storage is to be provided for existing residents, there are a number of bike hangars in the surrounding area with spare capacity which Lindsey Mews residents could use. Furthermore, given the constrained nature of the site, it is accepted that providing further bike parking spaces could only be achieved by reducing the amount of available open space and that this could impact the level of playspace provision and the schemes UGF value.

11.223 The London Plan and draft Local Plan and guidance in the London Cycling Design Standards require; One long-stay space per studio or one-bedroom (one-person) dwelling; One and a half long-stay spaces per one-bedroom (two-person) dwelling; and two long-stay spaces per two or more bedroom dwelling. The application requirements are set out below:

Unit Type	No. Units	Bike Spaces required per unit	Bike Spaces Required
1B2P	2	1.5	3
2B3P, 2B4P, 3B4P, 3B5P, and 3B6P	11	2	22
			25

Table 16 – Number of bike spaces required by local policy

11.224 For residents of Building A there would be a cycle store installed nearby, next to the existing stair core for Lindsey Mews. This cycle store would house three Sheffield stands, sufficient for six parking spaces including two accessible spaces.

11.225 Residents of Building B would have access to a cycle store installed next to the nearby refuse store. This cycle store would house seven Sheffield stands, sufficient for fourteen parking spaces including two accessible spaces.

11.226 6 cycle spaces are provided within building C, with two cycle storage spaces being provided internally within the entrance corridors of each unit.

11.227 This would provide a total of 26 long-stay residents' cycle spaces, which is higher than the 25 spaces required by draft Local Plan policy and the adopted Local Plan. It is noted that there would

be an imbalance across the stores with more spaces than the policy requirement for Building A (+3) and less for Building B (-2). However, given the size of the estate, it is not considered that residents of Building B using the Building A cycle store would be an inconvenience.

11.228 For visitor cycle parking, the draft Local Plan cycle standards (which exceed the London Plan's requirements) state that residential development should provide 2 short-stay visitor cycle spaces for the first 5-40 dwellings and 1 space per 40 dwellings thereafter. With 13 dwellings proposed, 2 visitor spaces is the policy requirement. 2 Sheffield stands, capable of providing 4 spaces, are proposed to be installed next to Building B in a location that would benefit from good levels of passive surveillance.

11.229 It should be noted that in accordance with the London Cycling Design Standards (LCDS), 5% of cycle parking spaces for residents should be suitable for larger, accessible and cargo bikes. A total of four accessible cycle parking spaces would be spread across the scheme with two spaces in each of the two main stores. This is equivalent to 15%, well above the 5% target.

11.230 Details of dedicated cycle stores are recommended to be required by condition (15).

Trip Generation

11.231 The projected trip generation is set out in detail within the Transport Statement dated March 2023 setting out a range of measures to encourage active and sustainable travel.

11.232 The trip generation predicts no additional vehicle trips, including servicing, in the AM and PM peaks respectively. On this basis, the number of vehicle trips is unlikely to generate any significant impacts on the road network. Officers consider that given the excellent PTAL of the location, the largest proportion of trips to be carried out would be via public transport and active travel. The Transport Statement demonstrates that there would be minimal impact on vehicle trips and sustainable modes would be the overwhelming way to get to and from the site. As an area with excellent public transport connectivity, the public transport network would be comfortably able to absorb the trips generated from the scheme.

Local Level Travel Plan

11.233 A Local Level Travel Plan prepared by Lime Transport Ltd, dated 4th November 2022, was submitted by the applicant. This document highlights the wide range of public transport and active travel facilities surrounding the site and sets out a range of measures to encourage active and sustainable travel. This travel plan and monitoring would be secured within the Director's Agreement.

Construction

11.234 An outline Construction Management Plan (CMP) by Islington New Build dated 19th December 2022 was submitted with the application which sets out the initial construction programme, vehicles, routing and how construction impacts will be minimised. It relates to both on site activity and the transport arrangements for vehicles servicing the site.

11.235 The CMP has been reviewed by Islington Highways and Traffic who stated that they were happy with the route plan as set out. A final Construction Logistics Plan would be secured by condition (3).

Energy and Sustainability

11.236 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.

- 11.237 The Council requires all developments to 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 carbon dioxide 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 carbon dioxide emissions.
- 11.238 Islington's Core Strategy policy CS10 (part A) states that all developments should maximise on-site reduction in total (regulated and unregulated) carbon dioxide emissions. The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity.
- 11.239 Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.
- 11.240 Draft Local Plan Policy S3 outlines that all non-residential and mixed-use developments proposing 500sqm or more net additional floorspace are required to achieve a final (post-construction stage) certified rating of Excellent as part of a fully fitted assessment within BREEAM New Construction 2018 (or equivalent scheme) and must make reasonable endeavours to achieve an Outstanding rating. A 'verification stage' certification at post occupancy stage must also be achieved, unless it can be demonstrated that this is not feasible.
- 11.241 A Sustainable Design and Construction prepared by Ingleton Wood, dated 30/11/22 was submitted with the application.

Carbon Emissions

- 11.242 The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The Sustainable Design and Construction Statement shows a 78% reduction in Regulated Emissions against a Part L 2013 baseline. This is a considerable improvement on the 55% reduction required to achieve the equivalent of a 35% reduction against a Part L 2021 baseline.
- 11.243 Core Strategy Policy CS10 requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. Draft Local Plan Policy S4 adjusts this for Building Regulations 2013 to reductions of 39% where connection to a decentralised energy network is possible, and 27% where not possible. The Sustainable Design and Construction Statement shows a 57% reduction in Total (Regulated & Unregulated) Emissions against a Part L 2013 baseline. This is a considerable improvement on the 27% reduction required for developments unable to connect to a DEN in Islington Policy.
- 11.244 The Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". All in this regard means both regulated and unregulated emissions. Based on remaining total emissions of 8.6 tonnes and the standard offset rate of £920 per tonne, an offset financial contribution of £7,912 would be secured by planning obligation.

Energy Demand Reduction (Be Lean) and minimising overheating

Energy Reduction Measures & the Cooling Hierarchy

- 11.245 Development Management Policy DM 7.1 states “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.”
- 11.246 Development Management Policy DM7.5 states that “developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and to deliver passive cooling, following the sequential cooling hierarchy”.
- 11.247 The proposed U-values for the residential areas are walls = 0.15, roof = 0.11, floor = 0.12, windows = 0.8, and doors = 1.0. An air permeability of 1m³/hr/m² is proposed across the development. These values meet or improve on the recommendations of Islington’s Environmental Design SPD. Furthermore, a Passivhaus certified exhaust air heat pump to provide mechanical ventilation and heating/hot water provision is proposed.
- 11.248 Low-energy lighting is proposed throughout the development, with daylight sensors and presence detection controls in the non-residential areas.
- 11.249 London Plan Policy SI 2 sets a target of 10% on-site carbon reductions for residential developments. The proposals achieve energy efficiency savings on regulated emissions of 78%, exceeding this policy target.

Dynamic thermal modelling and the need for active cooling

- 11.250 Draft Local Plan Policy S6 states that applications for major developments are required to include details of internal temperature modelling under projected increased future summer temperatures to demonstrate that the risk of overheating has been addressed.
- 11.251 Council policy states “Use of technologies from lower levels of the [cooling] hierarchy shall not be supported unless evidence is provided to demonstrate that technologies from higher levels of the hierarchy cannot deliver sufficient heat control”.
- 11.252 A Thermal Simulation Report has been provided. Modelling has been undertaken using CIBSE TM49 weather files and compared against the criteria of TM59. All areas are shown to pass against the requirements of TM59. Therefore, no active cooling is proposed.

Low Carbon Energy Supply (Be Clean)

Energy (heating and cooling) supply strategy

- 11.253 London Plan Policy SI3D states that major development proposals within Heat Network Priority Areas, which covers all of Islington, should have a communal low-temperature heating system:
- 1) the heat source for the communal heating system should be selected in accordance with the following heating hierarchy:
 - a) connect to local existing or planned heat networks
 - b) use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
 - c) use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development’s electricity demand and provide demand response to the local electricity network)
 - d) use ultra-low NO_x gas boilers
- 11.254 Air Source Heat Pumps have been proposed to provide heating and no cooling is required.

District heating and cooling networks

- 11.255 Development Management Policy DM7.3 states all major developments within 500 metres of an existing or planned DEN.... are required to submit a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.

- 11.256 The submitted SDCS does not address future-proofing for connection to a heat network. It is confirmed that there is not an existing or committed network within 500m of the site. Therefore, it would not be expected that the development would connect to a network in the short to medium term. However, the proposed air source heat pumps should be future-proofed for connection, as far as reasonably possible. Furthermore, the Directors Letter includes an obligation for the applicant to demonstrate that connecting to a District Heating Network is not viable.
- 11.257 London Plan SI3Db states that where major developments can't connect to local existing or planned heat networks they should next look to 'use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)'. As noted above, Air Source Heat Pumps have been proposed to provide heating and no cooling is required

Shared energy networks

- 11.258 Development Management Policy DM7.3 states where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible."
- 11.259 Islington's Energy Team are not aware of feasible opportunities within the immediate area and therefore are not seeking for the development to connect to a shared heat network.

Renewable Energy Supply (Be Green)

- 11.260 The Mayor's Sustainable Design & Construction SPD states although the final element of the Mayor's energy hierarchy, major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible.
- 11.261 The Council's Environmental Design SPD (page 12) states the use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets.
- 11.262 Air source heat pumps have been discussed above. No PV panels are proposed to be included as part of this development. However, given that the applicant has already achieved and far exceeded the required CO2 reduction targets through proposals higher up the energy hierarchy, this is considered acceptable.

Be Seen

- 11.263 London Plan Policy SI2 notes that 'the move towards zero-carbon development requires comprehensive monitoring of energy demand and carbon emissions to ensure that planning commitments are being delivered. Major developments are required to monitor and report on energy performance'.
- 11.264 Details of how the development will meet the GLA's 'Be Seen' requirements are included in the Draft Green Performance Plan provided as part of the Sustainable Design and Construction Statement .
- 11.265 The Council will seek to secure this via Section 106 Agreement, based on the template wording used by the GLA.

Draft Green Performance Plan

- 11.266 Development Management Policy DM7.1 states "applications for major developments are required to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use, and should set out arrangements for monitoring the progress of the plan over the first years of occupancy." The council's Environmental Design SPD provides detailed guidance and a contents checklist for a Green Performance Plan.

11.267 A draft Green Performance Plan has been submitted and Islington Energy team are content with the information provided.

11.268 Final details and performance would be secured via the Directors Agreement.

Whole Life-Cycle Carbon

11.269 London Plan Policy SI2 states that 'development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle carbon assessment and demonstrate actions taken to reduce life-cycle carbon emissions.' Draft Local Plan policy S4 requires this of all major development proposals in the borough.

11.270 The applicant has not submitted a Whole Life Carbon assessment as part of this application. Although the draft Local Plan carries significant weight, a whole Life Carbon assessment is not a requirement of adopted policy nor a requirement of the Local Validation Requirement. Given this, and that the applicant and the Council's Sustainability Officer consider that whole life cycle targets could be achieved at the site, it is considered reasonable, in this case, for a whole life cycle assessment be secured by a condition 8.

Home Quality Mark

11.271 In line with emerging policy S3, a condition (27) is recommended requiring all homes to achieve a four-star rating (as a minimum) under the BRE Home Quality Mark scheme.

Energy & Sustainability Conclusion

11.272 The submitted Sustainable Design and Construction Statement outlines a number of proposed measures to increase energy efficiency and sustainability and demonstrates a considerable reduction in carbon emissions can be achieved. Subject to conditions the energy and sustainability aspects of the scheme are considered acceptable.

Waste Management

11.273 Islington's Core Strategy Policy CS11 states that sufficient waste storage facilities should be provided in order to fit current and future collection practices and targets. Facilities must be accessible to all in accordance with.

11.274 Development Management Policy DM8.6 states that, for major developments, details of refuse and recycling collection must be submitted, indicating locations for collection vehicles to wait and locations of refuse and recycling bin stores.

11.275 Draft Local Plan Policy ST2 states that development proposals must provide waste and recycling facilities which: (i) fit current and future collection practices and targets; (ii) are accessible to all; (iii) are designed to provide convenient access for all people, helping to support people to recycle; and (iv) provide high quality storage and collection systems in line with Council guidance.

11.276 All refuse generated by the development will be collected by the local authority as part of the existing refuse collection in the area. Refuse from Building C would be collected on street from Elmore Street, whilst refuse from Buildings A and B would be collected from within the Lindsey Mews Estate.

11.277 There are two new communal bin locations. One for Buildings A and B, which is located adjacent to the existing Lindsey Mews core by the estate entrance. This refuse store would also contain a bulky waste store.

11.278 The second communal bin store is located within Building C and accessible from the gated side access route. Concern has been raised that, when opened, the doors to this refuse store would

restrict the width of the side access route. The applicant confirmed that these doors open to almost 180 degrees, so that when fully opened the 1500mm width of the access route would be reduced to 1200mm. To ensure that the side access route is not unnecessarily restricted, a condition (29) is recommended requiring the doors along this access route to be fitted with self-closers.

11.279 The volume of refuse storage provided would exceed the minimum refuse storage space required by Islington's Waste Guidelines, helping to address existing issues with refuse storage on the estate. The split of refuse and recycling bins would be 50/50. Each bin store would contain clearly marked refuse and recycling wheelie bins.

11.280 The location and provision for refuse and recycling is considered acceptable, subject to further details relating to the design of the enclosures. This would be secured by condition 16.

Air Quality

11.281 NPPF Chapter 15 requires that planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

11.282 In accordance with Development Management Policies Policy DM6.1 developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.

11.283 Emerging Local Plan Policy S1: Delivering Sustainable Design states that all new development must be designed, constructed and operated to limit contribution to air pollution and to improve air quality as far as possible, as well as reducing exposure to poor air quality, especially among vulnerable people.

11.284 The whole of the borough of Islington has been designated by the council as an Air Quality Management Area.

11.285 An Air Quality Assessment prepared by Air Quality Consultants - dated 2nd November 2022 was submitted with the application.

11.286 In terms of demolition and construction works, which have the potential to generate dust, a suite of mitigation measures will need to be applied to minimise dust emissions. Details of this would be secured by condition(3) requesting a detailed Demolition and Construction Management Plan (DCMP) assessing the environmental impacts (including in relation to air quality, dust, smoke and odour).

11.287 In terms of the impact on future occupants, the assessment determined that pollutant concentrations at the application site would be below the relevant air quality objectives, thus future occupants would experience acceptable air quality.

11.288 In terms of operational impacts, the proposed development would be 'car-free' and ASHPs are proposed. Therefore, the operational effects of the proposed development on existing sensitive receptors will be insignificant.

11.289 With low building and transport related emissions it would comply with the requirement that all new developments in London should be at least air quality neutral.

Fire Safety

11.290 London Plan Policy D12 states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

The statement should detail how the development proposal will function in terms of:

- 1) the building's construction: methods, products and materials used, including manufacturers' details
- 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
- 4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
- 5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- 6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

11.291 A Fire Strategy Report was submitted with the application, by BWC Fire Limited, dated 14th December 2022.

11.292 Islington Building Control, HSE and the London Fire Brigade were consulted on the proposal. The London Fire Brigade had 'no further observations to make'. The HSE confirmed that this development does not meet the planning gateway one threshold and therefore raised no concerns. Islington's Building Control Officer requested further details specifically relating to the plotting of hose lengths and dry riser locations to ensure that all buildings can be reached when a fire vehicle is in its proposed parking location .

11.293 For the purposes of compliance with Policy D12(b), it is considered that sufficient information has been provided to demonstrate that the fire safety of the development has been considered at the planning stage. The submitted information is specific and relevant to the proposal and the Fire Statement references compliance with relevant British Standards. It is noted that the author of the submitted Fire Statement is a qualified person with expertise in fire safety and engineered solutions, and as such, the applicant has considered the fire safety of the development as part of the overall scheme. Condition 9 is recommended requiring an updated Fire Statement be submitted providing the information requested by Building Control prior to commencement. This condition would also require that an updated fire statement be submitted in the event that there are any changes to the details.

Crime Prevention

11.294 London Plan Policy D11 state that 'boroughs should work with their local Metropolitan Police Service 'Design Out Crime' officers and planning teams, whilst also working with other agencies such as the London Fire Commissioner, the City of London Police and the British Transport Police to identify the community safety needs, policies and sites required for their area to support provision of necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime.'

11.295 The supporting text of Development Management Policy DPD Policy DM2.1 states at paragraph 2.8 that 'developments must meet the principles set out in Safer Places (2004) and Secured by Design through consultation with Islington's crime prevention design advisor.'

11.296 Paragraph 1.41 within Objective 3 of the draft Local Plan states that 'designing out crime is a key planning principle, which incorporates a number of design techniques to limit incidences of crime; this includes increases in natural surveillance and designing space, so it is conducive to positive behaviour.'

11.297 Secured by Design principles have been considered throughout the design development. Discussions with the Metropolitan Police's Designing Out Crime Officer took place in August 2022 as part of the pre-application phase and the DOCO Officer reviewed the final scheme as part of the consultation process for this application.

Natural Surveillance and Activity

11.298 All residential entrances in building C and 2 homes in building B are accessed from Elmore Street. As such the development would increase street activity and promote passive surveillance along Elmore Street. All homes would be dual or triple aspect and provide good surveillance throughout. There would be no blank flank walls without windows mitigating the risk of vandalism or other anti-social behaviour.

11.299 The new homes on Lindsey Mews increase overlooking to the main entrance into Lindsey Mews (from Elmore Street) and to the communal courtyard. To increase surveillance of the main entrance from Elmore Street the proposal looks to introduce new windows on the existing Lindsey Mews stair core. This will further increase the overlooking onto this space.

Circulation Through the Site

11.300 The main path through Lindsey Mews will be well lit and appropriately sign posted. The proposed landscaping materials will also help identify the thresholds between the public and private areas. The landscape design incorporates buffer planting to prevent the creation of loitering areas. Secure, appropriate and well defined boundaries are provided to all defensible spaces. The walls, railings and planting all provide physical protection to the private defensible spaces that face on to the public areas.

Approach to Front Doors

11.301 The ground floor units of Buildings A, B, and C are afforded generous amounts of defensible space and defined front entrances. The upper dwellings of building B are accessed via a generous communal core clearly legible from the street. Post boxes are located behind the access-controlled front door to the core.

Vandal Resistance

11.302 Secure windows, doors, and access control would be provided throughout including enclosed lockable bin stores within the footprint of the building.

11.303 In response to feedback from the Design Out Crime Officer, the applicant has provided additional landscaping around Building A as a visual deterrent to prevent climbing

Building C

11.304 Proposed Building C creates a 1500mm access route from Elmore Street to the residences of 118-128 Elmore Street. This route would be controlled by way of a fob-accessible security gate and access would be granted only to the new residents of Building C and residents of 118-128 Elmore Street. Furthermore, lighting would be installed along Building C to ensure that the new access route would be appropriately lit and windows on the building's southern elevation would improve levels of natural surveillance along this route.

- 11.305 Currently, there is nothing to prevent members of the public accessing 118-128 Elmore Street from the existing car park and residents of this building have reported anti-social behaviour. The proposed access route is therefore considered to represent an improvement on the existing situation.
- 11.306 Due to the high number of representations received regarding this proposal, the Design Out Crime Officer was asked to comment on this new access route. The Officer confirmed that the addition of a security gate and new lighting would significantly reduce any future risk of anti-social behaviour. The Officer confirmed that this gate should be at least 2m high with an 'unfinished topping' to prevent it being used as a climbing aid. Details of this gate's design and an operational management plan will be required by condition (24).

Conclusion

- 11.307 The proposal was reviewed by a Metropolitan Police Designing Out Crime Officer who recommended a condition be attached to ensure the proposal gains Secure by Design Certification (17).
- 11.308 The Officer also welcomed the proposed lighting scheme and noted the importance of using column or bulkhead lighting in addition to bollard lighting to allow for better light uniformity and identification of hazards. Details of the proposed lighting scheme would be secured via condition (23).
- 11.309 The Officer noted that all proposed cycle and refuse stores should be fully secured, with roofs, to prevent people being able to climb in to the structures. Details of the proposed stores' design and access arrangements would be secured via condition (15).
- 11.310 The proposal is considered to have been designed in accordance Secure by Design principles and the inclusion of conditions would ensure that safety and security in the area is enhanced.

Flood Risk and Sustainable Drainage

- 11.311 Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water runoff to a 'greenfield rate' (8 litre/sec/ha), where feasible.
- 11.312 The London Plan requires that drainage run offs in new developments be reduced by 50% including an allowance for climate change.
- 11.313 A Flood Risk Assessment & Surface Water Drainage Strategy was submitted with the application, by Conisbee dated 24th November 2022. It is proposed to use a combination of sustainable drainage (SuDS) measures to control surface water runoff, including permeable paving, attenuation tanks, and green roofs. The proposed development is in Flood Zone 1 and therefore at low risk of flooding. However, parts of the site are at a high risk of surface water flooding. The proposed surface water drainage strategy would result in there being no surface water flooding for all events up to and including a 1 in 100 year (+ 40% climate change) rainfall event. It is therefore considered that the proposed development therefore reduces surface water flood risk for the site and the local area.
- 11.314 Further detail in relation to the sustainable drainage strategy will need to be provided to ensure that water-attenuation is maximised. This would be secured by condition 7.

Green Roofs

- 11.315 Whilst the applicant proposes to introduce 67sqm green roofs over the proposed bin and cycle stores, concern is raised that a green roof has not been proposed on the flat roof area of Building C. Development Management Policy DM6.5 requires major applications to use all available roof space for green roofs, subject to other planning considerations. The applicant has not provided

sufficient justification for this lack of provision in this location. A condition (19) is therefore recommended requiring the provision of a green roof subject to a feasibility assessment..

Land Contamination

- 11.316 Development Management Policy DM6.1 states that the council will require adequate treatment of any contaminated land before development can commence.
- 11.317 Emerging Local Plan Policy S9 states the development of land affected by contamination must not create unacceptable risks to human health and the wider environment, including local water resources. Assessment and adequate treatment of any contaminated land must be carried out before any development commences on site.
- 11.318 A Contaminated Land Assessment prepared by Ground Engineering Ltd. – dated May 2018 was submitted with the application. This found that the level of risk from land contamination is low, but that remediation would be necessary where new areas of gardens and soft landscaping are to be located to prevent contact between any contaminated ground and the site end users. A condition (5) will be added to any decision notice requiring details of a programme of any necessary land contamination remediation works along with a verification report which demonstrates the effectiveness of the works.

Affordable Housing and Financial Viability

- 11.319 London Plan Policy H4 identifies a strategic target for 50% of all new homes to be built as genuinely affordable homes. The policy notes that on public sector land, as is the case here, proposals should deliver at least 50% affordable housing.
- 11.320 Islington Core Strategy (2011) Policy CS 12 sets out that the Council will seek the: “maximum reasonable amount of affordable housing, especially social rented housing..... taking into account the overall borough wide strategic target. It is expected that many sites will deliver at least 50% of units as affordable subject to a financial viability assessment, the availability of public subsidy and individual circumstances of the site.”
- 11.321 This policy then further seeks to increase delivery of affordable housing from other sources, such as 100% affordable housing schemes by Registered Providers and building affordable homes on the council's own land.
- 11.322 Policy H3 of the Draft Islington Local Plan requires that “a minimum of 50% of the total net additional conventional housing built in the borough over the plan period must be genuinely affordable”. With regard to land which is currently or has been in public sector ownership, as is the case here, the development must provide 50% on-site affordable housing (by net additional unit) without public subsidy and demonstrate how all public subsidy options for maximising the delivery of on-site affordable housing in excess of 50% (by net additional unit) have been utilised and demonstrate additional delivered using any and all forms of public subsidy.
- 11.323 In terms of the affordable housing offer, the proposal would provide 8 social rent dwellings (18 habitable rooms) and 5 private dwellings (12 habitable rooms), which equates to 62% social rented dwellings and 38% private dwellings. In terms of habitable rooms, there will be 18 habitable rooms for social rent (60%) and 12 habitable rooms for private sale (40%).
- 11.324 Within an affordable housing provision, the existing and draft Local Plan policy details a requirement to provide 70% of the affordable units as social rented and 30% of the units as intermediate/shared ownership. While the proposal does not include any intermediate/shared ownership units, it is considered that the delivery of 62% of units in social rent makes a significant contribution to the delivery of genuinely affordable housing in the borough and addresses the Planning Policy which encourages the delivery of social rented units.

- 11.325 Noting that the proposal would not provide the aspiration of 100% affordable housing on Council own land as set out in Core Strategy Policy CS12 and the requirements of Draft Local Plan Policy H3, to demonstrate how delivery of affordable housing above 50% has been maximised on site, the applicant has submitted a financial viability assessment.
- 11.326 In order to properly and thoroughly assesses the Financial Viability Assessment, the Council engaged an independent viability assessor, BPS Chartered Surveyors, to undertake a detailed review of the submission.
- 11.327 The submitted Financial Viability Assessment detailed that the scheme would have a deficit of £2.24m, and therefore further affordable housing provision could not be delivered on site.
- 11.328 A detailed review of the submitted viability assessment was undertaken by the Council's appointed Financial Viability Assessor. This review found that the submitted viability assessment used a number of figures which differed from industry standards. The viability assessor carried out an independent assessment with updated assumptions/inputs and determined that the proposal would have a deficit of £972,000. Whilst this deficit figure is lower than the submitted assessment's result, it demonstrates that the scheme is not commercially viable and therefore cannot deliver any additional affordable housing.
- 11.329 As such, it is considered that it has been demonstrated that the proposed affordable housing offer is the maximum viable at the site. The proposal therefore meets Islington Core Strategy Policy CS12, Draft Local Plan Policy H3 and London Plan Policy H4.

Planning Balance

- 11.330 Paragraph 47 of the NPPF dictates that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise".
- 11.331 There is a degree of conflict with Local Plan policy DM2.1 relating to amenity, specifically in relation to sunlight/daylight impacts. This has been carefully examined and while impacts weigh against the scheme, they are considered to have a low adverse impact overall, and therefore at the lower end of the spectrum and would not cause undue or unacceptable harm. Furthermore, there is a degree of conflict with Local Plan policy DM3.4 relating to the accessibility of units C.00.02 and C.00.03. Whilst it is regrettable that these units do not achieve the M4(2) requirement, on balance this is not considered to outweigh the benefits of providing an additional family sized unit in this location at a scale of development that is contextual and takes advantage of the excellent transport accessibility.
- 11.332 The proposed land uses on site are acceptable in principle and, overall, it is considered that the scheme accords with the development plan as a whole.
- 11.333 The scheme would comply with policies relating to energy, sustainability, and highways, whilst no objection is raised to the scale, mass, appearance and detailed design of the proposal.
- 11.334 It should be recognised that the scheme also involves benefits which should be afforded weight. These have been discussed throughout the report where relevant, and include:
- Provision of 13 much need new homes, including 8 affordable units;
 - Enhancements to the shared amenity space at Lindsey Mews with an uplift in biodiversity and a strong urban greening score,
 - Introduction of an improved site layout which would reduce opportunities for anti-social behaviour,
 - Improvements to the streetscape along Elmore Street.

11.335 In summary, Officers consider that the aforementioned public benefits are significant and therefore outweigh the harm caused from the development to neighbouring amenity, in the overall planning balance.

Planning Obligations, Community Infrastructure Levy and local finance considerations

11.336 Part 11 of the Community Infrastructure Levy (CIL) Regulations 2010 introduced the requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e., that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

11.337 This is an application by the Council and the Council is the determining local planning authority on the application. It is not possible legally to bind the applicant via a S106 legal agreement. It has been agreed that as an alternative to this, a Director's Letter between the proper officer representing the applicant and the proper officer representing the Local Planning Authority will be agreed subject to any approval.

11.338 in order to mitigate the impacts of the proposed development, the Director's Letter (pursuant to Section 106) would include the following Heads of Terms:

- On-site provision of affordable housing: 8 social rented units
- Construction Management Plan and Monitoring: in adherence to the Council's Code of Practice for Construction Sites, the provision of a Construction Management Plan, and a monitoring contribution of £2,600 (calculated at 13 residential units x £200)
- Compliance with the Code of Employment and Training.
- Facilitation of 1 work placement during the construction phase of the development or contribution of £5,000 towards construction training;
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,600 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection.
- The provision of 4 accessible parking bays or a contribution of £8,000 (£2,000 cost per bay) towards bays or other accessible transport initiatives.
- Highways Reinstatement: agreement from the developer to cover the cost of reinstating any highway damaged by the developer during the construction works
- Carbon Offset: A financial contribution of £7,912 towards offsetting any projected residual CO2 emissions of the development (8.6 tonnes and the standard offset rate of £920 per tonne)
- Green Performance Plan: to be submitted and approved prior to the proposed use being occupied
- Car free development- Removal of eligibility for residents' parking permits.

- Submission of draft Local Level Travel Plan for Council approval prior to occupation, and of a Local Level Travel Plan for Council approval 6 months from first occupation of the development or phase.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

11.339 All payments to the Council would be index-linked from the date of Committee and would be due upon implementation of the planning permission.

12. SUMMARY AND CONCLUSION

12.1 The proposed development will provide a more appropriate and efficient use of land, currently occupied by car parking space and low value hardscaped land and will make a valuable contribution towards the provision of much-needed new housing in Islington, including the provision of genuinely affordable housing. The scale, form, materiality, elevation design and layout is well-considered and results in a scheme of strong design quality that is sensitive to the local context. Whilst not all homes would achieve policy requirements in terms of accessibility, this must be weighed against the considerable public benefit of providing 13 high-quality new homes, including 8 affordable housing units. Other planning benefits include enhancements to the shared amenity space at Lindsey Mews with an uplift in biodiversity and a strong urban greening score, the introduction of an improved site layout which would reduce opportunities for anti-social behaviour, and improvements to the streetscape along Elmore Street. The scheme's ambitions in terms of sustainability and energy efficiency must also be noted.

12.2 The proposal is considered acceptable in planning terms, and it is recommended that planning permission be granted subject to conditions and completion of a director's letter securing relevant planning obligations 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:

- On-site provision of affordable housing: 8 social rented units
- Construction Management Plan and Monitoring: in adherence to the Council's Code of Practice for Construction Sites, the provision of a Construction Management Plan, and a monitoring contribution of £2,600 (calculated at 13 residential units x £200)
- Compliance with the Code of Employment and Training.
- Facilitation of 1 work placement during the construction phase of the development or contribution of £5,000 towards construction training;
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,600 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection.
- The provision of 4 accessible parking bays or a contribution of £8,000 (£2,000 cost per bay) towards bays or other accessible transport initiatives.
- Highways Reinstatement: agreement from the developer to cover the cost of reinstating any highway damaged by the developer during the construction works
- Carbon Offset: A financial contribution of £7,912 towards offsetting any projected residual CO2 emissions of the development (8.6 tonnes and the standard offset rate of £920 per tonne)
- Green Performance Plan: to be submitted and approved prior to the proposed use being occupied
- Car free development- Removal of eligibility for residents' parking permits.
- Submission of draft Local Level Travel Plan for Council approval prior to occupation, and of a Local Level Travel Plan for Council approval 6 months from first occupation of the development or phase.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

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

That, should the Directors Agreement 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 Directors Agreement to secure 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, and that there is delegated to each of the following: the Head of Development Management the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5)</p>
2	Approved plans and documents list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>000010 Rev. P01 – UGF & BNG Areas (Levitt Bernstein, 31/11/2022); 101000 Rev.P01 – Site Location Plan (Levitt Bernstein, 02/12/2022); 102000 Rev.P01 – Existing Site Plan (Levitt Bernstein, 02/12/2022); 104000 Rev.P01 – Existing Elevations (Sheet 1(Levitt Bernstein, 02/12/2022); 104001 Rev.P01 – Existing Elevations (Sheet 2) (Levitt Bernstein, 02/12/2022); 3000 Rev.P01 – Proposed Site Wide Ground Floor Plan (Levitt Bernstein, 30/03/2023); 110001 Rev.P01 – Proposed Site Wide First Floor Plan (Levitt Bernstein, 06/12/2022); 110002 Rev.P01 – Proposed Site Wide Second Floor Plan (Levitt Bernstein, 06/12/2022); 110003 Rev.P01 – Proposed Site Wide Third Floor Plan (Levitt Bernstein, 06/12/2022); 110004 Rev.P01 – Proposed Site Wide Roof Plan (Levitt Bernstein, 06/12/2022); 120000 Rev.P01 – Building A - Proposed Ground Floor Plan (Levitt Bernstein, 06/12/2022); 120001 Rev.P01 – Building A - Proposed First Floor Plan (Levitt Bernstein, 06/12/2022); 120002 Rev.P02 – Building A - Roof Plan (Levitt Bernstein, 27/04/2023); 120003 Rev.P01 – Building B - Proposed Ground Floor Plan (Levitt Bernstein, 02/12/2022); 120004 Rev.P02 – Building B - Proposed First Floor Plan Levitt Bernstein, 06/12/2022); 120005 Rev.P02 – Building B - Proposed Second Floor Plan (Levitt Bernstein, 27/04/2023); 120006 Rev.P01 – Building B - Proposed Third Floor Plan (Levitt Bernstein, 02/12/2022); 120007 Rev.P01 – Building B - Proposed Roof Plan (Levitt Bernstein, 02/12/2022); 120008 Rev.P05 – Building C - Proposed Ground Floor Plan A(Levitt Bernstein, 26/04/2023); 120009 Rev.P01 – Building C - Proposed First Floor Plan (Levitt Bernstein, 02/12/2022); 120010 Rev.P01 – Building C - Proposed Second Floor Plan (Levitt Bernstein, 02/12/2022); 120011 Rev.P01 – Building C - Proposed Third Floor Plan (Levitt Bernstein, 02/12/2022); 120012 Rev.P01 – Building C: Proposed Roof Plan (Levitt Bernstein, 02/12/2022); 130000 Rev.P01 – Proposed Site Wide Elevations Sheet 1 (Levitt Bernstein, 02/12/2022); 130001 Rev.P01 – Proposed Site Wide Elevations Sheet 2 (Levitt Bernstein, 02/12/2022); 130002 Rev.P01 – Building A - Proposed Elevations (Levitt Bernstein, 02/12/2022); 130003 Rev.P01 – Building B - Proposed Elevations - North East and South West (Levitt Bernstein, 02/12/2022); 130004 Rev.P01 – Building B - Proposed Elevations - North West and South East (Levitt Bernstein, 02/12/2022); 130005 Rev.P01 – Building C - Proposed Elevations (Levitt Bernstein, 02/12/2022); 140000 Rev.P02 –</p>

	<p>Proposed Sections - Building B (Levitt Bernstein, 27/04/2023); 140001 Rev.P01 – Proposed Sections - Building A and C (Levitt Bernstein, 02/12/2022); 140002 Rev.P01 – Proposed Site Section (Levitt Bernstein, 02/12/2022); 160000 Rev.P01 – Demolition Plan (Levitt Bernstein, 02/12/2022); 200000 Rev.P02 – Landscape GA Plan (Levitt Bernstein, 28/04/2023); 210000 Rev.P02 – Landscape Planting Plan (Levitt Bernstein, 09/05/2023); 2040 Rev.P01 – Future Mobility Scooter Storage (Levitt Bernstein, 03/04/2023); Building B Glazing Treatment (Levitt Bernstein, 06/04/2023); Proposed Access to 118-128 (Levitt Bernstein, 06/04/2023); Building C Context Section (Levitt Bernstein, 06/04/2023); 220142-CON-XX-XX-DR-C-1000 Rev.P3 – Drainage Layout (Conisbee, 06/12/2022); 220142-CON-XX-XX-DR-C-1300 Rev.P1 – Drainage Details Sheet 1 (Conisbee, 04/11/2022); 220142-CON-XX-XX-DR-C-1301 Rev.P1 – Drainage Details Sheet 2 (Conisbee, 04/11/2022); 220142-CON-XX-XX-DR-C-4300 Rev.P1 – External Work Details Sheet 1 (Conisbee, 04/11/2022).</p> <p>Statement of Community Involvement Rev.2 (HTA, December 2022); Daylight, Sunlight and Overshadowing V4 (Point 2 Surveyors, April 2023); Internal Daylight and Sunlight Report V3 (Point 2 Surveyors, May 2023); Planning Statement (HTA, 16/12/2022); Heritage Statement (KM Heritage, November 2022); Arboricultural Impact Assessment (Sharon Hosegood Associates, December 2022); Root Investigation (Tree Radar UK Ltd, 27/04/2022); Biodiversity Impact Assessment (Greengage, December 2022); Preliminary Ecological Appraisal (PJC Consultancy, 19/12/2022); Local Level Travel Plan (Lime Transport, 04/11/2022); Transport Statement (Lime Transport, 16/02/2023); Thermal Simulation Report (Ingleton Wood, 28/10/2022); Site Waste Management Plan (Summers Inman, October 2022); Site Investigation Report (Ground Engineering, May 2018); Flood Risk Assessment and Surface Water Drainage Strategy (Conisbee, 24/11/2022); London Plan Policy D12 Fire Statement (BWC, 14/12/2022); Outline Construction Logistics Plan (Lime Transport, 26/10/2022); Noise Assessment P03 (Max Fordham, 25/04/2023); Air Quality Assessment (Air Quality Consultants, 02/11/2022); Construction Management Plan Rev.2 (Islington New Build, 19/12/2022); Sustainable Design and Construction Statement (Ingleton Wood, 30/11/2022); Adaptive Design and Circular Economy Strategy (Ingleton Wood, 04/11/2022); Accommodation Schedule and GIA Schedule (15/12/2022); Design and Access Statement Rev. B (Levitt Bernstein, 16/12/2022); Viability Report (Islington New Build, 22/12/2022).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Construction Management Plan and Construction Logistics Plan - (Details)</p> <p>CONDITION:</p> <p>a) Prior to commencement of works, a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) for all relevant aspects related to demolition shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>b) Prior to any construction works, a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) for all remaining aspects shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The reports shall assess the impacts on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The CMP must refer to the new LBI Code of Practice for Construction Sites.</p> <p>The development shall be carried out strictly in accordance with the approved documents during demolition and construction, unless otherwise approved in writing by the Local Planning Authority.</p>

	<p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets. Required prior to commencement of development to ensure the impacts of demolition and construction shall be mitigated.</p>
4	<p>Tree Protection (Details)</p> <p>CONDITION: Prior to the commencement of works, a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> a) Location and installation of services/ utilities/ drainage. b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees. c) Details of construction within the RPA or that may impact on the retained trees. d) a full specification for the installation of boundary treatment works. e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them. f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses. g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing. h) a specification for scaffolding and ground protection within tree protection zones. i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area. j) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires k) Boundary treatments within the RPA l) Methodology and detailed assessment of root pruning m) Reporting of inspection and supervision n) Methods to improve the rooting environment for retained and proposed trees and landscaping o) Veteran and ancient tree protection and management <p>The development thereafter shall be implemented in strict accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.</p>
5	<p>Land Contamination (Details)</p> <p>CONDITION: Prior to the commencement of works on site the following assessment in response to the NPPF and in accordance with Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) and BS10175:2011+A2:2017 shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) A remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation.

	<p>This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing</p> <p>Following completion of measures identified in the approved remediation scheme:</p> <p>b) a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part a).</p> <p>This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement.</p> <p>All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing.</p> <p>REASON: Required prior to commencement of development to ensure that the land is safe for development and minimise any potential impacts from land contamination.</p>
6	<p>Piling Method Statement (Details)</p> <p>CONDITION: No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to, and approved in writing by, the local planning authority in consultation with Thames Water.</p> <p>Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be close to underground sewerage and water utility infrastructure. Piling has the potential to significantly impact / cause failure to local underground sewerage utility infrastructure and local underground water utility infrastructure.</p>
7	<p>Sustainable Urban Drainage (Details)</p> <p>CONDITION: Notwithstanding the hereby approved documents, details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing on site.</p> <p>The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise 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 aim to achieve a greenfield run off rate. The details shall</p>

	<p>demonstrate how the site will manage surface water in excess of the design event and shall set out a clear management plan for the system.</p> <p>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: Required prior to commencement to ensure the potential for surface level flooding is minimised and the development will promote the sustainable management of water.</p>
8	Whole Life Cycle Carbon Assessment
	<p>CONDITION: A Whole Life Cycle Carbon Assessment, produced in line with the requirements of emerging policy S4, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works.</p> <p>REASON: Required prior to commencement to ensure the scheme achieves the sustainability targets required by local policy.</p>
9	Fire Strategy (Details/Compliance)
	<p>CONDITION: Notwithstanding the details submitted and hereby approved, an updated Fire Statement Report shall be submitted prior to the commencement of development. The submitted Fire Statement Report shall include a drawing which plots hose lengths and confirms the location of all dry risers.</p> <p>The approved Fire Statement Report shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Should any subsequent change(s) be required to secure compliance with the submitted fire strategy, a revised fire strategy shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development</p> <p>The development shall be carried out in accordance with the Fire Strategy under this condition and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>
10	Facing Materials (Details)
	<p>CONDITION: Detailed drawings and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works.</p> <p>The submitted information shall include:</p> <ul style="list-style-type: none"> a) Facing Brickwork(s); Sample panels of proposed brickwork to be used showing the colour, texture, pointing and patterned brickwork shall be provided; b) Plan, elevation and section drawings of windows, doors and access points, balconies, and balustrades; c) Roof materials, including details, samples, and detailed drawings of the mansard roof on Building B; d) Samples and manufacturer's details of facing concrete panels, banding, cills, and soffits. e) Green procurement plan; and f) Any other materials to be used.

	<p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>
11	<p>Roof-level Structures (Details)</p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts and plant equipment) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of superstructure works.</p> <p>The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the approved details and maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene or the character and appearance of the area.</p>
12	<p>Landscaping (Details)</p> <p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works. The scheme shall include the following details:</p> <p>The landscaping scheme shall comprise the following details:</p> <ol style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species, size, and section showing rooting area; details of tree pit design and any underground modular systems c) soft planting: including grass and turf areas, vertical greening, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; g) wayfinding and signage; h) inclusive design principles adopted in the landscaped features; i) details of the play strategy including details of all dedicated playspace equipment and structures (including details of inclusive play features) and a play space management plan and maintenance plan; j) a biodiversity statement detailing how the landscaping scheme maximises biodiversity and achieves a biodiversity net gain of 13.59%; k) a landscaping maintenance plan; l) any other landscaping feature(s) forming part of the scheme. <p>The submitted details shall show that the landscaping scheme will achieve an Urban Greening Factor of at least 0.502.</p>

	<p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase. 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, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
13	Nesting Boxes (Details)
	<p>CONDITION: Details of bird boxes, swift bricks and bat bricks across the development shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the approved details and maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
14	Sound Insulation (Details)
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets:</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast) Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that an appropriate standard of accommodation is provided.</p>
15	Cycle Parking (Details)
	<p>CONDITION: Notwithstanding the approved plans, details of the bicycle storage, including details of accessible cycle storage, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works. The submitted details will outline how inclusive design measures have been incorporated into the structures.</p> <p>The approved bicycle stores shall be provided prior to the completion of works and shall be maintained as such thereafter.</p>

	<p>REASON: To ensure safe and secure cycle parking is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
16	<p>Refuse and Recycling (Details)</p> <p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works. The details shall include:</p> <ul style="list-style-type: none"> a) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s); b) confirmation of how inclusive design measures have been incorporated into the design; c) a site waste management plan outlining how refuse collections will take place and confirming that refuse vehicles will enter Lindsey Mews in reverse gear and leave in forward gear; <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The refuse enclosures shall be erected prior to the completion of works 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>
17	<p>Secure by Design (Details)</p> <p>CONDITION: No above ground works shall commence until details have been submitted to, and approved in writing, by the Local Planning Authority to demonstrate that the development can achieve full 'Secured by Design' accreditation.</p> <p>The development shall be constructed and operated strictly in accordance with the approved details and maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of creating safer, sustainable communities.</p>
18	<p>Green/Blue Roof Details (Details)</p> <p>CONDITION: Prior to the commencement of superstructure works, details of the biodiversity (green/brown) roofs shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The submitted details shall:</p> <ul style="list-style-type: none"> a) confirm the green roofs are biodiversity based with extensive substrate base (depth 80-150mm); and b) include details of the irrigation and maintenance regime for the proposed green roofs; c) include a report assessing the feasibility of providing a green/blue roof on Building C shall be submitted prior to the commencement of superstructure works. Should it be found that the inclusion of a green roof on Building C is feasible, or in the lack of robust justification explaining why a green roof in this location is not feasible, a green roof shall be installed on the roof of Building C within the first planting season following the practical completion of the building works. <p>The biodiversity (green) roofs shall be planted/seeded with an agreed 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).</p>

	<p>The biodiversity (green/brown) roofs should be maximised across the site and 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 as 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>
19	Accessible Housing (Compliance and Details)
	<p>CONDITION: Notwithstanding the plans hereby approved, 10 x of the residential units shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) and 1 x residential units shall be constructed to Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Wheelchair user dwellings' M4 (3).</p> <p>No above ground works shall commence until Building Regulations Approved Plans and Decision Advice Notice, confirming that these requirements will be achieved, shall be submitted to and approved in writing by the Local Planning Authority. The Approved Plans to show furniture, key dimensions and manoeuvring allowances, as set out in the provisions of the Approved Document M (Volume 1). The development shall be carried out strictly in accordance with the approved details and permanently maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To secure the provision of visitable, adaptable and wheelchair user accessible homes appropriate to meet diverse and changing needs.</p>
20	Delivery and Servicing Plan (Details)
	<p>CONDITION: Prior to the first occupation of the development hereby approved, a Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The submitted details shall include details of measures taken to ensure that any vehicles which enter Lindsey Mews, do so in reverse gear and leave in forward gear.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic, local residential amenity and to mitigate the impacts of the development.</p>
21	Energy Efficiency (Compliance/Details)
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology, as detailed within the 'Sustainable Design and Construction Statement' (ref no: 812082 Rev.P06 prepared by Ingleton Wood, dated 30/11/2022) which shall provide for no less than a 78% on-site CO₂ reduction in regulated emissions in comparison with emissions from a building which complies with Building Regulations 2021 (or a shall be installed and operational prior to the first occupation of the relevant phase of development.</p> <p>Should there be any change to the energy features/ measures within the approved Energy Strategy, a revised Energy Strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p>

	<p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
22	<p>Lighting (Details)</p>
	<p>CONDITION: Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works.</p> <p>The details shall:</p> <ul style="list-style-type: none"> - include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation; - demonstrate how the ecology of the site would not be adversely affected by the proposed lighting. <p>The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be permanently maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity nor those with visual impairments, contributes towards safety and security, does not adversely impact biodiversity or ecology and is appropriate to the overall design of the building.</p>
23	<p>Building C – Security Gate</p>
	<p>CONDITION: Details of the security gate to be installed between Building C and 118-128 Elmore Street shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any new gates.</p> <p>The submitted details shall include confirmation that the gate is to be at least 2m in height with an unfinished topping.</p> <p>The details shall also include an operational management plan detailing proposed maintenance measures, opening hours of gates, fob access arrangements, and confirmation of which residents will have access to this side alley.</p> <p>REASON: In the interest of safety and security, to ensure the measures are appropriately located and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
24	<p>Overlooking Mitigation (Details)</p>
	<p>CONDITION: Notwithstanding the plans hereby approved, further details of an overlooking mitigation strategy to prevent overlooking within the estate shall be submitted and approved in writing by the Local Planning Authority prior to the first occupation of the hereby approved development.</p> <p>The details shall include a report assessing the level of overlooking from Buildings A, B, and C to neighbouring properties and the proposed methods by which overlooking will be mitigated, which may include obscured glazing and privacy screens.</p> <p>The overlooking mitigation shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents.</p>

25	Whole Life Carbon Post-Construction Assessment Report (Details)
	<p>CONDITION: Prior to first occupation of the development hereby approved, a whole life carbon post-construction assessment report shall be submitted to approved by the Local Planning Authority.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
26	BRE Home Quality Mark
	<p>CONDITION: The hereby approved development shall achieve at least a four-star rating under the BRE Home Quality Mark scheme.</p> <p>REASON: To ensure that the scheme complies with emerging policy S3.</p>
27	Lifts (Compliance)
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of each of the buildings hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
28	Building C – Access Route
	<p>CONDITION: The doors to the refuse store, water tank, and electrical intake cupboard located along the access route between Building C and 118-128 Elmore Street shall be fitted with self-closers.</p> <p>REASON: In the interest of inclusive design and to ensure sufficient access width is maintained when these rooms are not in use.</p>
29	Plumbing (No pipes to outside of building) (Compliance)
	<p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located to the external elevations of the development hereby approved, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
30	Air Source Heat Pumps (Compliance)
	<p>CONDITION: The design and installation of all Air Source Heat Pumps shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall not exceed a rating level of 42dBA.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within the Microgeneration Certification Scheme Planning Standards</p> <p>REASON: To ensure that an appropriate standard of accommodation is provided.</p>

INFORMATIVES

List of Informatives:

1	Working with the applicant
	In dealing with this application, Islington Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner. As with all applicants, we have made available detailed advice in the form of our statutory policies in the relevant constituent parts of the Local Plan and London Plan, Supplementary Planning documents, and all other Council guidance, as well as offering a full pre-application advice service, so as to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably.
2	Director's Letter
	You are advised that this permission has been granted subject to a Director's Letter.
3	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
4	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
5	Car-Free Development
	INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that 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.
6	Groundwater Risk Permit
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act

	1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk . Please refer to the Wholesale Business customers; Groundwater discharges section.
7	Working Near Water Mains
	<p>There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.</p> <p>https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-nearour-pipes</p>
8	Water Pressure
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework (July 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.

2. Development Plan

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

A) The London Plan - Spatial Development Strategy for Greater London (March 2021)

- Policy GG1 Building strong and inclusive communities
- Policy GG2 Making the best use of land
- Policy GG3 Creating a healthy city
- Policy GG4 Delivering the homes Londoners need
- Policy GG5 Growing a good economy
- Policy GG6 Increasing efficiency and resilience
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D7 Accessible housing
- Policy D8 Public realm
- Policy D11 Safety, security, and resilience to emergency
- Policy D12 Fire safety
- Policy D14 Noise
- Policy H1 Increasing housing supply
- Policy H4 Delivering affordable housing
- Policy H5 Threshold approach to applications
- Policy H6 Affordable housing tenure
- Policy H8 Loss of existing housing and estate redevelopment
- Policy H10 Housing size mix
- Policy S4 Play and informal recreation
- Policy E11 Skills and opportunities for all
- Policy HC1 Heritage conservation and growth
- Policy G1 Green infrastructure
- Policy G4 Open space
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI1 Improving air quality
- Policy SI2 Minimising greenhouse gas emissions
- Policy SI3 Energy infrastructure
- Policy SI4 Managing heat risk
- Policy SI5 Water infrastructure
- Policy SI7 Reducing waste and supporting the circular economy

Policy SI12 Flood risk management
 Policy SI13 Sustainable drainage
 Policy T1 Strategic approach to transport
 Policy T2 Healthy streets
 Policy T3 Transport capacity, connectivity, and safeguarding
 Policy T4 Assessing and mitigating transport impacts
 Policy T5 Cycling
 Policy T6 Car parking
 Policy T6.1 Residential parking
 Policy T7 Deliveries, servicing, and construction
 Policy T9 Funding transport infrastructure through planning

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing
 Islington's Built and Historic Environment)
 Policy CS10 (Sustainable Design)
 Policy CS11 (Waste)
 Policy CS12 (Meeting the Housing
 Challenge)
 Policy CS15 (Open Space and Green
 Infrastructure)
 Policy CS16 (Play Space)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
 Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

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

Housing

DM3.1 Mix of housing sizes
 DM3.2 Existing housing
 DM3.4 Housing standards
 DM3.5 Private outdoor space
 DM3.6 Play space
 DM3.7 Noise and vibration (residential
 uses)

Health and open space

DM6.1 Healthy development
 DM6.2 New and improved public open
 space
 DM6.3 Protecting open space
 DM6.5 Landscaping, trees, and biodiversity
 DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction
 statements
 DM7.3 Decentralised energy networks
 DM7.4 Sustainable design standards
 DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy
 DM8.2 Managing transport impacts
 DM8.4 Walking and cycling
 DM8.5 Vehicle parking
 DM8.6 Delivery and servicing for new
 developments

Infrastructure

DM9.1 Infrastructure
 DM9.2 Planning obligations
 DM9.3 Implementation

Emerging policy: draft Islington Local Plan 2019

1. 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 19 March to and 9 May 2021. The Matters and Issues have now been published and hearings took place between 13 September to 5 October 2021.

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).

Emerging policies that are relevant to this application are set out below in Appendix 2. The emerging policies are considered to be consistent with the current policies.

Emerging Islington Local Plan (2019)

Policy PLAN1: Site appraisal, design principles and process
Policy H1: Thriving communities
Policy H2: New and existing conventional housing
Policy H3: Genuinely affordable housing
Policy H4: Delivering high quality housing
Policy H5: Private outdoor space
Policy SC2: Play space
Policy SC3: Health Impact Assessment
Policy SC4: Promoting Social Value
Policy B5: Jobs and training opportunities
Policy G1: Green Infrastructure
Policy G2: Protecting open space
Policy G3: New public open space
Policy G4: Biodiversity, landscape design and trees
Policy G5: Green roofs and vertical greening
Policy S1: Delivering sustainable design
Policy S2: Sustainable design and construction
Policy S3: Sustainable design standards
Policy S4: Minimising greenhouse gas emissions
Policy S5: Energy Infrastructure
Policy S6: Managing heat risk
Policy S7: Improving Air Quality
Policy S8: Flood Risk Management
Policy S9: Integrated Water Management and Sustainable Drainage
Policy S10: Circular Economy and Adaptive Design
Policy T1: Enhancing the public realm and sustainable transport
Policy T2: Sustainable Transport Choices
Policy T3: Car-free development

Policy T4: Public realm
Policy T5: Delivering, servicing and construction
Policy DH1: Fostering innovation and conserving and enhancing the historic environment
Policy DH2: Heritage assets
Policy DH5: Agent-of-change, noise, and vibration
Policy ST2: Waste
Policy ST4: Water and wastewater infrastructure

5. **Designations**

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

- Local Cycle Routes
- Major Cycle Routes
- Site within 100m of an SRN Road
- Site within Rail Safeguarding Area (Crossrail 2)
- Site within 50m of Conservation Area (East Canonbury)
- Article 4 Direction – A1 to A2 (Rest of Borough)

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Development viability (2016)
Environmental Design (2012)
Inclusive Design (2014)
Inclusive Landscape Design (2010)
Urban Design Guide (2017)
Planning Obligations (S106) (2016)
Streetbook (2012)
Accessible Housing in Islington (2009)
East Canonbury Conservation Area Design
Guidelines (2002)

London Plan

Accessible London: Achieving and Inclusive
Environment
Planning for Equality and Diversity in London
Affordable Housing and Viability
Housing
Play and Informal Recreation
Urban Greening Factor