

PLANNING COMMITTEE REPORT

 Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING SUB COMMITTEE B		AGENDA ITEM
Date:	13 th June 2023	

Application number	P2021/2840/FUL
Application type	Full Planning Application
Ward	Tufnell Park
Listed building	N/A
Conservation area	Mercers Road/Tavistock Terrace Conservation Area
Development Plan Context	Core Strategy Key Area (Nag's Head & Upper Holloway Road) Conservation Area (Mercers Road/Tavistock Terrace Area) Local Cycle Route Strategic Cycle Route Within 100m of TLRN Road Article 4(2) (Mercers Road/Tavistock Terrace Conservation Area) Article 4 Direction (A1-A2 / Rest of Borough)
Licensing Implications	N/A
Site Address	Land adjoining Collingwood House, Mercers Road, N19 4PJ
Proposal	Proposed redevelopment of existing car park by constructing 6x two storey plus basement mews houses (3 x 2 bed, 4 person and 3 x 3 bed, 5 person units) together with landscaping, cycle parking, vehicle parking and associated works.

Case Officer	Jake Shiels
Applicant	Mercers Mews Limited
Agent	Savills (UK) Ltd - Ms Mia Scaggiante

1. RECOMENDATION

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

- subject to the conditions set out in Appendix 1.
- subject to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

2. SITE PLAN (site highlighted in red)



Image 1: Site Plan

3. PHOTOS OF SITE



Image 2: Aerial image of the site in a westerly direction



Image 3 and 4: Vehicular access and eastern part of car park



Image 5 and 6: View of southern boundary and eastern part of car park



Image 7: Aerial view of western car park

4. SUMMARY

- 4.1 The proposal seeks planning permission for the redevelopment of the existing car park to construct 6x two storey plus basement mews houses (3 x 2 bed, 4 person and 3 x 3 bed, 5 person units) together with landscaping, cycle parking, vehicle parking and associated works.
- 4.2 The proposed dwellings are arranged to the west and east of Collingwood House. This results in the *East Mews* containing 3 x 2-bedroom 4 person units (House 1-3) and the *West Mews* containing 3 x 3-bedroom 5 person units (House 4-6). Each dwelling has a rear private amenity space at ground level, with terrace spaces at first floor.
- 4.3 The site would be re-landscaped with new hardstanding for access areas and laid to lawn grass for rear private amenity. A number of trees are proposed to be removed within the site, however a new landscaping plan for replacement and new planting along the southern boundary is proposed.
- 4.4 The proposal is considered to be acceptable in design terms, subject to conditions, and would not result in harm to the character or appearance of the local area and conservation area. The proposal has been reduced from 8 to 6 units from the originally withdrawn application and former pre-application proposal to retain a 2-storey mews character within this backland location. The proposed residential buildings are considered acceptable in design terms subject to conditions and would comply with Policies CS8 and CS9 of Islington's Core Strategy (CS) 2011, Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013 and London Plan 2021 policies D3 and D4 as well as accord with the National Planning Policy Framework (NPPF) 2021.
- 4.5 The proposed residential buildings are not considered to adversely impact the residential amenity of adjacent residential properties in line with policy DM2.1 of the Development Management Policies 2013 being designed, orientated and setback in a way from adjacent residential buildings. The proposal accords with policies DM2.1.
- 4.6 The proposed residential units would provide an acceptable level of accommodation, complying with policy CS12 (meeting the housing challenge) of Islington Council's Core Strategy 2011, Islington's Development Management Policy DM3.4, policy D6 (Housing quality and standards) of the London Plan 2021, Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021. The proposal has reduced its massing and scope and has now overcome the previous concerns in this regard following the submission of amended plans.
- 4.7 The full required affordable housing contribution of £300,000 has been secured in line with policy CS12 Part G and the Council's Affordable Housing Small Sites SPD (2012) and the proposed arrangements to minimise emissions through evidence in the submitted Sustainable Design & Construction Statement and through carbon offsetting contributions (£9,000 contribution agreed) is considered to be an improvement over the environmental quality of the existing site, and is therefore in line with policy DM7.1.
- 4.8 The application is referred to the Planning Sub-committee due to the public interest in the application and the number of objections received during the application process.

5. SITE AND SURROUNDING

- 5.1 The site is located in close proximity to the junction of Mercers Road and Holloway Road and is located on the south side of Mercers Road via a single vehicular access. The site currently contains a large area of hardstanding consisting of an area of just over 1,500sq.m which serves as ancillary car parking for Collingwood House. Collingwood House itself was built between 1948 and 1951 and is not statutorily or locally listed. The site is located within the Mercers

Road/Tavistock Terrace Conservation Area, as well as the Nag's Head and Holloway Road Core Strategy Key Area.

- 5.2 The site wraps around the eastern, southern and part of the western flank walls of Collingwood House which is a four-storey mixed use building with a Pure Gym at ground, first floor and part second floor with residential at second floor above, permitted under P2015/1402/PRA from the then office use. There are 33no. car parking spaces associated to the use. The bulk of these which are not in use are behind the existing temporary hoarding gate on site at present. Car parking for the commercial occupier is visibly used to the frontage of the site adjacent the entrance.
- 5.3 To the east of the site are neighbouring buildings that bound Holloway Road comprising three-storey residential buildings (Manor Mansions) and a three-storey (plus roof level) commercial building (No.457-463 Holloway Road) currently vacant. To the south of the site is a cluster of buildings that form part of a site allocation "Site NH4" (grouped as 443-453 Holloway Road), and also identified as emerging "Site NH3" in the Islington Local Plan Regulation 19 Draft September 2019 ("the Draft Local Plan"). These are primarily commercial buildings four-storeys in height including a 'Safestore Self Storage' which fronts Holloway Road and flanks the south-eastern part of the site, and also a vacant warehouse building that flanks the south-western part of the site. Furthermore, the adjacent site to the east, at the junction of Mercers Road and Holloway Road (457-463 Holloway Road) is identified as an emerging site allocation "NH8" within the Draft Local Plan as a preferred site for employment and residential uses. The western part of the site is bound by long residential rear gardens which are part of the three-storey dwellinghouses along Mercers Road (No.2, 4 and 6 Mercers Road). These properties and host terrace are locally listed.
- 5.4 There are trees that bound the site to the front entrance, the east and west flank and the southern boundary. There is a mature willow tree within the boundary of 2 Mercers Road close to the site boundary. None of the Trees within the site are TPOd but are protected within the Conservation Area designation.

6. PROPOSAL (in Detail)

- 6.1 The application seeks planning permission for the redevelopment of the existing car park by constructing 6x two storey plus basement mews houses (3 x 2 bed, 4 person and 3. x 3 bed, 5 person units) together with landscaping, cycle parking, vehicle parking and associated works.
- 6.2 The proposed dwellings are arranged to the west and east of Collingwood House. This results in the *East Mews* containing 3 x 2-bedroom 4 person units (House 1-3) and the *West Mews* containing 3 x 3-bedroom 5 person units (House 4-6). Each dwelling has a rear private amenity space at ground level, with terrace spaces at first floor. Houses 1-3 contain a front courtyard that forms part of the primary access to the properties. Basement levels are largely submerged save for rear lightwell courtyards to each dwelling. Each property would have a green roof, Photovoltaic (PV) panels and an individual Air Source Heat Pump at roof level.
- 6.3 The new dwellings at 6.75m in height would be brick built featuring two brick types including a brick buff and off white brick. featuring a variation in texture and appearance utilising recessed stack bonds, stretcher bond. Glazing proposed includes bronze aluminium frames, the same material would be used for gates and terrace and lightwell balustrades.
- 6.4 The site in its entirety would be re-landscaped with new hardstanding for access areas and laid to lawn grass for rear private amenity. A number of trees are proposed to be removed within the site, however a new landscaping plan for replacement and new planting along the southern boundary is proposed.

- 6.5 A new timber two-tiered bike store is proposed in the place of the existing bike store on the southern boundary. It would house 15 cycle spaces for new residents, and 26 spaces for Collingwood House residents, with space also available for a mobility bicycle or tricycle. The proposed mews bins store is located to the north-east elevation and provides three 1100L and one 360L bins.
- 6.6 A new pedestrian and cyclist entrance gate is proposed to demark the separation from the car parking spaces (4no.) which would serve only the commercial occupier within Collingwood House.

Amendments during the application

- 6.7 During the application process several amendments to the scheme were submitted, including:
- New pedestrian and cyclist gate
 - Addition of green roofs, PV panels and Air Source Heat Pumps to dwellings
 - Updated Arboricultural impact assessment and landscaping addendum to reflect the retention of additional trees on site
 - Amended plan to frost first floor flank glazing within West Mews
 - Lightwells to the *West Mews* enlarged to gain more light to single bedrooms
 - Updated Lux Report for internal daylight to dwellings
 - Updated Sustainable Design & Construction Statement
 - All proposed plans amended to reflect alterations and associated documents updated.

7. RELEVANT HISTORY:

Land Adjoining Collingwood House

Planning applications

- 7.1 P2020/2727/FUL: Proposed redevelopment of existing car park by constructing 8x two storey, plus basement mews houses (6 X 3 bed x 5 person and 2 3 bed x 6 person units) together with landscaping, cycle parking, vehicle parking and associated works. **Withdrawn** on 19/08/2021.

Pre-applications

- 7.2 Q2018/2869/MIN: Redevelop the existing car parking areas by constructing 8 x no. 3 storey mews houses. **Completed** on 23/08/2021.

Collingwood House

Planning applications

- 7.3 P2021/0587/FUL: Retention of existing air conditioning units with base slab, all associated pipework within existing acoustic enclosures, and proposed installation of canopy over enclosures alongside the Southwest elevation of Collingwood House and new gates to the street frontage to Mercers Road. **Approved with conditions at Planning-Sub Committee B** 02/08/2021.
- 7.4 P2020/3109/FUL: Installation of air conditioning with acoustic enclosures, base slab and all associated pipework, alongside the southwest elevation at ground floor level. **Withdrawn** by applicant.

- 7.5 P2020/3056/NMA: Non-material amendments of Planning permission ref: P2019/1452/FUL dated 08/11/2019 Single storey infill first floor extension to provide additional (95 sqm) gym (Use Class D2) floorspace to south west elevation, with plant enclosure above, to facilitate internally located mechanical ventilation units. Creation of new door opening on front elevation at ground floor level to north west elevation. Installation of external ventilation louvres to ground and first floor windows. Installation of cycle spaces and refuse/recycling stores and associated works. The application seeks the following alterations: (a) inclusion and removal of louvres at ground and first floor of north east, south east and south west elevations. **Agreed** on 25/11/2020
- 7.6 P2019/1452/FUL: Single storey infill first floor extension to provide additional (95 sqm) gym (Use Class D2) floorspace to south west elevation, with plant enclosure above, to facilitate internally located mechanical ventilation units. Creation of new door opening on front elevation at ground floor level to north west elevation. Installation of external ventilation louvres to ground and first floor windows. Installation of cycle spaces and refuse/recycling stores and associated works. Approved on 08/11/2019.
- 7.7 P2016/1469/FUL: Creation of new door opening on front elevation at ground floor level which will be used as a new entrance for gym members to existing gym and replacement of the existing main entrance doors. **Approved with conditions** on 09/06/2016
- 7.8 P2015/1402/PRA: Prior Approval application in relation to the change of use of the 3rd floor and part of the 2nd floor of the building to residential use (C3) class creating 13 (7x 1-bedroom, 6x 2- bedroom) residential units. **Prior approval required - approved with Conditions** on 01/06/2015.
- 7.9 P2013/4782/PRA: Prior Approval application in relation to the following considerations arising from the change of use of the 3rd floor and part of the 2nd floor of the building to residential use (C3) use class creating 12 (6x 1-bedroom, 4x 2-bedroom, 2x 3-bedroom) residential units. **Prior approval required – approved** on 09/01/2014.
- 7.10 980563: Change of use of ground, first and part second floor to a private health club with associated parking and alterations to the front and side elevation at ground floor level. Approve with conditions on 30/11/1998 7.8 881837 - Change of use of ground floor to business (B1) use formation of an additional car park and refurbishment and extension at third floor level for business use. **Approved with conditions** on 20/03/1989.
- 7.11 871397: Conversion into 39 one bedroom flats including demolition of peripheral buildings construction of an additional floor and elevational alteration. **Appeal made against non-determination** on 19/07/1988. **Appeal Dismissed** on 19/07/1988
- 7.12 861803: Conversion of vacant office building into 53 self-contained flats including demolition of substantial areas of existing building construction of new extensions an additional floor and new roof plus environmental improvements. **Appeal made against non-determination** on 19/07/1988. **Appeal Dismissed** on 19/07/1988.

Pre-applications

- 7.13 Q2017/4758/MJR: (Option1 – Office) Conversion and refurbishment of existing Collingwood House and change of use of D2 (gym) to residential (C3); erection of a two storey roof extension comprising 8 new residential units (Use Class C3) and single side extension and associated works. Erection of a six storey building comprising 12 residential units (C3). Demolition of existing buildings and erection of commercial building comprising a gym (D2) at basement level, with office (B1) accommodation above. (Option 2 – Residential) Conversion and refurbishment of existing Collingwood House and change of use of D2 (gym) to residential (C3); erection of a two storey roof extension comprising 8 residential units (Use Class C3) and single side extension

and associated works. Erection of a six storey building comprising 12 residential units. Demolition of existing buildings and erection of a mixed use building comprising a gym (D2) at basement level, retail at ground floor with residential (C3) accommodation above. Officers response:

- Concerns were raised in relation to the design and impact on the conservation area

7.14 Q2016/0222/MJR: Two storey roof extension to the existing building which contains a mix of uses, to provide an additional 10 No. flats and associated roof terraces at fifth floor level. Officers response:

- Concerns in relation to design and impact on the conservation area, advising that an increase in height, bulk and massing would be unacceptable in principle. The advice noted that the existing building is already significantly higher than its immediate context on Mercers Road and its dominance would be exacerbated with the addition of any height. Also that the main thoroughfare is Holloway Road where there is some increase in the scale of the buildings. However, the buildings on Holloway Road immediately adjacent to the subject site are only 4 storeys high and the immediate context along Holloway Road is circa 4-5 storeys.

CONSULTATION

Public Consultation

7.2 Letters were sent to occupants of **199** adjoining and nearby properties on Holloway Road, Empire Square and Mercers Road on 04/10/2021.

7.3 A total of **11** objections were received from the public with regard to the application. The issues raised are summarised below:

- New houses are an eyesore (*paras 9.17-9.48*)
- New buildings would be crammed into the parking area space (*paras 9.27-9.32*)
- Loss of privacy for the residents of Manor Mansions, with the land of the new houses set to encroach right onto the back of the existing flats (*paras 9.62-9.68*)
- Re-development would result in a number of workers on site which would invade privacy (*para 9.68*)
- Overlooking of gardens and amenity space of Mercers Road (*paras 9.64*)
- Loss of outlook and unacceptable level of enclosure to Manor Mansion flats (*para 9.69-9.71*)
- Revised application is improved compared to the previous application by reducing the number of units from 4 to 3 and slightly enlarging gardens, but development still too close to living areas of Manor Mansions (*paras 9.69-9.71*)
- The East Mews are closer to rear of manor mansions than noted within submission (*paras 9.69-9.71*)
- Not much daylight comes through to the back of Manor Mansions, but adding more buildings would further block what little light is retained (*paras 9.72.9.83*)
- Daylight assessment has neglected ground floor windows of flats at Manor Mansions. Additionally further window are missing (*para 9.79*)
- A new boundary and new trees are being proposed to the rear that would block light to Manor Mansions (*para 9.80*)
- Daylight assessment has differing existing NSC and APSH for window W4U at Manor Mansions between 2020 report (withdrawn app) and the current 2021 report therefore concern with inconsistencies (*para 9.81*)
- Daylight assessment does not show submerged courtyard at Manor Mansions and overshadowing impacts would be severe (*para 9.82*)
- Local residents have already endured noisy works due to the re-development of the gym and more works here would add noise (*paras 9.84 and 9.153*)

- Lack of daylight for new dwellings (*para 9.97-9.103*)
- Lack of quality amenity space for dwellings, particularly House 2 (*para 9.104*)
- The development is not car free (*para 9.114-9.117*)
- Transport assessment is incorrect in stating that Mercers Road could absorb more on street parking and additional units will create more parking issues (*para 9.117*)
- No access for emergency and fire vehicles (*para 9.123 and 9.150-9.153*)
- Trees on site are not high quality but these should be retained as they provide some greenery on site (*paras 9.130-9.137*)
- Tree survey and inspection dates back from 2018, up to date survey required (*para 9.136*)
- Objection to removal of Cyprus Tree close to boundary and West Mews (*para 9.137*)
- Removal of trees counteracts reducing emissions (*para 9.149*)
- Applicant should have consultation with fire authority and it should be satisfied that standards have been met (*para 9.151-9.153*)
- There is a requirement for the development to provide affordable housing, Islington needs more affordable homes (*paras 9.155-9.156*)
- Proposal includes no social housing (*para 9.155 – Minor schemes do not require social housing*)
- Adjacent property is vacant, why is this building vacant and why are there no plans to develop this instead (*Unrelated to proposed development*)
- Gas meters and services are located at the rear of Manor Mansions and accessing them would be impossible if the proposed development goes ahead (*This would be considered a civil matter and it is not clear why the gas meters would be accessed from an adjacent site where there is no right of way – there is no formal access to Manor Mansions from the car park*)
- Mercers Mews name already used locally (*applicant updated on this point*)

7.4 A second round of public consultation was undertaken on 10/02/23 following the receipt of amended tree, landscape, energy documents and drawings. A total of 7 objections were received, 6 from those individuals who had objected previously. A summary of issues not already raised is provided below:

- Reassurances comments have been taken into consideration in first round of consultation (*para 7.3*)
- Proposed use for residential should be scrutinised to ensure it is suitable for housing (*para 9.2-9.6*)
- Sustainability credentials not tight or very realistic to cut carbon emissions. Further conditions should be advised (*paras 9.144*)
- Concern with political ties of applicant and how the site would be financed (*This is not a material planning consideration.*)

External Consultees

- 7.5 **Design Out Crime Officer:** Support for this application from a crime prevention perspective. Recommendations made on gate.
- 7.6 **Islington Swifts:** Support the proactive inclusion of a green roof, and request that this is a biodiverse type to enable a gain for biodiversity in accordance with NPPF 2019, and new Islington Local Plan.
- 7.7 **London Fire Brigade:** No further observations to make.
- 7.8 **London Underground Infrastructure:** No comment to make.
- 7.9 **Network Rail:** No objections to application.

- 7.10 **Transport for London (TfL) Road Network Development:** Minimum target on bicycle spaces met, detailed drawings required (to be conditioned), residential element car free which would be welcomed and advice that vehicles servicing the development reverse in to site and for Mercers Road not to be blocked.
- 7.11 **Islington Swifts:** Welcome the inclusion of green roofs and planting. Integrated swift bricks and bat boxes would further enhance local biodiversity in accordance with the Islington BAP; swift nest sites are recorded on nearby Tufnell Park Road.

Internal Consultees

- 7.12 **Acoustics Officer:** No objection subject to conditions for Air Source Heat Pump plant noise level compliance, details of noise insulation for dwellings and a land contamination investigation.
- 7.13 **Design and Conservation Officer:** The site is suitable for some backland development and a mews style development. No objection to any massing of 2 storeys in height.
- 7.14 **Highways Officer:** Objection originally raised on the lack of information on access and egress of various vehicles around the retained commercial parking spaces. Revised comments from Highways raise no objection noting that the retention of parking bays which is not for the housing but the management of the gym, and the turning around of vehicles.
- 7.15 **Tree Officer:** No objection following submission of amended arb report and landscaping details.
- 7.16 **Sustainability Officer:** No objection following removal of gas boilers and replacement with ASHPs along with addition of PV panels and green roofs.

8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

- 8.1 Islington Council (Planning Sub Committee), in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990).
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance).
- 8.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 8.3 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 8.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 8.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

- 8.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.7 Members of the Planning Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 8.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.9 The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 8.10 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

Emerging Policies

Draft Islington Local Plan 2019

- 8.11 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020. As part of the examination consultation on pre-hearing modifications took place between 19 March and 9 May 2021. The Examination Hearings took place between 13 September and 1 October 2021. The Council consulted on Main Modifications to the plan running from 24 June to 30 October 2022.
- 8.12 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

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

Given the advanced stage of the draft plan and the conformity of the emerging policies with the Framework it is considered that the policies can be afforded moderate to significant weight depending on the significance of objections to main modifications.

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

Policy G4 Biodiversity, landscape design and trees
 Policy G5 Green roofs and vertical greening
 Policy H4 Delivering High Quality Housing
 Policy H5 Private Outdoor Space
 Policy S1 Delivering Sustainable Design
 Policy S2 Sustainable Design and Construction
 Policy S4 Minimising greenhouse gas emissions
 Policy T3 Car Free Development Parking
 Policy T2 Sustainable Transport Choices
 Policy T5 Delivery, Servicing and Construction
 Policy ST2 Waste

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Land Use
- Design
- Impact on the amenity of neighbouring residents
- Housing Mix
- Quality of Accommodation
- Accessibility
- Highways
- Trees and Ecology
- Sustainability
- Affordable Housing
- CIL and S106.

Land Use

Loss of onsite car parking

9.2 The car parking area as shown on the site plan consists of 33 spaces in total. The proposal would result in the loss of 30no. spaces which are behind the existing temporary hoarding fence and pedestrian gate. The loss of parking is a matter supported by planning policy; and there is no access for parking within the site for existing residents within Collingwood House. This building contains a Gym at ground, first floor and part second floor with residential at second floor above, permitted under P2015/1402/PRA from the then office use. The application site is centrally located with multiple transport modes in the vicinity of the site. The council actively promotes, through its planning policy, the reduction of reliance on car use in favour of more sustainable modes of transport. Within this context no objection is raised to the loss of existing hardstanding and associated parking spaces on the site in land use terms.

- 9.3 It is acknowledged that 4 parking spaces would remain within the red line of the site boundary. However, these spaces would continue to serve the commercial occupier and not any residential occupiers. The Unilateral Agreement which would be secured would ensure said spaces are not to be used for residential occupiers of the proposed dwellinghouses.

New Housing

- 9.4 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy H1 (and table 4.1) seeks to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity.
- 9.5 Part C of The London Plan (2021) policy GG2 (Building strong and inclusive communities) states that those involved in planning and development must proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. The policy at paragraph 1.2.5 states that all options for using the city's land more effectively will need to be explored as London's growth continues, including the redevelopment of brownfield sites and the intensification of existing places, including in outer London.
- 9.6 The site is not subject to a site allocation in the current or draft Local Plan but the overarching national and local policies of making the most effective and productive use of valuable urban sites for the most important land uses would recognise that the site would be best developed for residential use. Moreover, this would be the most contextual and productive land use since the site is surrounded on all perimeters by other forms of residential use. Overall, there is therefore no concern over the proposed land use in planning policy terms.

Design and Appearance

- 9.7 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should create better places in which to live and work and helps make development acceptable to communities. Paragraph 134 of the NPPF (2021) states that in determining applications, significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 9.8 Core Strategy Policy CS8 states that the scale of development will need to reflect the character of the area. The businesses and shops which provide the mixed use character of Islington will be maintained through employment, retail and design policies.
- 9.9 Core Strategy Policy CS9 states that the Islington's heritage assets and historic environment will be conserved and enhanced whether they are designated or not. All development will need to be based on coherent street frontages and new buildings need to fit into the existing context of facades.
- 9.10 Development Management Policies DM2.1 requires all forms of development to be of high quality, incorporate inclusive design principles and make a positive contribution to the local

character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics.

9.11 Development Management Policies DM2.3 states that non-designated heritage assets, including locally listed buildings and shopfronts, should be identified early in the design process for any development proposal which may impact on their significance. The council will encourage the retention, repair and reuse of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted

9.12 The site is located within the Mercers Road/Tavistock Terrace Conservation Area.

9.13 Paragraph 5.41 of the Urban Design Guide (2017) in regard to backland sites states the following:

Backland sites are sites behind existing buildings, often with no street frontage and usually within predominantly residential areas. These spaces are normally used as garden or other outdoor amenity spaces, accommodating little more than sheds and ancillary buildings, although the historical development pattern of the borough has also resulted in backland sites accommodating low-rise industrial or other non-residential premises. Regardless of the size of the site, in Islington where backland sites do accommodate development, this is generally subordinate to the buildings that front the street.

9.14 The site is setback from Mercers Road and wraps around the east, south and west facade of Collingwood House. The site currently contains a large area of hardstanding consisting of an area of just over 1,500sq.m which serves as ancillary car parking for Collingwood House. Apart from the bike store deep to the rear of the site there is no development or significant massing within the site boundary. The site is therefore considered to be a backland site.

9.15 Whilst the principle of a residential development is accepted, the design guide notes that backland sites can be important for their openness in an otherwise dense built environment and that where backland sites already accommodate development, this is generally subordinate to the buildings that front the street (IUDG 5.41).

9.16 In order to be acceptable, the design of the proposed buildings should follow this development pattern by providing a suitably subservient form including mass, height, architectural language and detailing.

Bulk, height and massing

9.17 In respect of delivering the appropriate bulk, height and massing of backland developments, the IUDG states:

Para 5.43 - Development will generally only be considered where it replaces an existing structure and is subservient to the surrounding development, in accordance with the predominant development pattern in the borough which concentrates massing along the primary street frontage.

9.18 Regarding backland sites, para 5.47 of the IUDG states that:

“In or adjacent to Conservation Areas, or within the settings of listed buildings, constrained backland sites (those where it is not possible to create a new through route) where development is acceptable in principle...development should be no more than two storeys above ground level and should employ context appropriate materials”.

- 9.19 The development is two storey (Max Height 6.75m) throughout save for the single storey elements (Max Height 3.7m) that extend to the rear of each dwelling, and the cycle and bin store structures to the rear and to the flank of the pedestrian access to the site's entrance drive to the northern eastern part of the site. The scheme as opposed to the pre-application is 2 storeys in height (instead of 3 storeys). A three-storey development was not supported by the Design and Conservation Officer at pre-application stage.



Image 8: East Mews from South-West Elevation (Pre-app, 2018)

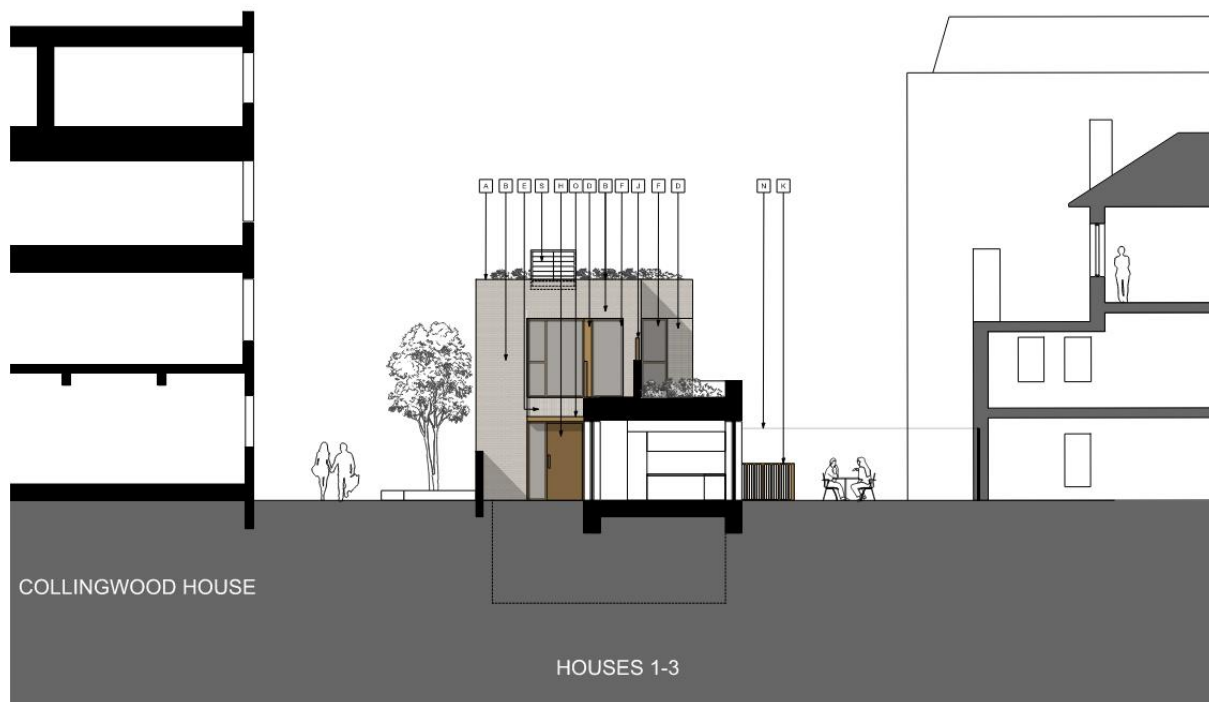


Image 9: East Mews from South-West Elevation (Current Application)

- 9.20 The two storey form represents a suitable level of subservience given the size and mass of the surrounding buildings which are relatively tall in comparison to the proposed development.
- 9.21 The site wraps around the eastern, southern and part of the western flank walls of Collingwood House which is a four-storey mixed use building.
- 9.22 To the east of the site are neighbouring buildings that bound Holloway Road comprising three-storey residential buildings (Manor Mansions) and a three-storey (plus roof level) commercial building (No.457-463 Holloway Road).
- 9.23 To the south of the site is a cluster of buildings that form part of a site allocation. These are primarily commercial buildings four-storeys in height including a 'Safestore Self Storage' which fronts Holloway Road and flanks the south-eastern part of the site, and also a vacant warehouse building that flanks the south-western part of the site.
- 9.24 The western part of the site is bound by long residential rear gardens which serve three-storey dwellinghouses along Mercers Road (No.2, 4 and 6 Mercers Road).

- 9.25 The relationship the new built form would have with the neighbouring properties including that of Collingwood House is also shown in the section below. This shows the height of the building is subservient with those properties which are street facing.

Image 10: East Mews Proposed Section A_C (Current Application)



- 9.26 Overall, the massing complies with the guidance as set out within the IUDG (2017) in regard to mews development and typology.

Scale and Layout

- 9.27 The proposed dwellings are arranged to the west and east of Collingwood House as shown in image 11.
- 9.28 This results in the *East Mews* containing 3no. x 2-bedroom 4 person units (House 1-3) and the *West Mews* containing 3no. x 3-bedroom 5 person units (House 4-6). They are principally two storey (Max Height 6.75m) throughout save for the single storey elements (Max Height 3.7m) that extend to the rear of each dwelling. The massing arrangement showing the setback of the first floors are shown in images 11 and 12 below.
- 9.29 Each dwelling has a rear private amenity space at ground level, with terrace spaces at first floor. Houses 1-3 contain a front courtyard that forms part of the primary access to the properties. Basement levels are largely submerged save for rear lightwell courtyards to each dwelling.
- 9.30 The proposed layout has evolved following extensive discussions as part of pre-application Q2018/2869/MIN and withdrawn planning application P2020/2727/FUL whereby 8no. units as opposed to the 6no. were proposed. As seen within images 9 and 10, the 8 dwellings which were at 3 storeys at pre-application stage resulted in a cramped layout that competed with the surrounding buildings and separate to design matters provided a poor level of accommodation and resulted in adverse amenity impacts to the adjacent properties, more specifically to Manor Mansions to the east.

- 9.31 The form and mass as amended successfully represents and reflect a mews typology, better responding to the site's backland status and thus lower order within the urban hierarchy and historic development pattern comprising appropriate 2 storey height ambient to the eastern, southern and western edge.
- 9.32 Overall, and as amended, officers consider that the proposed siting, scale, massing, bulk and the overall footprint of the proposed development would not adversely affect the character and appearance of the local area within the context of the Mercers Road/Tavistock Terrace Conservation Area.

Image 11: Ground Floor Plan (Pre-app, 2018)



Image 12: Ground Floor Plan (Withdrawn Application, 2020/21)



Image 13: Ground Floor Plan (Current Application)



Image 14: First Floor Plan (Current Application)

Elevation treatment and materiality

9.33 The elevations of the new dwellings are predominantly constructed from brick, featuring two brick types including a brick buff and off white brick featuring a variation in texture and appearance utilising recessed stack and stretcher bonds. Glazing proposed includes bronze aluminium frames, which would be articulated also for gates and terrace and lightwell balustrades.

- 9.34 The proposal has been designed, in part, to read as a mews with its cluster of relatively uniformly designed homes facing onto a landscaped area, with a good level of fenestration proposed which have been carefully sited so as to not cause adverse harm to adjoining neighbours. Officers, consider the architecture to be of a high quality and with an appropriate contemporary language and a good use of high-quality materials.
- 9.35 The selection of buff brick as the primary material and the use of brick for architectural detailing, including soldier course, and header detailing and animation, is a well-mannered response that sits comfortably within the Conservation Area and in relation to the immediately adjacent properties.
- 9.36 The same care to detailing and selection and application of materials has been applied to the proposed cycle and refuse stores which have been appropriately and beneficially designed to read as integral components of the overall mews development.
- 9.37 The roof form and treatment is considered acceptable to the two and one storey elements with a flat roof form and sedum covering which was an amendment during the application process. Given the surrounding houses are all significantly taller than these elements, the sedum roofs will create and contribute to an attractive green outlook.



Image 15: Proposed visual of the East Mews

- 9.38 It is noted that Air Source Heat Pumps are proposed as part of the proposal. Paragraph 24.11 of the CADG (2002) states that the Council is opposed to the erection of plant rooms, air conditioning units and other services including water tanks and radio or satellite equipment at roof level where this can be seen from street level or public space, including long views from side streets. The ASHP project 0.9m above the parapets, only some of the plant would be visible

at the East Mews from oblique views from Mercers Road, and in the setting of the much larger adjacent commercial buildings, would not harm the character of the Conservation Area.

Impact on Mercers Road/Tavistock Terrace Conservation Area

- 9.39 The site is located in the Mercers Road/Tavistock Terrace Conservation Area (CA24), The character of this area comprises largely commercial frontages along Holloway Road and predominantly residential side streets. The area includes an attractive range of Victorian buildings, mostly developed during the 1850s and 1860s and the relatively few buildings that have been built subsequently have generally added to the character of the area as stated within the Conservation Area Design Guidelines (2002).
- 9.40 The site itself as detailed within the submitted Heritage Statement makes a very limited contribution to the Conservation Area and that although relatively well managed could be argued to detract from the significance of the Conservation Area. Officers consider that the site due to the large amassing of tarmacking and use as parking has a limited contribution in agreement with the heritage statement.
- 9.41 The proposal for new residential units surrounding the four-storey Collingwood House to all but one flank; no demolition of existing buildings is proposed. Collingwood House itself was built between 1947 and 1951 and is not statutorily or locally listed. The site also adjoins the locally listed house on Mercers Road and to the north-east both 445 and 457-463 Holloway Road are locally listed. Taken as a whole the comprehensive redevelopment of the existing car parking area in around the site for a high quality residential scheme is considered to significantly enhance the character and appearance of the site, surrounding buildings and its location within the Mercers Road/Tavistock Terrace CA.
- 9.42 Paragraph 24.7 of the CADG states the following:
- New buildings should:*
- i) respect the scale, massing, rhythm and fenestration of adjoining buildings;*
 - ii) present lively and richly detailed frontages to adjoining streets;*
 - iii) avoid bulky roof top plant / machinery visible from street level or other public areas;*
 - iv) use high quality facing materials;*
 - v) display a vertical emphasis in their elevational treatment; vi) incorporate suitable boundary treatments.*
- 9.43 As per the Conservation Officer's pre-application observations, of particular consideration is the relationship between the proposed new housing and Manor Mansions. While Manor Mansions are not locally or nationally listed they form part of the historic environment and make a positive contribution to the Conservation Area. The proposed development to the west of the site will sit directly behind the rear gardens of two locally listed buildings on Mercers Road and directly abut a c.1915 warehouse, formerly the Ventilating Apparatus Works and latterly a furniture repository.
- 9.44 A Heritage Statement accompanies the application. It considers the Conservation Area and adjacent locally listed buildings. It concludes that the impact of the proposed development to the east and south of Collingwood House, which would comprise two storey mews-style houses with basements is considered to be appropriate to the context and would have a negligible impact on the significance of the Mercers Road and Tavistock Terrace Conservation Area and locally

listed buildings at Nos. 449-563 Holloway Road. The proposals would not result in any harm to the historic environment.

- 9.45 As detailed in the sections above, the massing has been reduced visibly from original iterations of the design reducing from 8no. units to 6 and from reducing the height to two storey only. The layout has also been amended to pull back development particularly the East Mews from Manor Mansions to mitigate harmful amenity impacts and to create a better level of accommodation for the host occupiers. The brick built dwellings would also assimilate well amongst other brick built buildings and the materials proposed appear to be of a high quality that would accord with the CADG advice.
- 9.46 The proposed mews typology is considered now to be a contextually sensitive and entirely appropriate approach for this site with its significantly lower height relative to its surrounding context, its quiet and rhythmic detailing, would not be considered prominent nor harmful to the character of the Conservation Area.
- 9.47 This two storey mews typology, and its configuration on the site, achieves the required subservience to the primary heritage assets that surround the site, better protects adjoining trees, preserves the privacy and amenity of the neighbouring homes, and adheres to the general morphology of the conservation area.
- 9.48 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.

Basement Development

- 9.49 Paragraph 7.17 of the Islington Basement SPD (2016) states that *'Areas of basement should respond to the scale, function and character of the site and its surrounds. Where large basement extensions are proposed, the resulting intensity of basement use may be out of keeping with the domestic scale, function and character of its context.'*
- 9.50 DI.1 of the Council's Supplementary Document – Basement Development (SPD) states a basement and/or other structures should cumulatively occupy less than 50% of the original garden/unbuilt upon area, and be smaller in area than the original footprint of the dwelling, whichever the lesser.
- 9.51 Paragraph 8.2 of the Basement Development SPD (2016) states that *Basement development and associated structures may affect the character and appearance of a conservation area. Applications for basement development within a CA should have regard to applicable Conservation Area Design Guidelines, Development Management Policy DM2.3 and the Islington Urban Design Guide.* The following criteria is also relevant:
- DI.2 A basement should not involve excavation of more than one (1) storey below the lowest original habitable floor level*
- DI.3 The height of a basement should not exceed 3m floor to ceiling height.*
- 9.52 The proposal includes a basement level to all 6 units proposed. The basement areas would be largely under the footprint of each dwelling with rear lightwells of limited depth beyond the main 2 storey building areas and slightly extended front lightwells to Houses 4-6 (West Mews). The basement areas would occupy less than 50% of the of the unbuilt area within the site and basements would comply with both DI.2 and DI.3 of the above guidance in regard to its depth below ground level and complying generally with the floor to ceiling heights.

9.53 The basement areas would not be prominent within the conservation area and even from private views would be limited in their visibility.

Landscaping and Boundary Treatments

9.54 The site would be significantly improved in regard to the general appearance of it. The entrance forecourt and lane are proposed to be finished in a granite flagstone mix material of neutral/beige colour similar to the brickwork. This finish is proposed to run smoothly up to the entrance to each dwelling. Each unit would contain upstand planters with 1no. tree planting to the front of each dwelling and this green landscaping arrangement is mimicked adjacent the southern elevation and also adjacent to the proposed timber bin store. Low linear planters are proposed also to the southern boundary to either side of the proposed timber cycle store. Each of the 6no. units would have a generously sized garden space with laid to lawn grass areas to the rear. The site would as noted in image 14 would be improved in it's bio-diversity by the addition of the lawn, planters and would include replacement trees for those low quality trees to be removed.

9.55 In regard to boundary treatment, there is currently timber fencing separating the site from the adjacent residential properties at Mercers Road and boundary wall adjacent Manor Mansions. A condition shall be included for details of all new or reinstatement works to boundary walls along the site edge to be submitted prior to relevant works taking place.



9.56 Overall, the changes and improvements to domesticate the site within an existing residential area is acceptable.

Image 16: Landscaping and private amenity arrangement

Conclusion

- 9.57 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.
- 9.58 Given the above, the proposal is considered to enhance the character and appearance of the current site and is a well-designed and acceptable form of residential development that sits respectfully and comfortably within its sensitive backland residential context. The application therefore complies with the NPPF 2021, policies D4 and HC1 of the London Plan 2021, Policy CS8 and CS9 of the Islington Core Strategy 2011, policy DM2.1 and DM2.3 of the Islington Development Management Policies 2013, the guidance contained within the Urban Design Guide 2017 and the Conservation Area Design Guidelines 2002.
- 9.59 Overall, the proposal is considered acceptable subject to conditions and complies with Policies CS8 and CS9 of Islington's Core Strategy (CS) 2011, Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013 and London Plan 2021 policies D3 and D4 and to accord with the National Planning Policy Framework (NPPF) 2021.

Neighbouring Amenity

- 9.60 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy D6 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy D6 requires for buildings to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 9.61 The site wraps around the eastern, southern and part of the western flank walls of Collingwood House which is a four-storey. The residential part of this building is located from second floor and above. To the east of the site are neighbouring buildings comprising three-storey residential buildings at Manor Mansions (No.455) and a three-storey (plus roof level) commercial building (No.457-463 Holloway Road) currently vacant. To the south of the site is a cluster of four storey commercial buildings that form part of a site allocation. The western part of the site are three-storey dwellinghouses along Mercers Road (No.2, 4 and 6 Mercers Road).

Overlooking and Loss of Privacy

- 9.62 Paragraph 2.14 of the Development Management Policies 2013 states that '*there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.*' A number of objections have been received in regard to overlooking and the loss of privacy levels to neighbouring properties.
- 9.63 The design has evolved during the application to address officer concerns with overlooking.
- 9.64 To the West Mews, ground floor glazing is proposed to the front and rear elevations serving kitchen and living room areas in addition to a WC. A side window is each shown to House 4 and 6. This glazing would overlook primarily the adjacent boundary fences serving a non-habitable room and look into the communal area. At first floor, glazing is proposed to the rear and to front elevation for all houses, whilst glazing is proposed to the flank of 4 and 6. Overlooking here

would be over the heavily treed area of the deepest part of the rear private amenity space of 6 Mercers Road which is of significant length with windows between 20m-26m from the rear façade of Mercers Road properties. The first floor flank windows would be obscurely glazed and so would not cause no impact to residential amenity. The rear terraces proposed would overlook a heavily treed area and would overall not overlook neighbouring windows. Notwithstanding the plans hereby approved, it's considered necessary to condition that an additional flank screen is added for House 6 so that this would prevent direct views down to the shared flank boundary with 2 Mercers Road given the proximity to the adjacent amenity space despite the treed boundary treatment. As per the ground floor windows to the front elevation, the first floor would overlook the new landscaped area adjacent Collingwood House. Residential properties of Collingwood House are located to the north and east facades of this building away from the West Mews and therefore would not be overlooked.

- 9.65 To the East Mews, ground floor glazing is proposed to the rear serving kitchen and lounge areas and also to the front elevation serving staircases/non-habitable areas. There are no proposed windows at first floor to the rear. It is acknowledged that ground floor windows would be between 6.6m-9m from the rear façade of properties at Manor Mansions which are the closest properties to the proposed development save for Collingwood House. Whilst this is noted, glazing is limited to ground floor levels where the predominant area of overlooking would be towards the rear amenity space of each property. It is noted that there are some submerged windows at Manor Mansions but given the retention of 2 rear trees and the resulting addition of a boundary fence to enclose each property no direct window to window overlooking would occur at this level. There are windows at the 1st and 2nd floor of Manor Mansions appearing to serve some living spaces, bathrooms and staircases but it is not considered that the ground floor windows proposed would overlook these neighbouring windows on higher levels to an unacceptable degree given their proposed low level siting.
- 9.66 Flank glazing is proposed for the East Mews also serving bedroom spaces and WCs. House 1-3 also contain a terrace at this level. The terrace area and bedroom glazing would however be screened by a bronze perforated metal screen. The screen including the brickwork below would cover a height of 1.9m to prevent overlooking towards Manor Mansions.
- 9.67 Given the location of residential properties at second and third floor level of Collingwood House (much higher than the proposed dwellings), it's not considered that glazing facing this block would be adversely impacted given vantage points would be at a much lower level.
- 9.68 An objection has been received with concerns on privacy from construction workers on site. Whilst this is generally not a material consideration as the purpose of person on site is to aid with the construction of the development only it is likely the site would be hoarded off for safety purposes and details such as this would be included within a Construction Management Plan that is required by condition.

Outlook and Enclosure

- 9.69 As per the assessment above, the proposed development would be enclosed by taller commercial, mixed and residential buildings. As per the floor plans submitted, the ground and first floors which would be the most visible parts of the development, however the massing is much reduced in mass in comparison to the lower parts, with the first floor of the properties visibly setback from the ground floor edges by 3m. With no rear glazing proposed within the first floor level accommodation that has enclosure impacts as well as privacy concerns.
- 9.70 The setbacks proposed have evolved through previous designs to ensure that the massing does not appear dominant from neighbouring windows. The resulting setback from Manor Mansions at first floor is 9-13m. When considering the maximum height of the development at 6.75m in view of the adjoining and much larger Collingwood House that is in situ as existing, the dwellings

would not result in such adverse outlook impacts taking into consideration the setback and the site context that impacts current outlook levels. For the West Mews, the flank of House 6 is between 20m-26m from the rear façade of Mercers Road properties and therefore would not have an adverse impact on the outlook of these properties.

- 9.71 Overall, the proposal would not have a detrimental impact, outlook, privacy and overlooking and would therefore be in compliance with policies DM2.1 of the Development Management Policies 2013 and the guidance set out in the Urban Design Guide 2017.

Daylight and Sunlight

- 9.72 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours. A number of objections have been raised with regard to the impact of the proposed development upon the levels of sunlight and daylight provided to neighbouring properties.

- 9.73 The applicant has provided a Sunlight and Daylight Report by EB7 to support the proposal, which has assessed the impact of the proposal on the windows and the rooms they serve that could potentially be affected at the adjoining properties:

- 2-8 Mercers Road (Adjacent to *West Mews*) and
- Manor Mansions, 455 Holloway Road (Adjacent to *East Mews*).

- 9.74 **Daylight:** the BRE Guidelines stipulate that there should be no noticeable loss of daylight provided that either:

- the Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value (Skylight); or
- the daylight distribution, as measured by the No Sky Line Contour (NSC) test where the percentage of working plane area receiving light is measured, is not reduced by greater than 20% of its original value.

- 9.75 For daylight VSC and NSC, all windows are fully BRE compliant.

- 9.76 **Sunlight:** the criteria within the BRE Guidelines advise that calculation of the annual probable sunlight hours (the amount of sun available in both the summer and winter for each given window) should be calculated for all windows which face within 90° of due south. In existing buildings, the BRE guide suggests that; *'If a living room or an existing dwelling has a main window facing 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 to 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, or less than 5% of winter probable sunlight hours between 21st September and 21st March and;
- receives less than 0.8 times its former sunlight hours during either period and;
- has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

- 9.77 In regard to APSH all windows pass.
- 9.78 In regard to overshadowing of adjacent amenity space at 2 and 4 Mercers Road, the data shows no adverse losses beyond BRE guidelines.
- 9.79 Objections have been received stating that the D&S report is inadequate and has not clearly shown the windows affected at Manor Mansions and also not made assessment on those windows at ground floor level that are level with the existing car parking area. As detailed on pg. 22 of the assessment, the ground floor windows at Manor Mansions are included. The assessment shows no transgressions below 0.8 and thus no adverse impacts. Another objection notes that windows to block 1 are omitted, however when reviewing the indicative elevations and window references these are included within the applicants assessment.
- 9.80 The windows at ground floor at present face a number of trees with the canopies partially covering the windows as seen on site. These trees would be retained and no trees are added adjacent the windows which was a concern raised within public comments received. Unusually and uncharacteristically, there is no boundary fence for the car park to this flank but the existing scenario does show a mid-level wall to the centre of this boundary area. For security reasons it would not be unusual for a 1.8m/2m high fence to be erected to secure each boundary. It's not considered that the addition of such a residential feature would be a justifiable reason for refusal and details for all boundary treatments will be required as condition, where the materiality and permeability of the enclosure can be tailored to the site constraints.
- 9.81 A further objection also questions the consistency of the daylight and sunlight analysis, noting that the daylight assessment has differing existing NSC and APSH for window W4U at Manor Mansions between 2020 report (withdrawn app) and the current 2021 report. This is acknowledged, however the results for both show there is no failure of BRE Guidance and in comparison, to the withdrawn application, the results are much improved given the massing is reduced. Therefore, it's not considered that the difference would not have an impact on the results provided.
- 9.82 An objection also received states that the assessment does not show a submerged courtyard at Manor Mansions and overshadowing impacts would be severe. This is acknowledged. From a review of the data however, it's clear that this area does as existing does not receive 2 hours of sunlight on March 21st taking into consideration the overshadowing to House 3. This area of the site does however receive some sunlight exposure and results on June 21st show at least 2 hours of sunlight as noted within the report as per the proposed garden. It's important to note that this submerged area is located in between 2no. 3 storey outriggers and the available sunlight as existing would not be so detrimentally impacted by the new development being added.
- 9.83 Overall, the daylight and sunlight assessment has evidenced that there would be no breaches of daylight and sunlight to neighbouring properties of which would cause harm to amenity through either loss of daylight or sunlight, or through overshadowing of amenity space.

Noise

- 9.84 A number of objections have been received regarding noise from the development and future noise. As it currently stands the site provides vehicular access for up to 33 parking spaces. Whilst it is expected that a degree of noise shall take place during the construction period, the proposed use of the site for 6 dwellings as part of a car free development would not result in unacceptable levels of noise. However, in order to ensure that management practices are implemented to control and mitigate the impact of construction noise/disturbance on neighbouring residents, a condition has been recommended requiring the applicant to provide a detailed Construction Management Plan directly referencing Islington's Code of Practice for

Construction Sites (2018) for the approval of the Local Planning Authority prior to the commencement of construction.

- 9.85 In regard to noise impacts attributed from the new development when occupied, Air Source Heat Pumps (ASHP) are proposed to the roof of each dwelling. No objection has been raised by the Council's Acoustic Officer to the plant subject to a condition for noise levels to not exceed a rating level of 42dBA from 1m from the facade of the nearest noise sensitive premises.

Land Contamination

- 9.86 The application includes a contaminated land report. The initial site investigation was hampered by parked cars limiting the site coverage. On the sampling carried out there was significant asbestos discovered. There will need to be further site investigation with appropriate access before the remediation strategy is drafted (albeit most of the made ground may be removed and a clean capping layer introduced anyway). A number of conditions have been required including a land contamination investigation to be submitted prior to development commencing.

Basement Development

- 9.87 The proposals involve excavation works to allow a wholly subterranean basement level. For all basement development a Structural Method Statement (SMS) must be submitted (in accordance with the SMS requirements in Appendix B) of the Basement Development SPD 2016 in support of any such application, and this must be signed and endorsed by a Chartered Civil Engineer or Chartered Structural Engineer.
- 9.88 A Structural Method Statement prepared and signed by a suitably qualified person has been submitted with the application in accordance with Appendix B of the Basement Development SPD 2016 which considers the impact on the various trees close to the basement area along with other considerations. An additional condition has been recommended to requiring that excavation works are undertaken in accordance with the approved SMS and to secure the current structural engineer throughout the entire construction phase of the development. A Construction Method Statement has also been secured by condition to ensure the development does not contravene pedestrian and highway safety during construction works.

Conclusion

- 9.89 Overall, the application is considered to have acceptable amenity impacts and would comply with policy DM2.1 of the Development Management Policies 2013.

Standard of Accommodation

- 9.90 In terms of new residential development, as well as having concern for the external quality in design terms it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and also dual aspect. London Plan (2021) policy D6 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.1 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 9.91 A new nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015.

- 9.92 Core Strategy CS9 part F of the same policy states that new homes need to provide dual-aspect units with clear distinction between a public and private sides.
- 9.93 Tables 3.2 and 3.3 of Policy DM3.4 of the Islington's DMP stipulate the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected.

No. Bedrooms/ Expected Occupancy	Floor Space Provided (Approx.)	Minimum Required Floor Space	Provided Storage (Approx.)	Required Storage
House 1 (2-bedroom, 4 person) – 3 storey house	101 m ²	102* m ²	3.5 m ²	3* m ²
House 2 (2-bedroom, 4 person) – 3 storey house	101 m ²	102* m ²	3.5 m ²	3* m ²
House 3 (2-bedroom, 4 person) – 3 storey house	101 m ²	102* m ²	3.5 m ²	3* m ²
House 4 (3-bedroom, 5 person) – 3 storey house	125 m ²	102 m ²	6 m ²	3 m ²
House 5 (3-bedroom, 5 person) – 3 storey house	125 m ²	102 m ²	6 m ²	3 m ²
House 6 (3-bedroom, 5 person) – 3 storey house	125 m ²	102 m ²	6 m ²	3 m ²

*Note there is no minimum standard for a 2-bedroom, 4 person, 3 storey house (House 1-3). Standards based on a Two double & one single bedroom (3b5p) house.

Table 1: Floorspace of Dwellings

- 9.94 The minimum floor area for a two storey 3-bedroom 5 person 3 storey dwellinghouse as outlined in Table 3.2 of the Development Management Plan is 102sqm. It should be noted that there is no minimum standard for a 2-bedroom, 4 person, 3 storey house. If comparing to a 2-bedroom, 4 person (2 storeys) under DM Policies, then 83sq.m is required. Taking into consideration this, the 101sq.m is considered sufficient taking into consideration the differing thresholds and there being no minimum requirement for this size of unit. The proposed development provides new dwellings between 101-125sqm and delivers a generous floorspace that would provide a good level of accommodation.
- 9.95 The reductions made to the overall footprint of the development from original iterations of the development dating back to pre-application stage in 2018 (see images 9-12) results in greater setbacks to the western and eastern boundaries allowing for improved dual aspect accommodation within the proposed development as well as the re-orientation of windows to prevent upper floor overlooking. Whilst it is unfortunate that the habitable rooms within the basement level would not receive good levels of outlook, it is noted that they are secondary accommodation with the ground and first level rooms forming the primary accommodation of the building with good access to natural light and outlook.
- 9.96 The West Mews allows for a dual aspect to the front façade and also to the rear which provides a verdant green character to the rear gardens of Mercers Road. There is a generous level of glazing to all 3 levels including larger openings to the rear aspect of the site which provide a good outlook. The East Mews, has due to the relationship with residential properties at Manor Mansions, includes first floor glazing orientated due south instead of to the east. Whilst a less traditional orientation of dual aspect, it would still provide a dual aspect and a good level of outlook across all 3 levels with adequate levels of glazing for the smaller 2-bedroom units as opposed to the larger family sized units to the West Mews. Larger openings at ground floor are included and provide aspect across the private amenity space.

- 9.97 As noted above, the Daylight and Sunlight Report by eb7 was submitted prior to the adoption of the latest version of the Building Research Establishment (BRE) guidelines. The report therefore tests the internal floor areas of the property for Average Daylight Factor (ADF) in accordance with the 2011 BRE Guidance document which was relevant at the time of submission. The proposal demonstrated compliance with the older (albeit relevant at time of submission) BRE Guidelines. The results indicate that internal rooms (including those at basement level) within the proposed development all meet the Average Daylight Factor target values for their room uses
- 9.98 The daylight assessment was updated during the course of the application in line with the publication of the new BRE guidance in June 2022. The Daylight Illuminance method introduced in the BRE 2022 assessment utilises climactic data for the location of the site, based on a weather file for a typical or average year, to calculate the illuminance at points within a room on at least hourly intervals across a year. The illuminance is calculated across an assessment grid at the reference plane (usually desk height). The guidance provides target illuminance levels that need to be achieved across at least half of the reference plane for half of the daylight hours within a year. The targets set out within the national annex are as follows:
- Bedrooms – 100 Lux
 - Living Rooms – 150 Lux
 - Kitchens – 200 Lux
- 9.99 The results show compliance for all ground floor living areas including living room/kitchen areas and all primary bedrooms at first floor. The results also show compliance within double bedrooms served by rear lightwells at House 4-6 (West Mews).
- 9.100 In regard to failures, double bedrooms within the basements of Houses 1-3 (East Mews) received lux figures of 65 (House 1), 67 (House 2) and 57 (House 3). Whilst these bedrooms are below the BRE lux targets, they represent secondary bedrooms with the primary bedrooms at the first floor far exceed the guideline targets. All of the living room/kitchen/diner spaces also receive generous levels of light. Given this, and the constraints of the site to incorporate large lightwells or higher built form, together with the generous floorspace, ample amenity space and good daylight and outlook within these units the proposal would provide an acceptable level of amenity, on balance. It should also be noted that the levels of daylight and sunlight afforded to new development and existing development is less important in comparison to living rooms and kitchens as per paragraphs 2.1.14, 2.2.10, 3.1.2 and 3.2.3 of the BRE Guidance (June 2022).
- 9.101 To the West Mews, single bedrooms within the basements to the frontage of Houses 4-6 (West Mews) would have received lux figures of 15 (House 4), 12 (House 5) and 2 (House 6). In light of the extremely low lux figures below the guidance officers requested improvements to the daylight to these bedrooms. The size of the lightwells in front of House 4-6 (West Mews) were subsequently enlarged with more glazing, extending 1.8m forward of the main basement footprint for a width of approximately 3.9m. These were extended to enable a greater degree of light to each bedroom. The previous and updated figures are shown in the table below.

Room	Target Lux (Lux)	Median Lux of Room before lightwell extension	Median Lux of Room proposed
House 4 Lower Ground Bedroom	100	15	56
House 5 Lower Ground Bedroom	100	12	62
House 6 Lower Ground Bedroom	100	2	40

Table 2: Internal daylight for basement bedrooms

- 9.102 Officers acknowledge the tertiary sized bedrooms within the basement are still below the lux guidelines for bedrooms however House 4-6 are supported by 2 x double bedrooms which pass the lux guidelines along with all other living spaces above the ground floor. When taking into account the revisions made and the general good level of amenity provided here as per the East Mews, the units would provide a good level of accommodation. Additionally, as per the commentary in paragraph 9. the levels of daylight and sunlight afforded to new development and existing development is less important in comparison in comparison to living rooms and kitchens.
- 9.103 Noting this, officers consider that the proposed development would receive levels of light over 3 floors that would a good quality accommodation.
- 9.104 Policy DM3.5 part A identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. It states that ground level properties should provide up to a minimum of 30sqm for family housing (three bedroom residential units and above). The houses would feature 3 different types of private amenity space across all levels. Including lower ground floor courtyard, ground floor rear private amenity space and first floor terraces. It's acknowledged that House 5 would have less than 30sq.m of ground floor amenity space, but would also contain a terrace level that would allow a mix of space that on balance would be considered acceptable providing over 30sq.m of space. Overall, it is considered that the external amenity space provided would be sufficiently sized and well laid out for the enjoyment of future occupants.

Unit	Outdoor space Provided	Minimum required outdoor space as per policy DM3.5
House 1	94 m ²	30 m ²
House 2	64 m ²	30 m ²
House 3	84 m ²	30 m ²
House 4	65 m ²	30 m ²
House 5	33 m ²	30 m ²
House 6	83 m ²	30 m ²

Table 3: Private amenity space for Dwellings

- 9.105 A noise assessment by Temple has been carried out to test the noise output from the plant serving the gym at Collingwood House and also the MHVR system serving the dwellings and their impact on the proposed mews houses. These details have been assessed by the Council's Noise Acoustic Officer who raises no objection to the details but would require a scheme for sound insulation and noise control measures for living spaces prior to superstructure works taking place.

- 9.106 Overall, the proposed residential units are considered to provide an acceptable level of accommodation complying with policy CS12 (meeting the housing challenge) of Islington Council's Core Strategy 2011, Islington's Development Management Policy DM3.4, D6 (Housing quality and standards) of the London Plan 2021, Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021.

Accessibility

- 9.107 Local Plan policy DM2.2 and the Inclusive Design SPD remains a material consideration to any development.
- 9.108 Policy DM2.2 states that A. All developments shall demonstrate that they:
- i) provide for ease of and versatility in use;*
 - ii) deliver safe, legible and logical environments;*
 - iii) produce places and spaces that are convenient and enjoyable to use for everyone, and*
 - iv) bring together the design and management of a development from the outset and over its lifetime.*
- 9.109 The proposed residential dwelling is required to satisfy Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2). Apart from the National Standard, the Local Plan policy DM2.2 and the Inclusive Design SPD remains a material consideration to any residential development.
- 9.110 The proposals have been designed in accordance with inclusive design principles. The Inclusive Design Officer notes that the layout of the unit is satisfactory, with step free access. A WC is also located at ground floor in addition to the communal cycle storage and refuse areas. There was an unacceptable pinch point on original plans which showed a gym parking space close to the planter area of House 1, this has since been removed to allow ease of access. Entrance to the residential site is through individual pedestrian and cycle access points. A condition will be attached on details regarding fob access to the site to ensure it is fully accessible.
- 9.111 A condition has been recommended requiring the development to be compliant with Category 2 of the National Standard for Housing Design. Overall, the proposal seeks to adhere to the requirements of Policy DM2.2.

Crime Prevention

- 9.112 The residential buildings would be accessed via mid-level height gate with a separate access for cyclists and pedestrians. Low lighting bollards are proposed throughout and around the paved area of the site along with low linear lighting to planter walls which should provide adequate light at night-time. In addition to this, the residential context in and around should provide natural surveillance. The proposal is supported by the Design out Crime Officer and it's considered that the gating for this site is very positive as this can prevent various areas where ASB could take place. It is recommended that the gate is secured by encrypted fob for residents use only, with an audio and visual access control panel (with no trades button) to allow for the release of the gate by a resident from the safety of their dwelling. Any fire access (drop key) should be protected by a Gerda fire drop key protection box. The gate and boundary should be a minimum of 1.8m high and devoid of climbing aids. In light of the comments received, a condition has been included to require details of the new gate to ensure the gate is secure and also accessible for all users.

- 9.113 Whilst gates and gated developments are not considered to provide a fully accessible neighbourhood they are considered necessary by the Design our Crime Officer for the reasons mentioned. Notwithstanding the above, the proposal would be conditioned to achieve Secured by Design accreditation to ensure that the development meets minimum police approved security standards as part of the Homes 2019 Guide.

Highways

Car Free Development

- 9.114 Islington policy identifies that all new development shall be car free. Policy DM8.5 stipulates that no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair accessible parking. Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
- 9.115 It is acknowledged that there would be 4no. car parking spaces retained within the red lined site boundary area to the east flank of Collingwood House. However, it is important to stress that these would (as existing) be utilised by the commercial occupier within Collingwood House which is currently serving the gym. It is understood that these would be retained for use by gym management. These spaces are clearly demarked outside and beyond the residential area of the site by virtue of the entry gates.
- 9.116 It is to specifically be included within the Unilateral Agreement for the application that the car parking spaces as shown on the proposed site plan and ground floor plan shall be used and operated by only the commercial occupier within Collingwood House.
- 9.117 An objection has been received on the impacts of the proposal from the new residential units and the impact also on parking within Mercers Road and the local area. It is acknowledged that the Transport assessment survey on demand was during the day when many cars may out of their regular parking spaces during working hours. However, the number of spaces available on 3 nearby roads shows the levels of capacity. The site also has a PTAL (very good) rating of 5 as the site is well connected with an array of bus routes stopping close by (17, 43, 263, 271 and N41) and is within 9 minutes walk of Upper Holloway Road and 15 minutes from Archway Station. The use of the existing parking within the site area close to the East Mews is calculated as 50% empty and therefore when considering the highly accessible location of the site and the site area characteristics this would not be a reason to refuse the application.

Access and Servicing

- 9.118 The applicant has provided a Transport Statement and a Technical Note by Velocity Transport Planning Ltd (August 2022).
- 9.119 As noted on plans and documents submitted, the site is accessed by a single vehicular with a large area of hardstanding to the rear for car parking.
- 9.120 The proposals would seek to retain the gym car parking spaces as these are required by the commercial occupier of Collingwood House. This matter has been discussed extensively with the applicant, and following revised plans submitted, a car parking space was removed from the proposed plans as this was considered to jeopardise the access into the residential site adjacent to House 1 and the landscaped area to the front of the dwelling. Swept path analysis shows parked cars can leave and enter the site without conflict with the bays (at least 2.4m wide) and/or Collingwood House or the residential development proposed. The Highways Team, in receipt of this information and amendment raised no further objection to the proposal.



Image 17: Swept Path Analysis for Refuse vehicle

- 9.121 With regard to servicing and household deliveries, servicing will either take place along Mercers Road where there is short stay parking restrictions between 10am-12pm Monday to Friday or within the existing turning head in front of Collingwood House. Swept path analysis details the access and egress to the site which will provide adequate space for delivery vehicles such as vans.
- 9.122 For refuse collection, vehicles would be able to reverse manoeuvre from Mercers Road rather than load directly from the highway. Swept path analysis details how the vehicles would be able to access the euro bins which are located up against the eastern boundary wall and not conflict with the parking bays or refuse store (also in the case the doors are open). This arrangement is shown in the swept path analysis below.
- 9.123 In relation to emergency access, swept path analysis also details that the fire tender can (in the event of a fire) access the site up to the first dwelling without conflict with either parking bays or the dwellings. The submission notes that all points within the houses will be within 90m of the position of the Fire Service vehicle shown when measured along a route suitable for laying a hose, and which follows the guidance of Clause 50.12 from BS9991 where sprinklers are installed within the houses to allow an extension of the hose laying distance. This is confirmed within the Fire Safety Strategy review by BB7 (February 2022) which demonstrates that the development proposals and required fire safety provisions are suitable to satisfy Policy D12(A) of the London Plan 2021. London Fire Brigade were consulted and stated that no further observations are required.

Construction Management Deliveries

- 9.124 Due to the proposed works, a Construction Management Plan will be required to demonstrate how the development would not result in congestion on the highway. The document will require details in accordance with the guidance of the Code of Construction Practice for Construction Sites (CoPCS) 2018.

Cycle storage

- 9.125 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines' and Policy DM8.4 and Appendix 6 of the Development Management Policies 2013.
- 9.126 In accordance with Appendix 6, 15 bicycle spaces should be provided for the 15 bedrooms proposed. The cycle storage would be proposed where the existing cycle stores are currently sited which is deep to the rear of the site adjacent to the southern elevation of Collingwood House.
- 9.127 The allocation proposed (15) would meet the minimum requirements for a residential use and therefore would fulfil the requirements under Appendix 6, utilising two tiered stands and 1no. accessible space within a dedicated storage enclosure. Overall, the details are considered acceptable and accord with policy DM8.4 and Appendix 6 of the Development Management Policies 2013 and the Cycle Parking Standards – TfL Proposed Guidance. A condition will however be attached to request detailed layouts of the cycle storage.

Refuse and recycling

- 9.128 Paragraph 5.2 of the Islington Street Environment Services 'Recycling and Refuse Storage Requirements' provides advice in relation to acceptable refuse and recycling provision for new residential units.
- 9.129 The proposed bin store is proposed to be sited within the access lane just north of House 1. The area would serve of 3x1100L and 1x360L bins for the proposed dwellings. The refuse store is close to the access to allow for weekly collection. No objection is raised in this regard, and officers consider this to be the most appropriate siting.

Trees

- 9.130 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.
- 9.131 There are trees that bound the site to the front entrance, the east and west flank and the southern boundary. There is a mature willow tree within the boundary of 2 Mercers Road close to the site boundary. The Trees within the site and the adjacent willow tree are not subject to a TPO are statutorily protected by way of being located within the New River Conservation Area.
- 9.132 The application is supported by an Arboricultural Report by SJA Trees (September 2021) which details trees to be removed, trees to be pruned and trees to be retained and subsequent site supervision and tree protection measures for the trees located close to the new dwellings. The assessment surveyed a total of 24 individual trees and four groups of trees growing within or

immediately adjacent to the site. The report also notes that there are no individual category 'A' or category 'B' trees. All of the 24 trees on or directly adjacent to the site are assessed as category 'C' trees, being either of low quality, very limited merit, only low landscape benefits, no material cultural or conservation value, or only limited or short-term potential; or young trees with trunk diameters below 150mm; or a combination of these.

9.133 11 individual trees (nos. 7 – 8, 11, 14 – 20 & 22 as shown in report) are to be removed, either because they are situated within the footprints of proposed structures or surfaces, or because they are too close to these to enable them to be retained.

9.134 This document was reviewed by the Council's Tree Officer. It was noted that whilst there are



9.135 no trees of significant value on site. However, considering the little tree cover the site has the proposed landscaping, will not mitigate the loss. As such, this is contrary to council policy as there will be a net loss and loss of urban greening.

9.136 In response to this a new Arboricultural Report by SJA Trees (March 2022) along with a Landscape Addendum Document (April 2022) and Landscaping Plan. A tree inspection took place again in February 2022. The new report and plan detail more trees would be retained in order to respond to the original comments by the Tree Officer. This results in the removal of 9 trees instead of 11. Trees 19, 20 and 21 to the south west within the grounds of the West Mews are to be retained in addition to those previously stated as retaining. However, the landscaping scheme provided are considered by the Tree Officer to more appropriate both in the retention of a few trees but more so, the proposed landscaping appears achievable including some

cellular tree pits and species selection. Of particular improvement is the use of pleached crab apples in the narrow access which is a difficult space to landscape.



Photographs #1-#2: Leyland cypress no. 22 tight compression forks

- 9.137 Comments during the application process from residents have raised concern with the loss of the Leyland Cypress within the site which is located in between House 6 and Collingwood House. As noted within the Addendum Landscaping Plan, detailed consideration has been given to retaining Tree T22, however due to the nature and structure of the tree, the arboricultural advice is for the tree to be removed due to 'a structurally weak union at its main bifurcation'. Further details are set out in the revised Arboricultural Impact Report (22043- 01) by SJA, dated March 2022. The proposal is for the tree to be replaced with a semi mature tree of an appropriate species and size.
- 9.138 A condition requiring the submission of 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) is to be recommended prior to commencement of works. Overall, the proposals as amended are considered satisfactory by the Tree Officer.

Sustainability and Ecology

- 9.139 Policy DM7.1 provides advice in relation to sustainable design and construction, stating 'Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development'. The proposed development should be maximised in terms of energy efficiency and carbon emission reduction, in accordance with policy DM7.2.
- 9.140 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF. Further planning policies relevant to sustainability are set out in chapter 9 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.
- 9.141 It is the council's and the Mayor's objective that all developments meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in CO₂ 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 CO₂ emissions. In this regard, it is policy that the feasibility of providing Combined Heat and Power (CHP) / Combined Cooling Heat and Power (CCHP) be fully explored.

- 9.142 Policy S4 (Minimising greenhouse gas emissions) of the Emerging Draft Local Plan at Part D Minor new-build residential developments of one unit or more must achieve a minimum on-site reduction in regulated emissions of at least 19% beyond Part L of the Building Regulations, unless it can be demonstrated that such provision is not feasible.
- 9.143 The application is supported by a Sustainable Design & Construction Statement by Thornton Reynolds (Rev 5, undated) which now supersedes the former SDC statement Rev 3 with gas boilers removed and replaced by air source heat pumps. PV panels and a green roof were also added to improve the sustainability and biodiversity credentials of the proposal.
- 9.144 Using SAP calculations the SDC Statement details that it is estimated that energy efficiency measures would enable the dwellings to achieve a 19% reduction in regulated CO2 emissions beyond a development which complies with Building Regulations Part L 2013.
- 9.145 The Statement has provided details on how the development will meet baseline reductions through the use of low fabric u-values, new mechanical supply and extract ventilation, high efficiency ASHP heating system, energy efficient LED lighting and photovoltaics. These proposals as amended are supported by the Sustainability Officer. A revised SDC statement Rev 6 was submitted which corrects the kWp of PV panel output following a representation on the output of the PV panels. The applicant also confirmed that the U-values estimated are correct, and wall thickness is a minimum of 450mm. The statement also responded to Emerging policies which are gathering weight but are not yet implemented.
- 9.146 Overall, the details are considered satisfactory for the development proposed.
- 9.147 A representation has been received addressing the submitted energy documentation and noting that the construction of the basements and use of intensive carbon materials such as concrete would proliferate emissions. The Council's current and emerging plan require regulated minimum on-site reduction in regulated emissions of at least 19% beyond Part L of the Building Regulations. It was also requested that a whole life carbon assessment takes place. In review of the London Plan (2021) it's considered that an assessment of this type is not required for minor residential schemes. For this minor scheme the details are considered to be acceptable and the details have been reviewed by the Sustainability Officer who considers the current requirements acceptable for this development.
- 9.148 The applicant has also agreed to contribute the full sum of £9000 to carbon offsetting as outlined within the Planning Obligations (Section 106) Supplementary Planning Document (the SPD). This has been secured through a Unilateral Undertaking.
- 9.149 Policy DM6.5 states that developments should maximise the provision of green roofs and the greening of vertical surfaces as far as reasonably possible, and where this can be achieved in a sustainable manner, without excessive water demand. New-build developments should use all available roof space for green roofs, subject to other planning considerations. The proposals have been amended to include the provision of a green roof. Full details regarding substrate, species and soil depths will be secured by a suitably worded condition. Bat and swift boxes are conditioned for each of the dwellings.
- 9.150 It is noted that some trees would be removed within the site that has the potential to adversely reduce the cutting of emissions in the borough. However, as detailed on the landscaping plan, a number of replacements are proposed as well as well as new planters. It's considered that the replacements and trees to be retained will be required by condition and that the removal of a number of low quality trees within the sites would fundamentally go against the Council's Net Zero objectives.

Fire Safety

- 9.151 Policy D12(A) of the London Plan (2021) requires new developments to achieve the highest standards of fire safety, embedding these at the earliest possible stage. This application proposes a 6no. new build dwellinghouses and so a Fire Safety Strategy by BB7 (February 2022) has been submitted in support of this application
- 9.152 The FSS covers means of building construction methods and materials, as well we means of escape, and access and facilities for the fire and rescue service.
- 9.153 The level of detail within the submitted PFSS is largely considered by Officers to be commensurate for a development of this scale (a minor development) and it is considered to comply with the overarching principle of Policy D12 from a planning perspective.
- 9.154 The submitted Fire Statement makes mutiple refrences back to the Building Regulations and the applicant is reminded that the Building Regulations 2010 legislation covers the construction and extension of buildings and these regulations are supported by Approved Documents. Approved Document B addresses fire safety precautions which must be adhered to, to ensure the safety of occupants, firefighters and those close to the building in the event of fire.

Affordable Housing

- 9.155 Islington's Core Strategy Policy CS12 - Meeting the housing challenge – states in part G that to provide affordable housing 50% of additional housing to be built in the Borough over the plan period should be affordable. All sites capable of delivering 10 or more units gross should provide affordable homes on site. Schemes below this threshold should provide a financial contribution towards affordable housing provision elsewhere in the Borough.
- 9.156 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (the SPD) supports the implementation of the Core Strategy. The SPD confirms that all minor residential developments resulting in the creation of 1 or more additional residential units(s) are required to provide a commuted sum towards the cost of affordable housing on other sites in the Borough. The requirement applies not only to new build but also conversions of existing buildings resulting in the creation of new units and the subdivision of residential properties resulting in net additional units. Based on a study of the level of financial contribution that would be viable, the required contribution is £50,000 per additional (net) unit, which would accumulate to £300,000 for the 6 dwellinghouses proposed.
- 9.157 The applicant has agreed to contribute the full sum of £300,000 to the Council's Affordable Housing Small Sites Contributions as outlined within the Supplementary Planning Document (the SPD). This has been secured through a Unilateral Undertaking.

Community Infrastructure Levy and S106 Planning Obligations

- 9.158 The Community Infrastructure Levy will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. Both LBI and London Mayoral CIL will apply to the scheme. The payments would be chargeable on implementation of the development.
- 9.159 The Islington CIL was adopted on 1 September 2014 and all applications determined after this date are liable for an Islington CIL payment.
- 9.160 The following heads of Terms would be secured within a s106 agreement (Unilateral Undertaking):

1) Small Sites Contribution towards affordable housing: £300,000

2) CO2 offset payment: £9,000

3) Car free development.

Other Matters

- 9.161 Concerns have been raised in representations regarding noise during construction works at this site. The development works would be required to be undertaken in accordance with the Control of Pollution Act 1974. Building works must only be carried out between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays where they can be heard at the boundary of the property. In addition, given the backland siting of the application site and its constrained nature, a Construction Management Plan has been recommended by condition to ensure that the construction works do not impact on the amenities of neighbouring residential occupiers.

10. SUMMARY AND CONCLUSION

Summary

- 10.1 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character or appearance of the local area and Conservation Area. The proposal has been reduced from 8 units to 6 from the originally withdrawn application and former pre-application to retain a mews character within this backland location. The proposed residential buildings are considered acceptable in design terms subject to conditions and would comply with Policies CS8 and CS9 of Islington's Core Strategy (CS) 2011, Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013 and London Plan 2021 policies D3 and D4 as well as accord with the National Planning Policy Framework (NPPF) 2021.
- 10.2 The proposed residential buildings are not considered to adversely impact the residential amenity of adjacent residential properties in line with policy DM2.1 of the Development Management Policies 2013 being designed, orientated and setback in a way from adjacent residential buildings. The proposal accords with policies DM2.1.
- 10.3 The proposed residential units are considered to provide an acceptable level of accommodation complying with policy CS12 (meeting the housing challenge) of Islington Council's Core Strategy 2011, Islington's Development Management Policy DM3.4, policy D6 (Housing quality and standards) of the London Plan 2021, Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021. The proposal has reduced its massing and scope and has now overcome the previous concerns in this regard following the submission of amended plans.
- 10.4 The applicant has also agreed to pay the full required affordable housing contribution of £300,000 in line with policy CS12 Part G and the Council's Affordable Housing Small Sites SPD (2012) and the proposed arrangements to minimise emissions through evidence in the submitted Sustainable Design & Construction Statement and through carbon offsetting contributions (£9,000 contribution agreed) is considered to be an improvement over the environmental quality of the existing site. In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy and the Islington Development Management Policies and should be approved accordingly.
- 10.5 It is recommended that planning permission be granted subject to conditions and legal agreement as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECCOMENDATION A

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

- Contribution of £300,000 towards affordable housing within the borough
- Contribution of £9,000 towards carbon off-setting.
- Car Free Development.

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

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

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

RECCOMENDATION B

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

List of Conditions:

1	COMMENCEMENT (3 YEAR CONSENT PERIOD)
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	APPROVED PLANS LIST (COMPLIANCE)
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: 180 Rev D, 199 Rev D, 200 Rev E, 201 Rev E, 202 Rev C, 230 Rev C, 231 Rev C, 240 Rev C, 241 Rev C, 242 Rev C, 243 Rev C, 244 Rev C, 245 Rev C, 246 Rev C, 250 Rev C, 251 Rev D, 252 Rev C, 253 Rev C, 254 Rev D, 255 Rev D, 256 Rev D, 257 Rev D, Design and Access Statement by Matthew Lloyd Architects (September 2021) Rev B,

	<p>Planning Statement by Savills (UK) Limited (September 2021), Acoustic Report for Planning by Temple Group Ltd (September 2021), ASHP Noise Assessment (28th November 2022) by Temple Group Ltd, Arboricultural Implications Report by SJA Trees (March 2022), Basement Impact Assessment by Malachy Walsh and Partners (September 2021), Desk Top Study & Site Investigation Report (5th September 2021), Draft Construction Logistics Plan (September 2021) by Velocity Transport Planning Ltd, Flood Risk Assessment and Surface Water Drainage Report by Malachy Walsh and Partners (September 2020), Fire Safety Strategy review by BB7 (February 2022), Heritage Statement by Savills (UK) Limited (August 2021), Landscape L80030_Collwood_Landscape_Addendum by Open (April 2022), Landscaping Plan (L80030_Collwod_GA P01), Sunlight and Daylight Report by EB7, Sustainable Design & Construction Statement by Thornton Reynolds (Rev 6, undated), Transport Statement Note by Velocity Transport Planning Ltd (August 2022), Technical Note by Velocity Transport Planning Ltd (August 2022) and Utilities and Drainage Statement by by Thornton Reynolds (undated).</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	MATERIALS (DETAILS)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Brickwork (including brick panels and mortar courses); b) Roofing; c) Window and door treatment (including sections and reveals); d) Terrace balustrade; d) Boundary treatments and e) Any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the surrounding area.</p>
4	CONSTRUCTION MANAGEMENT PLAN (DETAILS)
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP should refer to Islington's Code of Practice for Construction Sites (2018) and include details and arrangements regarding:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; d) Details regarding the planned demolition and construction vehicle routes and access to the site;

	<p>e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;</p> <p>f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)</p> <p>h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;</p> <p>i) Details of measures taken to prevent noise disturbance to surrounding residents;</p> <p>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</p> <p>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</p> <p>l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;</p> <p>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>p) Details of measures taken to deal with any form of asbestos during the demolition of the existing garages.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
5	REFUSE/RECYCLING (COMPLIANCE)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) for the site shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

6	CYCLE PARKING (DETAILS)
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) for the site shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the hereby approved development. The storage area(s) shall be secure and provide for no less than 15 (plus 1no. accessible space) for the residential use hereby approved.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport</p>
7	INCLUSIVE DESIGN (COMPLIANCE)
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, all residential units are to be constructed to Category M4 (2) standard as set out in the Approved Document M 2015 'Accessible and adaptable dwellings'. Evidence, that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site. Evidence to include detailed plans showing furniture, key dimensions and manoeuvring allowances, as set out in the provisions of the Approved Document M (Volume 1).</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with Development Management Policy DM2.2.</p>
8	SECURE BY DESIGN (DETAILS)
	<p>CONDITION: Prior to commencement of the development approved, details of how the development achieves Secured by Design accreditation shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interests of safety and security.</p>
9	BAT/BIRD BOX (COMPLIANCE)
	<p>CONDITION: A minimum of 1no. bat and/or bird nesting boxes / bricks shall be installed prior to the first occupation of each of the 6 dwellings and shall be retained into perpetuity.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and bio diversity enhancements.</p>
10	GREEN ROOF (DETAILS)
	<p>CONDITION: Details of the biodiversity green roof shown on 202 Rev C hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity green roof shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm);</p>

	<p>b) laid out in accordance with plans submitted and hereby approved; and</p> <p>c) 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 roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
11	ACCESS GATE (DETAILS)
	<p>CONDITION: Notwithstanding the plans hereby approved and prior to commencement of the pedestrian and cyclist gate, the final design of the gate and location of fobs, entry phones and access arrangements to the residential site shall be detailed and include elevations, sections and plans to ensure compliance with The Islington Inclusive Design SPD (2014).</p> <p>REASON: To ensure the works result in an inclusive environment.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design</p>
12	FIXED PLANT NOISE LEVELS (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 $L_{Aeq,8 \text{ hour}}$ and 45 dB $L_{max \text{ (fast)}}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16 \text{ hour}}$ Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16 \text{ hour}}$</p> <p>REASON: To provide adequate insulation for the proposed residential use.</p>
13	TREE PROTECTION (DETAILS)
	<p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), 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> <ol 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.

	<p>d. a full specification for the installation of boundary treatment works.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>h. a specification for scaffolding and ground protection within tree protection zones.</p> <p>i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.</p> <p>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</p> <p>k. Boundary treatments within the RPA</p> <p>l. Methodology and detailed assessment of root pruning</p> <p>m. Reporting of inspection and supervision</p> <p>n. Methods to improve the rooting environment for retained and proposed trees and landscaping</p> <p>The development thereafter shall be implemented in strict accordance with the approved details.</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, in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990.</p>
14	<p>BASEMENT DEVELOPMENT MONITORING (COMPLIANCE)</p> <p>CONDITION: The Chartered Structural Engineer (BSc MSc C.Eng) certifying the Basement Impact Assessment (SMS) dated 13th September 2021 submitted to support the hereby approved development shall be retained (or a replacement person holding equivalent qualifications shall be appointed and retained) for the duration of the development to monitor the safety of the construction stages and to ensure that the long term structural stability of the existing buildings and other nearby buildings are safeguarded, in line with the supporting Structural Method Statement. At no time shall any construction work take place unless a qualified engineer is appointed and retained in accordance with this condition.</p> <p>REASON: To ensure that the construction work carried out is in accordance to the submitted Structural Method Statement for the duration of the construction and maintain compliance with the Islington Basement Development SPD (2016).</p>

15	ENERGY STATEMENT (COMPLIANCE)
	<p>CONDITION: Prior to the first occupation the sustainability measures identified within the approved Sustainable Design & Construction Statement by Thornton Reynolds (Rev 5, undated) (including achieving all the feasible passive measures, use of the efficient individual air source heat pump systems, use of PV panels and a reduction in CO2 emissions of 19% over the Part L 2013 of Building Regulations baseline) which shall be implemented in full prior to the first occupation of the hereby approved development and retained thereafter into perpetuity, unless otherwise agreed with the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development.</p>
16	PERMITTED DEVELOPMENT RIGHTS REMOVED (COMPLIANCE)
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
17	FIRE STATEMENT (COMPLIANCE)
	<p>CONDITION: The hereby approved development shall in every aspect adhere to the submitted document titled 'Fire Safety Strategy review by BB7 (February 2022) and retained thereafter into perpetuity unless otherwise agreed in writing.</p> <p>REASON: In the interests of the safety of occupants of the buildings in the event of a fire and to comply with policy D12 of the London Plan.</p>
18	BOUNDARY WALL WORKS (DETAILS)
	<p>CONDITION: Prior to any works commencing on site, details of all new boundary fences/walls along the site edge shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of safety and security, securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the Conservation Area.</p>
19	WATER EFFICIENCY CONDITION (COMPLIANCE)
	<p>CONDITION: The dwelling(s) shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.</p> <p>REASON: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently in accordance with the NPPF.</p>

20	ADDITIONAL TERRACE SCREENING (COMPLIANCE)
	<p>CONDITION: Notwithstanding the plans hereby approved, an additional <i>Bronze PPC Perforated Metal Privacy Screen</i> shall be added to the first-floor flank (north) of the terrace of House 6 prior to occupation of the dwelling.</p> <p>REASON: To protect the amenity of the adjoining residential property to the north.</p>
21	DRAINAGE (COMPLIANCE)
	<p>CONDITION: The hereby approved development shall in every aspect adhere to the submitted document titled 'Flood Risk Assessment and Surface Water Drainage Report by Malachy Walsh and Partners (September 2020)' and retained thereafter into perpetuity unless otherwise agreed in writing.</p> <p>REASON: To ensure the sustainable management of water.</p>
22	LAND CONTAMINATION INVESTIGATION (DETAILS)
	<p>CONDITION: Prior to the commencement of development 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> <p>a) A land contamination investigation.</p> <p>The investigation shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. 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 the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation.</p> <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. 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>c) Following completion of measures identified in the approved remediation scheme 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 b). This report shall include: details of</p>

	<p>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. 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: To protect the amenity of future occupiers to the site and neighbouring properties.</p>
23	HIGHWAYS S278 (COMPLIANCE)
	<p>CONDITION: Prior to superstructure works commencing on site, the owner shall enter into a S278 agreement with London Borough of Islington Highways to secure the reinstatement of the footway and repairs should any damage occur during construction. Works to be undertaken by Islington Council Highways and costs paid for by the applicant.</p> <p>REASON: This is to mitigate the impact of the development and protect the streetscape, safeguarding the free and safe movement of pedestrians.</p>
24	NO USE OF FLAT ROOFS AS TERRACES (COMPLIANCE)
	<p>CONDITION: Notwithstanding the terrace areas approved and shown on the approved plans, all other flat roof areas of the dwellings shall be used as a terrace or any other form of private amenity space into perpetuity.</p> <p>REASON: To protect the amenity of the adjoining residential properties.</p>

List of Informatives:

1	S106
	<p>INFORMATIVE: The application is acceptable subject to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.</p>
2	Construction works
	<p>INFORMATIVE: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
3	Highways Requirements
	<p>INFORMATIVE: Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. Joint condition survey required between Islington Council Highways and interested parties before commencement of</p>

	building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk .
4	Highways (Additional)
	The Public footpath should not be obstructed at site entrance.
5	Tree Works
	<p>INFORMATIVE: The following British Standards should be referred to:</p> <ul style="list-style-type: none"> a. BS: 3998:2010 Tree work – Recommendations b. BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.

APPENDIX 2 - RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE

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

1. National and Regional Guidance

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

- NPPF (2021)

2. Development Plan

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

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

Policy D4 Delivering good design
Policy D5 Inclusive design
Policy D6 Housing quality and standards
Policy D14 Noise
Policy HC1 Heritage conservation and growth
Policy SI 1 Improving air quality
Policy SI 2 Minimising greenhouse gas emissions
Policy SI 3 Energy infrastructure
Policy T1 Strategic approach to transport
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling

B) Islington Core Strategy 2011

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

C) Development Management Policies June 2013

Policy DM2.1 Design
Policy DM2.2 Inclusive Design
Policy DM2.3 Heritage
Policy DM3.4 Housing Standards
Policy DM3.5 Private Amenity Space
Policy DM6.1 Healthy development
Policy DM6.5 Landscaping, trees and biodiversity
Policy DM7.1 Sustainable Design and Construction
Policy DM7.2 Energy efficiency and carbon reduction in minor schemes

Policy DM8.4 Walking and Cycling

Policy DM8.5 Vehicle Parking

Policy DM8.6 Delivery and servicing for new developments

3. Designations

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

- Mercers Road/Tavistock Terrace Conservation Area
- Core Strategy Key Areas (Nag's Head & Upper Holloway Road)

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

The following SPGs and/or SPDs are relevant:

London Plan – Accessible London (2016) and Character and Context (2014).

5. Emerging Policies

Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

Policy DH1 Fostering innovation and conserving and enhancing the historic environment

Policy G4 Biodiversity, landscape design and trees

Policy G1 Green Infrastructure

Policy G5 Green Roofs

Policy H4 Delivering High Quality Housing

Policy H5 Private Outdoor Space

Policy S1 Delivering Sustainable Design

Policy S2 Sustainable Design and Construction

Policy S4 Minimising greenhouse gas emissions

Policy T3 Car Free Development Parking

Policy T2 Sustainable Transport Choices

Policy T5 Delivery, Servicing and Construction

Policy ST2 Waste