

PLANNING COMMITTEE REPORT

 Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING SUB COMMITTEE A		AGENDA ITEM NO:
Date:	11 July 2023	NON-EXEMPT

Application number	P2022/2440/FUL
Application type	Full Planning Application
Ward	Tollington
Listed building	N/A
Conservation area	N/A
Development Plan Context	Cycle Routes (local) - 170914 Within 50m of Conservation Area – 170914 Article 4 Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	Clyro Court, Tollington Park, London, N4 3AQ
Proposal	Demolition of existing garages and erection of single storey building to accommodate 1x2-bedroom self-contained residential unit with associated landscaping, cycle parking and refuse storage and associated works to existing flats including new amenity spaces and landscaping treatments

Case Officer	Marc Davis
Applicant	Mr Laurie Pearson
Agent	Mr Tom Lacey – Lacey & Saltykov Architects Ltd

1. RECOMMENDATION

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

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

2. SITE PLAN (SITE OUTLINED IN RED)

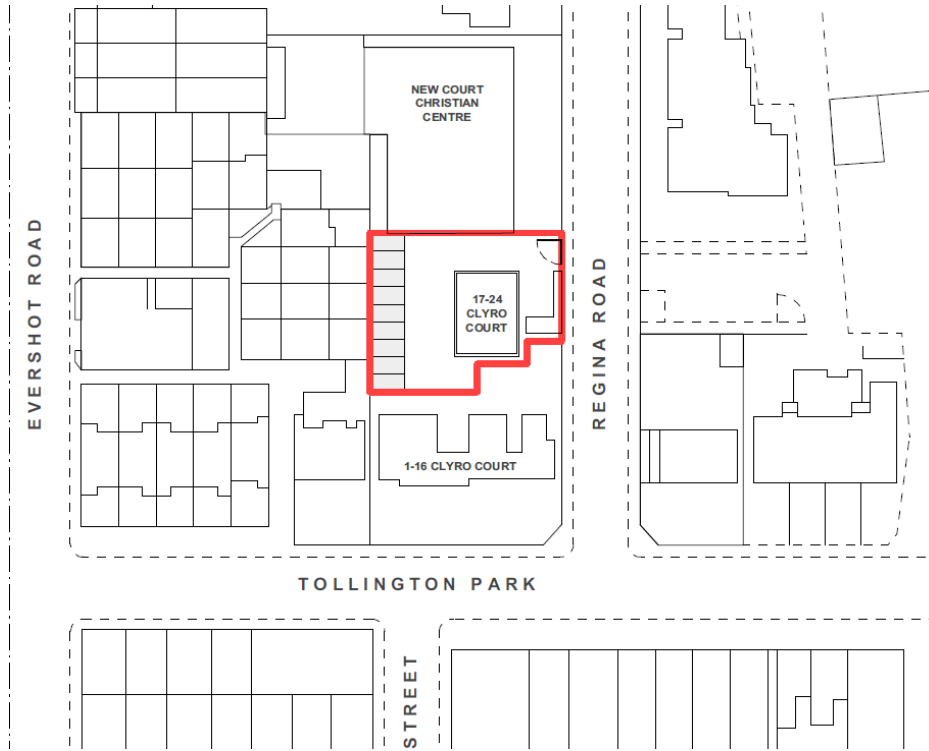


Figure 1 – Site Plan (with red line boundary)

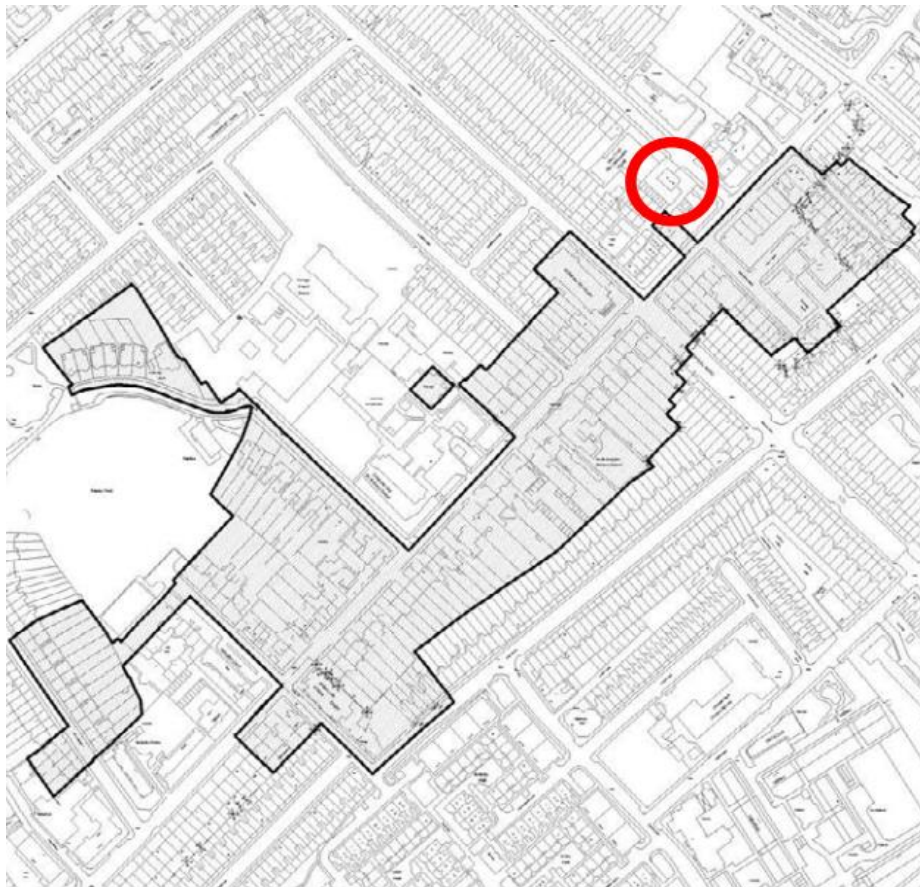


Figure 2 - Site and location of adjacent Conservation Area



Figure 3 – Aerial site plan (areas circled in red)

3. PHOTOS OF SITE/STREET



Figure 4 – Street View from Regina Road



Figure 5 – Existing accessway leading to Garages at the rear



Figure 6 – Single storey garages as Existing



Figure 7 – Garages in the context of Clyro Court



Figure 8 – Existing side elevation (Block C) with storage cupboard (white doors)

4. SUMMARY

- 4.1 The proposal seeks planning permission for the demolition of the existing single storey garages and erection of a single storey dwellinghouse located to the rear of Block C, Clyro Court including associated landscaping, cycle parking and refuse storage.
- 4.2 The proposed building would have a similar height as the existing garages at a lesser width, with the appearance being controlled via a materials condition. On this basis, it is considered acceptable in design terms subject to conditions and would comply with National Planning Policy Framework (NPPF) 2021, Policies D3 and D4 London Plan 2021, Policies CS8 and CS9 of Islington's Core Strategy 2011, Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013, the Islington Urban Design Guide 2017.
- 4.3 The proposed dwellinghouse would provide a high quality of accommodation with associated amenity space and additional areas of amenity space would be introduced to the existing units of Block C, Clyro Court. The proposal would therefore comply with policy CS12 of Islington Council's Core Strategy 2011, Policy DM3.4 Islington's Development Management and Policy D6 of the London Plan 2021 as well as Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021.
- 4.4 The proposal is also not considered to adversely impact on the residential amenity of adjacent residential properties in line with policy DM2.1 of the Development Management Policies 2013
- 4.5 The Council's Small Sites Affordable Housing contribution has been secured by a legal agreement in line with policy CS12 Part G and the Council's Affordable Housing Small Sites SPD (2012).
- 4.6 The application is referred to the Planning Sub Committee because of both the number of, and content of the content of submitted planning objections. Overall, the application is considered to be in accordance with the relevant policies within the Development Plan and is therefore recommended for approval subject to appropriate conditions.

5. SITE AND SURROUNDINGS

- 5.1 The application site (Clyro Court) relates to a collection of 3 no. residential blocks located on the north-western side of Tollington Park. Blocks A & B have a frontage on to Tollington Park, whilst Block C has a frontage on to Regina Road. The surrounding vicinity is predominantly residential.

- 5.2 The site has both vehicular and pedestrian accessways which leads to 9 no. existing garages located to the rear of Block C. The garages have been used for residential storage purposes only and have not had a known commercial use. To the rear of the garages lie the terraced properties of Searle Place.
- 5.3 No parts of the existing site are statutorily or locally listed and although located within close proximity (50m) of the Tollington Park Conservation area, the site itself is not located within a conservation area.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for the demolition of the existing garages and erection of single storey building to accommodate 1x2-bedroom self-contained residential unit with associated landscaping, cycle parking and refuse storage.
- 6.2 The proposal is the third re-submission at the site. Previous applications sought to implement a side extension to Block C, but this has now been omitted from the scheme. The current proposal now relates solely to the garages towards the rear of the site, as seen in Figures 5 & 6, above. The unit would have two bedrooms (one double, one single) and a private rear garden space.
- 6.3 The landscaping of the site as a whole would be reconfigured, with provision of a new landscaping area to existing ground floor units of Block C. The existing vehicle access (from Regina Road) would also be fenced off with a vertical-boarded panel timber fence and a controlled pedestrian access leading to the new dwellinghouse would instead be introduced.
- 6.4 Cycle parking would be provided in the form of a cycle storage unit within the site for use of all Clyro Court residents, alongside additional spaces within the rear garden space. The refuse storage space would utilise an existing storage cupboard within the main Block C (seen in Figure 8, above).

7. RELEVANT HISTORY

Planning Applications

P2022/0492/FUL - Erection of two storey side extension to accommodate 2x studio units and redevelopment of existing rear garages to accommodate 1x 2-bedroom unit with associated access, landscaping, cycle parking and refuse storage. **Withdrawn** 16/06/2022.

P2021/2011/FUL - Erection of three storey side extension to accommodate 3x studio units and conversion of existing rear garages into habitable use to accommodate 2x 1-bedroom units with associated cycle parking and refuse storage. **Withdrawn** 15/12/2021.

P2017/4471/FUL - Proposed roof extensions to Blocks A, B and C to provide 2no 2bed flats and 2no 1bed flats. Proposed infill rear extension to form 4no 1 bed flats from existing 4no studio flats. Provision of new refuse storage arrangements, cycle store, and drying area. **Withdrawn** 24/01/2018.

P2017/0209/FUL - Proposed roof extensions to Blocks A,B and C to provide 2no 2 bed flats and 2no 1 bed flat. Proposed infill rear extension to enlarge 4no. existing studio flats into 4no. 1 bedroom flats. Proposed elevational improvements to street elevations of all blocks. **Refused (Sub-Committee B)** 07/11/2017. **Appeal Withdrawn** 24/04/2018.

- Members suggested a refusal on grounds of the design, the loss of amenity for present occupiers, the erection of an inadequate ventilation shaft with associated poor ventilation and a contrived access arrangement to the shaft through an existing flat.

P043185 - Conversion of existing ground floor garages to form two x 1 bed flats including alterations to external elevations and new amenity area. **Approved with Conditions** 03/03/2005.

P040956 - Conversion of existing ground floor garages to form 2 x 1 bed flats. **Refused** 14/07/2004.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 216 adjoining and nearby properties on 13/07/2022. A site notice was also displayed, and a press notice was issued, with the public consultation of the application expiring on 14/08/2022.
- 8.2 A total of 7 no. public responses were received in objection to the proposed development. The responses are summarised as follows:
1. Inappropriate design and appearance/materiality (**Paragraphs 10.18-10.20**)
 2. Concerns about the means of access from Regina Road (**Paragraph 10.33**)
 3. No indication of the fence height and concerns it will impact upon light to gardens (**Paragraph 10.39**)
 4. Increased noise from the newly proposed communal areas (**Paragraph 10.47**)
 5. Concern towards light pollution and light spillage (**Paragraph 10.48**)
 6. Concerns surrounding the proposed refuse/recycling arrangement (**Paragraphs 10.63-10.66**)
 7. Increased risk of anti-social behaviours and security risk to existing flats (**Paragraphs 10.67-10.69**)
 8. Lack of provision and information on energy/sustainability matters (**Paragraphs 10.70-10.75**)
 9. Concerns towards the landscaping facing Regina Road (**Paragraphs 10.76-10.78**)
 10. Objection towards the loss of the existing garages (**Paragraph 10.85**)
 11. Damage to properties and their associated walls a result of the loss of garages (**Paragraph 10.86**)
 12. Impacts to quality of life/mental wellbeing and increased strain on the surrounding community (**Paragraph 10.87**)
 13. Errors and inconsistencies in the submission documents – notably the planning statement. (**Paragraph 10.87**)
 14. Disruption as a result of the building works (**Paragraph 10.88**)
 15. Concerns towards sewage arrangements (**Paragraph 10.88**)

Internal Consultees

- 8.3 **Design & Conservation:** Discussed at a surgery. No objection to the contemporary design of the dwellinghouse. Some concerns raised towards the appearance of the fence which would face Regina Road, as a vertical boarded fence is preferred. Additional concern also raised towards the number of ground floor spotlights proposed.
- 8.4 **Inclusive Design:** Clarity requested on matters relating to transport, approach arrangements, entrance arrangements and internal layout were requested. Officer's response: The comments have since been relayed to the applicant who has complied with the given requests. Confirmation has since been received from Inclusive Design officers that there are no objections to the development based upon the latest set of revised drawings.
- 8.5 **Building Control:** Further information requested during the assessment stage in the form of a Fire Statement Form and the detailing of evacuation routes. Upon review of the further information, no objection is raised but the applicant should be reminded that a follow-up building regulations application is required.

External Consultees

8.6 **Design Out Crime:** No objection, subject to the inclusion of a pre-commencement condition outlining how the development achieves Secured by Design accreditation.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

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

9.2 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.) and;
- As the development is within a conservation area, the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1) Planning (Listed Buildings and Conservation Areas) Act 1990).

9.3 National Planning Policy Framework (NPPF): Paragraph 11 states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay.

9.4 At paragraph 8 the NPPF states: "that sustainable development has an economic, social and environmental role".

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

9.6 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

9.7 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

9.8 Members of the Planning Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.

9.9 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to:

(1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

(2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

National Guidance

9.10 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.

Development Plan

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

Designations

9.12 The site has the following designations under the London Plan (2021), Islington Core Strategy (2011), Development Management Policies (2013):

- Cycle Routes (local) - 170914
- Within 50m of Conservation Area – 170914
- Article 4 Direction A1-A2 (Rest of Borough)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Emerging Policies

Draft Islington Local Plan 2019

9.14 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation, with consultation on the Regulation 19 draft taking place from 5 September 2019 to 18 October 2019. The Draft Local Plan was subsequently submitted to the Secretary of State for Independent Examination in February 2020. The Examination Hearings took place between 13 September and 1 October 2021. The Council consultation on Main Modifications to the plan took place between 24 June to 30 October 2022.

9.15 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).

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

9.17 Emerging policies that are relevant to this application are set out below in **Appendix 2**.

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Character
- Quality of Accommodation
- Neighbouring Amenity
- Accessibility and Fire Safety
- Transport, Access and Parking
- Waste Management
- Crime Prevention
- Energy & Sustainability
- Landscaping, Trees and Biodiversity
- Small Sites Contributions
- CIL & s106 Planning Obligations
- Other Matters

Land Use

10.2 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy H1 (and table 4.1) seeks to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity.

10.3 Policy DM6.3(E) of Islington's Development Management Plan Document (2013) precludes development on private open space where there would be a 'significant loss of open space/open aspect' and where there would be a 'significant impact on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and/or flood alleviation.'

10.4 Islington's Urban Design Guide (2017) sets out the design principles for backland development and outlines that not all backland sites are appropriate for development due to the importance of open space for providing visual relief as well their contribution to the environment. In conservation areas, backlands sites can also be a positive contributor to the significance of their character. Where, backland residential development is acceptable in principle, new buildings should be subservient to the surrounding development, contextual in their design, and meet all other planning standards.

10.5 It is proposed to construct a new single storey dwellinghouse, which falls within the C3 Use Class. The dwellinghouse would replace a group of 9 no. single storey garage buildings which are located to the rear of the main block of Clyro Court. It is considered that this site could be suitable for a low scale residential development and given that there is no policy protection for the retention of the existing garages, therefore their loss is considered to be acceptable in principle subject to a high quality replacement in design and townscape terms. The principle of the loss of the garages has also been deemed acceptable in previous applications at the site. Although no objections are therefore raised in pure land use terms, the site is likely to raise a number of

specific planning issues which will be addressed in detail within the relevant sections of this committee report.

- 10.6 The erection of a new dwelling would lead to a more intensive use of the site and there would be a reduction in the extent of open space. However, the scale of the development is considered by Officers to be proportionate to the site and it is also welcomed that in addition and improvements to the existing private amenity space that would be enjoyed by occupants of the new dwellinghouse itself, new areas of private amenity space would also be created for the existing flats of Clyro Court (Block C). As such, the reduction in private open space would not be 'significant' which is the key test under Policy DM6.3 regarding the development on private open space. Due to the sizable extent of open space retained the development would not conflict with the objectives of Policy DM6.3(E).
- 10.7 In judging the acceptability of residential use in this location, it is considered that residential use would be appropriate in this predominantly residential area. The provision of additional housing would accord with policy CS12 of the Core Strategy which seeks to meet and exceed the borough housing targets through the provision of additional housing in suitable locations. The proposal would also need to be in line with the requirement of London Plan (2021) policy D6 in that Housing development should be of high-quality design and provide adequately sized rooms. The proposal is therefore deemed to be acceptable in terms of overall land use.

Design and Character

Policy Context:

- 10.8 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.
- 10.9 Core Strategy Policy CS8 states that the scale of development will need to reflect the character of the area.
- 10.10 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.
- 10.11 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.

Previous Development Context:

- 10.12 The current proposal follows two previous applications (refs: P2021/2011/FUL and P2022/0492/FUL), both of which, in addition to the removal of garages and replacement with a single storey dwelling, proposed works to Block C of Clyro Court to create additional residential units by way of a three storey and two storey side extension, respectively. Owing to the existing site constraints, officers considered the introduction of a side extension to Block C to be unacceptable in terms of design and thus, both previous applications were withdrawn. The current proposal relates to the garages to the rear of Block C only, with the exception of new landscaping being created to the ground floor residential units of Clyro Court.

Site and Surroundings:

- 10.13 Paragraph 5.67 of the Islington Urban Design Guide (2017) states that “new development should create a scale and form of development that relates to the existing built form and provides a consistent and coherent setting for the space or street that it defines or encloses, while also enhancing and complementing the local identity of an area. The nature of the existing street frontage will therefore normally determine the extent of potential development.”
- 10.14 The development relates to a set of freestanding garages to the rear of Block C of Clyro Court. The garages are single storey in nature and are set away approximately 24.0m from the closest part of the highway (Regina Road) and therefore do not contribute directly to the streetscene, as can be seen in Figure 9, below. The surrounding vicinity, with the exception of the neighbouring Newcourt Christian Centre is almost entirely residential and consists of buildings between two to four storeys in height.



Figure 9 – View of garages from the streetscene (Regina Road)

- 10.15 Associated works are also proposed to the existing units within Block C. New areas of green amenity space are proposed to the ground floor units which would be surrounded by a timber fence. A further shared amenity area is also proposed to the south-eastern side of Block C for use by occupants of the upper floors. Officers support the associated works which are considered to improve the quality of accommodation of the existing block whilst serving as a design benefit, introducing new areas of green space. The below design assessment will therefore be more focused upon the proposed single storey dwellinghouse which is being proposed in place of the existing garages.

Footprint and Building Form:

- 10.16 The proposed dwellinghouse seeks to demolish the existing garages and replace these with a single storey building of a very similar, if not identical height, but shallower built footprint. The retention of a single storey building in this location is accepted and it is considered not to compete with the surrounding residential buildings which are notably higher in urban grain. Given its single storey scale, the building, when compared to the main building it serves (Block C), would read as a clear ancillary space. This is important from a visual perspective, primarily in this case from private views, but also in terms of respecting the site’s historic character as a low-rise backland garage site. The comparison between the existing and proposed building heights can be seen in Figure 10, below.



Figure 10 – Comparison of the existing (above) and proposed (below) building heights

10.17 The proposed building which would be of contemporary appearance (see below) is also considered to contribute positively to the context and although perhaps not immediately prominent in some of the wider public views given the setback from Regina Road, it would nonetheless serve as an improvement to the existing garages, of which the recent officer site visit found to be in worsening condition. For this reason and those outlined above, the proposed replacement building is considered to be of an acceptable scale in this location and would not be at odds with the immediate and wider surrounding residential character.

Materiality:

10.18 With regards to design and appearance, the proposed dwellinghouse opts for a contemporary external appearance. The grey brickwork design proposed, would be the principal material for the external walls. The use of brickwork is generally common within the vicinity and the use of this material is considered acceptable. However, to allow for a greater degree of detailing for the external appearance in this case, a condition will be included on the decision notice requesting samples of all facing materials. Officers consider that a contemporary appearance would add architectural interest but simultaneously wish to ensure that the materials to be used are of high-quality. This is to ensure the enhancement of the surrounding character.

10.19 Other design factors of contemporary appearance are also proposed, including opaque slot windows and a metal front door canopy. The front door itself would be of a more traditional timber material as would the surrounding boundary fence. Both of these features would also be included within the samples of materials condition. Examples of some of the contemporary materials being proposed can be seen in Figure 11, below.



Figure 11 – Examples of materiality proposed

10.20 It is also important to note from an appearance perspective that the site does not fall within an area of conservation and the proposed dwellinghouse would be sufficiently set back from the public highway (Regina Road). It is considered there is flexibility for a more contemporary design in this case. As outlined in the above section, the contemporary design is considered to serve as an improvement in appearance when compared to the existing garages. The inclusion of a green roof is also welcomed, as this is considered to aid in blending the building in to the urban context, whilst also remaining in keeping with both the existing and proposed amenity spaces which are being proposed as part of the current application

Other Matters:

10.21 As outlined in the consultation section of the report, the proposal has been discussed with D&C officers. Concerns were raised towards the inclusion of a horizontal boarded timber fence, given that it was considered to more closely resemble that of a garden fence rather than that of a street boundary frontage. Further concerns were also raised towards the number of spotlights proposed around the perimeter of the site. Both of these concerns have since been addressed, with a more appropriately designed vertical boarded timber fence at a height of 1.8m (with 0.3m trellis add on) being proposed and the number of spotlights reduced by 50%. This is therefore considered to resolve D&C concerns relating to the proposal.

10.22 The new dwellinghouse would be located within close proximity to the Newcourt Christian Centre at No. 3 Regina Road. Whilst this building has a unique design, it has been found not to form part of the Council’s Local List. The Council’s D&C officers consider that the building could be considered a non-designated heritage asset but given that the proposed dwellinghouse would remain at a single storey height and the appearance is to be controlled via a pre-commencement condition, it is considered that any impact to the setting of this building would be acceptable.

Design Conclusion:

10.23 Taking into account the above, the proposal overall is considered to be acceptable from a design and character perspective and would be in line with the objectives of the NPPF (2021), Policies D1 and D4 of the London Plan (2021), Policy CS8 of the Islington Core Strategy (2011), Policy DM2.1 of the Development Management Policies (2013), the guidance contained within the Urban Design Guide (2017).

Quality of Accommodation

New Residential Dwellinghouse:

10.24 In terms of new residential development, it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and dual aspect layouts. London Plan (2021) policy D6 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.1 of the London Plan prescribes the minimum space

standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.

- 10.25 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.
- 10.26 Policies CS9 and CS12 of the Core Strategy, and policy DM3.4 of Islington's Development Management Policies Document state that new development should provide accommodation of an acceptable standard with satisfactory aspect, daylight and sunlight.
- 10.27 Policy DM2.1 of the DMP concerns quality of design, including the requirement for development to provide good levels of direct sunlight and daylight. Tables 3.2 and 3.3 of Policy DM3.4 of the Islington's DMP stipulate the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably for the proposed dwelling house.
- 10.28 The table below sets out the expected spatial standards that should be met for the newly proposed residential units:

Unit	No. Bedrooms/ Occupancy	Expected Floor Space (Approx.)	Minimum Required Floor Space	Provided Storage (Approx.)	Required Storage
1	2 bedroom, 3 person (2b3p)	68.0sqm	61.0sqm	2.5sqm	2.5sqm

10.29 The proposed unit would comply with the relevant minimum floorspace requirement for its respective size and this is welcomed. The unit would also incorporate a minimum internal storage space of 2.5sqm in line with Policy DM3.4. The proposed floorplan can be seen in Figure 12, below.

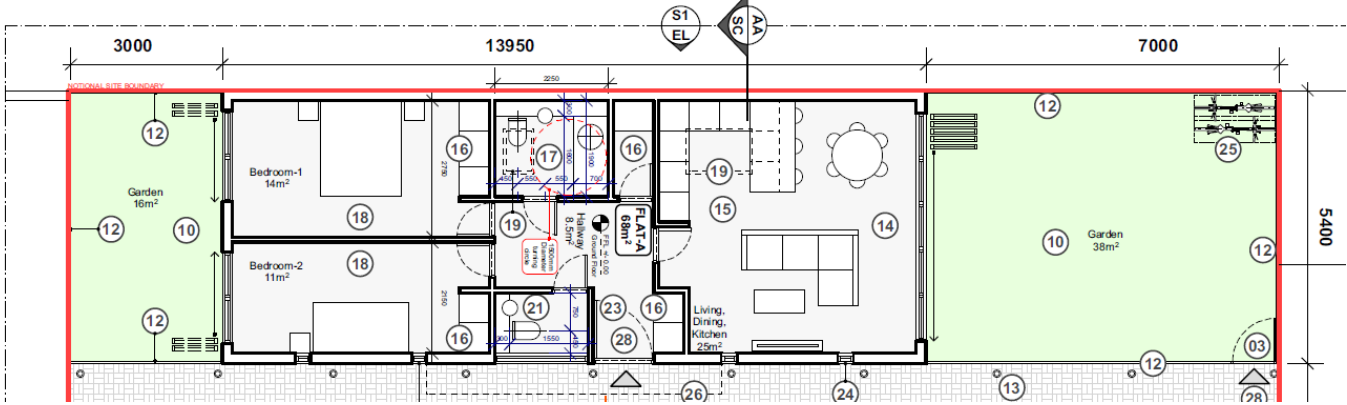


Figure 12 – Floorplan layout of proposed dwellinghouse

10.30 The design of the unit ensures that the main habitable spaces, namely the living kitchen dining area and 2 no. bedrooms have access to the 2 no. garden spaces which are proposed. Additional opaque slot windows are also proposed, which would face the main block of Clyro Court. The dual-aspect unit, as designed, is considered to give good levels of outlook and given the siting and size of the windows, would also result in acceptable levels of daylight/sunlight and ventilation to all habitable spaces. Notwithstanding, a pre-commencement condition will be requested to obtain further details of internal daylight levels to demonstrate a good standard of residential accommodation prior to commencement. This will be in line with the latest (2022) BRE guidance.

- 10.31 It is welcomed that there would be limited outlook towards Block C of Clyro Court, as the separation distance between the new dwellinghouse and outlook in this particular direction is considered to be more constrained. The proposed slit windows will be obscure glazed to prevent any impact upon neighbouring privacy and this is outlined further as part of the Neighbouring Amenity section of the report.
- 10.32 Comments on the proposed layout have been received from the Council's inclusive design officers during the application stage. The scheme has been amended to ensure that bathroom doors open outwards rather than inwards, and clarifications have been provided to ensure the bathroom dimensions are in accordance with Category 2 M4(2) – Accessible & Adaptable Dwellings. Step-free access has also been found to not be necessary in this specific case, owing to the fact no level changes are being proposed.
- 10.33 Access to the proposed unit would be from Regina Road. The existing vehicle entrance to the north would be fenced off and a controlled access gate (with emergency exit lock) would be introduced, effectively resulting in a car-free arrangement. The existing pedestrian access would also introduce a controlled access gate, which would be secured by an entry phone, leading to a covered entrance, which was requested by the Council's inclusive design officers, with the proposed front elevation shown in Figure 13, below. Consultations have also been carried out with the Design Out Crime officer regarding accessed to the site which are discussed further below within the 'Crime Prevention' section of the report.

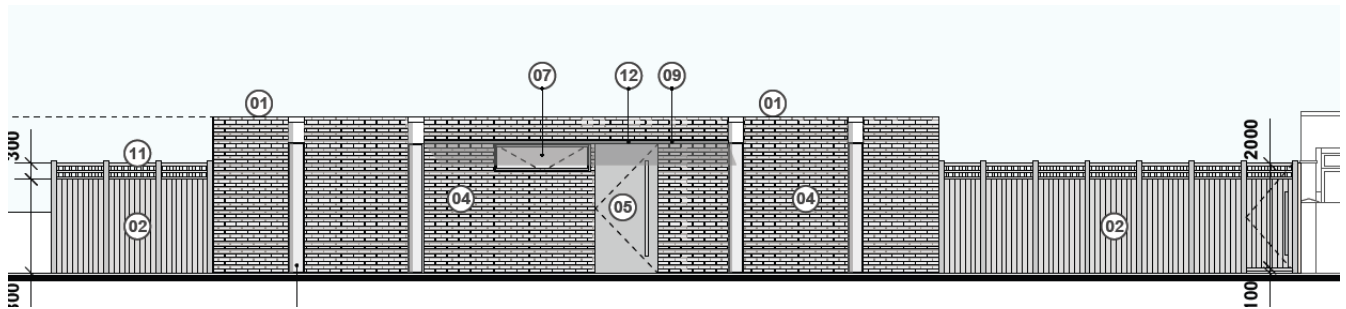


Figure 13 – Floorplan layout of proposed dwellinghouse

Private Amenity Space:

- 10.34 In terms of amenity space, Policy DM3.5 details how all new residential development should provide good quality private outdoor space, in accordance with the minimum required figures. The minimum requirement is 5sqm on upper floors and 15sqm on the ground floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors and an extra 5sqm on ground floors up to a minimum of 30sqm for family housing (three bedroom residential units and above)
- 10.35 The table below sets out the expected amenity space provision that should be met for the newly proposed residential units:

Unit	Outdoor Provided	space	Minimum required outdoor space as per policy DM3.5
1	54.0sqm		20.0sqm

- 10.36 The proposed unit would incorporate 2 no. private garden spaces, measuring 38sqm and 16sqm. This would give a total provision of 54sqm which is in excess of the 20sqm minimum. Additional

courtyard spaces would be provided to the existing ground floor units of Block C of Clyro Court, as well as an additional 44sqm shared amenity space for use by all occupants of Block C.

10.37 The general reconfiguration of the amenity space is welcomed, as this would not only comply with Policy DM3.5 but would also improve the quality of accommodation of the existing units within Block C of Clyro Court, providing a means of accessible and usable amenity space. Whilst there could be some degree of overlooking between existing flats and gardens, this is considered to be outweighed by the generous provision that is being introduced to flats with an existing amenity shortfall.

Neighbouring Amenity

10.38 Development Management Policy DM2.1 (part Ax) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

Daylight/Sunlight/Overshadowing:

10.39 As noted in the Design and Character section of the report, the height of the proposed dwellinghouse would not significantly detract from that of the existing garages (0.1m increase in height but 10.06m width reduction). For this reason, it is considered that there would generally not be an undue impact in terms of a loss of light and/or increased overshadowing to neighbouring properties. It is also noted that the height of the fence (plus trellis) would result in a total height of 2.1m. Given the maximum height allowed for a fence boundary fence which does not face a highway under permitted development is 2.0m, the additional 0.1m is considered not to result in undue loss of light or increased overshadowing to existing amenity spaces in this case

10.40 An external daylight/sunlight assessment has been provided with the application which assesses the proposed impact upon daylight/sunlight of the habitable properties to the rear of the existing garages (10-17 Searle Place), as well as the non-habitable Newcourt Christian Centre (3 Regina Road). The results of the external assessment demonstrate that the identified neighbouring windows pass the relevant BRE tests, both for daylight/sunlight and for overshadowing to gardens and the impact of the development to these particular properties is therefore considered to be acceptable in this regard.





Figure 14 – Windows tested at 10-17 Searle Place

10.41 It is acknowledged that the external daylight/sunlight assessment does not take into account the other properties of Clyro Court. A separation distance of approximately 6.0m also exists between the ground floor habitable windows of Block C and the garages and a lesser separation distance of 4.5m exists between ground floor habitable windows of No's 1-16 Clyro Court and the garages. The separation distances have been taken into account here, but given the minimal difference in height between the garages and the proposed dwellinghouse, the impact is considered not to be detrimental and the quality of accommodation of the units at Clyro Court would not be diminished as a result of the new dwellinghouse and the development would, alike the impact upon Searle Court and the Newcourt Christian Centre, align with the relevant BRE guidance.

Outlook/Sense of Enclosure:

10.42 Further to the above, it is important to note that as part of the current proposal, the ground floor units of Clyro Court would have garden spaces introduced with associated timber fence surrounds. These units would therefore be less impacted by the newly proposed dwellinghouse, which would in itself, not present the opportunity for loss of outlook from the ground floor habitable windows of Clyro Court.

10.43 With regards to outlook from the windows of Searle Place, although the separation distance would be limited at 6.0m, attention is drawn again to the minimal height difference between the existing and proposed structures. The newly proposed dwellinghouse would also maintain a flat roof in a similar arrangement to the garages and it is therefore considered that the visual situation from the rear windows of Searle Place would not be too dissimilar from the existing and the proposal would not result in an undue loss of outlook or increased sense of enclosure to these properties.

10.44 Attention is also drawn to the ground floor windows of Block B (1-16 Clyro Court), some of which are located within close proximity to the garages (approx. 4.5m), shown in Figure 14 below. For the same reasoning as above, these windows are considered not to be unduly impacted as a result of the minimal height increase for the new building and this reasoning also applies in relation to daylight/sunlight.

10.45 It is also worth noting that the newly proposed dwellinghouse would serve as a visual improvement from these windows, given that the existing garages are of worsening condition. The existing garages are considered to present a monotonous, blank appearance, whereas the new dwellinghouse presents improved brickwork, green roof and other contemporary features which are a notable visual improvement on the existing situation.



Figure 14 – View of Block B's (1-16 Clyro Court) proximity to the Garages

Overlooking/Privacy:

10.46 The proposed dwellinghouse has been designed to minimise direct outlook towards neighbouring properties. The only windows that would face the main block of Clyro Court would be obscure glazed slot windows which would not result in undue harm to privacy and the details of these will be obtained via materials condition, whilst a further condition will be included to ensure these are kept as obscure glazed throughout the course of the development. The window that would face larger of the two gardens (38sqm) which is proposed for the dwelling would face the site of the Newcourt Christian Centre rather than existing neighbours and this is also considered not to result in unacceptable privacy impacts as a result. Whilst the windows from the bedroom spaces that would face the smaller of the two gardens (16sqm) would face the ground floor windows of Block B (1-16 Clyro Court), the applicant has confirmed that a timber fence is proposed at a height of 1.8m (plus 0.3m trellis), which is considered to minimise the opportunity for direct overlooking to these windows.

Noise/Disturbance:

10.47 It is important to note that access to the new dwellinghouse would require passing beyond the existing ground floor windows of the Clyro Court Block C building and it is also acknowledged that new communal amenity areas would be introduced. Whilst these factors have been acknowledged, officers consider that the garages as existing could result in comings and goings of a similar nature and the separation distances between the new unit and Block C would be very similar, if not identical to the existing. The use (2-bedroom unit) is considered to be of low intensity and would bring overall benefits to the site by means of new and improved landscaping and fencing. For these reasons, and the fact the general residential use of the site would remain under use by Clyro Court residents, it is considered that there would not be an undue impact to surrounding residents on noise grounds.

Light Pollution:

10.48 Finally, it is noted that a number of spotlights would be introduced to the perimeter of the site. Although it has been acknowledged that these would introduce a new form of light emission at the site, it is considered that the impact to neighbours would be minimal, given they would be vertical facing and minimal in size. As outlined in the above, the new residential dwellinghouse is considered not to introduce an overall over-intensive use to the site.

Amenity Conclusion

- 10.49 Taking all of the above into consideration, the proposed development is deemed not to cause demonstrable harm to the amenities (including daylight, sunlight, outlook or increased sense of enclosure) of adjoining occupiers in accordance with policy DM2.1 of the Development Management Policies (2013)

Accessibility and Fire Safety

- 10.50 All new developments are expected to achieve an acceptable accessibility standard as per requirement under the London and Local Plan. The design of the scheme has been amended since first submission and the latest proposal consists of a lift to ensure that all unit entrances are step free or lift accessible. The latest technical standards for housing as set out in Part M of the Building Regulation Volume 1, relevant to local planning policy DM2.2 and the Inclusive Design SPD that the dwellinghouse should achieve Category 2 M4(2) – Accessible & Adaptable Dwellings. This will be re-iterated as a planning condition with any recommendation for approval.
- 10.51 Additional clarifications were sought at the application stage, and these have been discussed within the relevant sections of the report. Inclusive Design are satisfied, owing to the additional clarifications and amendments to the drawings, that the proposed development would be in compliance with Category 2 M4(2) – Accessible & Adaptable Dwellings and policy DM2.2. The proposal overall is therefore considered to be acceptable on these grounds.
- 10.52 Policy D12 of the London Plan (2021) seeks to ensure that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:
- 1) *identify suitably positioned unobstructed outside space:*
 - a) *for fire appliances to be positioned on*
 - b) *appropriate for use as an evacuation assembly point*
 - 2) *are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures*
 - 3) *are constructed in an appropriate way to minimise the risk of fire spread*
 - 4) *provide suitable and convenient means of escape, and associated evacuation strategy for all building users*
 - 5) *develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in*
 - 6) *provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.*
- 10.53 During the application stage, a fire statement was submitted titled 'Fire Statement Form' prepared by HSRs Limited which confirmed that the fire safety design will follow the principles of Approved Document B Volume 2. The report also included details of the building schedule (products and materials used), issues which might affect the fire safety of the development and proposed servicing arrangements including a fire service route to the new building and associated access points.
- 10.54 Following consultations with the Council's Building Control colleagues, further information in addition to the Fire Statement Form was requested in the form of an outline fire strategy. The drawing No. 1535-A-GA-PL-111 (Rev. A) has since been submitted which confirms **i)** a hose travel distance from the deepest point of the new dwellinghouse to the street would be less than 45.0m, **ii)** there would be two allocated evacuation routes from the new dwellinghouse to the street, with one route making use of the side access path which is more than 3.7m wide and **iii)** emergency exit locks would be incorporated to both of the proposed access gates. Upon review of the follow-up information, the building control officer has confirmed they are now satisfied with the proposal at this stage of the process and the applicant will be advised via informative on the decision notice to apply for a follow-up building regulations application to regularise the details

with the relevant building control criteria. From a planning perspective however, officers are satisfied that the proposal would be in accordance with Policy D12 of the London Plan (2021). An image of the outline fire strategy can be seen in Figure 15, below.

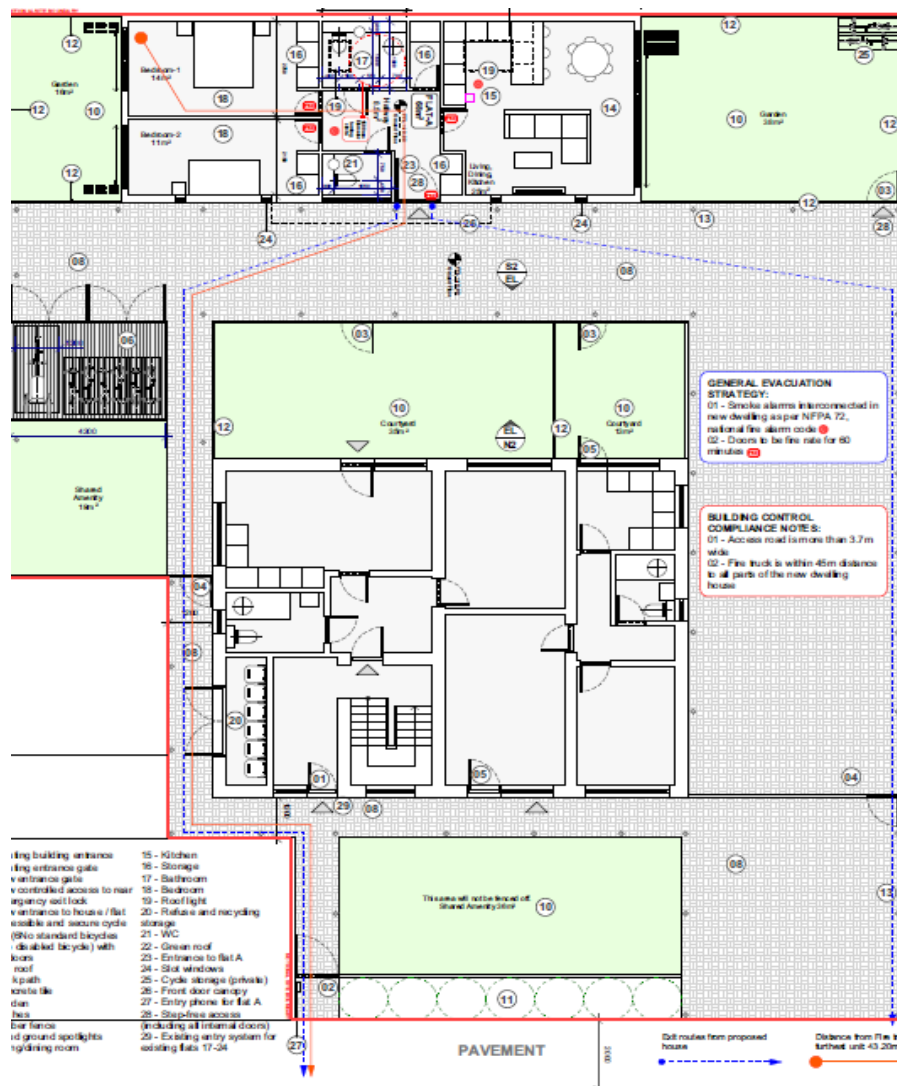


Figure 15 – Outline fire Strategy showing escape routes and hose route

Transport, Access and Parking

Car Free Development:

- 10.55 The council expects that all new development be ‘car-free’ in accordance with policy CS10H (with the exception of car parking for disabled users). All planning permissions granted for the provision of residential accommodation are conditioned to ensure ‘car-free’ development.
- 10.56 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.
- 10.57 The submission details that the proposal will be car free. This has been included within the Unilateral Agreement and must be adhered to as part of any decision.

Cycle Parking:

- 10.58 Policy DM8.4 and Appendix 6 of Islington's DMP (2013) outline the standards for cycle parking and advise that cycle spaces should be sheltered, secure, accessible and conveniently located in the interests of supporting sustainable transport. This is also an expectation of Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines.'
- 10.59 The applicant is required to provide 2 no. cycle parking spaces (one per bedroom). The proposed unit would have its own private cycle parking located within the larger of the 2 no. amenity spaces (38sqm). It is also welcomed that communal cycle parking would be introduced, with a cycle storage facility being introduced within the 44sqm shared amenity space. The site at present, does not contain cycle parking spaces.
- 10.60 The Council's inclusive design officers have also reviewed the proposed transport arrangements. The applicant has since clarified accessible cycle parking arrangements and has confirmed that these would be accessed via swing doors which provide wider openings for bikes. 1 space would be accessible, whilst 6 spaces would be standard. The width has also been confirmed to be sufficient at 1.2m for transporting bikes from Regina Road. Owing to these reasons and clarifications, both officers and inclusive design officers do not raise an objection to the scheme on transport grounds.
- 10.61 A condition is recommended requiring the proposed cycle storage to be provided prior to the first occupation of the development. Subject to this condition, the development would suitably accord with Policy DM8.6 and Appendix 6 of Islington's DMP (2013) as well as the Cycle Parking Standards – TfL Proposed Guidance.

Construction Management and Deliveries:

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

Waste Management

- 10.63 Waste storage facilities are required to be provided in order to fit current and future collection practices and targets. Facilities must be accessible to all in accordance with Islington's Core Strategy CS11. Development Management Policy DM8.6 seeks those details of refuse and recycling collection be submitted indicating locations for collection vehicles to wait and locations of refuse and recycling stores. A copy of the council's 'Refuse and Recycling Storage Requirements' (2008) document is required to be referred to for designing-in appropriate refuse and recycling requirements.
- 10.64 Recycling and Refuse Storage Requirement guidance requires size of unit total storage capacity of at least 200 litres for 1 bedroom unit or a further 140 litres for each additional bedroom. At least 50% of total storage capacity must be allocated for recycling.
- 10.65 Several public representations have been received during the consultation period raising concern towards both the existing and proposed waste arrangements. The existing drawings demonstrate that a refuse storage area is already in place within a cupboard to Block C. However, public representations have consequently confirmed that this is not currently used as a refuse area and is instead used as a storage cupboard.
- 10.66 In spite of the uncertainty on the current use of the cupboard, the proposed arrangement, which would make use of this space, would be designed to accommodate the refuse storage to both the existing units of Clyro Court and the newly proposed dwellinghouse. It is considered that this space would be adequate to accommodate the required number of bins for both the new dwellinghouse and existing units in this case and officers are also satisfied that the travelling distance would be close to 10.0m which is the preference of the Council's waste team. Overall,

the proposal is therefore deemed to be acceptable on waste management grounds and would be in accordance with Policy CS11.

Crime Prevention

- 10.67 Policy DM2.2 (part ii) identifies that all developments should deliver safe, legible and logical environments. New residential developments should also achieve Secured by Design (SBD) accreditation from the Met Police prior to occupation.
- 10.68 Consultations have taken place with the Design Out Crime officer during the planning assessment stage. At the Design Out Crime officer's request, a 0.3m high trellis has been added to the surrounding garden fence to reduce the potential of break-ins via this route and with the site being a dead-end, this approach to reduce crime risk is deemed acceptable. The applicant has also now confirmed that sufficient lighting is in place at the entrance of the dwellinghouse to remove areas of concealment as per the Design Out Crime officer's request.
- 10.69 With the above requests being attended to, the Design Out Crime officer has confirmed they are satisfied with the proposal, subject to the inclusion of a prior-commencement planning condition requiring demonstration on how the development achieves Secured by Design accreditation. The condition will also require the development to be carried out strictly in accordance with the approved details. This condition will be included alongside any recommendation for approval of permission.

Energy and Sustainability

- 10.70 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.
- 10.71 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.
- 10.72 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF. Further planning policies relevant to sustainability are set out in chapter 5 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.
- 10.73 For minor new build residential schemes, a 25% CO2 reduction target (Development Management policy DM7.2) shall continue to apply to all schemes and shall be demonstrated through the submission of a suitable sustainability standard (i.e., BREEAM, Code or HQM) or submission of an Energy Statement or addressed within a section of the Sustainable Design and Construction Statement.
- 10.74 Whilst a green roof has been incorporated, and Energy & Sustainability report has not been submitted with the application. These details will be conditioned to ensure the development would be in line with the relevant Building Regulations criteria, Policy SI2 of the London Plan, Islington Core Strategy CS10 and Development Management Policies DM7.1 and DM7.2.

10.75 The applicant will also be requested to pay the carbon offset charge for the dwellinghouse (1 x £1500) to offset the remaining carbon emission caused by the development. Subject to the inclusion of a condition and the agreement to a carbon offset contribution and details to be submitted of how sustainability targets are to be met, it is considered that the proposed development would have an acceptable level of energy efficiency measures and the sustainable design standards.

Landscaping, Biodiversity and Trees

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

10.77 A search into the site constraints has found there not to be any examples of trees which are under a Tree Protection Order (TPO) in proximity. Although the submitted Arboricultural Impact Assessment prepared by Bucks Plant Care Ltd identifies a large chestnut tree which is in proximity to the proposed unit, the assessment confirms that the proposed development would not unduly impact this tree. For these reasons, the proposal is considered to be acceptable on the grounds of Trees.

10.78 With regards to landscaping and biodiversity, it is acknowledged that several new areas of green space are proposed which are identified as a clear benefit of the proposal. It is considered that there is scope in this case for the applicant to explore more soft landscaping and greening. Given the general absence of detailing on these areas in the submission drawings and documents however, a pre-commencement condition will be included with any recommendation for approval requesting a landscaping plan. A further pre-commencement condition will also be included requesting details of a sustainable urban drainage system (SUDS). These conditions are considered to bring the proposal more closely in line with Policy DM6.5.

Small Sites Contributions

10.79 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.

10.80 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.

10.81 The proposal consists of one new residential unit, in accordance with the Core Strategy policy CS12 G and Affordable Housing Contribution SPD, the council will seek a financial contribution in-lieu of on-site provision. The required contribution is 1 x 50,000 = £50,000.

10.82 The applicant has signed a s106 Unilateral Undertaking for obligation of full payment and this has been completed in association with the Council's legal planning team. This will be included as part of the recommendation for approval of permission and the full head of terms are set out below.

CIL and s106 Planning Obligations

- 10.83 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.
- 10.84 The following heads of Terms would be secured within a s106 agreement (Unilateral Undertaking):
- 1) Small sites contribution towards affordable housing: £50,000
 - 2) CO2 offset payment: £1,500
 - 3) Car free development

Other Matters

- 10.85 Public representations were received regarding the losses of the existing garages and damage to properties as a result. A policy assessment on the loss of the garages has been carried out in the 'Land Use' section of the report and their ownership is a civil matter which cannot be taken into account as a material planning consideration.
- 10.86 With regards to potential damage to properties as a result of the garage demolition, this is also not a formal material planning consideration that can be taken into account. However, in this case, the officer site visit found that the garages share a boundary with Searle Place to the rear and are in very close proximity to the dwellinghouses themselves (approx. 6.0m). The recommendation for approval will therefore include a construction management plan as a pre-commencement condition.
- 10.87 Further public representations were received regarding an increased strain on the community and loss of quality of life. Given that a single residential unit is proposed only, it is considered that there would not be an undue strain upon the local community as a result. Furthermore, the introduction of new amenity spaces to the existing flats is seen as a benefit of the scheme which weighs against any undue harm to quality of life and/or mental wellbeing. It should also be noted that all previously highlighted inconsistencies in the planning drawing have been rectified.
- 10.88 Finally, public representations were received with regards to sewerage arrangements and disturbance during the construction period. Whilst these particular representations have been acknowledged, they are not examples of material planning considerations which can be taken into account as part of the planning assessment.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposal seeks planning permission for the demolition of the existing single storey garages and erection of a single storey dwellinghouse located to the rear of Block C, Clyro Court including associated landscaping, cycle parking and refuse storage.
- 11.2 The proposed building would have a similar height as the existing garages at a lesser width, with the appearance being controlled via a materials condition. On this basis, it is considered acceptable in design terms subject to conditions and would comply with National Planning Policy Framework (NPPF) 2021, Policies D3 and D4 London Plan 2021, Policies CS8 and CS9 of Islington's Core Strategy 2011, Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013, the Islington Urban Design Guide 2017.

- 11.3 The proposed dwellinghouse would provide a high quality of accommodation with associated amenity space and additional areas of amenity space would be introduced to the existing units of Block C, Clyro Court. The proposal would therefore comply with policy CS12 of Islington Council's Core Strategy 2011, Policy DM3.4 Islington's Development Management and Policy D6 of the London Plan 2021 as well as Technical Housing Standards- Nationally Described Space Standards (March 2015) and the NPPF 2021.
- 11.4 The proposal is also not considered to adversely impact on the residential amenity of adjacent residential properties in line with policy DM2.1 of the Development Management Policies 2013
- 11.5 The Council's Small Sites Affordable Housing contribution has been secured by a legal agreement in line with policy CS12 Part G and the Council's Affordable Housing Small Sites SPD (2012).
- 11.6 The application is referred to the Planning Sub Committee because of both the number of, and content of the content of submitted planning objections. Overall, the application is considered to be in accordance with the relevant policies within the Development Plan and is therefore recommended for approval subject to appropriate conditions.

Conclusion

- 11.7 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- Contribution of £50,000 towards affordable housing within the borough
- Contribution of £1,500 towards carbon off-setting.
- Car Free Development.

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>1535-A-SP-01 - Location Plan, 1535-A-SP-02 (Rev. B) - Block Plan, 1535-A-GA-EL-11 (Rev. E) - Proposed Internal North Elevation, 1535-A-GA-EL-12 (Rev. E) - Proposed West Elevation, 1535-A-GA-EL-13 (Rev. E) - Proposed External South Elevation, 1535-A-GA-EL-14 (Rev. E) - Proposed East Elevation, 1535-A-GA-EL-15 (Rev. E) - Proposed Internal South Elevation, 1535-A-GA-EL-16 (Rev. E) - Proposed External North Elevation, 1535-A-GA-PL-11 (Rev. D) - Proposed Ground Floor Plan, 1535-A-GA-PL-12 (Rev. C) - Proposed Roof Plan, 1535-A-GA-SC-11 (Rev. B) - Proposed Section AA, Planning Statement prepared by Fuller Long (dated August 2022), Design & Access Statement prepared by Lacey & Saltykov (dated 30/08/2022), Daylight & Sunlight Report prepared by Right of Light Consulting (dated 16/02/2022), Arboricultural Impact Assessment prepared by Bucks Plant Care Ltd (dated 10/02/2022), Fire Statement Form prepared by HSRs Limited (dated 03/03/2023), 1535-A-GA-PL-111 (Rev. A) - Fire Access Proposed Ground Floor Plan</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>MATERIALS (DETAILS): Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none">a) solid brickwork (including brick panels and mortar courses)b) render (including colour, texture and method of application);c) window treatment (including sections and reveals);d) roofing materials;e) balustrading treatment (including sections);f) 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.</p>

	<p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Construction Management Plan (Details)</p> <p>CONSTRUCTION MANAGEMENT PLAN: No development shall take place on site unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall provide details in relation to:</p> <ul style="list-style-type: none"> (a) proposed programme of works (b) site manager/liaison officer details (c) proposed programme of works (d) hours of work (e) access arrangements for vehicles and material storage (f) noise, air quality and vibration control (g) hoarding arrangements (with consultation with the Street Works Team) <p>The development shall be carried out strictly in accordance with the CMP so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
5	<p>Cycle Parking Provision (Compliance)</p> <p>CYCLE PARKING PROVISION (COMPLIANCE): The bicycle storage area shown on the plans, hereby approved, shall be provided strictly in accordance with the details and provided prior to the first occupation of the development, and maintained as such thereafter into perpetuity.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
6	<p>Refuse Storage (Compliance)</p> <p>REFUSE/RECYCLING PROVIDED (COMPLIANCE): The dedicated refuse / recycling enclosure(s) shown on the plans, hereby approved, shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter into perpetuity.</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>
7	<p>RENEWABLE ENERGY (DETAILS)</p> <p>CONDITION: The dwellings hereby permitted shall be constructed to achieve a 25% reduction in regulated CO₂ emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 110 l/p/d. Details of the renewable energy technology(s) and measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>The energy efficiency measures/features and renewable energy technology(s) shall be provided/carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>

8	<p>Accessible Dwellings</p> <p>ACCESSIBLE DWELLINGS: Notwithstanding the drawings hereby approved, all residential units shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs.</p>
9	<p>Secured by Design</p> <p>SECURED BY DESIGN: (A) Prior to works commencing of the development hereby approved, details of how the development achieves Secured by Design accreditation shall be submitted to and approved in writing by the Local Planning Authority. (B) The development shall be carried out strictly in accordance with the details so approved and SBD accreditation must be achieved prior to first occupation.</p> <p>REASON: In the interests of safety and security.</p>
10	<p>Removal of PD Rights</p> <p>REMOVAL OF PERMITTED DEVELOPMENT RIGHTS (COMPLIANCE: 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>
11	<p>Landscaping Plan (Details)</p> <p>LANDSCAPING (DETAILS): A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c) existing and proposed underground services and their relationship to both hard and soft landscaping; d) proposed trees: their location, species and size; e) soft plantings: including grass and turf areas, shrub and herbaceous areas; f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; g) enclosures: including types, dimensions and treatments of boundary walls, fences, screen walls, barriers, rails, retaining walls and hedges; h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and i) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and</p>

	<p>shall be maintained as such.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
12	GREEN/BROWN BIODIVERSITY ROOFS (COMPLIANCE):
	<p>CONDITION: The biodiversity (green/brown) roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plan 1535-A-GA-PL-12 (Rev. C) hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
13	FLAT ROOF NOT USED AS AMENITY SPACE (COMPLIANCE):
	<p>CONDITION: The flat roof area shown on plan no. 1535-A-GA-PL-12 (Rev. C) hereby approved shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
14	WINDOWS OBSCURED AND FIXED SHUT / ANGLED AS SHOWN ON PLANS (COMPLIANCE):
	<p>CONDITION: Notwithstanding the hereby approved plans, the approved front elevation slot windows shown on the plans hereby approved shall be obscurely glazed and shall be provided as such prior to the first occupation of the development.</p> <p>All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter into perpetuity.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
15	DRAINAGE (DETAILS)
	<p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system including, rainwater recycling, swale and 2 no. attenuation basins shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximize water quality, amenity and biodiversity benefits. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve a no net increase in surface water run-off from the site post-development. The drainage system shall be installed/operational prior to the first occupation</p>

	<p>of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable management of water.</p>
16	DAYLIGHT/SUNLIGHT STUDY (INTERNAL)
	<p>CONDITION: Details of an internal daylight/sunlight study shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based upon the latest BRE Criteria (June 2022).</p> <p>REASON: To ensure a high quality of accommodation for occupants of the new dwellinghouse.</p>

List of Informatives

1	CIL
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p>
2	Noise
	<p>It is recommended that the "Acoustics of Schools – a design guide" is followed in ensuring internal noise levels and noise transmission do not have detrimental impact on the wider area.</p>
3	Construction Works
	<p>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>
4	Highways Requirements
	<p>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. Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets. Licenses can be gained through streetworks@islington.gov.uk. Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk</p>
5	Party Walls
	<p>The applicant is reminded that although works to neighbouring boundary walls is classed as a civil matter between neighbours, these maybe subject to the Party Wall Act (1996).</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework 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.

- National Planning Policy Framework 2021

2. Development Plan

The new London Plan was adopted in March 2021. The adopted London plan has now full weight and is considered a material consideration. The adopted London Plan policies have been fully taken into account.

Therefore 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 following policies of the Development Plan are considered relevant to this application:

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

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive Design
- Policy D6 Housing Quality and Standards
- Policy D7 Accessible Housing
- Policy D12 Fire Safety
- Policy H1 Increasing Housing Supply
- Policy H6 Affordable Housing Tenure
- Policy H10 Housing Size Mix
- Policy SI8 Waste Capacity and Net Waste Self-Sufficiency
- Policy T5 Cycling

B) Islington Core Strategy 2011

- Policy CS8 Enhancing Islington's Character
- Policy CS10 Sustainable Design
- Policy CS11 Waste
- Policy CS12 Meeting the Housing Challenge
- Policy CS18 Delivery and infrastructure

C) Islington Development Management Policies 2013

- Policy DM2.1 Design
- Policy DM2.2 Inclusive Design
- Policy DM3.1 Mix of Housing Sizes
- Policy DM3.2 Existing Housing
- Policy DM3.4 Housing Standards
- Policy DM3.5 Private Outdoor Space
- Policy DM3.7 Noise and Vibration
- Policy DM4.12 Social and Strategic Infrastructure and Cultural Facilities
- Policy DM5.2 Loss of existing Business Floorspace
- Policy DM6.3 Protecting Open Space
- Policy DM6.5 Landscaping, trees and biodiversity
- Policy DM6.6 Flood Prevention
- Policy DM7.1 Sustainable Design and Construction

- Policy DM7.2 Sustainable design standards
- Policy DM8.1 Movement Hierarchy
- Policy DM8.2 Managing Transport Impacts
- Policy DM8.4 Walking and Cycling
- Policy DM8.6 Delivery and Servicing for New Developments

3. Designations

- iArticle 4 Direction - office to residential
- iCore Strategy Key Areas – Archway
- iTown Centres – Archway Town Centre
- Site within 100m of a TLRN Road
- iBusiness Association Areas – Junction

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Inclusive Design in Islington (2014)
- Islington Urban Design Guide (2017)

London Plan

- Sustainable Design & Construction
- Planning for Equality and Diversity in London

5. Emerging Policies

Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

Policy PLAN1 Site Appraisal, Design Principles and Process
 Policy G1 Green Infrastructure
 Policy G2 Protecting Open Space
 Policy G4 Biodiversity, landscape design and trees
 Policy S1 Delivering Sustainable Design
 Policy S2 Sustainable Design and Construction
 Policy S4 Minimising greenhouse gas emissions
 Policy SC1 Social and Community Infrastructure
 Policy SC4 Promoting Social Value
 Policy T3 Car Free Development Parking
 Policy T2 Sustainable Transport Choices
 Policy T5 Delivery, Servicing and Construction
 Policy ST2 Waste