

PLANNING COMMITTEE REPORT

 Development Management Services
 Planning and Development Division
 Community Wealth Buildings

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

Application number	P2023/1388/FUL
Application type	Full Planning Application
Ward	Highbury Ward
Listed building	N/A
Conservation area	Highbury Fields Conservation Area
Development Plan Context	Highbury Fields – Metropolitan Open Land Highbury Fields – Open Space Highbury Fields – Site of Importance for Nature Conservation Article 4 Direction – A1 to A2 Article 4 Direction - A1, B1, D1 to temporary 'flexible uses'
Licensing Implications	N/A
Site Address	Highbury Fields Cafe Catering Kiosk, The Old Bandstand, The Bungalow-153 Highbury Grove, London, N5
Proposal	Demolition of the existing café, park keeper's bungalow, bandstand, and associated ancillary structures; construction of new café, with public toilets and changing places toilet, and a new teaching shelter with associated wildlife garden. This application involves development on Metropolitan Open Land (DEPARTURE FROM THE DEVELOPMENT PLAN).

Case Officer	Joseph Hennessy
Applicant	Lara Ellington Brown, London Borough of Islington – Park Projects Team
Agent	N/A

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;

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



Image 1 - Site Plan

3. PHOTOS OF SITE/STREET



Image 2 - Aerial view from south



Image 3- Existing Highbury Fields Cafe



Image 4– Existing Bandstand Building



Image 5– Existing View of Bungalow Site, Looking North

4. SUMMARY

- 4.1 The application seeks planning permission for the demolition of the existing café, park keeper's bungalow, bandstand, and associated ancillary structures across the north-western section of Highbury Fields and the construction of two new buildings to replace the demolished structures. Improvements to landscaping are also proposed.
- 4.2 The proposed café building would also house a parkkeeper's office, new public toilets, a changing places toilet, refuse storage, storage for the park keeper, and space for plant equipment. The proposed teaching shelter would be provided within a wildlife garden.

- 4.3 The proposal would result in a small loss in metropolitan open land and this is considered to be a departure from local policy which seeks to protect the borough's open space. Despite this, the principle of the proposal, in increasing the useability, accessibility, and biodiversity value of the park, is considered acceptable. Whilst the development involves the demolition of a structure used for child care provision, the proposal involves the reprovion of this social infrastructure in an improved form. As such, in land use terms, the proposed development is considered to be acceptable in principle and is consistent with the aims and objectives of the NPPF as well as London Plan policies as well as most existing and emerging local policies. Furthermore, the planning benefits of the proposed scheme is considered to justify the departure from existing Development Management Policy DM2.2 and emerging Local Plan G2.
- 4.4 The proposal is considered to introduce well-designed and contextual buildings that would enhance the surrounding parkland. The development has been sensitively designed to enhance the setting of the Highbury Fields Conservation Area. Moreover, the proposal includes a well-considered landscape strategy that would increase the site's biodiversity.
- 4.5 The location of the proposed development is considered to be sufficiently set away from neighbouring residences to have any impacts on residential amenity in terms of daylight, sunlight, overshadowing, privacy, outlook, or sense of enclosure. Other impacts on neighbouring amenity such as noise / disturbance and transport impacts are considered to have been successfully mitigated and minimised, subject to appropriate conditions as detailed in Appendix 1.
- 4.6 The proposal is considered to be a sustainable form of development in a sustainable location. The application proposes a number of energy efficiency measures and a reduction in carbon emissions in accordance with adopted policy. The proposal would be a car-free development.
- 4.7 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and a legal agreement with suitable planning obligations and financial contributions in order to mitigate the impacts of the development.

5. SITE AND SURROUNDINGS

- 5.1 The application site sits within the north eastern section of Highbury Fields and comprises a number of existing temporary and permanent single storey structures. These structures include the existing 63.08 sqm café which, whilst poorly sited, is well used and the 70.44 sqm bandstand, which formerly hosted the One O'clock Club but is now unoccupied due to the building's poor condition. Other structures within the application site include public toilets, a park keeper's store, shed and a bungalow, which was formerly occupied by the park keeper.
- 5.2 Highbury Fields is the largest park in Islington. The park is designated Metropolitan Open Land, meaning it has the same level of protection as Green Belt land, is a designated open space and is also a Site of Importance for Nature Conservation (SINC) of 'Local' grade. The north eastern corner of Highbury Fields is largely devoted to the three sports court enclosures, and the café and associated seating. It has been reported that there is a lack of public toilet provision in this part of the park.
- 5.3 Highbury Fields is located within the Highbury Fields Conservation Area (CA05), an area characterised by the consistently high architectural and historic quality of its buildings, combined with a spacious scale of development.
- 5.4 The surrounding area is predominantly residential, although the Lower Holloway and Upper Street shopping areas are nearby. The site has a PTAL score of 6a (excellent) with numerous bus routes and train stations nearby. The site does not contain any listed or locally listed buildings. The site is not located within any site allocations and no protected views or local views pass over the site.



Image 6– Plan showing the three red line boundaries

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks permission for the redevelopment of the café and bandstand (former One O'clock Club) in Highbury Fields. The proposed development would include the total demolition of the café and bandstand, along with a number of other now redundant structures, and the construction of a building providing a new café/public toilets/park keeper's office with adjacent outside space, and also a new outdoor sheltered teaching shelter with associated landscaping.
- 6.2 The total footprint of the structures to be demolished is 264.7 sqm. It is currently proposed that the total footprint of the structures to be built is 291.9 sqm, representing a net total loss of 27.2 sqm of Metropolitan Open Land albeit with a more integrated and centrally located replacement structure in its place overall.

Demolition

- 6.3 The proposal includes the demolition of a number of structures as detailed below:
- The existing Oasis Café
 - The existing Bandstand building (formerly the One O'Clock Club)
 - The parkkeeper's cottage and outhouse building
 - Various ancillary structures, comprising the parkkeeper's hut, two storage units, the bandstand storage unit, and temporary WCs to the north and east of the Oasis Café building.

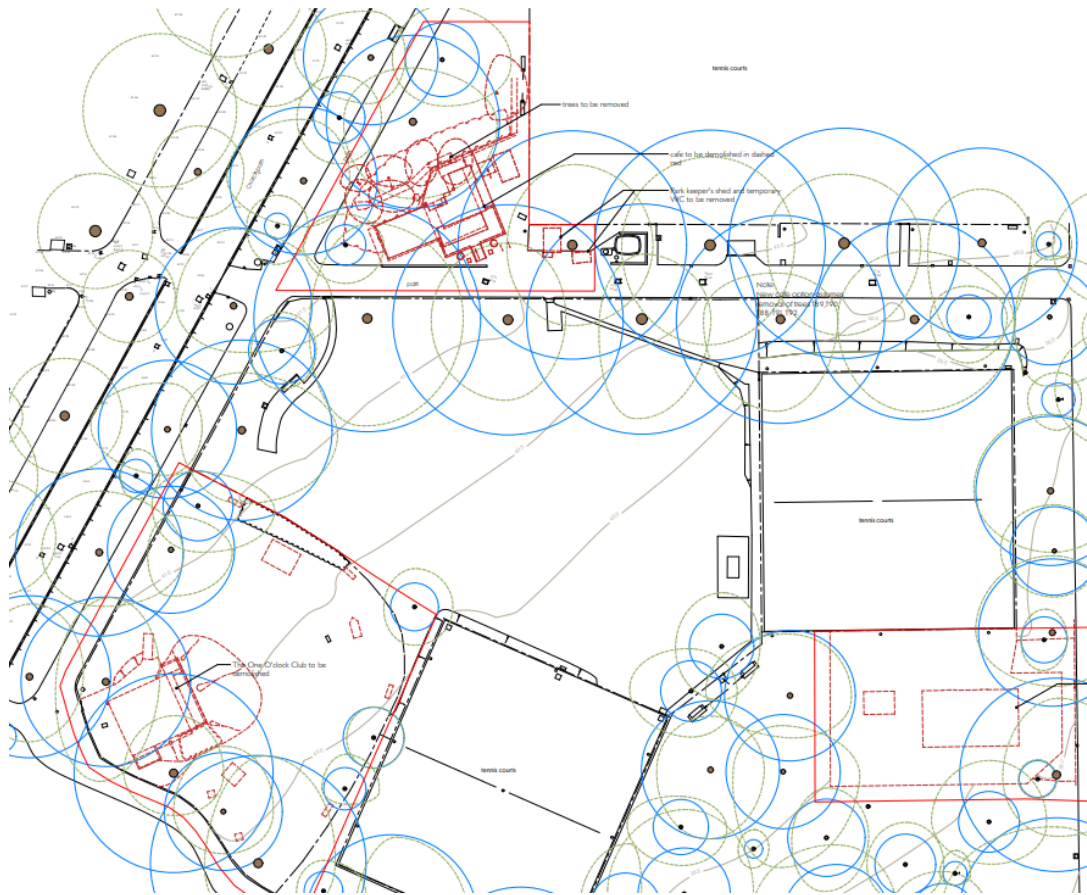


Image 6– Proposed demolition plan



Images 7,8,9– Photos showing (left to right) existing parkkeeper's hut, temporary WCs, storage units

Proposed Café Building

- 6.4 The scheme proposes the construction of a new café building on the site of the existing café. The building would be 202 sqm and would comprise a new cafe with seating, a new park-keeper's office, storage, and 6 new individually accessed public toilets, including one accessible toilet and one changing place toilet.

Proposed Classroom Building and Wildlife Garden

- 6.5 The application also proposes the construction of a new 90sqm outdoor sheltered teaching space. The surrounding parkland would be relandscaped to provide a number of ecological enhancements.



Images 10, 11 – CGIs showing (left to right) proposed café and teaching shelter

7. RELEVANT PLANNING HISTORY:

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

820436 – Erection of an extension. Highbury Fields Bandstand Highbury Fields. – Approve with conditions 08/07/1982.

851526 – Extension to provide storeroom and erection of open sided covered area. – Approve with conditions 11/09/1986.

972125 – Siting and installation of one universal superloo with integral internally illuminated display panels. – Approve with conditions 30/01/1998.

P010941 – Siting of an automatic public toilet adjacent to the tennis courts which are opposite Fieldview Court, Highbury Grove. – Approve with conditions 06/11/2001.

8. PRE-APPLICATION ADVICE

- 8.1 Pre-Application engagement between the Applicant and the Council was undertaken (reference: Q2021/3622/MIN) prior to the submission of the planning application.

- 8.2 A number of challenges were highlighted, including the proposal to build on Metropolitan Open Land and the potential loss of housing as a result of demolishing the parkkeeper's bungalow. However, it was considered that the proposed scheme would result in an improved park for the borough with more useable open space and an increased social infrastructure offering. As such, it was confirmed that the proposals could be acceptable in terms of land use, subject to robust justification for the size of the development and additional information being provided regarding the history of the parkkeeper's bungalow.
- 8.3 In terms of the design, the demolition of the existing café, bandstand, parkkeeper's bungalow, and ancillary structures and the development of two new buildings was considered acceptable, subject to consideration of the surrounding conservation area and accessibility.
- 8.4 The application has developed in response to the pre-application advice with further refinement to the design of the buildings, their massing, and their siting. Extensive consultation with the local community also informed the development of the proposals.

9. CONSULTATION

Public Consultation

- 9.1 Letters were sent to occupants of 628 adjoining and nearby properties on 25th May 2023. A site notice and press advert were displayed on 1st June 2023. The public consultation of the application therefore expired on 25th June 2023; however, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 9.2 At the time of the writing of this report 7 letters of objection, 15 letters of support, and 5 letters providing comments have been received in response to the consultation on this planning application.
- 9.3 The issues raised can be summarised as follows (with the paragraphs in brackets indicating where in the report the respective points have been addressed):

Objection:

- New café is too big and the architecture is dated and old fashioned (11.37-11.44; 11.51-11.55);
- The bandstand should be refurbished instead of being replaced (11.19);
- Application does not take in to account the waste arising from demolition (11.51; 11.57);
- Non-café spaces within the café building are too large and leaves too small a space for cafe seating (11.97-11.98);
- Orientation of proposed café building and provision of indoor seating would result in users not feeling the benefit of being close to greenspace (11.38);
- The proposals will change the character of the fields (11.66-11.67);
- Construction works will lead to disruption (11.119);
- Objection to the removal of open space (11.9);
- Access to toilet cubicles off a corridor is likely to create a chaotic and unpleasant environment (11.43-11.44);
- The external barrier across the south frontage is obtrusive and divides the space in front of the café (11.97-11.98);

Support:

- Plans to make café accessible and useable in all weather conditions are long overdue;
- The lack of accessible toilets in Highbury is a real issue;
- Good to demolish the bungalow which is an eyesore;
- Will enhance appearance of Highbury Fields;
- Café needs an upgrade;
- Welcome additional biodiversity measures;

- Proposals will make park more useful to the community;
- Proposed buildings would be an asset to the park;

Comment:

- Toilets should not be unisex (11.40);
- Wooden structures tend to weather quickly and could result in more graffiti (11.54; 11.173-11.174);
- Please consider changing the handrail to black wrought iron to be in keeping with railings elsewhere in park (11.66-11.67);
- Not enough space for cargo bikes (11.135-11.141);
- The plans need more bike racks (11.135-11.141);
- Would be good to include some form of regular toddler play to make up for loss of bandstand (11.20);
- It is vital that the new café is a family environment, with toys and places for parents, carers and children to meet and feel safe (11.183);
- The visual impact of the proposed stores could be reduced by painting them a darker colour or growing plants up the walls (11.54).
- The Oasis Cafe name is well known by Islington residents, it should not be changed (11.181);
- The proposed signage is very prominent (11.181);
- Islington already has Gillespie Park and Ecology Centre which is used for teaching. Could the funds being used for the teaching shelter and wildlife garden not be better utilised elsewhere? (11.183).

9.4 An additional letter of support was submitted by ward councillors. This letter welcomed the return of the derelict bungalow to open space and the provision of six additional public toilets, including one accessible toilet and one changing places toilet. The letter also praised the design of the proposed buildings and applicant's consultation process.

External Consultees

- 9.5 **Secure by Design - Metropolitan Police:** The Design Out Crime Officer welcomed the incorporation of Secured by Design principles and raised no objections to the proposals subject to the inclusion of a condition requiring the scheme to achieve Secure by Design accreditation prior to occupation.
- 9.6 **Islington Swift Group:** Please include building integrated measures for biodiversity such as nest sites and bat boxes, in accordance with the Islington Biodiversity Action Plan. Avoid sparrow terraces however as these are an inflexible measure.

Internal Consultees

- 9.7 **Ecology Officer:** Welcomed the proposals and the high Biodiversity Net Gain score, however requested that this score be conditioned along with a Habitat Management Plan. The Officer noted that there were a couple of discrepancies in the submitted documents and the applicant updated these documents in response.

The Officer also noted that if more than a year has elapsed since the bat survey of the buildings, then another bat survey should be undertaken

- 9.8 **Energy Officer:** Reviewed the proposals and confirmed they had no concerns. The Officer noted that the proposed energy efficiency measures proposed under the 'Be Lean' section compare well to those outlined in the council's Environmental Design SPD and that, whilst solar PV would normally be the most appropriate renewable technology for a development of this type, it is accepted that they would not work in this location due to significant overshadowing from nearby trees.

The Officer also confirmed that the applicant is correct in stating that there is no heat network within a feasible distance to achieve a connection and that no alternative heat sources exist in the vicinity.

- 9.9 **EPPP Officer:** Raised no objections to the proposals and welcomed the measures outlined within the submitted management plans. The Officer noted that whilst there is a considerable separation distance between the proposed plant equipment and the nearest residences, good acoustic design should be used for both spaces such as incorporating acoustic louvres to minimise the noise impact on Highbury Fields as a green space itself. Recommended that any future proposed kitchen extraction system can be controlled by condition.
- 9.10 **Highways and Traffic:** Details of the proposed scheme were presented to the Council's Highways Officer. The Officer confirmed they had no concerns.
- 9.11 **Inclusive Design Officer:** Welcomed the proposals and noted that it was a well-rounded application with a good level of inclusive design measures. The Officer requested some additional details but agreed that these could be addressed via conditions.
- 9.12 **Planning Policy:** Reviewed the proposals and noted that the proposed increase in built footprint is in conflict with emerging Local Plan policy G2 part A which states that development is not permitted on any public open space. The Officer also noted that the proposals would meet the exception to the unacceptability of building on green belt set out set out in NPPF paragraph 149 part B (provision of appropriate facilities).

Raised no objection to the replacement of the bandstand with the teaching space and confirmed that it would not constitute a loss of social infrastructure.

Highlighted that emerging SDMP Policy H2 resists the loss of existing self-contained housing and noted that, whilst evidence has been provided to demonstrate that the bungalow has been vacant since 2012, this is not sufficient to demonstrate that the bungalow was conceived as ancillary accommodation. Agreed that the demolition of the bungalow would help to compensate the increase in floorspace associated with the application and improve the openness of this part of Highbury Fields.

- 9.13 **Sustainability:** Officer welcomed the extensive use of permeable surfaces, the recycling of demolition materials, and biodiversity enhancements. Requested additional information regarding circular economy, sustainable drainage, and water management. The Sustainability Officer has confirmed that all outstanding concerns can be dealt with via appropriate conditions.
- 9.14 **Trees Preservation Officer:** No objections. The seven removed trees should not be seen as a constraint to development and the canopy loss would be compensated for by the wildlife garden and replacement tree planting.

Recommended conditions requiring a tree protection plan and arboricultural method statement, details of the café building's foundation design, and details of tree planting and tree pit proposals.

- 9.15 **Urban Design & Conservation Officer:** Objects to the proposals on the basis that the layout of the proposed café building would give rise to functional issues due to the staff entrance to the café and parkkeeper's office sharing circulation space with the new public toilets. Raised some concern regarding how the toilet block and the café building intersect/interact but confirmed that overall, the proposed massing is successful.

The Officer welcomed the proposals as an ambitious scheme which will rationalise the layout of the park and remove poor quality buildings. Welcomed the sustainability of the designs and the use of natural materials which complement the naturalistic setting of the park.

10. RELEVANT POLICIES

- 10.1 Islington Council (Planning Committee), in determining the planning application has the main following statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
 - As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area (s72(1)).
- 10.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 10.3 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental, and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals
- 10.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 10.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 10.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 10.7 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 10.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications.

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

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

10.10 In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the desirability of preserving the adjoining listed buildings, their setting and any of their features of special architectural or historic interest.

Development Plan

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

Emerging policy: draft Islington Local Plan

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

10.13 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:

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

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

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

Designations

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

- Highbury Fields Conservation Area
- Article 4(2) Highbury Fields

- Metropolitan Open Land (Highbury Fields)
 - Open Space (Highbury Fields)
 - Sites of Importance for Nature Conservation (SINC) (Highbury Fields)
-
- Local Cycle Routes
 - Article IV direction A1 to A2

Supplementary Planning Guidance (SPG) / Document (SPD)

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

11. ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Land Use
- Design, Conservation & Heritage Considerations
- Biodiversity, Ecology and Trees
- Accessibility & Inclusive Design
- Neighbouring Amenity
- Transport and Highways
- Energy & Sustainability
- Crime Prevention

Land-Use

Development on Metropolitan Open Land

- 11.2 The application site is located within Highbury Fields, an area of designated Metropolitan Open Land. The London Plan supports making the best use of land, including protecting and enhancing London's open spaces, through Policy GG2. The London Plan protects Metropolitan Open Land through Policy G3, which states that Metropolitan Open Land should be afforded the same status and level of protection as Green Belt and as such, should be protected from inappropriate development in accordance with the National Planning Policy Framework tests that apply to the Green Belt. Policy G3 goes on to state that boroughs should work to enhance the quality and range of uses of Metropolitan Open Land.
- 11.3 The National Planning Policy Framework states that the construction of new buildings on Green Belt is inappropriate and should not be approved except in very special circumstances. Exceptions to this include 'the provision of appropriate facilities... [which] preserve the openness of the Green Belt' (paragraph 149(b)) and 'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces' (paragraph 149(d)).
- 11.4 The proposal is for the redevelopment of the café and bandstand (former One O'clock Club) in Highbury Fields. The proposed development would include the total demolition of the café and bandstand, along with a number of other now redundant structures, and the construction of a building providing a new café/public toilets/park keeper's office with adjacent outside space, and also a new outdoor sheltered teaching space with associated landscaping.

	Building Area (GEA, m ²) removed	Building Area (GEA, m ²) added
Existing		
Oasis Café	63.1	
Bandstand	70.4	
Bandstand – Container	5.2	
Bungalow	92.0	
Bungalow – Outbuilding	11.9	
Ancillary Building – Store 1	3.4	
Ancillary Building – Store 2	8.9	
Parkkeeper’s Hut	6.6	
Temporary WCs	3.2	
Proposed		
Café, WCs, Storage Building		202
Teaching Shelter		89.9
Total	264.7	291.9
Total Loss of Open Space		27.2

Table 1 – Existing and proposed built footprint

- 11.5 The total footprint of the structures to be demolished is 264.7 sqm. It is currently proposed that the total footprint of the structures to be built is 291.9 sqm, representing a total loss of 27.2 sqm of Metropolitan Open Land.
- 11.6 Whilst the proposals would result in 27.2sqm of open space being built on, this represents a total loss of 0.02% of the total area of Highbury Fields and therefore, it is considered that the replacement buildings would not be materially larger than the existing buildings in line with para. 149 (d) of the NPPF. Furthermore, the demolition of the existing parkkeeper’s bungalow and the siting of the proposed buildings would increase the perceived openness of this part of Highbury Fields, in line with para. 149 (d) of the NPPF.
- 11.7 The proposed buildings would enhance the services provided by the existing buildings, with a better café building and a wildlife focussed teaching shelter which would allow for the continuation of the childcare services provided by Bright Start and the introduction of new facilities which would increase the useability of the park. The proposals can therefore be seen to be in line with London Policy G3 by enhancing the quality and range of uses of Highbury Fields.
- 11.8 Policy DM2.2 of the Islington Development Management Policies and Policy G2 of the emerging Local Plan state that development is not permitted on any public open space. Therefore, it can be seen that the proposals represent a contravention of local policy. Whilst local policy requires a presumption against development on open space, this must be weighed against the planning benefits of the proposals. The proposed development would improve the quality of the open space, with the reorientation of the café building creating a more active frontage. Furthermore, the new café building would include the provision of better public toilet facilities and the introduction of new landscaping around the classroom building would enhance local biodiversity. Although the proposals result in an additional 27sqm of open space being built upon, the demolition of redundant structures would increase the perception and feel of openness in the park.
- 11.9 The proposals comply with national and London policy requirements relating to building on Metropolitan Open Land by enhancing the quality, functionality and useability of Highbury Fields within a reasonably similar and integrated built footprint. Whilst the proposals do not comply with local policy, given the planning benefits noted above, this is considered to be acceptable against this adopted policy in the planning balance.

Development on a Site of Importance for Nature Conservation (SINC)

- 11.10 In addition to being Metropolitan Open Space, Highbury Fields is also designated as a (local level) Site of Importance for Nature Conservation (SINC 27).
- 11.11 Part A of policy G6 of the London Plan 2021 states that SINC's should be protected. Part D of policy CS15 of Islington's Core Strategy requires developments to protect and enhance biodiversity across the borough, protecting SINC's in line with their importance within the hierarchy and supporting improvements to their biodiversity value. Development Management policy DM6.3 states that planning permission will not be given for any schemes which adversely affect designated SINC's (of either regional or local designation). Emerging policy G4 notes that SINC's of Local Importance will be strongly protected.
- 11.12 The Biodiversity Net Gain Assessment, prepared by LUC dated 12th May 2023, submitted as part of this application demonstrates that the proposals would result in a 45.76% increase in habitat units and a 100% increase in hedgerow units. As such, it can be seen that the proposals would result in the increase of the SINC's biodiversity value and are therefore acceptable in this respect.
- 11.13 The biodiversity measures are assessed in more detail within the Biodiversity and Ecology section below.

Demolition of Park Keeper's Bungalow

- 11.14 Amongst the structures proposed to be demolished is the former park keeper's bungalow. Islington Development Management Policy DM3.2 states that the loss of existing housing will be resisted unless it is replaced. Emerging policy H2 also notes that the loss of existing housing will be resisted. As such, it is important to establish whether the park keeper's bungalow would be considered existing housing.
- 11.15 To support this application, the applicant provided evidence to confirm that the bungalow has not been inhabited since 2012 and the Planning Statement, prepared by LUC dated 4th May 2023, notes that that before this time, the bungalow provided dedicated accommodation for the parkkeeper and their family. Whilst no documentation exists to confirm that the accommodation was tied to the park keeper's specific role, Islington's Parks Team have provided a letter confirming that the bungalow was historically occupied by the Highbury Fields parkkeeper and their family. The letter confirms that this arrangement ended in 2008 and information supplied elsewhere in the application confirms that the bungalow became vacant in 2012 after the last parkkeeper's family moved out.
- 11.16 Whilst it has not been possible to confirm that the accommodation was tied to the park keeper's role, the evidence submitted as part of this application strongly suggests that this bungalow was ancillary to the park use and would therefore not be required to be replaced. Furthermore, it is not considered that Highbury Fields is an appropriate location for housing, and it is unlikely that permission for housing in this location would be permitted in a future application. Re-providing housing in this location would be at the expense of opening up this space for parkland use and given Islington's noted lack of open space, it is not considered that this would be appropriate. Therefore, the demolition of the bungalow without providing replacement housing is considered acceptable in this instance. The existing residential building here has not been in active residential use in over ten years and is somewhat of a unique anomaly within its park context. Within this specific site circumstances, it is considered that the loss of this no longer used residential unit would be acceptable as it directly frees up the redevelopment of the wider site to provide a much more integrated and high-quality community space for users of the park as a whole.

Proposed Uses

- 11.17 London Plan policy S1 protects social infrastructure, advising that redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered. Islington Development Management policy DM4.12 goes further, stating that no loss of social infrastructure will be permitted unless a replacement facility is provided on site or the specific use is no longer required on site.
- 11.18 Emerging Local Plan Policy SC1 sets out the council's position in relation to planning applications affecting social and community infrastructure. Policy SC1 part E(i) states that the council will not permit any loss of social and community infrastructure uses unless a replacement facility is provided on-site. Any facility must be of at least equivalent quality, quantity and accessibility to that of the existing facility and be consistent with the criteria set out in Part H.
- 11.19 The submitted planning statement states that the bandstand was home to the One O'Clock Club, which hosted stay and play sessions for young children, until 2021. Following structural reports, the bandstand structure has been deemed unsafe for use. However, early years sessions have continued to be run from the green space outside the structure. Since 2021, these sessions have been offered by Bright Start Islington.
- 11.20 The applicant proposes to demolish the existing bandstand and build a new classroom building alongside a re-landscaped amenity space. In order to demonstrate compliance with Part H of emerging policy SC1, the applicant has provided a Community Needs Assessment. This assessment sets out the activities that Bright Start run from the land adjacent to the bandstand and confirms that the proposals would not result in a loss of social and community infrastructure because the classroom building would increase Bright Start Islington's ability to deliver sessions for under 5s and their carers whilst allowing for provision of new, additional services. The proposed demolition of the bandstand and provision of a classroom building and wildlife garden in its place is therefore considered acceptable in land use terms.
- 11.21 The application site does not sit within a designated town centre or local shopping area however, emerging Local Plan Policy R1 notes that A3 use classes not within specifically designated areas provide a valuable service to local communities and must be protected.
- 11.22 The applicant proposes to demolish the existing café and replace it with an improved structure that allows for both indoor and outdoor seating, as well as housing a new parkkeeper's office, public toilets, and storage. The proposed building would ensure the café use was protected and could continue to operate in this location in to the future. It is therefore considered this proposal is acceptable in land use terms.

Design, Conservation and Heritage Considerations

Policy Context

- 11.23 Quality of design lies at the heart of the planning system and is stressed at Chapter 12 of the NPPF (Achieving well-designed places). It states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The NPPF requires that developments are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Further, it states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 11.24 The London Plan, throughout Chapter 3 (Design) sets out its support for high quality architecture and public realm, which responds to local context by delivering buildings that are positioned and of a scale, appearance, and form that response to the identity and character of the locality.
- 11.25 London Plan Policy D3 sets out the design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. London Plan Policy D3 also sets out criteria relating to appropriate form, layout, experience, quality, and character which will be addressed in this section.
- 11.26 At the local level, policy CS9 of Islington's Core Strategy (2011) sets out an aim for new buildings to be sympathetic in scale and appearance and to be complementary to local identity.
- 11.27 Development Management (2013) Policy DM2.1 states all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Policy DM2.3 states that Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. Emerging Local Plan Policies DH1 and DH2 echo the sentiments of Policies DM2.1 and DM2.3 and set out the boroughs approach to design and heritage.
- 11.28 Draft Local Plan Policy PLAN1 states that all forms of development are required to be of a high quality and make a positive contribution to local character, legibility, and distinctiveness, based upon an up-to-date understanding and evaluation of the defining characteristics of an area. This policy outlines the high-quality design expectations which proposals will need to meet.
- 11.29 Islington's Urban Design Guide (2017) provides guidelines and principles for good urban design, e.g., how buildings look and fit into their setting, the layout and organisation of public spaces and the appearance of street frontages. Of particular significance is paragraph 5.67 which states that 'new development should create a scale and form of development that relates to the existing built form and provides a consistent and coherent setting for the space or street that it defines or encloses'. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (The Setting of Heritage Assets), the council's Urban Design Guide SPD and the Mayor of London's Character and Context SPG are also relevant to the consideration of this application

Site Context

- 11.30 The application site sits within the north eastern section of Highbury Fields and comprises a number of existing temporary and permanent single storey structures. These structures include the existing 63.08 sqm café and the 70.44 sqm bandstand. Other structures within the application site include public toilets, a park keeper's store, shed and a bungalow, which was formerly occupied by the park keeper.
- 11.31 The footprint of the existing café lies at an angle relative to the footpath to the south, facing away from the busiest route through the park. The existing café has solid walls, with the servery and covered seating area only visible from the south. These blank frontages are uninviting and mean it is not necessarily clear what the function of the building is to passers-by.
- 11.32 The existing bandstand is a single storey timber clad building with a shallow mono-pitch roof. The dark timber cladding and low form of the building makes it relatively discrete and hard to see in longer views across the park through trunks of park trees. The existing bandstand building is in a very poor condition and it is no longer suitable for occupation.

- 11.33 Highbury Fields is the largest park in Islington. The park is designated Metropolitan Open Land, meaning it has the same level of protection as Green Belt land, is a designated open space and is also a Site of Importance for Nature Conservation (SINC) of 'Local' grade. The north eastern corner of Highbury Fields is largely devoted to the three sports court enclosures, and the café and associated seating. It has been reported that there is a lack of public toilet provision in this part of the park.
- 11.34 The application site sits within the Highbury Fields Conservation Area, an area characterised by the consistently high architectural and historic quality of the buildings which, combined with the spacious scale of development, give the area a special character and appearance which is considered essential to preserve and enhance. The site does not contain any listed or locally listed buildings.
- 11.35 Whilst the Highbury Fields Conservation Area Guidelines do not make much reference to the park itself, any proposals should act to preserve and enhance the special character and appearance of the area.

Principle of Development

- 11.36 As noted above, the application site sits within Highbury Fields and has a number of buildings and ancillary structures which are either redundant, in a poor state, or do not relate well to the surrounding area. The proposal to demolish these buildings and structures and to provide them in two new buildings with associated landscaping is assessed in more detail below. It is considered that the proposed buildings work well within the parkland setting. The café building has been repositioned to face the footpath and successfully houses a number of uses within a tight space. The teaching space would re-provide existing social infrastructure uses within a well landscaped setting. The building heights and form have been driven by the surrounding character. It is considered that the proposed arrangement follows a design led approach and satisfies the criteria set out in London Plan Policy D3 which seeks to ensure site capacity is optimised through the design led approach.

Assessment

Siting and Massing

- 11.37 Two buildings are proposed across the application site, with the café building sitting roughly in the position of the café building and the teaching space occupying the same parcel of land as the existing bandstand building. It is considered that the proposed buildings are of a characterful form and contribute positively to the overall quality of the development.



Image 6– Site Layout showing location of proposed café building and teaching space

Café Building

- 11.38 The proposed café building would remain in roughly the same location as the existing café however, the position and orientation of the structure have been shifted to align better with the paths through the park, making it more visible for users and making the most of the southern aspect. The café building would also replace the group of disparate, poor-quality structures in this area and consolidate them into one new building. The building would also house new facilities including a Changing Places Toilet.
- 11.39 The Café Building and associated toilet block forms an 'L' shape. The café forms a shorter side of the 'L' and would front onto paths running to the south and west of the site. It is a simple, single storey, timber building with a pitched roof and overhanging eaves. The pitched roof form has a sloped soffit which is exposed inside the café and office. This creates an airy and higher internal space and sheltered spaces around the boundary of the café.

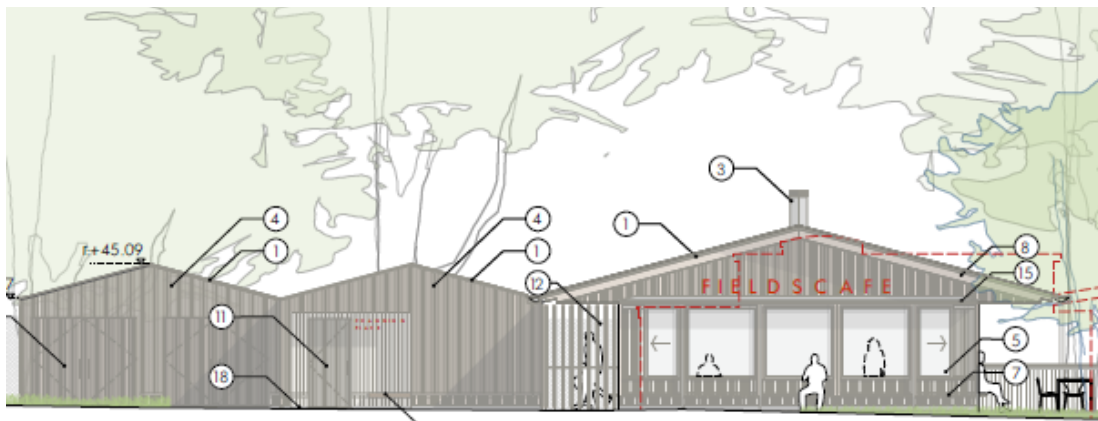


Image 7– Café Building– Western Elevation



Image 8 – CGI showing Café Building as seen from the north

- 11.40 To the rear of the café there is a separate toilet and storage block. The toilet block provides an accessible toilet, a changing places toilet, and four individually accessed unisex toilets. Each toilet will have baby changing facilities and wash hand basins, meaning there would be no shared space. The block is split into two forms under a pair of pitched roofs. This reduces the mass of the building and the repeated form creates a level of cohesion between this subsidiary block and the café. The toilet and storage block has been designed to narrow to the north in order to avoid root protection areas and to preserve as many trees as possible.
- 11.41 Some concern is raised regarding the intersection of the two pieces of the building. It is considered that the café is an attractive pavilion structure which would be better viewed in isolation, rather than attached to other buildings. However, the provision of the toilet block with an accessible toilet and a changing places toilet is considered to be a key planning benefit of the scheme. Furthermore, the toilet block is set back from the main structure and surrounded by trees, minimising the visual impact of this intersection
- 11.42 Overall, the massing of the two elements of the café is considered to be successful. The form of the café works well in the parkland landscape. It is a simple and modest building that compliments the naturalistic environment of the park and is supported. The lower ridge lines of the toilet block allow the café to dominate the composition as the most public facing element.

Café Building Layout

- 11.43 The Council's Design and Conservation Officer raised an objection to the application regarding the layout of the proposed café building, specifically regarding the space between the café structure and the toilet block. The space between the café and toilets is 2.5m wide, with five toilet doors on one side of the space and the staff entrance to the café and the parkkeeper's office on the other side. It is considered that this may result in a poor level of amenity for those working in the café building. It is also considered that this layout may result in functional issues when there are large queues for the toilets if workers need to enter/exit the building or take rubbish to the refuse store. Furthermore, with two points of entry to the toilets, it is not clear how people would queue to use these toilets at busy times.

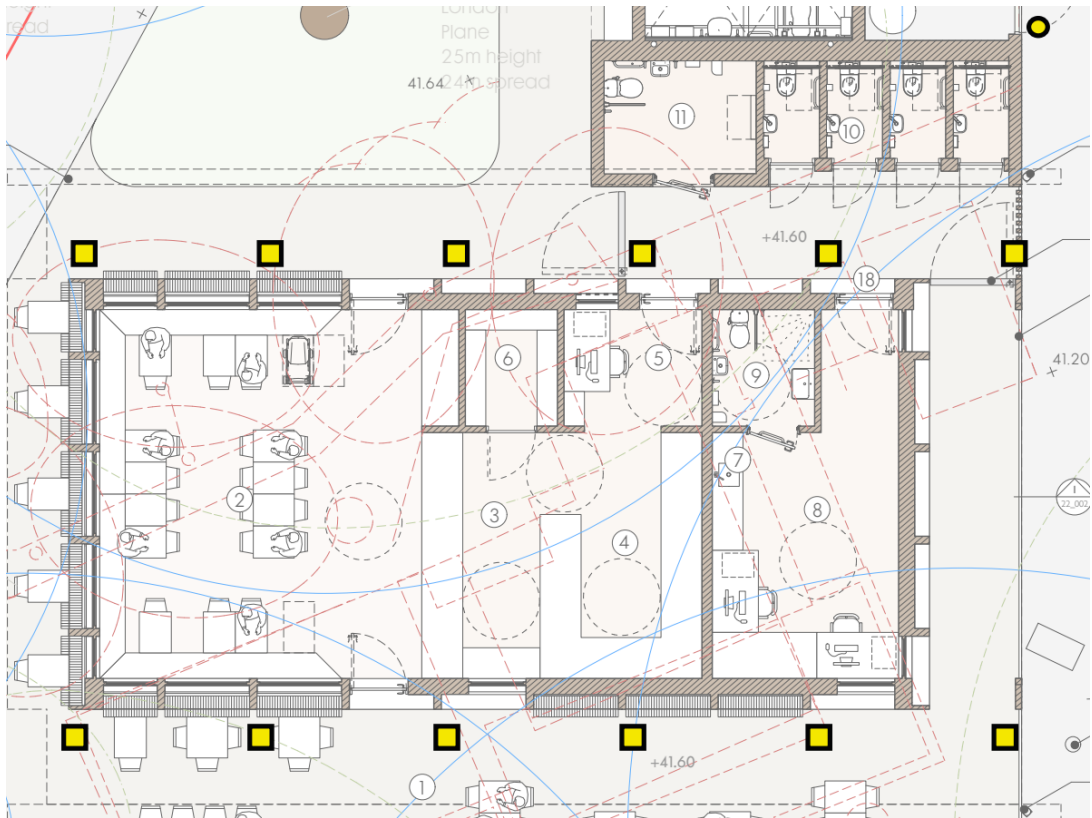


Image 9 – Excerpt from Café Building layout showing relationship between the public toilets and the staff entrances

- 11.44 Whilst this layout is regrettable and considered to dilute the overall success of an otherwise exceptional scheme, it is accepted that the layout cannot be revised without increasing the built footprint on open space and impacting surrounding trees. It is therefore recommended that conditions be added to the decision notice requiring details of wayfinding signage (including details of how queues will be arranged) (7) and an operational management plan which details how any potential amenity impacts or functional issues arising from the toilets will be mitigated (17).

Teaching Shelter

- 11.45 The existing bandstand building would be replaced by a covered teaching shelter. This sheltered space would be located within a curved enclosure with seating arranged around its edges. Around the new shelter, a new wildlife garden would be formed. As well as the teaching space, the shelter will have its own toilet and storage space.
- 11.46 The teaching structure has been designed to integrate well into the surrounding landscape. The building is made up of two 'rings'. The inner ring creates the main teaching space and is made up of a round timber structure with a pitched green roof featuring a glazed oculus at its centre. The outer ring creates a secure perimeter around the teaching space. A gabion wall with gates is located at the main entrance to the space and encloses a lobby, off which the toilet and store are located. Dry habitat spaces are placed in mounds around the east and west sides of the shelter which further conceal the structure and creates a secure perimeter and also biodiverse habitats.

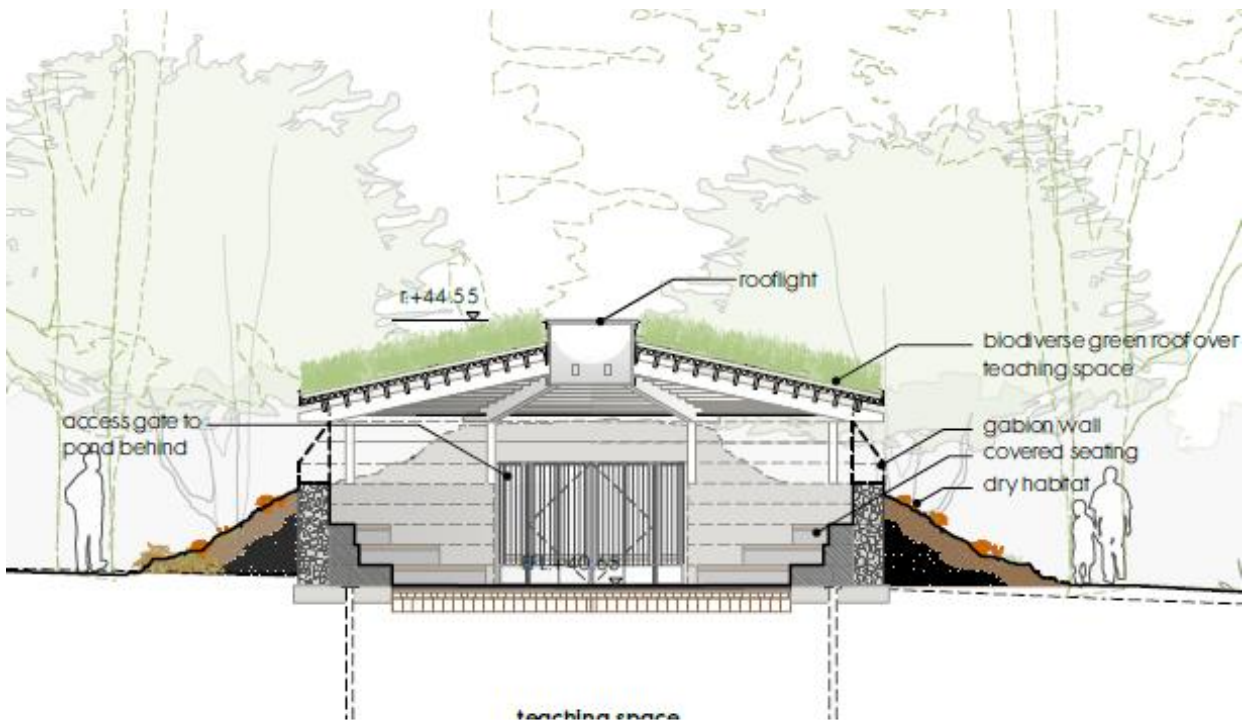


Image 10– Cross-section of Teaching Shelter

- 11.47 There is one small area where the structure would be more visible. This where there is an opening that fronts onto the pond. This opening would allow glimpses into the space, activating the structure and making the building easier to locate from the public realm. Furthermore, in addition to having biodiversity benefits, the pond creates an area of defensible space at the rear of the building.
- 11.48 Some concern was raised regarding whether the design of the teaching shelter would allow people to climb on top of the structure and its green roof. The surrounding fence is low and the sloping habitat space could aid climbing. The Metropolitan Police's Design Out Crime Officer was consulted on the proposed design and noted that it would be important to ensure the structure is secured against misuse out of hours. It is recommended that these details be secured via condition 19.
- 11.49 Overall, the massing of the teaching shelter is supported. The building is a simple structure and the high level of planting softens its impact on the surrounding area and helps it to blend in to the parkland setting. The creation of an opening at the rear of the building allows passers-by to look glance in to the space, creating a good relationship between the building and the park.

Appearance

- 11.50 Whilst distinct from each other, the language of both proposed buildings respond to the parkland setting and use a naturalistic material palette. As a result, the proposed buildings establish a collective identity and continuity whilst still allowing the Highbury Fields parkland to dominate. The design of the buildings is therefore considered to be in line with Policy DM2.2, the NPF (paragraph 13) and the London Plan Policy D3 which all require buildings to respond to local character.

Café Building

- 11.51 The café is an attractive and well composed building which has considered sustainability matters well. Through the use of low embodied carbon materials and a pre-fabrication construction method which minimises the use of steel and concrete, the design minimises embodied carbon. Furthermore, the raised terraces will be formed from gabion cages which are to be filled with

reclaimed materials from the from the demolished buildings. It is recommended that details of how materials from the demolished structures are to be re-used be secured via condition 7.

11.52 Café signage will be integrated into the western and eastern gables of the building where it will be most visible. Seating areas will be placed around the southern and western edges to increase the visibility of the business and animate the path network.

11.53 The structure is to be elevated slightly in order to protect the existing roots of surrounding trees. This will minimise the number of trees which need to be removed and will ensure that the building is surrounded by mature trees, helping to minimise the visual impact of the new building.



Image 11– CGI showing Café Building as seen from the south-west

11.54 The key materials have been set out in the Design and Access statement. The primary cladding material for the café will be Brimstone Ash (thermo-treated UK grown ash). This naturalistic material compliments the park environment, although it is noted that it will change in appearance as it ages. The roof is to be made of zinc, and the primary structure of the building will be made from glulam beams and columns. The windows will be aluminium and timber.

11.55 The proposed material choices are supported however, to ensure a high quality structure is provided, it is recommended that samples and construction details be secured via condition.

Teaching Shelter

11.56 The teaching shelter is an attractive and naturalistic building with exceptional sustainability credentials which closely align with the Council's Net Zero ambitions and the approach to sustainable design set out in Chapter 6 of the emerging Local Plan.

- 11.57 The main wall enclosure comprises a combination of timber framed service posts and gabion walls. The gabion walls would be formed of stainless steel wire baskets filled with materials resulting from the demolition of the existing buildings. This material provides an ideal dry habitat and means that a considerable amount of demolition waste would avoid being needed to be removed from the site, thereby reducing construction traffic and associated pollution.
- 11.58 A bank of reclaimed and organic material would create planted dry habitat around the edges of the gabion enclosure partially concealing the gabion wall and forming a biodiverse edge to the new shelter. The upper part of the gabion basket enclosure would be left un-filled, creating a secure enclosure whilst maintaining daylight at the top of the wall and allowing views in and out for users.
- 11.59 The roof structure is to be formed of timber which would be exposed internally, within the teaching space. Externally, the roof would be covered with a biodiverse roof and outlets from the roof would allow any excess rainfall to run off into the new pond.
- 11.60 The proposed material choices are supported however, to ensure a high quality structure is provided, it is recommended that samples and construction details be secured via condition 7.



Image 12 – CGI showing Café Building as seen from the south-west

- 11.61 The circular shelter would sit within a newly landscaped wildlife garden. The structure would be integrated into the landscape, with planting and a green roof reducing its visual impact. In order to maximise biodiversity value and visual interest, the proposed wildlife garden would include a number of different habitats, including a pond, woodland planting and hedgerows, new trees and an enclosed glade. The biodiversity impacts of the proposed landscaping are assessed in more detail in the following section however, in design terms, it is considered that the proposed landscaping around the site is of a very high value and would improve the appearance of the park. A condition (12) is recommended securing details of this landscaping, along with a maintenance plan to ensure its survival.

Assessment of Significance to Highbury Fields Conservation Area

- 11.62 The existing appearance of the Highbury Fields Conservation Area is largely created by the surviving 18th and 19th century buildings, built of brick, render, timber windows and doors and slate roofs. For new development within the conservation area, materials should be sympathetic to the character of the area, in terms of form, colour and texture.
- 11.63 Whilst the Highbury Fields Conservation Area Guidelines do not make much reference to the park itself, any proposals should act to preserve and enhance the special character and appearance of the area. Paragraph 5.31 of the Conservation Area guidelines supports the improvement of paving, street furniture, and open space in the area. There is no specific guidance in this document aside from this general point. The main priority for the character of the open space should be the surrounding landscape rather than the built environment.
- 11.64 Historic England's guidance on the Setting of Heritage Assets notes that setting may include:
- Consideration of setting in urban areas, given the potential numbers and proximity of heritage assets, often overlaps with considerations both of townscape/urban design and of the character and appearance of conservation areas..... the numbers and proximity of heritage assets in urban areas mean that the protection and enhancement of setting is intimately linked to townscape and urban design considerations. These include the degree of conscious design or fortuitous beauty and the consequent visual harmony or congruity of development, and often relates to townscape attributes such as enclosure, definition of streets and spaces and spatial qualities as well as lighting, trees, and verges, or the treatments of boundaries or street surfaces.*
- 11.65 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') requires decision makers with respect to any buildings or other land in a Conservation Area to pay 'special attention... to the desirability of preserving or enhancing the character or appearance of that area'.
- 11.66 Along with improvements to the Highbury Fields landscaping, the proposed works involve the demolition of a number of redundant structures and buildings which are considered to be unsightly and do not contribute to the quality of the conservation area. Whilst the built footprint of the proposed buildings is larger than those that are to be demolished, the buildings are located in areas of the park which are not well used and the proposed demolitions would lead to an increased feeling of openness in the park. Furthermore, the buildings have been designed to complement the parkland setting, reducing their visual impact.
- 11.67 The proposals take design cues from the surrounding environment and carefully consider the location of the buildings. It is therefore considered that the proposals represent an improvement on the existing situation and an enhancement to the setting of the neighbouring conservation area.

Conclusion

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

Biodiversity, Ecology and Trees

- 11.69 Chapter 15 of the NPPF states opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 11.70 London Plan Policy G6 states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
- 11.71 Core Strategy Policy CS15 outlines the requirement to protect and enhance biodiversity across the borough and address deficiencies in access to nature. SINC's will be protected in line with their importance within the hierarchy and improvements to their biodiversity value will be supported.
- 11.72 Part C of policy DM6.2 of the Islington Development Policies 2013 states that public open space provision or improvement must maximise biodiversity benefits. New or improved public open spaces shall incorporate areas of biodiversity habitat complementing surrounding habitats and supporting the council's Biodiversity Action Plan. Species chosen for planting across the space must maximise biodiversity benefit.
- 11.73 Development Management Policies Policy DM6.5 states that developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitats and support the council's Biodiversity Action Plan.
- 11.74 Emerging Local Plan Policy G4 states that all developments must protect, enhance and contribute to the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting and enhancing connectivity between habitats.
- 11.75 As mentioned previously, the site is designated as a Site of Importance for Nature Conservation (SINC) and is classified within the local development plan as local grade.
- 11.76 Part A of policy G6 of the London Plan 2021 states that SINC's should be protected. Part D requires development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain. Any assessment should be informed by the best available ecological information and addressed from the start of the development process. Emerging Local Plan Policy G4 states that SINC's of Local Importance will be strongly protected.
- 11.77 A Preliminary Ecology Appraisal and a Biodiversity Impact Assessment were submitted with the application which outline the biodiversity measures to be implemented as part of the redevelopment of Highbury Fields. Amongst the proposals is the creation of a new wildlife garden surrounding the teaching space which would include a new pond and wetland habitat, woodland planting, hedgerows, species rich lawn, and a biodiverse green roof. Bird and bat boxes are also proposed across the development.
- 11.78 The submitted Biodiversity Net Gain Assessment, prepared by LUC dated 12th May 2023, demonstrates that through the landscaping and ecology proposals, the proposed development stands to result in a net gain of 0.68 habitat units (+45.67%) and a net gain of 1.62 linear hedgerow units (+100%).
- 11.79 The submitted Ecological Enhancement Scheme, prepared by LUC dated 23rd May 2023, notes that the parkkeepers bungalow is considered to provide suitable commuting and foraging habitat for bats, although no roosts were identified during surveys. To ensure bat habitats are not adversely impacted, the report recommends a precautionary approach be implemented. This

should include undertaking works at a time of the year when bats are least sensitive, having a suitably qualified ecologist on site during demolition, providing alternative roosts by installing bat boxes on nearby trees or incorporating bat boxes into the building structures such as through bat bricks to replace features lost through the proposed schemes. Furthermore, if a year passes between the bat surveys and work commencing, it is recommended to update the bat surveys to address the risk of the buildings being used for a roost.

- 11.80 In terms of nesting birds, trees and buildings would be cleared between September and February (inclusive) to avoid the main breeding bird season. Alternatively, an ecologist will check potential nesting habitats immediately before clearance if it is scheduled during the main breeding season (March to August inclusive). Any active nests identified will be retained in situ with a suitable buffer until the ecologist has confirmed that the chicks have fledged, and the nest is no longer active.
- 11.81 It is recommended that a condition (23) be added to the decision notice requiring that the recommendations for the protection of habitats contained within the submitted Biodiversity Net Gain Assessment, Preliminary Ecological Appraisal, Ecological Enhancement Scheme, and Bat Survey be adhered to.
- 11.82 The Biodiversity Net Gain Assessment states that biodiversity net-gain will be achieved the provision of medium and high distinctiveness habitats including the pond, reedbeds, other neutral grassland, and green roof.
- 11.83 The submitted reports were reviewed by Islington's Ecology Officer who agreed with the recommendations for biodiversity enhancements. The Officer also requested a habitat maintenance plan be provided to ensure the proposed wildlife garden is successful.
- 11.84 A condition is recommended requiring that the above recommendations are carried out to ensure any on-site biodiversity is enhanced (12). A separate condition requiring details of proposed bird and bat boxes is also recommended (13).
- 11.85 Islington's Sustainability team stated that the green roofs should be wildflower based with no more than a maximum of 25% sedum. A condition (14) is recommended requiring that details of green roof are submitted to and approved by the Local Planning Authority alongside a maintenance plan. This is to ensure that the green roof will be of good quality, will make a meaningful contribution to on-site biodiversity and greening and will be maintained in the future.

Trees

- 11.86 Development Management Policies Policy DM6.5 states that developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, and must be agreed with the council and suitably re-provided.
- 11.87 Emerging Local Plan Policy G4 states any loss of or damage to trees or other significant planting, or adverse effects on their growing conditions or survival, will only be permitted where it is demonstrably unavoidable in order to meet other relevant Local Plan policy requirements (as agreed with the Council). In such circumstances, suitable high-quality re-provision of equal value must be provided on-site. Where on-site re-provision is demonstrably not possible (as agreed with the Council), a financial contribution of the full cost of appropriate re-provision will be required.
- 11.88 90 trees are assessed in the submitted Arboricultural Method Statement which considers the three red line areas. None of the trees on, or adjacent to the site are protected by a Tree Preservation Order (TPO), however they are all located within a conservation area.

11.89 In order to facilitate development, the applicant seeks to remove five Category C trees and one group of two Category C trees in the area surrounding the proposed new café building. Four of the trees to be removed are field maples. One pear tree is to be removed and one cherry tree which acts as a memorial is also to be removed. The memorial tree will be replaced. The submitted Arboricultural Method Statement notes that there are 5 Category U trees which are to be retained, subject to Parks Management.

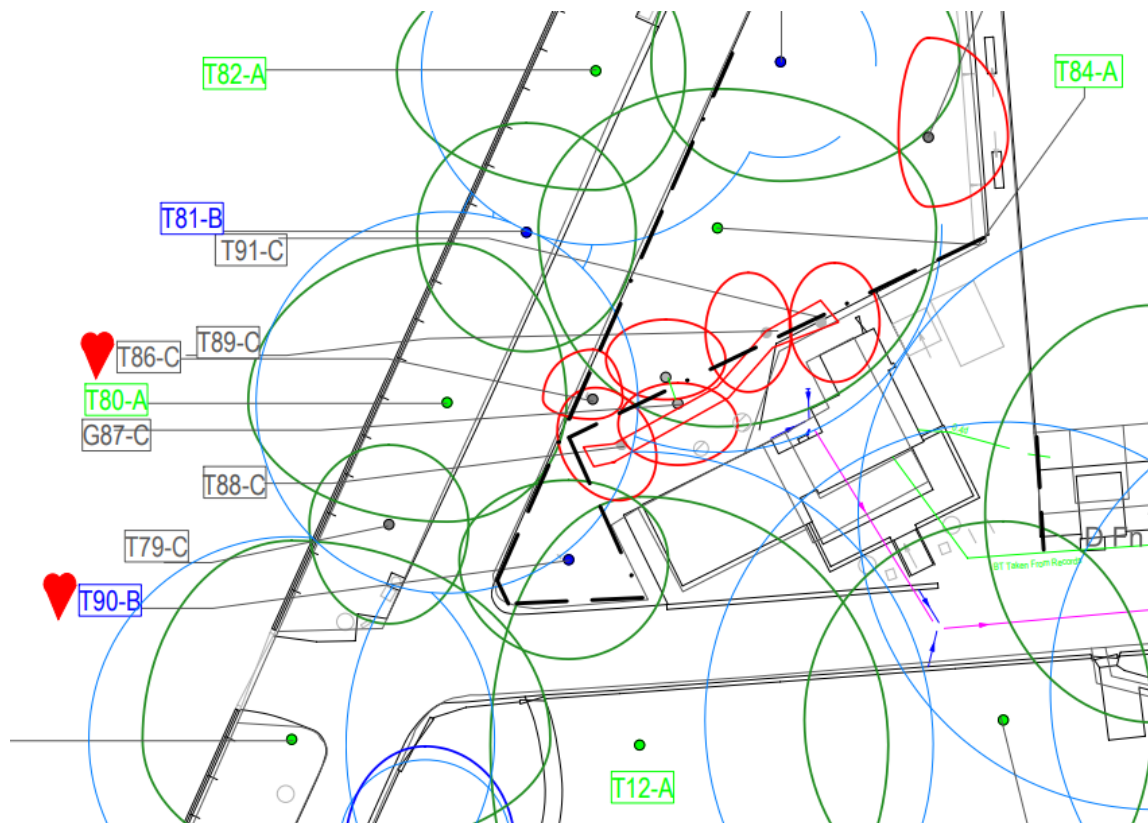


Image 12 – Excerpt from Arboricultural Impact Assessment highlighting trees to be removed in red

11.90 The proposed café building is to be located near a mature Plane tree and Officers consider that additional information is required regarding the structure's foundation design to ensure there is minimal impact to the surrounding retained trees. A condition (5) is therefore recommended to secure details of how the building's foundation has been designed to ensure the protection of surrounding trees.

11.91 Islington's Tree Protection Officer was consulted on the scheme, and it was confirmed that they raised no objections subject to appropriate conditions being added to secure the protection of retained trees. The Officer confirmed that the seven trees proposed to be removed should not be seen as a constraint to development and would be easily mitigated by the planting proposed within the wildlife garden.

11.92 Whilst no objection is raised to the removal of these trees, emerging policy G4 requires that their combined canopy cover be replaced. In order to achieve this, the applicant proposes to plant 8 new trees, inclusive of the replacement memorial tree, which will replace any canopy cover lost as a result of the proposed works.

Accessibility and Inclusive Design

- 11.93 Policy GG1 of the London Plan 2021 requires that development must support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides. Further, it supports and promotes the creation of an inclusive London where all Londoners can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.
- 11.94 The Inclusive Design principles are set out within policy D5 of the London Plan which states that development proposals should achieve the highest standards of accessible and inclusive design. It should:
1. be designed taking into account London's diverse population.
 2. provide high quality people focused spaces that are designed to facilitate social interaction and inclusion.
 3. be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment.
 4. be able to be entered, used and exited safely, easily and with dignity for all
 5. be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 11.95 Policy DM2.2 of the Islington Development Management Policies requires all development to demonstrate that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of development from the outset and over its lifetime.
- 11.96 In terms of emerging policy, Local Plan Policy R1 outlines how new retail developments must incorporate the highest inclusive design standards. Policy SC1 notes that new social and community infrastructure must be inclusive and accessible. Policy G4 requires landscaping to achieve a functional, attractive and inclusive design. To achieve this the proposal should be designed in accordance with Islington's Inclusive Design in Islington (2014) SPD and Inclusive Landscape Design SPD (2010).
- 11.97 To support this application, the applicant has submitted an inclusive design statement, prepared by Withernay Projects dated 11th May 2023. This document demonstrates how the proposed buildings have been designed to accord with local and national requirements relating to accessibility and highlights the inclusive design measures incorporated in to the design.
- 11.98 The proposed café building would be single storey, with step-free access. A clear 1800mm width access around the perimeter of the building would be maintained, wide enough for two wheelchairs to pass one another. Six unisex toilets are to be provided, one of which would be wheelchair-accessible and another would be a 'Changing Places' toilet. The entrance to the 'Changing Places' toilet would have sufficient space and equipment for those with disabilities, meeting the guidance of Changing Places: The practical guide (CPT Funding 2021 England only – Local Authorities reference) and BS 8300-2:2018 18.6.
- 11.99 The outdoor sheltered teaching space, and adjoining wildlife garden achieve a fully accessible design. Bound gravel paths are to be used which would provide an acceptable surface for wheelchairs. The site would include no ramps or steps, and a space to store prams is to be provided. A wheelchair-accessible unisex toilet would also be provided within the teaching space.

Furthermore, in selected locations within the wildlife garden, planting would be raised up, allowing access by wheelchair users.

11.100 The proposed inclusive design measures are considered to be a key planning benefit of the application and would result in a safer, more convenient and inclusive park for all future users. To secure these inclusive design measures, it is recommended that conditions 9, 10, 11, and 12 be added, requiring details of how inclusive design measures are incorporated in to the scheme.

Neighbouring Amenity

11.101 Paragraph 127 of the National Planning Policy Framework states that planning decisions should ensure that developments would have a high standard of amenity for existing and future users. 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.

11.102 Part D of policy D3 of the London Plan 2021 states that development proposals should deliver appropriate outlook, privacy and amenity, the design of the development should also help prevent or mitigate the impacts of noise and poor air quality.

11.103 Policy DM2.1 of the Development Management Policies Document 2013 identifies that consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

11.104 The proposed café building is to be built in the centre of Highbury Fields and the classroom building, whilst closer to the edge of the park, would be over 20 metres from the nearest residential property. Given the locations of the proposed buildings, and their single storey height, it is considered that the proposals would have minimal impacts to nearby residential properties in terms of daylight, sunlight, overshadowing, privacy, outlook, or sense of enclosure

Daylight, Sunlight and Overshadowing

11.105 The built aspects of the development are located away from the park's boundaries. As such, it is considered that the proposed development would not impact upon the daylight and sunlight of neighbouring residential occupiers and the development does not require a daylight and sunlight assessment (in accordance with BRE criteria).

Privacy

11.106 Views from the proposed buildings would be of the surrounding park and therefore, would not result in any direct overlooking into neighbouring residential properties. All other aspects of the development due to its minor scale and nature would not detrimentally impact upon neighbouring privacy.

11.107 Any resulting increased and intensified use of the park is also considered to not detrimentally impact upon neighbouring amenity given that the relationship between the park and surrounding residential properties would not alter and the high-level boundary walls separating such properties from the park would remain as existing. Overall, the relationship between the site and neighbouring properties in terms of privacy would remain.

Outlook

11.108 It is considered that whilst the outlook from surrounding properties may change to some extent, it would not be adverse due to the landscaping and built form improvements that could be appreciated in the longer private views. Furthermore, it is considered that as the built structures of the redevelopment would be located away from the park's boundaries, this would not lead to an overbearing development, nor a sense of enclosure. Overall, the proposed development would maintain the same open outlook from neighbouring properties across a large urban park within the townscape

Noise and Disturbance

11.109 Development Management Policy DM2.1 also states development should not have an adverse impact on amenity in respect to noise and disturbance. Policy DM3.7 states that residential developments should be adequately separated from major sources of noise, such as road, rail and certain types of development. Mitigation will be required where the noise environment necessitates this.

11.110 The emerging Local Plan Policy states that all development proposals which have the potential to cause or exacerbate unacceptable noise and vibration impacts on land uses and occupiers in the locality must fully assess such impacts. Where noise and/or vibration impacts are identified suitable mitigation measures must be put in place to reduce these impacts to acceptable levels.

11.111 Whilst the proposal would result in the same or similar uses, both the cafe and the teaching space have the potential to increase levels of noise and disturbance.

11.112 The café is located a considerable distance from the nearest residential properties and the teaching space would be at least 20 metres from the nearest property on Highbury Place. The applicant has submitted draft operational management plans which confirm that both buildings will abide by a number of rules, including the prohibition of alcohol sales and a limit of 80dB when playing music. The Council's Environmental Health Officer has reviewed the submitted details and raised no concerns. It is recommended that confirmation of measures to limit noise levels be secured via Conditions 17 and 19. It is recommended that a compliance condition (24) be added to any decision notice banning the sale or consumption of alcohol within the proposed buildings.

11.113 The submitted Sustainable Design and Construction Statement notes that air source heat pumps are to be installed in the café building. Given the distance between this building and neighbouring properties, it is not considered necessary to include a condition on noise, however an informative is recommended to advise the applicant to use good acoustic design, such incorporating acoustic louvres, to minimise the noise impact on Highbury Fields as a green space itself.

11.114 Two flues are included within the design of the proposed café to serve the incoming tenants. The submitted Planning Statement notes that these flues may not be necessary depending on who is selected to operate the café. Details of the proposed flues, including the proposed kitchen extraction system noise levels, should be secured via condition 20.

Hours of Operation and Management

11.115 Draft operational management plans for both proposed buildings were submitted as part of the application. These set out the hours of use for the buildings as 7am-9:30pm daily, throughout the year. Currently, the existing Highbury Fields Café operates from 8:30am-5:30pm daily. It is not clear whether the café and teaching shelter would be open for the entirety of the proposed operating hours, but the proposed hours would allow the buildings to support additional functions.

- 11.116 The proposed buildings are set back a considerable distance from the park boundary and neighbouring residential properties. Furthermore, the proposed operational hours are similar to the approved opening hours of park buildings elsewhere in the borough. It is therefore considered that the proposed hours of operation are acceptable, subject to further information being provided via the final operational management plans.
- 11.117 The submitted management plans provide details for permitted uses and core rules including, that the sale and consumption of alcohol is prohibited, and no amplified music above 80 decibels is permitted. The plan also details safety and security measures, deliveries, waste collection (discussed further on in this report), permitted occupancy levels, supervision, and maintenance arrangements.
- 11.118 Whilst the proposed measures within the submitted operational management plans are considered acceptable, given that the applicant has not confirmed incoming tenants for the buildings, it is recommended that final operational plans be secured by conditions 17, 18, and 19.
- 11.119 The proposed hours of use are considered acceptable and provide an appropriate balance between maximising community use of the park and minimising disturbance and noise to adjoining residents. It is recommended that these hours of use be confirmed in the final operational management plans.

Construction Impacts

- 11.120 No Construction Management Plan (CMP) was submitted as part of this application. Therefore it has not been possible to assess the impact of construction on neighbouring properties. The Council's EPPP Officer has raised no objections to this, however it is recommended that a Demolition, Construction and Environmental Management Plan be secured via condition 3 to ensure that the impacts of construction on neighbouring properties are minimised.

Impact on Neighbouring Amenity: Conclusion

- 11.121 The proposals involve the construction of two structures similar in scale and use to those that currently occupy the site. The café is located a considerable distance from the nearest residential properties and the teaching space would be at least 20 metres from the nearest property on Highbury Place. It is therefore not considered that the proposals would have undue impacts on residential amenity, subject to conditions securing finalised operational management plans and details of construction impacts.

Transport and Highways

- 11.122 The NPPF Chapter 9 emphasises the role transport policies have to play in achieving sustainable development and that people should have real choice in how they travel. Developments should be located and designed to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities, and consider the needs of people with disabilities and reduced mobility.
- 11.123 London Plan Policies T1, T2, T3, T4, T5, T6 and T6.1 seek for all new development to identify opportunities to improve the balance of space given to people to dwell, walk, cycle, and travel on public transport and in essential vehicles, so space is used more efficiently, and streets are greener and more pleasant. Adding to this, policies also set out requirements for levels of on-site vehicle parking, cycle parking and for servicing.
- 11.124 London Plan Policy T6 states that car-free development should be the starting point for all development proposals in places that are well-connected by public transport, but with provision made for disabled persons parking bays.

- 11.125 London Plan Policy T6.5 states that disabled persons parking should be provided in accordance with the levels set out in Table 10.6, ensuring that all non-residential elements should provide access to at least one on or off-street disabled persons parking bay. Table 10.6 requires 6% of total parking provision to be provided as disabled persons parking.
- 11.126 London Plan Policy T7 states that seeks to ensure that development proposals facilitate safe, clean and efficient deliveries and servicing.
- 11.127 Development Management Policy DM8.2 requires that proposals meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice.
- 11.128 Draft Local Plan Policy T1 requires that applicants must provide appropriate information to allow proper assessment of transport impacts and show how these impacts can be addressed. This policy goes on to state that all new development will be car-free, which will contribute to the strategic aim for a modal shift to sustainable transport modes.
- 11.129 Draft Local Plan Policy T5 requires that Delivery and Servicing Plans be provided for developments that may impact on the operation of the public highway, private roads, the public realm and/or the amenity of residents and businesses, by virtue of likely vehicle movements.
- 11.130 The application site has a PTAL of 6a, which is considered 'excellent', due to the site's proximity to National Rail, Underground, and Overground stations as well as numerous bus links.
- 11.131 The application site is located within the Quadrant Controlled Parking Zone (CPZ), 'Zone Q', which operates weekdays between 08:30 – 18:30, with additional matchday controls due to the proximity to the Emirates Stadium.

Servicing, Deliveries and Refuse collection

- 11.132 In terms of refuse and recycling, officers have had regard to the council's refuse and recycling storage requirements. Within the submitted management plans, it is outlined that waste collection for the buildings would be carried out from within the park by LBI Parks Service Grounds Maintenance Team as part of the existing daily park litter collection and would therefore not result in additional vehicle activity.
- 11.133 It is proposed that servicing and deliveries will be undertaken according to current procedures and the submitted management plans for the café and teaching space provide details of the proposed strategy.
- 11.134 LB Islington Highways were consulted as part of this application and accepted the proposed delivery and servicing arrangements. Given that it is not possible to confirm the tenants of the café at this stage, a condition is recommended (16) requiring details of a final Delivery and Servicing Plan, including hours, frequency, location and size of vehicles to be submitted to and approved in writing by the Local Planning Authority.

Vehicle Parking

- 11.135 The proposed development would be car free. Having regard for London Plan Policy T6.5, Blue Badge holders in Islington can park on-street reasonably close to the site. Given the site location, it is not considered that the provision of off-street parking would be appropriate in this location. As such, the applicant's proposed lack of dedicated disabled persons parking is considered acceptable in this instance.

Cycle Parking

- 11.136 Policy T5 of the London Plan states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. It should also secure appropriate levels of cycle parking that should be fit for purpose, secure and well-located.
- 11.137 The draft Local Plan Policy T2 states that all new developments must provide cycle parking, and associated circulation space for ease of use of cycle parking, in accordance with the minimum cycle parking standards set out in Appendix 4 Table A4.1. These standards are either in line or exceed the London Plan standards and are identified in the table below:

Use Class	Spaces per member of staff	Spaces per visitor/customer
A3	1 per 175sqm	from a threshold of 100sqm: 1 space per 20sqm
D1 – Community Centres	1 per 3 staff	1 space per 100sqm

Table 2 – Number of bike spaces required by local policy

- 11.138 Emerging Policy T2 states that 20% of spaces must be for accessible cycle parking (2 sqm) to provide for non-standard cycles and ambulant disabled cyclists using regular cycle. The Council will prioritise cycle parking that is practically useful for the majority of people, which is secure and allows convenient ease of access and avoids the risk of personal injury when manoeuvring a bicycle; Sheffield stands in particular are supported.
- 11.139 It is proposed that two Sheffield stands be provided outside the teaching shelter, which will provide four cycle parking spaces, and seven Sheffield stands be provided outside the café, providing parking for fourteen bicycles. Two of these spaces have space of 1500 mm next to them to accommodate adapted cycles and family cycles.
- 11.140 Although the amount of cycle parking proposed is considered acceptable, further details are required to demonstrate that such facilities would be fully accessible. It is recommended that these details be secured by condition 10.
- 11.141 Overall, the proposal would provide an acceptable level of cycle facilities to support the development and to encourage use of alternative transport modes, which complies with the objectives of Policy T5 of the London Plan 2021, policy DM8.4 of the Islington Development Management Policies 2013, and policy T2 of the emerging local plan.

Construction

- 11.142 No Construction Management Plan (CMP) was submitted as part of this application. Therefore it has not been possible to assess the impact of construction on the local area. The Council's Highways Officer has raised no objections to this, however it is recommended that a Demolition, Construction and Environmental Management Plan be secured via condition (3) to ensure that the impacts of construction on surrounding highways is minimised.

Highways Summary

11.143 Overall, it is considered that the application would have adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries, subject to the relevant conditions. The proposal would be acceptable and would comply with the local development plan policies.

Energy and Sustainability

11.144 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.

11.145 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions.

11.146 Islington's Core Strategy policy CS10 (part A) states that all developments should maximise on-site reduction in total (regulated and unregulated) carbon dioxide emissions. The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity.

11.147 Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

11.148 Development Management Policy DM7.2 requires minor schemes to achieve best practice energy efficiency standards, in terms of design and specification.

11.149 Draft Local Plan Policy S3 outlines that all minor non-residential new build developments and minor non-residential extensions of between 100sqm and 500sqm are required to demonstrate how all credits for Water consumption (Wat 01) would be achieved under the relevant BREEAM scheme. A minimum of 3 credits must be achieved where rainwater and/or greywater recycling is demonstrated not to be feasible, in order to achieve water credits equivalent to an Excellent standard.

11.150 Draft Local Plan Policy S4 requires all developments to demonstrate how greenhouse gas emissions will be reduced in accordance with the energy hierarchy as part of the Sustainable Design and Construction Statement.

11.151 A Sustainable Design and Construction Statement prepared by Integration, dated 25/05/2023, was submitted with the application. This statement confirms that the development is expected to achieve a 12.1% reduction in regulated emissions against a Part L 2021 baseline, and a 5.0% reduction in total (regulated + unregulated) emissions vs. Part L 2021. Given this is an application for a non-residential minor scheme, no carbon offset contribution is applicable.

11.152 The Council's Energy Officer reviewed the submitted energy efficiency measures proposed and confirmed that they compare well to the measures outlined in the council's Environmental Design SPD. The development achieves a reduction of 10.1% in regulated emissions vs. the baseline, which falls slightly short against the London Plan 15% energy efficiency reduction target for major schemes.

- 11.153 Emerging Policy S5 requires that larger minor new-build developments located within 50 metres of a heat network must connect. The submitted Sustainable Design and Construction Statement correctly identifies that there is no heat network within a feasible distance to achieve a connection. Furthermore, the Council's Energy Officer has confirmed that no other alternative heat sources exist in the vicinity and therefore, the proposed air-source heat pump system for provision of heating and hot water is considered to be a reasonable approach.
- 11.154 In addition to the proposed air source heat pumps, the submitted Sustainable Design and Construction Statement assesses the feasibility of providing other renewable technologies within the development. Whilst photovoltaic panels are commonly used in schemes of this scale, their use has been ruled out on the grounds that there would be significant overshadowing from nearby trees, and they would therefore be ineffective. Given the low-rise nature of the building and the extensive tree cover in the area, this justification is accepted.

Circular Economy

- 11.155 Emerging Policy S10 Part E requires minor new build developments to provide an Adaptive Design Strategy demonstrating how a circular economy approach has been adopted as part of the building design and construction, and how the building will adapt to change over its lifetime.
- 11.156 The submitted Sustainable Design and Construction Statement confirms that a minimum 10% of the total value of materials used in the construction will be derive from recycled and re-used content in the products and materials selected. Furthermore, in line with the requirements set out in Emerging Policy S10 Part E, the applicant confirmed in an email that the buildings have been designed to last as long as possible, to avoid construction waste, to be built in layers, to be adaptable, and to enable ease of deconstruction. Whilst this confirmation is welcomed, it is considered that further details are required to ensure that the scheme is compliant with emerging policy. It is recommended that these details be secured via Condition 6.

Sustainable Drainage and Water Management

- 11.157 Policy DM6.6 and emerging policy S9 require all minor new build developments to reduce water run-off levels as far as possible and, as a minimum, maintain existing run-off levels.
- 11.158 Emerging Policy S9 requires developments to adopt an integrated approach to water management which considers sustainable drainage, water efficiency, water quality and biodiversity holistically across a site and in the context of links with wider-than-site level plans. Policy S9 also requires that development proposals ensure that surface water run-off is managed as close to its source as possible, in line with the London Plan drainage hierarchy, with priority given to green features over grey features:
- 11.159 Across the scheme, the applicant proposes the use of rain gardens, green roofs, and permeable paving. Furthermore, the café building is to be supported on steel screw piles which will increase in the area of permeable ground after the concrete slab and tarmac are removed around the existing cafe.
- 11.160 In accordance with emerging Local Plan Policy S3 Part G, minor new build developments must demonstrate that all water credits can be achieved and, where rainwater recycling is demonstrated not to be feasible, a minimum of 3 credits must be achieved. The applicant has considered water efficiency and proposed the use of efficient sanitaryware. The submitted SDCS states that the development will achieve BREEAM "Excellent" standard.

11.161 Whilst the proposed sustainable drainage measures are welcomed, it is not considered the applicant has provided sufficient evidence to show why rainwater harvesting or recycling has not been included within the proposals. As such, further detail in relation to the sustainable drainage strategy will need to be provided to ensure that water-attenuation is maximised. This would be secured by condition 8.

Green Roofs

11.162 The applicant proposes to introduce a biodiverse green roof over the proposed teaching shelter. This is welcomed and a condition (14) is recommended requiring details of this roof to ensure that it is sufficiently biodiverse, has an acceptable substrate depth, and a maintenance plan.

11.163 Emerging Local Plan Policy G5 requires applications to use all available roof space for green roofs, subject to other planning considerations. The applicant has confirmed that no green roof is to be provided on the café building due to the location of the building being under a dense tree canopy which would limit the possibility of the green roof planting being successful. The Sustainability Officer confirmed they were satisfied with this justification.

Air Quality

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

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

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

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

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

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

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

Crime Prevention

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

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

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

11.174 Secured by Design principles have been considered throughout the design development. The Metropolitan Police's Designing Out Crime Officer reviewed the proposals as part of the consultation process for this application and raised no objections.

11.175 To ensure that the proposed development would be secure and meet the relevant crime prevention objectives, it is recommended that a condition (15) be added to the decision notice requiring the applicant to achieve Secured By Design accreditation.

Planning Balance

11.176 Paragraph 47 of the NPPF dictates that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise".

11.177 There is a degree of conflict with Development Management Policy DM2.2 and emerging Local Plan G2 relating to the development of public open space. This has been carefully examined and while the resulting loss of open space weighs against the scheme, it is considered that it would have a low adverse impact overall and therefore would not cause undue or unacceptable harm to the borough's open spaces. Whilst it is regrettable that the scheme would involve the loss of open space, on balance this is not considered to outweigh the benefits of increasing the useability, accessibility, and biodiversity of Highbury Fields.

11.178 The proposed land uses on site are acceptable in principle and, overall, it is considered that the scheme accords with the development plan as a whole.

11.179 Subject to conditions, the scheme would comply with policies relating to energy, sustainability, and highways, whilst no objection is raised to the scale, mass, or appearance of the proposal.

11.180 It should be recognised that the scheme also involves benefits which should be afforded weight. These have been discussed throughout the report where relevant, and include:

- Inclusion of numerous inclusive design measures, including the provision of a 'Changing Place' toilet;
- Replacement of dilapidated social infrastructure with a new building that would increase the number of services able to run from the space;
- Enhancements to the landscaping with an uplift in biodiversity;

11.181 In summary, Officers consider that the aforementioned public benefits are significant and therefore outweigh the harm caused from the development to the borough's level of open space, in the overall planning balance.

Other Matters

- 11.182 Representations have also been received regarding the external signage and name of the proposed café. The submitted Design and Access Statement confirms that these are indicative and that the responsibility for naming the café and applying for advertisement consent will be the responsibility of the future café operators. An informative shall be added to the decision notice advising the applicant that signage has not been approved and separate advertising consent will be required.
- 11.183 Representations have been received regarding the use of funds to provide these proposals. This matter is being handled by the applicants and is not considered relevant to the assessment of this application.
- 11.184 Representations have been received which seek confirmation that the proposed café will be a family environment. Whilst this matter is not considered relevant to the assessment of this application, it is noted that the existing play field in front of the café is to be maintained.

12. SUMMARY AND CONCLUSION

- 12.1 The proposed development will provide a more appropriate and efficient use of land which is currently occupied by a number of redundant and unsightly buildings. The scale, form, materiality, and elevation design of the proposed buildings is well-considered and results in a scheme of strong design quality that is sensitive to the local context. The proposed new buildings and associated landscaping will result in a more useable and accessible park. Furthermore, the circular economy and energy efficiency measures accord with the Council's Net Zero aspirations and emerging policy guidance on sustainable design. Whilst it is regrettable that the proposals would result in a small loss of open space, this must be weighed against the considerable public benefit of providing much needed new public toilets and accessibility improvements to the borough's largest park, as well as considerable biodiversity enhancements.
- 12.2 The proposal is considered acceptable in planning terms, and it is recommended that planning permission be granted subject to conditions as set out in **Appendix 1 – RECOMMENDATIONS**.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to **conditions** to secure the following, and that there is delegated to each of the following: the Head of Development Management the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

1	<p>Commencement (Compliance)</p> <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	<p>Approved plans and documents list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>1714_22_101_D – Proposed Wildlife Garden Section A-A (Levitate, 12/05/2023); 1714_22_102_C – Proposed Wildlife Garden Section B-B (Levitate, 12/05/2023); 1714_22_002 – Proposed Café Section B-B (Levitate, 12/05/2023); 1714_22_010 – Proposed Café Section A-A (Levitate, 12/05/2023); 1714_21_104_A – Proposed Wildlife Garden West Elevation (Levitate, 12/05/2023); 1714_21_103_A – Proposed Wildlife Garden North Elevation (Levitate, 12/05/2023); 1714_21_102_B – Proposed Wildlife Garden East Elevation (Levitate, 12/05/2023); 1714_21_101_C – Proposed Wildlife Garden South Elevation (Levitate, 12/05/2023); 1714_21_004_E – Proposed Cafe North Elevation (Levitate, 12/05/2023); 1714_21_003_D – Proposed Cafe East Elevation (Levitate, 12/05/2023); 1714_21_002_D – Proposed Cafe South Elevation (Levitate, 12/05/2023); 1714_21_001_D – Proposed Cafe West Elevation (Levitate, 12/05/2023); 1714_20_102 – Proposed Wildlife Garden Roof Plan (Levitate, 12/05/2023); 1714_20_101_D – Proposed Wildlife Garden Site Plan (Levitate, 12/05/2023); 1714_20_003_A – Proposed Café Roof Plan (Levitate, 12/05/2023); 1714_20_002_D – Proposed Café Plan and Surrounding Landscape (Levitate, 12/05/2023); 1714_20_001_D – Proposed Site Plan (Levitate, 12/05/2023); 1714_17_009 – Existing Bungalow Elevations (Levitate, 12/05/2023); 1714_17_008 – Existing Bungalow Roof Plan (Levitate, 12/05/2023); 1714_17_007 – Existing Bandstand Elevations (Levitate, 12/05/2023); 1714_17_006 – Existing Bandstand Roof Plan (Levitate, 12/05/2023); 1714_17_005 – Existing Outbuildings Elevations (Levitate, 12/05/2023); 1714_17_004 – Existing Cafe Elevations (Levitate, 12/05/2023); 1714_17_003 – Existing Cafe Roof Plan (Levitate, 12/05/2023); 1714_17_002 – Existing Cafe Ground Floor Plan (Levitate, 12/05/2023); 1714_17_001 – Existing Site Plan (Levitate, 12/05/2023); 1714_05_001 – Site Demolition Plan (Levitate, 12/05/2023); 253-003 – Landscape Sections (FFLO, May 2023); 253-002.B – Landscape Planting (FFLO, June 2023); 253-001 – Landscape GA (FFLO, May 2023); Site Plan (TerraQuest, 16/05/2023); 1104/SK-D-01 Rev. A – Café Drainage Plan (TGTM, May 2023); 917390A_U – Survey Extension (APR Services, December 2017); 917390A – Survey Extension (APR Services, December 2017); 917390 1 – Two O Clock Club Ground Floor Plan (APR Services, October 2017); 917390 2 – Various Structures Ground Floor Plan (APR Services, October 2017); 917390 3 – Bungalow Ground Floor Plan (APR Services, October 2017).</p>

	<p>Arboricultural Impact Assessment Report Rev. A (Sharon Hosegood Associates, May 2023); Draft Wildlife Garden Management Plan (Islington, June 2023), Draft Highbury Fields Cafe Management Plan (Islington, June 2023), Planning Statement Rev. 3 (LUC, 04/05/2023); Wildlife Garden – Design and Access Statement Rev.B (FFLO Landscape Architects, 13/06/2023) Inclusive Design Statement Rev. 2 (Withernay Projects, 11/05/2023), Preliminary Ecological Appraisal (LUC, 15/12/2021); Ecological Enhancement Scheme Rev.3 (LUC, 15/06/2023), Biodiversity Net Gain Assessment Rev. 2 (LUC, 12/05/2023), Sustainable Design and Construction Statement Rev. 6 (Integration, 27/06/2023) & Design and Access Statement (Levitate, May 2023).</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>
PRIOR TO COMMENCEMENT	
3	Construction Management Plan and Construction Logistics Plan - (Details)
	<p>CONDITION:</p> <p>a) Prior to commencement of works, a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) for all relevant aspects related to demolition shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>b) Prior to any construction works, a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) for all remaining aspects shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The reports shall assess the highways and environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development on Highbury Fields. the surrounding streets, and nearby residences together with means of mitigating any identified impacts. The CMP must refer to the latest LBI Code of Practice for Construction Sites.</p> <p>The development shall be carried out strictly in accordance with the approved documents during demolition and construction, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets. Required prior to commencement of development to ensure the impacts of demolition and construction shall be mitigated.</p>
4	Tree Protection (Details)
	<p>CONDITION: Prior to the commencement of works, a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> a) Location and installation of services/ utilities/ drainage. b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees. c) Details of construction within the RPA or that may impact on the retained trees. d) a full specification for the installation of boundary treatment works. e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads,

	<p>parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.</p> <ul style="list-style-type: none"> f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses. g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing. h) a specification for scaffolding and ground protection within tree protection zones. i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area. j) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires k) Boundary treatments within the RPA l) Methodology and detailed assessment of root pruning m) Reporting of inspection and supervision n) Methods to improve the rooting environment for retained and proposed trees and landscaping o) Veteran and ancient tree protection and management <p>The development thereafter shall be implemented in strict accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.</p>
5	Café Foundations (Details)
	<p>CONDITION: Prior to the commencement of works, details of the café building's foundation design shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The submitted details shall demonstrate how the design of the building's foundation minimises any impact on surrounding trees, in particular tree T84 as identified in the hereby approved arboricultural method statement by Sharon Hosegood Associates, dated May 2023.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.</p>
6	Circular Economy (Details)
	<p>CONDITION: Prior to the commencement of works, details of an Adaptive Design Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The submitted Adaptive Design Strategy shall demonstrate that the hereby approved development has been designed to</p> <ul style="list-style-type: none"> a) last as long as possible and suit its anticipated lifespan – the strategy must specify the intended overall design life of all buildings in the development; b) avoid construction waste and the unnecessary demolition of structures; c) be built in layers to allow elements of buildings to be replaced overtime, supporting a modular design; d) be adaptable – the plan form, layout and structure enables the building to be adapted to respond to change and/or adapted for various uses throughout its life; e) enable ease of deconstruction - building materials, components and products can be disassembled and re-used at the end of their useful life; and

	<p>f) maximise the re-use and/or recycling of all materials arising from demolition and remediation works.</p> <p>REASON: Required prior to commencement to ensure the scheme achieves the sustainability targets required by local policy.</p>
PRIOR TO SUPERSTRUCTURE WORKS	
7	Facing Materials (Details)
	<p>CONDITION: Detailed drawings and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works.</p> <p>The submitted information shall include:</p> <ul style="list-style-type: none"> a) Timber cladding; Sample panels of proposed cladding to be used showing the colour, texture, spacing and backing shall be provided; b) Plan, elevation and section drawings of windows, doors and access points, gates, handrails, and balustrades; c) Gabion baskets; d) Roof materials, including details, samples, and detailed drawings; e) Lighting; f) Wayfinding and signage, including details of how signage will be used to direct queues to the public toilets; g) Green procurement plan; and h) Any other materials to be used. <p>The submitted details shall demonstrate how materials retained from the demolished structures shall be reused in the construction of the hereby approved development.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>
8	Sustainable Urban Drainage and Water Management (Details)
	<p>CONDITION: Notwithstanding the hereby approved documents, details of a drainage strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works commencing on site.</p> <p>The details shall include existing run-off levels and confirmation that water run-off levels have been reduced as far as possible. The submitted details shall also demonstrate how surface water run-off shall be managed as close to its source as possible, in line with the London Plan drainage hierarchy.</p> <p>The details shall demonstrate that an integrated approach to water management has been taken, which considers sustainable drainage, water efficiency, water quality and biodiversity holistically across a site and in the context of links with wider-than-site level plans.</p> <p>The submitted details shall confirm that all BREEAM water credits can be achieved. Should it be satisfactorily demonstrated that rainwater recycling is not feasible, a minimum of 3 credits must be achieved.</p> <p>The drainage strategy shall be installed/operational prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: Required prior to commencement to ensure the potential for surface level flooding is minimised and the development will promote the sustainable management of water.</p>
9	<p>Public Toilets (Details)</p> <p>CONDITION: Notwithstanding the approved plans, details of the public toilets, including the accessible toilet and changing places toilet, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works. The submitted details will include details of door openings, ventilation, and outline how inclusive design measures have been incorporated.</p> <p>The approved public toilets shall be provided prior to the first occupation of the hereby approved development and shall be maintained as such thereafter.</p> <p>REASON: To ensure public toilets are available and easily accessible on site and to secure the high quality design of the toilets proposed.</p>
10	<p>Cycle Parking (Details)</p> <p>CONDITION: Notwithstanding the approved plans, details of the cycle parking, including details of accessible cycle storage, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works. The submitted details will outline how inclusive design measures have been incorporated into the structures.</p> <p>The approved cycle parking shall be provided prior to the first occupation of the hereby approved development and shall be maintained as such thereafter.</p> <p>REASON: To ensure safe and secure cycle parking is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
11	<p>Refuse and Recycling (Details)</p> <p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works. The details shall include:</p> <ul style="list-style-type: none"> a) the layout of the dedicated refuse/recycling enclosure; b) confirmation of how inclusive design measures have been incorporated into the design; <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The refuse enclosures shall be erected prior to the completion of works and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
12	<p>Landscaping (Details)</p> <p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works relating to the teaching shelter and wildlife garden. The scheme shall include the following details:</p> <p>The landscaping scheme shall comprise the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species, size, and section showing rooting area; details of tree pit design and any underground modular systems. The submitted tree details

	<p>shall demonstrate that no less than 8 trees are to be provide and that any canopy cover lost as a result tree removals shall be replaced.</p> <ul style="list-style-type: none"> c) soft planting: including grass and turf areas, vertical greening, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; g) inclusive design principles adopted in the landscaped features; h) a biodiversity statement detailing how the landscaping scheme maximises biodiversity and achieves a biodiversity net gain of 45.76%; i) a landscaping maintenance plan; j) a habitat maintenance plan; k) 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 the first use of the hereby approved teaching shelter. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
13	Nesting Boxes (Details)
	<p>CONDITION: Details of bird boxes, swift bricks and bat bricks across the development shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the approved details and maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
14	Green/Blue Roof Details (Details)
	<p>CONDITION: Prior to the commencement of superstructure works, details of the biodiversity (green/brown) roofs shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The submitted details shall:</p> <ul style="list-style-type: none"> a) confirm the green roofs are biodiversity based with extensive substrate base (depth 80-150mm); and b) include details of the irrigation and maintenance regime for the proposed green roofs;

	<p>The biodiversity (green) roofs shall be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roofs should be maximised across the site and shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details as approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
PRIOR TO OCCUPATION	
15	Secure by Design (Details)
	<p>CONDITION: Prior to the first occupation of the hereby approved development, details shall be submitted to, and approved in writing, by the Local Planning Authority which demonstrate that the development achieves full 'Secured by Design' accreditation.</p> <p>The development shall be constructed and operated strictly in accordance with the approved details and maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of creating safer, sustainable communities.</p>
16	Delivery and Servicing Plan (Details)
	<p>CONDITION: Prior to the first occupation of the development hereby approved, a Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic, local residential amenity and to mitigate the impacts of the development.</p>
17	Operational Management Plan – Café Building (Details)
	<p>CONDITION: Notwithstanding the hereby approved Draft Café Operational Management Plan, full details of the operation of the café building shall be submitted to and approved in writing by the Local Planning Authority prior to the building's first occupation. The details include, but shall not be limited to:</p> <ul style="list-style-type: none"> - final Opening/operating times; - Noise control; - Details of building maintenance; <p>The café building shall operate in strict accordance with the approved plan thereafter, unless otherwise agreed in writing by the planning authority.</p> <p>REASON: To ensure that an appropriate standard of amenity is provided.</p>

<p>18</p>	<p>Operational Management Plan – Toilet Block (Details)</p> <p>CONDITION: Notwithstanding the hereby approved details, full details of the operation of the toilet block shall be submitted to and approved in writing by the Local Planning Authority prior to the building's first occupation. The details include, but shall not be limited to:</p> <ul style="list-style-type: none"> - final Opening/operation times; - Details of how staff will be trained to use the equipment within the Changing Place toilet; - Details of who will be notified and how staff will respond when an assistance alarm from the changing places toilet is in place; - Details of how the public toilets shall be maintained; - Details of how toilet queues shall be managed to ensure the café and parkkeeper functions of the building are not adversely affected. <p>The toilet block shall operate in strict accordance with the approved plan thereafter, unless otherwise agreed in writing by the planning authority.</p> <p>REASON: To ensure that an appropriate standard of amenity is provided.</p>
<p>19</p>	<p>Operational Management Plan – Teaching Shelter and Wildlife Garden (Details)</p> <p>CONDITION: Notwithstanding the hereby approved Draft Wildlife Garden Operational Management Plan, full details of the operation of the teaching shelter and wildlife garden shall be submitted to and approved in writing by the Local Planning Authority prior to the building's first occupation. The details include, but shall not be limited to:</p> <ul style="list-style-type: none"> - Final Opening/operation times; - Noise control; - Details of how anti-social behaviour will be deterred when building is not in use. <p>The teaching shelter and wildlife garden shall operate in strict accordance with the approved plan thereafter, unless otherwise agreed in writing by the planning authority.</p> <p>REASON: To ensure that an appropriate standard of amenity is provided.</p>
<p>20</p>	<p>Café Building – Flues (Details)</p> <p>CONDITION: Prior to the first occupation of the hereby approved café building, details of any flues/extraction systems shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The details shall include a justification for the height and size of the flues, their location, height above roof level, specifications and cladding. The details shall also include details of noise levels, air pollution, and any other environmental impacts that may arise.</p> <p>The development shall be carried out strictly in accordance with the approved details and maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of good design and to ensure that the flues do not have a harmful impact on the character and appearance of the surrounding area. To ensure the flues do not have any undue environmental impacts.</p>

COMPLIANCE	
21	Energy Efficiency (Compliance/Details)
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology, as detailed within the 'Sustainable Design and Construction Statement' (prepared by Integration, dated 25/05/2023) shall be installed and operational prior to the first occupation of the relevant phase of development.</p> <p>Should there be any change to the energy features/ measures within the approved Sustainable Design and Construction Statement, a revised Statement shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
22	Plumbing (No pipes to outside of building) (Compliance/Details)
	<p>CONDITION: No additional plumbing, down pipes, rainwater pipes or foul pipes shall be located to the external elevations of the development hereby approved, unless otherwise approved in writing by the Local Planning Authority via the discharge of this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
23	Nature Conservation (Compliance/Details)
	<p>CONDITION: The development hereby permitted shall be built with the measures and recommendations as outlined within the approved Biodiversity Net Gain Assessment (Rev.2) prepared by LUC, dated 12/05/2023, the Preliminary Ecological Appraisal prepared by LUC, dated 15/12/2021, and the Ecological Enhancement Scheme (Rev.3) prepared by LUC, dated 15/06/2023.</p> <p>Should more than a year elapse between the Bat Survey being carried out and works commencing, an updated Bat Survey shall be undertaken and the results shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>REASON: In the interest of biodiversity, sustainability and to ensure that green infrastructure is maximised on the site.</p>
24	No Alcohol Permitted (Compliance)
	<p>Notwithstanding any event(s) nor any events permitted under a Temporary Events Notice, the sale or consumption of alcohol in association with the uses hereby approved is not permitted.</p> <p>REASON: To ensure the uses do not adversely impact on existing and future residential amenity.</p>

INFORMATIVES

List of Informatives:

1	<p>Working with the applicant</p> <p>In dealing with this application, Islington Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner. As with all applicants, we have made available detailed advice in the form of our statutory policies in the relevant constituent parts of the Local Plan and London Plan, Supplementary Planning documents, and all other Council guidance, as well as offering a full pre-application advice service, so as to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably.</p>
2	<p>Air Source Heat Pumps</p> <p>The applicant is advised that good acoustic design, such as the incorporation of acoustic louvres, should be utilised in the design of the ASHP store to minimise the noise impact on Highbury Fields.</p>
3	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
4	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
5	<p>Car-Free Development</p> <p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</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 (July 2021) seeks to secure positive growth in a way that effectively balances economic, environmental, and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

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

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

- Policy GG1** Building strong and inclusive communities
- Policy GG2** Making the best use of land
- Policy GG3** Creating a healthy city
- Policy GG5** Growing a good economy
- Policy GG6** Increasing efficiency and resilience
- Policy D3** Optimising site capacity through the design-led approach
- Policy D4** Delivering good design
- Policy D5** Inclusive design
- Policy D8** Public realm
- Policy D11** Safety, security, and resilience to emergency
- Policy D14** Noise
- Policy H8** Loss of existing housing and estate redevelopment
- Policy H10** Housing size mix
- Policy S4** Play and informal recreation
- Policy HC1** Heritage conservation and growth
- Policy G1** Green infrastructure
- Policy G3** Metropolitan Open Land
- Policy G4** Open space
- Policy G6** Biodiversity and access to nature
- Policy G7** Trees and woodlands
- Policy S11** Improving air quality
- Policy S15** Water infrastructure
- Policy S12** Flood risk management
- Policy S13** Sustainable drainage
- Policy T1** Strategic approach to transport
- Policy T2** Healthy streets
- Policy T3** Transport capacity, connectivity, and safeguarding
- Policy T4** Assessing and mitigating transport impacts
- Policy T5** Cycling
- Policy T6** Car parking
- Policy T7** Deliveries, servicing, and construction
- Policy T9** Funding transport infrastructure through planning

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS13 (Employment Space)

Policy CS15 (Open Space and Green Infrastructure)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Housing

DM3.2 Existing housing

Shops, culture and services

DM4.3 Location and concentration of uses

DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

DM6.1 Healthy development

DM6.2 New and improved public open space

DM6.3 Protecting open space

DM6.5 Landscaping, trees, and biodiversity

DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure

DM9.3 Implementation

Emerging policy: draft Islington Local Plan 2019

1. The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress. As part of the examination consultation on pre-hearing modifications took place between 19 March to and 9 May 2021. The Matters and Issues have now been published and hearings took place between 13 September to 5 October 2021.

In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

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

Emerging Islington Local Plan (2019)

Policy PLAN1 Site appraisal, design principles and process

Policy SP8 Highbury Corner and Lower Holloway

Policy H1 Thriving Communities

Policy SC1 Social and Community Infrastructure

Policy SC2 Play space

Policy SC4 Promoting Social Value

Policy R5 Dispersed retail and leisure uses

Policy G1 Green infrastructure

Policy G2 Protecting open space

Policy G3 New public open space

Policy G4 Biodiversity, landscape design and trees

Policy G5 Green roofs and vertical greening

Policy S1 Delivering Sustainable Design

Policy S2 Sustainable Design and Construction

Policy S3 Sustainable Design Standards

Policy S4 Minimising greenhouse gas emissions

Policy S6 Managing heat risk

Policy S7 Improving Air Quality

Policy S9 Integrated Water Management and Sustainable Drainage

Policy S10 Circular Economy and Adaptive Design

Policy T1 Enhancing the public realm and sustainable transport

Policy T2 Sustainable Transport Choices

Policy T3 Car-free development

Policy T4 Public Realm

Policy T5 Delivery, servicing and construction

Policy DH1 Fostering innovation and conserving and enhancing the historic environment

Policy DH2 Heritage assets

Policy ST2 Waste

Policy ST4 Water and wastewater infrastructure

5. Designations

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

- Highbury Fields Conservation Area
- Article 4(2) Highbury Fields
- Metropolitan Open Land (Highbury Fields)
- Open Space (Highbury Fields)
- Sites of Importance for Nature Conservation (SINC) (Highbury Fields)
- Local Cycle Routes
- Article IV direction A1 to A2

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Environment Design Planning Guidance
(2012)

Highbury Fields (CA05) Conservation Area
Design Guidelines (2002)

Planning Obligations (Section 106) (2016)

Inclusive Design in Islington (2014)

Inclusive Landscape Design (2010)

Islington Urban Design Guide (2017)

London Plan

Accessible London SPG

Character and Context SPG

Green Infrastructure and Open Environments

Planning for Equality and Diversity in London

Play and Informal Recreation

Public London Charter

Social Infrastructure