

PLANNING COMMITTEE REPORT

 Development Management Services
 Planning and Development Division
 Community Wealth Buildings

PLANNING SUB COMMITTEE A		AGENDA ITEM NO:
Date:	1 st February 2024	NON-EXEMPT

Application number	P2023/2863/FUL
Application type	Full Planning (Council's Own)
Ward	St Mary's & St James' Ward
Listed building	N/A
Conservation area	Adjacent to Duncan Terrace/Colebrooke Row Conservation Area (CA03)
Development Plan Context	Angel and Upper Street Spatial Strategy Area CAZ Fringe Site Allocation AUS15: Windsor Street Car Park Within 100m of Strategic Road Network Within 50m of Conservation Area (Duncan Terrace/Colebrooke Row) Islington Village and Manor House Archaeology Priority Area Article 4 Direction – Flexible Uses
Licensing Implications	N/A
Site Address	Land adjoining Turnbull House, Windsor Street, London, N1 8QG
Proposal	Installation of a new generator and erection of associated enclosure with surrounding landscaping to support the operation of the Supported Living Accommodation building approved via planning permission ref: P2017/3493/FUL.

Case Officer	Joseph Hennessy
Applicant	Islington New Build
Agent	Studio Partington

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1.

2. SITE PLAN



Image 1 - Site Plan

3. PHOTOS OF SITE/STREET

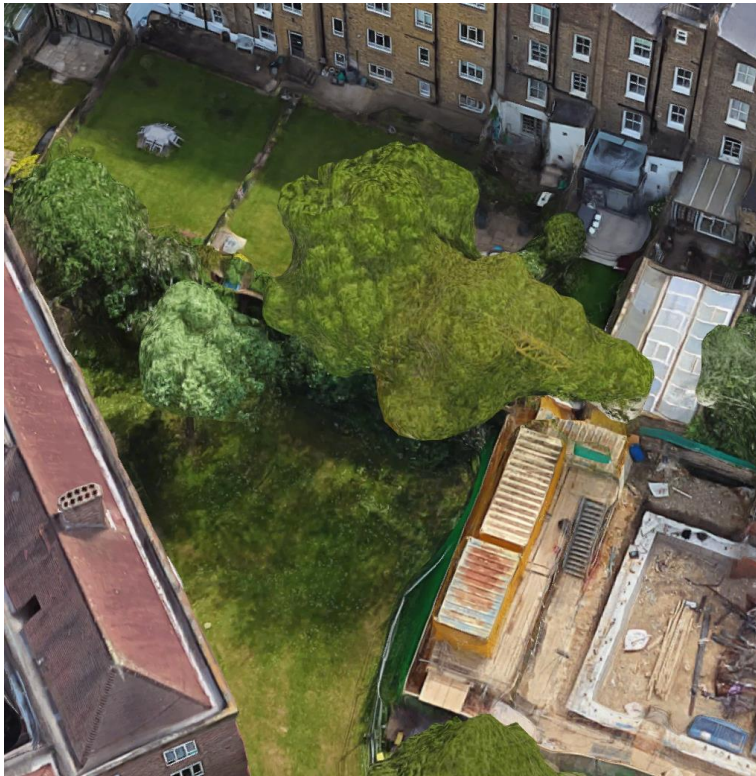
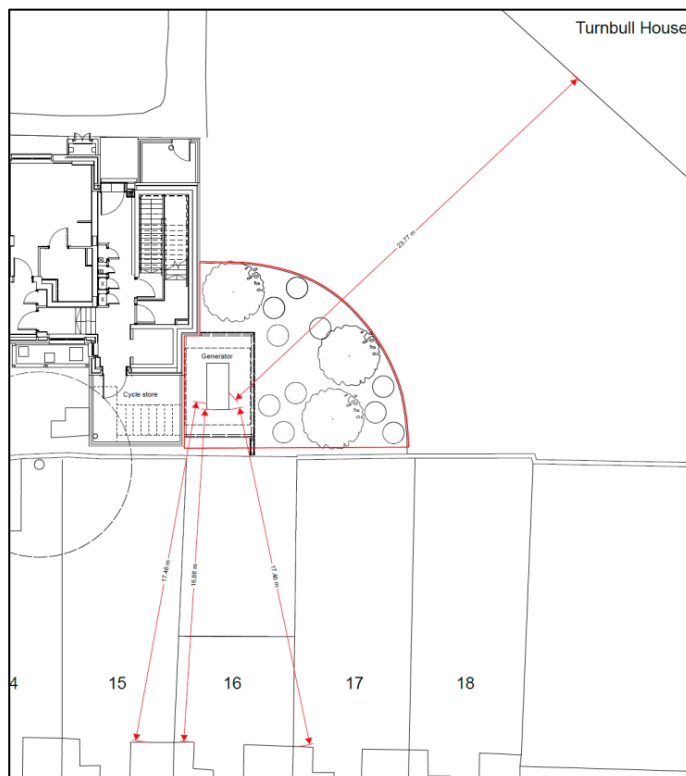


Image 2 - Aerial view from North



4. SUMMARY

- 4.1 Planning permission is sought for the installation of a generator enclosure within the Turnbull House estate open space, adjacent to the recently built supported living residential accommodation at Windsor Street. Associated landscaping is also proposed to surround the enclosure.
- 4.2 The proposals would result in the net loss of 19sqm of estate open space that currently serves Turnbull House. Whilst estate open space is protected under Local Plan Policy G2, the application proposes planting which would result in a greener, more attractive area of landscaping than was previously provided on the site. The proposals are therefore considered to be consistent with land use policy objectives.
- 4.3 In terms of design and conservation, the proposed generator housing would be timber screening and the structure would largely be obscured by vertical greening and surrounding landscaping. Furthermore, despite the site's adjacency to the Duncan Terrace/Colebrooke Row Conservation Area, it is considered that the proposals would not have a detrimental impact on and would preserve its setting.
- 4.4 In terms of neighbouring amenity, it is considered that the small size of the proposed structure would not result in any unacceptable impacts to daylight and sunlight, overshadowing, overlooking or outlook.
- 4.5 The proposal to introduce a generator in this location presents issues of noise and air pollution. However, given the minimal operating times, and subject to the conditions recommended, it is considered that the proposed generator would not have an unacceptable impact in both respects.
- 4.6 In terms of sustainability, the applicant proposes the use of sustainable materials, and the design maximises opportunities for permeable drainage. Whilst Officers requested that the applicant explore the feasibility of providing a battery powered generator to minimise air quality impacts, the applicant provided satisfactory justification for the use of diesel, in the limited cases where the generator being required to be used.
- 4.7 Although the proposals would result some very minor noise and air pollution impacts, it is considered that these issues can be suitably addressed via conditions. Furthermore, the resulting loss of estate open space is outweighed in the planning balance by the benefits of an enhanced landscaping scheme and the ensured operation of the Windsor Street supported living development fire evacuation lifts in the event of a power cut.
- 4.8 The application is considered to be acceptable and is recommended for approval subject to conditions.

5. SITE AND SURROUNDINGS

6. The site forms part of the Cumming Estate, made up of 3 x 5-storey residential blocks to the east and a 6-storey residential block to the west. To the south of the site is a terrace of locally listed 3-storey Georgian townhouses with basements and with rear gardens. To the north, on the opposite side of Windsor Street, is a 3-storey building in commercial use.
- 6.1 The site, located in St Mary's & St James' Ward, does not lie within a Conservation Area however the southern boundary of the site forms the northern most extent of the Duncan Terrace / Colebrooke Road Conservation Area.

7. PROPOSAL (IN DETAIL)

- 7.1 Planning permission is sought for the installation of a new generator enclosure within the Turnbull House estate open space, adjacent to the recently built supported living residential accommodation on Windsor Street. Associated landscaping is also proposed to surround the enclosure.
- 7.2 Consent for the supported living residential accommodation on Windsor Street was granted under planning permission ref: P2017/3493/FUL, dated 09/05/2018. The approved fire strategy for this development requires a secondary supply to provide power to the wheelchair evacuation lift in the event of an emergency. Given the nature of the approved development, the necessity of providing a generator for a fire evacuation lift is recognised.
- 7.3 The applicant explored a number of options to provide this generator within the site boundary of the supported living development, which were presented to the Local Planning Authority for review. Due to the minimal amount of external amenity space provided within the supported living development, it was advised that the options presented would not be acceptable due to the impact they would have on the residential amenity of future residents. The application therefore seeks permission to install the generator and associated housing outside of the original site boundary, within the Turnbull House estate open space.
- 7.4 The proposal would install a 19sqm generator enclosure adjacent to the supported living development within the grounds of Turnbull House. This part of the grounds was included within the blue line of the supported living residential development as the site was not large enough for construction site offices to be contained within the red line boundary. There was an agreement in place between Islington's New Build Team and Islington's Estates Services Team that this land could be used to facilitate development. To allow this space to be used for site offices, the removal of three trees and some thick undergrowth was required. The replacement of these trees was required by the Directors' Letter associated with permission ref: P2017/3493/FUL and it was the intention of the New Build Team to provide these alongside new grassland once the site office is removed. A new agreement is in now place between Islington's New Build Team and Islington's Estates Services Team which confirms that this part of the estate open space may be used as the permanent location of the required generator housing.
- 7.5 To mitigate the loss of area to be returned to open space, the application proposes an enhanced landscaping scheme around the generator housing, which incorporates the three trees already approved to be planted in the space.
- 7.6 A separate application (ref: P2023/2924/NMA) for a non-material amendment to planning permission ref: P2021/2035/S73 is sought for the introduction of a door to the supported living development's western elevation to provide internal access to the generator.

8. RELEVANT PLANNING HISTORY:

- 8.1 The applications relevant to the application site are as follows:
- 8.2 **P2017/3493/FUL**– Demolition of 12 (twelve) existing garage units and removal of adjacent car parking facilities to facilitate construction of a three storey (plus basement), 11-bedroom (plus staff sleep-in unit) building to accommodate a supported living scheme (use Class C2). The proposal also includes communal kitchen/living/dining facilities, staff offices, laundry, plant room, and accessible bathroom facility. Associated landscaping including courtyard garden areas, refuse and cycle storage provision is also proposed. – *Approved 09/05/2018.*

- 8.3 **P2021/2035/S73** – Application for a minor-material amendment under S73 to vary condition 2 (Approved Drawings) and condition 3 (Materials) following a grant of planning permission Ref: P2017/3493/FUL, dated 09/05/2018, as amended by P2021/2032/NMA, dated 09/08/2022, for the demolition of 12 (twelve) existing garage units and removal of adjacent car parking facilities to facilitate construction of a three storey (plus basement), 11-bedroom (plus staff sleep-in unit) building to accommodate a supported living scheme (use Class C2). The proposal also includes communal kitchen/living/dining facilities, staff offices, laundry, plant room, and accessible bathroom facility. Associated landscaping including courtyard garden areas, refuse and cycle storage provision is also proposed. The applicant seeks to vary the wording of Conditions 2 (Approved Plans) and 3 (Materials) to allow for: - The replacement of timber cladding with non-combustible PPC aluminium panels; - The replacement of all recessed brick details on rear elevation with non-combustible PPC aluminium panels; - Increasing the width of the AOV windows on the rear elevation to comply with the fire strategy; and - Amending the brickwork on the curved wall element of the development to comply with Secure by Design guidance. The applicant also seeks approval of details pursuant to the discharge of Conditions 11 (Drainage and SUDS) and 17 (Biodiversity Roof). – *Approved 18/20/2022.*
- 8.4 **P2023/2924/NMA**– Non-material amendment to planning permission ref: P2021/2035/S73, dated 18/10/2022. The applicant seeks to amend the wording of Condition 2 (Approved Drawings) to allow for the introduction of a new door and a revised landscaping layout. – *Under determination.*

9. PRE-APPLICATION ADVICE

- 9.1 Pre-Application discussions were held with the applicant to understand the planning process required to seek the installation of a generator in order to ensure the Windsor Street Car Park development's fire evacuation lift can operate in the event of a power cut.
- 9.2 During pre-application discussions, officers considered the provision of the generator within the existing red line boundary of the Windsor Street Car Park development. The applicant provided drawings showing possible locations for the generator housing unit within the development's rear shared amenity space. These drawings demonstrated that providing the structure within the red line boundary would have an unacceptable impact on the development's resultant amount of amenity space as well as the level of accessibility.
- 9.3 The applicant subsequently proposed installing the generator housing unit immediately adjacent to the Windsor Street Car Park development, within the ground of Turnbull House. Officers noted the relevant land use considerations, advising of the requirements of Local Plan Policy G2 whereby appropriate mitigation for any estate open land lost as a result of the proposals was required.

10. CONSULTATION

Public Consultation

- 10.1 Letters were sent to occupants of 60 adjoining and nearby properties on 27th October 2023. A site notice and press advert were displayed on 2nd November 2023. The public consultation of the application therefore expired on 26th November 2023; however, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 10.2 At the time of the writing of this report one response had been received from the public in response to the consultation on this planning application.

10.3 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 to installation of generator close to residential properties (12.46-12.53);
- Objection to noise and air pollution whilst generator is in operation (12.48-12.53, 12.72-12.79);
- Objection to development on estate land (12.2-12.8).

External Consultees

10.4 **Secure by Design - Metropolitan Police:** Advised that the proposals had been developed in response to comments provided by the Designing Out Crime Officer prior to the application being submitted. Raised some concern with the thin strip at the rear of the structure as it could become a potential area of concealment. In response to this comment, the applicant provided additional fencing to ensure this area could not be accessed. No further concerns were raised.

Internal Consultees

10.5 **Ecology Officer:** No objections.

10.6 **EPPP Officer:** Reviewed the proposals and confirmed that given the fact the generator would only operate for twenty minutes twice a year and in the event of a power cut, the proposals would not have an unacceptable impact on local air quality, noise, or neighbouring amenity. Recommended conditions to ensure that testing of the generator takes no longer than twenty minutes and appropriate noise insulation is installed.

10.7 **Sustainability Officer:** Initially raised concerns with the submitted sustainability details, lack of justification for the use of a diesel generator, and the impacts on air quality. The applicant provided an updated Sustainable Design and Construction Statement which provided additional circular economy details and an overview of why generators with reduced air quality impacts were not proposed in this instance. The Sustainability Officer accepted this however confirmed that additional information should be required via condition to address Local Plan Policy S7 (Improving Air Quality).

(Officer Comment: Condition 4 requires the applicant to provide details of how the proposed planting has been selected for its ability to improve air quality)

10.8 **Trees Preservation Officer:** Raised no concerns. Confirmed that proposed planting locations and species are appropriate.

10.9 **Urban Design & Conservation Officer:** Advised that the generator would be enclosed by an attractive timber screen which would largely be further obscured by planting. Confirmed that the proposed landscape would improve the quality of planting and provide an enhancement to the existing Turnbull House amenity and visual outlook whilst forming a natural buffer around the enclosure. Initially raised concern regarding proposal to include a door from the generator housing out to the estate open space. The applicant removed this door and the D+C Officer confirmed they raised no further objections.

11. RELEVANT POLICIES

- 11.1 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)).
- 11.2 National Planning Policy Framework 2023 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 11.3 The National Planning Policy Framework 2023 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
- 11.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 11.5 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.
- 11.6 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.
- 11.7 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.
- 11.8 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.

11.9 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.

11.10 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

11.11 The Development Plan is comprised of the London Plan 2021, Islington's Local Plan: strategic and development management policies 2023, Bunhill and Clerkenwell Area Action Plan 2023, and Site Allocations 2023. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

11.12 The site has the following designations under the London Plan 2021, Islington's Local Plan: strategic and development management policies 2023, Bunhill and Clerkenwell Area Action Plan 2023, and Site Allocations 2023.:

- Angel and Upper Street Spatial Strategy Area
- CAZ Fringe
- Site Allocation AUS15: Windsor Street Car Park
- Within 100m of Strategic Road Network
- Within 50m of Conservation Area (Duncan Terrace/Colebrooke Row)
- Islington Village and Manor House Archaeology Priority Area
- Article 4 Direction – Flexible Uses

Supplementary Planning Guidance (SPG) / Document (SPD)

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

12. ASSESSMENT

12.1 The main issues arising from this proposal relate to:

- Land Use
- Design, Conservation & Heritage Considerations
- Landscaping and Ecology
- Accessibility and Inclusive Design
- Neighbouring Amenity
- Transport and Highways
- Energy and Sustainability
- Air Quality
- Crime Prevention
- Flood Risk & Sustainable Drainage

Land-Use

- 12.2 The application proposes a new building on semi-private estate open space. It is crucial that any loss of open space is suitably justified as well as adequately compensated with overriding planning benefits to support the proposal. The site, which is 87sqm in area, is currently occupied by the site offices for the Windsor Street Car Park development however, it was previously occupied by soft planting and there was an agreement in place between the New Build Team and Estate Services that this space would be returned to its previous state on completion of neighbouring development works. For the purposes of this assessment, this space is considered to be useable grassland estate open space.
- 12.3 Policy G2 of the Islington Local Plan protects open space on housing estates. Where development is proposed on open spaces on housing estates, on-site re-provision of the same quantum of space of an improved quality is encouraged. Proposals which will lead to a net loss, but which will re-provide a quantum of on-site open space which is both functional and useable may be acceptable in a number of circumstances including if the lesser amount of space is of a higher quality. These policy objectives are discussed in more detail in subsequent sections of the report.
- 12.4 The proposal involves the construction of a 19sqm generator housing unit and the planting of an enhanced landscaping environment around the generator housing to provide a suitable buffer between the generator housing and the open space.
- 12.5 Whilst the proposals would result in a reduction in the total amount of soft landscaping within the Turnbull House estate, the proposed planting would result in a landscaping scheme with a higher biodiversity and urban greening factor than that which would have been provided by the re-planting of grassland. The matters raised in this section will be considered in more detail in the landscape section of this report.
- 12.6 Whilst the loss of 19sqm of estate open space is regrettable, it is considered that the benefits of an enhanced landscaping scheme and the safety of the future residents of the Windsor Street Car Park development is a significant planning benefit that should weigh in favour of the scheme in the planning balance.
- 12.7 Turnbull House and the Windsor Street Car Park development are both on land forming part of the wider Cummings Estate. Under Part 12 of Schedule 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015, local authorities may construct small ancillary buildings on land belonging to them required for the purposes of any function exercised by them on that land, provided that the buildings are below 4 meters in height or 200 cubic meters in capacity. Although the applicant has submitted a planning application for this proposal, a significantly sized structure could be erected here under permitted development, without the need for permission.
- 12.8 In land use terms, the proposed development is considered to be acceptable in principle, subject to a further assessment of the other more detailed aspects of the proposal, and thus would be consistent with the development plan.

Design, Conservation and Heritage Considerations

Policy Context

- 12.9 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.

- 12.10 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.
- 12.11 London Plan Policy D3 sets out the design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure, and amenities by public transport, walking and cycling. Where these locations have existing areas of high-density buildings, expansion of the areas should be positively considered by Boroughs where appropriate.
- 12.12 London Plan Policy D3 also sets out criteria relating to appropriate form, layout, experience, quality, and character which will be addressed in this section.
- 12.13 At the local level, 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 need to meet.
- 12.14 Local Plan Policy DH1 supports innovative approaches to development as a means to increasing development capacity to meet identified needs, while simultaneously addressing any adverse heritage impacts and protecting and enhancing the unique character of the borough. In this context, an innovative approach is one that contributes to the delivery of the Local Plan objectives, including making the borough an inclusive and resilient place by ensuring the design of buildings meets contemporary standards, the needs of all users and mitigates against the impacts of climate change.
- 12.15 Local Plan Policy DH2 notes that proposals that harm the significance of listed buildings or conservation areas must provide clear and convincing justification for the harm. Substantial harm to, or loss of, a listed building will be strongly resisted.
- 12.16 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

- 12.17 The application site is within the grounds of Turnbull House, which forms part of the wider Cummings Estate. Prior to commencement of the Windsor Street Car Park development, the site was occupied by grassland and three trees, however this landscaping was removed to provide space for site offices.

12.18 The site lies adjacent to the Duncan Terrace / Colebrook Row Conservation Area and abuts locally listed residential buildings at 8-39 Packington Street to the rear (described as 'Late classical, Italian influence'). Other nearby built heritage assets include grade II listed 70 Essex Road, a mural at the City of London Academy and the Old Queens Head public house, amongst other heritage settings.

Assessment

12.19 In terms of height and massing, the applicant has confirmed that proposed generator housing is the minimum size necessary to provide sufficient circulation space around the generator and that the screening would be no higher than the adjacent 16a Packington Street's rear garden wall. It is therefore considered that the structure would have a minimal visual impact.

12.20 In terms of materiality, the generator would be enclosed in an attractive timber screen, with a grating roof to provide natural ventilation. It is considered that the proposed materiality will ensure that the structure appears discreet in its location and that the visual impact on Turnbull House's open space would be limited

12.21 Furthermore, the generator enclosure would largely be obscured by vertical greening, an area of soft landscaping, and shrub planting. The proposed landscaping would provide an enhancement to the existing Turnbull House amenity and visual outlook whilst forming a natural buffer around the enclosure. This is welcomed and would satisfy Local Plan Policy G2, which requires any loss of open space on estates to be offset by a better-quality offer.

12.22 The application as originally submitted included a proposal to include a door from the generator housing into the estate grounds. Concern was raised by the Design and Conservation Officer that this raised security and safety issues. The applicant updated the proposals to remove this door, confirming that all access would be internally from the Windsor Street supported living development (a new door was added via permission ref: P2023/2924/NMA).



Image 3 – Proposed Generator Housing and associated landscaping

Assessment of Significance to the adjacent Duncan Terrace/Colebrooke Row Conservation Area

- 12.23 The application site is adjacent to the Duncan Terrace/Colebrooke Row Conservation Area. 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.*
- 12.24 The site forms part of the setting of the Duncan Terrace/Colebrooke Row Conservation Area, helping to shape the overall character and appearance of the historic streetscape and townscape hierarchy.
- 12.25 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'.
- 12.26 Given that the generator housing would be no taller than the party wall with 16a Packington Street, it is considered that only limited views of the structure would be afforded from the conservation area. Given this, and its design, it is considered that the proposals would preserve the setting of the neighbouring conservation area.

Assessment of Significance to the nearby listed buildings

- 12.27 As noted earlier in this section, the application site is near a number of listed buildings and heritage assets.
- 12.28 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') requires decision makers to give special regard to the desirability of preserving nearby listed buildings, their setting and any of their features of special architectural or historic interest.
- 12.29 Given that the application site is some 80 meters from the nearest listed building, it is not considered that the proposals would impact upon the setting of any statutorily listed buildings.
- 12.30 The application site abuts the locally listed 3-storey Georgian townhouses of Packington Street. The Register of Locally Listed Buildings and Locally Significant Shopfronts (2010) advises that these buildings are locally listed due to their street value. Given that the generator housing would not be visible from Packington Street and would be no taller than the party wall with 16a Packington Street, it is considered that the proposals would not harm the setting of the adjacent locally listed buildings.

Conclusion

- 12.31 The application proposes the installation of a small and lightweight structure within an area of intensive landscaping. The proposed design is considered to be appropriate for the location and would preserve the setting of the neighbouring conservation area and locally listed buildings. Whilst any development would have an impact on the appearance of the estate open space, it is considered that structure's design and the proposed landscaping would mean that this impact is very limited.

12.32 Therefore, in terms of design and appearance, heritage and conservation, the proposal is considered to be in accordance with London Plan Policies D1, D2, D3, D4 and HC1, Islington Local Plan policies PLAN1, DH1, and DH2 as well as Islington's Urban Design Guide (2017) and Historic England advice GPA3 (The Setting of Heritage Assets).

Landscaping, Biodiversity and Trees

12.33 London Plan policy G1 states that development proposals should incorporate appropriate elements of green infrastructures that are integrated into London's wider green infrastructure network.

12.34 Islington's Local Plan policy G1 states that development proposals must preserve and enhance existing green infrastructure and explore opportunities to provide new green infrastructure. Local Plan policy G4 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. Furthermore, developments are required to minimise any impacts on trees, shrubs and other significant vegetation. At the same time any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits.

12.35 This application seeks to intensify the level of landscaping in this part of the Turnbull House open space compared to the previous agreement to return this space to grassland. The proposed generator housing has been designed to allow climbing plants to grow around the structure and dense planting is proposed in the surrounding area. The submitted landscaping details confirm that the proposed planting strategy uses native species and plants identified as pollinators by the Royal Horticultural Society.

12.36 Through the measures set out above, the proposal would achieve a UGF score of 0.37. This score does not take in to account the three trees, as these are already approved and will be planted in this location regardless of the outcome of this planning application. This score is considerably higher than would have been achieved had this space been returned to solely grassland.

12.37 Despite Local Plan policy G5 requiring developments to use all available roof space to incorporate biodiversity-based extensive green roofs, no green roof is proposed for the generator housing. This is because a grating roof is proposed for this structure to provide natural ventilation for the generator. It is recognised that ventilation is an operational requirement for generators and the lack of a green roof is therefore considered acceptable in this instance.

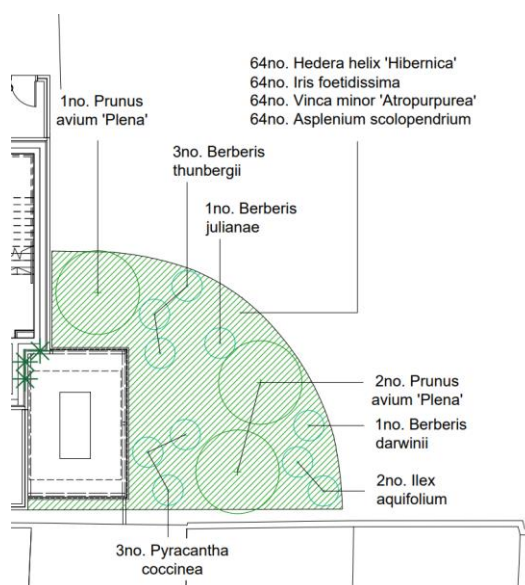


Image 4: Landscaping Strategy

Trees

- 12.38 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.
- 12.39 Whilst there are no trees currently on the development site, three trees were proposed to be planted in this location in order to replace those felled to facilitate the Windsor Street Car Park development. The applicant still proposes to re-provide these trees within this part of the estate open space, however in slightly different locations than previously approved so to accommodate the generator housing. These three trees, shown on the submitted landscaping strategy, are the same as those previously approved for planting in this location. Whilst they are shown on the submitted documents, they are not considered to form part of the application proposals as their planting is independent of the proposals being assessed within this application.
- 12.40 The proposed tree locations were reviewed by the Council's Tree Officer who confirmed that they are suitable to ensure the healthy growth of the trees.

Conclusion

- 12.41 Overall, it is considered that the landscaping proposals would create a greener, more biodiverse space with a higher level of visual amenity for estate residents. It is therefore considered that the proposed landscaping scheme represents an enhancement of the space, helping to justify the loss of estate open space in the planning balance.
- 12.42 While the landscape strategy is supported in principle, further details would be required by condition in the event of permission being granted to ensure that the final design of the landscaping is of the highest quality and properly implemented.

Accessibility and Inclusive Design

- 12.43 Policy D5 of the London Plan 2021 requires all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy PLAN1 of the Local Plan, which requires all development to demonstrate, inter alia, 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.
- 12.44 Policy D5 of the London Plan requires a minimum of at least one lift per core to be a suitably sized fire safety lift so that all people can evacuate in the event of a fire.
- 12.45 The proposed generator housing would not have step-free access or be provided with wheelchair turning circles. It is therefore not considered that the proposed development would meet the highest standards of inclusive design. Whilst this is regrettable, the generator housing would not be a habitable room and access would be required for maintenance purposes only. Furthermore, the installation of the proposed generator would allow the Windsor Street Car Park development, a supported housing scheme, to ensure compliance with London Plan Policy D5 by ensuring that the wheelchair-evacuation lift can operate in the event of a power cut. The lack of inclusive design measures is therefore considered acceptable in the planning balance.

Neighbouring Amenity

- 12.46 Chapter 12 of the NPPF details that new development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. With specific regard to daylight and sunlight, the NPPF states that ‘when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)’.
- 12.47 London Plan Policy D1 states that development design should deliver appropriate outlook, privacy and amenity. London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight for new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outdoor space. London Plan Policy D13 seeks to reduce, manage and mitigate noise to improve health and quality of life.
- 12.48 The proposed generator housing unit would be small in footprint (19sqm), discreetly located in the corner of the estate open space and would be lower in height than both the Windsor Street Car Park development and neighbouring 16 Packington Street’s rear garden wall. It is therefore not considered that the proposed development would result in any undue daylight and sunlight, overshadowing, overlooking, or outlook impacts.
- 12.49 Image 5, below, shows the distance between the proposed generator and the nearest residential receptors. There is a distance of just under 17 meters between the proposed generator and the nearest habitable room on Packington Street. There is a distance of 23 meters between the proposed generator and nearest habitable room of Turnbull House. Although the generator would directly abut the Windsor Street Car Park development, there are no windows on this elevation and the nearest window serving a habitable room is on the northern elevation, some twenty meters away.

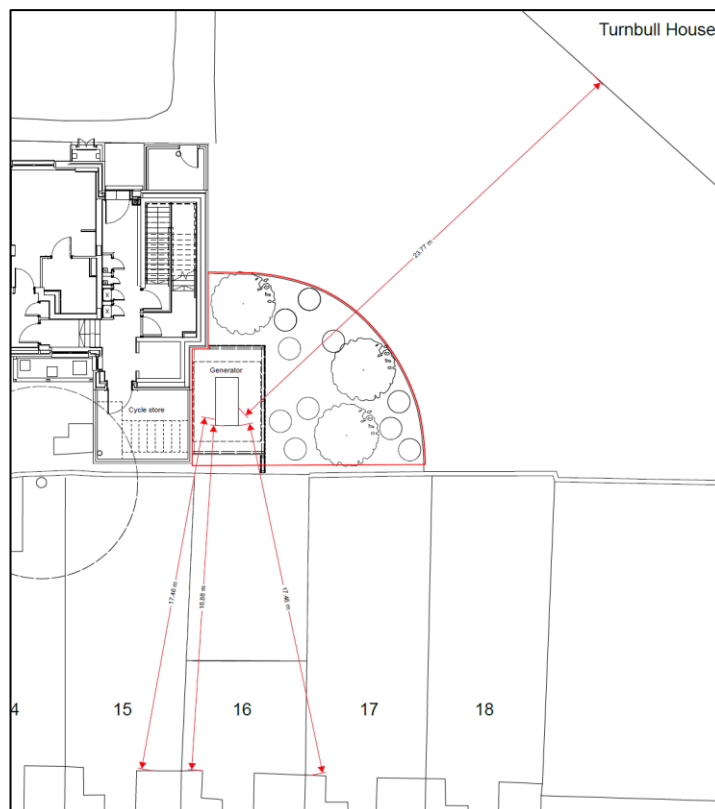


Image 5: Distance between proposed generator and nearest residential receptors

Noise and Disturbance

- 12.50 Local Plan policy DH5 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.
- 12.51 The proposed installation of a generator in this location results in the possibility of increased noise levels whilst it is in use. The submitted operational management plan advises that the maximum noise level for the generator is 70dB(A) and that the proposed enclosure would be supplied with an acoustic canopy to reduce this noise level. The operational management plan also advises that the generator would only operate in the event of a power cut and for twenty minutes twice a year for testing.
- 12.52 The Council's EPPP Officer reviewed the submitted report and confirmed that the proposed generator would not result in unacceptable noise levels subject to appropriate acoustic design and controls over the timing of any required testing. Recommended Condition 5 requires details of the acoustic design and confirmation that the noise level would not exceed 5dB(A) above the existing background noise level. Recommended Condition 6 requires details of potential residential receptors and confirmation of how they would be notified ahead of testing, including the supported living occupiers of Windsor Street. Recommended Condition 7 ensures testing does not take longer than 20 minutes and does not take place between the hours of 1800 and 0800 on any day, and not at any time on Sundays, Bank Holidays or after 1300 on a Saturday.

Impact on Neighbouring Amenity: Conclusion

- 12.53 The details submitted as part of this application demonstrates that the proposed scheme would not result in an unacceptable impact on the amenity of neighbouring residents in terms of daylight and sunlight, overshadowing, outlook, or overlooking. Whilst the introduction of a generator may result in additional noise being generated, it is considered that this can be appropriately mitigated through appropriate conditions. It is therefore considered that the proposed scheme would not present an unacceptable impact on neighbouring amenity.

Transport and Highways

- 12.54 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.
- 12.55 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.
- 12.56 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.

- 12.57 London Plan Policy T7 states that seeks to ensure that development proposals facilitate safe, clean and efficient deliveries and servicing.
- 12.58 Local Plan policy T1 states 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.
- 12.59 Local Plan policy T2 requires proposals to meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice.
- 12.60 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.

Delivery and Servicing Requirements

- 12.61 It is proposed that the twice-yearly servicing of the generator would take place within the generator housing, accessed from within the Windsor Street Car Park development. The planned servicing requirements of the generator would not significantly increase the Windsor Street Car Park development's servicing requirements and it is therefore considered that they can be appropriately accommodated within the development's previously approved delivery and servicing arrangements.

Vehicle Parking

- 12.62 No vehicle parking is proposed. The proposal is therefore considered acceptable and in accordance with Local Plan policies T1, T2 and T3.

Energy and Sustainability

- 12.63 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.
- 12.64 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.
- 12.65 Islington's Local Plan policy S1 states that all developments should maximise on-site reduction in total (regulated and unregulated) carbon dioxide emissions. The Local Plan 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.
- 12.66 Policy S2 of the Emerging Draft Local Plan (2019) requires development proposals to submit a Sustainable Design and Construction Statement which must demonstrate that the proposal meets all relevant sustainable design policies. Part C states that the Sustainable Design and Construction Statement submitted by smaller minor extensions and minor changes of use must demonstrate that all relevant sustainable design requirements have been considered. The level of information provided in the statement must be proportionate to these requirements.

- 12.67 Local Plan policy S4 requires development proposals to integrate best practice sustainable design standards in line with the energy hierarchy 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.
- 12.68 In line with Local Plan policy S2, a Sustainable Design and Construction Statement has been submitted as part of this application. This document confirms how sustainability has informed the design to minimise the embedded carbon emissions including:
- *Lightweight steel construction. Recycled steel members to be used where available;*
 - *Proposed structure to be constructed in timber from sustainable sources;*
 - *Proposed paving and concrete will have high recycled aggregate content;*
- 12.69 As noted in the landscaping section, no green roof is proposed for the generator housing. This is considered acceptable in this instance due to the building's requirement for adequate ventilation necessitating a grating roof. Part G of Local Plan Policy G5 encourages the greening of vertical surfaces. The submitted Design and Access Statement confirms the generator housing has been designed to allow climbing plants to screen the enclosure which is welcomed.
- 12.70 No additional energy efficiency measures are proposed within this application, however given that the proposed generator would serve the Windsor Street Car Park development, the applicant has confirmed in an email dated 12/01/2024 that an updated energy strategy shall be provided in line with Condition 12 of planning permission ref: P2021/2035/S73 in order to demonstrate that the required CO2 reduction shall still be 33.6% compared with a building which complies with Building Regulations 2013.
- 12.71 Overall, the sustainability details are considered satisfactory for the minor development proposed subject to the addition of Condition 8 which secures compliance with the submitted Sustainable Design and Construction Statement.

Air Quality

- 12.72 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.
- 12.73 In accordance with Local Plan policy S1, 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.
- 12.74 The whole of the borough of Islington has been designated by the council as an Air Quality Management Area.
- 12.75 The submitted documents include details of the predicted emissions of the proposed generator. These details were reviewed by the Council's Environmental Pollution, Policy and Projects Officer, who advised that although there would be emissions from the diesel generator, these would be limited due to the anticipated duration of the running of the equipment being only twenty minutes every six months. Therefore, the impact to nearby receptors would be minimal and it is unlikely that existing air quality objectives would be exceeded in terms of the annual or hourly mean for NO2 or particulate matter.

- 12.76 Recommended Condition 7 restricts the duration of testing of the generator to no longer than 20 minutes. It is considered that this condition would ensure that air quality is appropriately protected.
- 12.77 Local Plan Policy S7 requires all developments to mitigate or prevent adverse impacts on air quality and investigate and implement all reasonable opportunities to improve air quality. Whilst the proposed generator's impact on emissions and air quality would be at such a level as to be acceptable, given that the borough is in an Air Quality Management Area, Officers requested that the applicant explore the possibility of installing a battery-powered generator. The applicant explored this and advised that a battery powered generator would have higher operational energy usage due to it requiring air conditioning to maintain a constant temperature. A battery powered generator would also present an increased fire risk that would compromise the Windsor Street Car Park development's approved fire strategy. This is considered acceptable justification for the use of a diesel-powered generator in this instance.
- 12.78 Further details of how air quality impacts could be minimised on site as far as possible were provided by the applicant in an email dated 23/01/2024. This email confirmed that alternative fuels had been considered but that a diesel powered generator was required to fulfil the predicted energy demand and that a high-level flue could be installed if required. The applicant's email also confirmed that the proposed landscaping scheme could feature plant species selected for their ability to trap particulates.
- 12.79 The applicant's justification for using a diesel generator is considered acceptable and it is considered that, given the generator's predicted emissions and low usage, the air quality benefits of a flue would not outweigh the negative impacts such a flue would have on visual amenity. Subject to recommended Condition 4 requiring details of how the landscaping strategy incorporates plant species which improve air quality, it is considered that the applicant has provided sufficient details to meet the requirements of Local Plan Policy S7.

Flood Risk and Sustainable Drainage

- 12.80 Local Plan policy S9 is concerned with water management and sustainable drainage and requires that all schemes must be designed to ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out in Policy SI13 of the London Plan.
- 12.81 The site sits within Flood Zone 1 and is therefore considered to be at low risk of flooding.
- 12.82 The submitted Design and Access Statement confirms that the proposed generator is required to be installed on concrete paving slabs, however it confirms that a gravel strip would be provided around the concrete slabs within the generator to maximise opportunities for permeable drainage. Furthermore, the proposed landscaping strategy would mean the rest of the site would achieve greenfield runoff rates. The proposed measures follow the sustainable drainage hierarchy, facilitating rainwater infiltration to ground. It is therefore considered that the proposed scheme would not have any undue impacts on the site's flood risk.

Crime Prevention

- 12.83 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.'

- 12.84 Paragraph 1.41 within Objective 3 of the 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.’
- 12.85 The design and layout of the proposals were reviewed by the Metropolitan Police’s Designing Out Crime Officer who advised that the installation of the generator housing would create a small area between the structure and the boundary wall with Packington Street which could allow for anti-social behaviour. In response, the applicant updated the drawings to confirm how this space would be sealed off to prevent misuse. No further concerns were raised.

Planning Balance

- 12.86 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”.
- 12.87 In reaching a conclusion on the proposal, a balance between these benefits and harms should be undertaken.
- 12.88 The proposal is considered to result in harm in planning terms for the following reasons:
- Loss of 19sqm estate open space;
 - Limited noise and air pollution impacts
- 12.89 The proposal is considered to result in benefits in planning terms for the following reasons:
- Enhanced landscaping and biodiversity value;
 - Ensured ability for Windsor Street Car Park development’s fire evacuation lifts to operate in event of a power cut.
- 12.90 Taking the above into account, it is considered that the public benefits outweigh the harm caused from the development in the overall planning balance.

13. SUMMARY AND CONCLUSION

- 13.1 Whilst the proposals would result in a limited loss of estate open space, the proposed landscaping scheme is considered to result in a higher quality of landscaping than that which it replaces. It is therefore considered that the application is compliant with local land use policy. Furthermore, it is considered that the proposed structure is minimal in size and of an appropriate design, thereby ensuring there is no impact to the visual amenity of Turnbull House.
- 13.2 Due to the proposed use of a diesel-powered generator, it is acknowledged that the proposals would result in extremely limited noise and air pollution impacts. However, given the minimal proposed usage, it is not considered that these impacts would be unacceptable subject to conditions. Sustainable materials are proposed to be used in the construction of the structure and, whilst it has been demonstrated that a battery-powered alternative is not achievable in this instance, it is considered that the submission of an updated energy strategy via the discharge of Condition 12 of planning permission ref: P2021/2035/S73 would ensure that the Windsor Street Car Park’s development would continue to achieve its required overall carbon reductions.
- 13.3 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 following drawings/documents are approved by Planning Permission P2023/2863/FUL:</p> <p>Design and Access Statement Rev.B (Studio Partington, December 2023); Sustainable Design and Construction Statement (Studio Partington, 12/01/2024); 2471_PL_001_A – Location Plan (Studio Partington, 02/10/2023); 2471_PL_100_A – Existing Site Plan (Studio Partington, 02/10/2023); 2471_PL_110_B – Proposed Site Plan (Studio Partington, 05/12/2023); 2471_PL_200_B – Proposed Plans (Studio Partington, 05/12/2023); 2471_PL_400_A – Existing Elevations 01 and 02 (Studio Partington, 02/10/2023); 2471_PL_401_A – Existing Elevation/Section 03 (Studio Partington, 02/10/2023); 2471_PL_410_B – Proposed Elevations 01 and 02 (Studio Partington, 05/12/2023); 2471_PL_411_B – Proposed Elevation/Section 03 (Studio Partington, 05/12/2023); 2471_SK_001_B – Proposed Illustrative View (Studio Partington, 05/12/2023); GEN_0189_001 Rev.P02 – Landscape General Arrangement (ME Landscape Studio, 24/03/2023); GEN_0189_002 Rev.P02 – Landscape Ecological Enhancements (ME Landscape Studio, 24/03/2023); GEN_0189_003 Rev.P02 – Section 278 Tree Enhancements (ME Landscape Studio, 24/03/2023); GEN_0189_100 Rev.P01 – Landscape Hardworks Plan (ME Landscape Studio, 24/03/2023); GEN_0189_101 Rev.P02 – Landscape Softworks Plan (ME Landscape Studio, 24/03/2023); 0189-SH-L-0002 Rev.P02 – Planting Schedule (ME Landscape Studio, 04/12/2023); Urban Greening Factor Assessment (12/12/2023); Health Impact Assessment Screening (26/10/2023); Operation Management Plan Rev.D (05/12/2023); Email (Studio Partington, 12/01/2024).</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials (Compliance)</p> <p>CONDITION: Unless otherwise agreed in writing by the Local Planning Authority, the development shall be strictly undertaken in accordance with the materials approved in the hereby approved Design and Access Statement Rev.B (Studio Partington, December 2023).</p> <p>REASON: In the interest of ensuring that the development's appearance and construction is of a high standard.</p>

4	Landscaping (Details)
	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works. The scheme shall include the following details:</p> <p>The landscaping scheme shall comprise the following details:</p> <ol style="list-style-type: none"> a) proposed trees: their location, species, size, and section showing rooting area; details of tree pit design and any underground modular systems b) soft planting: including grass and turf areas, vertical greening, shrub and herbaceous areas; c) a statement detailing how the proposed planting has been selected to maximise biodiversity and to improve air quality; d) a landscaping maintenance plan; e) any other landscaping feature(s) forming part of the scheme. <p>The submitted details shall show that the landscaping scheme will achieve an Urban Greening Factor of at least 0.37.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
5	Acoustic Design (Compliance)
	<p>CONDITION: Prior to the first use of the hereby approved generator, details of a scheme of noise mitigation shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The submitted details shall demonstrate that, when operating, the arising noise level of the generator, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of no more than 5dB(A) above the existing background noise level (LAF90). The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:2014+A1:2019</p> <p>REASON: To protect the amenity of adjoining properties.</p>
6	Residential Receptors (Details)
	<p>CONDITION: Prior to the first operation of the hereby approved generator, a list of all residential receptors that could be affected by the operation of the generator should be shared with and approved in writing by the Local Planning Authority. The submitted details shall include confirmation of how these residences will be given advance written notification of the time and date of planned testing.</p> <p>REASON: To protect the amenity of adjoining properties</p>

7	Testing (Compliance)
	<p>CONDITION: Testing of the hereby approved generator shall not take place between the hours of 1800 and 0800 on any day, and not at any time on Sundays, Bank Holidays or after 1300 on a Saturday.</p> <p>The duration of the testing is to be commensurate with the test requirements and not to exceed 20 minutes and only twice a year if required.</p> <p>REASON: To protect the amenity of adjacent properties.</p>
8	Sustainable Design (Compliance)
	<p>CONDITION: Unless otherwise agreed in writing by the Local Planning Authority, the development shall be strictly undertaken in accordance with the hereby approved Sustainable Design and Construction Statement (Studio Partington, 12/01/2024).</p> <p>REASON: In the interest of ensuring that the development's appearance and construction is of a high standard.</p>

List of Informatives:

1	CONSTRUCTION WORKS
	<p>INFORMATIVE: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
2	HIGHWAYS REQUIREMENTS
	<p>INFORMATIVE: Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>
3	HIGHWAYS (ADDITIONAL)
	<p>INFORMATIVE: The Public footpath should not be obstructed at site entrance.</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 (2023) 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 2021, Islington's Local Plan: strategic and development management policies 2023, the Bunhill and Clerkenwell Area Action Plan 2023 and Site Allocations 2023. The following policies of the Development Plan are considered relevant to this application:

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

- Policy GG1 Building strong and inclusive communities
- Policy GG2 Making the best use of land
- Policy GG3 Creating a healthy city
- Policy GG4 Delivering the homes Londoners need
- Policy 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 D11 Safety, security, and resilience to emergency
- Policy D12 Fire safety
- Policy D13 Agent of Change
- Policy D14 Noise
- Policy H12 Supported and specialised accommodation
- Policy HC1 Heritage conservation and growth
- Policy G1 Green infrastructure
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy S11 Improving air quality
- Policy S12 Minimising greenhouse gas emissions
- Policy S13 Sustainable drainage
- Policy T4 Assessing and mitigating transport impacts
- Policy T7 Deliveries, servicing, and construction

B) Islington Local Plan: strategic and development management policies 2023

- Policy PLAN1: Site appraisal, design principles and process
- Policy H1: Thriving communities
- Policy H9: Supported Housing
- Policy G1: Green Infrastructure
- Policy G2: Protecting 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 S4: Minimising greenhouse gas emissions
- Policy S7: Improving Air Quality

Policy S9: Integrated Water Management and Sustainable Drainage
Policy S10: Circular Economy and Adaptive Design
Policy T5: Delivering, servicing and construction
Policy DH1: Fostering innovation and conserving and enhancing the historic environment
Policy DH2: Heritage assets
Policy DH4: Basement development
Policy DH5: Agent-of-change, noise, and vibration

5. Designations

The site has the following designations under the London Plan 2021, Islington Local Plan: strategic and development management policies 2023, Bunhill and Clerkenwell Area Action Plan 2023, and Site Allocations 2023:

- Angel and Upper Street Spatial Strategy Area
- CAZ Fringe
- Site Allocation AUS15: Windsor Street Car Park
- Within 100m of Strategic Road Network
- Within 50m of Conservation Area (Duncan Terrace/Colebrooke Row)
- Islington Village and Manor House Archaeology Priority Area
- Article 4 Direction – Flexible Uses

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

The following SPGs and/or SPDs are relevant:

<u>Islington Local Development Plan</u>	<u>London Plan</u>
Environmental Design (2012)	Accessible London SPG
Inclusive Design (2014)	Optimising Site Capacity: A Design-Led Approach
Inclusive Landscape Design (2010)	Fire Safety LPG
Urban Design Guide (2017)	Air quality positive LPG
Duncan Terrace/Colebrooke Row	Air quality neutral LPG
Conservation Area Design Guidelines (2002)	