

PLANNING DECISION NOTICE

GML Architects
Unit 3
1-4 Christina Street
London
EC2A 4PA

Development Management Service
Planning and Development Division
Environment & Regeneration Department
PO Box 3333
222 Upper Street
LONDON N1 1YA

Case Officer: Matthew Duigan
T: 020 7527 2106
E: planning@islington.gov.uk

Issue Date: 1 November 2018
Application No: P2018/0909/S73

(Please quote in all correspondence)

Dear Sir or Madam

TOWN AND COUNTRY PLANNING ACTS**BOROUGH COUNCIL'S DECISION: Approve with conditions and legal agreement**

Notice is hereby given of the above stated decision of Islington Borough Council, the Local Planning Authority, in pursuance of its powers under the above mentioned Acts and Rules, Orders and Regulations made thereunder, relating to the application / development referred to below, at the location indicated, subject to the condition(s) listed and in accordance with the plans submitted, save insofar as may be otherwise required by the condition(s).

Location:	National Grid site, 1 Pear Tree Street and Land Adjoining, London EC1V 3SB
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Application Type:	Section 73 (Minor Material Amendment)		
Date of Application:	12 March 2018	Application Received:	12 March 2018
Application Valid:	13 March 2018	Application Target:	12 June 2018

DEVELOPMENT:

Application under Section 73 (minor material amendment) of the Town and Country Planning Act (1990) to amend condition 2 (approved drawings and documents), conditions 6 and 7 (restrictions on use of depot area) and 27 (bird and bat boxes) of planning permission ref: P2015/4725/FUL. The proposed minor material amendments relate to changes to the floorplans to remove reference to Cadent/National Grid occupying office space on the upper floors, and to alter the condition wording to allow the ground floor parking and storage area to be used in association with Cadent/National Grid operations in office space on an adjoining site. Additionally, there would be minor changes to glazing, and additional windows installed. There is also a change to the trigger point for submission of bird/bat box information.

PLAN NOS:

Plans and documents approved by Planning Permission P2015/4725/FUL:

4205/PA01; PA02; PA03; PA04A; PA05A; PA06; PA07; PA08; PA09B; PA13C; PA14D; PA15E;
PA23APA40; Arboricultural Impact Assessment 1140_05_APIII prepared by Hallwood Associates

dated April 2016; Construction Method Statement undated; Daylight and Sunlight Assessment prepared by Stinton Jones Consulting Engineers LLP dated March 2016; Transport Statement 1012161 rev D prepared by Cundall dated 22/03/2016; Sustainable Design & Construction Statement ES106 issue 08 prepared by Enviro + Sustain dated 05/05/2016; Planning Statement prepared by GML Architects Ltd dated November 2016; Construction Phase Plan prepared by GML Architects Ltd undated; Site Waste Management Plan SWMP-11/15 prepared by GML Architects Ltd dated November 2015; Design and Access Statement prepared by GML Architects Ltd dated October.

Additional plans also hereby approved:

4515/S73/07a, 4515/S73/06a, 4515/S73/05a, 4515/S73/11, 4515/S73/08, 4515/S73/04, 4515/S73/03, 4515/S73/02, 4515/S73/01, 4205/PA01.

CONDITIONS:

- 1 3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than 30 October 2020.

REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).

- 2 DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:

Plans and documents approved by Planning Permission P2015/4725/FUL:

4205/PA01; PA02; PA03; PA04A; PA05A; PA06; PA07; PA08; PA09B; PA13C; PA14D; PA15E; PA23APA40; Arboricultural Impact Assessment 1140_05_APIII prepared by Hallwood Associates dated April 2016; Construction Method Statement undated; Daylight and Sunlight Assessment prepared by Stinton Jones Consulting Engineers LLP dated March 2016; Transport Statement 1012161 rev D prepared by Cundall dated 22/03/2016; Sustainable Design & Construction Statement ES106 issue 08 prepared by Enviro + Sustain dated 05/05/2016; Planning Statement prepared by GML Architects Ltd dated November 2016; Construction Phase Plan prepared by GML Architects Ltd undated; Site Waste Management Plan SWMP-11/15 prepared by GML Architects Ltd dated November 2015; Design and Access Statement prepared by GML Architects Ltd dated October.

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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.

- 3 **CONDITION:** The small/micro workspace on the ground floor is to be let in units of 90sqm or less only and shall not be amalgamated and let to a single occupant. Any space that is not provided as physically separate units and is larger than 90sqm requires details to be submitted, prior to occupation, demonstrating how the floorspace meets the needs of small or micro enterprises through its design, management and/or potential lease terms.

REASON: In the interests of providing a mix of unit sizes and types to help support a varied and strong local economy and to facilitate the growth of new businesses. This condition secures compliance with policies CS13 of the Islington Core Strategy (2011), policy DM5.4 of the Development Management Policies (2013).

- 4 **CONDITION:** The small/micro workspace located on the ground floor shall not be amalgamated with the remainder of the office floorspace in the building

REASON: In the interests of providing a mix of unit sizes and types to help support a varied and strong local economy and to facilitate the growth of new businesses. This condition secures compliance with policies CS13 of the Islington Core Strategy (2011), policy DM5.4 of the Development Management Policies (2013).

- 5 **CONDITION:** Notwithstanding the provisions of Classes I, O or T of Part 3 or Class D or E of Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by any Order revoking and re-enacting that Order, no change of use of the office floorspace shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

REASON: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS 14 of the Islington Core Strategy (2011), policies DM4.1, DM4.2, DM4.3, DM4.4, DM4.12 of the Development Management Policies (2013) and Policies BC3 and BC8 of the Finsbury Local Plan. (2013).

- 6 **CONDITION:** The ground floor vehicle parking and equipment storage area hereby approved shall be used by Cadent plc only, or an organisation performing the same functions as Cadent, in association with their occupation of the commercial premises at Comice House, 1 Pear Tree Street, London, EC1V 3SB only and shall not be used independently or in association with the general office floorspace hereby approved or in Comice House. The ground floor vehicle parking area shall provide a maximum of 14 marked out vehicle spaces only and a maximum of 14 vehicles shall be parked at any one time.

REASON: To ensure that the ground floor vehicle parking and equipment storage area is not used for general staff parking and to promote sustainable modes of transport.

- 7 **CONDITION:** The ground floor depot vehicle parking and equipment storage area shall be provided prior to the occupation of the remainder of the ground floor space hereby approved, and shall then be permanently retained in accordance with the approved plans thereafter.

REASON: The ground floor vehicle parking and equipment storage area is considered to form an essential element of the depot use, without which the scheme would have a harmful impact on both residential amenity and the free-flow and safety of traffic and the public highways.

8 CONDITION: All of the following windows shown on the plans hereby approved shall be permanently obscure glazed and fixed shut up to a height of 1.7m above the floor of the room in which the windows are installed prior to the first occupation of the development:

- § Eastern and South eastern elevation at all levels facing the lightwell between the frontage building at 1 Pear Tree Street.
- § Part of the north western elevation at fourth floor level facing the existing roof terrace at The Courtyard

All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows. The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

REASON: To prevent the undue overlooking of neighbouring habitable room windows.

9 CONDITION: Unless otherwise agreed in writing by the Local Planning Authority, the development shall only be carried out in accordance with the details of a boundary screens to terraces previously approved by the Local Planning Authority by decision dated 21 August 2018 (application reference P2018/1257/AOD).

REASON: To prevent the undue overlooking of neighbouring habitable room windows or balconies.

10 CONDITION: The roof terraces of the development hereby approved shall not be used except between the hours of 09:00 and 19:00 on any day except in the case of essential maintenance or repair, or escape in case of emergency.

REASON: To ensure that the amenity of residents is not adversely affected in accordance with policy 7.15 of the London Plan 2011, and policy DM2.1 of Islington's Development Management Policies 2013.

11 CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:

- a) roof terrace planting
- b) roof-top plant;
- c) ancillary enclosures/structure; and
- d) lift overrun

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.

- 12 **CONDITION:** Unless otherwise agreed in writing by the Local Planning Authority, the development shall only be carried out in accordance with the demolition and construction vehicle routes and access strategy previously approved by the Local Planning Authority by decision dated 04 May 2018 (application reference P2017/4390/AOD).

REASON: In order to secure highway safety and free flow of traffic, local residential amenity and mitigate the impacts of the development.

- 13 **CONDITION:** Unless otherwise agreed in writing by the Local Planning Authority, the development shall only be carried out in accordance with the Construction Environmental Management Plan (CEMP) previously approved by the Local Planning Authority by decision dated 04 May 2018 (application reference P2017/4390/AOD).

REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets.

- 14 **CONDITION:** The construction methodology and tree protection measures (including root protection areas) shall be carried out strictly in accordance with the Arboricultural Impact Assessment (April 2016 1140_05_APIII) and the Construction Method Statement (undated) hereby approved prior to works commencing on site, and shall be maintained for the duration of the works.

Any amendments to the construction methodology or tree protection measures (including root protection areas) require details to be submitted to and approved in writing by the Local Planning Authority prior to the relevant works taking place on site.

REASON: In the interest of the protection of trees and to safeguard visual amenities.

- 15 **CONDITION:** Unless otherwise agreed in writing by the Local Planning Authority, the development shall only be carried out in accordance with the details of facing materials previously approved by the Local Planning Authority by decision dated 24 July 2018 (application reference P2018/1539/AOD).

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.

- 16 **CONDITION:** Prior to first occupation of the development hereby approved, details of the proposed Solar Photovoltaic Panels shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to the following and should demonstrate that the panels are not visible from Seward Street:

- § Location;
- § Area of panels; and
- § Design (including angle of panels and elevation plans).

The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.

REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.

- 17 **CONDITION:** Other than any pipes shown on the plans hereby approved, no additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.

Should additional pipes be considered necessary the details of those shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such pipe.

REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.

- 18 **CONDITION:** Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate/install:

- a) Vehicular and pedestrian gates that are suitable for use by disabled people;
- b) Flush thresholds to all entrances and gated entrances
- c) Accessible/adapted bicycle and tricycle spaces

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: In order to facilitate and promote inclusive and sustainable communities.

- 19 **CONDITION:** The bicycle storage area(s) shown on drawing No. 4515/S73/11 hereby approved, shall be secure and provide for no less than 17 bicycle spaces and 1 disability tricycle space and shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.

REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.

- 20 **CONDITION:** The dedicated refuse / recycling enclosure(s) shown on drawing no. 4515/S73/11 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.

REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.

- 21 **CONDITION:** A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 22. The report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation and any noise mitigation measures shall be installed before commencement of the uses hereby permitted and permanently retained thereafter.

REASON: To protect the amenities of the neighbouring occupiers.

- 22 **CONDITION:** The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.

The development shall be carried out strictly in accordance with the scheme so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To secure an appropriate internal residential environment.

- 23 **CONDITION:** The development shall achieve Excellent under BREEAM New Construction (2011).

REASON: In the interest of addressing climate change and to secure sustainable development.

- 24 **CONDITION:** Unless otherwise agreed in writing by the Local Planning Authority, the development shall only be carried out in accordance with the Energy Strategy previously approved by the Local Planning Authority by decision dated 31 October 2018 (application reference P2018/0818/AOD).

REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the CO2 emission reduction targets are met.

- 25 **CONDITION:** Unless otherwise agreed in writing by the Local Planning Authority, the development shall only be carried out in accordance with the details of a biodiversity (green/brown) roof(s) previously approved by the Local Planning Authority by decision dated 21 August 2018 (application reference P2018/1257/AOD).

REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.

- 26 **CONDITION:** Unless otherwise agreed in writing by the Local Planning Authority, the development shall only be carried out in accordance with the details of landscaping previously approved by the Local Planning Authority by decision dated 21 August 2018 (application reference P2018/1257/AOD).

REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.

- 27 **CONDITION:** Details of bat and bird nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The details shall include the exact location, specification and design of the installations, and the boxes/bricks shall be installed prior to the first occupation and permanently retained thereafter.

REASON: To ensure the development provides the maximum possible provision in respect of the creation of habitats and valuable areas for biodiversity.

28 **CONDITION:** Unless otherwise agreed in writing by the Local Planning Authority, the development shall only be carried out in accordance with the details of a Sustainable Urban Drainage System previously approved by the Local Planning Authority by decision dated 21 December 2017 (application reference P2017/4390/AOD).

REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.

29 **CONDITION:** Unless otherwise agreed in writing by the Local Planning Authority, the development shall only be carried out in accordance with the details of a rainwater/greywater recycling system previously approved by the Local Planning Authority by decision dated 24 July 2018 (application reference P2018/1659/AOD).

REASON: To ensure the sustainable use of water.

Your attention is drawn to any **INFORMATIVES** that may be listed below

1 **SECTION 106 AGREEMENT AND SUPERSEDED PLANS:** You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

You are also advised that the following documents approved by Planning Permission P2015/4725/FUL are superseded by this notice:
PA10E; PA11B; PA12B; PA20A; PA21C; PA22B; PA24B; PA30B; PA31A; PA50A; PA51B; PA52A; PA53B; PA54B.

2 **DEFINITIONS:** (Definition of 'Superstructure' and 'Practical Completion') 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.

3 **CIL 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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and 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 payable on commencement of the development.

Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.

Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/>.

- 4 CAR-FREE DEVELOPMENT: All new developments are car free. 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.
- 5 The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.
- 6 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.
- 7 Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.

Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.

Compliance with section 140A of the Highways Act, 1980 - "Builders skips: charge for occupation of highway." Licenses can be gained through streetworks@islington.gov.uk.

Compliance with sections 59 and 60 of the Highway Act, 1980 - "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.

Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.

Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.

Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.

Before works commence on the public highway planning applicant must provide Islington

Certified that this document contains a true record of a decision of the Council

Yours faithfully

A rectangular box containing a handwritten signature in black ink. The signature appears to read "Karen Sumner" with a horizontal line underneath.

**KAREN SULLIVAN
SERVICE DIRECTOR - PLANNING AND DEVELOPMENT
AND PROPER OFFICER**

SUBSEQUENT REQUIREMENTS FOLLOWING THE GRANT OF PERMISSION

1. The Building Acts and Building Regulations

To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works.

T: 020 7527 5999

E: building.control@islington.gov.uk

2. Street Naming and Numbering

If the development results in changes to any postal address or addresses on the site you should contact the Street Naming and Numbering section. Failure to do so can result in delays to conveyancing, the connection of services or the initiation of postal deliveries.

T: 020 7527 2245 / 2611

E: address.management@islington.gov.uk

3. Environmental Health, Trading Standards and Licensing

You may need to comply with various Acts and therefore you should contact Commercial and/or Residential Environmental Health and/or Trading Standards and/or Licensing. The Licensing Team deal with premises that sell alcohol, provide entertainment, late night refreshment, gambling and special treatments such as beauty therapies, tattoos and saunas.

T: 020 7527 3186 (Commercial/Residential/Trading Standards)

T: 020 7527 3031 (Licensing)

E: Street.Trading@islington.gov.uk

Licensing@islington.gov.uk

Residential.Envh@islington.gov.uk

Commercial.Envh@islington.gov.uk

4. Inclusive Design and Access for Disabled People

The London Plan, Islington's Core Strategy and relevant Supplementary Planning Documents and Part M of the Building Regulations require the creation/maintenance of an Inclusive Environment. If you require any further information or advice on the application of the principles of Inclusive Design contact the Inclusive Design officers. Other applicable standards and design guidance are set out in:

§ Inclusive Mobility – www.dft.gov.uk/publications/inclusive-mobility

§ Approved Document M – Access to and use of buildings

§ Islington's Accessible Housing SPD –

[http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Publicity/Public-consultation/2011-2012/\(2012-03-03\)-Accessible-Housing-SPD-Adopted-March-09.pdf](http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Publicity/Public-consultation/2011-2012/(2012-03-03)-Accessible-Housing-SPD-Adopted-March-09.pdf)

§ Islington's Inclusive Landscape Design SPD -

[http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Quality-and-performance/Reporting/2011-2012/\(2012-03-03\)-Inclusive-Landscape-Design-SPD-January-2010.pdf](http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Quality-and-performance/Reporting/2011-2012/(2012-03-03)-Inclusive-Landscape-Design-SPD-January-2010.pdf)

§ BS8300:2009 – Design of buildings and their approaches to meet the needs of disabled people.

Regardless of any Planning or Building Regulations approval your client and or future occupant may have duties under the Equalities Act 2010 (which supersedes the Disability Discrimination Act). Those duties include to take all reasonable steps to ensure that disabled person experiences no less favourable treatment, which will involve the elimination of obstructive physical features.

T: 020 7527 2394

E: planning@islington.gov.uk

5. Highways

In order to comply with the provisions of the Highways Act, and/or other Highways matters, you should contact Highways Services. Hoardings, scaffolding, skips, overhanging structures, anything on the public highway (tables and chairs for example) are regulated by the Streetworks Team.

T: 020 7527 2000

E: streetworks@islington.gov.uk

6. Parking Suspensions

In order to secure parking bays for the sole use of contractors on site, you should contact Parking and CCTV Services.

T: 020 7527 1377/6262/6129

E: parkingsuspensions@islington.gov.uk

7. Trees

Any trees which are the subject of a Tree Preservation Order or within a conservation area may not be lopped, felled, uprooted or wilfully damaged without permission. Should you wish to undertake any such works contact the Tree Service.

T: 020 7527 2417/2150

E: treeservice@islington.gov.uk

8. Storage and Collection of Refuse

In order to ensure the intended approach/strategy to refuse, recycling, waste removal is acceptable, you should contact Street Environment Services.

T: 020 7527 2000

E: contact@islington.gov.uk

9. Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under the Control of Pollution Act. The normal approved noisy working hours are:

§ 08:00 to 18:00 Monday to Friday

§ 08:00 to 13:00 Saturday

§ No work on Sundays and Public Holidays

If you anticipate any difficulty in carrying out construction works other than within normal working hours (above) and by means that would minimise disturbance to adjoining properties then you should contact the Pollution Project Team.

T: 020 7527 7272

E: pollution@islington.gov.uk

10. Fire Precautions

If you require continued maintenance of fire precautions in existing buildings where no building work is planned contact the London Fire Brigade.

T: 020 8555 1200 (ext: 59163)

A: Eastern Command, Fire Safety Department

Units 5-6 City Forum

City Road,

LONDON EC1V 2FB

11. Petrol Storage

To ensure compliance with the Petroleum (Consolidation) Act and for advice on the storage of petroleum spirit or petroleum mixture, you should contact the London Fire and Civil Defence Authority.

T: 020 8555 1200 (ext: 59163)

A: Eastern Command, Fire Safety Department

Units 5-6 City Forum
City Road,
LONDON EC1V 2FB

Community Infrastructure Levy (CIL) Note Accompanying Planning Permission

1. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), a development which has been granted planning permission becomes a CIL chargeable development if it proposes one or more new dwellings, or more than 100sqm of new build floorspace.
2. Islington Council is the CIL Collecting Authority for developments in Islington and collects both the London Borough of Islington CIL and the Mayor of London's CIL, which goes towards funding Crossrail.
3. The Council will use the [CIL Additional Information form](#) submitted with the planning application, alongside other application documents, to determine whether the application is CIL chargeable and to calculate the CIL charge.
4. If your application is deemed to be CIL liable, the charges will be calculated in accordance with the Community Infrastructure Regulations 2010 (as amended) and the applicable CIL rates from the [Islington CIL Charging Schedule](#) and the [Mayor of London's CIL Charging Schedule](#).
5. The CIL is charged in pounds per square metre and is calculated by multiplying the applicable CIL rate by the proposed gross internal area (GIA) proposed by the development. The floorspace of existing buildings to be retained or demolished as part of the development will be deducted from the CIL chargeable area if part of the existing building has been in its lawful use for at least six months in the three years prior to permission being granted.
6. After permission is granted, the Council will issue a **CIL Liability Notice** if CIL liability has been triggered, which will set out the combined Islington CIL and Mayor of London CIL charge payable on commencement of the development. The CIL charge will also be registered as a Local Land Charge against the relevant land.
7. **One (or more) of the development parties must assume liability to pay CIL for a CIL chargeable development by submitting an [Assumption of Liability Notice](#).** In the absence of this form, liability will default to site owner(s).
8. A development may be eligible for relief or exemption from CIL if it includes affordable housing, is owned by a charity and will be used wholly or mainly for charitable purposes, or is a self-build project. Relief or exemption must be claimed prior to commencement by submitting the appropriate claim form. Further information can be found on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy#relief-and-exemptions.
9. Islington Council and the Mayor of London do not have a policy for granting discretionary charitable relief or exceptional circumstances relief and will not accept claims made on this basis.
10. **You must inform the Council when the development is going to start by submitting a [Commencement Notice](#)**
11. Once the Council has been notified that development works have commenced, a **CIL Demand Notice** will be issued setting out the total amount payable, how to pay, and when payment is due.
12. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed, and you will not benefit from the 60 day payment window.
13. Late payment interest and surcharges will be imposed if payment is not received by the due date.
14. Continued failure to pay CIL liabilities due will result in the Council initiating enforcement action, including serving a CIL stop notice prohibiting further development on the site, and applying to a magistrates' court for a Liability Order to recover the debt through the seizure of assets.

Further information on CIL and all CIL forms are available on the Islington website at www.islington.gov.uk/cil, and the Planning Portal website at <https://www.planningportal.co.uk/cil>. Guidance on the Community Infrastructure Levy can be found on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy.

For further information on CIL please contact the Developer Contributions Team at cil@islington.gov.uk.

APPLICANT'S RIGHTS FOLLOWING THE GRANT OR REFUSAL OF PERMISSION

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

§ **Six months:** Full (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time, and prior approval applications.

§ **12 weeks:** Householder planning, Householder prior approval and Minor Commercial applications.

§ **8 weeks:** Advertisement consent applications.

§ **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

§ The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**

§ An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice..

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are exceptional/special circumstances. The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

§ the applicant is the same as the applicant of the original application

§ site boundary is the same as the site boundary of the original application

§ the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council. This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. General Information

A planning permission does not constitute a listed building consent. Listed building consent is required before any works of development or alteration (internal or external) are undertaken to a building included on the Statutory List of Buildings of Architectural or Historic Interest.

The grant of a permission does not relieve the applicant/developer of the necessity of complying with any local Acts, Regulations, Building By-laws, private legislation, and general statutory provisions in force in the area or modify or affect any personal or restrictive covenants, easements etc., applying to or affecting either the land to which the permission relates or any other land or the rights or any person(s) or authority(s) entitled to benefit thereof or holding an interest in the property.

A development for which permission is granted require new rights over other people's land such as: rights to receive light and air, rights of way, access, freeholder consent, party wall award. In such situations it is appropriate to seek professional advice – please be aware that as such matters relate are private law matters, the council cannot advise you. If planning permission is given in respect of land adjoining land belonging to the council or another public authority, you are advised to consult that authority in its capacity as landowner about your proposals. Examples of land belonging to the council include: Public Parks, Gardens, Housing Estates, Estate Roads and Public Buildings such as Council Offices, Libraries and Swimming Pools.

- 6. If you require further advice please visit our website at www.islington.gov.uk or contact the Planning Enquiries team on 020 7527 2000.**