

# PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB- COMMITTEE A</b>		<b>AGENDA ITEM NO:</b>	
<b>Date:</b>	19 <sup>th</sup> March 2015	<b>NON-EXEMPT</b>	

Application number	P2014/3961/FUL
Application type	Full Planning (Council's Own)
Ward	Mildmay
Listed Building	No
Conservation Area	No
Licensing Implications Proposal	None
Site Address	Ground floor, Holiday House, 2 Mildmay Street, London, N1 4NF
Proposal	Conversion of disused spaces in the ground floor of Holiday House into 2no. flats (1x 1bed flat and 1x2bedroom flat) including external alterations to the west elevation and the creation of garden areas including the erection of garden walls.

Case Officer	Stefan Sanctuary
Applicant	Islington Council
Agent	Mr Paul Tobin

## 1. RECOMMENDATION

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

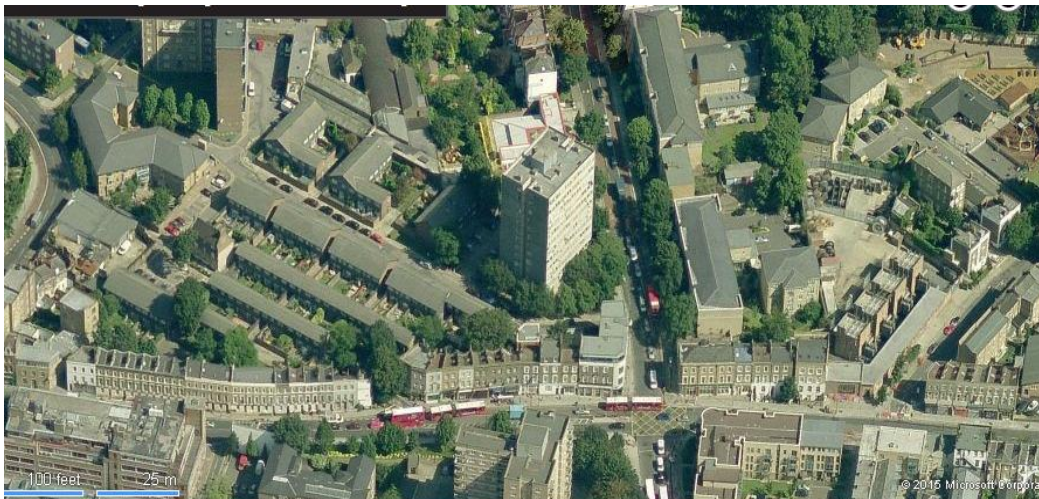
1. subject to the conditions set out in Appendix 1;
2. conditional upon the prior completion of a Directors' Agreement securing the heads of terms as set out in Appendix 1.

## 2. SITE PLAN (SITE OUTLINED IN RED)

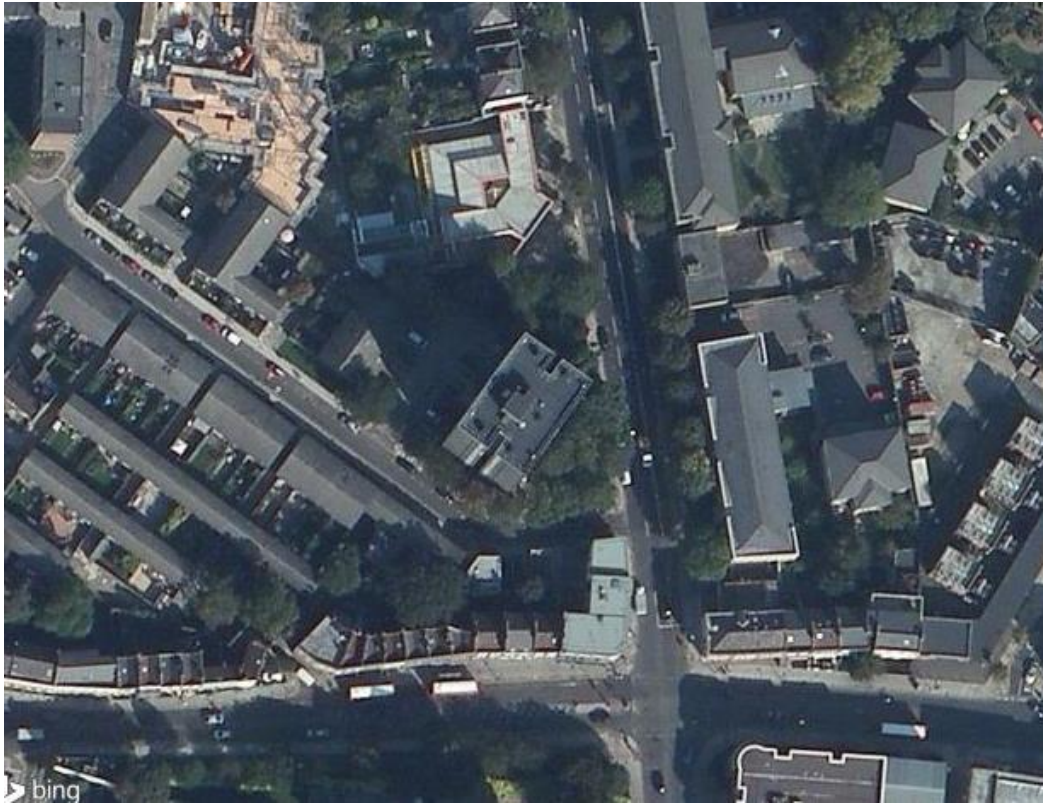


## 3. PHOTOS OF SITE/STREET

View 1: Birdseye view of Holiday House



**View 2:** Aerial view of Holiday House



**View 3:** Subject site Side and Front Elevations



**View 4:** Rear Elevation of site



#### **4. SUMMARY**

- 4.1 The application seeks permission to convert the disused spaces in the ground floor of Holiday House into two new dwellings, comprising one 1-bed flat and one 2-bed flat. The proposal also includes external alterations to the north-western elevation at ground floor level to facilitate the conversion. Finally, the application proposes to create two private gardens with associated garden walls on a section of the existing car parking area. The subject site is residential in nature and the proposal for two additional dwellings is considered to be acceptable in principle.
- 4.2 The main considerations are the impact of the development on the character and appearance of the area, the residential amenity of the neighbouring occupiers as well as the quality of accommodation and amenity of future residents. The impact of the loss of existing car parking space will also need to be considered.
- 4.3 Given the nature of the conversion, it is not considered that the development would harm the amenity the adjoining neighbours in terms of loss of light, overlooking or sense of enclosure. Moreover, the internal layout of the proposed flats meets modern standards and the private amenity space is provided in accordance with Council objectives and planning policies.
- 4.4 The redevelopment results in the loss of some of the existing car parking and the future occupiers of the proposed dwellings will have their right to obtain car parking permits removed (except for parking needed to meet the needs of disabled people). This is in accordance with Islington Core Strategy policy CS10 Section H, which identifies that all new development shall be car free. The site also has sufficient space for cycle storage though further details would be required by condition.

- 4.5 The new residential units will be solely used for social housing secured by Director's Agreement. In summary, the proposal is considered to be acceptable and to be broadly in accordance with the Development Plan policies.

## **5. SITE AND SURROUNDING**

- 5.1 The application site is situated on the northern side of Mildmay Street and the western side of Mildmay Park. The site includes a 13-storey residential tower known as Haliday House. The building itself is a Council block from 1972 and is clad in structural concrete panels, which are faced with exposed aggregate concrete.
- 5.2 Haliday House is set within a modest landscaped garden and on its north-western side the site includes a car parking area. The ground floor of the building currently contains a one-bed flat, a caretaker's lodge, a boiler room and a refuse store, which opens out onto the car park to the rear.
- 5.3 The area is residential in character, though adjoining the site immediately to the north is the Mildmay Library. To the west and south-west of the site are the two-storey residential properties of Mildmay Street while to the south of the site are the residential Victorian terraces of Balls Pond Road. To the east of the site, on the other side of Mildmay Park, is a four-storey residential apartment building known as Hadleigh House.
- 5.4 The application property is not a listed building nor does it lie within a Conservation Area.

## **6. PROPOSAL (in Detail)**

- 6.1 The application seeks permission to convert the disused spaces in the ground floor of Haliday House into two new dwellings, comprising one 1-bed flat and one 2-bed flat. The proposal also includes external alterations to the north-western elevation at ground floor level to facilitate the conversion. Finally, the application proposes to create two private gardens with associated garden walls on a section of the existing car parking area.
- 6.2 Access to the proposed dwellings would be from an existing side entrance from Mildmay Street. The proposed dwellings would each have separate front doors either side of the existing lifts. The one-bed dwelling consists of a large open plan living / dining room, a separate kitchen, bedroom and bathroom as well as a private garden of some 39.5 sqm in size. The two-bed dwelling has a similar layout, though is more generously-proportioned with a larger private garden of some 66.3 sqm.
- 6.3 The new dwellings would have aspect to the north-west with new double glazed windows and patio doors providing access to the proposed gardens. A second aspect would be provided to each of the new dwellings with a

separate window in the south-western and north-eastern elevations respectively.

## **7. RELEVANT HISTORY**

### **7.1 Planning Applications:**

- On the 31<sup>st</sup> January 2008, permission was granted for the replacement of single glazed windows with double glazed UPVC windows on 1-73 Haliday House under planning application reference P072572.
- On the 3<sup>rd</sup> January 2013, permission was granted for landscape improvements to the open spaces that form part of John Kennedy Court, Mildmay Street and Haliday House housing estates under planning application reference P111661.
- On the 30<sup>th</sup> September 2014, permission was granted for the over-cladding of external walls with insulated cladding under planning application reference P2013/4635/FUL.

### **7.2 Enforcement:**

None

### **7.3 Pre- Application Advice:**

None

## **8. CONSULTATION**

### **Public Consultation**

8.1 A total of 98 letters were sent to occupants of adjoining and nearby properties on Mildmay Street, Balls Pond Road and Haliday House on the 28<sup>th</sup> October 2014. A site notice was also displayed. The public consultation of the application therefore expired on 20<sup>th</sup> November 2014 however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report, 3 letters of objection were received. The following objection issues were raised (and the paragraph numbers responding to the issues in brackets).

- (i) the proposal would result in the loss of disabled parking bays which is unacceptable; (paragraph 10.21)

- (ii) the development would result in a loss of overall parking space, thereby reducing the accessibility and mobility of existing residents; (paragraph 10.17)
- (iii) The proposed new dwellings would not be safe and secure accommodation due to their ground floor location and the security situation around Holiday House (paragraph 10.14).

### **Internal consultees**

**Access Officer:** The following comments were made:

- all level changes on common and private entrances should be removed and level access should be provided on all dwellings (level access is now provided);
- the door and corridor widths of the proposed dwellings are not in accordance with policy and would not be accessible to wheelchair users (door widths are now all 900mm and policy compliant);
- the space and organisation of the bathroom facilities does not enable their use by wheelchair users (the proposal has now been amended to enable better access arrangements).

**Transport Officer:** The following comments were made:

- the development would need to include convenient, adequately-lit and accessible cycle parking (secured by condition);
- the proposal does not propose any additional on-site car parking which is supported by policy.

## **9. RELEVANT POLICIES**

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

### **National Guidance**

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF along with the associated NPPG are material considerations and have been taken into account as part of the assessment of these proposals.

### **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are

considered relevant to this application and are listed at Appendix 2 to this report.

### **Supplementary Planning Guidance (SPG) / Document (SPD)**

9.3 The relevant SPGs and/or SPDs are listed in Appendix 2.

## **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land use;
- Design and appearance;
- Neighbouring amenity impacts;
- Quality of resulting accommodation and dwelling mix;
- Transport and highways;
- Accessibility;
- Landscaping
- Refuse facilities

### **Land use**

10.2 The site is within a residential area with a mixture of terrace dwellings and apartment buildings characterising the immediate vicinity. The 13-storey subject building, Haliday House, contains residential dwellings and ancillary uses associated with the residential use. The new dwellings would be created in currently underused spaces associated with Haliday House and thus the existing residential use would be maintained.

10.3 The principle of the proposal is considered acceptable subject to complying with the remaining planning issues addressed in the subsequent sections of this report. In this respect the proposal complies with Policies 3.3 (Increasing housing supply) and 3.4 (Optimising housing potential) of the London Plan 2011, Policy CS12 (Meeting the housing challenge) of the Islington's Core Strategy 2011, Policy DM3.1 (Mix of housing sizes) of the Development Management Policies.

### **Design and Appearance**

10.4 Islington's Planning Policies and Guidance encourage high quality design, which complements the character of an area. In particular, Policy DM2.1 of Islington's adopted Development Planning Policies requires all forms of development to be of high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.



- 10.5 The site is situated within a predominately residential area outside any designated Conservation Areas. Mildmay Street and Mildmay Park is mainly characterised by low-rise residential development. In this context, the subject building, at 13 storeys in height, is an unusually tall yet unremarkable building. The proposal to provide private gardens on the existing car parking area and to create new windows and doors at ground floor level of the western elevation of this building to facilitate the conversion is not considered to be a significant physical change in this urban context. The proposed change of use of the ground floor would not prevent the recently granted permission for recladding of the tower to be amended nor would it prevent its implementation.
- 10.6 The new garden walls are proposed to match the existing brickwork on ground floor level while the approval of all new materials will be subject to condition to ensure the final appearance is of high quality and compatible with the existing and proposed recladding materials. Given this, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character), 7.6 (Architecture) of the London Plan 2011, CS8 (Enhancing Islington's character) of the Core Strategy 2011 as well as Development Management Policy DM2.1.

#### **Neighbouring Amenity**

- 10.7 The proposal does not involve any physical extensions to the building apart from the erection of garden walls. Given their height and distance from surrounding neighbouring properties, the garden walls would not result in any impacts on neighbouring residential amenity in terms of loss of sunlight, daylight or sense of enclosure.
- 10.8 Moreover the new windows and doors proposed on the western elevation are all located behind the proposed garden walls and would not result in any additional overlooking or loss of privacy. The provision of two new dwellings at ground floor is not considered to result in any other nuisances such as noise and there have been no objections from neighbouring residents in this regard.
- 10.9 Overall, the proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 (Design) of the Development Management Policies Plan 2013.

#### **Quality of resulting accommodation and dwelling mix**

- 10.10 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2011) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.
- 10.11 Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation.

Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes.

- 10.12 The proposed development consists of one 2-bed unit and one 1-bed unit. It is noted that the physical constraints of the site do not facilitate the creation of good sized larger family units. However the proposed units are well laid out and would form attractive and high quality internal living environments with generous private amenity space. Both units will have good access to light/daylight and will create spacious internal layouts.
- 10.13 Looking at the proposed dwellings in more detail, the proposed 1-bed unit would have a floor area of 51.5 sqm with rooms that exceed the internal space standards set within Islington's Development Management Policies. This unit also has a generous storage area and a private garden of some 40sqm. The proposed 2-bed unit on the other hand has a floor area of 68.4sqm, an internal layout that meets Islington's housing space standards, and a proposed garden area of some 66.3sqm.
- 10.14 The proposed one-bed flat would be located directly adjacent to the existing refuse storage, which has the potential of giving rise to bad smells and odours. While there is no history of existing residents complaining about the refuse storage area, this could result in a detrimental impact on the amenity of future residents. The proposal thus includes a 2.4 brick wall between the new dwelling and the refuse store and additional climbers planted above. This would simultaneously ensure a more safe and secure residential accommodation for future residents. Should permission be granted, precise details of the boundary treatment would be required by condition prior to implementation to ensure that potentially bad smells are suitably mitigated against.
- 10.15 The proposal would comply with policy DM3.5 of the Development Management Policies. Given the generous sizes of the units, including dual aspect design and overall layout, the proposal would provide a satisfactory living environment for future occupiers of the units and therefore comply with policy DM3.4 (Housing Standards) of the Development Management Policies Plan 2013.

### **Highways and Transportation**

- 10.16 The development would be car free, as required by Core Strategy Policy CS10 and as per proposed condition 8 to the recommendation B, which restricts future of occupiers of residential units from obtaining a residents permit. This will ensure adequate provision of spaces for existing users.
- 10.17 The development would also involve removing 5 existing car parking spaces, which are currently associated with Holiday House. Local residents have objected to the proposal on the basis that car parking spaces will be lost. However, it has been confirmed that a sufficient number of car parking spaces would be retained. Given the Council's transport policies, which are directed towards more sustainable modes of travel (cycle, walking, public transport),

the loss of these spaces is considered acceptable. Furthermore, the provision of two social housing residential units would fully outweigh the loss of car parking spaces and add to the Council's social housing stock.

- 10.18 As per policy DM8.4 of the Development Management Policies, the proposal would be required to provide cycle parking in accordance with the minimum standards set out in Appendix 6. For residential units, it would require 1 cycle space per bedroom. The proposal would therefore need to provide 3 cycle spaces in total within a secure location. A condition can be attached requesting these details prior to the commencement of the development.

### **Accessibility**

- 10.19 Proposals for residential development need to respond to London Plan Policy 3.8 and 7.2 which require for all new housing to be built to 'The Lifetime Homes' standard and to achieve the highest standards of accessible and inclusive design. Islington's Core Strategy Policy CS12 requires for all housing to comply with 'flexible homes' standards as set out within the Accessible Housing SPD.
- 10.20 The applicants have worked together closely with LBI access officers to achieve an accessible and inclusive layout. The application proposes level access to both of the proposed new units. The widths of corridor and doors proposed also comply with our minimum standards and would ensure ease of movement within the dwellings. The internal arrangements meet flexible homes standards and the bathrooms would be wheelchair adaptable. The proposal is in accordance with policy and meets inclusive design standards.
- 10.21 Objections have been raised by residents regarding the loss of disabled parking bays. However, the proposal would not result in a loss of designated wheelchair parking bays and a significant number of parking would be retained. The two proposed units would be Lifetimes Homes and not wheelchair accessible units and thus there is no requirement for them to be provided wheelchair parking bays. The onus would be on Islington Housing as landlord to provide wheelchair accessible bays as and when the need arises.

### **Landscaping**

- 10.22 Given that the site is presently predominately hard landscaping, the inclusion of garden area and landscaping is a considerable benefit. The proposed one-bed flat would be located directly adjacent to the existing refuse storage area and could thus give rise to smells and odours and a consequent loss of amenity to future residents. The landscaping scheme for this dwelling has the potential to provide additional screening to ensure that residential amenity is maintained. A suitably-worded condition has been proposed (condition 4) to protect residential amenity.
- 10.23 As such, the proposed development is acceptable with regard to landscaping and trees and is in accordance with policy 7.21 (Trees and Woodlands) of the

London Plan 2011 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

### **Other matters**

- 10.24 The proposal is a minor application for two residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy).
- 10.25 The proposal is subject to a Directors' Agreement to ensure that the housing remains in social ownership and is not disposed of on the private market. The development is also subject of contribution of £2,000 towards the environmental off-set contribution which has also been secured by Directors' agreement.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposal is considered to be a well-considered and sustainable use of space and would provide good quality residential accommodation for future residents.
- 11.2 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

- 11.2 It is recommended that planning permission be granted subject to conditions and Directors level agreement for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

## **APPENDIX 1 – RECOMMENDATIONS**

### **RECOMMENDATION A**

That planning permission be granted subject to the prior completion of a Director level agreement between the Service Director of the Council's Housing and Adult Services department and relevant officers in the local planning authority in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or in their absence the Deputy Head of Service:

1. Securing the Provision of two residential units for social housing
2. Contribution of £2,000 per proposed dwelling towards carbon off-setting

## RECOMMENDATION B

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

### List of Conditions:

	<b>Commencement (Compliance)</b>
1	<p>3 YEAR CONSENT PERIOD: 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>
	<b>Approved Plans List: (Compliance)</b>
2	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: HHN-00; HHN-03; HHN-05; HHN-06 Rev A; HHN-07; HHN-08; Design Statement dated August 2014.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
	<b>Materials and Samples</b>
3	<p>CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site. These shall include:</p> <ol style="list-style-type: none"> <li>a) Samples of all facing brickwork types, including mortar and pointing.</li> <li>b) Window and door treatment (including sections and reveals);</li> <li>c) details (including sections and reveals) and sample of window frames showing colour and texture</li> <li>d) any other materials to be used</li> </ol> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
	<b>Boundary Treatment</b>
4	<p>CONDITION: Detailed drawings of the rear and side boundary walls at scale 1:20 or similar shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site.</p>

	<p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In the interests of providing a good level of amenity to future residents and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	<p><b>Cycle Parking Provision (Compliance)</b></p> <p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing onsite. The storage shall be covered, secure and provide for no less than 2 cycle spaces per bedroom. The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
6	<p><b>Accessible Homes Standards (Compliance)</b></p> <p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
7.	<p><b>Landscaping</b></p> <p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</li> <li>b) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>c) proposed trees: their location, species and size;</li> <li>d) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>f) hard landscaping;; and</li> <li>g) any other landscaping feature(s) forming part of the scheme.</li> </ul> <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</p>

	<p>landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>8.</b>	<b>Car free development</b>
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>i) In the case of disabled persons;  ii) In the case of units designated in this planning permission as "non car free"; or  iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>
<b>9.</b>	<b>Noise Control Measures</b>
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <ul style="list-style-type: none"> <li>- Bedrooms (23.00-07.00 hrs) 30 dB <math>L_{Aeq,8\text{ hour}}</math> and 45 dB <math>L_{max\text{ (fast)}}</math></li> <li>- Living Rooms (07.00-23.00 hrs) 35 dB <math>L_{Aeq, 16\text{ hour}}</math></li> <li>- Dining rooms (07.00 –23.00 hrs) 40 dB <math>L_{Aeq, 16\text{ hour}}</math></li> </ul> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: To secure an appropriate internal residential environment for future residents.</p>
<b>10.</b>	<b>Construction Controls</b>
	<p>CONDITION: During the demolition and construction on site, the developer shall comply with Islington Council's Code of Construction Practice and the GLA's Best Practice Guidance for the control of dust and emissions from construction and demolition. The developer shall ensure that:</p> <p>1 The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of</p>

	<p>noise from the site.</p> <p>2 The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08.00-18.00 Monday- Fridays, 08.00- 13.00 Saturdays and at no time during Sundays or public holidays.</p> <p>3 All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.</p> <p>REASON: In order to safeguard the amenity levels of adjoining occupiers during the construction process.</p>
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**List of Informatives:**

	<p><b>Positive statement</b></p>
1.	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
	<p><b>Community Infrastructure Levy (CIL)</b></p>
2.	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/">www.planningportal.gov.uk/planning/applications/howtoapply/</a></p>
	<p><b>Directors Agreement</b></p>
3.	<p>Please note that this application is subject to a Service Level Agreement between directors to ensure that the residential units remain as social housing.</p>
	<p><b>Other legislation</b></p>
4.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations &amp; the Party Wall etc. Act 1996 ("the Act").</p>



	<b>Superstructure</b>
5.	<p><b>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</b></p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>

## **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 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **2. Development Plan**

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

#### **A) The London Plan 2011 - Spatial Development Strategy for Greater London**

##### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

##### **2 London's places**

Policy 3.3 Increasing housing supply  
 Policy 3.4 Optimising housing potential  
 Policy 3.5 Quality and design of housing developments  
 Policy 3.8 Housing choice  
 Policy 3.9 Mixed and balanced communities  
 Policy 3.10 Definition of affordable

##### **5 London's response to climate change**

Policy 5.3 Sustainable design and construction

##### **7 London's living places and spaces**

Policy 7.1 Building London's neighbourhoods and communities  
 Policy 7.2 An inclusive environment  
 Policy 7.3 Designing out crime  
 Policy 7.4 Local character  
 Policy 7.6 Architecture

##### **8 Implementation, monitoring and**

housing  
Policy 3.11 Affordable housing targets  
Policy 3.15 Coordination of housing  
development and investment

**review**  
Policy 8.1 Implementation  
Policy 8.2 Planning obligations  
Policy 8.3 Community infrastructure levy

## **B) Islington Core Strategy 2011**

### **Spatial Strategy**

Policy CS8 (Enhancing Islington's  
Character)

### **Strategic Policies**

Policy CS9 (Protecting and Enhancing  
Islington's Built and Historic  
Environment)  
Policy CS10 (Sustainable Design)  
Policy CS12 (Meeting the Housing  
Challenge)

## **C) Development Management Policies June 2013**

### **Design and Heritage**

DM2.1 Design

DM2.2 Inclusive Design

### **Housing**

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

### **Health and open space**

DM6.5 Landscaping, trees and  
biodiversity

### **Energy and Environmental Standards**

DM7.1 Sustainable design and  
construction statements

DM7.2 Energy efficiency and carbon  
reduction in minor schemes

DM7.4 Sustainable design standards

### **Transport**

DM8.5 Vehicle parking

### **Infrastructure**

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

Environmental Design

Small Sites Contribution

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106

Urban Design Guide

### **London Plan**

Accessible London: Achieving and  
Inclusive Environment

Housing

Sustainable Design & Construction