

PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE B		
Date:	21st May 2015	NON-EXEMPT

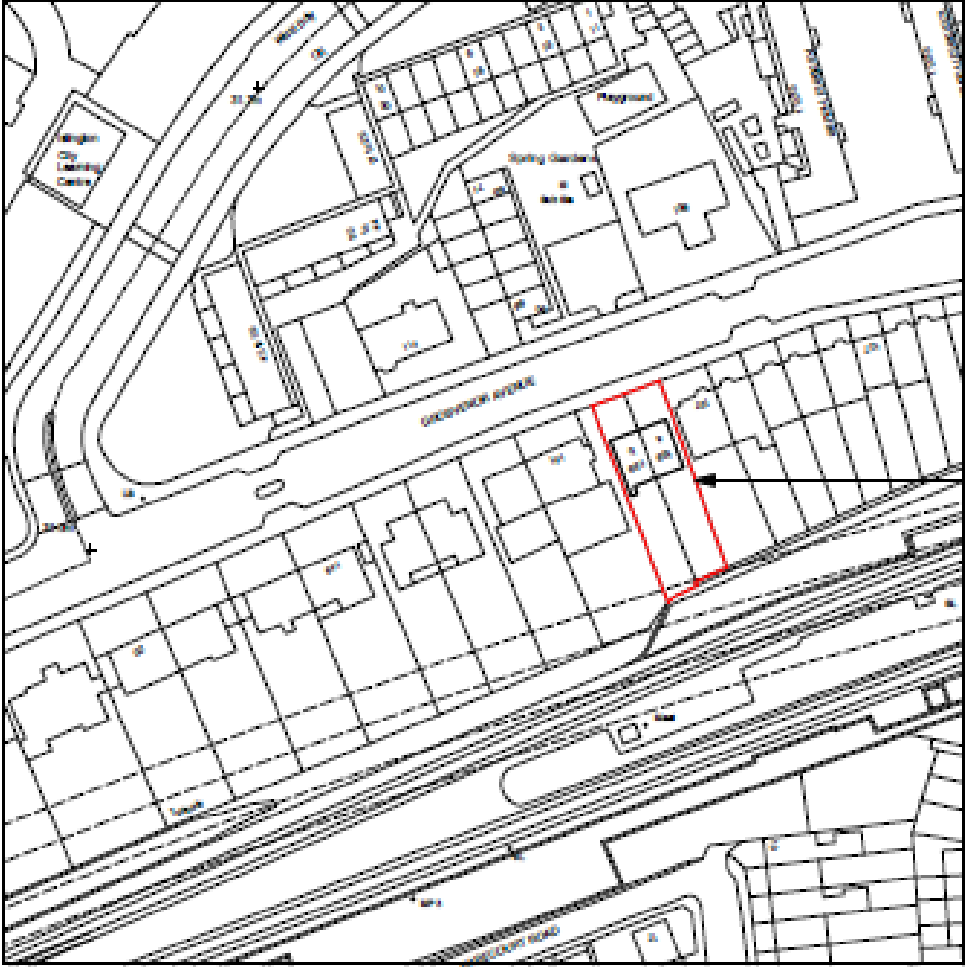
Application number	P2014/3449/FUL
Application type	Full Planning Application
Ward	Mildmay
Listed building	Not Listed
Conservation area	Not in a Conservation Area
Development Plan Context	No designation
Licensing Implications	None
Site Address	139A and 139B Grosvenor Avenue N5 2NH
Proposal	Demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO- use class C4) and the construction of a new 5-storey (inc lower ground floor) building providing 8 residential dwellings (C3) consisting of 2 x 4bedroom units and 6 x 2bedroom units with bin storage area to the front, cycle storage area to rear and associated landscaping.

Case Officer	Ben Phillips
Applicant	Mr Carlton James
Agent	Mr Stephen Sinclair

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission, subject to the conditions and S106 agreement (affordable housing and carbon offsetting) as set out in Appendix 1.

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: The existing properties from Grosvenor Avenue



Image 2: the Eastern Neighbour, No 137



Image 3: The Western Neighbour, No 141

4.0 SUMMARY

- 4.1 Planning permission is sought for the demolition of a pair of two storey semi-detached dwellings and their replacement with a 5 storey building containing 8 residential units.
- 4.2 It should be noted that the plans have been amended since first submission in order to address concerns raised by the Tree Officer, the Design & Conservation Officer and the Inclusive Design Officer.
- 4.3 In addition, following concerns raised regarding the impact of the building (specifically on the daylight and sunlight) upon the basement unit of No 137, the scheme has been amended to, in effect, remove the corner of the building away from the boundary with this neighbour so that it passes all BRE standard daylight & sunlight tests.
- 4.4 The development is, on balance, considered to comply with the relevant Local Plan policies.
- 4.5 The development will not result in significant adverse impacts upon the amenities of neighbouring properties.
- 4.8 It is therefore recommended that planning permission be granted subject to conditions.

5.0 SITE AND SURROUNDING

- 5.1 The site is located on the south side of Grosvenor Avenue and consists of a two storey semi-detached pair of dwellings currently in HMO use. The properties date back to the 1950s and have two storey front bay projections, half hipped roofs and large rear gardens. To the rear the site backs onto a railway line and at the front Grosvenor Avenue is a wide street with mature tree lined pavements.
- 5.2 The 1950's semi-detached pair of dwellings form the only such pair within the mostly Victorian streetscene. To the east the properties consist of three-storey over basement terraced dwellings, with those to the west consisting of three/four storey over basement townhouses. To the front of the site, on the opposite side of the road, are a number of more modern four storey residential buildings.
- 5.3 Most of the dwellings nearby have been converted to flats and there are a number of HMOs in the vicinity.
- 5.4 The site is not located within a conservation area and the building is not listed. However, the western boundary of the site forms the eastern most extent of the Highbury New Park Conservation Area.

6.0 PROPOSAL (in Detail)

- 6.1 The application consists of the demolition of a pair of two storey semi-detached dwellings and their replacement with a 5 storey building containing 8 residential units.
- 6.2 The existing 1950's semi-detached dwellings are currently in use as Houses of Multiple Occupants (C4), and were converted in 2007 (P070499 & P070589).
- 6.3 The proposed 5 storey building will consist of 2 four bed duplex units set over the lower ground and ground floors and 6 two bed units set above.
- 6.4 Each unit will have external outdoor space, private garden space for the larger 4 bed units and private balconies on the rear for the remaining units, which are also served by communal garden space to the rear. Also to the rear will be cycle storage (20 spaces) and bin storage is proposed to the front of the building.

7.0 RELEVANT HISTORY:

Planning Applications:

139 A Grosvenor Road:

- 7.1 **P070598** - Change of use from single family residence to house in multiple occupation – (**Granted Conditional Permission 13/11/2007**).
- 7.2 **P062091** - Change of use from single family residence to house in multiple occupation – (**Refused Permission 08/11/2006**).

- 7.3 **P061040** - Change of use from single family residence to house in multiple occupation – **(Refused Permission 11/07/2006)**.

139 B Grosvenor Road:

- 7.4 **P070499** - Change of use from single family residence to house in multiple occupation – **(Granted Conditional Permission 09/07/2007)**.
- 7.5 **P062142** - Change of use from single family dwelling to house in multiple occupation – **(Refused Permission 14/11/2006)**.
- 7.6 **P061041** - Change of use from single family residence to house in multiple occupation – **(Refused Permission 10/07/2006)**.

Enforcement:

- 7.5 None relevant

Pre Application Advice:

- 7.6. Q2014/2304/LM Advice was sought on the principle of the scheme and policy requirements. The advice provided resulted in design and scale amendments, as well as internal alterations to the size of the units (to comply with adopted floor space standards).

8.0 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 132 neighbouring properties on the 15/9/14. A site notice was also erected on the 18/9/14. The consultation period expired on the 9/10/14.
- 8.2 At the time of the writing of this report 44 letters of objection have been received, which are summarised as follows (with paragraph numbers stated in brackets stating where the issue is addressed).
- The footprint is too large (10.14-10.18)
 - The structure is too large and out of keeping with the surroundings and nearby Conservation Area (10.14-10.18)
 - The building has no merit architecturally nor is it providing any social housing (10.21-10.24 and 10.74-10.75)
 - There will be issues of noise during construction and possible subsidence (10.79)
 - The development will reduce light levels to the neighbours (10.42-10.57)
 - The development will lead to a loss of view for No 137 (not a material planning consideration)
 - The development will overshadow and overlook my property (10.42-10.54)
 - The materials are inappropriate (10.21-22)
 - The development will have an impact on the surrounding green space and trees (10.56-10.67)

- There will be more cars on the road (10.68)
- The development will impact biodiversity (10.56-10.67)
- To demolish the existing buildings will be a loss to the street scene (10.14-10.15)
- The submitted plans make inaccurate assumptions regarding the layout of the neighbouring property. It is considered that the submitted plans are sufficiently accurate to allow proper consideration of the application and site.

8.3 In addition, a petition from the 'Grosvenor Avenue Action Group' including 45 signatures objecting to the scheme has been submitted (which states that 'we the undersigned object').

8.4 One letter of support has been received.

External Consultees

8.5 **Network Rail:** - The developer must ensure that the development does not encroach onto Network Rail land or affect its infrastructure etc.

Internal Consultees

8.6 **Design and Conservation Officer:** Concerns were raised initially regarding the design. Specifically the fenestration size and siting, the size of the dormers and the detailing of the entrance.

8.7 These issues have been addressed (through the submission of amended plans) and the Design & Conservation Officer is now satisfied that detailing and materials are appropriate.

8.8 **Policy Officer:** Concerns were raised regarding loss of the existing HMO's, loss of garden space, subterranean development, residential provision and affordable housing.

8.9 With regards to the existing HMO, Policy DM3.9 part C states that the council will resist the loss of good quality HMOs with paragraph 3.9 clarifying it will not apply to change of use between HMOs in C4 use class shared by 3 to 6 people (as opposed to sui generis HMOs with a larger number of occupants) and C3 housing due to the existence of some permitted development rights allowing for this.

8.10 Part D of Policy DM3.9 states that where the loss of an HMO is acceptable, development should provide accommodation to meet an acute need identified by the council's Housing Department, which may include social rented housing.

8.11 **Inclusive Design Officer:** Concerns were initially raised regarding the future installation of a lift, upper ground/lower ground configuration and that the units meet Lifetime Homes and Islington's flexible homes standards. These issues have been addressed through the submission of amended plans.

8.12 **Tree Officer:** Concern was initially raised regarding the incursion of the development into the root protection area of the street tree and the service connection detail. Additional information has been submitted and the Tree Officer is

satisfied that the issues can be dealt with within a conditioned Arboricultural Method Statement (AMS).

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 is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 The National Planning Practice Guidance 2014 is material consideration in the assessment of and has been taken into account as part of the assessment of these proposals.

Development Plan

- 9.3 The Development Plan comprises of the London Plan 2015, 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.

Designations

- 9.4 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

Sited within 50m of a Conservation Area
(Highbury New Park)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Loss of existing dwellings
- Design and visual impact on the street scene and conservation area.
- Mix and standard of accommodation
- Inclusive design
- Impact on neighbouring amenity
- Impact on trees

- Affordable housing
- Sustainability
- Construction

Loss of existing HMO dwellings

- 10.2 The two existing properties are each in use as a HMO and policy DM3.9 of the Development Management Policies states that the Council will resist the loss of good quality HMOs. The properties were granted permission for use as HMOs in 2007 and were considered at the time to provide good quality accommodation of this type.
- 10.3 It has been established that each of the two properties are occupied by five individuals through the submission of copies of licences issued by the council's Environmental Health department. The dwellings therefore fall within the C4 use class.
- 10.4 Recent changes to the General Permitted Development Order 2015 (Part 3, Class L -*small HMOs to dwellinghouses and vice versa permitted development*) now states that the change of use from Use Class C4 to Use Class C3 results in the creation of 2 or more single dwellinghouses (C3) is not allowed.
- 10.5 In this instance it should be noted that the change of use of the 2 HMO's on the site to 2 single family dwellings would however be permitted development.
- 10.6 Policy DM3.2 would then be relevant, which permits the redevelopment of housing resulting in no net loss of residential floorspace in principle.
- 10.7 In this instance clearly the development will provide additional residential floor space (778m² set over 8 units compared to the existing 350m² approx) and therefore this policy would be satisfied, and the site would be used in a more efficient manner whilst providing 8 new residential units, which is supported by the Development Management Policies relating to housing which states that high density development is needed to accommodate the projected population growth in the borough.
- 10.8 It is therefore considered that, on balance, it would be unpractical and unreasonable to require the initial change of use of the existing HMO's to 2 residential units before accepting the larger number of units. This is a fall back position allowed under permitted development and in this instance should be taken into account.
- 10.9 In addition, as stated below, it is considered that the provisions of Core Strategy CS12 requiring an affordable housing contribution has been satisfied. This meets the requirements of Part D of Policy DM3.9, which seeks to ensure that development that replaces HMOs meet an acute need identified by the Council's housing department.
- 10.10 The Policy Officer also raises concern regarding the loss of garden space, the housing mix and affordable housing. The issues of affordable housing and housing mix is discussed below. With regards to the loss of garden space, there remains a significant garden space (255m²) and it is not considered that the limited loss of space caused by the large footprint of the building (and the extension to the rear by

3.5m) is significant in terms of openness or biodiversity (which is discussed below), and the Tree Officer does not object to the proposal (again discussed in detail below).

10.11 The Policy Officer also raises issue with the proposed subterranean development proposed. The scheme proposes a similar lower ground/basement level to that prevalent along the existing Victorian streetscene. In terms of access, this is discussed further below.

10.12 As such, in principle, it is considered that the redevelopment of this site for residential units is acceptable.

Design and visual impact on the street scene and conservation area

10.13 Paragraph 63 of the National Planning Policy Framework states that "in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area".

10.14 Policy DM2.1 states that 'all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

10.15 The proposal would demolish an existing two storey semi-detached pair of houses and introduce a new modern 5 storey (including lower ground floor and basement) residential building. The existing dwellings (built in the 1950's) have little architectural merit and represent an incongruous break in the predominantly three and four storey height of the neighbouring Victorian buildings.

10.16 The existing semi-detached buildings are set away from both side boundaries, providing clear separation from each of the neighbouring properties, which in turn are also set away from both boundaries, leading to views through to the trees to the rear of the site and a sense of space around the property, particularly on the west side.

10.17 Furthermore, this side of Grosvenor Avenue, particularly to the west is in part characterised by open space to the side of semi-detached properties and the termination of terraced rows.

10.18 The proposed building retains a 1m approx gap to both boundaries which is similar to the existing properties. As such there should not be a loss of openness at the site which is characteristic of the existing pattern of development. The proposed building retains the same approximate ridge and eaves height of the neighbouring dwellings, and therefore in terms of scale and massing the building is considered appropriate.

10.19 Whilst set some 3m in front of the existing properties, the building line of the building is consistent with both neighbours, with only the lightwells and bin storage areas set in front.

- 10.20 The development provides a sunken private rear amenity space for the lower/ground floor duplex units, with steps up to the retained existing garden space at the rear.
- 10.21 The detailing of the front elevation has been amended from the original design to address the concerns raised by the Design & Conservation Officer, namely in terms of the scale and consistency of the fenestration. In addition the dormer window shave been reduced slightly in scale to be more in keeping with the surrounding properties. The vertical emphasis of the façade replicates the traditional Victorian dwellings on either side.
- 10.22 The materials proposed (predominantly facing brick front elevation and timber framed windows) will ensure that the development is in keeping with the traditional Victorian street scene. A condition is proposed to ensure the exact brick used is appropriate to the surroundings.
- 10.23 The building is set back from the front boundary in line with the existing dwellings and incorporates landscaping and a low rendered masonry wall which will match the existing front boundary treatment along this part of Grosvenor Avenue. The large tree to the front of the building, which contributes to the character and appearance of the street scene will be retained (this is discussed further below).
- 10.24 As such, the design is now considered to be acceptable and will appear as a contemporary addition to the street scene which sits comfortably within the historic surroundings.
- 10.25 It is not considered that the amendment to the rear (south east) corner (the removal of this corner of the building) has a detrimental impact upon the character and appearance of the rear elevation.
- 10.26 It is therefore considered that the proposed development will preserve the character of the adjoining Conservation Area.

Standard of Accommodation for Future Occupiers

10.27 Policy DM3.4 of the Islington's Development Management Policies (June 2013) sets out the standards expected of accommodation in the borough.

10.28 The following table shows the proposed unit sizes.

<i>Unit</i>	<i>Rooms</i>	<i>Required Floor Space (m2)</i>	<i>Provided Floor Space (m2)</i>
Unit 1	4	99	158
Unit 2	4	99	164
Unit 3	2	70	74
Unit 4	2	70	81
Unit 5	2	70	76
Unit 6	2	70	81
Unit 7	2 (1 single)	61	74
Unit 8	2 (1 single)	61	70

10.29 The units therefore comply with Policy DM3.4 in this regard.

10.30 In terms of amenity space, DMP policy DM3.5 states that all new residential development and conversions are required to provide good quality private outdoor space.

Unit	required amenity space (m2)	amenity space (m2)
Unit 1	30	121
Unit 2	30	144
Unit 3	7	10
Unit 4	7	7
Unit 5	7	7
Unit 6	7	9
Unit 7	7	8
Unit 8	7	8

10.31 The proposed units therefore comply with the amenity space guidelines outlined in Policy DM3.5.

10.32 Notwithstanding the above, Policy DM3.4 states that all new housing developments are required to provide dual aspect accommodation, adequate daylight and sunlight provision, legible, logical and level entrances, and acceptable shared circulation space.

10.33 The proposed units are all dual aspect and provide a good level of sunlight and daylight from both aspects. The two duplex units provide bedroom accommodation on both lower and ground floors. The front lower ground floor bedrooms (one in each unit) are served only by a lightwell. This is not ideal, but given that these duplex units provide three other bedrooms on the ground floor (all served with windows), on balance, it is not considered that this is unacceptable in this instance.

10.34 As such, it is considered that all 8 units will provide a satisfactory standard of living accommodation.

Accessibility

10.35 The Inclusive Design Officer requested some alterations to the original scheme, namely the provision of a space for future installation of a lift and the changes to layout of the upper/lower ground floor units (units 1&2).

10.36 These issues have been addressed through the resubmission of amended plans illustrating a space for future lift provision. The development will have level access as will each unit, save for the 2 duplex apartments, and will meet design standards in terms of wheelchair accessibility and corridor widths etc, and, on balance it is considered to be sufficiently visitable and adaptable to meet the Lifetime Homes and Islington's flexible homes standards.

10.37 Concern is raised regarding the configuration of the duplex units, with the living space set on the lower ground floor. However whilst this is not ideal from an

inclusive design perspective, the properties on this side of Grosvenor Avenue have a lower ground and upper ground floor, and this living space is served by the external excavated garden space. To replace this with bedrooms and to have the living space on the ground floor would not work as well and on balance therefore, it is considered that this arrangement is acceptable.

Neighbouring Amenity

- 10.38 Policy DM2.1 states that the design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing. It goes on to state that development must not unduly prejudice the satisfactory development or operation of adjoining land and/or the development of the surrounding area as a whole. It also states that the impacts on amenity such as privacy, direct sunlight or daylight must be considered.
- 10.39 The proposed building is clearly greater in scale and massing than the existing pair of two storey semis. It extends to the rear by 3m more, to the front by 3m more and is (at its highest point) approximately 4m taller.
- 10.40 The eastern neighbour No 137, a five storey semi-detached property, includes a separate basement flat. The applicants state that the second floor of this building is not in use as residential but rather is a therapy and health/well being business.
- 10.41 The eastern neighbour No 141, a four storey semi-detached property has been converted into flats.
- 10.42 A daylight/sunlight assessment has been submitted (by MES Building Solutions, amended 28th Oct 2014 which was amended/updated following an internal inspection of no 137, and an addendum added following the redesign of the south east corner). This assesses the scheme against the standards of the BRE Site Layout Planning for Daylight & Sunlight (as suggested by Policy DM2.1).
- 10.43 The report assesses the impact of the development upon Vertical Sky Component (VSC) of the windows of the neighbouring properties.
- 10.44 Beginning with No 141, this property has 4 windows on its side elevation including a bay window. The bay serves a room that is also served by front elevation fenestration. The lower ground floor window serves a bathroom (non-habitable room). The first floor side elevation window serves a room that is also served by front elevation fenestration. The report makes it clear that these rooms pass the VSC Test in accordance with the BRE standards. It should also be noted that the BRE standards state that side elevation windows close to a boundary 'should not be considered in the same way as windows built a reasonable distance from their boundary'. As such, the impact of the development on this side elevation is considered to be acceptable.
- 10.45 With regards the rear fenestration, no window fails the VSC & Daylight Distribution Test nor the Available Sunlight Hours Test. This is also the case with the front elevation fenestration. As such, it is considered that the proposed building will not have a detrimental overbearing or overshadowing impact on this neighbour.

- 10.46 Turning to No 137, this neighbour has a door and a small window on the second storey (opening onto a small terrace) and a side facing dormer. The two second storey openings will experience a reduction in sunlight and daylight. However this room is also served by front and rear windows and these side windows are secondary. The room also passes the Daylight Distribution test and as such, it is not considered that the impact of the development on this room is sufficient to warrant a recommendation of refusal. The side dormer windows pass all the tests, and the development will not have a detrimental impact upon this room.
- 10.47 Turning to the rear elevation, the ground and first floor fenestration pass all tests.
- 10.48 As noted above, the basement/lower ground floor is in use as an independent flat. Following the amended design of this corner of the building, so that it is angled away from this property, the addendum to the Daylight & Sunlight statement shows that the scheme now passes all tests with specific regard to the basement unit windows, one of which serves a bedroom and one of which serves a kitchen.
- 10.49 As such, it is not considered that the impact of the development upon these windows is sufficient to warrant a recommendation of refusal. It is not therefore considered that the development will have a detrimental impact on the rear facing windows of No. 137.
- 10.50 The submitted Daylight and Sunlight report also measures the impact of the development on the two properties on the opposite side of Grosvenor Avenue, No. 114 Grosvenor Avenue and Park Church House. The assessment shows that the development will not have an unacceptable impact on these properties.
- 10.51 Finally, it should also be noted that the assessment shows that the development will also comply with BRE standards with regards to the impact on neighbouring amenity space.
- 10.52 This amenity space assessment does not include the side terrace located on top of the side projection of No 137. However it is not considered that it would be reasonable to expect this space to be protected in any way given its siting on the side boundary.
- 10.53 Turning to overlooking, the building has no side elevation fenestration, and all rear balconies face directly down the site. In addition, the balconies are set behind the side walls and therefore it is not considered that the building will offer any unacceptable overlooking to either adjacent neighbour.
- 10.54 As such and on balance, it is not considered that the proposed development will have an unacceptable impact on the amenity of neighbouring properties.

Tree and Landscaping

- 10.55 Policy DM6.5 states that developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats.

- 10.56 As stated above, the Tree Officer initially identified two major areas of concern, namely the impact of the development at the front of the site on the large London Plane tree sited directly in front of the building facing Grosvenor Avenue, and the propose service connection detail.
- 10.57 Of less concern is the loss of trees to the rear of the site (x 9), which (as the site is not within a Conservation Area) does not require permission.
- 10.58 The tree to the front of the site is an important amenity tree and part of an historically importing avenue. The details submitted initially were considered insufficient to protect this tree.
- 10.59 Further information from a tree consultant (Arbtech Consulting Ltd) was submitted, along with a short method statement from a structural engineer (David Dexter Associates) detailing the construction method.
- 10.60 In addition, minor amendments were undertaken to the front boundary treatment, with the introduction of semi-porous resin bound service to the front of the building, along with a semi-porous service at the base of the low front masonry boundary wall and some soft landscaping (raised planter bed) directly in front of the entrance.
- 10.61 The Tree Officer is now satisfied that, subject to a condition regarding the submission of an arboricultural method statement, the development could preserve this tree in accordance with the Policy DM6.5.
- 10.62 The development is clearly of a greater foot print than the existing pair of semis, and will extend to the rear some 3.5m further than the existing. There does remain however a substantial rear garden (255sqm) for the use of Units 1 and 2 as stated above, 9 trees in total will be removed from the rea garden, but these are not protected and the site is not within a Conservation Area.
- 10.63 The development incorporates a green wall and a living roof (with solar panels). The living wall sits on the rear elevation and extends over to the ground floor.
- 10.64 The landscaping at the front and rear is limited to improving the existing gardens. The trees at the rear boundary of the site will be retained and a semi porous decked sunken area adjacent to the building will provide irrigation for the garden.
- 10.65 In addition, the submitted Sustainable Design and Construction Statement (Ingleton Wood) makes it clear that the development will meet Code Level 4. The sustainability and biodiversity credentials of the building far exceeds the existing building therefore.
- 10.66 Policy DM 6.3 (E) states that ' development of private open space is not permitted where there would be a significant individual or cumulative loss of open space... or where there would be a significant impact on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and or flood alleviation affect'.
- 10.67 On balance, and subject to the condition requested by the Tree Officer it is considered that a sufficient amount of garden space is being retained and development will not have a detrimental impact upon the biodiversity or ecological connectivity of the site in compliance with the above condition.

Cycle and Bin Storage

- 10.68 The development will be car free in accordance with the Core Strategy, and will therefore not add any additional parking pressure to Grosvenor Avenue and the nearby streets. The exceptions to this are blue badge holders and Islington residents who have already held a permit for the specified period of one year.
- 10.69 Policy DM8.4 states that minor developments creating new residential are required to provide cycle parking in accordance with the minimum standards set out in Appendix 6. Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible.
- 10.70 In this instance, 1 cycle space per bedroom (20) should be provided. A cycle parking area (for 20 cycles) is provided at the rear of the site within an enclosed timber structure (with a green roof). This is accessible through a secured access along the eastern side of the building.
- 10.71 With regards to bin storage, as stated above, this is provided at the front of the site adjacent to the new front boundary wall. The brick bin storage area will match that of the front elevation of the building and will incorporate a boundary planter to soften its appearance.
- 10.72 It is therefore considered that the proposed development provides acceptable cycle and bin storage.

Affordable Housing

- 10.73 The Core Strategy Policy CS 12 – ‘Meeting the Housing Challenge’ requires (part G) "... all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough."
- 10.74 The SPD ‘Affordable Housing Small Sites’ states that in line with the evidence base, the council will expect developers to be able to pay a commuted sum of £50,000 per unit for sites delivering fewer than 10 residential units in the north and middle parts of the borough. The SPD states, in accordance with the NPPF, that in instances where the applicants consider that this level of contribution would leave the development unviable, that the council will accept viability assessments where the applicants should provide a statement with their application with a justification for not providing the full financial contribution. The applicants initially stated that no contribution was possible. In this instance the applicants originally provided information relating to viability and suggested any contribution would lead the scheme to be unviable.
- 10.75 The SPD states that ‘a viability appraisal must include sufficient information to enable the council and/or an independent viability expert to review the appraisal without having to seek further information from the applicant’. The viability statement was independently assessed and it was concluded by the assessors that a contribution of £144,000 is reasonable. Following this request, the applicants have agreed to pay this figure, and a legal agreement has been agreed to secure

this. As such, it is considered that this policy requirement has been satisfied and therefore the proposal is acceptable in this regard.

Sustainability

- 10.76 Policy DM7.2 requires developments to achieve best practice energy efficiency standards, in terms of design and specification.
- 10.77 Minor new-build residential developments of one unit or more are required to achieve an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with Building Regulations Part L 2010 (equivalent to Code for Sustainable Homes level 4), unless it can be demonstrated that such provision is not feasible.
- 10.78 An Energy and Sustainability statement has been submitted. As stated above, the document illustrates that the scheme will achieve the standards set in the Code for Sustainable Homes level 4.

Construction

- 10.79 A condition requiring a construction method statement will ensure that any construction is undertaken in an appropriate manner (Condition 8)

11 SUMMARY AND CONCLUSION

Summary

- 11.1 In accordance with the above assessment, it is considered that the proposed demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO- use class C4) and the construction of a new 5-storey (inc lower ground floor) building providing 8 residential dwellings would be acceptable in land use terms, have an acceptable impact upon the character and appearance of the terrace and street scene and will preserve the character and appearance of the adjoining conservation area. In addition, it would not be unduly harmful to the amenities of adjoining residents.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION

That planning permission be granted subject to the completion of a section 106 agreement to secure

- a) A financial contribution of £144,000 towards the provision of off site affordable housing.
- b) A financial contribution of £8000 towards CO2 off setting.

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>304.PP.00.01, 304.PP.00.02, 304.PP.00.03, 304.PP.01.01 A 304.PP.01.02 C, 304.PP.02.02 C, 304.PP.02.03 D, 304.PP.02.05 C 304.PP.02.06 B, 304.PP.02.07 B, 304.PP.02.10 B, 304.PP.02.12 A 304.PP.02.13 A, 304.PP.02.14 A, 304.PP.02.15 A</p> <p>Aboricultural Impact Assessment , Aboricultural Development Report, Tree Survey (Arbtech) Planning Statement (AZ Urban Studio 19/8/14) Daylight & Sunlight Report (MES building Solutions) & Addendum 16/3/15 Design & Access Statement (Fourthspace Aug 2014) Sustainable Design & Construction Statement (Ingleton Wood 15/8/14)</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>
3	Materials
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) window treatment (including sections and reveals); c) roofing materials; d) balustrading treatment (including sections); e) garden fences;

	<p>f) bin store; and e) divisions between gardens.</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 securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Accessible Homes
	<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>
5	BREEAM
	<p>CONDITION: The development shall achieve a BREEAM [Office/Retail/Schools/Bespoke/multi-residential rating (2008)/BREEAM New Construction rating (2011)] of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
6	Cycle parking
	<p>CONDITION The bicycle storage area hereby approved, which shall be covered, secure and provide for no less than 20 bicycle spaces shall be provided prior to the first occupation of the development hereby approved 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>
7	Car Free Housing
	<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> <ul style="list-style-type: none"> (2) In the case of disabled persons (3) In the case of units designated in this planning permission as 'non car free';or (4) In the case of the resident who is an existing holder of residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least a year. <p>REASON: To ensure that the development remains car free.</p>
8	Construction Method Statement

	<p>No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works viii mitigation measures of controlling noise from construction machinery during business hours <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
9	Green Roof
	<p>Details of the biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); and b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>

10	Arboricultural Method Statement
	<p>No development (including demolition works) shall take place on site unless and until an arboricultural method statement (AMS) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities</p>

List of Informatives:

1	Positive Statement
	<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.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>
2	Construction Hours
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system – Building Regulations as well as Environmental Health Regulations.</p> <p>Any construction works should take place within working day.</p> <p>The Pollution Control department lists the normal operating times below.</p> <p>Delivery and operating times – the usual arrangements for noisy works are</p> <ul style="list-style-type: none">• 8am – 6pm Monday to Friday• 8am – 1pm Saturday• no noisy works on Sunday or Public Holiday (unless by prior agreement in special circumstances)
3	CIL
	<p>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.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>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-</p>

	levy/.
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4	Car Free
	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	S106
	SECTION 106 AGREEMENT: 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.

APPENDIX 2: RELEVANT POLICIES

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

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.

The National Planning Policy Guidance 2014 provides planning practice guidance for the implementation of the policies set out in the NPPF. The NPPG is a material consideration and has been taken into account as part of the assessment of these proposals.

On the 28th November 2014, a Ministerial Statement and revision to the Planning Practice Guidance (PPG) were published.

Development Plan

The Development Plan is comprised of the London Plan 2015, 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 2015 - Spatial Development Strategy for Greater London

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 7.8 Heritage assets and archaeology

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)

C) Development Management Policies June 2013

Design and Heritage
DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM3.1 Housing Mix
DM3.4 Housing Standards
Dm3.5 Private Amenity Space

Transport
DM8.4 Walking & Cycling
DM8.6 Delivery & Servicing

Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

Islington Local Plan

none

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design
Urban Design Guide
Accessibility SPD

London Plan

Accessible London: Achieving and
Inclusive Environment
Planning for Equality and Diversity in
London