

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration
Department
PO Box 333
222 Upper Street

PLANNING SUB-COMMITTEE A		
Date:	21 st September 2015	NON-EXEMPT

Application number	P2015/2564/FUL
Application type	Full Planning Application
Ward	Junction Ward
Listed building	Not listed
Conservation area	St John's Grove conservation area
Development Plan Context	<ul style="list-style-type: none">- Archway Core Strategy Key Area- St John's Grove Row Conservation Area- Article 4(2) St John's Grove (2)- Local cycle routes- Within 100m of a Strategic Road Network Road
Licensing Implications	None
Site Address	2 Tremlett Grove, London, N19 5JX
Proposal	Substantial demolition of existing residential dwelling with retention of street façade and construction of 3 dwellings comprising 1 no. 5 bedroom townhouse with rear garden and 2 x 2 bedroom residential flats.

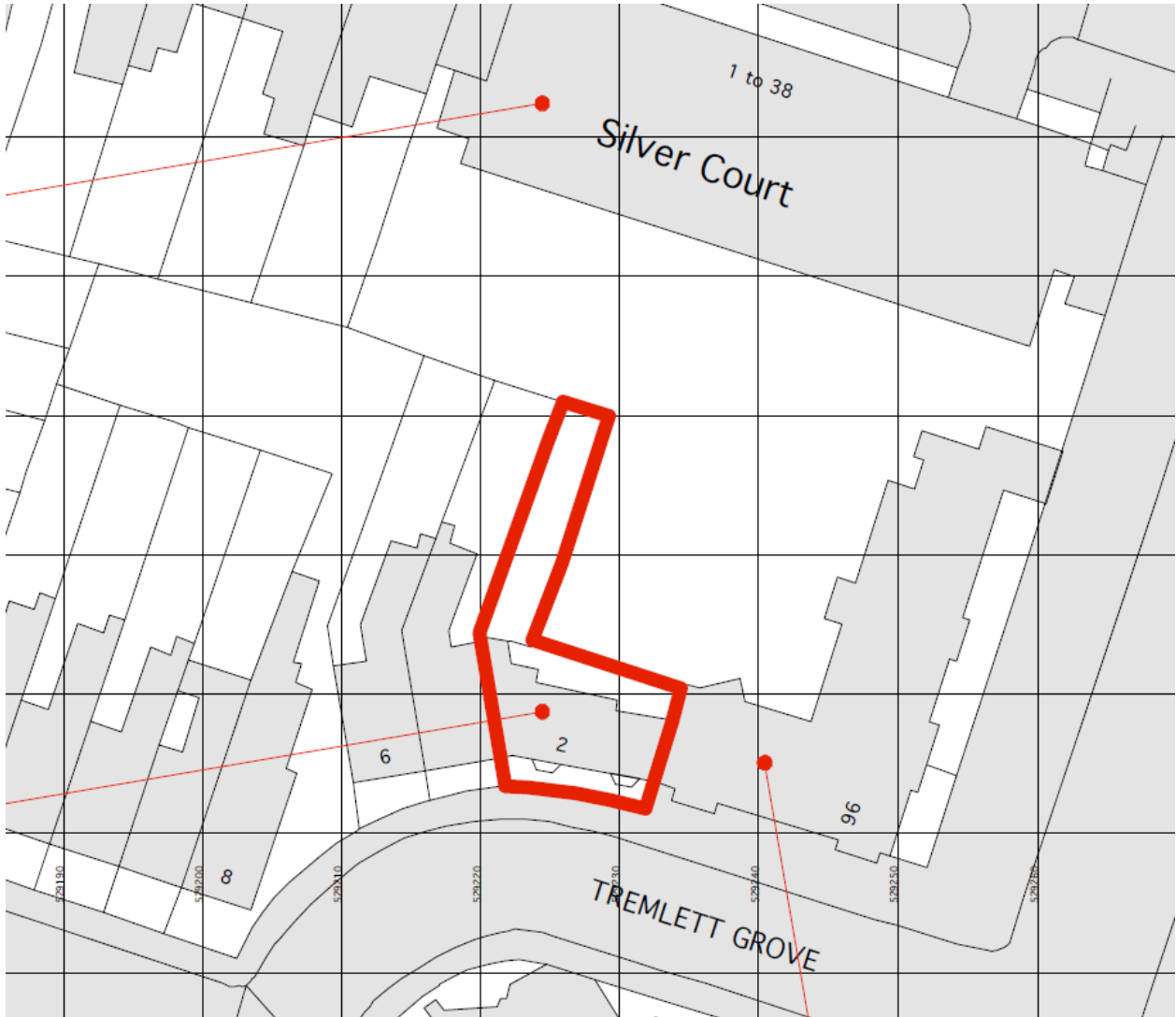
Case Officer	Thomas Broomhall
Applicant	Ms Gina Roberts
Agent	Spaced Out Limited - Mr Mark Thompson

1. RECOMMENDATION

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

1. Subject to the conditions set out in Appendix 1;
2. Subject to completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

2.0 SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET

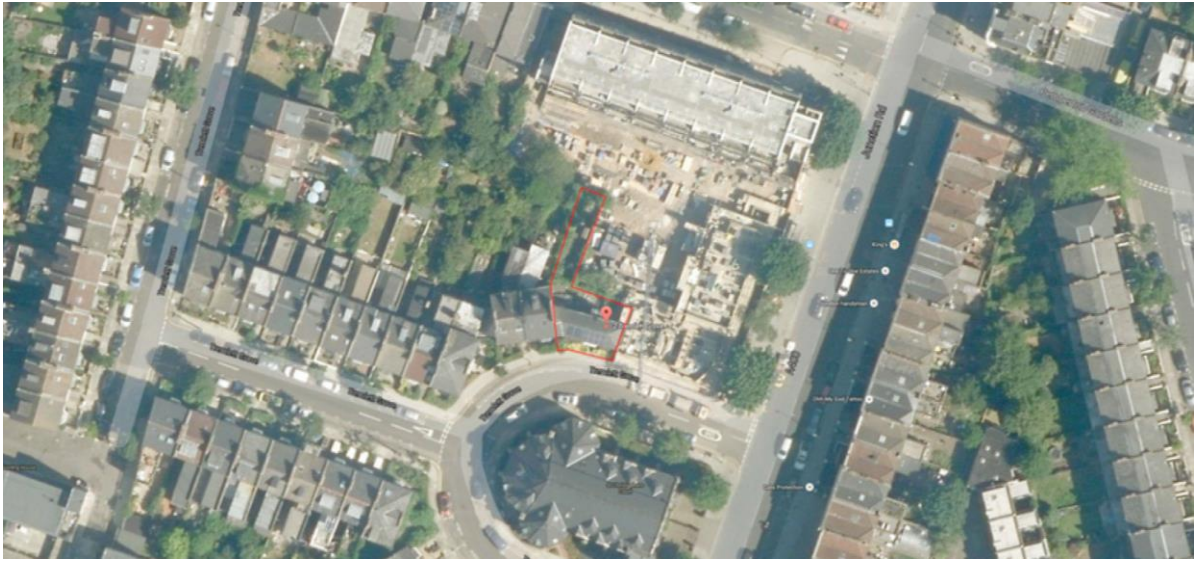


Image 1. Aerial view of the application site



Image 2. – View of the rear of the site



Image 3. – View from the Silver Court communal garden towards the rear of the site



Image 4. – View of from elevation from Tremlett Grove

4.0 SUMMARY

- 4.1 Planning permission is sought for the substantial demolition of the existing residential dwelling with retention of street façade and construction of 3 dwellings comprising 1 no. 5 bedroom townhouse with rear garden and 2 no. 2 bedroom residential flats.
- 4.2 The application is brought to committee because of the number of objections received.
- 4.3 The issues arising from the application are the impact on the character and appearance of the host building and surrounding conservation area, the standard of the new residential units and the impact on the neighbouring amenity of the adjoining and surrounding residential properties.
- 4.4 The application is a resubmission following a refusal in March 2015, and formal pre-application advice in June 2015. The scheme has been amended during the pre-application advice process.
- 4.5 The impact of the proposal on the character and appearance of the host building and surrounding conservation area is considered to be acceptable. The standard of the proposed new residential units is considered to be acceptable. The impact on the amenities of the adjoining and surrounding residential properties is considered to be acceptable.

5. SITE AND SURROUNDING

- 5.1 The application site is a three storey double fronted single dwelling house fronting on to Tremlett Grove close to the junction with Junction Road. The site adjoins two period properties to the west and a modern three storey residential development to the east. The site is formed of an L-shape with a long rear garden and a shorter section running across the width of the property.
- 5.2 The front elevation is visible from Tremlett Grove and Junction Road. The rear elevation is not visible from public land except for a glimpse over a service area between Byers Court and Silver Court on Junction Road near the corner of Bicketon Road. There are views of the rear elevation from the surrounding semi-private communal garden and from the rear elevation of Silver Court.
- 5.3 The site is within the St John's Grove Conservation Area. The site is not listed.

6. PROPOSAL (in Detail)

- 6.1 The application proposes the substantial demolition of the existing residential dwelling with retention of street façade and construction of 3 dwellings comprising 1 no. 5 bedroom townhouse with rear garden and 2 no. 2 bedroom residential flats.
- 6.2 The property will be extended at ground floor to the rear boundary of the narrow section of the L-shaped site and two rear projections will be created at

first floor level to this boundary. There will be a modest increase on the existing footprint into the existing strip of rear garden at ground floor level.

- 6.3 At roof level, the height of the existing roof will be extended through continuing the front roof slope to raise the pitch and the creation of three rear dormer windows. The volume of the main building will be extended at second and third floor level in accordance with the increased extent of the roof slope. The roof extension will continue the style of the existing hipped roof which sits adjacent Byers Court.
- 6.4 On the front elevation an enlarged new portico will be installed to enable the creation of a double entrance door to allow access to the new units. The existing solar panels on the front roof slope are to be retained.
- 6.5 During the assessment of the application, amended drawings were received to address the concerns by the Council's Inclusive Design Officer with regards to the provision for through floor lift, Entrance level living space, Lifetime Homes compliant bathrooms and wheelchair accessible WC on entrance level.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 The application follows a previous application for full planning permission on the application site which was refused:
- 7.2 P2014/5113/FUL - Demolition of existing residential dwelling with retention only of street facade and construction of 3 new dwellings comprising 1 no 4-bedroom townhouse with rear garden and 2 no 3-bedroom residential flats with associated terrace. – Refused on 17/03/2015.

REASON: The proposed demolition of the existing dwelling and rebuilding with a substantially and significantly enlarged property, by virtue of its excessive scale and massing, results in an overly dominant and discordant new building with an inappropriate design and use of materials, that fails to preserve or enhance the character or appearance of the conservation area. The proposal fails to respect the existing character and proportions of the property and causes unacceptable harm to the character and appearance of the surrounding St John's Grove Conservation Area and as a result of the excessive scale of development fails to provide private outdoor space for a family sized dwelling. Therefore the proposal is contrary to policy 12 of the NPPF (2012), policies CS8 and CS9 of the Islington Core Strategy (2011), policies DM2.1, DM2.3, and DM3.5 of the Islington Development Management Policies (2013), the St John's Grove Conservation Area Design Guidance (2002), and in particular paragraphs 28.5 to 28.8, and the Islington Urban Design Guide (2006) and in particular section 2.1.

REASON: The proposed alterations to the existing front façade and front rooflights, by reason of their size, positioning and design would be harmful to the architectural character of the building, would have an adverse impact upon the quality of the public realm and would fail to preserve or enhance the character or appearance of the St John's Grove Conservation Area. Therefore the proposals are contrary to policies CS8 and CS9 of the Core Strategy (2011), policies DM2.1 and DM2.3 of the Development Management Policies (2013), and guidance set out in the Islington Urban Design Guide (2006).

REASON: The applicant has failed to submit written confirmation of an agreement to pay the full contribution, sought by the Islington Affordable Housing Small Sites Contributions SPD and the Environmental Design Planning Guidance Supplementary Planning Document (SPD) which requires a financial contribution to offset CO2 emissions. Therefore, the proposal is contrary to policy CS12 Part G of the Islington Core Strategy 2011, the Islington Affordable Housing Small Sites Contributions SPD and the Environmental Design Planning Guidance SPD.

- 7.3 May 2012 Planning Permission (ref: P110191) granted subject to conditions and legal agreement for Conversion of the undercroft parking area located at lower ground floor level within the Silver Court Building to provide for four residential units. Erection of a three storey building on the corner of Junction Road and Tremlett Grove to provide 10 residential units, following the demolition of existing site building and boundary wall in this location. Excavation and landscaping works to the existing communal amenity space on the site. Alterations to the Silver Court ground floor entrance. 14 residential units in total provided at 96, Junction Road & Silver Court, 1 Bickerton Road, Islington, London, N19
- 7.4 March 2008 Planning Permission (ref: P082344) granted for Installation of two solar hot water panels and eight solar photovoltaic panels to front roof slope of existing dwellinghouse at 2, Tremlett Grove, Islington, London, N19 5JX.

ENFORCEMENT

- 7.5 June 2015 Planning Enforcement Case (ref: E/2015/0312) regarding a complaint against untidy land. Case closed July 2015 without Enforcement Action being taken.

PRE-APPLICATION ADVICE:

- 7.6 The application follows written pre-application advice provided in June 2015 (ref: Q2015/1229/MIN) following a pre-application meeting in April 2015. The scheme was amended during the pre-application process. The final scheme presented for pre-application advice comprised substantial demolition of the existing residential dwelling with retention only of street façade and construction of 3 new dwellings comprising 1 no. 5 bedroom townhouse with rear garden and 2 no. 2 bedroom residential flats at 2 Tremlett Grove. Advice was given that any resubmission will need to be justified through comprehensive detail, townscape rationale and appraisal of the existing

character and appearance of the site and its setting. The justification must focus on the ultimate goal of preserving and enhancing the Conservation Area, through full consideration of adopted planning policies and guidance, site specifics and townscape and planning balance. Care must be taken to ensure the amenity standards of the proposed units and level of private outdoor space are satisfactorily maintained.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to 137 occupants of adjoining and nearby properties on Tremlett Grove, Junction Road and Bickerton Road on 8th July 2015. The initial public consultation of the application therefore expired on 6th August 2015. It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report a total of 15 no. objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):

- Substantial demolition of a building in a conservation area is contrary to planning guidelines. (See paragraphs 10.11-10.14)
- Subdivision of the single dwellinghouse is contrary to council policy (See paragraph 10.2)
- Unacceptable intensification of the use of the building. (See paragraph 10.4-10.7)
- Harm to appearance of the building and the conservation area. (See paragraph 10.11-10.14)
- Not subordinate to the original building. (See paragraph 10.12)
- White render is discordant to the rear of the terrace (See paragraph 10.13)
- Rear garden should be retained. (See paragraph 10.16)
- Increase in overlooking towards communal gardens and properties of Silver Court. (See paragraph 10.23)
- Increased congestion from on street parking. (See paragraph 10.26)
- Sets precedent for rear roof terraces. (See paragraph 10.17)
- Increase in noise pollution from use of roof terraces. (See paragraph 10.25)

Internal Consultees

8.3 **Design and Conservation Officer:** objects to the proposed substantial demolition within a conservation area, failing to respect the special character and not subservient to the host building. Raising roof height harms the appearance and relationship with neighbouring properties, by adding height and increasing bulk.

8.4 **Inclusive Design:** Objects due to the lack of living space at entrance level, undersized bedrooms, and no suggestion of where through floor lifts could be installed.

8.5 **Transport Planning Officer:** No objection

8.6 **Highways:** No comment.

8.7 **Sustainability:** No comment.

8.8 **Public Protection:** No comment.

8.9 **Refuse and recycling:** No comment.

External Consultees

8.10 Better Archway: Objects due to the:

- Impact on neighbouring amenity of Silver Court from the rear infill,
- Back gardens in conservation area should be protected,
- Subdivision of the single dwellinghouse is contrary to council policy,
- New units do not have sufficient outdoor space,
- Harm to the appearance of the building,
- Increasing height of front roof slope is disproportionate to the scale of the building.

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 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG 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 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.

Supplementary Planning Guidance (SPG) / Document (SPD)

9.3 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:

- Land Use
- Design and Conservation
- Quality of Proposed Residential Accommodation
- Accessibility
- Neighbouring Amenity
- Highways and Transportation
- Small Sites Affordable Housing

Principle of Development

- 10.2 The proposal results in the replacement of an existing residential use with a new residential use. As such the proposed demolition of the existing dwelling house except for the retention of the front facade and rebuilding to create one five bedroom unit and 2x two bedroom residential units is acceptable in land use terms. Objections have been received making reference to part E of policy CS 12 which seeks to resist the loss of existing units that are appropriate for families. The proposal will retain a family sized unit within the site at five bedrooms and as such the proposal is considered to accord with the requirements of policy CS 12.
- 10.3 The principle of the dwelling mix of the proposed dwelling mix of 1 x 5 bedroom dwelling and 2 x 2 bedroom residential units is considered acceptable in accordance with policy DM3.3.
- 10.4 Objections were received raising concerns that the proposal unacceptably intensifies the use of the building. Paragraph 28.4 of the St John's Grove CADG resists the over intensification of residential use in conversion schemes.
- 10.5 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The development scheme proposes 3 new residential dwellings comprised of 12 habitable rooms (hr). Density is expressed as habitable rooms per hectare (hr/ha) and is calculated by dividing the total number of habitable rooms by the gross site area.
- 10.6 The site covers an area of approximately 0.021 hectares, has a public transport accessibility level (PTAL) of 6 (Excellent) and in terms of the character of the area, this would be defined as Urban by the London Plan. The London Plan identifies such areas as appropriate for a residential density range of 45-185 u/ha or 200-700 hr/ha.
- 10.7 The proposed development has a residential density of 142.8 u/ha and 571.4 hr/ha. Although not maximising the intensity of the use of the land, the provision of residential development is in keeping with the local context and ensures that the proposal would not result in an overly dense development.

Design and Conservation

- 10.8 The scheme proposes the substantial demolition of the existing dwelling house with retention of front façade and rebuilding with a substantially and significantly enlarged property both at roof level and to the rear through an increase to the existing building footprint on the site.

- 10.9 Paragraphs 28.5 and 28.6 of the St John's Grove Conservation Area Design Guide (CADG) require the retention of all statutory and locally listed buildings and all other 19th century buildings within the conservation area. Consent will only be granted for their removal where there are special circumstances or where the proposal would preserve or enhance the character or appearance of the conservation area. The 19th century buildings are vital to the area's character and the Council will resist their removal.
- 10.10 Section 2.5 of the Islington Urban Design Guide (IUDG) requires new buildings to create a scale and form of development that is appropriate in relation to the existing built form. The guidance also enables contemporary designs in historically sensitive areas provided the scheme is of an extremely high standard and designed from a strong understanding of the surrounding context.
- 10.11 The existing building makes a positive contribution to the conservation area due to the appearance of the double fronted façade which is to be retained. However the building is single room in depth and when considered as part of the adjoining terrace, represents an incomplete residential dwelling house due to the proportions and appearance. The building has an almost entirely blank rear façade and the depth of the roof slope is disproportionately small in relation to the scale of the frontage of the property. The visibility of the rear elevation is limited to views from the semi-private communal gardens of Silver Court and a limited glimpse over a service area wall between Byers Court and Silver Court on Junction Road. Therefore the existing roof slope and rear elevation of the property do not make a positive contribution to the character and appearance of the surrounding conservation area. Therefore the loss of these elements would not in itself, result in substantial harm to the heritage asset.
- 10.12 The proportions of the property to the rear are dwarfed by the scale of the blank façade of the adjoining original property at no. 4. Therefore the proposed increase in height to the front roof slope and additional bulk to the rear will improve the proportions of the building in relation to the adjoining terraced properties. Although an increase on the proportions of the original building, given that this is undersized and incomplete, the scale and massing of the rebuild and enlargement is proportionate to the plot and surroundings. Therefore given the existing circumstances of the site, the loss of the original roof slope and rear façade and subsequent rebuild and resultant increase in scale and massing, does not cause substantial harm to the character and appearance of the conservation area as to warrant refusal.
- 10.13 The main façade on the front elevation is almost entirely retained with a sensitive rear rebuilding, given the unusual site constraints. Paragraph 28.8 of the CADG requires original roof slates and tiles to be retained and reused, traditional timber sash windows to be installed. The proposed rebuild of the roof is of slates which match the existing and proposes lead lined dormers which are similar to those on the adjoining terrace. The rear extension is formed of two 2 storey white rendered rear projections and a single storey extension which reflect elements of the original character of the terrace and the modern

features on the adjoining new build development approved at Byers Court in 2012.

- 10.14 The revised scheme presents the special circumstances which would, on balance, preserve and enhance the character and appearance of the conservation area. In addition, the reasonable public benefits of retaining a family sized unit and creating two further good sized units, outweighs the less than substantial harm to the property, identified by the Design and Conservation Officers. As a result it is considered that, despite objections from the Design and Conservation Officers, the latest proposal is therefore acceptable in accordance with the Conservation Area Design Guidelines.
- 10.15 The previous application proposed rooflights to the front roof slope and alterations to create a new opening on the left hand side of the front façade. The IUDG advises generally with regard to skylights that they are normally undesirable in conservation areas. Both of these elements have been removed prior to the latest submission, and as such this reason for refusal of the earlier scheme has also been overcome.
- 10.16 Whilst there is a reduction in private outdoor amenity space at ground floor level at the rear of the site, the existing space is of poor quality and does not create a positive feature for the conservation area. Consideration is given to the position adjacent the boundary wall to the communal space, the aspect and outlook adjacent the neighbouring Byers Court, and narrow depth. The bulk of the usable private outdoor space to the rear of the L-shaped site is retained. As such the proposed loss of private outdoor space is not considered to cause unacceptable harm to the character and appearance of the host building and surrounding conservation area.
- 10.17 Objections were received raising concerns that that proposal would set a precedent for further roof terraces in the terrace of properties. However each application is assessed on its own merits, in accordance with the relevant planning policies, based on an assessment of the impact of each proposal and the constraints of each site. Therefore the granting of consent for the proposed works at no.2 does not in itself set a precedent for the acceptability of future proposals for roof terraces on the adjoining or neighbouring properties.

Quality of Proposed Residential Accommodation

- 10.18 The proposal results in a five bedroom ten person unit with a total internal floorspace of 162 square metres. It is acknowledged that this is in excess of the Islington Development Management and the London Plan standards. However this is considered an acceptable use of the site given the spacious nature of the existing Victorian property, the net addition of two units on the site and the density of 571.4 habitable rooms / hectare. Therefore the scheme is not considered to result in an overprovision of floorspace and continues to accord with policies CS 12 and DM3.4
- 10.19 The total floorspace of the two bedroom four person unit is 83 square metres and a two bedroom three person unit of 61 square metres. The proposed units

exceed the minimum total floorspace standards for five bedroom units and two bedroom units, provide dual aspect accommodation, with a good internal layout. Bedrooms and living/kitchen areas meet the minimum floor space standards. Overall, given the constraints of the site, the general layout, room sizes and internal floor space (including private amenity space) would meet the recommended guidance set in policy DM3.4 of the Development Management Policies and would provide satisfactory living condition for future occupiers of the dwelling.

10.20 Policy DM3.5 of the Islington Development Management Policies sets out the requirements for the provision of private outdoor space in new residential developments. The policy requires a minimum of 5 square metres of private outdoor space on new upper floor units, and 15 square metres on ground floors, with 30 square metres for family housing of three bedroom units and above.

10.21 Whilst there is an overall reduction in private outdoor space, the lost outdoor space is poor quality in terms of useable space, aspect and outlook. The redevelopment provides a policy compliant provision of amenity space. The five bed unit has access to the rear garden and a second floor roof terrace, which when combined, total 60 square metres. The lower level apartment is served by a rear roof terrace at first floor level of 5.5 square metres. Although under the provision required by the policy for a ground floor unit, further amenity space is provided in front of the ground floor bay window. Given the constraints of the site, the otherwise good standard of amenity of the unit and the access to nearby public outdoor space at Hampstead Heath, it would be unreasonable to refuse the application purely on this basis. The upper level apartment has a roof terrace at third floor level of 6 square metres. Therefore the proposal accords with the private outdoor amenity space requirements of policy DM3.5 of the Islington Development Management Policies.

Accessibility

10.22 The plans have been revised to seek to address the concerns by the Council's Inclusive Design Officer with regards to the provision for through floor lift, Entrance level living space, Lifetime Homes compliant bathrooms and wheelchair accessible WC on entrance level. The rooms would generally be of suitable size and Lifetime Homes compliant. As such, the proposal would generally conform to accessible standards set within the Supplementary Design Guide (Inclusive Design) and would be contrary to Policy DM 2.2 (Inclusive Design) of the Development Management Plan 2013.

Neighbouring Amenity

10.23 The rear of 2 Tremlett Grove faces towards the rear of Silver Court, separated by a distance of approximately 31 metres, which exceeds the minimum distance of 18 metres between windows of habitable rooms. There would not be any direct overlooking to the adjoining properties due to the positioning and angle of the proposed windows on the rear elevation and rear roof slope. There is existing overlooking towards the communal gardens of Silver Court

from the rear of Byers Court, and as such there would not be a significant increase in overlooking or loss of privacy in this regard as to warrant refusal on this basis.

- 10.24 Given the design and overall height of the proposed redevelopment of the site, and its positioning, there would be no loss of amenity to the neighbouring properties in terms of loss of daylight, loss of outlook or creation of undue sense of enclosure. The proposal would therefore not conflict with Policy DM2.1 of the Islington's Development Management Policies with regards to the protection of neighbouring amenity or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm to residential amenity.
- 10.25 Objections were received concerning an increase in noise pollution from the use of the proposed roof terraces. The extent of the proposed roof terraces is considered modest in its extent for domestic residential properties. As such, an increase in external sound levels in the area is inevitable from the proposed roof terraces. However this has to be assessed within the existing residential setting. Therefore there is not considered to be an unacceptable increase in noise or light pollution generated by a typical residential use of the roof terraces as to sustain a refusal of the application on this basis.

Highways and Transportation

- 10.26 Policy CS 10 requires all new developments to be car-free, which means no parking provision will be allowed on site and occupiers will not have the ability to obtain parking permits. Therefore as the proposed units would not be eligible to apply for car parking permits in the area, it is recommended that a condition is attached to any grant of consent preventing residents from obtaining further on street parking permits unless they have already held a permit for in excess of one year. Cycle parking spaces have been provided in accordance with the number of bed spaces which accords with Development Management Policy DM8.4 (Walking and cycling). As such, the scheme complies with the Councils transport policies.

Small sites (Affordable Housing) and Carbon Off-setting Contributions

- 10.27 The development results in a net increase of two additional units and as such would require a contribution towards affordable housing in the Borough, in line with policy CS12 of the Core Strategy and the council's Supplementary Planning Document- 'Affordable housing-small sites' 2012. A draft Unilateral Agreement has been provided and it is understood that a signed and agreed Unilateral Agreement for payment of the full contribution to off-site Affordable Housing of £100,000 and a financial contribution to Carbon Offsetting of £3,500 will be provided to the local planning authority, prior to issuing of a decision notice.
- 10.28 Therefore, the proposal complies with policy CS12G of the Islington Core Strategy (2011) and the Islington Affordable Housing Small Sites Contributions SPD (2012).

10.29 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. The affordable housing is exempt from CIL payments and the payments would be chargeable on implementation of the private housing.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed substantial demolition of the existing residential dwelling with retention of street façade and construction of 3 dwellings comprising 1 no. 5 bedroom townhouse with rear garden and 2 no. 2 bedroom residential flats is acceptable.
- 11.2 The impact of the proposal on the character and appearance of the host building and surrounding conservation area is considered to be acceptable. The standard of the proposed new residential units is considered to be acceptable. The impact on neighbouring amenity of the adjoining and surrounding properties is considered to be acceptable.
- 11.3 A draft Unilateral Agreement has been provided and it is understood that a signed and agreed Unilateral Agreement for the full contribution to Affordable Housing and Carbon Offsetting will be provided to the local planning authority, prior to issuing of a decision notice.
- 11.4 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 Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.5 It is recommended that planning permission be granted subject to conditions and completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- a) A financial contribution of £100,000 towards the provision of off-site affordable housing.
- b) A financial contribution of £3,500 towards Carbon Offsetting.

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

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 permitted shall be carried out in accordance with the following approved plans:</p> <p>14.184.02.001, 14.184.101, 14.184.102, 14.184.103, 14.184.104, 14.184.105, 14.184.106, 14.184.107, 14.184.108, 14.184.109, 14.184.110, 14.184.111, 14.184.115, 14.184.116, 14.184.120, 14.184.121, 14.184.122, 14.184.123, 14.184.124, 14.184.125, 14.184.126, 14.184.135, 14.184.136, Design and Access Statement 14.184.02.DAAS Dated June 2015, 14.184.02.HERI Dated June 2015</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>MATERIALS (DETAILS): 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) render (including colour, texture and method of application);c) window treatment (including sections and reveals);d) roofing materials;e) balustrading treatment (including sections);f) Any other materials to be used.

	<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	Car Permits (Compliance)
	<p>CONDITION: All future occupiers of the additional 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;</p> <p>ii) 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>
5	Cycle Parking Provision Compliance
	<p>CONDITION: The bicycle storage and refuse area(s) hereby approved, shall be provided prior to the first occupation of the development hereby approved and permanently maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking and refuse facilities are available and easily accessible on site and to promote sustainable modes of transport.</p>
6	Removal Of Permitted Development Rights (Compliance)
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
7	Construction Method Statement
	<p>CONDITION: 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> <p>i. the parking of vehicles of site operatives and visitors</p> <p>ii. loading and unloading of plant and materials</p> <p>iii. storage of plant and materials used in constructing the development</p> <p>iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</p> <p>v. wheel washing facilities</p>

	<p>vi. measures to control the emission of dust and dirt during construction</p> <p>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</p> <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>
8	Sustainable Design and Construction Statement
	<p>CONDITION: A Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail how the dwellings hereby permitted achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwellings will achieve a 25% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2010, and not exceed water use targets of 95L/person/day.</p> <p>REASON: To ensure a sustainable standard of design</p>
9	Lifetime 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>
10	Refuse
	<p>REFUSE/RECYCLING PROVIDED (COMPLIANCE): The dedicated refuse / recycling enclosure(s) shown on the submitted Proposed Ground Floor Plan drawing no. [14.184.02.107] shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

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</p>

	<p>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 a timely manner in accordance with the requirements of the NPPF.</p>
2	Unilateral undertaking
	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.
3	Community infrastructure Levy (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-levy/.</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 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

2. 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

Policy 7.4 Local Character

Policy 7.6 Architecture

Housing Supplementary Planning Guidance

Appendix 1 - Summary of the quality and design standards

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 8 – Enhancing Islington’s character

Policy CS 9 - Protecting and enhancing Islington’s built and historic environment

Policy CS 10 – Sustainable Design

Policy CS 12 – Meeting the housing challenge

C) Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.2 – Inclusive Design
- Policy DM2.3 – Heritage
- Policy DM3.1 - Mix of housing sizes
- Policy DM3.3 - Residential conversions and extensions
- Policy DM3.4 – Housing Standards
- Policy DM3.5 – Private outdoor space
- Policy DM7.1 - Sustainable design and construction
- Policy DM7.2 - Energy efficiency and carbon reduction in minor schemes
- Policy DM7.4 – Sustainable Design Standards

- Policy DM8.4 - Walking and cycling
- Policy DM8.5 - Vehicle parking

3. Designations

St John's Grove Conservation Area

4. SPD/SPGS

Urban Design Guidelines
Conservation Area Design Guidelines
Small Sites Affordable Housing SPD
Environmental Design SPD
Inclusive Design SPD