

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 A		
Date:	21 September 2015	NON-EXEMPT

Application number	P2015/0362/FUL
Application type	Full Planning Application
Ward	Canonbury Ward
Listed building	Not listed
Conservation area	East Canonbury Conservation Area
Development Plan Context	<ul style="list-style-type: none">- East Canonbury Conservation Area- Article 4.2 Area- Essex Road Locally Listed Building- Rail Safeguarding Area – Cross Rail 2- Within 100m of Strategic Road Network- Major Cycle Route
Licensing Implications	none
Site Address	68 Halliford Street, London, N1 3HF
Proposal	Erection of a single storey extension above roof and 4-storey, stepped side extension with lower ground floor, following the demolition of the existing annex, to create 8 no. residential units (7 x 2 bed, 1 x 4 bed) together with cycle storage and refuse facilities.

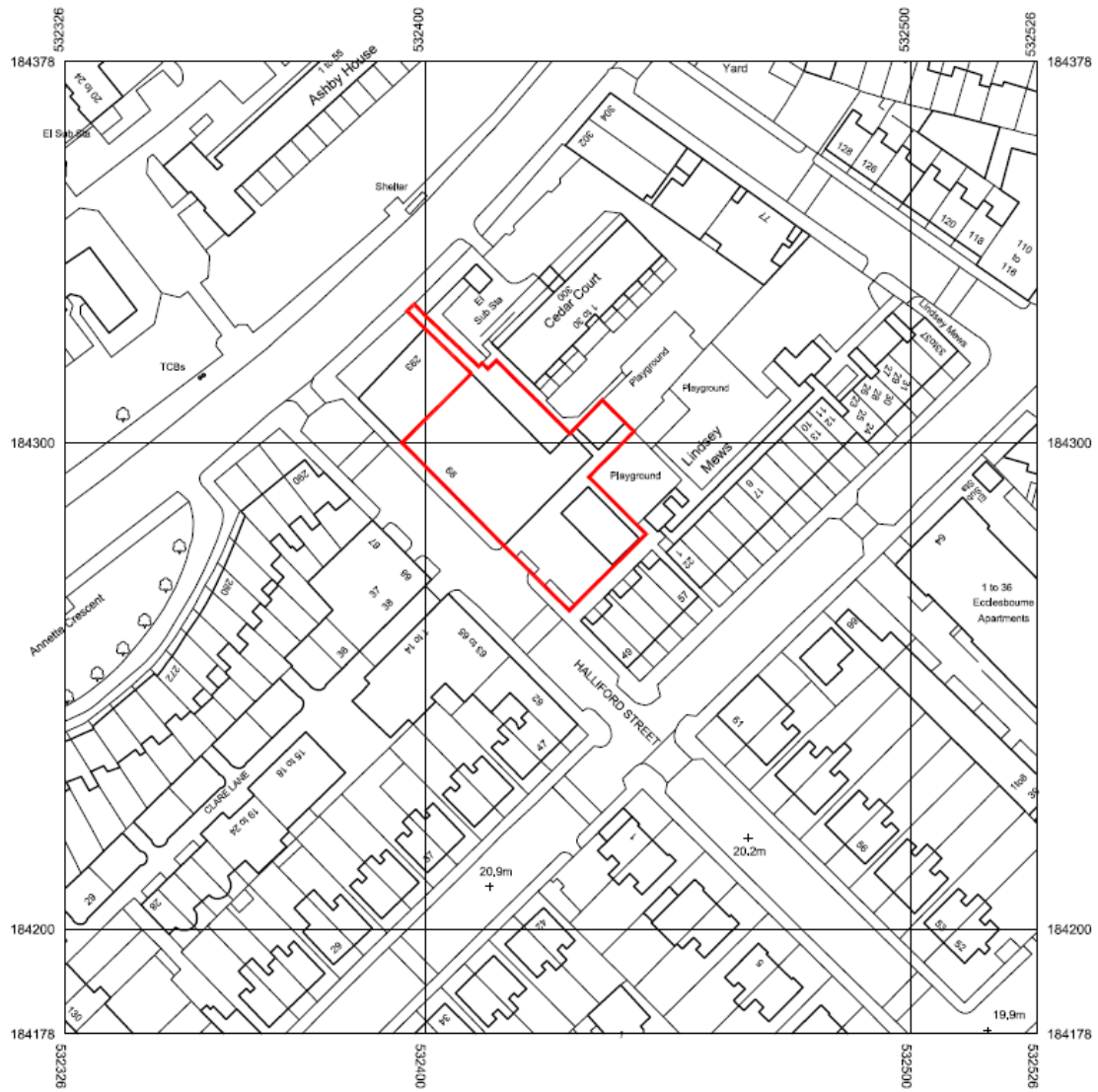
Case Officer	Emily Benedek
Applicant	Mr Simcha Green
Agent	Mr Peter Cook – Cook Associates

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 the 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. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Existing front elevation



Image 2: Relationship with neighbouring properties in Ecclesbourne Road



Image 3: View to the rear of the site

4 SUMMARY

- 4.1 Planning permission is sought for the extension to the existing three-storey building comprising a single storey extension above roof and 4-storey, stepped side extension with lower ground floor, following the demolition of the existing annex, to create 8 no. residential units (7 x 2 bed, 1 x 4 bed). Provision of cycle storage and refuse facilities.
- 4.2 The proposed residential unit would provide a good level of amenity and the extension would not detract from the character and appearance of the application property or the conservation area and would not detrimentally impact upon neighbour amenity.
- 4.3 The application is therefore recommended for approval subject to conditions and completion of a S106 Agreement.

5 SITE AND SURROUNDING

- 5.1 The application relates to a three storey 1970s style building located on the north-east side of Halliford Street, close to the junction with Essex Road. The application site was previously used as B1(a) office space although several prior approval applications have been granted on this site, between 2013 and 2014, to convert the office space into residential units (ranging from 6 to 56 units). The main building is currently in the process of being converted into residential units and the B1(a) use has therefore ceased.
- 5.2 To the east of the application site is a small single storey standalone building measuring 15 metres in width and 8 metres in depth. This was used as ancillary B1 (a) office space and has been granted prior approval in 2013 for the conversion of the building into 2no. bedroom residential units.
- 5.3 The properties surrounding the site on Halliford Street comprise of varying styles. The application site adjoins a four-storey locally listed property fronting Essex Road whilst to the rear of the site are two playgrounds. Directly opposite the site is the Clare Lane development, a three-storey mixed use modern development comprising commercial units on the ground floor with residential units above. The immediate area is predominantly residential in character.
- 5.4 The site is located within the East Canonbury Conservation Area. The building is not listed.

6 PROPOSAL (in Detail)

- 6.1 The proposal consists of erection of the extension to the existing building comprising a single storey extension above roof and 4-storey stepped side extension with lower ground floor, following the demolition of the existing annex, to create 8no. residential units (7 x 2 bed, 1 x 4 bed). Provision of cycle storage and refuse facilities. It is noted that the existing building was granted approval under the prior approvals process for the change of use from B1(a) offices to C3 residential. These works have already commenced on site.
- 6.2 The proposed roof extension at its maximum points will measure 23.4 metres in width, 14.8 metres in depth and 3 metres in height with a flat roof. The proposal will

therefore increase the overall height of the existing building from 11.4 metres to 14.4 metres. The proposed extension will be stepped back 5.2 metres from the front building line and 1.7 metres from the rear. 3no. units will be located at the roof top level (1no. 4 bedroom unit, 2no. 2 bedroom units). Whilst it is acknowledged that the two bedroom units will not be dual aspect they will benefit from floor to ceiling windows and the principle elevations will be predominantly glazed. The 4 bedroom property will benefit from 40sqm of private amenity space whilst the 2 bedroom units will benefit from 21 sqm of private amenity space. This will take place in the form of terraces.

- 6.3 The proposed four storey stepped side extension, including the new lift shaft, will measure at its maximum point 18.1 metres in width, 15.5 metres in depth and 14.7 metres in height. The proposed extension will create 5no. 2 bedroom units, including 2no. duplex units at the lower ground and ground floor levels and 2no. duplex units at the first and second floor levels. The majority of units in this extension will be single aspect although the principle elevations on these units will be predominantly glazed and some living rooms will also benefit from additional roof lights. Each unit will benefit from private amenity space.
- 6.4 It is proposed that the stepped side extensions will benefit from green roofs which will cascade down the side of the property and provide some visual interest to the adjoining occupiers in Ecclesbourne Road.
- 6.5 Communal refuse and recycling facilities as well as cycle parking storage facilities will be provided to the rear of the building at the ground floor level.
- 6.6 In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies.

7 RELEVANT HISTORY

PLANNING APPLICATIONS

- 7.1 P2014/2053/FUL – The erection of a two-storey extension above second floor of the existing building to provide an additional six dwellings, including 3 x 2 bed and 3 x 3 bed flats. Refused (26/09/2014).
Reasons for Refusal:
- 1) The proposed extension by reason of its design, excessive scale, bulk, height, massing and finishing materials is considered to form an overdominant and discordant development which would detract from the character and appearance of the of the host building and wider conservation area setting. The development would visually dominate the host building and would be readily visible from short and long views from the public realm along Halliford Street and Essex Road. The proposed development is therefore considered contrary to policy CS9 of the Core Strategy 2011, policies DM2.1 & 2.3 of the Development Management Policies 2013, East Canonbury Conservation Area Guidelines 2012, Islington's Urban Design Guide 2006 and the NPPF 2012.
 - 2) The applicant has failed to provide adequate provision for affordable housing contrary to the Islington Affordable Housing Small Sites Contributions SPD. The council and the applicants have failed to come to any agreement that the full contribution is not viable and/or that instead a lesser contribution should be made. Therefore, the proposal is contrary to policies CS10 Part A and CS12 Part G of the Islington Core Strategy 2011, the Islington Affordable Housing Small Sites Contributions SPD and Environmental Design SPD.

- 7.2 P2014/1674/PRA – Application for prior approval from the Local Planning Authority for the change of use of basement, ground floor, first floor and second floor of the building from office (use class B1a) floor space to use class C3 (residential), comprising 6 self-contained flats (6x 2 beds). Prior approval required and approved (23/07/2014).
- 7.3 P2014/0794/PRA – Application for the prior approval from the Local Planning Authority for the change of use of basement, ground floor, first floor and second floor of the building from office (use class B1a) floor space to use class C3 (residential), comprising 6 self-contained flats (6x 2 beds). Prior approval required and refused (23/04/2014).
Reason for Refusal:
1) In accordance with The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014, the provisions of (amended) Paragraph N (2A) the Local Planning Authority refuses this application as in its opinion, the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with restrictions B1 (a) in relation to the lawful use of the building as of the 30th of May 2013.
- 7.4 P2014/0545/PRA - Prior Approval application submitted in accordance with condition of part J.2 of Class J of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 in relation to the following considerations arising from the change of use of the ground, first and second floors to create 56 studio residential units. (C3 use class). Prior approval required and approved (07/04/2014)
- 7.5 P2013/4056/PRA - Prior Approval application in relation to the following considerations arising from the change of use of the building to residential use (C3) use class creating 2x 1-bedroom residential units:
a) transport and highways impacts of the development
b) contamination risks on the site; and
c) flooding risks on the site.
Application submitted in accordance with part J.2 of Class J of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013. Prior Approval Granted and Approved (19/12/2013)
- 7.6 P032295 - Replacement conservatories at rear; new link walkway between main building and clinic / resource room; extension to clinic / resource room; new railing and gate to car park. Approved (16/01/2004)
- Annex Building
- 7.7 P2014/3959/PRA - Prior Approval application in relation to the following considerations arising from the change of use of the building to residential use (C3) use class creating 2x 1-bedroom residential units. Prior approval required and approved (19/12/2013)
- 7.8 890425 - Installation of new Terrapin building in car park behind Neighbourhood Office. Approved (27/09/1989)

ENFORCEMENT:

- 7.9 None

PRE APPLICATION ADVICE:

7.10 None.

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 255 adjoining and nearby properties at Essex Road, Halliford Street, Ecclesbourne Road and Clare Lane on 18 February 2015. A site notice was placed at the site and the application advertised in the Islington Gazette on 26 February 2015. The public consultation of the application therefore expired on 19 March 2015, 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 five (5) 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 within brackets):

- Object to additional height of the development (para 10.9-10.12)
- Bins and cycles should be a planning condition (paras 10.26, 10.30)
- Concern about the balconies overlooking bedrooms (paras 10.22)
- Proposal detrimental to the character and appearance of the conservation area – does not preserve its character (10.11-10.13)
- Size, scale and proportions of the design are not in keeping with or harmonious to the local architecture of Halliford Street and the surrounds (10.10-10.12)
- Impact on neighbouring residential amenity with regards to noise, privacy and daylight (10.22-10.24, 10.28)
- Loss of views (para 8.3)
- Insufficient parking spaces (10.27)
- Noise and disturbance from building works (para 8.3)
- Too many small units (para 10.18-10.19)

8.3 It must be noted that matters relating to noise and disturbance from the building works and loss of views are not material considerations in the planning assessment of this application. These are matters that are covered by separate legislation including the Building Regulations and the Environment Protection Act.

Internal Consultees

8.4 **Design and Conservation Officer:** Principle of massing acceptable, concerns if terrace not well maintained. The form seems to present a slight lack of uniformity of form overall and would be enhanced if the stepped elements, were minimised and the various elements somehow unified

8.5 **Sustainability Officer:** No objections subject to condition

8.6 **Planning Policy Officer:** No objection

8.7 **Inclusive Design Officer:** Concerns that some of the bedrooms are not fully accessible, spiral staircases are not suitable for ambulant disabled people

External Consultees

8.8 None

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 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 Impact Upon Conservation Area
- Landscaping
- Amenity for Future Occupiers
- Neighbouring Amenity
- Highways and Transport
- Noise and Vibration
- Access
- Refuse
- Affordable Housing

Land use

10.2 The proposal seeks to introduce additional residential development on the application site. With regards to the main building occupying 68 Halliford Street, several prior approval applications have been granted on this site between 2013 and 2014 to convert the existing three storey building B1 (a) offices into residential units ranging from 6 no. self-contained flats to 56no. studio units. Works have already begun on site to convert these premises and the B1(a) use has therefore been lost on this site. As the works were carried out under the prior approval process the Council had no control over this loss.

10.3 The annex building was only granted temporary consent as ancillary office accommodation in 1989 and as part of the planning conditions it was stated that the

building should be removed after five years and the land restored to its use as a car park. As evident from the plans, site visit and subsequent planning history this building was never demolished and so was in breach of this condition from 1994 until 2003 when a further planning permission was granted on site.

- 10.4 The application site was historically used as Council offices although it is noted that in the 2003 application (P032295) the annex building was referred to as a clinic. However, having reviewed the plans it is clear from the plans that the annex building was used as office accommodation in conjunction with the main building in connection with Council services, with only the two rooms closest to the main building used as clinics/resource rooms. The 2003 planning permission gave the annex building B1 office use in association with the main building.
- 10.5 The main building has already been converted into residential units (through the prior approvals process) and therefore B1(a) offices in the front part of the site have been lost on this site and therefore the principle of providing additional residential accommodation attached to the main building is considered acceptable.
- 10.6 Prior approval was granted in 2014 to convert the annex building to 2no. 1 bedroom residential units on this site and although these works have not been implemented the works could be carried out at any point. Furthermore, the Council's Planning Policy officers stated that *although the proposal would constitute the loss of B1, given the small amount of B1 floor space (112sqm) in question, the condition of the building and its low likelihood of being used as stand-alone office accommodation, as exceptional circumstances exist at this site and marketing evidence should not be required to demonstrate the lack of demand.* The application site is located in a highly residential area and the ancillary building is surrounded by residential accommodation on all sides. It is therefore unlikely that there would be a realistic prospect of this site being used for B1(a) purposes.
- 10.7 Therefore, the proposal is considered acceptable in land use terms given the exceptional circumstances.

Design and impact upon the Conservation Area

- 10.8 The application site consists of a three storey 1970s building with limited architectural merit and is not considered to make a positive contribution to the character and appearance of the conservation area. The application site is attached to a four storey locally listed building fronting Essex Road whilst to the side of the property is an area of land measuring 20 metres in width which is at present contains a car park and a single storey building which was previously used as ancillary B1(a) office accommodation to the main building and is now being used as a site hut for the prior approval works.
- 10.9 The proposal would introduce an additional storey to the existing building to create a new fourth floor. The proposed flat roofed extension would be recessed 5 metres from the front building line, would be located 6 metres away from the attached building fronting Essex Road and would have an overall height of 3.1 metres. The extension would be metal clad distinguishing it from the existing building.
- 10.10 The proposed lift shaft linking the existing building and proposed extensions would form the highest part of the building measuring 14.6 metres in height (0.3 metres higher than the proposed extension). The proposed side extensions would be stepped back on each floor, in order to increase the distances with the neighbouring properties at 49-57 Ecclesbourne Road and minimise the impact on these

neighbouring properties and reduce the massing of the development. The proposed side extension would be finished in white render and would have a modern appearance with large amounts of glazing on the principle elevations. It is proposed that the flank elevations facing the residential properties in Ecclesbourne Road will have cascading green walls to provide some visual interest in an otherwise blank elevation.

- 10.11 The Conservation Area Design Guide (CADG) for East Canonbury Conservation Area states that: *the Council wishes to preserve the scale and integrity of the existing buildings by ensuring that extensions are subordinate to the mass and height of the main building and do not disrupt from the building form.* It is considered that the proposed fourth floor extension which will be set down 2.5 metres lower than the attached property at Essex Road, as well as the proposed side extension by virtue of its recessed nature, are subordinate additions to the existing building. It is acknowledged that the Council's Design and Conservation officers have concerns with the appearance of the stepped side extension stating that *the form seems to present a slight lack of uniformity of form overall and would be enhanced if the stepped elements, were minimised and the various elements somehow unified.* The majority of buildings in this location are of similar design and the proposed extension may appear convoluted in the street scene. However, given the recessed nature of the proposed extensions and the clear delineations between the existing and proposed development, in part through the use of materials, it is not considered that the proposal has a harmful impact on the character and appearance of the existing building and therefore do not disrupt the existing building form. The proposed extensions are therefore not considered to have a detrimental impact on the character and appearance of the East Canonbury Conservation Area.
- 10.12 Concerns have been raised by neighbouring occupiers regarding the height of the proposed development and the fact that the size, scale and proportions of the design are not in keeping with or harmonious to the local architecture of Halliford Street and the surrounds. There is no one prevalent style of building on the north side of Halliford Street and as mentioned previously, the existing building is not considered to make a positive contribution to the conservation area. A previous planning application was submitted (P2014/2503/FUL), and subsequently refused, which proposed a two storey roof extension to the same height of the adjoining locally listed building on Essex Road. It is considered that the revised scheme which significantly reduced the height of the proposed extension, which maintains a subordinate appearance, harmonises with the local architecture and produces a scheme which is of benefit to the local architecture. Furthermore, the Council permits modern extensions in conservation areas provided that they are designed in an appropriate manner. The Council asserts, despite concerns expressed by the Design and Conservation officer that the proposed extensions integrate well with the existing building and surrounding locality and are therefore considered acceptable.
- 10.13 As such, it is considered that the proposed extensions would integrate with the application property. The proposed extensions are not considered to result in harm to the conservation area and are in accordance with adopted guidance and policies CS9 of the Core Strategy and DM2.3 of the Development Management Policies.

Landscaping

- 10.14 Development Management policy DM6.5 requires all new development to protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development and surrounding area. Developments are required to provide green

roofs and the greening of vertical surfaces where it can be achieved in a sustainable manner.

- 10.15 The proposal will involve the provision of hard and soft landscaping in the area surrounding the main entrance and to the front of the stepped side extension fronting Halliford Street. This area is currently hardsurfaced and the addition of hard and soft landscaping will enhance the landscape. In addition, the roofs of the extension to the main building and the stepped side extension will contain green roofs which will soften the appearance of the building and it is proposed that the green roofs will cascade down the side of the stepped extension. Conditions have been recommended to ensure that details of the proposed landscaping and green roofs are submitted to the Local Planning Authority prior to the commencement of works to ensure the details submitted are satisfactory.
- 10.16 Given the improvements to the hard and soft landscaping listed above and the addition of green roofs on the proposed extension the proposal is considered to be in accordance with policy DM6.5 of the Development Management Policies.

Amenity for Future Occupiers

- 10.17 Table 3.2 of policy DM3.4 of the Development Management document stipulates the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. Details of each unit are set out in the table below against the minimum floor space standards.

Unit	No. Bedrooms/ Expected Occupancy	Floor Space	Minimum Required Floor Space	Garden Space	Minimum Required Garden Space	Storage	Minimum Storage Required
1	2/4	83.4	61	18	6	2.5	2.5
2	2/4	83.4	70	18	6	2.5	2.5
3	2/4	70.4	70	40	6	2.5	2.5
4	2/4	83	70	18	6	2.5	2.5
5	2/4	83	70	18	6	2.5	2.5
6	4/6	106	99	40	30	3.6	3.5
7	2/4	70.1	70	21	6	3	2.5
8	2/4	70.1	70	21	6	3	2.5

- 10.18 The proposed residential units would meet/exceed the minimum required floor space as set out in the London Plan and the Development Management Policies and are therefore acceptable in terms of size. Whilst three units would not be dual aspect (5 units would be dual aspect), due to constraints regarding overlooking between the new residential units and the adjoining properties in Ecclesbourne Road, the new flats benefit from a high level of glazing to all habitable rooms on the principle elevations and would allow acceptable levels of light into the properties. Furthermore, these units are located on the south-west elevation and would benefit from maximum sunlight. The buildings have been designed so that the first and second floor balconies of the side extension overhang the units below. However, despite this overhang these balconies would not impede the daylight/sunlight into the rooms below the balconies to an unacceptable level to warrant refusal of the application.
- 10.19 With regard to amenity space, policy DM3.5 details that all new residential development should provide good quality, private outdoor space in accordance with the minimum required figures. This policy requires a minimum of 5 square metres on

upper floors and 15 square metres on ground floors for a 1-2 person dwelling and for each additional occupant, an extra 1 square metre. 3 bedroom family sized units should provide 30 square metres of amenity space.

- 10.20 The proposed units would exceed the minimum floor space requirements providing generous outdoor amenity space in the form of balconies in this urban location.

Neighbour Amenity

- 10.21 The proposal would introduce a fourth floor level on top of the existing building and a four storey side extension that would include a large number of windows on the front and rear elevations, as well as a couple of obscurely glazed doors serving living rooms on the flank elevations.
- 10.22 The proposed windows at the front will overlook Halliford Street and will directly face the front of the Clare Lane development, while also benefit from small balconies on the front elevation. The properties in Clare Lane are located across the street from the application site and given the dense urban context of the site and the borough as a whole it is not untypical of a situation throughout the borough to justify refusal on the basis of overlooking.
- 10.23 The windows to the rear will overlook the existing playgrounds and the flank windowless elevation of Cedar Court (a twenty storey residential tower block). The proposed windows on the fourth floor extension to the main building will be at an oblique angle with the residential units in Cedar Court at a distance of 9 metres from this neighbouring flank wall. As such it is not considered to give rise to unacceptable levels of direct overlooking. It is noted that a small number of doors will be inserted on the side elevation facing Ecclesbourne Road. However these doors will be obscurely glazed and whilst they will provide some additional light into the internal amenity space, they will restrict against overlooking to neighbouring occupiers.
- 10.24 Concerns have also been raised with regards to loss of daylight. A daylight/sunlight analysis has been submitted with the application and demonstrated that all windows in neighbouring properties pass the ADF and VSC tests and will maintain acceptable levels of daylight/sunlight if this development is constructed. The proposal is therefore considered acceptable for this reason.

Highways and Transportation

- 10.25 The site has a PTAL of 6a, which is 'Excellent', with Essex Road Station and a number of major bus routes in close proximity to the site.
- 10.26 A total of 18no. cycle storage spaces will be provided on site (1 cycle per bedroom) in accordance with the requirements stated in Development Management policy DM8.4 The majority of these spaces will be located to the rear of the site whilst 4 will be located to the rear of the side entrance. A condition is attached to ensure these are provided in accordance with the proposed plans.
- 10.27 All new dwellings are required to be car-free in accordance with Development Management policy DM8.5. A condition has been attached restricting the occupiers from applying for a parking permit in accordance with the Council's Car Free Housing policy. Therefore, it is not considered that the proposal will give rise to increase on-street parking congestion.

Noise and Vibration

- 10.28 It is noted that concern has been raised regarding potential disturbance to neighbours from the proposed increase in occupancy levels at the site. Whilst the occupancy of the site would be increased, the area has high levels of flatted development. Subject to appropriate conditions regarding sound insulation for the new unit it is not considered that the proposal will create a noise nuisance to the occupiers of the neighbouring properties.

Access

- 10.29 Six out of the eight units are in accordance with the Council's Inclusive Design SPD and would be suitable for wheelchair housing/future adaptability. The proposed duplex units on the lower ground and ground floor side extensions have demonstrated on the plans how they can be adapted in the future for a lift. However, the main concerns relate to the 2no. duplex units on the first and second floors which have a spiral staircase which isn't acceptable for ambulant disabled and are unsuitable for stairlifts. However, these units provide all the kitchen and living accommodation on one level as well as a bedroom and bathroom. The upper floors of these duplexes only provide an additional bedroom and bathroom. Given that the majority of accommodation will be provided on one level, on balance it is considered acceptable.

Refuse

- 10.30 It is proposed that new refuse storage containers will be located to the rear of the side adjacent to the mobility and cycle storage areas. The size of the refuse storage containers are in accordance with Council policy. This will be within 25 metres of the highway and is therefore considered acceptable. A condition has been proposed to ensure the refuse and recycling facilities (as well as the cycle storage spaces) are provided prior to the first occupation of the development and permanently maintained on site in accordance with the proposed plans.

Affordable Housing and Carbon Offsetting

- 10.31 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (SPD) together with Core Strategy policy CS12 Part G states that development proposals below a threshold of 10 residential units (gross) will be required to provide a financial contribution towards affordable housing provision elsewhere in the borough.
- 10.32 The applicant has agreed to pay the full amount of £400,000 towards affordable housing in the borough and £8,000 towards carbon offsetting. These contributions have been secured in a Unilateral Undertaking which has been signed by the applicant.

Community Infrastructure Levy (CIL)

- 10.33 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 payments would be chargeable on implementation of the private housing.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed roof extension and four storey side extension are considered to be acceptable with regards to the land use, design, amenity, neighbour amenity, highways and transportation, noise levels, access, refuse and affordable housing provision.
- 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 Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions and S106 agreement as set out in Appendix 1 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) 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:

1. A contribution of £400,000 towards affordable housing within the Borough.
2. A contribution of £8,000 towards carbon offsetting

All payments are due on practical completion of the development and are to be index-linked from the date of committee. Index linking is calculated in accordance with the Retail Price Index. Further obligations necessary to address other issues may arise following consultation processes undertaken by the allocated S106 officer.

RECOMMENDATION B

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>001, 002, 003, 004, 005, 006, 007, 008 Rev A, 009 Rev A, 010, 011 Rev A, 012 Rev A, 013 Rev A, 014 Rev A, 015 Rev A, 016 Rev A, 017, Heritage Statement, Daylight and Sunlight Assessment Rev B, Design and Access Statement, Sustainable Design & Construction Statement.</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 Details
	<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> <p>a) solid brickwork (including brick panels and mortar courses)</p> <p>b) render (including colour, texture and method of application);</p>

	<p>c) window treatment (including sections and reveals); d) any other materials to be used.</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	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>
5	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 interest of addressing climate change and to secure sustainable development.</p>
6	Green/Brown Biodiversity Roof (Details)
	<p>CONDITION: Details of the biodiversity (green/brown) roof(s) 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> <p>d) biodiversity based with extensive substrate base (depth 80-150mm); e) laid out in accordance with plan 008 Rev A hereby approved; and f) 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> <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>
7	Landscaping (Details)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <p>a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises</p>

	<p>biodiversity;</p> <p>c) existing and proposed underground services and their relationship to both hard and soft landscaping;</p> <p>d) proposed trees: their location, species and size;</p> <p>e) soft plantings: including grass and turf areas, shrub and herbaceous areas;</p> <p>f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</p> <p>g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</p> <p>i) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such.</p> <p>REASON: To ensure the development provides satisfactory amenity space</p>
8	Noise
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be implemented to achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq,8\text{ hour}}$ and 45 dB $L_{max\text{ (fast)}}$</p> <p>Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16\text{ hour}}$</p> <p>Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16\text{ hour}}$</p> <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 there from shall take place without the prior written consent of the Local Planning Authority</p> <p>Reason: To protect the amenities of future occupiers of the residential units.</p>
9	Rainwater/Greywater Recycling (Details)
	<p>CONDITION: Details of the rainwater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite. The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.</p> <p>The rainwater recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the</p>

	<p>building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable use of water.</p>
10	Accessible Homes Standards (Compliance)
	<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>
11	Car Permits (Compliance)
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> 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>REASON: To ensure that the development remains car free in accordance with policies 6.3 and 6.13 of the London Plan 2011, policy CS18 of the Islington Core Strategy 2011 and policy DM8.5 of the Development Management Policies.</p>
12	Construction Management Plan
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Management Plan 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 <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</p>

	neighbouring residential amenity due to its construction and operation.
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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>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	Unilateral undertaking
	<p>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.</p>
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.

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.

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

3 London's people:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice

6 London's transport:

- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking

7 London's living places and spaces:

- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.15 Reducing noise and enhancing soundscapes

8 Implementation, monitoring and review:

- 8.2 Planning obligations
- 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

CS8 (Enhancing Islington's Character)

Strategic Policies

CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM3.3 Residential Conversions and Extensions

DM3.4 Housing standards

DM3.5 Private Outdoor Space

DM3.7 Noise and Vibration

DM7.1 Sustainable Design and Construction

DM7.2 Energy Efficiency and Carbon Reduction in Minor Schemes

DM8.2 Managing Transport Impacts

DM8.4 Walking and Cycling

DM8.5 Vehicle Parking

DM9.2 Planning Obligations

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington

- Accessible Housing in Islington
- Car Free Housing
- Planning Obligations and S106
- Urban Design Guide
- Affordable Housing Small Sites SPD
- Conservation Area Design Guidelines
- Inclusive Design

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Planning for Equality and Diversity in London