

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:	21st September 2015	NON EXEMPT

Application number	P2015/2147/FUL
Application type	Full Planning Application
Ward	Holloway Ward
Listed building	Not Listed
Conservation Area	Not in a Conservation Area
Development Plan Context	Local View from Archway Bridge Local View from Archway Road
Licensing Implications	None
Site Address	Parking Spaces, Ewe Close, Islington, N7 9TL
Proposal	Erection of a terrace of four three storey houses with associated garden areas and cycle parking.

Case Officer	Nathaniel Baker
Applicant	New Build and Regeneration Team, London Borough of Islington.
Agent	Roger Stong – Islington Council Architects

1 RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1; and
2. subject to the prior completion of a Directors' Agreement 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 - View from Manger Road



Image 2 – Aerial Image of Site

4 SUMMARY

- 4.1 The application proposes the erection of a terraced row of four family (4 bed) social housing dwellings, the provision of a pedestrian route through the site inclusive of tree planting and landscaping, and the re-provision of six car parking spaces.
- 4.2 The scheme delivers four good quality affordable family homes to address housing needs within the borough. Although there would be a loss of green space, this is largely unusable and the proposal includes tree planting, the provision of extensive landscaping and large garden areas, which together with the provision of affordable housing is considered to be acceptable on balance.
- 4.3 With regard to design, the proposal would introduce a terraced row to the site of a simple and unobtrusive design and of an appropriate scale, while also providing a high quality landscaped environment. The proposed pedestrian route would replace an existing underused rear access alley with a wider landscaped route befitting from an improved level of safety
- 4.4 Residents' concerns primarily relate to neighbour amenity and contaminated land. The proposal would be located a sufficient distance from the neighbouring properties, would not result in unacceptable overlooking and the submitted daylight/sunlight assessment details that there would be no unacceptable loss to neighbouring properties. The site was a former abattoir and is potentially contaminated, as such a contaminated land condition is recommended.
- 4.5 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The site is formed of a car parking area on the corner of Ewe Close and Manger Road. The site forms part of the Shearling Way Estate and provides parking for 14 cars with vehicular access onto both Manger Road and Ewe Close. To the west and south of the site is an access alley leading to the rear of the existing dwellings. The site currently incorporates two raised planted areas set approximately 1 metre above ground level, with a mature tree on the north west corner of the site.
- 5.2 The site is bound by two and three storey terraced dwellings to the south and west with the rear gardens of these properties backing onto an access route running around the edge of the site. To the east of the site, on the opposite side of Ewe Close is the flank elevation of a three storey terraced row of dwellings. To the north of the site on the opposite side of Manger Road is a parking area (Fleece Walk) with two and three storey residential properties surrounding this.
- 5.3 In the wider context, immediately to the west of the site is a recent development incorporating a four and five storey block that adjoins a three storey terraced row of dwellings, with yellow facing brickwork and areas of white render. To the south is a part six, part seven storey building with yellow facing brickwork and grey metal and timber cladding.

6 PROPOSAL (IN DETAIL)

- 6.1 The proposal is for the erection of a terraced row of four three storey family dwellinghouses, each with four bedrooms.

6.2 The terraced dwellings would have projecting timber and glass porch canopies to the front, a single storey projection to the rear and would have a flat roof at a height of 10.1 metres. The terraced row would extend 23.5 metres along the Manger Road frontage, with a ground floor depth of 11.3 metres that steps back to 9.25 metres at first floor level and above.

6.3 The dwellings would have front and rear gardens with a landscaped pedestrian access route running along the south and west edges of the site, providing rear access to the existing properties. Six car parking spaces would be re-provided on the eastern edge of the site, with two of the spaces provided as wheelchair accessible.

Revision 1:

6.4 The plans were amended on 7th July 2015 to include additional planting within the pedestrian walkway.

Revision 2:

6.5 The plans were amended on 5th August 2015 to include additional tree planting and re-arrange the planting within the pedestrian walkway.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

7.1 None.

ENFORCEMENT:

7.2 None.

PRE-APPLICATION ADVICE

7.3 **P2013/3768/SM** - The proposal has been subject to on-going pre-application discussions. The key points which required further consideration during the pre-application process were:

- The detailed design and location of the terrace;
- Number of dwellings;
- Landscaping; and
- Car parking.

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 69 adjoining and nearby properties at Fleece Walk, Manger Road, Lairs Close and Ewe Close on the 3rd June 2015. A site notice was displayed and a press advert published on 11th June 2015. The public consultation on the application therefore expired on 2nd July 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 a total of 3 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):

- The development is a land grab of open space (para 10.4 and 10.5);
- it will result in a sense of enclosure and overlooking (para 10.27 – 10.32);
- The design of the proposal is out of character with the rest of the estate, with all other houses having similar design features including pitched roofs and matching brickwork and entrances (para 10.7 – 10.12);
- there will be increased noise levels from the houses and those using the rear alley (para 10.33);
- the properties would result in more residents leading to overcrowding (para 10.21 – 10.23);
- the proposal would disrupt pests and wildlife living in the hedgerows at the site (para 10.19);
- the proposed lighting would impact upon neighbouring occupiers (para 10.15 and 10.33);
- concern raised regarding Manger Road being blocked by the development during construction (para 10.60);
- the proposal would compromise the security of the properties backing onto the site (para 8.9, 10.14 and 10.15);
- concern raised regarding presence of hazardous material (para 8.6 and 10.59);
- the proposal would block daylight/sunlight to the neighbouring properties (para 10.38 – 10.43);
- the proposal would block wind and fresh air to the neighbouring properties (para 10.62); and
- concern raised regarding drainage and sewage at the site (para 10.61).

Internal Consultees

- 8.3 **Access and Inclusive Design Officer** – Provision should be made for the storage and charging of mobility scooters for residents and their visitors. The location of the through the floor lift in the kitchen would not work unless the dining facility were to be removed. A step free shower should be provided within the first floor bathroom. The floor layouts are otherwise acceptable.
- 8.4 **Transport Planning Officer** – The cycle parking spaces should be flexible to accommodate accessible cycles. The reduction in car parking spaces is welcomed.
- 8.5 **Tree Preservation Officer** – The tree loss is justified and mitigated by the replacement planting. A condition is recommended requiring the submission of an Arboricultural Method Statement.
- 8.6 **Public Protection** – The former abattoir is a potentially contaminating use. A contaminated land condition is recommended. No objections raised.
- 8.7 **Refuse and Recycling** – No objections received.
- 8.8 **Sustainability Officer** – No objection subject to conditions.

Internal Consultees

- 8.9 **Crime Prevention Officer** – Advise that the rear boundary fences should include trellis or metal work up to a height of 2.4 metres, with robust gates. The lighting to the pedestrian area should not be bollard lights. It should be ensured that the parking area is overlooked

9 RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 planning practice guidance for England has been published online.
- 9.3 On the 28th November 2014, a Ministerial Statement and revision to the Planning Practice Guidance (PPG) were published.
- 9.4 In considering the relevance of the changes to the NPPG in light of the NPPF requirement to meet the full objectively assessed needs for market and affordable housing, the Council is mindful that the NPPF sets out the government's national planning policy.
- 9.5 Furthermore, planning legislation (Section 70 of the Town and Country Planning Act 1990 and section 38 of the Planning and Compulsory Purchase Act 2004) provides that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 9.6 The Council considers that the material consideration of the NPPG should not outweigh the Development Plan, given the specific circumstances in Islington.
- 9.7 Under the Ministerial Statement of 18 December 2015, the government seeks to increase the weight given to SUDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

Development Plan

- 9.8 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Plan 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

9.9 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Area Action Plan 2013.

- Local View from Archway Road
- Local View from Archway Bridge

Supplementary Planning Guidance (SPG) / Document (SPD)

9.10 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
- Safety and security
- Landscaping and trees
- Density
- Accessibility
- Neighbouring amenity
- Quality of residential accommodation
- Highways and transportation
- Sustainability, Energy Efficiency and Renewable Energy
- Planning obligations/mitigations/CIL

Land Use

10.2 Policy 3.4 of the London Plan encourages boroughs to optimise housing output, taking into account local context and character, design principles and transport capacity. This is supported by Core Strategy policy CS12 which seeks to provide more high quality, inclusive and affordable homes within the borough.

10.3 The proposal would introduce 4 x four bedroom family dwellinghouses to the site, all of which would be affordable.

10.4 Policies CS15 of the Islington Core Strategy 2011 and DM6.3 of the Development Management Policies 2013 seek to protect all local open spaces (including semi-private open space on estates), whilst improving their quality and function, and improving access to open space, particularly in those areas that currently have little or no open space locally. Policy CS15 identifies underused spaces on Council housing land to deliver these aims.

10.5 The site includes two raised planted areas set within brick retaining walls measuring 372.8 square metres. These spaces, whilst undoubtedly of visual amenity value, have no direct access and provide little useable space to residents. The proposal includes the retention of a large tree and an area of planting to the north east corner of the site and the introduction of five new trees and associated planting along the public footpath to the south and west of the site. In addition to the proposed planted areas, each of the dwellings would have front and rear garden areas. As such, while there would be a loss in semi-private open space, the proposal would introduce

425.62 square metres of planted space across the site (inclusive of gardens) in addition to the hard landscaped pedestrian route, maintaining the open nature of the site. Taking this together with the unusable nature of the current green space and the provision of affordable housing, the proposal is considered to be acceptable.

- 10.6 As such, the principle of the development is acceptable subject to the assessment of the proposal in light of all other relevant policy, the site context and any other material planning consideration.

Design

- 10.7 The proposal would introduce a three storey flat roofed terrace row to the site set back from Manger Road by low walled front gardens with modest sized gardens to the rear, a pedestrian footpath wrapping around the west and south of the site and the re-provision of parking to the east of the site onto Ewe Close.
- 10.8 The terraced row would have a simple design incorporating a flat roof set behind a capped parapet, large recessed window openings, a repeated lightweight porch projection, a single storey projection across the whole of the rear elevation and facing brickwork that would be broken up by recessed brickwork. The vertical recessed brickwork, vertically aligned windows and repeated open porch would define each dwelling and provide a rhythm while the horizontal recessed brickwork running around the terrace between ground and first floor level would provide a base to the building.
- 10.9 Although the more traditional terrace design and proportions of the proposal would not be strictly in keeping with the immediately surrounding residential blocks, it would be similar to the terraced properties on the west side of Shearling Way and typical of terraces throughout Islington. Notwithstanding this, the terraced row would be set below the ridge height of the three storey properties immediately to the east, west and in part the south, while the frontage would align with the layout of the terraced row to the east.
- 10.10 The flank elevations of the terrace would incorporate recessed brickwork, 'blind' windows and on the western elevation small high level windows. These features would articulate and add visual interest to the large extent of facing brickwork. Although the visualisations detail a light yellow brick, it is considered that a darker brick would be more appropriate to the local context. Details of materials are recommended to be submitted by condition (3).
- 10.11 The set back of the building from the properties at Shearling Way and from the eastern edge of the site, together with the deep rear gardens and the introduction of a pedestrian walkway around the site would maintain space about the terraced row. This would be further enhanced by the retention of the mature tree and planting on the north eastern corner of the site and the parking area, which would maintain the open views along Ewe Close.
- 10.12 The proposal would introduce a terraced row to the site of a simple and unobtrusive design and of an appropriate scale, while also providing a high quality landscaped environment (see 'Landscape' section below). The quality of the materials and finishes is imperative to the success of this simple design, with deep window reveals and high quality brickwork essential to achieving a building of integrity and a high quality finish. As such, a condition (3) is attached with regard to window reveals and the submission of material samples prior to commencement to ensure that development of an appropriate high quality would be delivered.

- 10.13 While, the submitted Design and Access Statement details that the flat roofs would incorporate photovoltaic panels, elevational details have not been submitted. To ensure that the proposed photovoltaic panels would not be detrimental to the character and appearance of the dwellings or be prominent in the locality, a condition (14) is proposed requiring the submission of plans detailing these.

Safety and Security

- 10.14 The proposal would replace an existing underused access route to rear gardens with a wide pedestrian footpath incorporating landscaping laid out along the east and south sides of the site. The proposed pedestrian route would maintain the existing rear access to the current properties and provide rear access to the proposed properties.
- 10.15 Although the pedestrian route does not constitute a desire line, it would have a greater width than the existing access path that would allow views of those using the path from the highway, it would benefit from actual and perceived surveillance from the rear windows of the existing and proposed surrounding properties and the plans include the provision of lighting to this route. The Crime Prevention Officer has assessed the proposal and considers that subject to details of the lighting, boundary treatment and rear gates being submitted (Condition 4), the proposed pedestrian route would be acceptable from a safety and security perspective.

Landscaping and Trees

- 10.16 The site currently has two areas of raised green space that provide little useable space, while the site is predominantly formed of hardstanding. While the loss of green space is regrettable, the introduction of garden areas, trees and high quality hard and soft landscaping to the pedestrian route would green the site and provide useable green spaces, which would represent a considerable benefit to the site. A condition (4) is recommended requiring full details of the landscaping to be submitted to ensure a satisfactory standard of visual amenity is provided and maintained.
- 10.17 The mature ash tree on the north east corner of the site is of moderate (Category B) amenity value and helps to define the corner of the site. The proposal details the retention of this tree and a condition (5) is proposed requiring the submission of an Arboricultural Method Statement to ensure the tree is not damaged during construction.
- 10.18 However, two trees on the western boarder of the site are proposed to be removed to facilitate the development. The submitted Arboricultural Report categorises these trees as Category U, those that British Standard BS 5837:2012 '*Trees in relation to design, demolition and construction*' considers as not being a constraint to development due their poor condition or amenity value. The two trees proposed to be removed are of little amenity value and subject to suitable mitigation their loss is not resisted.
- 10.19 The proposal includes the planting of five trees to the southern part of the pedestrian route, providing a tree lined walkway. These trees would be of high amenity and biodiversity value, and are considered to appropriately mitigate the loss of the two Category U trees and the hedges lost. The Arboricultural Report has been assessed by the Council's Tree and Landscape Officer is considered to be acceptable.
- 10.20 As such, the proposed development is acceptable with regard to landscaping and trees and is in accordance with policy 7.21 (Trees and Woodlands) of the London

Plan 2015 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

Density

- 10.21 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The development scheme proposes 4 new residential dwellings comprised of 24 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.
- 10.22 The site covers an area of approximately 0.094 hectares, has a public transport accessibility level (PTAL) of 4 (Good) 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.
- 10.23 The proposed development has a residential density of 42.5 u/ha and 255.3 hr/ha. Although not maximising the intensity of the use of the land, the provision of a pedestrian route, green spaces and car parking is in keeping with the local context and ensures that the proposal would not result in an overly dense development.

Accessibility

- 10.24 The Islington Core Strategy (2011) policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard.
- 10.25 The proposed units would all provide an accessible ground floor W.C and detail future provisions for through the floor lifts and hoist routes/knock out panels to the first floor bathrooms. While the future use of a through the floor lift would necessitate the relocation of the dining area, this could be provided within the rear living room space. Furthermore, there is sufficient space within the front gardens to provide storage/charging facility for mobility scooters should these be required in the future. The proposed dwellings would be in accordance with the Islington Flexible Homes Standards and are therefore considered to be acceptable.

Neighbouring Amenity

- 10.26 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 10.27 With regard to overlooking policy identifies that *'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'*. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm
- 10.28 The proposed terraced row would be set 12.6 metres beyond the main rear elevation of the properties to the west along Shearling Way, with a 4.3 metre wide pedestrian

footpath separating the rear gardens serving these neighbouring properties from the proposed dwellings. The terraced row would be set at a right angle to the properties to the west, with the flank elevation of the terrace addressing the rear elevations of 39, 41 and in part 43 Shearling Way. Whilst the proposed terrace would undoubtedly be immediately visible in views from the rear windows and gardens of these neighbouring properties, due to the separation distance (inclusive of both rear gardens and a pedestrian footpath) and the modest height and depth of the proposal it would not be overbearing to the neighbouring occupiers or result in an unacceptable level of enclosure.

- 10.29 The windows in the west elevation of the proposed terrace row would be obscurely glazed, high level windows serving circulation space and would therefore not result in any overlooking. Furthermore the first floor rear windows would be set at oblique angles to the neighbouring windows at Shearling Way and a sufficient distance to ensure there would be no unacceptable overlooking.
- 10.30 To the rear, the neighbouring dwellings at Ewe Close would be set over 20 metres from the proposed terraced row, with the first floor set over 16.5 metres from the rear boundary of these properties. Due to this separation and the modest height of the terraced row, the proposal would not be overbearing to the occupiers of the dwellings to the rear and complies with the 18 metre separation distance between habitable windows set out in the supporting text to policy DM2.1, ensuring there would be no unacceptable overlooking.
- 10.31 The proposed development would be located largely opposite an open parking area to the north. While 1 Manger Road has four windows facing onto the site, this property is located on the opposite side of the highway and the proposal would therefore not result in unacceptable overlooking. Furthermore, these neighbouring windows would be set beyond the termination of the proposed terraced row and as such would maintain an acceptable outlook.
- 10.32 To the east of the site 2 Manger Road has four windows that would face the proposed development. However, the ground floor window is obscurely glazed, while the upper floor windows serve a staircase. Furthermore, these windows face over a highway and the proposal includes no flank windows. As such there would be no overlooking and the proposed development would not be overbearing to the occupiers of this property.
- 10.33 Noise and Disturbance: While the proposal would introduce four additional residential properties to the site, the relationship to the neighbouring properties would be typical of a residential area and would not result in an over intensification. Details of the lighting are required to be submitted by condition (4) to ensure there would be no disturbance to neighbouring occupiers.
- 10.34 Daylight and Sunlight: The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.
- 10.35 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight);

And

The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

- 10.36 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

- 10.37 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Sunlight and Daylight Losses for Affected Properties Analysis

- 10.38 Residential dwellings within the following properties have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:

- 2-16 Ewe Close;
- 37-53 Shearling Way; and
- 1 and 2 Manger Close.

- 10.39 2-16 Ewe Close: Two ground floor windows would have a VSC value below 27%, but the reductions to these windows would be 6.68% and 10.37%, which is considered to be acceptable by the BRE Guidelines. The BRE assessment demonstrates that while there would be some reduction in daylight to the windows/rooms of these neighbouring properties, these would be within BRE Guidelines. Furthermore, the windows facing onto the site are not within 90 degrees of due south and therefore do not require testing for levels of sunlight.

- 10.40 37-53 Shearling Way: Eight ground floor windows and one first floor window would have a VSC value below 27%, but the reductions to all of these windows would be less than 20%, which is considered to be acceptable by the BRE Guidelines. The BRE assessment demonstrates that while there would be some reduction in daylight to the windows/rooms of these neighbouring properties, these would be within BRE Guidelines. Furthermore, the windows facing onto the site are not within 90 degrees of due south and therefore do not require testing for levels of sunlight.

- 10.41 1 Manger Close: The BRE assessment demonstrates that there would be minimal reductions in daylight and sunlight to the windows/rooms of this neighbouring property. However, these would be within BRE Guidelines.
- 10.42 2 Manger Close: The BRE assessment details that a first floor side window at this neighbouring property would have a loss of NSL (daylight) of 22.9%, contrary to BRE Guidelines. However, this window serves a stairwell and therefore does not require testing. As such, the BRE assessment demonstrates that although there would be reductions in daylight and sunlight to the windows/rooms of this neighbouring property these would be within BRE Guidelines and the windows do not serve habitable rooms.
- 10.43 Taking into account the points set out above it is considered that the impact upon these properties can be accepted.
- 10.44 Overshadowing: Due to the modest height of the building and its separation from the neighbouring properties, the proposal would be unlikely to result in unacceptable overshadowing to the neighbouring properties.

Quality of Residential Accommodation

- 10.45 Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes.
- 10.46 Although the proposal consists solely of 4 x four bed family units, there is an identified need for affordable family units within the borough, which the proposal would contribute towards.
- 10.47 Policy DM3.4 of the Development Management Policies (2013) stipulates that the minimum gross internal floor space for three storey / six person dwellings is 113 square metres. Each of the dwellings would have a floor area measuring 138 square metres with dual aspect and an acceptable outlook. A condition (11) is recommended requiring details of adequate sound insulation to be submitted to protect the amenity of future occupiers.
- 10.48 Policy DM3.5 details that family dwellings should provide a minimum of 30 square metres of garden space. The proposed dwellings would each have large rear gardens measuring 42 square metres in addition to front gardens.
- 10.49 Given the generous sizes of the units, the overall layout and the garden areas, the proposal would provide a satisfactory living environment for future occupiers of the units and therefore comply with policy DM3.4 (Housing Standards) and DM3.5 (Amenity Space) of the Development Management Policies Plan 2013.

Highways and Transportation

- 10.50 The site has a PTAL rating of 4, which is 'Good' with a number of bus routes in the area and Caledonian Road Underground Station within 720 metres of the site.
- 10.51 The site currently provides 14 car parking spaces. The proposal would involve the loss of eight of the existing spaces with the re-provision of six spaces accessed from Ewe Close. Three existing wheelchair accessible spaces would be re-provided as

part of the total, while three parking spaces currently used by residents would also be reprovided. While the provision of parking is not supported by policy, the proposal would result in an overall reduction in parking in accordance with the aims of Islington's 'car free' policy.

- 10.52 Residents of the new units would not be eligible to attain on-street car parking permits for the surrounding Controlled Parking Zone (CPZ) in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure (Condition 6). The exceptions to this would be where, in accordance with Council parking policy, future persons occupying the residential development are living in residential properties within Islington prior to moving into the development and have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit. Residents who are 'blue badge' (disabled parking permit) will also be able to park in the CPZ.
- 10.53 The existing hardstanding at the site provides only car parking and therefore the servicing, delivery and refuse collection would continue as existing from the surrounding streets.
- 10.54 In accordance with policy DM8.4 and Appendix 6 of the Development Management Policies (2013), each of the units is required to provide 4 secure cycle parking spaces. The plans detail the provision of a dedicated cycle store within each of the rear gardens, providing 6 secure spaces with direct access from the landscaped pedestrian area to the rear. This is in accordance with policy and a condition (5) is recommended requiring details of the cycle storey to be submitted and approved by the Local Planning Authority.

Sustainability, Energy Efficiency and Renewable Energy

- 10.55 Islington Core Strategy (2011) policy CS10 requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard. Whilst the Code for Sustainable Homes has now been withdrawn, the proposed dwellings are subject to acceptable suitability measures which are secured by condition (9) and the Directors' Agreement secures a contribution of £6,000 towards the environmental off-set.
- 10.56 The London Plan 2015 policy 5.13 considers development should utilise Sustainable Urban Drainage Systems (SUDS) unless practical reasons prevent this, and should aim for Greenfield run-off rates. The proposal includes the provision of open spaces and Green roofs with additional details required by condition (4).

Planning Obligations/ Mitigations/ CIL

- 10.57 The proposal is a minor application for four residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy). The proposal is subject to a Directors' Agreement to ensure that the housing remains in social ownership and is not disposed of on the private market. The Council will have 100% nomination rights in perpetuity on the proposed Social Rented units and these will be let through the local lettings policy.
- 10.58 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.

Other Matters

- 10.59 Two representations have been received raising concerns that the site is contaminated. One representation suggests the possibility of asbestos having been buried at the site, the second representation states that the site was previously used as a lime pit for the burial of animal carcasses by the Slaughter Houses that were historically at the site. A condition (8) is recommended which ensures that should any contaminated land be discovered at the site then details would be required to be submitted to and assessed by the Local Planning Authority and where appropriate, remedial works carried out.
- 10.60 Representations have been received raising concern regarding disturbance, air pollution and the blocking of vehicular access during construction. Outside of planning control there are other controls on construction, such as Highway and Environmental Health Regulations that would control highway usage and protect the amenity of neighbouring occupiers during the construction period.
- 10.61 Concern is raised in a representation regarding the ability of the drainage and sewage infrastructure to cope with the additional dwellings. While sewage infrastructure is not a material planning consideration, the proposal includes Sustainable Urban Drainage measures.
- 10.62 A representation has been received raising concern over the impact upon wind and fresh air reaching the neighbouring properties. The proposal is set away from the neighbouring properties within a relatively open plot and would not result in a detrimental impact upon the wind and or fresh air to the neighbouring properties.

National Planning Policy Framework and National Planning Policy Guidance

- 10.63 The scheme is considered to accord with the aims of the NPPF and NPPG, promoting sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF and NPPG require local planning authorities to require good design from new development to achieve good planning.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The application proposes the erection of a terraced row of four family (4 bed) social housing dwellings, the provision of a pedestrian route through the site inclusive of tree planting and landscaping, and the re-provision of six car parking spaces.
- 11.2 The scheme delivers four good quality affordable family homes to address housing needs within the borough. Although there would be a loss of green space, this is largely unusable and the proposal includes tree planting, the provision of extensive

landscaping and large garden areas, which together with the provision of affordable housing is considered to be acceptable on balance.

- 11.3 With regard to design, the proposal would introduce a terraced row to the site of a simple and unobtrusive design and of an appropriate scale, while also providing a high quality landscaped environment. The proposed pedestrian route would replace an existing underused rear access alley with a wider landscaped route befitting from an improved level of safety
- 11.4 Residents' concerns primarily relate to neighbour amenity and contaminated land. The proposal would be located a sufficient distance from the neighbouring properties, would not result in unacceptable overlooking and the submitted daylight/sunlight assessment details that there would be no unacceptable loss to neighbouring properties. The site was a former abattoir and is potentially contaminated, as such a contaminated land condition is recommended.
- 11.5 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

Conclusion

- 11.6 It is recommended that planning permission be granted subject to conditions and a Directors' Agreement as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. Securing the Provision of four residential units for social housing
2. Contribution of £6000 towards carbon off-setting

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance) CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved plans list (Compliance) CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: SW001, SW002 Rev D, SW003 Rev B, SW004 Rev C, SW005 Rev C, SW006 Rev B, SW007 Rev D, SW008 Rev B, SW009 Rev C, SW010 Rev C, SW011, SW012, SW013, Planning Statement (May 2015) and Daylight Analysis (dated 10 th October 2014). REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.
3	Materials (Details) CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site. These shall include: a) Samples of all facing brickwork types, including mortar and pointing; b) Window and door treatment (including sections and reveals); c) details (including sections and reveals) and sample of window frames showing colour and texture d) any other materials to be used The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning

	<p>Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Landscaping (Details)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) soft plantings: including grass and turf areas, trees, shrub and herbaceous areas; b) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; c) hard landscaping; d) lighting: including specification of all lamps and light levels/spill; e) Sustainable Urban Drainage System ensuring no increase in run-off; and f) any other landscaping feature(s) forming part of the scheme. <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>REASON: In the interests of residential amenity and ecological value.</p>
5	Arboricultural Method Statement (Details)
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the appropriate working methods (the arboricultural method statement, AMS) in accordance with British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
6	Refuse and Cycle Stores (Details)
	<p>CONDITION: Details of the layout, design and appearance of the refuse and cycle store(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing onsite.</p> <p>The refuse and cycle store(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking space and physical waste enclosure space is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed</p>

7	Car Free Development (Compliance)
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> 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.</p>
8	Land Contamination (Compliance/Details)
	<p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority</p> <ul style="list-style-type: none"> a) A land contamination investigation. <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <ul style="list-style-type: none"> b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation. <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <ul style="list-style-type: none"> c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b). <p>REASON: To protect occupiers and the environment from contamination risk.</p>
9	Sustainability (Compliance)
	<p>CONDITION: The development shall be built in accordance with the Sustainable Design and Construction Statement (Ref: G6/K140594/01) and Energy Strategy (Ref: G6/K140594/01) hereby approved and maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
10	Green Roofs (Details)
	<p>CONDITION: The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with the plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).

	<p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. 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, valuable areas for biodiversity and minimise run-off</p>
11	Sound insulation (Compliance)
	<p>CONDITION: The residential units hereby approved shall employ sound insulation and noise control measures to achieve the following internal noise targets:</p> <ul style="list-style-type: none"> - Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast) - Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour - Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour <p>The sound insulation and noise control measures shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
12	Permitted Development Rights (Compliance)
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any amended/updated subsequent Order) no works under Schedule 2, Part 1 of the above Order shall be carried out to the dwellinghouses hereby approved without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouses 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>
13	Photovoltaic Panels
	<p>CONDITION: Prior to the commencement of development details of the proposed photovoltaic panels, including elevations, sections and a roof plan shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

List of Informatives:

1	Community Infrastructure Levy (CIL) (Granting Consent) CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), if planning consent is granted for this application following an appeal, this development will be liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and Mayor of London 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 CIL Charging Schedule 2012. 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 Planning Policy Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/ .
2	Working in a Positive and Proactive Way To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website. A pre-application advice service is also offered and encouraged. The LPA and the applicant have worked positively and proactively in a collaborative manner through the application stages to deliver an acceptable development in accordance with the requirements of the NPPF The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.

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

1 Context and strategy

1.1 Delivering the strategic vision and objectives for London

3 London's people

3.1 Ensuring equal life chances for all
3.3 Increasing housing supply
3.4 Optimising housing potential
3.5 Quality and design of housing developments
3.8 Housing choice
3.9 Mixed and balanced communities
3.10 Definition of affordable housing
3.11 Affordable housing targets
3.13 Affordable housing thresholds
3.15 Coordination of housing development and investment

5 London's response to climate change

5.1 Climate change mitigation
5.3 Sustainable design and construction
5.10 Urban greening
5.11 Green roofs and development site environs
5.12 Flood risk management
5.13 Sustainable drainage
5.14 Water quality and wastewater infrastructure
5.15 Water use and supplies
5.16 Waste self-sufficiency
5.17 Waste capacity

6 London's transport

6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
6.9 Cycling
6.10 Walking
6.13 Parking

7 London's living places and spaces

7.1 Building London's neighbourhoods and communities
7.2 An inclusive environment
7.3 Designing out crime
7.4 Local character
7.5 Public realm
7.6 Architecture
7.13 Safety, security and resilience to emergency
7.14 Improving air quality
7.15 Reducing noise and enhancing soundscapes

8 Implementation, monitoring and review

8.1 Implementation
8.2 Planning obligations
8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

Strategic Policies

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

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.7 Noise and vibration (residential uses)

Transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

Energy and environmental standards

DM7.1 Sustainable design and construction statements

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

Designations

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

- Local View from Archway Road
- Local View from Archway Road

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Urban Design Guide
- Shopfront Design Guide

London Plan

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