

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:	23 rd February 2016	NON-EXEMPT

Application number	P2015/4046/FUL
Application type	Full Planning Application
Ward	Mildmay Ward
Listed building	No
Conservation area	n/a
Development Plan Context	Within 50m of Highbury New Park Conservation Area
Licensing Implications	None
Site Address	14a Pitfield House, Highbury New Park, N5 2RA
Proposal	Change of use from community use (D1) to create 2 bedroom, 3 person self-contained residential unit (C3).

Case Officer	Joe Aggar
Applicant	Islington Council
Agent	Mr Daniel Betts

1 RECOMMENDATION

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

- i) subject to the conditions set out in Appendix 1
- ii) and conditional upon the completion of a Directors' Service Level Agreement securing the heads of terms set out in Appendix 1.

2. **SITE PLAN (site outlined in black)**



3. **PHOTOS OF SITE/STREET**

14a Pitfield House

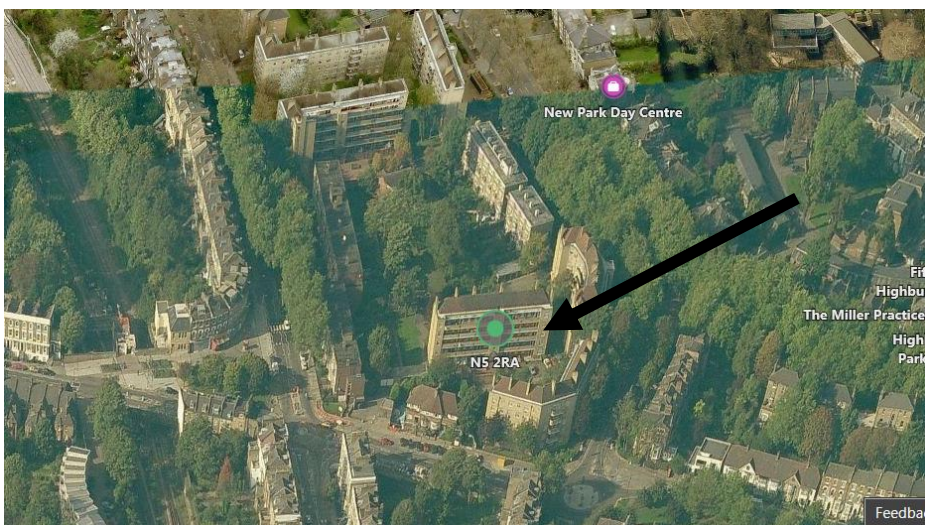


Image 1: Aerial photograph showing the front of 14a Pitfield House, Highbury New Park



Image 2: Aerial photograph showing the rear of 14a Pitfield Street, Highbury New Park



Image 3: view looking at the front façade of Pitfield House



Image 4: view looking to the rear of Pitfield House

4. SUMMARY

- 4.1 The application seeks permission for the change of use of a vacant community room (D1) at the second floor level of Pitfield House to a 2 bedroom, three person flat. The unit would be for social rent.
- 4.2 The area is residential in character and the site is not located within a Conservation Area.
- 4.3 The change of use from a meeting hall to a self-contained residential unit is considered acceptable. The application would fall within the existing footprint of the building and there would be no external alterations to facilitate the conversion to residential. As such the external appearance of the property is considered acceptable.
- 4.4 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan (2015) for a two bed dwelling.
- 4.5 The proposal is considered not to prejudice the residential amenity of neighbouring properties insofar as loss of light, outlook, sense of enclosure and disturbance in line with policy DM2.1 of the Islington Development Management Policies June 2013 and the proposal is car free.
- 4.6 The proposal is considered to be acceptable and is in accordance with the Development Plan policies and planning permission subject to conditions is recommended.

5. SITE AND SURROUNDING

- 5.1 The application site comprises a rectangular, five storey residential building set around semi-private communal open space. The building is located on the Highbury

Estate and is located close to the junction of Beresford Terrace and Petherton Road, set back from the main roads.

- 5.2 The site is not located in a conservation area nor are the buildings statutorily listed. The surrounding area is mixed in character and use. The unit is currently vacant having previously been used as a meeting room for the residents of the Highbury Estate. Permission for use as this space a meeting room was granted in 1984.

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks permission for the change of use of community use (D1) to a 2 bed, 3 person self-contained residential unit (C3) for social rent. The unit is located on the second floor of Pitfield House and accessed via a communal walkway.

- 6.2 There are no external alterations proposed to facilitate the conversion of the space to residential.

- 6.3 The application has been referred to the planning sub-committee as this is a council own application.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Planning application re: 841279 for the '*Change of use of second floor drying-room to community facilities*' was GRANTED on 29/10/1984.

- 7.2 Planning application re: P073073 for the '*Replace single glazed steel windows with double glazed aluminium windows*' was GRANTED on 04/06/2008.

- 7.3 Planning application re: 841279 for the '*Temporary change of use from B1 Business to D1 Day Nursery (Ground Floor) and Tenant Resident Association Hall (First Floor). Temporary up to a period of 5 years*' was GRANTED on 17/01/2013.

ENFORCEMENT:

- 7.4 None

PRE-APPLICATION ADVICE

- 7.5 Informal advice stating permission ref: 841297 would suggest that the 'space' has planning permission since 1984 for community use.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 168 adjoining and nearby properties at Hillfield House, Larchfield House, Pondfield House, Pitfield House, Pearfield House, Petherton Road and Highbury New Park.

- 8.2 A site notice was also displayed. Consultation expired on the 27th November 2015 however it is the Council's practice to continue to consider representations made up until the date of a decision. Members will be updated at committee of any additional responses received.

- 8.3 At the time of writing this report 1 response has been received from the public with regard to the application. The issues raised so far can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).
- Regret at the loss of community facilities (para 10.4-10.7)
 - No impact on the character and appearance of the conservation area (para 10.8)

Internal Consultees

- 8.4 **Design and Conservation:** no concerns were raised.
- 8.5 **Planning Policy:** The application would involve change of use of floorspace on the 2nd floor of Pitfield House which was previously used by the Highbury Estate Tenants and Residents Association (TRA). These functions have been relocated elsewhere on the estate in the former neighbourhood office at 60 Highbury New Park providing more suitable premises with improved access, thus the applicable policy provision is DM4.12 A i) which permits the loss of social infrastructure facilities in such circumstances.
- 8.6 **Access Officer:** unit will default to category 1 of the new National Housing Standard based on the existing access arrangements.

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 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 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
 - Deregulation Bill received Royal Assent 26th March 2015

Development Plan

- 9.4 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management

Policies 2013, Site Allocations Document (2013) and Finsbury Local Plan (2013). The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.5 The site is located within 50m of the Highbury New Park Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.6 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 Appearance
- Neighbouring Amenity
- Quality of Accommodation
- Accessibility
- Affordable Housing
- Highways
- Other Matters

Land Use

- 10.2 Archived plans suggest the space in question served as a communal drying room when the block was constructed in the mid-thirties. In 1984 the planning history indicates the area in question received planning permission to change to a meeting room and for storage for use by the Highbury Estate Tenants and Residents Association.
- 10.3 Proposals involving the loss, or partial loss, of social infrastructure will need to comply with the criteria set out in Part A of Policy DM4.12. The council will not permit any loss or reduction in social infrastructure uses unless: i) a replacement facility is provided on site which would, in the council's view, meet the need of the local population for the specific use.
- 10.4 The former neighbourhood office at 60 Highbury New Park has community space to accommodate the Highbury Estate Tenants and Residents Association (TRA) and Youth Employment Facility. Previously these occupied the second floor level space at Pitfield House. The new facility is effectively double in size and is equipped with lift and ramps making the facility more accessible.
- 10.5 The relocation of the community facilities leaves 14a Pitfield House currently vacant. The proposal relates to the change of use of the meeting room to a self-contained residential unit.
- 10.6 Whilst the replacement facility has permission for a period of five years (17 January 2013), which undermines compliance with policy DM4.12 i), in light of the small scale and second floor location of the current unit, that it is dis-used and the overall need to increase the supply of social rented housing within the borough, it is considered that this outweighs this consideration.

- 10.7 There is a direct replacement of the facility within the estate for use by the (TRA) within the estate that is larger and better suited. As a result, it is accepted that that in the circumstances the loss of D1 is considered to comply with adopted policies.

Design and Appearance

- 10.8 There are no external alterations proposed to facilitate the conversion of 14a Pitfield House to a self-contained residential unit.

Neighbouring Amenity

- 10.9 The council's planning policies seek to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise.
- 10.10 The proposal sits within the footprint of the existing building and there are no external alteration proposed. The residential unit would be accessed by a communal hallway. Increases in noise and disturbance would be very unlikely, particularly in respect of pedestrian movements and activity having regard to the size and nature of the proposed residential unit and existing nature of the building and surrounding area.
- 10.11 There no undue harm is caused in this instance in terms of increased noise overlooking, increased sense of enclosure or loss of light to neighbouring occupiers in accordance with DM2.1 of the Development Management Policies.

Quality of Accommodation

- 10.12 In terms of new residential development, it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and also be dual aspect. London Plan (2015) policy 3.5 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.3 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 10.13 The proposed development would consist of a 2b3p single self-contained unit. The unit would be 63sqm which is considered to meet the minimum requirement as set out in Table 3.2 of the DMP and would provide a good level of accommodation. The unit would be dual aspect. The internal layouts of the proposed residential unit are considered to be acceptable and a satisfactory unit size has been provided considering the constrained nature of the site.
- 10.14 The Development Management policy DM3.5 requires 5 square metres of private amenity space on upper floors; with each additional occupant an extra 1sqm is required.
- 10.15 The proposed development would not provide any amenity space. However the design of the building results in not all of the residential units having access to private amenity space. However there is the provision of semi-private amenity space immediately adjacent to the Pitfield House which mitigates the lack of private amenity space. Given nature of the site, the comparative site constraints, the non-provision of

private outdoor space, in terms of policy DM3.5, would not in this case, on its own, provide a reason for refusal.

Accessibility

- 10.49 As a result of the change introduced by the Deregulation Bill (Royal Assent 26th March 2015) Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor wheelchair housing standards.
- 10.50 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements, if they are not conditioned, Building Control will only enforce the basic Category 1 standards.
- 10.51 This new dwelling is located on the second floor of an existing residential block. There is no lift in the block; all four floors are accessed via a single central staircase. Given the scale and scope of the development the provision of an inclusive and accessible dwelling is challenging due to the site constraints. Condition 3 is recommended to ensure the property can complete with Category 1.

Affordable Housing

- 10.52 The Affordable Housing Small Site Contributions document was adopted on the 18th October 2012. This document provides information about the requirements for financial contributions from minor residential planning applications (below 10 units) towards the provision of affordable housing in Islington. As per the Core Strategy policy CS12, part G and the Affordable Housing Small Sites Contributions SPD the requirement for financial contributions towards affordable housing relates to residential schemes proposing between 1 – 9 units which do not provide social rented housing on site.
- 10.53 The proposed residential unit is to be for social rent this is secured via Directors' Agreement. Maximising the provision of social rented housing is one of the main priorities in the Core Strategy and therefore, subject to the agreement of the legal agreement the proposal for onsite affordable housing is welcomed.

Highways

- 10.54 Islington policy identifies that all new development shall be car free. Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people. No parking is proposed and this will be ensured by legal agreement.
- 10.55 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'. Subject to there being sufficient capacity, the secure and integrated location of the proposed cycle storage on the ground floor is acceptable. Policy DM8.4 of the Development Management Policies supports sustainable methods of transport and requires the provision of 1 cycle space per bedroom. Given the nature of the site and the constrained space, the non-provision of bicycle spaces would not form a reason for refusal.

Other Matters

10.56 There is the provision of designated refuse and recycling area within the estate. This is considered sufficient to cater for the needs of the proposed unit.

Community Infrastructure Levy

10.57 CIL will not be charged on affordable housing development. Social housing relief is formulated to benefit most social rented (including intermediate rented) and low cost home ownership dwellings. Regulation 49 states that social housing relief applies where at least one of two conditions are met. Condition 1 (for social rented dwellings): The dwelling will be let by a private registered provider of social housing, a registered social landlord or a local housing authority.

11 SUMMARY AND CONCLUSION

Summary

12.1 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to a Directors' Agreement between Housing and Adult Social Services and Environment and Regeneration or Planning and Development 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:

- Residential unit for social rent
- Removal of eligibility for residents on street parking permits

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 approved shall be carried out in accordance with the following approved plans:</p> <p>14aPIT.OS; 14aPIT.SP; 14aPIT.01 revision status 0; 14aPIT.02 revision status 0; design and access statement September 2015; Photographs September 2015; IC.14aPIT.03; IC.14aPIT.04; IC.14aPIT.05</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Accessible Housing
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, the residential unit shall be constructed to Category 1 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p> <p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate</p>

	to meet diverse and changing needs
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List of Informatives:

1	Positive statement
	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. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. 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 accordance with the requirements of the NPPF.
2	S106
	Section 106 Agreement: You are advised that this permission is conditional upon the completion of a Director's Service Level Agreement securing the heads of terms set out in Appendix 1.
3	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 Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk . The Council will then issue a Liability Notice setting out the amount of CIL that is payable. Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.
4	Hours of Working
	The applicant is advised that the accepted working hours for development within the borough are: 8:00am-5:00pm on Mondays to Fridays, 9:00am-1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.
5	Building Regulations and Party Wall
	You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations, the Party Wall Act as well as Environment Health Regulations.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Site Allocations Document 2013 and the Finsbury Local Plan 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

4 London's Economy
Policy 4.8 Supporting a successful and diverse retail sector and related facilities

6 London's Transport
Policy 6.9 Cycling

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

B) Islington Core Strategy 2011

Spatial Strategy
Policy CS8 (Enhancing Islington's Character)

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

C) Development Management Policies June 2013

Housing

DM3.4 Housing Standards
DM 3.5 Private Outdoor Space
DM3.7 Noise and Vibration

Health and Open Space

DM6.1 Healthy Development

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Energy and Environmental Standards

DM7.2 Energy efficiency and carbon reduction in minor schemes
DM7.4 Sustainable design standards

Transport

DM4.8 Walking and Cycling
DM8.5 Vehicle Parking

5. Designations

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

- Within 50m of a conservation area

6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- | | |
|---|-------------------------------------|
| Islington Local Development Plan | London Plan |
| - Urban Design Guide (2006) | - Sustainable Design & Construction |
| - Affordable Housing Small Sites (2012) | |
| - Environmental Design (2012) | |