



Appeal Decisions

Hearing (Virtual) held on 25 May 2022

Site visit made on 19 May 2022

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 September 2022

Appeal A Ref: APP/V5570/W/21/3274174

Medical Centre, 58 Roman Way, LONDON, N7 8XF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Yellow Door Property Ltd (c/o Savills) against London Borough of Islington.
 - The application Ref P2021/0409/FUL, is dated 8 February 2021.
 - The development proposed is Demolition of existing building and erection of a four storey building comprising E1 commercial use at part ground floor, and 8no. self-contained C3 residential units (5no. 2b/4p and 3no. 1b/2p flats) at ground and upper floors. Associated separate access, refuse and cycle storage.
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Appeal B Ref: APP/V5570/W/21/3267522

Medical Centre, 58 Roman Way, Islington, LONDON, N7 8XF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Yellow Door Property Ltd (c/o Savills) against the decision of London Borough of Islington.
 - The application Ref P2020/0892/FUL, dated 8 February 2021, was refused by notice dated 24 July 2020.
 - The development proposed is for Demolition of the existing building and erection of a building comprising a dual alternative B1(office)/D1(medical) use within the basement and ground floor and 9 self-contained residential units (eight flats plus one maisonette unit) arranged over the lower ground, ground and upper floors, including associated separate access, refuse and cycle storage.
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Decisions

1. Appeal A is allowed and planning permission is granted for demolition of existing building and erection of a four storey building comprising E1 commercial use at part ground floor, and 8no. self-contained C3 residential units (5no. 2b/4p and 3no. 1b/2p flats) at ground and upper floors. Associated separate access, refuse and cycle storage at Medical Centre, 58 Roman Way, London, N7 8XF in accordance with the terms of the application, Ref P2021/0409/FUL, dated 8 February 2021, subject to the conditions in the attached schedule.
2. Appeal B is dismissed.

Preliminary Matters

3. Appeal A relates to a planning application that was not determined by the Council within the prescribed period. The Council have subsequently issued a

statement for the purposes of this appeal highlighting that it would have refused the application for planning permission. The Council's concerns are that the proposal would cause significant harm to the living conditions of neighbouring occupiers and would also have significantly detrimental effects on the character and appearance of the area. I have had regard to the Council's statement in framing the main issues.

4. The Council's original reasons for refusal in respect of Appeal B included the unjustified loss of D1 floorspace. However, since the determination of the application the Town and Country Planning (Use Classes) Regulations have been updated with the effect of enabling the change of D1 floorspace to another use falling within Class E without the need to apply for planning permission. As such, the Council no longer wish to pursue this reason for refusal.
5. The original reasons for refusal for Appeal B also made reference to the proposed felling of a tree to the north-east of the site. However, the parties now appear to be in agreement that the tree concerned would be retained. Consequently, the Council do not wish to uphold this reason for refusal.
6. The appellant has submitted amended plans in respect of Appeal B which include the removal of the basement element of the scheme. However, in my view, these plans would alter the scheme in such a way so as to also require the alteration of the description of development as originally applied for and would represent a notable and significant change to the scheme. In particular, the proposed housing mix would be altered, a matter which any interested parties have not had an opportunity to comment upon. As such, I will proceed to determine the appeal on the basis of the plans and description which were originally submitted.

Appeal A Main Issues

7. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of the occupiers of neighbouring properties with particular regard to outlook, light and privacy.

Appeal B Main Issues

8. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of the occupiers of neighbouring properties with particular regard to outlook, light and privacy; and
 - whether or not the proposal would provide satisfactory living conditions for future occupiers with particular regard to outlook; and
 - the effect of the proposal on the mix of housing stock in the area.

Reasons

9. The appeal site is currently occupied by a three storey building which fronts Roman Way. Jupiter Way and Fortuna Close run alongside and behind the

building. The building was previously in medical use on the ground floor but this space has been vacant for a number of years and has most recently been in temporary use for operations relating to the COVID-19 pandemic. Two residential flats occupy the upper floors.

10. Roman Way is a fairly wide road with a variety of buildings in both terms of design and use. The appeal building is a large, red brick building which appears as a flat-roofed three storey building from Roman Way but slopes down to the rear. The fenestration varies across the storeys. The neighbouring buildings are residential buildings along Jupiter Way on one side and a small rank of shops and commercial units on the other. Though designs vary, the palette of materials is a key characteristic with simple, red brick buildings of broadly similar heights (three/four storey) which create a sense of uniformity in this respect.
11. The appeal site is located within the wider Caledonian Road Estate designed in the mid-1970s by the renowned architectural practice of Eric Lyons and Cadbury Brown.

Character and appearance Appeal A

12. The proposal is for the demolition of the existing building and erection of a four storey building comprising commercial use to part of the ground floor, and eight self-contained residential units (5no. 2b/4p and 3no. 1b/2p flats) at ground and upper floors. The proposed building would, in its principal front elevation, be broadly consistent with the existing building in respect of its massing. Though the proposed building would undoubtedly be larger, the apparent massing and bulk of the building would be reduced by the colonnade openings at ground floor level, the inset balconies and the step-in at both the second and third floors. The articulation in the design of the proposed building would also, in my view, result in a building which would appear less bulky than the existing building and would add visual interest serving to break up the appearance of the built form.
13. I note that due to this articulation and the stepping in of the levels, the form of the proposed building would differ from others in the area which are more compact with no differences in massing across the floors of the buildings. Nevertheless, in my view, the street scene is not widely consistent in this respect, the neighbouring row for example has upper floors which are set in, and I do not consider that this difference would lead to any notable reduction in uniformity or cause harm to the character and appearance of the area.
14. The proposed building would reflect others nearby in terms of its height and scale. The third floor would broadly match with the height of neighbouring residential buildings along Jupiter Way and, at its highest point, the proposed building would reflect the height of other nearby buildings, including the block above the adjacent row of commercial units/shops.
15. The roof line of the proposed building would slope away to the rear in a manner which would reflect this key feature of the existing building and others within the area thus further assisting the building to assimilate within its context. The building would be set forward of the adjacent shop unit, as is the existing building, however, the use of the colonnade feature, though I note that this feature is not considered commonplace within the area, would facilitate the set-back of the ground floor and allow the continuation of the active frontage along

Roman Way and would permit views through. Moreover, the building line along Roman Way is staggered with some buildings abutting the pavement and others set well back.

16. The proposed building would, indeed, be a prominent feature within the street scene. However, this would not be dissimilar to the effect of the current building and would act as a visual landmark. Furthermore, the design of the building is such that it would assimilate well within its context and would not appear visually jarring or out of place despite its prominence.
17. I note that the design of the proposed building is not wholly consistent with the design of the wider estate. However, the estate itself is not a designated heritage asset and in my view, the use of matching materials and the simple detailing of the proposal is such that it would sit comfortably within its surroundings and would not cause harm to the character and appearance or the value of the estate as a whole.
18. For these reasons I consider that the proposal would not form an overly dominant or discordant addition to the surrounding street scene and would not cause harm to the character and appearance of the area. As such, the proposal would accord with Policies CS8 and CS9 of Islington's Core Strategy, February 2011 (CS) which, amongst other things, state that the scale of development will reflect the character of the area and seek new buildings which are sympathetic in scale and appearance and complementary to the local identity.
19. The proposal would also comply with Policy DM2.1 of Islington's Local Plan: Development Management Policies, June 2010 (LP) which seeks development which is of high quality and makes a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.
20. The development would also align with the expectations of The National Planning Policy Framework (The Framework) which promotes high standards of design and states that developments should be visually attractive and sympathetic to the character of the area.

Character and appearance Appeal B

21. The proposed scheme under Appeal B comprises demolition of the existing building and erection of a building comprising a dual alternative B1(office)/D1(medical) use within the basement and ground floor and 9 self-contained residential units (eight flats plus one maisonette unit) arranged over the lower ground, ground and upper floors, including associated separate access, refuse and cycle storage.
22. The proposal would be a substantial building and would sit higher than other neighbouring buildings. Though the floor space of the proposed building would decrease across the floors the height and massing are such that the building would nevertheless appear as a large structure which would be unduly prominent within its context. The bulk and massing of the building to the rear would appear overly large and visually dominant. Furthermore, the building would directly abut the footway and the building line would sit forward of other surrounding buildings. As such, the proposed building would appear as a bulky addition which would dominate the site.

23. It was discussed at the Hearing that the scheme was designed in such a way so as to represent a building which would be architecturally significant in its own right and draws references from art-deco design. However, the resultant proposal does not pick up on the key design elements of other buildings within the area. The style of the fenestration and amount of glazing, for example, would not reflect the scale and proportions found elsewhere. The copper cladding on the top floor would emphasise the greater size of the building and would not respond positively to other materials which are commonplace within the area. As such, the proposal would appear visually jarring and would not sit comfortably within its context.
24. Consequently, I consider that the proposal would cause significant harm to the character and appearance of the area. The proposed development is therefore considered to be contrary to Policies CS8 and CS9 of the CS and Policy DM2.1 of the LP which, together and amongst other things, seek to ensure development is of a high quality design which responds positively to the character and appearance of the area. The proposal would also fail to meet the aims of the Framework in this regard.

Living conditions of neighbouring residents Appeal A

25. A number of residential properties are in close proximity to the appeal site; most notably those along Jupiter Way which run along the side and are separated by a fairly narrow access route. The side elevation of the proposed building would be close to the front of these properties. Properties along Jupiter Way are largely terraced, three-storey, houses set back behind low level boundary treatments and front garden areas.
26. The size of the building is such that the proposal would undoubtedly have an effect on the outlook from properties along Jupiter Way. Though the outlook from those properties is already somewhat compromised by the existing building, the proposal would be larger and the increased height at such close proximity would lead to a building which would be prominent in the outlook from the front windows of properties along this road and lead to an increased sense of enclosure. I note that the set-in at third floor level and the rear slope of the roof would mitigate the effect to some extent, however, this would not be sufficient to overcome the harm in this respect in its entirety.
27. There is no dispute between the parties that the proposal would have implications for the levels of light reaching properties along Jupiter Way. A Daylight and Sunlight report prepared by Lumina London Limited states that the Vertical Skyline Component (VSC) value would fully comply with guidance contained within the BRE Guidelines: Site Layout Planning for Daylight and Sunlight (BRE Guidelines). However, the results of the No Skyline Distribution Analysis show that two rooms would experience a loss of internal Daylight Distribution in excess of 20% of the present values. These would be the ground floor kitchen/diner of 57 Jupiter Way and the ground floor kitchen of 59 Jupiter Way. Nevertheless, the affected rooms would continue to receive a good internal Daylight Distribution. Though there would be a decrease in light levels, it is clear from the evidence before me that this would be of a minor nature and, whilst there would, indeed, be some degree of harm, the proposal would not cause a notable reduction to the standard of the living conditions of the residents of these properties in this respect. Nonetheless, though of a relatively minor nature there would be some degree of harm which, when combined with

the harm I have identified to outlook, would have a detrimental effect on the living conditions of the occupiers of neighbouring properties.

28. A number of windows in the side elevation of the proposed building would face the dwellings along Jupiter Way at close proximity. However, these windows largely serve rooms which have primary windows fronting Roman Way and, as such, could be fitted with obscured glazing to ensure that mutual overlooking would be minimised. This requirement could be secured by condition. For this reason, I do not consider that the proposal would have a detrimental impact on privacy levels for the occupiers of the properties along Jupiter Way.
29. For the reasons set out above I consider that the proposal would cause some, limited, cumulative harm to the living conditions of the occupiers of properties along Jupiter Way with particular regard to outlook and light. The proposal would, therefore, fail to comply with Policy DM2.1 of the LP which, amongst other things, states that for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of overshadowing, overlooking, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
30. The proposal would also be at odds with Policy D6 of The London Plan, March 2021 (London Plan) which sets out that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing.

Living conditions of neighbouring residents Appeal B

31. As with the scheme under Appeal A the side elevation of the proposed building would be close to nearby properties along Jupiter Way. However, as set out above, the proposed building under Appeal B would be markedly larger and would not benefit from the sloping roof line to the rear. As such, with this proposal, the effect on the outlook from the Jupiter Way properties would be significantly greater. The proposed building would appear as a bulky and visually dominant feature in the views from these properties and would lead to an oppressive sense of enclosure for the occupiers of properties on Jupiter Way.
32. As with Appeal A, the Daylight and Sunlight Report, and subsequent addendum, prepared by Lumina London Limited in respect of this appeal found that there would be a loss of internal Daylight Distribution to 57 and 59 Jupiter Way. In this instance, due to the larger size of the proposal, these losses would be somewhat more noticeable than that which would occur as a result of the Appeal A scheme. I note that the effect in this regard would still be minimal, however, there would, nevertheless, be a reduction in light levels which would degrade the living conditions of the occupiers of those properties.
33. The proposal incorporates a number of terraces with glazed balustrades which would afford views to neighbouring properties along Roman Way at close proximity. The proposal also includes balconies with 1.8m high opaque glass screens which would afford views across to properties along Jupiter Way and to those sited behind the appeal site. Though these views would be restricted by the obscure glazing to some extent it would still be possible for some of those standing on the balconies to look over the balustrade into neighbouring properties at close proximity thus reducing their privacy.

34. I note the appellant's suggestion that further screening interventions could be provided. However, in my view, this would not be sufficient to overcome the harm I have identified in this regard.
35. I therefore consider that the proposal would cause harm to the living conditions of the occupiers of neighbouring properties with particular regard to outlook, light and privacy. The proposal would, therefore, conflict with Policy DM2.1 of the LP which sets out the Council's expectations in respect of the effect of a development on neighbouring amenity. Similarly, the proposal would fail to accord with Policy D6 of the London Plan in this regard.

Living Conditions of future occupiers Appeal B

36. The Appeal B proposal contains a three bedroomed unit on the ground and lower ground (basement) floors. The three bedrooms would occupy the basement level of this unit with windows looking onto a narrow wrap around terrace and the surrounding wall at close proximity. As such, the outlook from these rooms would be seriously compromised and occupants would experience an oppressive sense of enclosure. I note that the slope of the site is such that this effect would not result in an entirely diminished outlook, however, in my view, the outlook would, nevertheless, be poor and would result in unsatisfactory living conditions for future occupiers in this regard.
37. I acknowledge the appellant's view that the affected rooms at basement level would be bedrooms and the outlook from these rooms would be less important than those from the principal habitable living spaces. However, it is not for the planning system to dictate the way in which residents choose to utilise the accommodation within their homes and, given that all three bedrooms would be at this level, I consider that the harm to outlook would be notable.
38. Consequently, the proposal would fail to accord with Policy DM3.4 of the LP which includes a requirement for all new housing developments to provide accommodation with an acceptable shape and layout of rooms with due consideration to aspect and outlook from habitable rooms.

Housing Mix Appeal B

39. Policy D3.1 of the LP sets out the Council's requirements for the mix of housing sizes they expect in order to ensure the range of housing sizes needed in the borough is provided. The Council's housing mix is based on Islington's Local Housing Needs Assessment (2008). The purpose of the housing size mix policy is to ensure that new housing meets the housing needs of the population in order to create mixed and inclusive communities.
40. This Policy, in Table 3.1, states that for market housing 10% of the accommodation should be one bedroom, 75% should be two bedroom and 15% should be three bedroom.
41. The proposal under Appeal B would provide eight two bedroom units (approximately 89%) and one three bedroom unit (approximately 11%). Consequently, the proposal would provide an overprovision of two bedroom units and no provision of one bedroom units and would thus fail to provide an adequate and acceptable mix of units. Therefore, the proposal would fail to provide the required housing mix and would be in conflict with Policy D3.1 in this respect.

42. I note that emerging Policy H2 of the Islington Local Plan Strategic and Development Management Policies provides a somewhat more flexible approach to the provision of housing in the area. However, it was agreed at the Hearing that this policy is not materially different in its approach and still sets out that there is a need for a mix of housing types in the borough. Moreover, the parties were in agreement that this policy should be afforded limited weight due to the current stage of the plan in the adoption process.

Other Matters and Planning Balance Appeal A

43. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.
44. I acknowledge that the building would be in a location well served by existing facilities and infrastructure. I also recognise that the proposal would provide some benefits. These benefits include making efficient and effective use of the appeal site to assist with meeting housing needs and encouraging economic growth through the provision of the commercial unit. The proposal would also provide further economic benefits of engaging local professionals, trades and suppliers and the ongoing benefit of the occupiers of the residential units utilising local facilities. The proposal would also secure financial contributions towards the provision of affordable housing and the reduction of carbon dioxide emissions in the borough. These matters considered cumulatively carry moderate weight.
45. I have identified that the proposal would cause limited harm to the living conditions of neighbouring occupiers. I note that further alterations to the scheme with the aim of addressing some of the concerns raised would be likely to render the scheme unviable. Therefore, the degree of harm in this instance is such that, in my view, the benefits outlined above would outweigh that harm. In this case, though I have found conflict with Policy DM 2.1 of the LP and Policy D6 of The London Plan, I consider that the specific material considerations with regard to the appeal site are such that they indicate that planning permission should be granted.

Other Matters and Planning Balance Appeal B

46. I acknowledge that, as with Appeal A, the development would be in a location well served by existing facilities and recognise that the proposal would provide similar benefits with respect to financial contributions, the use of the site and housing provision. I also note the economic benefits set out above. However, in this instance the cumulative benefits associated with the proposal would not be sufficient to overcome the degree of harm to the character and appearance of the area which in itself attracts significant weight, plus harm to the living conditions of future and neighbouring residents and to the mix of housing in the area I have identified.

Conditions and Obligations Appeal A

47. As demonstrated by Islington's Housing Needs Study (May 2008) and a Strategic Housing Market Assessment (2011) the need for affordable housing remains very high in the borough. Policy CS 12 of the CS sets out that Islington

will meet its housing challenge to provide more high quality, inclusive and affordable homes by requiring that 50% of additional housing to be built in the borough should be affordable. Financial contributions are required in lieu of on-site provision where sites are delivering ten units or fewer.

48. This Policy is supported by the Affordable Housing Small Sites Contributions Supplementary Planning Document, October 2012 (SPD). The SPD states that all minor residential developments resulting in the creation of one or more additional residential units is required to provide a commuted sum of £50,000 per unit, towards the costs of providing affordable housing units on other sites within the borough. The proposal would provide six additional residential units and as such a contribution of £300,000 would be required. However, in this instance on the basis of viability information submitted, with which I concur, both parties are in agreement that this sum would not result in a viable scheme. As such a contribution of £67,000 has been agreed by the parties.
49. Policy CS 10 of the CS seeks to minimise Islington's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life through a number of mechanisms. One such mechanism is requiring development to offset all remaining CO2 emissions associated with the building through a financial contribution towards measures which reduce CO2 emissions from the existing building stock. This requirement is echoed in the Environmental Design Planning Guidance Document which states that for minor developments this financial contribution is £1,000 per flat. As such, the parties have agreed a contribution of £8,000 which will be secured through a planning obligation. To that end a completed Unilateral Undertaking was submitted during the course of the appeal.
50. On the evidence before me, it appears that the need for the contributions sought by the Council are fair, reasonable and necessary to mitigate the impact of the development. I therefore consider that the obligation satisfies the tests in Regulation 122(2) of the CIL Regulations 2010.
51. In the interests of precision and clarity I have undertaken some minor editing and rationalisation of the conditions proposed by the Council and agreed by the appellant. Conditions 5, 6 and 7 are, by necessity, pre-commencement conditions. The pre-commencement nature of these conditions was agreed at the Hearing.
52. Alongside the standard time limit condition, I have imposed a condition specifying the relevant plans as this provides certainty. I have also imposed a condition regarding the materials in order to ensure that the proposal would not cause harm to the character and appearance of the area. In order to promote sustainable transport and to comply with Policies DM8.4 and DM8.5 of the LP I have imposed conditions regarding cycle parking and car parking permits. I have imposed a condition with respect to trees in order to ensure that they are protected and the character and appearance of the area is preserved.
53. In order to secure the safe and efficient operation of the highway network, to protect local residential amenity and to mitigate the impacts of the development I have included a condition requiring a Construction and Environmental Management Plan. I have imposed conditions with respect to water and carbon efficiency, photovoltaic panels and the green roof with the

aim of securing sustainable development. I have imposed conditions with respect to the refuse enclosure in order to ensure that responsible waste management practices are adhered to and lift installation in the interests of accessibility. I have included a condition requiring the development to outline how secured by design accreditation is achieved in order to comply with Policy DM2.1 of the LP. A condition around bird and bat boxes has also been imposed to ensure suitable nesting locations are provided in accordance with the Council's biodiversity objectives and Policy DM6.5 of the LP. In order to ensure that the development does not have an adverse effect on the living conditions of neighbouring residents I have imposed conditions in respect of insulation and requiring obscure glazing.

Conclusions

54. For the reasons given above I conclude that Appeal A is allowed. Appeal B is dismissed.

L J O'Brien
INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/V5570/W/21/3274174	Yellow Door Property Ltd (c/o Savills)
Appeal B	APP/V5570/W/21/3267522	Yellow Door Property Ltd

APPEARANCES

FOR THE APPELLANT:

Mike Washbourne	Savills
Edward James	Savills
Paul Ashley	Yellow Door Property Ltd
Steven Joseph	Yellow Door Property Ltd
Gareth Bridge	Southbank Architects
Fergus Alexander	Urban Designer and Townscape Expert
Kaivin Wong	Lumina London

FOR THE LOCAL PLANNING AUTHORITY:

Owen Griffiths	London Borough of Islington
Paul Conboy	London Borough of Islington
Fabrizio Matillana	London Borough of Islington
Ian Patmore	London Borough of Islington

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: S3401/SLP, S3401/RS/001, S3401/RS/01, S3401/RS/02, S3401/RS/03, S3401/RS/04, S3401/RS/06, S3401/RS/07, S3401/RS/08, S3401/RS/09, S3401/RS/11, S3401/RS/11C, S3401/RS/12C, S3401/RS/13C, S3401/RS/14C, S3401/RS/15B, S3401/RS/B01, S3401/RS/31B, S3401/RS/32B, S3401/RS/33, Planning Statement February 2020, Energy Strategy February 2021 Rec C, Design and Access Statement January 2021, Daylight and Sunlight Report 15/01/2021, Sustainable Design and Construction Statement February 2021 Rev D, Thermal Bridge Report Be Lean/Be Green/Be Clean, Regulations Compliance Report Be Lean/Be Green/Be Clean, Predicted EPS's Report Be Lean/Be Green/Be Clean, BRUKL Output Document Be Lean/Be Green/Be Clean, Arboricultural Assessment 10/07/2020 20041-AA2-PB, Tree Plan Ref 20041-BT2, Technical Note 1.0 Addendum to report v229 58 Roman Way Sustainable Design and Construction Statement Rev D 20210217 Date 28.03.2021.
- 3) No development above ground level shall commence until details and samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The details and samples shall include:
 - a) Facing mansard materials;
 - b) Roofing materials;
 - c) window and door treatment (including sections and reveals);
 - d) terrace screening;
 - e) any other materials to be used.Development shall be carried out in accordance with the approved details and shall be maintained as such thereafter.
- 4) The bicycle storage area(s) shown on the approved plans shall be fitted out with cycle storage and provide for no less than 18 bicycle spaces at ground floor level for the residential accommodation and 2 spaces for the commercial unit, as shown on drawing number S3401/RS/11C. The spaces shall be secured and sheltered and shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.
- 5) No development shall take place until arrangements shall have been made to secure the development as a car-free development in accordance with a detailed scheme or agreement which shall have been approved in writing by the local planning authority. The approved scheme or agreement shall ensure that:
 - (i) no occupiers of the approved development shall apply for, obtain or hold an on-street parking permit to park a vehicle on the public highway within the administrative district of the local

planning authority (other than a disabled person's badge issued pursuant to section 21 of the Chronically Sick and Disabled Persons Act 1970 or similar legislation); and

- (ii) any occupiers of the approved development shall surrender any such permit wrongly issued or held. Such scheme or agreement shall be implemented prior to the occupation of the development hereby permitted and shall be retained and operated for so long as the use hereby permitted continues.
- 6) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.
- 7) A Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP should refer to Islington's Code of Practice for Construction Sites 2018 (CoPCS) and include details and arrangements regarding:
- a) The notification of neighbours with regard to specific works;
 - b) Advance notification of any access way, pavement, or road closures;
 - c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;
 - d) Details regarding the planned demolition and construction vehicle routes and access to the site;
 - e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;
 - f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.);
 - h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;
 - i) Details of measures taken to prevent noise disturbance to surrounding residents;
 - j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger

or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;

k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)

l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;

m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure;

n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area; and

o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.

p) Details of the demolition of existing roof top structures and building a new storey on top of existing residential occupiers and mitigation measures in line with the CoPCS.

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads. The report should contain detailed information on the minimizing of noise, demolition methods and best practice measures in line with Islington's Code of Practice for Construction Sites (2018).

The demolition and development shall thereafter be carried out in accordance with the approved details and measures. 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.

- 8) Prior to the occupation of the hereby approved development, details shall be submitted and approved in writing, demonstrating compliance with the water efficiency requirements of Part G of Policy DM7.4 of Development Management Policies (2013) and Environmental Design SPD. The approved measures shall be implemented in full and retained thereafter.
- 9) The development hereby permitted shall be constructed to achieve a 66% reduction in regulated CO2 emissions compared to compliance with Part L 2013 Building Regulations benchmark figures, in line with the submitted Energy Strategy dated March 2020 and Islington Core Planning Strategy for residential areas.
- 10) Full particulars and details of a scheme for sound insulation between the proposed Class E floorspace and the residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.

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 therefrom shall take place without the prior written consent of the Local Planning Authority.

- 11) Prior to first occupation of the development hereby approved, details of the proposed Solar Photovoltaic Panels shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to: location; area of panels; and design (including section drawings showing the angle of panels in-situ, and elevation plans).

The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.

- 12) Prior to the superstructure work commencing on site, full details of the proposed green/sedum roof shall be submitted to and approved in writing by the Local Planning Authority and confirm that the roof will be:
- a) biodiversity based with extensive substrate base (depth 80-150mm);
 - b) laid out in accordance with the approved plans; 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 a maximum of 25% sedum).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind 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.

- 13) The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.
- 14) Prior to the superstructure works commencing at the site, details of how the development achieves Secured by Design accreditation, in line with the Homes Guide 2016, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.
- 15) All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved.
- 16) Prior to the commencement of the hereby approved development details of bird and bat box locations shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information an investigation of the most suitable location and shall include nesting locations and boxes for suitable bat and bird species. The approved details shall be implemented in full and retained thereafter.
- 17) Notwithstanding the hereby approved plans, opaque glazing shall be installed to the north elevation at first and second floor levels to the

kitchen area of units 3 and 6 to avoid overlooking and to protect the privacy of the residents at Jupiter Way.