



## **PLANNING COMMITTEE REPORT**

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration Department  
 PO Box 333  
 222 Upper Street  
 LONDON N1 1YA

<b>PLANNING SUB-COMMITTEE B</b>		<b>AGENDA ITEM NO:</b>
Date:	17 March 2014	

Application number	P2013/4144/FUL & P2013/4485/LBC
Application type	Full Planning (Householder) and Listed Building Consent
Ward	Barnsbury
Listed building	Grade II* Listed
Conservation area	Barnsbury Conservation Area
Development Plan Context	Conservation Area Listed Building
Licensing Implications	None
Site Address	29 Lonsdale Square, London, N1 1EW
Proposal	Excavation to rear to create single storey rear basement extension to allow the relocation of kitchen to ground floor, opening up of existing dividing wall at ground floor. Installation of new spiral staircase to front elevation from ground floor to basement level and associated works.

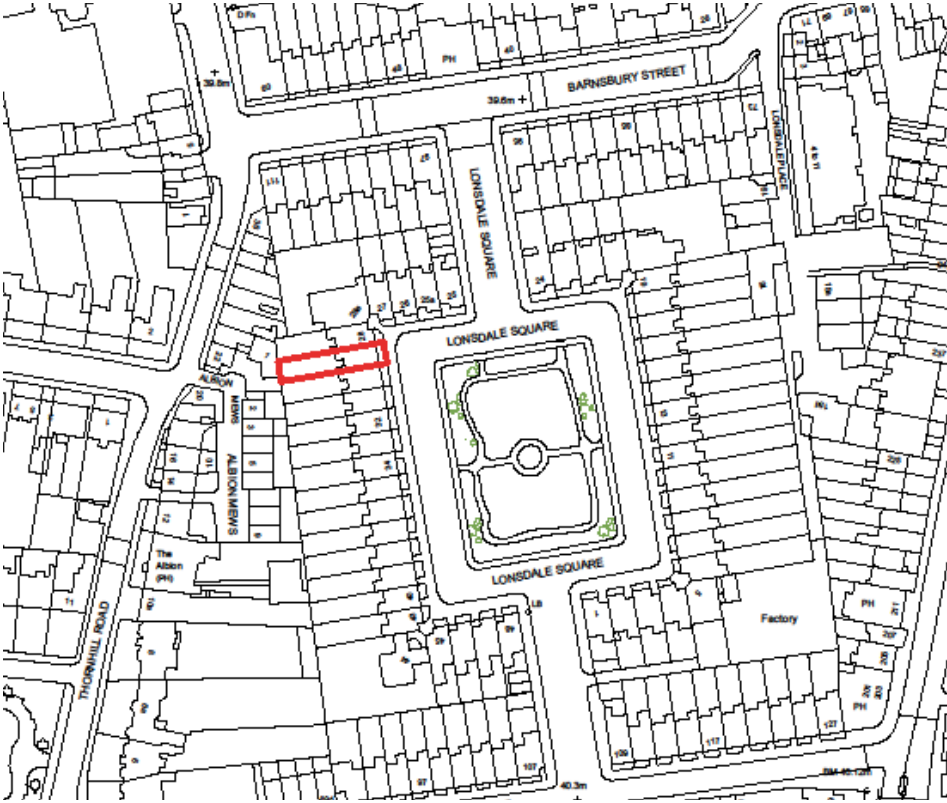
Case Officer	Krystyna Williams
Applicant	Mr Charles Biswell
Agent	Ms Christine Peever

### **1. RECOMMENDATION**

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

1. subject to the conditions set out in Appendix 1;

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



**3. PHOTOS OF SITE/STREET**



**Photo 1: Front elevation of No. 29 Lonsdale Square and adjoining properties**



**Photo 2: Rear elevation of No. 29 Lonsdale Square**



**Photo 3: Front railings at No. 29 Lonsdale Square**



**Rear 3: Rear garden patio and rear lightwell**

#### **4. SUMMARY**

- 4.1 Planning permission ref P2013/4144/FUL is sought for excavation works to rear to create a single storey rear basement extension to comprise a bedroom and to enable the reinstatement of the kitchen to ground floor, the opening up of existing dividing wall at ground floor and the installation of new spiral staircase to front elevation from ground floor to basement level. A Listed Building Consent application P20134485/LBC has also been submitted.
- 4.2 The proposed works are considered to be acceptable in terms design and appearance, impact on the host heritage asset and surrounding listed buildings and Barnsbury Conservation Area, and impact on residential amenity subject to conditions.

#### **5. SITE AND SURROUNDING**

- 5.1 The application building is a four-storey over basement, mid terrace property located on the north western side of Lonsdale Square. The site comprises a single family dwellinghouse and the building, and the terrace it forms a part of, is significant for the quality of its late-Georgian architectural style. To the rear of the site are No's 1 and 2 Albion Mews.
- 5.2 The building is a Grade II\* Listed and located within the Barnsbury Conservation Area. The surrounding area is predominantly residential in character and appearance.

## **6. PROPOSAL**

- 6.1 Planning permission (ref: P2013/4144/FUL) and associated listed building consent (ref: P2013/4485/LBC) are sought for excavation works to create a single storey rear basement extension with 2 no. 'walk-on' rooflights to the rear patio area. The extension is to an existing basement at the building and would provide additional floorspace ancillary to the main dwellinghouse. The extension would comprise bedroom and there would be internal reconfiguration of the existing basement level to include the provision of a linked shower/WC room. The kitchen is to be removed from basement level and reinstated at ground floor. The proposal also includes the installation of a new spiral staircase to front elevation from ground floor to basement level.
- 6.2 Associated works include the fixing of an existing gate set within front railings to facilitate access to staircase/basement, replacement and relocation of basement front entrance door to facilitate internal access to front vault, conversion of 1 no. front basement vault for storage and partial removal of diving wall to ground floor.
- 6.3 Revised drawings were submitted to show that the rear boundary walls are no longer are required to be removed and reinstated. Alternatively the walls will be underpinned so that no demolition work is necessary.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 P043049 (FUL) and P043293 (LBC) – Erection of a single storey rear basement extension and internal alterations. Approved: 11/05/2005.

### **ENFORCEMENT:**

- 7.2 None

### **PRE-APPLICATION ADVICE:**

- 7.3 Q2013/3353/LBC – Pre-application advice was sought for the creation of a rear basement extension with accessible roof deck with walk on rooflights at existing garden level.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of adjoining and nearby properties, comprising No's 28, 29, 30 Lonsdale Square and No's 1 and 2 Albion Mews to the rear of the site. A site notice and press advert for the Full Planning Application was also displayed on 07 November 2013 and for the Listed Building Consent on the 21 November 2013. Consultation expired on the 12<sup>th</sup> December 2013 however it is the Council's practice to continue to consider representations made up until the date of a decision.

- 8.2 17 letters of objection had been received from the public with regard to the application. The objections are from occupiers of Nos. 2, 6, 11, 14, 15, 22, 28a, 28, 30, 31, 32, 38, 39, 45 & 46a Lonsdale Square and one unknown address.
- 8.3 A letter has been prepared and submitted from 'Stand Consulting Engineers' on behalf of the occupiers of No's 28 and 30 Lonsdale Square.
- 8.4 A Heritage Advice Note has been prepared by Nicholas Worlledge and submitted on behalf of the occupiers of No's 28 and 30 Lonsdale Square.
- 8.5 The grounds of objection raised are as follows (with the paragraph that provides response to each issue indicated in brackets).
- Damage to adjoining properties and structures (paragraph 10.12-10.13);
  - No structural engineering survey submitted (paragraph 10.17 – 10.18);
  - Surface water flooding (paragraph 10.21);
  - Impact on the character and appearance of heritage asset / listed building and its setting and Barnsbury Conservation Area (paragraph 10.5–10.15);
  - Loss of historic fabric to main building and by rebuilding rear boundary walls (paragraph 10.13);
  - Loss of existing integrity and authenticity (paragraph 10.18);
  - Basement extension has recently been refused at Lonsdale Square (paragraph 10.19);
  - Proposed removal of internal wall is contrary to English Heritage advice (paragraph 10.14);
  - Front extension to basement level contrary to policy and visible from street (paragraph 10.11-10.12);
  - Unacceptable relocation of front gate in railings (paragraph 10.11-10.12);
  - No information has been provided on materials (paragraph 10.12);
  - Visual impact and the rear 'pavement lights' constitute an incongruous form of development within the curtilage of a listed building (paragraph 10.10);
  - Building over a sewer (paragraph 10.21);
  - Party wall issues (paragraph 10.18);
  - Light pollution from walk-on roof lights to rear garden (paragraph 10.20);
  - Noise and disturbance during building works (paragraph 10.21);

- The information supplied by Stand Consulting Engineers details numerous concerns relating the structural implications of the proposed development (paragraph 10.17-10.18).

### **External Consultees**

- 8.6 **English Heritage:** 'The applications should be determined in accordance with national and local policy guidance and on the basis of your specialise conservation advice'.
- 8.7 **Ellington Street Residents Association:** No objection received.
- 8.8 **Angel Association:** No objection received.
- 8.9 **Barnsbury Square Residents Association:** No objection received.
- 8.10 **LAMAS – Historic Buildings & Conservation Committee:** No objection.
- 8.11 **The Greater London Archaeological Advisory Service (GLAAS):** Confirmed no need to consult on this application.

### **Internal Consultees**

- 8.12 **Building Control:** No comments received.
- 8.13 **Conservation and Design:** Approve subject to conditions (detailed in the Design and Conservation section below).

## **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.

### **Development Plan**

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

## **Designations**

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

- **Barnsbury Conservation Area**

## **Supplementary Planning Guidance (SPG) / Document (SPD)**

9.4 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 and impacts on the host building, surrounding Barnsbury Conservation Area and the setting of the adjoining Grade II\* Listed Buildings.
- Impact on amenity of neighbours.

## **Land-use**

10.2 There are no land use issues raised as a result of the proposed works. The excavation works to create an extension to the existing basement and will provide ancillary living accommodation to the main dwellinghouse.

## **Design and Conservation**

10.5 The building is part of a terrace of Grade II\* Listed properties located within the Barnsbury Conservation Area which is considered to be of importance by virtue of its late-Georgian and early-Victorian development. The property is significant for the quality of its architecture as a late Georgian style terrace house.

10.6 The proposal is for the excavation of an extension to the existing basement to create a basement room to the rear of the property. This room will be a bedroom with associated storage and link to the existing basement under the dwellinghouse. The existing void/lightwell to the rear of the property will be retained and this will provide a rear courtyard area between the existing basement rooms and proposed bedroom. The bedroom will have a large window opening overlooking the rear courtyard area which would provide natural light to the new room.

10.7 Basement extensions can impact on the significance of heritage assets, in particular the impact on plan form and hierarchy of spaces needs to be carefully considered. As with all extensions to listed buildings where



underground extension is acceptable it should be adequately subordinate to the main dwellinghouse. While a basement extension beyond the footprint of a dwelling is not an historic method of extension, it is however an accepted form of extension to historic buildings, particularly in central London.

- 10.8 The proposed basement extension is relatively modest in dimensions, being full width and measuring 5 metres along the southern boundary with No.30 Lonsdale Square and 3.5 metres along the northern boundary with No.28 Lonsdale Square. The proposed basement extension is therefore considered adequately subordinate, and subsequently not harmful to the host heritage asset.
- 10.9 Basement extensions are generally deemed undesirable where the footprint covers all of a garden space as it limits the soil depth and reduces the growth potential for trees and shrubs. However, green roofs and planting pits can sometimes help towards overcoming such concerns. The proposed basement extension does not cover the full footprint of the garden and does not result in the existing garden losing the ability to be adequately planted.
- 10.10 There will be no public views of the proposed extension. There are 2 no. rooflights which will be set in the proposed stone paving roof of the rear basement extension and visual impact will be negligible and it will be barely perceptible with the exception of the walk-on rooflights from private views to the rear of the application site. Consequently, it would have a negligible impact on the conservation area and minimal impact on the listed building.
- 10.11 In addition to the extension to the existing basement at the property, there are proposed internal reconfigurations including the reinstatement of the kitchen from basement to ground floor, the partial removal of dividing wall to ground floor, inclusion of shower in basement WC, conversion of 1 no. front basement vault for use of storage, reinstatement of staircase from street level to basement, re-use of existing gate set within railings to facilitate access to staircase and basement and replacement/relocation of basement front entrance door to facilitate internal access to front vault.
- 10.12 To the front of the building it is proposed to install a spiral staircase from street level to basement. The proposed staircase will match a significant proportion of those at other listed buildings at Lonsdale Square, including No. 31 Lonsdale Square. Associated works include the re-use of an existing gate set within front railings to facilitate access to staircase/basement, replacement and relocation of basement front entrance door to facilitate internal access to front vault, conversion of 1 no. front basement vault for storage and partial removal of dividing wall to ground floor. These works are considered acceptable subject to detailing and have been assessed by the Council's Design and Conservation Officer. However, a number of conditions are considered appropriate in order to conserve the significance of the heritage asset, including the following:
- Details of the proposed balustrade to the rear lightwell. Any design should exactly replicate late Georgian / early Victorian decorative cast-ironwork.

- A detailed structural engineer's report and method statement confirming that there will be no damage to the building or surrounding buildings and structures. Any excavation and associated works shall be carried out strictly in accordance with the details so approved. Any excavation shall be carried out by hand.

- 10.13 It was initially proposed to remove a section of the rear boundary wall in order for the excavation works to be undertaken and then for the boundary wall to be reinstated. It is now proposed for the existing brickwork to the boundary walls to be underpinned and retained as existing (drawing 075/LSQ/104 Rev B).
- 10.14 It is important to note that English Heritage, LAMAS (Historic Buildings & Conservation Committee) and The Greater London Archaeological Advisory Service (GLAAS) have been consulted raise no objections to the proposed works. Given the property is Grade II\* Listed, it is considered that should there be any issue with the proposal, then this would have been raised by these public bodies outlining their concerns.
- 10.15 Overall, the proposal is considered to be in accordance with policies 7.4, 7.6 and 7.8 of the London Plan 2011, CS9 of the Core Strategy 2011, Policies DM2.1 (Design) and DM2.3 (Heritage) of the Development Management Policies 2013 and the Barnsbury Conservation Area Design Guidelines.

### **Neighbouring Amenity**

- 10.16 The site is located in the north western corner of Lonsdale Square. To the rear of the application site is No. 1 and 2 Albion Mews. Consideration has been given to the effect of the proposed development on neighbouring amenities in terms of overlooking, loss of privacy and outlook.
- 10.17 A number of the objections received state that the proposed works will result in damage to adjoining properties and structures and that no structural engineering survey/ assessment has been submitted in support of the applications. In addition, the information supplied by Stand Consulting Engineers on behalf of the occupiers of No's 28 and 30 Lonsdale Square details numerous concerns relating the structural implications of the proposed development.
- 10.18 It is possible to construct a basement extension without harming the structural integrity of the existing building or surrounding building and structures. However, a condition is recommended to require a structural report confirming this. Notwithstanding this, structural issues are not a planning consideration and are comprehensively covered by building regulations and the Party Wall Act. The proposal seeks to underpin the rear boundary walls with neighbouring properties No's 28 and 30 Lonsdale Square. Again, this matter is a party wall issue.
- 10.19 Objection has been raised that this form of development has recently been refused in Lonsdale Square. It would appear that this reference is made to the recently refused application at No. 5 Lonsdale Square ref: P2012/0423/FUL for

the 'Change of use from two storage spaces at basement level to a one bedroom self-contained flat'. This application was in fact somewhat different to that being proposed as it was for the change of use of existing basement floorspace to create a new residential unit and was refused on 04/02/2013. There is therefore no direct comparison to the proposed development at No. 29 Lonsdale Square.

- 10.20 Concern has been raised insofar as light pollution as a result of the walk-on rooflights to the rear garden. There is not considered to be any undue harm to residential amenity in terms of light pollution that would warrant withholding planning permission.
- 10.21 There has been objection to potential building over a sewer and surface water flooding. Thames Water is responsible for maintaining public sewers and if building work is over or within three metres of a public sewer then it is necessary to make an application to Thames Water. This is controlled under Building Regulations and is dealt with outside the planning system. Noise and disruption during building works has also been raised as a concern. There is expected to be a level of noise and disruption with any building work and this proposal is not considered to represent any additional harm to neighbouring occupiers than other householder works.
- 10.22 Overall, subject to conditions, the proposed development is not considered to have any unacceptable material adverse impact on adjoining resident's amenity levels to warrant the refusal of planning permission.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed basement extension including 2 no. rooflights to the rear patio area, installation of spiral staircase between street and basement level, alterations to the front vaults, internal alterations and associated works are considered to be acceptable in terms design and appearance, impact on the host heritage asset and surrounding listed buildings and conservation area, and impact on residential amenity subject to conditions.

### **Conclusion**

- 14.2 It is recommended that planning permission (ref: P2013/4144/FUL) and listed building consent (P2013/4485/LBC) be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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

### List of Conditions:

<b>1</b>	<b>Commencement</b>
	<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>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>OS Location Plan, 075/LSQ/001 Rev A; 074/LSQ/002; 075/LSQ/003; 075/LSQ/005; 075/LSQ/101 Rev B; 075/LSQ/102; 075/LSQ/103 Rev A; 075/LSQ/104 Rev B; 075/LSQ/105; Heritage Statement Rev A; Photographs of adjoining neighbours.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials (Compliance)</b>
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>

**List of Informatives:**

<b>1</b>	<b>Positive statement</b>
	To assist applicants in a positive manner, the Local Planning authority has produced policies and written guidance, all of which is available of 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 both the pre-application and 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.
<b>2</b>	Planning permission would be needed to create a separate residential unit.

That the grant of Listed Building Consent be subject to **conditions** to secure the following:

**List of Conditions:**

<b>1</b>	<b>Commencement</b>
	<p>3 YEAR CONSENT PERIOD FOR LBC and CAC: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
<b>3</b>	<p>CONDITION: The following shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing:</p> <ul style="list-style-type: none"> <li>- Details of the proposed balustrade to the rear lightwell. Any design should exactly replicate late Georgian / early Victorian decorative cast-ironwork.</li> <li>- A detailed structural engineer's report and method statement confirming that there will be no damage to the building or surrounding buildings and structures. Any excavation and associated works shall be carried out strictly in accordance with the details so approved. Any excavation shall be carried out by hand.</li> </ul> <p>REASON: In order to conserve the significance of the heritage asset.</p>

**List of Informatives:**

<b>1</b>	<b>Positive statement</b>
	<p>To assist applicants in a positive manner, the Local Planning authority has produced policies and written guidance, all of which is available of 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 both the pre-application and 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.</p>

## **APPENDIX 2: RELEVANT POLICIES**

This appendix lists all relevant development plan polices 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 is a material consideration and has been taken into account as part of the assessment of these proposals.

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

#### **A) The London Plan 2011 - Spatial Development Strategy for Greater London**

##### **1 Context and strategy**

**Policy 1.1 Delivering the strategic vision and objectives for London**

##### **5 London's response to climate change**

**Policy 5.3 Sustainable design and construction**

##### **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**

**Policy 7.8 Heritage assets and archaeology**

#### **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**

##### **Design and Heritage**

**DM2.1 Design**

##### **Energy and Environmental Standards**

**DM7.4 Sustainable design standards**

**DM2.2 Inclusive Design**  
**DM2.3 Heritage**

**5. Designations**

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

- **Barnsbury Conservation Area**

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

The following SPGs and/or SPDs are relevant:

- | <b>Islington Local Development Plan</b>      | <b>London Plan</b>                             |
|--|--|
| - <b>Conservation Area Design Guidelines</b> | - <b>Sustainable Design &amp; Construction</b> |
| - <b>Urban Design Guide</b>                  |  |