



ISLINGTON

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 PO Box 3333
 222 Upper Street
 London
 N1 1YA

PLANNING SUB-COMMITTEE B

Date: 4TH
 October 2012

AGENDA ITEM NO: B7

Application number	P120676
Application type	Full Planning application
Ward	Mildmay
Conservation area	Not designated
Site Address:	1A, St Jude Street, Islington, London, N16 8JU
Proposal	Conversion of the existing building to create a three bedroom house including alterations to the buildings roof including increasing the height of the existing roof and shared boundary wall facing King Henry's Walk by 300mm and other alterations to the building main elevations.

Case Officer	Paul Conboy
Applicant	Ms Zoe Chan
Agent	Atelier Chan

1. RECOMMENDATION

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

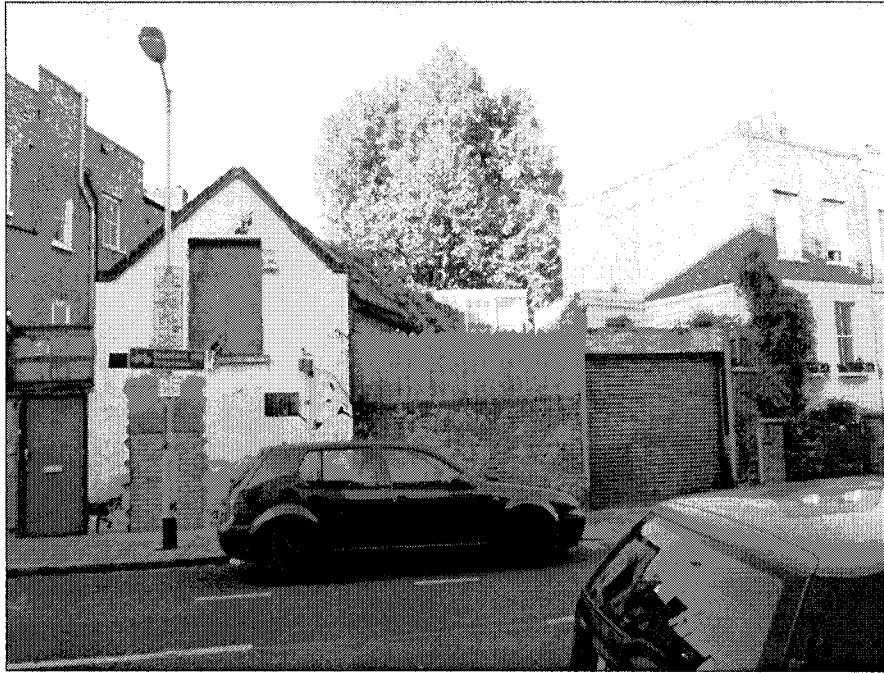
1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined)



3. PHOTOS OF SITE/STREET





SUMMARY

3.1 The application follows on from a previous proposal which was withdrawn to make revisions to the scheme as a whole. The development raises several key planning considerations which will be addressed within the main body of this committee report. The main considerations are outlined below:

- Loss of employment/storage space
- Impact on the character and appearance of the surrounding area.
- The impact on the amenity of neighbouring occupiers
- Living environment
- Highways
- Sustainability
- Accessibility

4. SITE AND SURROUNDING

4.1 The site is located along the northern section of St Jude Street close to the junction with King Henry's Walk. The site is occupied by a semi derelict two storey vacant workshop occupying a tight triangular shaped plot. The surrounding area is residential in nature with an end of an established row of terraces located to the east of the site being 1 St Jude Street. To the west the site shares a common boundary with several commercial and residential units at lower ground, ground floor and upper floor levels along 60-68 King Henry Walk's. The application site is not listed in any way nor is the site located within a designated conservation area.

5. PROPOSAL (IN DETAIL)

- 5.1 The proposed development seeks full planning permission to change the use of the existing dilapidated workshop/garage building to create a 3 bed family dwelling with elevational alterations and changes to the buildings roof height and the height of the shared party wall with properties along King Henry's Walk.
- 5.2 The building's main roof height would be increased by 300mm to gain better insulation for the new dwelling. The shared boundary wall of the building along King Henry's Walk would also be increased in height by 300mm. Towards the rear of the site the existing roofslope would lose its existing sloped finish and would be squared off with a flat roof finish. The development would also include skylights to the front roofslope and front elevation with a remodelled first floor windows and a rear first floor bedroom window. A small garden area would be created to the rear of the site.

6. RELEVANT HISTORY:

- 6.1 **P110161:** Withdrawn application for the Change of use and alterations to existing buildings to create a 3-bedroom dwelling house. (This application was deferred for negotiation and changes at Planning Sub-Committee B in September 2009.)
- 6.2 **P102255** refusal of permission for the Erection of three storey house plus basement to create four x bedrooms with studio at basement level.
- Reason: The proposed new dwelling by reason of its inappropriate design, scale, massing, and height would form an incongruous feature when viewed from the surrounding streetscene. The development would fail to pay respect to its local context and would form a discordant feature when viewed from the surrounding streetscene. The development is therefore considered to be contrary to policies D1 (Overall design), D4 (Designing in context), D11 (Alterations and extensions), ENV 1 & ENV 2 (New development), H3 (New residential development), H7 (Living standards), H10 (New development), policy 9 of Islington's Draft Core Strategy, Islington's Urban Design Guidance 2006.
 - Reason: The proposed basement kitchen area and ground floor office area of the proposed development would provide a poor internal living environment by reason of inadequate and restricted outlook and undue sense of enclosure towards the rear of the site. The development is therefore considered to be contrary to policies H3 (New residential development), policy 12 of Islington's Draft Core Strategy, and Islington's Planning Standards 2002.
 - Reason: The design, scale, massing and height of the proposal would detract from the amenities of adjoining residential properties along 60-68 King Henrys Walk and 1 St Jude Street in terms of an increased sense of enclosure, loss of outlook and loss of light. The proposal is therefore considered contrary to Islington's Unitary Development Plan policy D3 (Design and Layout), H3 (New residential development).
 - REASON: The proposed creation of a second floor rear roof terrace and a front third floor roof terrace are considered to have a material adverse impact on adjoining resident's amenity levels in terms of noise disturbances and real and perceived incidences of overlooking to the rear elevations of 60-64 King Henrys Walk and 1 St

Jude Street. The proposed development is therefore considered to be contrary to policy D3 (Site layout) & H3 (New development) of the Islington Unitary Development Plan 2002.

7. CONSULTATION

Public Consultation

- 7.1 Letters were sent to occupants of adjoining and nearby properties along St Jude Street and King Henry's Walk on the 11th July 2012. Site notice and press adverts were displayed for this proposal. The public consultation exercise then expired on the 25th July. However, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 7.2 At the time of the writing of this report a total of 7 letters response had been received regarding this application. Four of these letters supported the revised scheme and withdrew previous concerns raised in relation to the development of the site, leaving three letters of objection. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- 7.3 Loss of light, outlook, overlooking and increased sense of enclosure from proposed increase in the height of the proposed building. (See paragraphs 9.5-9.8)
- 7.4 Inappropriate rear first floor walled elevation and loss of existing sloped roof finish. (See paragraph 9.7)
- 7.5 Object to front boundary treatments and pillars. (No longer part of the submitted plans for consideration)
- 7.6 Excessive scale and additional height of the building. (See paragraph 9.3 & 9.4)

Internal Consultees

- 7.7 Conservation and Design Officer: supportive as overall the scheme will enhance the character and appearance of the surrounding area.

8. 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

- 8.1 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

- 8.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002. The following policies of the Development Plan are considered relevant to this application:

Emerging Policy Documents

- A. Islington's Development Management Policies – June Version 2012.

Designations

- 8.3 The site has the following designations under the London Plan 2011 and Islington Unitary Development Plan (2002):

- None -

Supplementary Planning Guidance (SPG) / Document (SPD)

- 8.4 The following SPG's and/or SPD's which are considered relevant are listed in Appendix 2.

9. ASSESSMENT

- 9.1 The main issues arising from this proposal relate to:

- Land use Principle
- Design and conservation
- Impact on neighbour amenity
- Living environment & Quality of Resulting Residential Accommodation
- Accessibility
- Highways
- Sustainability
- Landscaping

Land-use

- 9.2 Whilst the building was previously used commercial purposes in a variety of storage and workshop uses, it has been vacant for many years and is in a poor state of repair. The site itself is located within a primarily residential area and does have limited servicing and access facilities. DM policy 31 seeks to protect employment floorspace and requires marketing evidence to justify its loss. While no marketing evidence has been submitted within the application it is considered clear that the unit has been vacant for a substantial amount of time. It is considered that the most appropriate land use in this case would be residential bearing in mind the surrounding residential uses, the site's physical constraints and its long term vacant nature. The development complies with CS policy 13, emerging policy DM31 & policy E4 of Islington's Unitary Development Plan (2002).

Design, Conservation and Heritage Considerations

- 9.3 Policy CS 9 of Islington's Core Strategy states that new buildings should be sympathetic in scale and appearance and complimentary to the local identity. The application site is not located within a conservation area but occupies a reasonably prominent position within this section of St Jude Street. It is considered that the existing building in its poor

state of repair represents an incongruous feature which detracts visually from the streetscene. The current application has attempted to address substantial concerns from the previous proposal which sought the building's demolition and replacement with a new larger structure. It is considered that the current proposal offers a contextual development which will bring the existing building back into use while creating a visually attractive building which still allows the historical existing buildings main features to be read while respecting its close physical location to adjoining properties.

- 9.4 In regard to materials, the front will be finished in painted brick with new windows and wooden front entrance doors. The creation of new rooflights, windows and a more visually attractive frontage are all welcome in design terms. In design terms the increase in the buildings roof height by 300 mm is considered to be acceptable and the existing strong front gable feature of the development would be retained which is welcome. The overall development is considered to be acceptable in design terms and would significantly enhance the character and appearance of the host building and the wider area. The proposed development is therefore considered to accord with CS policy 9, UDP policies D4, D11, D22, Emerging Policies DM1& DM3 & Islington's Urban Design Guidance 2006.

Neighbouring Amenity

- 9.5 Policy D3 seeks to protect the amenities of adjacent residents and other occupiers. Extensive negotiations have been undertaken to create an acceptable 3 bed unit without materially affecting the amenities of adjoining occupiers. The proposed increase in the height of the boundary wall is considered acceptable as is the proposed increase in the height of the main sloped roof and neither would it give rise to any material loss of light, outlook or increased sense of enclosure to adjoining residents along King Henry's Walk. Similarly, the property at 1 St Jude Street adjoining the site to the east is not considered to be materially affected in amenity terms.
- 9.6 Concerns raised regarding overlooking from the proposed rear first floor bedroom have been considered and subject to a condition that this window be partially opaque glazed. This condition would be adequate to safeguard and protect the amenities of adjoining occupiers in accordance with UDP policy D3.

Living environment & Quality of Resulting Residential Accommodation

- 9.7 The development proposes to create a 3 bed unit in this location. It is noted that the building is constrained within a tight plot, but a small amenity space to the front of the proposed dwelling of some 30 sq metres. Overall, the creation of a 3 bed unit is considered to be acceptable.
- 9.8 Policies H7 and H10 of the Council's Unitary Development Plan (2002) encourages the provision of new housing of adequate size and layout. The proposed dwelling proposes to create 3 bedrooms on the first floor of the proposed development with the main living areas located on the ground floor. The internal layouts are considered to be well laid out and would create good internal living spaces bearing in mind the physical constraints of the site. The rooms sizes proposed are considered to be acceptable, conforming with Islington Planning Standards Guidelines (2002) and the London Plan 2011.

Accessibility

- 9.9 The development will have level access and will endeavour to meet the accessibility requirements as outlined within the building regulations for a development of this type.

Highways

- 9.10 An informative will be attached to any grant of permission informing the applicants that no applications for car parking permits will be considered for future occupiers of the development.

Sustainability

- 9.11 It is considered that bringing back the building into beneficial use is a sustainable means of ensuring the building's longevity. The existing building will be re insulated internally and provide a much more energy efficient dwelling as a result.

Landscaping and Trees

- 9.12 Previous plans to create a basement level have been removed from the scheme and the conversion would leave the existing buildings footprint at ground level unchanged. It is not considered that the development, if implemented, will have any material adverse impact on the health and long term viability of adjoining trees in the area.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 9.13 The proposed development will be liable for the Major's CIL charge in this instance.

10. SUMMARY AND CONCLUSION

Summary

- 10.1 The proposed change of use, extension and creation of 1x 3 bed residential unit is considered to be acceptable in design, scale and massing terms. Subject to the attached conditions the development would not be considered to have a material adverse impact on the amenity levels of adjoining occupiers.

Conclusion

- 10.2 It is recommended that planning permission be granted subject to conditions for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That if members are minded to approve this proposal (subject to conditions) officers recommend that the following summary forms the **reasons for grant** to be published on the decision notice:

This proposal has been approved following consideration of all the relevant policies in the Development Plan (London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002), The NPPF 2012 and other material considerations.

- This decision was made by the Members of the Planning Sub-Committee B on the 4TH of October 2012.
- The development proposal offers a well designed and efficient use of the existing vacant building on site. The proposed development will create useable and valuable residential accommodation and is therefore considered to be acceptable in land use terms. The development complies with policies 3.4 & 7.5 of the London Plan 2011 and policies 9, 10 & 12, 13 of Islington's Core Strategy 2011.
- The resulting residential accommodation is considered to be of good quality and standard of design. The design and appearance of the new residential units subject to compliance with conditions, is considered positive and would enhance the character and appearance of the surrounding area. The scheme is in line with policies 3.5, 3.8 & 7.1 of the London Plan 2011 and policies D3, D4, D11, D22 of the Islington Unitary Development Plan 2002 and policies 9, 10 & 12 of Islington's Core Strategy 2011 which seeks to secure the appropriate overall design of buildings.
- The proposal provides inclusive and convenient access for all within the development. The development therefore complies with policies 7.2 of the London Plan 2011 and policies Env12 and D3 of the Unitary Development Plan 2002 which seek to secure appropriate and inclusive designs for developments.
- It is considered that the development would not have any adverse impacts on neighbouring residential amenity (i.e. daylight, sunlight, privacy, enclosure, overshadowing & outlook) of nearby properties, and would not be harmful to the existing surrounding area in terms of its design, scale or layout. As such, it is in line with policy D3 of the Council's Unitary Development Plan 2002 which seeks to ensure that new developments do not have an unacceptable impact on existing/future residential amenity.

RECOMMENDATION B

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

List of Conditions:

1 **Commencement**

CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).

2 **Approved plans list**

CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:

Site location plan, Design and access statement, proposed ground , first floor and roof plan dated 26.06.12, existing ground , first floor and roof plan dated 26.06.12, existing and proposed front elevations dated 28.06.12, existing and proposed cross section AA dated 28.06.12, King Henry Walk existing and proposed side elevations & proposed rear elevation drawing.

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.

3 **Land contamination**

CONDITION: A land contamination investigation shall be carried out and a scheme of necessary remedial works shall be agreed with the Local Planning Authority and carried out prior to the commencement of the development hereby approved.

REASON: To safeguard the health and safety of workers and occupiers in accordance with policy

4 **Construction control**

CONDITION: During the demolition and construction on site, the developer shall comply with Islington Council's Code of Construction Practice and the GLA's Best Practice Guidance for the control of dust and emissions from construction and demolition. The developer shall ensure that:

1 The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site.

2 The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08.00-18.00 Monday- Fridays, 08.00- 13.00 Saturdays and at no time during Sundays or public holidays.

3 All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.

REASON: In order to safeguard the amenity levels of adjoining occupiers during the construction process in accordance with policy D3 of Islington's Unitary Development Plan 2002.

5 Opaque glazing

CONDITION: Details and samples of a scheme of opaque glazing to the rear first floor elevation of the building shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented prior to the first occupation of the residential units of the hereby approved scheme and maintained to the satisfaction of the Local Planning Authority thereafter

REASON: In order to safeguard the amenity levels of prospective occupiers of the units in accordance with policy D3 of Islington's Unitary Development Plan 2002.

6 No permitted development rights

CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwelling house hereby approved shall be carried out or constructed without express planning permission.

REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme. The removal of Permitted Development rights would ensure compliance with policy D3 of the Islington Unitary Development Plan 2002.

List of Informatives:

1	Car free development
	IMPORTANT NOTE TO POLICY CHANGE: All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that 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.
2	CIL
	Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay Community Infrastructure Levy (CIL). One of the development parties must assume liability to pay CIL in respect of the development by submitting an assumption of liability notice to the council. If no party assumes liability to pay the levy before development commences, surcharges may

be payable and the owners of land will be liable to pay the levy.

The Council will then issue a liability notice to the parties that are liable to pay the charge which will confirm the amount payable. This will also be sent to the owners of any material interest in the relevant land.

The liable parties must submit a commencement notice to the council to inform the council about the start date of the development at least a day before development is due to commence. Failure to submit a valid commencement notice may result in surcharges being payable.

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect. A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both. Failure to pay CIL may result in surcharges being payable and continued failure to pay CIL may result in a Stop Notice being placed on the development, unlimited fines, distraint on goods (asset seizure) and committal to prison.

APPENDIX 2 : RELEVANT POLICIES

This appendices list 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 and Islington Unitary Development Plan 2002. The following policies of the Development Plan are considered relevant to this application:

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

3 London's people

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

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.21 Contaminated land

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
Policy 7.21 Trees and woodlands

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)

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

C) Islington Unitary Development Plan (2002)

Environment Policies:
Env 5 & 6 (**Protecting Trees**)

Conservation and Design Policies:

D3 (**Site Planning**)

D4 (**Designing in Context**)

D8 (**Boundary Walls, Paving and Street Furniture**)

D20 (**Land Use**)

D22 (**New Development**)

Housing Policies:

H3 (**New Housing and Changes of Use to Residential**)

H7 (**Standards and Guidelines**)

H10 (**New Development**)

Sustainable Transport Policies:

T18 (**Parking and Traffic Restraint**)

T34 (**Cycle Parking**)

Employment

E4 (**Business**)

3. Emerging Policy Documents

A) Islington's Development Management Policies – Version June 2012

Design and Heritage

DM1 Design

DM2 Inclusive Design

DM3 Heritage

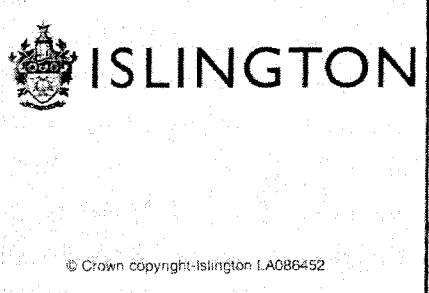
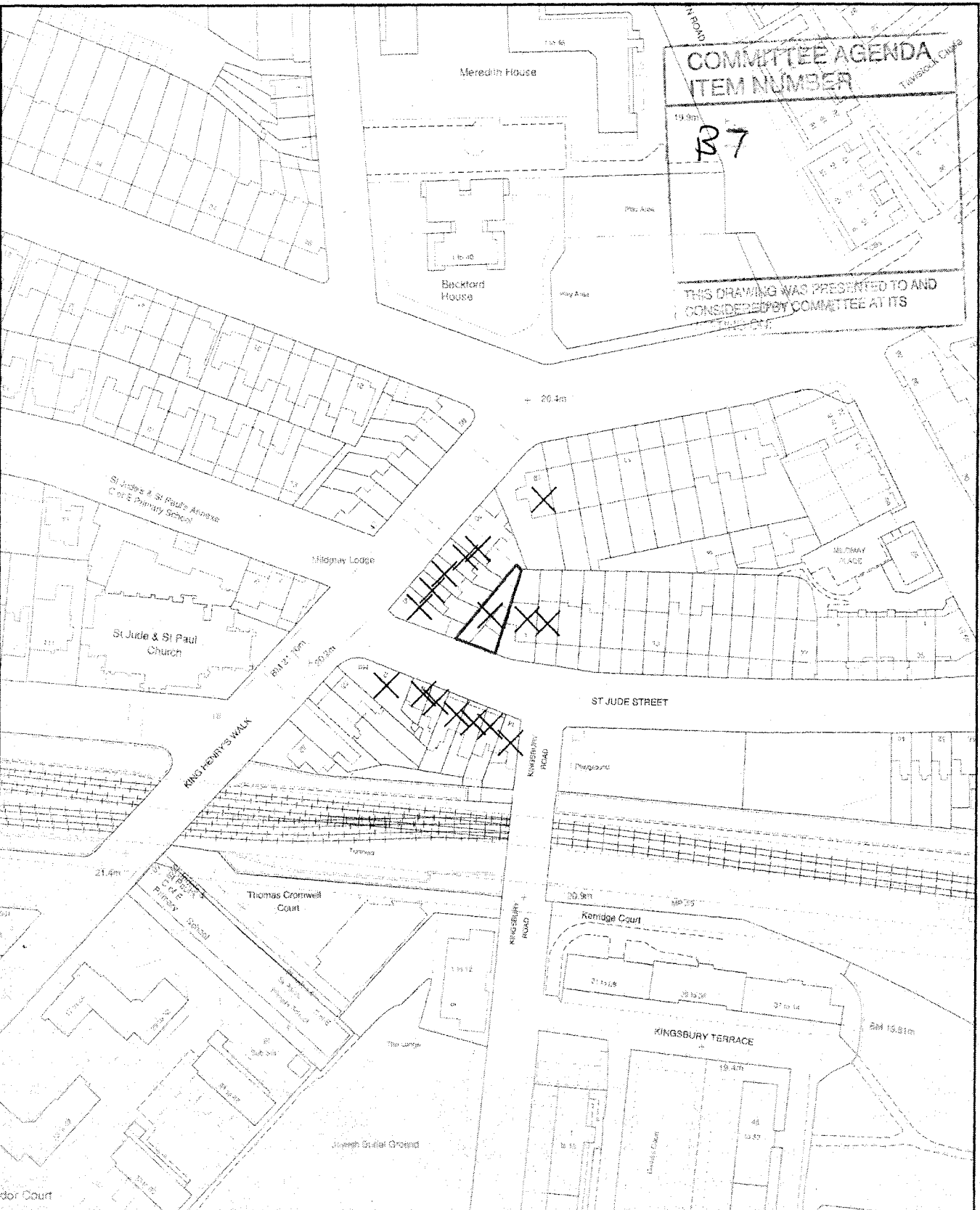
DM31 loss of existing business floorspace

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

The following SPG's and/or SPD's are relevant:

Islington UDP

- **Planning Standards Guidelines**
- **Urban Design Guide**



Planning Division
 Planning Application Ref No:- P 120 676
 LOCATION.....
 X = Properties consulted
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