

## **ADDENDUM REPORT**

### **Application Deferred**

1. Members will recall that the current application LBI reference P120784 was previously heard at the Planning Committee held on the 04 October 2012. The application was deferred by Committee Members in order that a site visit take place to assess the proposal's impact on neighbouring properties.
2. The members' site visit took place on 5<sup>th</sup> November and the application property was viewed from various vantage points including the car park behind the residential block at 29 Seward Street, flat 3 (ground floor), flat 8 (first floor) and flat 13 (second floor) within the building..

### **Recommendation**

2. The application is re-presented to committee members with an officer recommendation for approval subject to the suggested conditions set out in the original report hereby appended.



PLANNING SUB-COMMITTEE  
Date: 4 October 2012.

AGENDA ITEM NO: **B6**

Application number	P120784
Application type	Householder Application
Ward	Bunhill
Listed building	Unlisted
Conservation area	No
Development Plan Context	CAZ.
Licensing Implications	None
Site Address:	27, Seward Street, Islington, London, EC1V 3PA
Proposal	Erection of second floor extension to provide two additional en-suite bedrooms.

Case Officer	Krystyna Andrus
Applicant	Mr Paul Hunt
Agent	Mr Ross Herbert

## 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 in red)



### 3. PHOTOS OF SITE/STREET

- 3.1 Front elevation (south facing) of 27 Seward Street when viewed from driveway – 4 storey residential development at 29 Seward Street to the right of photograph.



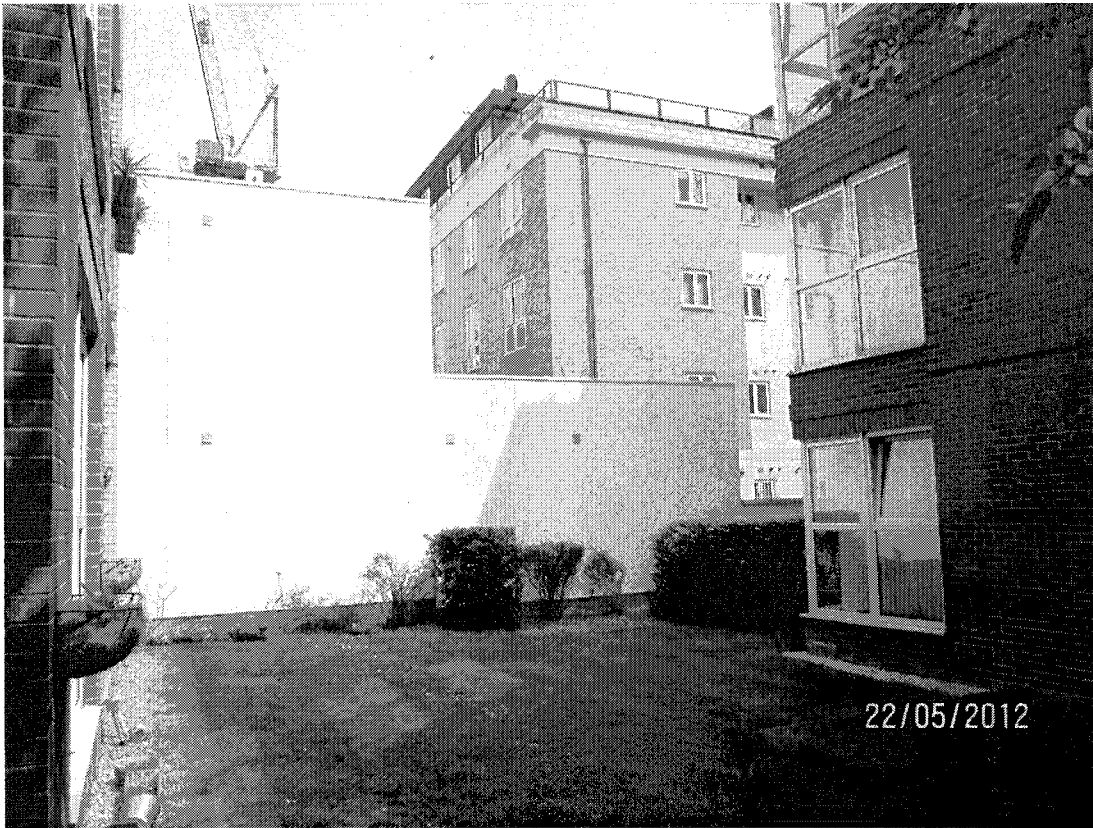
3.2 Front elevation of 27 Seward Street (south facing) viewed from Seward Street



3.3 Entrance to 27 Seward Street.



3.4 Side elevation (west facing) of 27 Seward Street viewed from grassed area to front of 1-6 Mount Mills / rear of 5-7 Seward Street.



- 3.5 East facing side elevation of 27 Seward Street and 6 storey residential development (21-15 Lever Street) to the rear of the site



- 3.6 East facing elevation of 27 Seward Street, with 1-6 Mount Mills partially obscured. Residential developments 5-7 Seward Street and 29 Seward Street to the left of photograph



## **SUMMARY**

4. This application is for a second floor extension to a detached property in single family occupation. The proposal has been amended so that the extension is set back from the front elevation to overcome neighbouring amenity concerns. The main issues arising from this application are, i) the impact on the character and appearance of the area; ii) the impact of neighbouring residential amenities; and iii) the standard of residential accommodation provided. The following report addresses each of these key issues in turn and demonstrates how the proposed development is considered acceptable.

## **5. SITE AND SURROUNDING**

- 5.1 The site consists of a part single / part two storey residential dwelling of contemporary design located on an infill plot to the northern side of Seward Street. The property has a single storey front projection with access to the ground floor. The ground floor is mainly open plan living space and the second floor accommodates two bedrooms, each with en suite bathroom. There are windows and patio doors on all elevations except the west elevation which is blank. The site forms an elongated rectangle, fronting onto Seward Street and is surrounded by various residential developments all at greater heights than the application building. Amenity space is provided at the property to the rear and a small grassed area runs parallel to the front driveway adjacent to the City Walk Apartments. The site is not located within a conservation area and the site building is not statutory listed.
- 5.2 The site is adjoined on three sides by residential developments of varying heights, consisting of between three and six storeys, many of which have been constructed within the last ten years. These developments include 5-7 Seward Street, 29 Seward Street, 1-6 Mount Mills and 21-25 Lever Street. The surrounding area is predominantly residential in land use and character.

## **6. PROPOSAL (IN DETAIL)**

- 6.1 Permission is sought for a part second floor extension to accommodate an additional two bedrooms and one en-suite bathroom. External materials are proposed to match existing. This application follows a previous application allowed at appeal for the erection of a second floor extension across the rear section of the building. Permission is therefore already granted for part construction of the second floor extension at this property.

### **Revision:**

- 6.2 This application has been amended following officer concerns and the southernmost elevation has been set back hereby relocating one of the proposed en-suite bathrooms at the front of the property. The proposed extension at second floor no longer projects forward of neighbouring residential development, Mount Mills to the west of the site.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 **P112542** – Erection of a second floor extension across the rear section of the existing 2 storey residential building. Works to provide additional residential accommodation to the

existing dwelling. Allowed at appeal (ref: APP/V5570/D/12/2169242) dated 14 March 2012.

**P100078** - Removal of condition 5 (closing of existing access) (ref P080878). Application refused on 4<sup>th</sup> May 2010. Allowed at appeal and planning permission hereby granted for 'erection of two bedroom detached house, two storeys in height green sedum roofs, associated landscaping, boundary treatment and bin storage at land between 1 Mount Mills, 5-7 Seward Street & 29 Seward Street, London EC1V 3RF in accordance with the application Ref P080878 dated 18 November 2009 without compliance with condition 5 previously imposed on the planning permission (ref P080878) dated 18 November 2009 but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect.

**P080878** - Erection of two bedroom detached house, two storeys in height green sedum roofs, associated landscaping, boundary treatment and bin storage. Approved on 18 November 2009 subject to Section 106 Agreement.

**P080357** -The original application for a single dwelling house over two levels, although similar in form to the current proposal, was deeper and attached to 29 Seward Street. It generated substantial concern from residents in regard to daylight, sunlight, privacy, enclosure and security. Withdrawn by agent.

**97/1046** - Permission for the redevelopment of 15-29 Seward Street to create 35 flats. This development included a S106 agreement in regard to the strip of land now under consideration.

#### **ENFORCEMENT:**

7.2 None.

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

7.3 None.

#### **8. CONSULTATION**

##### **Public Consultation**

8.1 Letters were sent to occupants of 98 adjoining and nearby properties at Flat 1-24, 5-7 Seward Street; Flat 1-14, 21 Lever Street; Flat 1-6, 1 Mount Mills Flat 1-16 Telfer House, 27 Lever House; Flat 1-35, 29 Seward Street; 27 Seward Street; 1 Mount Mills on 11 May 2012.

8.2 Following the receipt of amended drawings the above properties were re-consulted on 01 August 2012 (consults expired on 22 August 2012).

8.3 At the time of writing this report a total of 17 residents have responded to the proposed development at 27 Seward Street. A total of 16 of these letters raise objections to the



scheme and one response draws attention to specific information presented in drawings. The issues raised by objectors can be summarised as follows:

- Loss of daylight to windows
- Loss of daylight to grassed/communal areas at adjoining developments
- Loss of outlook/privacy
- Undue sense of enclosure
- Scale and design
- Overbearing and dominant form of development
- Exacerbate levels of noise

### **External and Internal Consultees**

8.4 None.

## **9. RELEVANT POLICIES**

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

### **National Guidance**

9.2 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**

9.3 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**

- 9.4 A. Islington's Development Management Policies – Proposed Submission, October 2011
- B. Finsbury Local Plan – Proposed Submission, October 2011
- C. Site Allocations Document – Proposed Submission, October 2011

### **Designations**

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

- **Central Activities Zone**

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

9.6 The following 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:

- Impact on the character and appearance of the area
- Impact on neighbouring residential amenities
- Standard of residential accommodation provided

### Land-use

10.2 An existing residential land use is established at the site. The proposed extension therefore does not raise any land use issues. The extension will provide additional residential accommodation to the existing dwelling without affecting the external amenity space provided. Both Council and London wide policies encourage the intensification and development of land to its full potential. Seward Street is predominantly residential in use and character and the addition of a part second storey extension at this residential property is appropriate.

### Design, Conservation and Heritage Considerations (including Archaeology)

10.3 The existing residential dwelling on site is part single / part two storey and of contemporary design. The building is located in the rear half of the site and the existing property has a single storey front projection with access to the ground floor. The first floor element is stepped back and accommodates two bedrooms with en-suites. This application was originally for an extension to provide a second floor of the same floor area as the existing first floor. This was considered unacceptable and amended drawings have been submitted with the second floor set back from front projection to provide a 'stepped' front projection of varying levels. This is considered to assist in reducing the overall bulk, scale and visual impact of the proposed extension on neighbouring properties. The introduction of a further set back at second floor provides a more balanced form of development which is sympathetic to its surroundings.

10.4 It is noted that a number of objections make reference to the scale and design of the proposed building. The surrounding residential developments vary in height between three and six storeys. The addition of the second floor extension at the host property is not considered to represent excessive scale or bulk in relation to the application building or when considered in context with surrounding structures. The dwelling will remain at a lower height than a majority of the existing surrounding residential blocks, and will be of a similar height to neighbouring residential units at 1, Mount Mills.

10.5 The building is of modern design and includes a number of set backs and variations in its massing together with a consistent render and fenestration finish. The extension will be finished in matching materials and the design will replicate the simple rectangular lines of the existing contemporary dwelling. A sedum green roof is proposed to match the existing first floor roof. The overall design of the development has already been established as generally acceptable in the previous application for the erection of a second floor extension across the rear section (allowed at appeal dated 14 March 2012). The amended scheme currently being considered presents minimal alterations in terms of design, and represents only a minimal increase in floorspace to that which was allowed at appeal earlier this year. This application is effectively for an additional second floor bedroom as the applicant already has permission to build at second floor to the rear of the property. It is considered that the scale of the resultant extension would remain subservient to the host building and also surrounding residential developments

which are far greater in footprint and height. On balance, it is not considered that such visual harm will be caused to warrant refusal.

### **Neighbouring Amenity**

- 10.6 The application site is located in a relatively enclosed location, on a narrow site between various mid rise residential buildings, some of which are located in close proximity of the site building. Consideration has been given to the effect of the proposed development on neighbouring amenities insofar as daylight/sunlight provision, overlooking/privacy and outlook.
- 10.7 The issue which has created a large number of objections to this proposal is the perceived loss of outlook and loss of daylight to both windows at adjoining buildings and to communal garden areas. The original drawings showing the forward projection at second floor were considered unacceptable and amended drawings were requested showing the second floor extension being set back to minimise impact on residential amenities. This set back was considered necessary in order to address any adverse impact on outlook from windows of surrounding units, in particular at 5-7 Seward Street, 29 Seward Street and 1-6 Mount Mills. The extension will increase the overall height of the application building to a similar height to that of an adjoining development, Mount Mews. As the application stands, following amendments, outlook from surrounding residential units is not considered to be any worse than the existing set up on site.
- 10.8 A shadowing diagram has been submitted with the application and amended accordingly to accommodate the reduction in size of the proposed second floor extension. The assessment indicates that no significant overshadowing would take place as a result of this development. Whilst the use of such assessments in considering impact on neighbouring amenity may be viewed as limited, given the orientation of the host building and the enclosed nature of the site, being surrounded by far higher developments, the potential for the extension to give rise to an unacceptable level of overshadowing to adjoining developments is considered negligible.
- 10.9 The amended scheme has been set back at second floor in order to align with the adjoining residential units at 1, Mount Mills. There will therefore be no overshadowing on the south facing elevation of this adjoining development. In addition, the proposed extension would not be visible from the south facing windows of Mount Mews and would only be visible if standing in the grassed area in front of the south facing windows. The extension at second floor would not create any overshadowing to the windows of the residential units at both 5-7 Seward Street nor 29 Seward Street. These developments are located to the south of the application site and would not be impacted by any reduction in daylight/sunlight. It is considered that there would be adequate separation between the proposed second floor and nearby flats so that views of the sky and daylight would not be materially affected. Whilst there will be some impact on the residential amenities of these dwellings insofar as outlook, the sense of enclosure provided by existing mid rise buildings at the site would not be materially worsened by the proposal, and for this reason would not warrant the refusal of this application.
- 10.10 Loss of privacy has also been raised as a concern by local residents. The proposed extension will have no windows located closer to any neighbouring property than what currently exists on site. The introduction of windows to the north, east and south at second floor mirrors the alignment of windows at first floor and therefore the development would not result in any loss of privacy to surrounding occupiers. Bathroom

windows will be obscurely glazed and the remainder of the proposed windows will serve bedrooms and a stairwell, following the existing first floor layout. In addition, the proposed extension would not create any further overlooking to adjacent gardens/communal areas.

- 10.11 Reference has also been made to loss of privacy/outlook to the rear of the site, where it bounds with 21-25 Lever Street. The impact on these residential units has previously been addressed in the Inspector's report (appeal allowed 14 March 2012). The Planning Inspector deemed that there would be some effect on the outlook from three of the south facing flats at ground floors (21-15 Lever Street) where it is close to the common boundary. However, outlook was already affected by a combination of the high boundary wall and large trees between the application site and 21-25 Lever Street.
- 10.12 One objection made reference to the extension creating additional noise at the site due to the additional height of the building. It is not considered that the proposal will result in any additional noise at the site.

### **Quality of Resulting Residential Accommodation**

- 10.13 The proposed two storey second floor extension provides an additional two bedrooms at the existing dwelling. While it is not considered that the provision of two additional bedrooms is a necessity to make the dwelling acceptable in planning terms, there are no concerns with regard to the standard of accommodation provided

### **National Planning Policy Framework and Final Balancing Exercise**

- 10.14 The scheme complies with the provisions of the NPPF and local policy, and, taking the recent Inspector's decision into account; the scheme, on balance, is in accordance with statutory and material considerations.

## **11. Others Matters**

- 11.1 None.

## **12. SUMMARY AND CONCLUSION**

### **Summary**

- 12.1 Overall, the proposal to construct a second floor extension to accommodate two bedrooms with en-suites is considered acceptable. Due to scale, design, materials and appearance the proposed extension is considered to respect the character and appearance of the host building and surrounding area. In addition, it is considered that the proposal would not result in a harmful loss of light, outlook or privacy to neighbouring and adjoining properties.

### **Conclusion**

- 12.2 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 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 National Planning Policy Framework (2012) and other material considerations.

- This decision was made by the Members of the Planning Sub-Committee on the 4<sup>th</sup> October 2012.
- The delivery of this scheme would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth, but also seeks to ensure social and environmental progress;
- The proposal is not considered to have a significant adverse effect on the residential amenity of neighbouring occupiers and is considered consistent with policy D3 (Site Planning) of the Islington Unitary Development Plan (2002).
- The proposal is considered to be acceptable in overall design and not to have a material adverse visual impact on the appearance of the host building and the surrounding area and is considered consistent with policies D4 (Designing in Context), D11 (Extensions and Alterations) and D24 (Materials) of the Islington Unitary Development Plan 2002, the objectives of Section 2.4 of the Islington Urban Design Guide 2006, and policy CS9 of the Core Strategy 2011.
- The proposed development is therefore considered to comply with the National Planning Policy Framework (2012); The London Plan (2011); CS9 (Protecting and Enhancing Islington's Built and Historic Environment) and CS10 (Sustainable Design) of the Core Strategy; policies D3 (Site Planning), D4 (Designing in Context), D11 (Alterations and Extension) and D24 (Materials) of the Islington Unitary Development Plan (2002); and the requirements of the Islington Urban Design Guide (2006) and the Islington Planning Standard Guide (2002).

## RECOMMENDATION B

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

### List of Conditions:

<b>1</b>	<b>Commencement</b>
	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).
<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>Location Plan; Drawings 10566-P-06; 10566-P-11; 10566-P-12; 10566-P-07; 10566-P-13; Design &amp; Access Statement (revision) dated September 2012.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country 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</b>
	<p>CONDITION: The facing materials of the extension hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable in accordance with policies: 5.3; 7.4; 7.5 and 7.6; of the London Plan 2011, policies: D4 and D11 of the Islington Unitary Development Plan 2002 and policies: CS9A, B and G and CS10F of the Islington Core Strategy 2011.</p>
<b>4</b>	<b>Biodiversity Green Roof</b>
	<p>CONDITION: Details of the biodiversity green roof shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity green roof shall be:</p> <ol style="list-style-type: none"> <li>biodiversity based with extensive substrate base (depth 80-150mm);</li> <li>laid out in accordance with the plan/details submitted and approved in writing by the Local Planning Authority; and</li> <li>planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li> </ol> <p>The biodiversity green roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 7.19; 5.3; 5.9 and 5.11 of the London Plan 2011, policy Env24 of the Islington Unitary Development Plan 2002 and policy CS10E and G and CS15F and G of the Islington Core Strategy 2011.</p>
<b>5</b>	<b>Obscurely Glazed Windows</b>
	<p>CONDITION: All windows shown on the plans hereby approved as being obscurely glazed shall be provided as such prior to the first occupation of the development and retained and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room</p>

	windows in accordance with policy D3 of the Islington Unitary Development Plan 2002.

## 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 3.4 Optimising housing potential**

**Policy 3.5 Quality and design of housing developments**

5 London's response to climate change

**Policy 5.3 Sustainable design and construction**

**Policy 5.11 Green roofs and development site environs**

7 London's living places and spaces

**Policy 7.1 Building London's neighbourhoods and communities**

**Policy 7.4 Local character**

**Policy 7.6 Architecture**

#### B) Islington Core Strategy 2011

Spatial Strategy

**Policy CS8 (Enhancing Islington's Character)**

Strategic Policies

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

**Policy CS10 (Sustainable Design)**

**Policy CS12 (Meeting the Housing Challenge)**

### C) Islington Unitary Development Plan (2002)

Conservation and Design Policies:  
D3 (**Site Planning**)  
D4 (**Designing in Context**)  
D11 (**Alterations and extensions**)

Housing Policies:  
H7 (**Standards and Guidelines**)

### 3. Emerging Policy Documents

#### A) Islington's Development Management Policies – Proposed Submission, October 2011

The Proposed Submission of Islington's *Development Management Policies, Finsbury Local Plan and Site Allocations Documents* went out to consultation in October 2011 and this process was completed on 12 December 2011. Following this amended drafts of these documents were produced and a further round of public consultation commenced on 8th May 2012. The final drafts of these documents will be submitted to the Planning Inspectorate for Independent Examination later in the year. These documents whilst not adopted, give an indication of the Council's approach to sustainable development proposals for the next 15 years, a spatial approach to the Bunhill and Clerkenwell areas as well as particular site allocations. The emerging policies are a material planning consideration.

**Design and Heritage**  
DM1 Design

**DM43** Sustainable design standards

**Energy and Environmental Standards**  
DM40 Sustainable design and construction statements

### 4. Designations

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

- **Central Activities Zone**

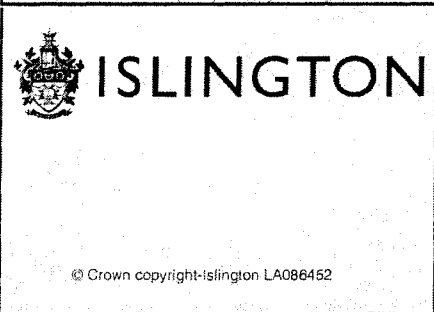
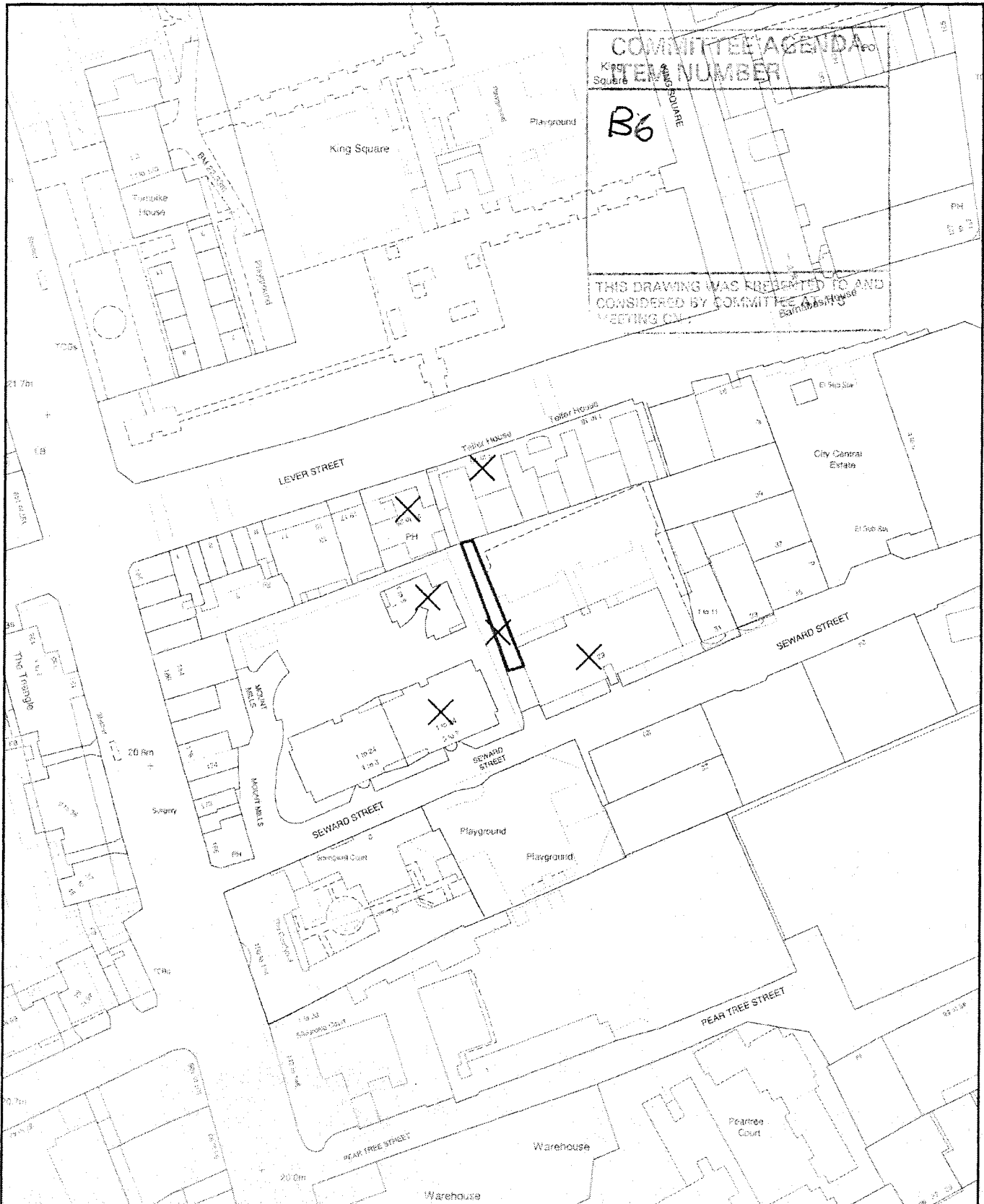
### 5. Supplementary Planning Guidance (SPG) / Document (SPD)

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

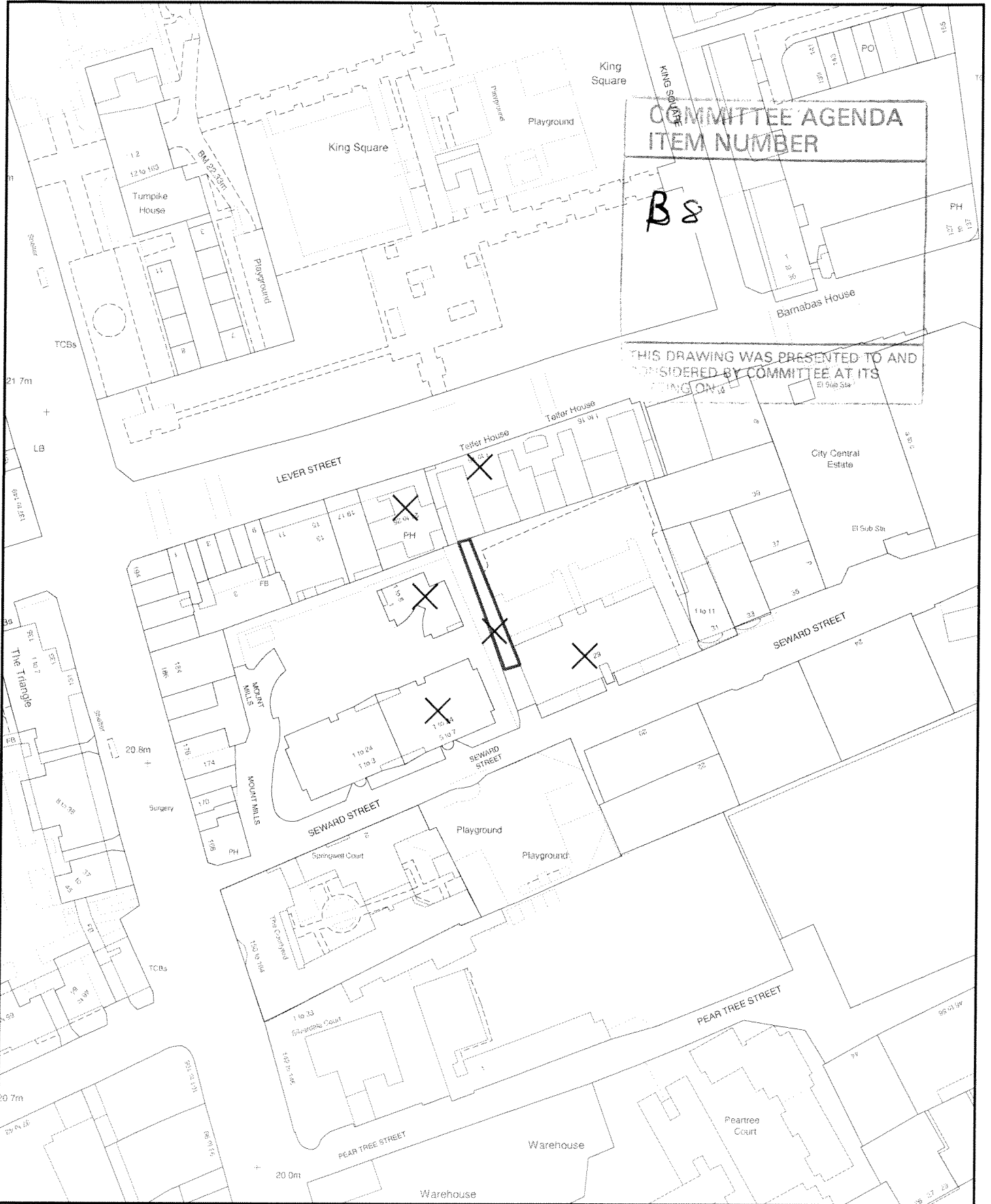
- Islington UDP
- **Green Construction**
  - **Planning Standards Guidelines**
  - **Urban Design Guide**

- London Plan
- **Sustainable Design & Construction**





**Planning Division**  
 Planning Application Ref No:- P 120 784  
 LOCATION.....  
 X = Properties consulted  
 0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 150m  
 Scale - 1:1250  
 Time of Plot 11:08 Date of plot: 24/09/2012



COMMITTEE AGENDA  
ITEM NUMBER

B8

THIS DRAWING WAS PRESENTED TO AND  
CONSIDERED BY COMMITTEE AT ITS  
MEETING ON 16/11/12



Planning Division

Planning Application Ref No:- P 120784

LOCATION.....

X = Properties consulted



Scale - 1:1250  
Time of Plot 10:13 Date of plot: 05/11/2012