



PLANNING SUB-COMMITTEE B
Date: 4 June 2013

AGENDA ITEM NO: B1
NON-EXEMPT

Application number	P2013/0360/FUL
Application type	Full
Ward	St George's
Listed building	Not statutorily listed
Conservation Area	Not located within a conservation area
Licensing Implications	None
Site Address	15, Tabley Road N7 0NA
Proposal	Extension of an existing single dwelling house into three flats, including rear dormer, rear rooflights, bin storage, part two storey and one storey rear extension plus associated works and alterations and conversion into 3 self contained residential units

Case Officer	Joe Aggar
Applicant	Sanjay and Jyoti Gulati
Agent	Evan Ferguson

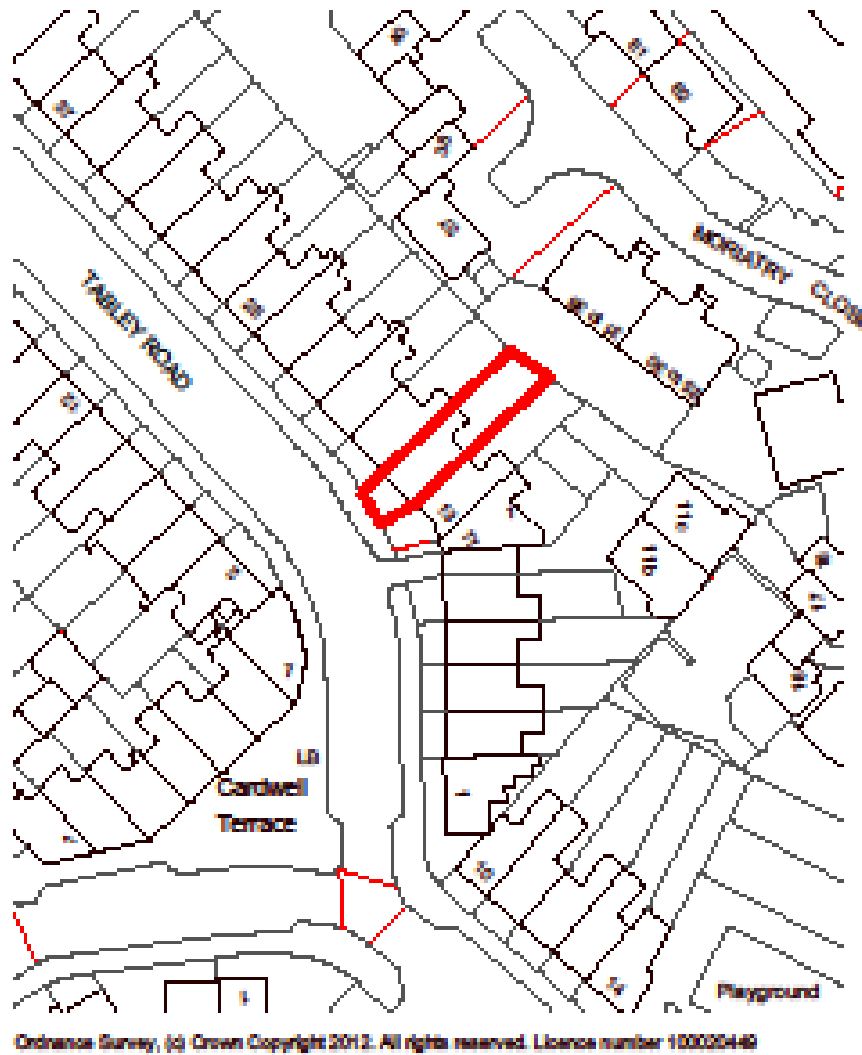
1. RECOMMENDATION

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

1.1.1. for the reasons for approval; and

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

2. SITE PLAN (site outlined in red)



3. PHOTOGRAPHS OF SITE/STREET

Rear Elevation of 15 Tabley Road



View to the rear of elevation of 13 and 17 Tabley Road



4. SUMMARY

- 4.1 This application seeks planning permission for the conversion of the single family dwelling into three self contained units (1x6p4b, 1x1p1b and 1x3p2b) plus the erection of a part two storey and one storey rear extension and rear dormer plus associated works and alterations.
- 4.2 The proposal has been amended since originally submitted. The dormer has been centralised and made more rectangular, the front rooflights removed and the first floor units shown as a studio. These amendments improved the quality of the living accommodation and the external design of the proposal to comply with the council's policies.
- 4.3 The main issue arising from this application is the quality of living accommodation, the effect of the rear addition on the character and appearance of the building and terrace as well as the effect on neighbouring amenity, in particular, that of no. 17.
- 4.4 Overall, the proposed conversion of the single family unit and erection of part two storey and single storey extension and erection of dormer plus other associated external alterations are in accordance with relevant policy and considered acceptable, given the particular context of the property.

5. SITE AND SURROUNDING

- 5.1 The application property is a four storey house single dwellinghouse, located within a terrace. It is situated on the north eastern side of Tabley Road. The character of the surrounding area is predominately residential. The building is not listed and is not within a conservation area. There is a tree protected by a TPO within the garden of No. 17 Tabley Road.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposed development seeks planning permission for the erection of a rear dormer, rear rooflights, bin storage, part two storey and one storey rear extension plus associated works and alterations in association with the conversion of the dwellinghouse into three self contained units, which would be: 1x4 bed, 1x1 bed and 1x2 bed.

Revision:

- 6.2 The proposal has been amended since originally submitted: the dormer window has been centralised and made more rectangular. The first floor unit is now shown as a studio and the front footlights have been removed.

7. RELEVANT HISTORY

PLANNING APPLICATIONS:

- 7.1 15 Tabley Road, planning application ref: P2012/0301/FUL for the 'Conversion and extension of an existing 4-storey Victorian terraced house into four flats, including attic and two storey part width extensions plus associated works and alterations' was WITHDRAWN on 20/02/2013.
- 7.2 23 Tabley Road, planning application ref: P101769 for the 'Rear extension at basement level and replacement of existing single door with double door to basement flat' was GRANTED on 07/12/2010.

- 7.3 23 Tabley Road, planning application ref: P101595 for the 'Conversion and change of use from a single four bed flat occupying the first, second and third floors, to provide a one bedroom flat on the first floor and a separate two bedroom flat on the second and third floors' was GRANTED on 20/09/2010.
- 7.4 13 Tabley Road, planning application ref: P051126 for the 'Change of use and conversion of existing house in multiple occupation into a one x 3 bed maisonette and two x 1 bed flats; enlargement of existing rear projection; re-provision of external stairs to the rear; enlargement of the front lightwell with new stairs and the provision of a new door to enter at lower ground floor level' was GRANTED on 04/04/2006.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on 12 March 2013. The public consultation of the application therefore expired on 02 April 2013, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of writing this report one objection had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph which provides responses to each issue indicated in brackets):
- Over development (10.19 & 10.8)
 - Rear extension not in keeping with the rhythm of the terrace (10.10-10.13)
 - Noise and air pollution from extraction (10.17)
 - Increase in street parking (Informative 2)
 - Impact on adjacent tree (10.15-10.16)
 - Loss of light (10.14)
 - Impact on structure of adjacent property (NB not a planning matter)
 - Small room sizes (10.6-10.9)
 - Issues over access and building works (NB not a planning matter)
- 8.3 Councillor Wilson and Ismail also requested that the application be determined at Committee level.

External Consultees

- 8.4 No external consultation required.

Internal Consultees

- 8.5 The Design and Conservation Officer has raised concerns regarding the proposed design of the lower ground floor extension and the rear dormer, however this has been addressed by the revised plans.
- 8.6 The Tree Preservation Officer has stated there are no tree or landscape reasons for refusing this application.

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 and Islington Unitary Development Plan 2002.

Emerging Policy Documents

- 9.3 Islington's Development Management Policies – Proposed Submission, October 2011.

Designations

- 9.4 The site has the designations under the London Plan 2011 and Islington Unitary Development Plan 2002:

- None

Supplementary Planning Guidance (SPG)/Document (SPD)

- 9.5 The SPG's and/or SPD's that are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The National Planning Policy Framework (NPPF) has been considered in the assessment of this application.

- 10.2 Therefore, the main issue arising from this proposal relates to:

- Principle of conversion
- Quality of Accommodation
- Design and Appearance
- Neighbouring amenity
- Trees
- Other issues raised by consultation
- Small Sites Contribution

Principle of Conversion

- 10.3 The proposal is for the conversion of the family dwellinghouse to 3 separate residential units. The Councils policy in relation to the conversion of current single dwellinghouse into a larger number of self contained units is identified within policy CS12E of the Islington Core Strategy 2011 and policies H8 and H9 of the Islington UDP 2002. The Core Strategy policy identifies that the borough requires a range of unit sizes to meet its housing needs and that the loss of existing units that are appropriate for the

accommodation of families will be resisted. The Islington UDP policies identify that a residential unit with a floor area of greater than 120 square metres is acceptable to conversion subject to other considerations in relation to the standard of accommodation provided and the effect on neighbouring amenity.

- 10.4 The residential dwellinghouse has a greater floor area than 120 square metres, therefore may, in principle, be converted. The scheme proposes a total of 3 self contained units; 6 person x 4 bed, 1 x studio and 3 person x 2 bed. Policy 12 of the Core Strategy Submission Document within point E identifies that a range of unit sizes are required to meet needs in the borough. The ground and basement floor unit is considered to comply with the aims of H9 in that it is of an appropriate size for a family unit as a 4 bedroom unit and the basement/ground floor unit has the appropriate amount of rooms and has direct access to the garden.
- 10.5 The mix of residential units is considered acceptable in relation to this site and the relevant considerations providing 1 unit suitable for family accommodation. While it is noted that the units at upper floors will not have direct access to a garden, the units are of a size whereby it can be considered in this instance direct access is not a necessity. Policy DM12 states that only in exceptional circumstances are studios/bedsits acceptable. The unit configuration of this particular property would lead to the conclusion that in this instance the provision of a one bed studio unit is acceptable.

Quality of Accommodation

- 10.6 The scheme provides for 3 residential units over basement and ground floors, first floor and second and third floor levels. All units are to be self-contained, with entrance halls and habitable rooms accessed from general circulation areas and all rooms are considered to be of appropriate and regular shapes allowing full use and functionality. All residential units provided will benefit from dual aspect, the proposal in relation to this matter is considered to provide good outlook for future residential use.
- 10.7 The GIA would be met in relation to the studio unit which would measure 37sqm. The other two units exceed the minimum for GIA standards a 3b6p. however, the upper unit is considered to be 2b3p based on the room sizes. This unit exceeds the 61sqm minimum for this dwelling type.
- 10.8 The amount of amenity space provided at ground floor level for the family unit is considered sufficient enough to comply with DM13 of emerging Development Management Plan, 2012 (43dqm, or 50sqm including the covered store).
- 10.9 The refuse area is shown at the front lower ground floor and is considered a sufficient space for the allocation of refuse.

Design and appearance

- 10.10 The dormer window to the rear has been centralised to match the appearance of the existing dormers that are present within the terrace. As a result the dormer is considered better positioned and proportioned. The dormer window is more rectangular to reinforce the vertical proportions of the existing fenestration.
- 10.11 The principle of a part two storey and a single-storey rear extension is considered to be acceptable in this instance. The proposed extensions would replace the existing closet wing and be part width. The two storey element of the extension would be 5.6m high on the boundary with 17 Tabley Road. It would have a mono pitched roof. It would project out 3.9m from the existing main rear elevation, which would project 1.2m more than the

two storey extension at 17 Tabley Road. The ground floor element would be set in from the party wall with the adjoining neighbour at 17 Tabley Road and project a further 2m more than the upper floor. Due to the scale of the property the rear addition is considered to be subservient to the overall massing of the host building. Although there is a clear rhythm of rear two storey extensions to this terrace as a whole, there has also been a number of changes leading to varying forms and massing to the rear elevations. The proposed rear extension is therefore not seen to be harmful to the overall proportions and rhythm to the rear of the terrace such that a refusal could be sustained at appeal.

10.12 Whilst the footprint of the ground floor addition does not match the adjoining properties, it is located at ground floor level and as such the proposed design of this aspect is not considered to cause undue harm to the rhythm of the terrace or the appearance of the property.

10.13 The revised dormer and the two storey extension are therefore considered acceptable in this context.

Neighbouring Amenity

10.14 The alterations to the rear extension are not considered to harm neighbouring amenity with respect to enclosure, aspect or light provision considerations. The windows serving rooms within the closet wing of 17 Tabley Road are opaquely glazed and serve bathrooms. Therefore these rooms are considered non-habitable. Planning policy does not seek to protect the amenity of non-habitable rooms. It is noted that the occupier has written advising that she intends to change the use of these rooms, but as this has not been implemented, the development must be assessed on its effect on the use of the closet wing as it is. The proposal therefore complies with policy D3 of the Unitary Development Plan.

Trees

10.15 There is a mature protected tree (T1 of LBI TPO (NO.155) 1996) growing in the rear garden of the neighbouring property of 17 Tabley Road but it is sufficiently far from the development that there would be limited incursion into its rooting area.

10.16 The proposal would have a limited impact on trees and landscape and it is considered unwarranted to refuse the application to the minimal impact on nearby trees.

Other Consultation Issues:

10.17 The structural and building works issues are not relevant planning matters and would be more properly dealt with by Building Control and Environmental Health officers respectively.

10.18 The additional flues have been raised as a pollution and noise issue. These are small, residential type extractors required by Building Regulations, They are not considered to be a noise of pollution issues in planning terms, and are not usually assessed on such a minor planning application. Any unreasonable noise would be dealt with by the Noise Team.

10.19 An objection has been received that the proposal is overdevelopment. The dwelling mix and layouts including floor areas of the units meet adopted standards, the design is considered acceptable in context and the effect on neighbouring properties does not breach amenity standards. The development would be car free. Thus there is no

demonstrable harm in planning terms, therefore the proposal would not be overdevelopment.

Small Sites Contribution

- 10.20 The applicants have submitted a viability study with regards to the Council's Small Sites Affordable Housing Contribution. The Council's independent assessors have found that the scheme would not break even unless the profit level is reduced to 10% compared to an industry standard 17.5% - 20%. The advice is that the applicant should not be required to pay an affordable housing contribution on this development.
- 10.21 This is in line with the provisions of the Council's adopted "Affordable Housing Small Sites Contributions" SPD.

Other Matters

- 10.22 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012.
- 10.23 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.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 Overall, the proposed conversion of the single family unit and erection of part two storey and single storey extension and erection of dormer plus other associated external alterations are in accordance with relevant policy and considered acceptable.

Conclusion

- 11.2 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 June 2013;
- 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 proposed part two storey and part one storey extension and the rear dower plus other external alterations are considered to be acceptable in terms of size, design and materials and would be sympathetic to the appearance of the host building and not harm the integrity of the terrace in accordance with policy CS8 (Enhancing Islington's character), CS9 (Protecting and enhancing Islington's built and historic environment) of the Islington Core Strategy 2011, policies D4 (Designing in context) and D11 (Alterations and extensions) of the Islington Unitary Development Plan 2002, DM1 of the Islington Development Management Policies), and guidance contained within the Islington Urban Design Guide 2006.
- The resulting development is not considered to have an unacceptable impact on neighbouring residential amenity in terms of noise and nuisance, loss of sunlight; daylight, privacy or outlook. The development is in accordance with policy D3 of the Islington UDP 2002 and DM1 of the emerging Development Management Plan which seek to ensure that development does not have an unacceptable impact on existing/future residential amenity.
- The proposed dwelling mix and residential accommodation is considered to be acceptable and would provide for housing of an acceptable standard that would go towards meeting identified need within the borough. The development complies with policies 3.5 of the London Plan 2011, policies H3, H7, H8, H9 and H10 of the Islington UDP 2002, policy CS12 Core Strategy 2011 and DM11, DM12 and DM13 of the emerging Islington Development Plan.
- The proposal will not detrimentally impact on nearby trees in accordance with Env6 of the UDP 2002 and DM 38 of the emerging Development Plan 2012.

RECOMMENDATION B

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

List of Conditions:

1	Commencement
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	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan 1212/01.-; Design and Access Statement dated February 2013; 1212.03.B; 1212.04.B; 1212.05.B; 1212.10.J; 1212.11.F; 1212.12.F</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>
3	Materials
	<p>CONDITION: The facing materials of the first floor 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; 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>

List of Informatives:

1	Permission granted, no pre-application, amendments undertaken to comply with established guidance
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Car Fee Development
	<p>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.</p>

3	Community Infrastructure Levy
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at mailto:cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal here: http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil.</p>

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF 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

London's People
3.5 (Quality and Design of Housing Developments)

7 London's living places and spaces:
7.4 (Local character)
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 CS12 (Meeting the Housing Challenge)

C) Islington Unitary Development Plan 2002

Improving the Environment
Env6 (Protecting Trees)

Housing Provision
H3 (New Housing and Changes of Use to Residential)
H5 (Conversions)
H7 (Standards and Guidelines)
H8 (The Conversion of Existing Property)
H9 (The Conversion of Existing

Property)
H10 (New Development)

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

3. Emerging Policy Documents

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

The Proposed Submission of Islington's *Development Management Policies* 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 draft of this document has been submitted to the Planning Inspectorate for Independent Examination. The document, whilst not adopted, gives an indication of the Council's approach to sustainable development proposals for the next 15 years. The emerging policies are a material planning consideration.

Design and Heritage:
DM1 (Design)
DM11 (Residential Conversions and Extensions)
DM12 (Housing Standards)
DM13 (Private Outdoor Space)
DM38 (Landscaping, trees and biodiversity)

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

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

Islington UDP
Islington Urban Design Guide 2006
Affordable Housing Small Sites
Contribution SPD