



PLANNING COMMITTEE REPORT

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



PLANNING SUB- COMMITTEE B		AGENDA ITEM NO:
Date:	10 th September 2013	NON-EXEMPT

Application number	P2013/1740/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	Non Listed
Conservation area	None
Development Plan Context	Archaeological Priority Area
Licensing Implications	None
Site Address	2 Elthorne Road London N19 4AG
Proposal	Installation of air handling plant on existing flat roof and in outside yard area.

Case Officer	Eoin Concannon
Applicant	University of Arts London Mr Mark Farthing
Agent	Mr Jeremy Young

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: Aerial view of the site and surroundings.

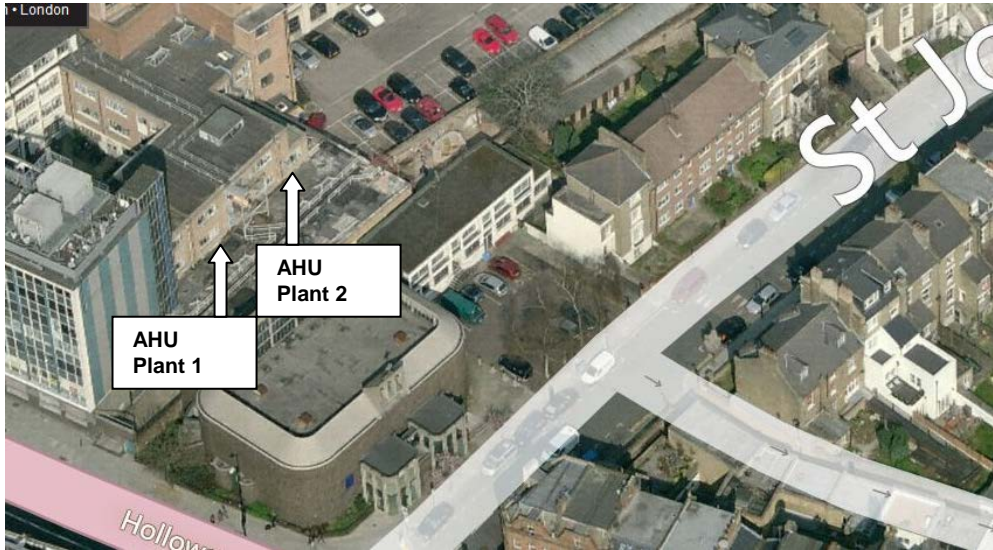


Photo 2: Aerial photography showing proposed position of 2 air-handling units on the roof.



Photo 3: Aerial photography showing proposed position of the air-handling unit in the yard

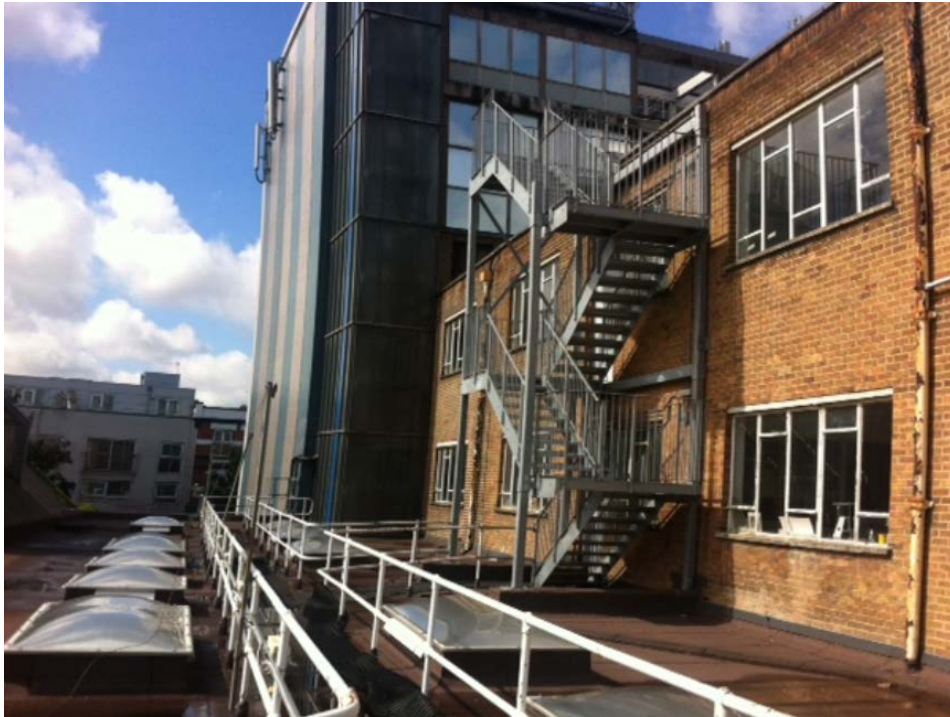


Photo 4: Proposition of AHU 1 and 2 situated at first floor level on either side of existing external stairs.



Photo 5: Proposed position of AHU Plant 2 and associated ductwork.



Photo 6: Positioning of AHU 3 in the yard.



Photo 7: Nearest residents located to the east at 15 St. John's Villas.



Photo 8: Adjacent neighbouring car park and Bellside House Office building to the north.



Photo 9: View towards the site from St. John's Villas.



Photo 10: View from Elthorne Road towards the site.

4. SUMMARY

- 4.1 The application is for the installation of air handling plant on the roof and yard area of the Byam School of Art building situated just off Holloway Road. The property is currently being upgraded in its entirety and will continue to be used as an Art College by Central Saint Martin. The air handling plant is required in order for the facility to meet current requirements for modern teaching facilities.
- 4.2 Altogether, there would be three individual air handling units, two would be situated on the first floor flat roof towards the eastern boundary of the site, and a further unit would be situated in a yard area adjacent No.15 St. John's Villas.
- 4.3 The main issues arising from the application are the impact of the development on the residential amenities of the neighbouring occupiers and the impact of the development on the appearance of the area.
- 4.4 The air-handling units (AHU) would be positioned discreetly on the first floor roof and within the yard area. The proposal would therefore respect the character of the surrounding area and would not detract overall appearance of the existing building. The development would not result in any undue impacts on the amenities of neighbouring occupiers. Concerns have been raised regarding the noise impact from the units. The Council's Noise Officer has been consulted and it is considered that the air-handling unit subject to conditions restricting hours of operation and control of noise level would not cause an unacceptable level of noise to merit a refusal. The proposed development is considered to be acceptable and complies with policies contained within the Development Plan.

5 SITE AND SURROUNDING

- 5.1 The application site, the Byam School of Art building is situated on the eastern side of Elthorne Road directly north of Holloway Road. It consists of a number of college buildings, sitting up to 4 storeys in height with some lower buildings along the eastern side. The buildings surround a courtyard area located in the centre of the site, with the plot area of approximately 2000 square metres, the site has frontages onto both Elthorne Road and Holloway Road.
- 5.2 Access to the site is via a small laneway along the western corner from Elthorne Road, between buildings of similar height to those on the application site. The uses along Elthorne Road vary and include commercial, educational and residential.
- 5.3 Directly south of the site lies Holloway Road and the mixed used properties No.s 770-778 (six storey terrace buildings). These buildings are predominately A1 commercial units at ground floor with residential units above. Also, along this part of Holloway Road and adjoining the site, is Nos.764-768 a seven storey building in use as a business centre. To the south-east, sits the Roman

Catholic Church of St. Gabriel with the Parochial house and offices at 15 St. John's Grove lying directly against the eastern boundary.

- 5.4 The properties that abut the site on St. John's Grove are predominately residential dwelling flats which stand at two/three storeys in height. No. 15 St. John's Grove (Parochial House), the closest residential building, is a two storey building with rear windows facing onto the yard of the application site with in which one of the proposed AHU would be positioned. Further residential properties, No. 17 St. John's Grove and Nos. 1-23 Ramsay Court adjoin the site towards the north-east boundary. These 3 storey maisonettes have their rear wall approximately 15 metres away from the site boundary.
- 5.5 The site is not located within a conservation area and the college buildings are not listed.

6 PROPOSAL (IN DETAIL)

- 6.1 The proposal is for the installation of air-handling plant on the existing first floor roof and within the yard of the property. Central Saint Martins, the owners of Byam Shaw School of Art are currently renovating the Art College in its entirety in order to meet the requirements for current teaching practices. The applicant has stated that a part of this renovation would involve ventilation of the school to comply with the standards required for school premises.
- 6.2 The air-handling plant would be sited towards the eastern boundary of the site. On this side of the college building, there is a variation in the roof heights with a stepped appearance. The proposal would seek to install two of the air handling units at first floor level along the flat roof. These two AHUs would be positioned against the south east elevation wall which is a part-two part-three storey building and faces towards the Roman Catholic Church and Parochial house, set back 6m and 8.5m from the edge of the roof and 10m from the boundary.
- 6.3 A further air handling unit would be positioned at ground floor level within a small yard area between a neighbouring car park and the site boundary with No.15 St. John's Villas. This would be set in 0.6 metre from the boundary along the car park side and would be a distance of approximately 5 metres from the shared boundary wall of 15 St. John's Villas. The boundary wall sits at a height of 3m along its length.
- 6.4 Each air handling unit would measure 5m in length by 2m wide and 0.9m in height. Associated ductwork would vary in length from each of the units. The air-handling unit (AHU 3) in the yard would have ductwork approximately 5m in length running parallel with the car park boundary line. The air handling unit (AHU 2) positioned closest to the Catholic church would have ductwork measuring approximately 4.5m in length; while the final unit (AHU 1) would have associated ductwork spread over a larger area, approximately 15 metres facing into the application site.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **August 2013:** Planning permission (**Ref: P2013/2256/FUL**) **granted** for erection of timber canopy and screen wall to ground floor courtyard area.
- 7.2 **April 2013:** Planning permission (**Ref: P2013/1338/FUL**) **refused** for the creation of a new external wall around an existing metal escape stair including a new roof over the stair with a roof light.

REASON: The proposed development by reason of its design, bulk and materials would be incongruous with the building and surrounding area contrary to policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan 2011, policies CS8 (Enhancing Islington's character) and CS9 (Protecting and enhancing Islington's built and historic environment) of the Core Strategy 2011 and policy DM2.1 (Design) of the Development Management Policies 2013.

- 7.3 **July 2000:** Planning permission (**Ref: P000798**) **granted** for the *Construction of new single storey workshop at rear and installation of fire escape staircase.*
- 7.4 **December 1986:** Planning permission (**Ref: 861702**) **granted** for *Use as a School of Art.*

ENFORCEMENT:

- 7.5 None applicable

PRE-APPLICATION ADVICE:

- 7.6 None applicable

8 CONSULTATION

Public Consultation

- 8.1 Forty six letters were sent to occupants of adjoining and nearby properties on Elthorne Road, St. John's Villas and Holloway Road on 4th June 2013.
- 8.2 At the time of writing this report, a total of 7 letters of objection had been received. The objections raised are summarised as follows (with the paragraphs the provides response to each issue indicated in brackets)
- Query raised over intended use of the air handling plant (See paragraph 5.1)
 - Potential noise and disturbance as a result of the air handling units particularly to the Church and residential units situated on St. John

Villas which abuts the site. Residents on this street concerned the units would infringe on their amenity with many bedroom windows projecting onto the site. (See paragraphs 10.8-10.11)

- Concerns also raised about the lack of specification for the Air Handling units. (See paragraphs 5.2 – 5.4)

External Consultees

8.3 None

Internal Consultees

8.4 Public Protection Division (Noise Team): The noise assessment submitted is acceptable. It make reference to the fact that if there is a tonal element to the plant installed, they will need to apply a further 5dB(A) penalty to the permitted plant levels, so if this is the case the levels would need to be 10dB(A) below background. Conditions to be applied restricting noise levels within 1m from the façade of the nearest noise sensitive premises, to be a rating level of 5dB(a) below the background noise level LAF90 Tbg. The tonal variation aspect would be covered by compliance with the guidance set out in BS4142:1997. No objections subject to conditions.

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, 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 is located within an Archaeological Priority Area.

Supplementary Planning Guidance (SPG) / Document (SPD)

9.4 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:

- Design -impact on the existing building and surrounding area.
- Neighbouring amenity.

Design

10.2 The Islington Urban Design Guide seeks to incorporate development that reinforces the character of an area by creating an appropriate and durable fit that harmonise with their setting.

10.3 Policy DM2.1 of the Development Management Policies 2013 states that all forms of development are required to be of high quality. For development to be acceptable it is required to be sustainable, efficiently use the site and or building; provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments.

10.4 The proposed air handling plant would be appropriate given its setting amongst taller, modern buildings. The positioning both within the small yard area and on the first floor flat roof would be screened on either side by higher buildings and would not be visible from either of the surrounding highways. The property is not within a conservation area or within the setting of a Listed Building and would not cause such an adverse impact on the design of the existing building to justify a refusal.

10.5 In general, air handling plants are normally positioned above flat roofs or to the rear of buildings in discreet locations. It is considered that location of each of these plants would be acceptable given the context of the site and the surrounding buildings. The backdrop of higher buildings on either side would limit the visibility of the plant. Each unit would be sympathetic in design and materials would not have a detrimental impact on the existing building or the surrounding area. The ducting and materials would be similar to those expected of an air handling plant of this nature.

10.6 The applicant has agreed to remove any existing plant that becomes redundant up on the installation of this equipment. It is recommended that this is secured by condition.

10.7 As such, the proposal is considered acceptable in terms of design and sympathetic to the existing building and the surrounding area. It would therefore comply with the councils Urban Design Guide and Development Management Policy DM2.1.

Neighbouring amenity

- 10.8 In terms of neighbours' amenity, concerns have been raised by several surrounding properties regarding the noise the units are likely to generate. In particular, the residents along St. John's Villas would be situated closest to the plant. The priest house and offices would be a distance of approximately 5 metres from the unit located in the eastern yard area. While further properties along St. John's Villas including 17 St. John's Villas and Nos. 1-23 Ramsay Court are distances ranging from 5 metres to 15 metres to the nearest AHU within the yard area. It would therefore be critical that the noise generated from each plant and collectively would achieve the recommended levels required by the Council to prevent an impact on each of these noise sensitive properties.
- 10.9 The applicant has submitted an environmental noise survey which was commissioned and carried out by Cole Jarman on the 15th and 16th July 2013. The survey measured noise activity at three noise sensitive locations along the site – overlooking St. John's Villas; to the rear of the flats on Holloway Road; and to the front overlooking Elthorne Road. In conclusion, table 2 of the survey provided the plant noise limits for nearby properties during daytime, evening and night time. The Council's Noise Officer has reviewed this survey and finds the results acceptable subject to further controls over its usage. A condition is recommended controlling the cumulative noise level to 5dB(A) below background noise levels LAF90 Tbg.
- 10.10 The Noise Officer has also recommended another condition is attached that the plant be shut down following any written instructions from the Council, if the above building plant requirements imposed cannot be achieved. It is viewed that both these conditions would allow the plant to operate without causing any detrimental harm to the nearby residents in particular on St. John's Grove.
- 10.11 Further to the above conditions and to secure the long term amenity of the neighbours, it is considered appropriate to place a restriction on operating times. Many of the residential units on St John's Grove have habitable or bedroom windows which face in towards the application site. It is considered that a restriction of usage of the plant at night time would be reasonable given the proximity of the residential units along St. John Grove. The following hours of operation would therefore be conditioned hours of 7am – 10pm.
- 10.12 In terms of the other residential properties in the vicinity (Holloway Road and Elthorne Road) it is considered that the distance from the plant is sufficient to prevent any adverse impact on these residents amenity. The conditions to be imposed would also further prevent any loss of amenity.
- 10.13 With regard, visual amenity, it is considered that the proposal would not have an overbearing impact on any of the surrounding residential properties in this instance.

- 10.14 Overall the proposals are acceptable in terms of their impact on neighbouring amenity, in line with policy DM2.1 of the Development Management Policies 2013.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development is acceptable in line with policies 7.4, 7.6 and 7.8 of the London Plan 2011, policies CS8 and CS10 of the Core Strategy 2011 and policy DM2.1 of the Development Management Policies 2013. The scale, design, materials and appearance the air handling plant would respect the character of the surrounding area and would cause no undue impacts on the amenities of local residential occupiers.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

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

1	Commencement
	<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>Design and Access Statement dated May 2013, Environmental Noise Survey ref 13/2430/R1, 001A, 060, 065, 071, 080, 081.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Noise Control
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq TR arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level LAF90 Tbg. The measurement and /or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>REASON: To ensure that the operation of fixed plant does not have a harmful impact on residential amenity.</p>
4	Safeguard Amenity
	<p>CONDITION: Should the building services plant hereby permitted not meet the requirements of any of the conditions hereby imposed, the plant shall be shut down on receipt of the written instruction of the Local Planning Authority until such time as the necessary remedial measures have been implemented to ensure compliance with conditions.</p> <p>REASON: To safeguard the amenity of neighbouring premises.</p>
5	Hours of operation (Compliance)

	<p>CONDITION: The air handling plant hereby approved shall not operate outside the hours of: 07:00 hrs to 22:00 hrs.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
6	<p>Existing equipment</p>
	<p>CONDITION: Any existing equipment that may have become redundant upon the installation of this equipment shall be removed and not replaced.</p> <p>REASON: To prevent the proliferation of plant equipment in this location that would lead to an undue amount of visual clutter on the host building.</p>
7	<p>Removal of Air Handling Plant upon becoming redundant</p>
	<p>CONDITION: The air handling plant and all associated equipment hereby approved shall be removed from the property within a period of three months of the date upon it becoming redundant and shall not be replaced without further permission from the Council.</p> <p>REASON: To prevent the proliferation of plant equipment in this location that would lead to an undue amount of visual clutter on the host building.</p>

List of Informative:

1	<p>Positive Statement</p>
	<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. The LPA and the applicant have worked positively and proactively in a collaborative manner through the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>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 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, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 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

Policy 7.4 Local character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

CS8 Enhancing Islington's Character

Strategic Policies

CS10 Sustainable design

C) Development Management Policies June 2013

DM2.1 (Design)
DM7.1 (Sustainable Design and Construction)
DM7.4 (Sustainable Design Standards)

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

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

Islington UDP

- Urban Design Guide

London Plan

- Sustainable Design & Construction

