



PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE B		AGENDA ITEM NO:
Date:	24 October 2013	NON-EXEMPT

Application number	P2013/2975/FUL
Application type	Householder
Ward	Highbury East
Listed building	Unlisted
Conservation area	Calabria Road Conservation Area
Development Plan Context	Calabria Road Conservation Area
Licensing Implications	None
Site Address	89 Calabria Road, London N5 1HX
Proposal	Construction of a rear dormer roof extension.

Case Officer	Sandra Chivero
Applicant	Mr Paul Norman
Agent	N/A

1. RECOMMENDATION

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

1. for the reasons set out in Appendix 1;

2. SITE PLAN



3. PHOTOS OF SITE/STREET

1. Photo of the rear roofline to the host terrace looking south from the application site.



2. Aerial view of host terrace



Application site

4. SUMMARY

- 4.1. This application is for the erection of a rear dormer extension and follows two recent refusals and a dismissal for a roof extension at the same address. The Council maintains that the principle of a roof extension would be unacceptable within the largely unaltered roofline. No rear dormers have been approved on this long extensive terrace since the adoption of the NPPF, Development Plan or the Urban Design Guide and there are no other material circumstances since the previous refusals and appeal that would warrant a different a different recommendation being made.
- 4.2. Whilst the current scheme presents a dormer extension reduced in size, it is unacceptable in design terms virtue of its inappropriate design, scale and failure to align with the windows to the main façade and as such would fail to accord with the Islington Urban Design Guide which states that dormer windows usually work best where they are no wider overall than the windows in the façade, especially where they are lined up with the windows below.
- 4.3. The application is brought to committee for determination at the request of Cllr John Gilbert and Cllr Terry Stacey.

5. SITE AND SURROUNDING

- 5.1. No. 89 is a three-storey mid-terrace Victorian property located on the western side of Calabria Road. It forms part of a terrace of similar properties (Consecutive Nos. 57 - 101). The properties have pitched roofs with chimney stacks on either side of the party walls. The majority of the terrace properties have unaltered roofs. Three have had roof extensions constructed (Nos. 93, 97 &101).
- 5.2. The building is not listed but it is situated within the Calabria Road Conservation Area. The surrounding area is predominantly residential in character.

6. PROPOSAL (IN DETAIL)

- 6.1. Construction of a rear dormer incorporating two sash windows. The dormer would be set in from the party walls and the eaves.
- 6.2. The current application follows two applications for erection of a rear dormer extension refused in February 2013 (Ref. P2012:0472) and September 2012: (Ref. P121593).

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

89 Calabria Road

- 7.1. **February 2013:** Planning application (Ref. P2012/0472) Refused for Erection of a rear dormer extension and insertion of rooflight to the rear roof slope.

REASON: The proposed roof extension, by virtue of its size and bulk would be harmful to the character and appearance of the original building and the integrity of the wider terrace and would fail to respect the principles laid out in section 2.4.2 of the statutory Urban Design Guide (2006) by disrupting the largely unaltered roofline of the terrace, to the detriment of the appearance of the surrounding Sotheby Road Conservation area. The proposal would therefore fail to comply with policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment) of the Core Strategy; policies D3 (Site Planning), D4 (Designing in Context), D11 (Alterations and Extension), D24 (Materials) and D25 (Roof Extensions) of the Islington Unitary Development Plan (2002), draft policies DM1 (Design) and DM3 (Heritage) of the Development Management Policies (Submission Document 2012), and guidance contained within the Islington Urban Design Guidelines (2006) and Conservation Area Design Guidelines (2002).

Subsequent appeal dismissed in February 2013 under ref. APPV5570/D/12/2188550

- 7.2. **September 2012:** Planning application (Ref. P121593) Refused for Erection of roof extension to rear roof slope of dwellinghouse:

REASON: The proposed roof extension, by virtue of its size and bulk would disrupt the rhythm and unity of the largely unimpaired roofline of the terrace thereby harming the integrity of the group of buildings of which it forms part and the character and appearance of the host building and Calabria Road Conservation Area, contrary to policies CS8 and CS9 of the Islington Core Strategy (2011); policies D4, D11, D22 and D25 of the Islington Unitary Development Plan (2002), emerging policies DM1 and DM3 of the Development Management Policies (Submission Version) 2012 and guidance contained within the Islington Urban Design Guide (2006) and Conservation Area Design Guidelines (2002).

Surrounding Area:

- 7.3. **November 2009** Planning Permission (Ref: P092015) refused for Proposed loft conversion with rear dormer roof construction and two conservation type Velux windows to the front at 57 Calabria Road, on the following grounds:

REASON: The proposed rooflights to the front roofslope will be clearly visible from the public realm and are would form discordant feature when viewed in context with the established pattern of development to the front roofslopes of dwellings along Calabria Road. The rooflights are not considered to preserve or enhance the character and appearance of the host building and wider conservation area. The development therefore is considered contrary to policies D1 (Urban Context), D4 (Designing in context), D11 (Alterations and extensions) and D25 (roof extensions) of the Islington Unitary Development Plan 2002, Conservation Area guidance note 38 and Islington's Urban Design Guide 2006.

REASON: The proposed roof extension by virtue of its design, scale, massing and prominent siting visible from the public realm, would detract from the existing continuous uniform and rhythmic rear roofslopes from 57 – 91 Calabria Road. The proposed development would form an overdominant and obtrusive feature to the rear of the dwelling failing to preserve or enhance the character and appearance of host building or the wider Calabria Road Conservation Area. The proposal is therefore contrary to Policies to D1 (Urban Context), D4 (Designing in context), D11 (Alterations and extensions) and D25 (roof extensions) of the Islington Unitary Development Plan 2002, Conservation Area guidance note 38 and Islington's Urban Design Guide 2006.

Subsequent appeal dismissed by the planning inspector on 23 March 2012 under ref. APP/V5570/D/10/2121372

113 Calabria Road

- 7.4. **June 2013:** Planning application (Ref. P2013/1156) Refused for Rear dormer loft conversion. A subsequent appeal was allowed in September 2013 under PINS Ref. APP/V5570/D/13/220155.

70 Calabria Road

- 7.5. **September 2013:** Planning application (Ref. P2013/2737/FUL) Refused for Erection of a dormer window to the rear roof slope and installation of a conservation grade rooflight including creation of a roof terrace on flat roof to existing rear closet wing and installation of associated balustrade.

REASON: The proposed rear dormer by reason of its materials, design, size, scale and positioning would be harmful to the architectural character of the original building. In addition, the positioning of the roof terrace and installation of associated balustrade at this high level would result in visual clutter and would appear as incongruous addition and would disrupt the rhythm and unity of the wider terrace to the detriment of the surrounding Calabria Road Conservation Area. The proposal would therefore be contrary to the NPPF; policies DM2.1 and DM2.3 of the Development Management Policies 2013; policies CS8 and CS9 of the Core Strategy 2011 and the requirements of the Conservation Area Design Guide 2002 and the Islington Urban Design Guide 2006.

68 Calabria Road

- 7.6. **October 2013:** Planning permission (P2013/2864/FUL) Refused for Proposed partial dormer window on rear roofslope, conservation-style rooflight over stairwell, roof terrace on existing flat roof to existing rear closet wing with associated balustrading.

REASON: The proposed rear dormer by reason of its materials, design, size, scale and positioning would be harmful to the architectural character of the original building. In addition, the positioning of the roof terrace and installation of associated balustrade at this high level would result in visual clutter and would appear as incongruous addition and would disrupt the rhythm and unity of the wider terrace to the detriment of the surrounding Calabria Road Conservation Area. The proposal would therefore be contrary to the NPPF; policies DM2.1 and DM2.3 of the Development Management Policies 2013; policies CS8 and CS9 of the Core Strategy 2011 and the requirements of the Conservation Area Design Guide 2002 and the Islington Urban Design Guide 2006.

97 Calabria Road

- 7.7. **May 2003:** Planning permission (Ref. P030235) Granted Erection of roof extension.

PRE-APPLICATION ADVICE:

- 7.8. **2013:** Formal Pre-app enquiry (Ref.Q2013/2582) submitted for the construction of a rear dormer. Advice given that the erection of a roof extension to the largely unaltered roofline would be unacceptable in principle.

ENFORCEMENT

- 7.9 None

8. CONSULTATION

Public Consultation

- 8.1. Letters were sent to occupants of 18 adjoining and nearby properties at Calabria Road and Liberia Road on 03 September 2013. A site notice and a press advert were also displayed on 05 September 2013. The public consultation of the application therefore expired on 26 September 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 the writing of this report no responses had been received from the public with regard to the application.

Internal Consultees

8.3. The **Design and Conservation Officer** maintains that the principle of a roof extension to the largely unaltered roofline would be harmful to the character or appearance of the conservation area. It is also stated the proposed dormer is also unacceptable by virtue of its inappropriate design, scale and failure to align with the windows to the main façade. The design also incorporates a wide expanse of solid face which is untraditional and fails to accord with the IUDG.

8.4. The Design and Conservation Officer commented that although a dormer window was recently allowed on Appeal at No.113, the Inspector failed to recognise the guidance in the adopted IUDG which post dates the CADG and also misconstrued the guidance from the CADG. This decision is considered to be a perverse decision which fails to take into account all relevant adopted guidance material.

9. RELEVANT POLICIES

9.1 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

9.2. 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, 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.

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, Conservation and Heritage considerations
- Neighbouring Amenity

Design, Conservation and Heritage Considerations

10.2. Since the recent refusal on the site for a dormer roof extension in February 2013 the revised scheme presents a rear dormer reduced in size and would be set in from the eaves and the party wall on either side. The dormer would incorporate two timber sash windows and lead cladding to its cheeks and front fascia.

10.3. The site is situated within the western stretch of Calabria Road to the southern side of Fergus Road and only has 3 (Nos. 93, 97 and 103) out of 23 properties with roof extensions. Although there are three roof extensions within this stretch of Calabria Road, the street is characterised by a strong roofline with a consistent rhythm to the front and rear. This character dictates the proportions of individual buildings and the terrace as a whole. A roof extension at this location would compromise this distinctive roofline, detracting from the uniformity and rhythm of the wider terrace and the overall proportions and composition of the building. It is considered that the proposal would therefore be contrary to the NPPF (2012); policies CS8 and CS9 of the Core Strategy of the Core Strategy (2012); policies DM2.1 and DM2.3 of the Development Management Policies and the requirements of the Conservation Area Design Guide (2002) and the Islington Urban Design Guide (2006).

10.4. With regard to rooflines with existing alterations/ extensions, section 2.4.3 of the Islington Urban Design Guide (IUDG) considers that the extent and nature of the existing roof additions, the length of the terrace and the date of the approved addition will determine the scope for future change. There is a roof extension at no. 97 Calabria Road, this was approved in 2003 and predates the Islington Urban Design Guide (2006), Core Strategy (2011); London Plan (2011), NPPF (2012) and the Development Management Policies (2013). There is no record of planning permission having been granted for the extensions at nos. 93 and 102. To the south of the property the rear roof line is completely unaltered on a long row of similar terrace properties from nos. 57 – 91 Calabria Road. No rear dormers have been approved on this long extensive terrace since the adoption of the current NPPF, Development Plan or the Urban Design Guide.

10.5 If approved, proposal would represent the first authorised alteration post the adoption of the NPPF, Development Plan or the Urban Design Guide to a largely unaltered and extensive rear roofline, which benefits from a predominantly regular rhythm giving the terrace a unified appearance and thereby contributing positively to the character and appearance of the surroundings. This would set an unwelcome precedent which would have an adverse impact upon the integrity of the terrace, the quality of the

private realm and on the character and appearance of the host building and surrounding conservation area contrary to the requirements of the Islington Urban Design Guide especially paragraphs 2.4.2 and 2.4.3.

- 10.6 The Inspector's decision notice in relation to the recent appeal at the application site makes it clear how important the rear unaltered and consistent roof line is. The decision states a dormer would disrupt the roof's rhythm and uniformity at the expense of the integrity of the terrace.
- 10.7 The Council recognises that there are examples of large rear dormers in the surrounding area, to the rear of the site along Liberia Road. Some of these are visible from the street and in the Council's view demonstrate the visual harm these types of developments can exert. These dormers are likely in most cases to pre-date the designation of the area as a conservation area, they are not directly comparable and the Council does not accept that these bad examples set a precedent or outweigh the harm that would be caused by this proposal.
- 10.8 The applicant has referred to the dormer extension of a similar size at no. 55 approved in August 2012 under ref. P121396. No. 55 is situated within a different section of Calabria Road where there are examples of roof extensions (including the adjoining property at no. 53) to a very short terrace comprising of only 8 properties. The approval at no. 55 is therefore also considered not to set a precedent.
- 10.9 The applicant has also referred to a dormer extension of a similar size and design allowed on appeal at no. 113 Calabria Road. It is considered that in this instance the Inspector failed to recognise the guidance in the adopted IUDG which post dates the CADG and also misconstrued the guidance from the CADG. This decision is considered to fail to take into account all relevant adopted guidance materials.
- 10.10 The proposed design of the dormer is also unacceptable by reason of its inappropriate design, scale and alignment of windows. The design incorporates a wide expanse of solid face which is untraditional and fails to accord with IUDG which states that *"Dormer windows usually work best where they are no wider overall than the windows in the façade, especially where they line up with the windows below. Larger dormers are sometimes acceptable where a precedent has already been set elsewhere in the terrace. The solid surrounds (cheeks) should be kept as unobtrusive and slender as possible – a simple lead cloaking with a double hung sash timber window is often the best solution. Except for the window frame and cloaking material, there should never be any solid face"*.
- 10.11 In addition, the windows to the rear dormer are much taller and are not aligned with the windows in the rear elevation which it is positioned directly above. As a result the design appears unsympathetic, awkward and top heavy which would be further harmful to the architectural character of the original building and the wider conservation area.

10.12 The two recent refusals by the Council at nos. 68 and 70 Calabria Road, along with those at this site and the planning inspector's dismissal clearly establish that the principle of a roof extension at this location would be harmful to the architectural character of the building and the integrity of the wider terrace to the detriment of the surrounding Calabria Road Conservation Area.

Neighbouring Amenity

10.13 The proposed roof extension is considered not to impact on the residential amenity of neighbouring properties. This would be inline with policy DM2.1 of the Development Management Plan.

Other Matters

10.14 The Council note the applicants need to accommodate his growing family. However, the personal circumstances cited do not outweigh the material harm that would be caused by the proposed development, nor do they justify the conflict with development plan and national planning policies

11. SUMMARY AND CONCLUSION

Summary

11.1. It is overall considered that the proposed development would fail to accord with the policies of the London Plan, the Islington Core Strategy, the Islington Unitary Development Plan and associated Supplementary Planning Documents, and should be approved accordingly.

Conclusion

11.2. It is recommended that planning permission is refused for the reasons set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be refused for the following reason:

REASON: The proposed roof extension, by reason of its inappropriate design, materials, scale, size, bulk and positioning, would disrupt the rhythm and unity of the largely unimpaired roofline of the terrace thereby harming the integrity of the group of buildings of which it forms part and the character and appearance of the host building and wider Calabria Road Conservation Area. Overall, the proposal would fail to accord with the NPPF; policies CS8 and CS9 of the Islington Core Strategy (2011); policies DM2.1 and DM2.3 of the Development Management Policies and guidance contained within the Islington Urban Design Guide (2006) and Conservation Area Design Guidelines (2002).

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

7 London's living places and spaces

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.3 Heritage

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

The following SPGs and/or SPDs are relevant:

Islington UDP

- Conservation Area Design Guidelines
- Urban Design Guide