

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: B2
Date: 7 th January 2014	NON-EXEMPT

Application number	P2013/4098/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	Unlisted
Conservation area	n/a
Development Plan Context	Central Activities Zone, Within 50 metres of St Luke's Conservation Area and Core Strategy Key Area (Bunhill and Clerkenwell)
Licensing Implications	n/a
Site Address	47 - 58 Bastwick Street, London EC1V 3PS
Proposal	Alterations to north elevation including glazing to ground and first floors, the rendering of the elevation, the provision of a ground floor access shutter, installation of mechanical plant on roof with louvre enclosure and a single storey rear extension.

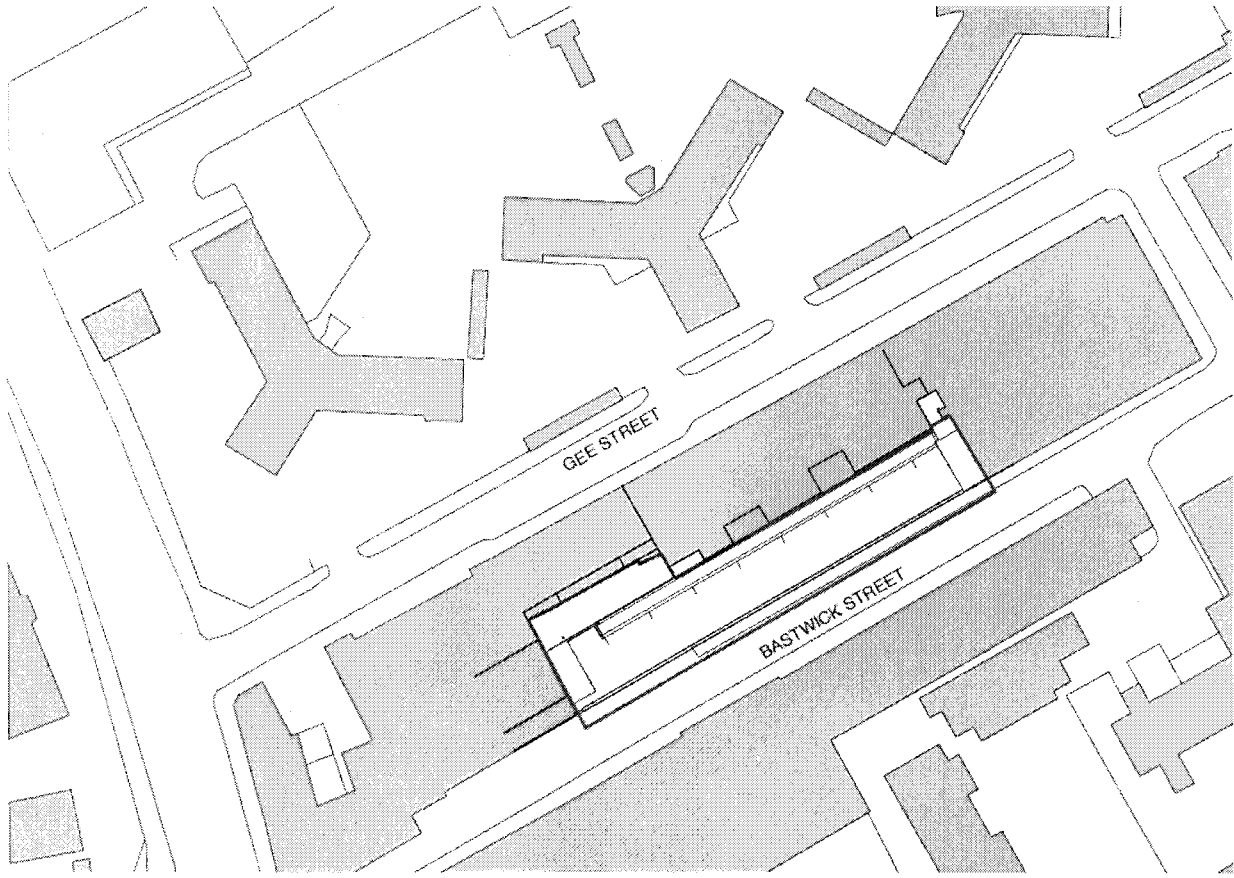
Case Officer	Nathaniel Baker
Applicant	Mr Martin Powell
Agent	Mr Adam Knight (Hugh Broughton Architects)

1.0 RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

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

2.0 SITE PLAN (site outlined in red)



3.0 PHOTOS OF SITE/STREET

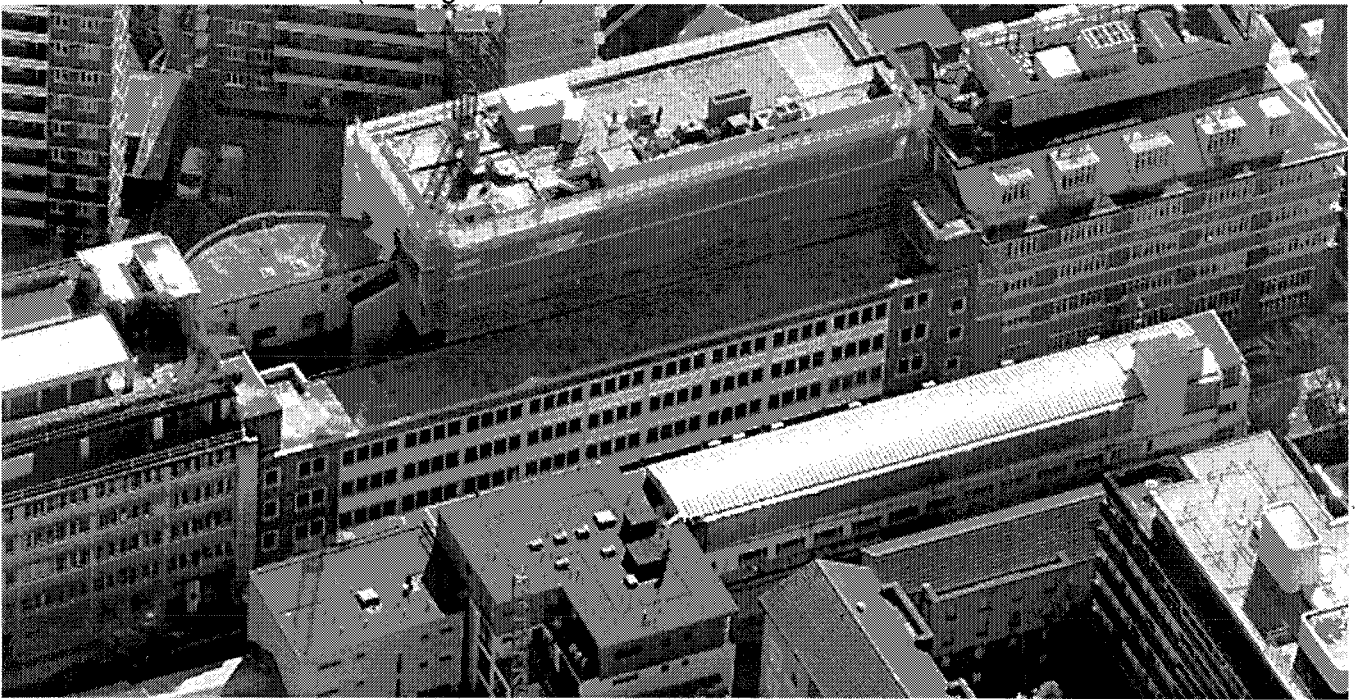
Photo 1: View looking west towards the site:



Photo 2: View looking west towards the site:



Photo 3: Aerial view of site (looking south):



4.0 SUMMARY

- 4.1 Planning permission is sought for alterations to the north elevation, including glazing to ground and first floors, the rendering of the whole elevation, the provision of a ground floor access shutter, installation of mechanical plant on roof with louvre enclosure and a single storey rear extension.
- 4.2 The alterations to the north elevation would result in one consistent finish to the property frontage and although two windows would break the horizontal lines of the building between the ground and first floor, the horizontality of the building, which is a characteristic of Bastwick Street, would be maintained. Furthermore, the alterations would not result in any overlooking.
- 4.3 The rooftop plant would not be visible in the streetscene and would have appropriate screening. The submitted Noise Assessment sets out that the noise emission would be at an acceptable level and the submitted daylight assessment concludes that there would be no loss of light to the neighbouring properties. Due to its siting and modest scale, the proposed roof top plant would not be overbearing to any neighbouring occupiers.
- 4.4 The single storey rear extension would be small and subordinate and would not detrimentally impact upon the amenity of the neighbouring occupiers.
- 4.5 Any permission would be subject to suitably worded conditions set out in Appendix 1 to ensure that residential and visual amenity is protected.

5.0 SITE AND SURROUNDING

- 5.1 The application site is located on the south side of Bastwick Street and incorporates a four storey office building with a flat roof area. The site is located in the Central Activities Zone and is within 50m of the St Luke's Conservation Area to the east. The existing building is not statutorily or locally listed.
- 5.2 The surrounding buildings are mixed in character with office, residential and mixed use buildings in the immediate locality. Immediately to the rear of the western end of the building is a seven storey building, No. 29-55 Gee Street, which contains office floor space across the western side of the property and residential units facing out onto the roof at the eastern end of the property.

6.0 PROPOSAL (in Detail)

- 6.1 The proposal consists of alterations to north elevation including glazing to ground and first floors, the rendering of the front elevation, the provision of a ground floor access shutter and the installation of mechanical plant on roof with louvered enclosure and a single storey rear extension.
- 6.2 The works to front of the building would involve replacing all of the ground floor windows with floor to ceiling height windows and two double storey windows projecting across ground and first floor level, the replacement of an existing roller shutter garage door with a new roller shutter door incorporating a doorway at street level, the replacement of a door at ground level and the rendering of the entire elevation.
- 6.3 The proposed windows would have anodised aluminium cover-strips over the frames.
- 6.4 The single storey rear extension would be located within a rear courtyard area and would measure 2.65 metres in depth by 6 metres in width with a flat roof at a height of 3.1 metres. It would have vertical clad timber elevations.

- 6.5 The roof top plant would be located at the eastern end of the property and would include five air handling units, nine cooling units and associated ducting. The fourth floor roof level plant would have a 2.6 metre height louvre screen to the north and east elevations, with a 2.6 metre high acoustic enclosure set within this and at fifth floor level there would be a 2.4 metre high louvre acoustic surround. The louvred surround would be finished to match the proposed red render of the front elevation.

Revision 1

- 6.6 An amended 3D image, Design and Access Statement and additional details were received on 11th December 2013, this removed the red colour to the render and provided written details relating to sunlight and daylight.

Revision 2

- 6.7 Amended plans were received on 13th December 2013, this detailed a revised roof top plant layout including the louvre being stepped marginally back to the west.

7.0 RELEVANT HISTORY:

Planning Applications

- 7.1 **P2013/4169/ADV** - Installation of internally illuminated projecting box sign – Granted Conditional Consent (09/12/2013).
- 7.2 **P2013/2179/COL** - Certificate of Lawfulness to confirm that the existing (lawful) use of this building is for office use (B1 use class) – Certificate Granted (23/07/2013).
- 7.3 **P071144** - Extension of ground floor office (B1) space into the loading area of the building; including external alterations - Granted Conditional Permission (17/08/2007).
- 7.4 **P060676** - Installation of signage on front elevation and one projecting sign, both at ground floor level – Granted Conditional Consent (24/05/2006).

Enforcement:

- 7.5 None.

Pre-application Advice:

- 7.6 None.

8.0 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 57 adjoining and nearby properties at Gee Street and Bastwick Street on 5th November 2013. A site notice was placed at the site on 7th November 2013. The public consultation of the application therefore expired on 28th November 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 a total of six objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- The roof top plant would be overbearing and restrict views (Para 10.9 and 10.10);

- Concern raised regarding a loss of light (Para 10.12);
- Roof top plant would lead to noise disturbance (Para 10.15 and 10.16);
- The roof should not be used for recreation or social use by the occupants of the building (Para 10.20);
- The material, design, height and specification of the plant enclosure (including roof) should be identified on the planning drawings and not via condition (Para 6.1 - 6.5 and 10.2 - 10.8);
- The proposed bright red colour is jarring, lurid and garish, detracting from the street (Para 10.3);
- The proposal does not contain any improvements to the environment (Para 10.19);
- Concern raised regarding disturbance from construction (Para 10.17 and 10.21);
- The site should have 24 hour security with fully alarmed scaffolding during construction (Para 10.21);
- The proposal would negatively impact the value of the neighbouring building (Para 10.22); and
- The development will make a positive addition to Bastwick Street (Para 10.4).

Internal Consultees

8.3 Public Protection (Noise) –

The first issue is plant noise from the new installation on the roof. The submitted acoustic report sets out enclosures, attenuators and mitigation. This should be controlled by condition.

Secondly there's the issue of construction noise whilst the development is occurring. The site is closely bound by residential and the Clerkenwell & Shoreditch County Courthouse. When the adjoining building was developed there were a number of issues with the courthouse requiring quiet whilst the courts were in session, which severely limited the working day. Advise a condition to minimise the impact.

External Consultees

8.4 **EC1 New Deal for Communities** – No response received.

8.5 **YMCA Fann Street** – No response received.

9.0 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

- 9.4 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

Islington Local Plan – Core Strategy

- Central Activities Zone
- Within 50 metres of St Luke's Conservation Area
- Core Strategy Key Area (Bunhill and Clerkenwell)

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.5 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10.0 ASSESSMENT

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

- Design
- Neighbour amenity (including Sunlight and Daylight)
- Noise and Vibration
- Access

Design

- 10.2 The proposal would replace the existing glazing, doors, roller shutter access way and some of the stall risers with floor to ceiling glazing, a number of replacement doors within the existing openings and would incorporate two windows towards the western end of the frontage which would be double storey, extending across ground and first floor. The proposed glazing would be set within the existing openings, maintaining the regularity of the window spacing but would remove a section of stall riser below each window to create a greater extent of glazing. The proposed glazing and doors would have anodised aluminium cover-strips over the frames to ensure that the frames have a similar appearance to the upper floor windows in the property to be retained.
- 10.3 The proposal includes the rendering of the building. Whilst a colour for the render has not been provided (although this was originally detailed to be red), the application property could be finished in any colour under Schedule 2, Part 2, Class C of the Town and Country Planning (General Permitted Development) Order 1995.
- 10.4 Notwithstanding this, the property currently has a rendered central area, with a marble frontage at ground floor level and two areas of exposed brickwork bookending the upper floors at either end of the property. The proposed rendering would result in one consistent finish to the property frontage and although two windows would break the horizontal lines of the building between the ground and first floor, the horizontality of the building, which is a characteristic of Bastwick Street, would be maintained. Furthermore, the removal of the marble ground floor frontage, which presently detracts from the simple finish of the upper floors would be welcomed.
- 10.5 The proposed roof top plant would consist of three elements; the main plant would have a louvered surround to the north and east elevations and would be located over the fourth floor roof, a smaller area of plant would also have a louvered surround and would be set over a raised lift overrun at the western end of the property and the stacked ducting would project over the eastern extent of the fourth floor flat roof.
- 10.6 The louvre surround would be set back 1.4 metres from a raised parapet on the front elevation, with the plant over the lift overrun set further back again. Whilst the proposed

ducting would be stacked, it would have a lesser height than the louvre plant surround and would be set back from both the front and rear elevations of the property. By reason of the set back of the roof plant from the front elevation, the height of the property, the narrow width of Bastwick Street and the higher level of the surrounding buildings, the proposed plant would not be visible within views of the streetscene. Furthermore, whilst visible from some of the surrounding upper floor windows, the roof top plant would be mostly screened by the louvre surround and would be typical of the roofscape within the locality.

- 10.7 The proposed single storey rear extension would be set within a deep courtyard to the rear of the site and would have a simple flat roof design with timber clad sides. It would appear as an ancillary building that would be subordinate to the host building. Due to this, its limited scale and that it would be located within an enclosed courtyard, the proposed single storey rear extension would not detract from the character and appearance of the conservation area.
- 10.8 As such, the resultant property is considered to be acceptable with regard to design.

Neighbour Amenity

- 10.9 The main area of roof top plant proposed would be located to the rear of a recently constructed office building to the south. The eastern end of this property incorporates flats with rear balconies and windows that face onto and at higher level over the rear elevation and roof of the application site. The proposed louvre would be set back from the edge of the residential properties and beyond a projection at the neighbouring property which partially screens the balconies and windows in the neighbouring property. Due to this, only oblique views of the louvered roof top plant would be afforded from the edge of the balconies and it would be located a sufficient distance from these balconies ensuring that it would not be overbearing or lead to a sense of enclosure to neighbouring residential occupiers. Furthermore, whilst the ducting would be visible from these flats and would not be screened, due to its set back from these properties and its modest height, it would not be overbearing when viewed from the rear windows and balconies of the neighbouring residential properties.
- 10.10 With regard to the residential properties to the north of the site, by reason that the roof top plant would be located across the highway from the neighbouring properties, its modest height and its set back from the front elevation, it would not be overbearing or visually intrusive the occupiers of these properties.
- 10.11 Whilst the proposed roof top plant would be located opposite upper floor windows in 29-55 Gee Street, these serve an office building and the plant machinery would be set away from the roof edge on the opposite side of a central courtyard and there would be no louvre screen on the rear elevation.
- 10.12 It is noted that concern has been raised regarding a potential loss of light to the neighbouring properties. The applicant has submitted written details of a feasibility stage light survey with regard to the roof top plant. This concludes that there would not be any impact upon the amount of sunlight received to the neighbouring properties and that therefore a full numerical testing would not be required. In addition to this, the proposed louvered area of the roof top plant would be set away from the neighbouring residential windows and the ducting would be set back from the edge of the roof and would not lead to any loss of light.
- 10.13 The proposed windows in the front elevation would be located predominantly at ground floor level and would replace existing windows in the same location. As such, they would not result in any additional overlooking.

- 10.14 The proposed single storey rear extension is of a small scale and set within the deep rear courtyard area. As such, it would not detrimentally impact upon the amenity of the neighbouring occupiers.

Noise and Vibrations

- 10.15 The site is located within an area characterised by a mix of uses, with a number of surrounding residential properties, including part of the building to the rear of the site and the upper floor of the properties on the opposite side of Bastwick Street and roof top plant on a number of surrounding roofs. It is noted that concern has been raised regarding potential noise disturbance from the roof plant.
- 10.16 The proposed roof top plant is enclosed to the front and flank by a louvre, with a further acoustic enclosure around the cooling units at the west end of the roof. The applicant has submitted a Noise Impact Assessment which has been assessed by the Council's Acoustic Officer and considered to be acceptable, subject to an appropriate condition regarding noise emission.
- 10.17 It is noted that the Acoustic Officer has raised some concerns regarding disturbance from the construction works to neighbouring residents and the Clerkenwell and Shoreditch County Courthouse to the south of the site on Gee Street whilst court is in session. Whilst there would undoubtedly be some level of disturbance resulting from the works, this would be controlled through the Environmental Health Regulations. It may be advisable for the applicant to discuss any noisy works with the Courthouse in order to minimise any impact and to this effect an informative has been added to the recommendation.

Access

- 10.18 The proposed replacement doors at the western end of the property would have a greater opening width, would be automatically opening and would be level with the pavement. As such, the accessibility to the site would be improved.

Other Matters

- 10.19 Concern has been raised regarding the proposal not including any environmental improvements. Due to the development predominantly consisting of small scale alterations and refurbishment works, there is no planning requirement for environmental improvements. However, in the submitted Design and Access Statement it details that practical opportunities for sustainable low energy services have been considered in the scheme. Furthermore, the Building Regulation requirements would also need to be met.
- 10.20 The use of the roof as amenity space has been questioned. The plans detail the roof area to be solely in use for the roof top plant and any amenity space would require the erection of a suitable balustrade and therefore planning permission would be required.
- 10.21 A number of representations received comment on disruption and security during construction. Unfortunately this is not a planning consideration and has therefore not been assessed here. However, construction hours and disturbance is controlled by the Council's Public Protection Team.
- 10.22 Property value has also been raised as an issue but this is not a material planning consideration.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed alterations to the front elevation, roof top plant and single storey rear extension are considered to be acceptable with regards to design, neighbour amenity and noise levels.
- 11.2 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

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 permitted shall be carried out in accordance with the following approved plans: 202/1000 Rev 2, 202/E1010 Rev 2, 202/E1011 Rev 2, 202/E1012 Rev 2, 202/E1020 Rev 2, 202/E1030 Rev 2, 202/P1010 Rev 2, 202/P1011 Rev 2, 202/P1012 Rev 3, 202/P1020 Rev 2, 202/P1021 Rev 2, 202/P1030 Rev 2, 202/P1040 Rev A, 202/Photos 1, Design and Access Statement, Noise Impact Assessment, GVA Schatunowski Brooks letter (Daylight and Sunlight Assessment dated 25th October 2013).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: The facing materials of the development hereby approved shall match those detailed on the plans and in the Design and Access Statement hereby approved 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.</p>
4	Fixed Plant Noise Rating
	<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 facade of the nearest noise sensitive premises, shall be a rating level of at least 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 impact on residential amenity.</p>

List of Informatives:

1	Positive Statement
	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>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	Disturbance
	<p>The applicant is advised to enter into discussions with the operators of the Clerkenwell and Shoreditch County Courthouse at 29-41 Gee Street regarding potential disturbance from the proposed works whilst court is in session. This may limit when potentially noisy construction works are undertaken.</p>

APPENDIX 2: RELEVANT POLICIES

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

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.

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

4 London's economy
Policy 4.2 Offices

5 London's response to climate change
Policy 5.9 Overheating and cooling

7 London's living places and spaces
Policy 7.2 An inclusive environment
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.15 Reducing noise and enhancing soundscapes

B) Islington Core Strategy 2011

Spatial Strategy
Policy CS7 (Bunhill and Clerkenwell)
Policy CS8 (Enhancing Islington's Character)

Strategic Policies
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS13 (Employment Spaces)

C) Development Management Policies June 2013

Design and Heritage
DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM2.4 Protected views

Energy and Environmental Standards
DM7.5 Heating and cooling

Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

Islington Local Plan

- Central Activities Zone
- Within 50 metres of St Luke's Conservation Area
- Core Strategy Key Area (Bunhill and Clerkenwell)

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

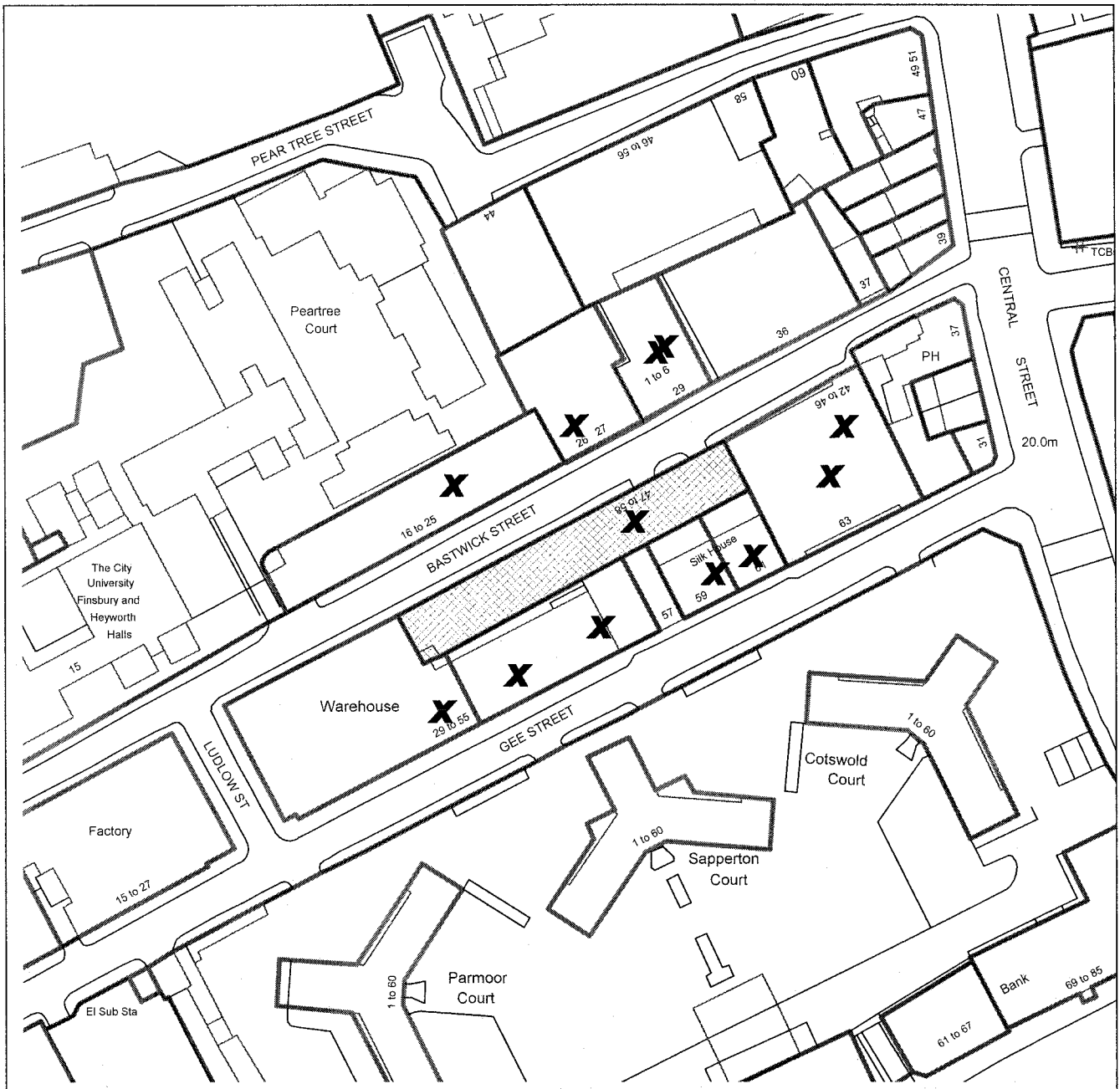
Urban Design Guide
Inclusive Design (Draft)

London Plan

Accessible London: Achieving and Inclusive



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2013/4098/FUL

LOCATION: 47 - 58 BASTWICK STREET, LONDON EC1V 3PS

SCALE: 1000

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