



AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held in Committee Room 1, Town Hall, Upper Street, N1 2UD on, **5 February 2015 at 7.30 pm.**

John Lynch
Head of Democratic Services


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Despatched : 28 January 2015

Welcome:
Members of the public are welcome to attend this meeting.

Consideration of Planning Applications – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk**

| <u>Committee Membership</u> | <u>Wards</u> | <u>Substitute Members</u> | |
|----------------------------------|---------------|---------------------------|------------------|
| Councillor Klute (Chair) | - St Peter's; | Councillor Chowdhury | - Barnsbury; |
| Councillor Nicholls (Vice-Chair) | - Junction; | Councillor Convery | - Caledonian; |
| Councillor Kay | - Mildmay; | Councillor Fletcher | - St George's; |
| Councillor Khan | - Bunhill; | Councillor Gantly | - Highbury East; |
| Councillor Picknell | - St Mary's; | Councillor Comer-Schwartz | - Junction; |
| | | Councillor O'Sullivan | - Finsbury Park; |
| | | Councillor A Perry | - St Peter's; |
| | | Councillor R Perry | - Caledonian; |
| | | Councillor Poole | - St Mary's; |
| | | Councillor Poyser | - Hillrise; |
| | | Councillor Smith | - Holloway; |
| | | Councillor Spall | - Hillrise; |
| | | Councillor Ward | - Holloway; |
| | | Councillor Wayne | - Canonbury; |
| | | Councillor Williamson | - Tollington; |

Quorum: 3 councillors



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| 1. | Introductions | |
| 2. | Apologies for Absence | |
| 3. | Declarations of Substitute Members | |
| 4. | Declarations of Interest | |

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a)Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

| | | |
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| 5. | Minutes of Previous Meeting | 1 - 6 |
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| 5. | Islington Arts and Media School, 1 Turle Road, N4 3LS | 115 - 128 |
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| 9. | St Mary Magdalene Church, Holloway Road, N7 8LT | |

C. Consideration of other planning matters **Page**

D. Urgent non-exempt items

Any non-exempt items which the Chair is of the opinion should be considered as a matter of urgency and to consider whether the special circumstances included in the report as to why it was not included on and circulated with the agenda are acceptable for recording in the minutes.

E. Exclusion of press and public

To consider whether, in view of the nature of the remaining items on the agenda, it is likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

F. Confidential/exempt items

G. Urgent exempt items (if any)

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

Date of Next Meeting: Planning Sub Committee B, 19 March 2015

Please note all committee agendas, reports and minutes are available on the council's website:

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

Each Planning Sub-Committee consists of five locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning Sub-Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

Consideration of the Application

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Sub-Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

What Are Relevant Planning Objections?

The Planning Sub-Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Sub-Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Zoe Crane/Jackie Tunstall on 020 7527 3044/3068. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk

London Borough of Islington

Planning Sub Committee B - 18 December 2014

Minutes of the meeting of the Planning Sub Committee B held at Council Chamber, Town Hall, Upper Street, N1 2UD on 18 December 2014 at 7.30 pm.

Present: **Councillors:** Klute (Chair), Nicholls (Vice-Chair), Kay and Khan

Councillor Martin Klute in the Chair

53 **INTRODUCTIONS (Item 1)**

Councillor Klute welcomed everyone to the meeting. Members of the Sub-Committee and officers introduced themselves. The Chair explained that the Sub-Committee would deal with the determination of planning applications and outlined the procedures for the meeting.

54 **APOLOGIES FOR ABSENCE (Item 2)**

Apologies were received from Councillor Picknell.

55 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item 3)**

There were no declarations of substitute members.

56 **DECLARATIONS OF INTEREST (Item 4)**

There were no declarations of interest.

57 **MINUTES OF PREVIOUS MEETING (Item 5)**

RESOLVED:

That the minutes of the meeting held on 6 November 2014 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

58 **ORDER OF BUSINESS (Item 6)**

Item B1 - 21-36 Outram Place and playground at rear, was deferred as the committee required that more work be undertaken on the feasibility study. The order of business would be B8, B7, B2, B3, B4, B5, B6 and B9.

59 **21-36 OUTRAM PLACE AND PLAYGROUND AT REAR, N1 (Item 1)**

Retrospective application for the construction and conversion of undercroft car parking area into offices, locker rooms, storage and kitchen facilities and the use of the playground, to the north of Bingfield Street for the parking of service vehicles.

(Planning application number: P2014/4049/FUL)

RESOLVED:

That consideration of the planning application be deferred to enable more work to be undertaken on the feasibility study.

60 **9 SHILLINGFORD STREET, N1 2DP (Item 2)**

Creation of a roof terrace on the existing flat roof to 9 Shillingford Street, to be accessed via a new staircase from the existing first floor landing, with a mechanically opening glass rooflight above.

(Planning application number: P2014/0012/FUL)

In the discussion the following points were made:

- Concern was raised that construction work had been undertaken prior to the application being submitted to the Sub-Committee for determination.
- At No. 11 Shillingford Street there was a roof terrace at the same level which was similar in proportion and size to the proposed roof terrace.
- If the screening had been erected 2m from the back of the terrace, this may have eliminated the sense of enclosure and overlooking.
- Members of the public were advised that if they considered the roof terrace was not being built in accordance with the approved plans, they should contact Planning Enforcement.

Councillor Klute proposed that Condition 3 be amended to require 'hit and miss' slatted privacy screening to enclose the roof terrace. This was seconded by Councillor Khan and carried.

RESOLVED:

That planning permission be granted subject to the conditions and informative detailed in the officer's report with Condition 3 amended as above, the wording of which was delegated to officers in consultation with the Chair.

61 BRECKNOCK ESTATE (16 BLOCKS), BRECKNOCK ROAD, N19 5AN (Item 3)

New boiler flues and plume management kits.

(Planning application number: P121391)

RESOLVED:

That planning permission be granted subject to the conditions and informative detailed in the officer's report.

62 BRECKNOCK ESTATE, BRECKNOCK ROAD, N19 (Item 4)

Replacement of single glazed windows and doors with double glazed, aluminium framed windows and doors.

(Planning application number: P2014/3482/FUL)

In the discussion the following point was made:

- The Brecknock Road Estate Steering Group confirmed they had not objected to the application as was stated in Paragraph 10.6 of the officer's report and they supported the application.

RESOLVED:

That planning permission be granted subject to the conditions and informative detailed in the officer's report.

63 HIGHBURY FIELDS TENNIS COURTS, CHURCH PATH, N5 (Item 5)

The installation of 8.00m floodlighting to two existing outdoor tennis court Numbers 5 and 6 along the eastern boundary (Highbury Grove side).

(Planning application number: P2014/3720/FUL)

RESOLVED:

That planning permission be granted subject to the conditions and informatives detailed in the officer's report.

64 **HIGHBURY FIELDS TENNIS COURTS, CHURCH PATH, N5 (Item 6)**

The installation of low level floodlighting to two existing outdoor tennis courts (Courts 7 and 8) along southern boundary (Baalbec Road side).

(Planning application number: P2014/3719/FUL)

RESOLVED:

That planning permission be granted subject to the conditions and informatives detailed in the officer's report.

65 **HIGHBURY VALE POLICE STATION, 211 BLACKSTOCK ROAD, N5 (Item 7)**

Change of use from Sui Generis (Police Station) to part D2 (Gym) use at upper ground floor level, four flexible A1, A2, D1 and B1 use commercial units at lower ground and upper ground floor levels and eight residential units at upper floors; external works including alterations to front façade, alterations to rear including upper ground floor extension, new stair core and lift shaft, new balconies and other alterations to roof and rear façade.

(Planning application number: P2014/1294/FUL)

In the discussion the following points were made:

- A petition against the inclusion of one large A1 unit had been submitted. However, the current plans had a number of smaller units instead of one large unit.
- An objector raised concern that the distance between a window in the development and her own was less than 18m. The officer stated that the distance had been measured from the balcony rather than the window and the window to window measurement was over 18m. The objector requested that the balconies along the northern boundary be obscurely glazed and the applicant agreed to this.
- Officers were asked if it would be possible to restrict the use of the D2 (Assembly and Leisure) floorspace to Gym uses only. Officers confirmed that this could be conditioned.
- Objectors were reassured that no work should commence until the Construction Method Statement had been submitted and approved in writing by the Local Planning Authority.

Councillor Khan proposed a motion to amend Condition 3 to require the balconies along the northern boundary to be obscurely glazed. This was seconded by Councillor Kay and carried.

Councillor Kay proposed a motion to restrict the use of the D2 (Assembly and Leisure) floorspace to Gym uses only. This was seconded by Councillor Khan and carried.

Councillor Klute proposed a motion to amend Condition 14 to include a site access plan which detailed the roads to be used to access the site. Councillor Klute proposed that all site access must be from Blackstock Road and that the servicing of this site via the Canning Road site entrance would not be permitted. This was seconded by Councillor Khan and carried.

RESOLVED:

That planning permission be granted subject to a Section 106 agreement as set out in appendix 1 of the officer's report and conditions and informative detailed in the report plus

the above amendments to the conditions, the wording of which was delegated to officers in consultation with the Chair.

66 **ST MARY MAGDALENE CHURCH, FORMER CORONER'S COURT/PARKS DEPOT, HOLLOWAY ROAD, N7 8LT (Item 8)**

Listed Building Consent in connection with conversion, extension and alteration of the existing buildings to provide a school (Class D1) and two residential dwelling houses (Class C3).

(Planning application number: P2014/3117/LBC)

Conversion, extension and alteration of the existing buildings to provide a school (Class D1) and two residential dwelling houses (Class C3).

(Planning application number: P2014/3112/FUL)

In the discussion the following points were made by members (the applicant's agent being present but not wishing to speak):

- When the previous permission was granted, the applicant had offered to reserve the two residential units in the scheme for community use. Permission was now being sought for the same development without restrictions on occupiers of the residential units.
- Members were only minded to approve last year's applications because of the occupier restriction in the Section 106 Agreement, which just tipped the balance in favour of approval.
- The Chair suggested that if the residential units were not included in the scheme, the school could be accommodated within the existing buildings. The residential units effectively displaced an area within the existing building which could otherwise be used for school rooms without the need for harmful extensions to the existing buildings.

RESOLVED:

That planning permission and listed building consent be refused due to the loss of residential accommodation for the voluntary of community sector secured by an agreement with the applicant in planning permission P2013/1071/FUL, the resulting loss of public benefit associated with the scheme and because of the harm to heritage assets and their setting and the loss of open area associated with the church gardens. The wording of the reasons for refusal was delegated to officers in consultation with the Chair.

67 **WHITTINGTON PARK FOOTBALL PITCH, HOLLOWAY ROAD, N19 (Item 9)**

Increase the height of the fencing along the north west boundary of the football pitch from 5m to 7m.

(Planning application number: P2014/3121/FUL)

RESOLVED:

That planning permission be granted subject to the conditions and informative detailed in the officer's report.

WORDING DELEGATED TO OFFICERS

9 Shillingford Street, N1 2DP

Amended Condition 3: Details and samples of 'hit and miss' slatted privacy screening to enclose the hereby approved roof terrace shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the terrace.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that the Authority may be satisfied with the external appearance of the building.

Informative: The grant of this permission does not imply approval of any aspect of the scheme constructed prior to this approval being issued.

Highbury Vale Police Station, 211 Blackstock Road, N5

Amended Condition 3:

Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:

- a) solid brickwork (including brick panels and mortar courses)
- b) render (including colour, texture and method of application);
- c) window treatment (including sections and reveals);
- d) roofing materials;
- e) balustrading treatment (including sections);
- f) lift and stair shaft cladding
- g) obscure glazed screens to balconies along the northern boundary and
- h) any other materials to be used.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.

Amended Condition 14:

No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. mitigation measures of controlling noise from construction machinery during business hours

Planning Sub Committee B - 18 December 2014

- xi. site access plan - detailing which roads will be used to access the site. All site access must be from Blackstock Road. Servicing of this site via the Canning Road site entrance will not be permitted
- x. planned demolition and construction vehicle routes and access to the site should avoid school starting and leaving times of 8.30 to 9.30am and 3pm to 4.30pm. The management plan should provide details of how the contractor and their suppliers will achieve compliance with this condition.

The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.

Additional Condition 15: The D2 (Assembly and Leisure) floorspace shall be strictly limited to Gym uses only within Use Class D2. No planning permission is hereby granted for any other purposes within Use Class D2 of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order).

REASON: It is considered that the operation of any other D2 use in this location may have impacts, which should be subject of public consultation and a full planning application. The restriction of the use invokes the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995.

St Mary Magdalene Church, Former Coroner's Court/Parks Depot, Holloway Road, N7 8LT

P2014/3117/LBC - The proposed extension to the Mortuary Building will result in harm to the setting of the grade II* listed building. As a result of this harm there is a significant loss of public benefit associated with the scheme and given the loss of an area associated with the church gardens; the proposal is considered to adversely affect the setting of the listed building and the significance of this part of the conservation area. As such the proposal would be contrary to the provisions of section 12 of the NPPF and ID:18a, section 3 'Decision taking: Historic environment of the PPG.

P2014/3112/FUL - The proposed development will result in the loss of residential accommodation for the voluntary or community sector secured by an agreement with applicant in planning permission P2013/1071/FUL dated 02/10/2013. As a result of this loss there is a significant loss of public benefit associated with the scheme and also the loss of an area associated with the church gardens. The proposed increase in overall built area required to facilitate the development of the school in addition to two residential units would result in significant harm to the setting of the grade 2* listed building in terms of scale, massing and design, and would also result in a loss of public benefit, through the loss of open area associated with the church gardens. These harms were previously mitigated by an undertaking included with the previously approved application (ref P2013/1071/FUL) to commit the occupation of the housing to community use via the mechanism of a S106 agreement. The removal of this undertaking renders the overall impact of the scheme in terms of harm to the setting of the listed building and the loss of public benefit contrary to the provisions of section 12 of the NPPF and ID: 18a, Section 3 'Decision-taking: historic environment' of the PPG.

The meeting ended at 8.55 pm

CHAIR

COMMITTEE AGENDA

1 1 Netherleigh Close London London N6 5LL

2 2 Netherleigh Close London London N6 5LL

3 2-8 Balfe Street and 35-45 Caledonian Road London N1 9EG

4 23 - 26 Hyde's Place London N1 2XE

5 3 Netherleigh Close London London N6 5LL

6 4 Netherleigh Close London London N6 5LL

7 Archway Leisure Centre, Macdonald Road, London N19 5DD

8 Islington Arts And Media School 1 Turle Road London N4 3LS

9 WORCESTER POINT Central Street London EC1V 8AZ

10 Worcester Point, Central Street, London EC1V 8AZ

11 Worcester Point, Central Street, London, EC1V 8AZ

1 1 Netherleigh Close London London N6 5LL

Ward: Junction

Proposed Development: Construction of a mansard roof extension with 2. no rooflights to front elevation.
Replacement windows and doors.

Application Number: P2014/4016/FUL

Application Type: Full Planning (Householder)

Case Officer: Krystyna Williams

Name of Applicant: Mr David Glazer

Recommendation:

2 2 Netherleigh Close London London N6 5LL

Ward: Junction

Proposed Development: Construction of a mansard roof extension with 2. no rooflights to front elevation. Replacement windows and doors.

Application Number: P2014/4018/FUL

Application Type: Full Planning (Householder)

Case Officer: Krystyna Williams

Name of Applicant: Dr Christopher & David Farnham & Tomlinson

Recommendation:

3 2-8 Balfe Street and 35-45 Caledonian Road London N1 9EG

Ward: Caledonian

Proposed Development: Part demolition of 2-8 Balfe Street and 35-45 Caledonian Road, the erection of a part four storey, part second floor, part third floor and roof extension to create a four storey building, alterations to Balfe Street, Caledonian Road and northern elevations, erection/replacement of six shopfronts on Caledonian Road, lowering of basement floor level and change of use of six retail units (A1 use) fronting Caledonian Road to offices (B1 use). Re-advertised due to receipt of amended plans and amended Design and Access Statement.

Application Number: P2014/3577/FUL

Application Type: Full Planning Application

Case Officer: Nathaniel Baker

Name of Applicant: The Institutes of Physics

Recommendation:

4 23 - 26 Hyde's Place London N1 2XE

Ward: St. Marys

Proposed Development: Erection of a glazed roof extension at second floor level to create additional storey.

Application Number: P2014/4365/FUL

Application Type: Full Planning (Householder)

Case Officer: Thomas Broomhall

Name of Applicant: Mr Guy Walker

Recommendation:

5 3 Netherleigh Close London London N6 5LL

Ward: Junction

Proposed Development: Construction of a mansard roof extension with 2. no rooflights to front elevation. Replacement windows and doors.

Application Number: P2014/4017/FUL

Application Type: Full Planning (Householder)

Case Officer: Krystyna Williams

Name of Applicant: Mr David Glazer

Recommendation:

6 4 Netherleigh Close London London N6 5LL

Ward: Junction

Proposed Development: Construction of a mansard roof extension with 2. no rooflights to front elevation. Replacement windows and doors.

Application Number: P2014/4019/FUL

Application Type: Full Planning (Householder)

Case Officer: Krystyna Williams

Name of Applicant: Mr & Mrs Naomi & Peter Selby Grin & Matthew Joy

Recommendation:

7 Archway Leisure Centre, Macdonald Road, London N19 5DD

Ward: Junction

Proposed Development: Single storey extension to leisure centre main entrance. Internal first floor infill.

Application Number: P2014/3524/FUL

Application Type: Full Planning Application

Case Officer: Eoin Concannon

Name of Applicant: Ms Lucy Murray-Robertson

Recommendation:

8 Islington Arts And Media School 1 Turle Road London N4 3LS

Ward: Tollington

Proposed Development: Siting of one storage container along the western boundary of the school grounds to provide additional storage for the school.

Application Number: P2014/3611/FUL

Application Type: Full Planning Application

Case Officer: Eoin Concannon

Name of Applicant: Mr TUNDE OGUNDIYA

Recommendation:

9 WORCESTER POINT Central Street London EC1V 8AZ

Ward: Bunhill

Proposed Development: Installation of 1no. Satellite and associated equipment including walkway and balustrade

Application Number: P2014/3169/FUL

Application Type: Full Planning Application

Case Officer: Joe Aggar

Name of Applicant: Mr Paul Abbott

Recommendation:

10 Worcester Point, Central Street, London EC1V 8AZ

Ward: Bunhill

Proposed Development: Application is for 3no. Satellite receivers on the roof of Worcester Point plus associated equipment, including walkway and balustrade.

Application Number: P2014/4053/FUL

Application Type: Full Planning Application

Case Officer: Joe Aggar

Name of Applicant: Pacific Television - Mr Paul Abbott

Recommendation:

11 Worcester Point, Central Street, London, EC1V 8AZ

Ward: Bunhill

Proposed Development: Variation of a condition 2 (drawings) of planning permission P2013/3137/FUL to re-position x2 satellite dishes plus associated equipment including walkway and balustrade.

Application Number: P2014/3596/S73

Application Type: Removal/Variation of Condition (Section 73)

Case Officer: Joe Aggar

Name of Applicant: Mr Paul Abbott

Recommendation:

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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 A | | AGENDA ITEM NO: |
| Date: | 5th February 2015 | NON-EXEMPT |

| | |
|--------------------------|---|
| Application number | P2014/4016/FUL, P2014/4018/FUL, P2014/4017/FUL & P2014/4019/FUL |
| Application type | Full Planning (Householder) |
| Ward | Junction |
| Listed building | No |
| Conservation area | Highgate Hill/Hornsey Lane Conservation Area |
| Development Plan Context | Highgate Hill/Hornsey Lane Conservation Area, Local Cycle Route 170914 |
| Licensing Implications | None |
| Site Address | 1 – 4 Netherleigh Close, London, N6 5LL |
| Proposal | Construction of a mansard roof extension with 2 no. rooflights to front elevation and replacement windows and doors to 1 – 4 Netherleigh Close. |

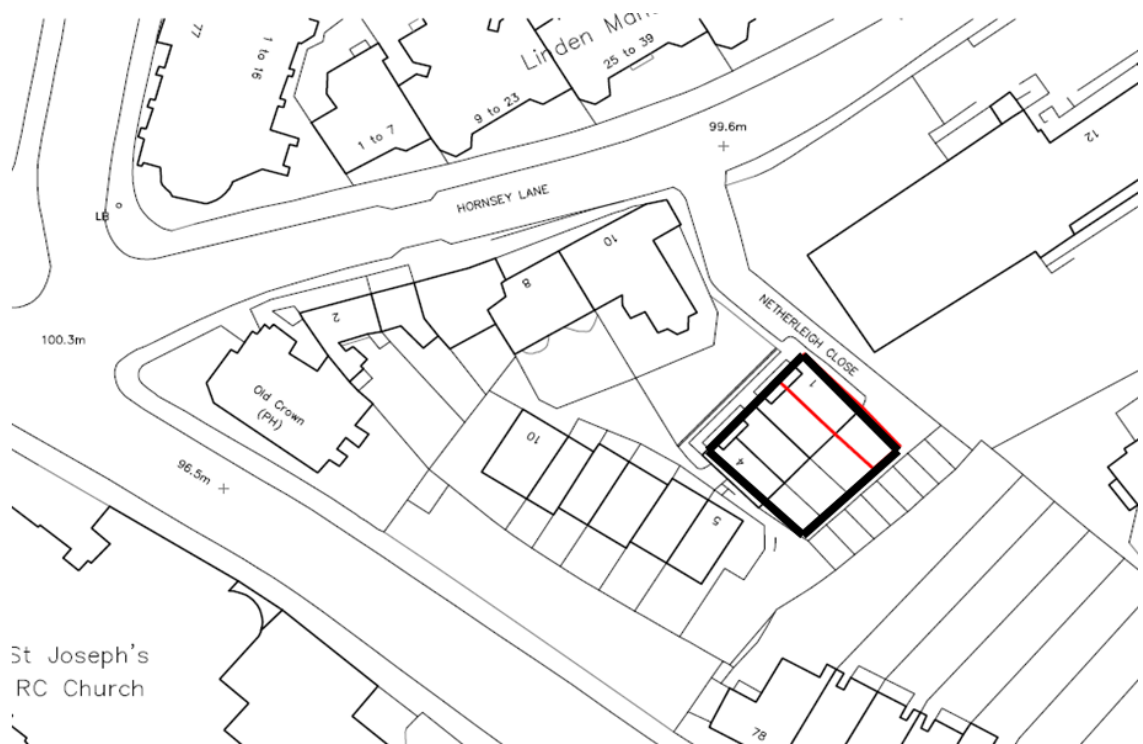
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| Case Officer | Krystyna Williams |
| Applicant | Mr David Glazer, Dr Christopher & David Farnham & Tomlin, Mr & Mrs Naomi & Peter Selby Grin & Matthew Joy. |
| Agent | Tasou Associates |

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 black)



3. PHOTOS OF SITE/STREET

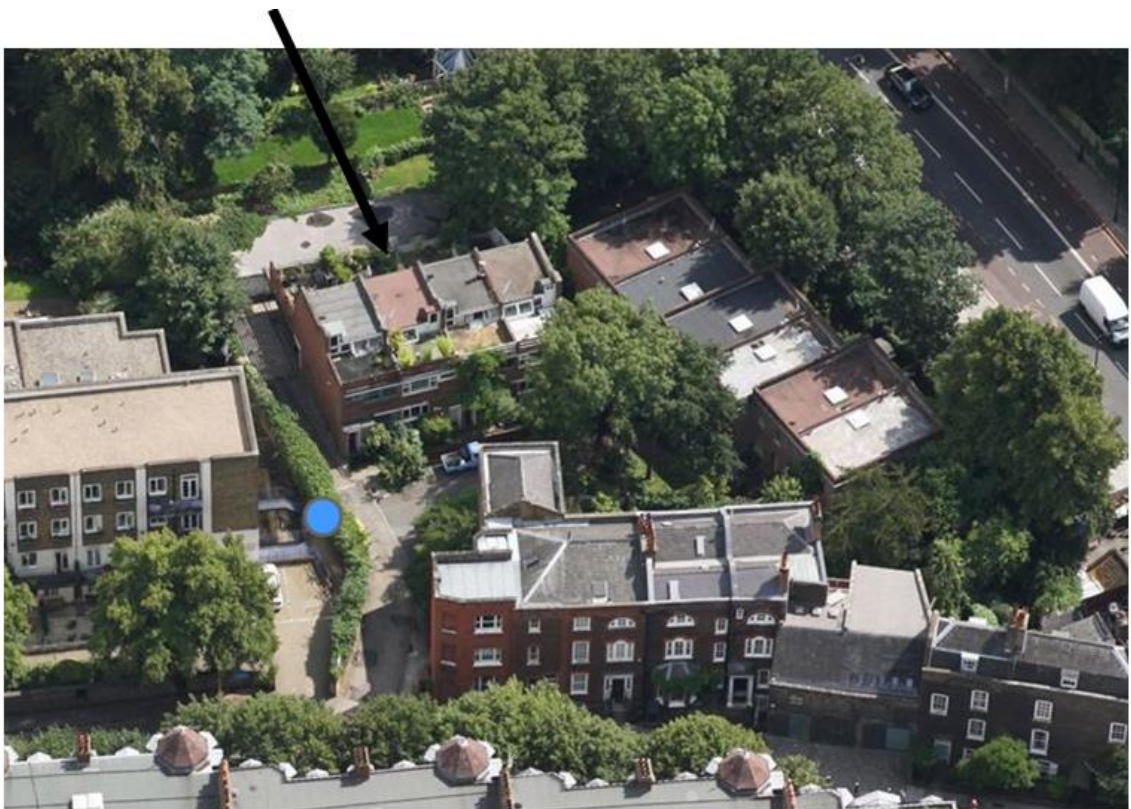


Image 1: Aerial photograph showing the front elevations of No's 1 – 4 Netherleigh Close with existing roof terrace



Image 2: Aerial photograph showing the rear elevations of No's 1 – 4 Netherleigh Close and surrounding buildings



Image 3: Front Elevation of the application site and terrace at 1 – 4 Netherleigh Close

4. SUMMARY

- 4.1 Planning permission for four individual properties is sought for the construction of a mansard roof extension with 2 no. rooflights to front elevation over each property. The proposal also comprises the replacement of existing windows and doors to the front and rear elevation with aluminium powder coated double glazed units to all four properties in the terrace.

- 4.2 This report forms the assessment of all four applications submitted as the proposals are identical.
- 4.3 The proposed roof level accommodation will include a bathroom to the front elevation facing towards the rear elevations of No's 8-10 Hornsey Road, and an additional bedroom to the rear elevation.
- 4.4 This application is being heard at Planning Committee as a result of the level of objection received from local residents to the proposed development.
- 4.5 The application site comprises a part two/part three storey end of terrace property, forming part of a small terrace of 4 residential properties. Netherleigh Close is accessed via Hornsey Lane which is situated to the north of the site. The building is not listed but is located within the Highgate Hill / Hornsey Lane Conservation Area.
- 4.6 Four separate planning applications with the same description of development have been submitted for works at No's 1, 2, 3 & 4 Netherleigh Close (ref: P2014/4016/FUL, P2014/4018/FUL, P2014/4017/FUL & P2014/4019/FUL)
- 4.7 Amended drawings were submitted on the 14th November 2014 to overcome officer concern relating to the design and appearance of the roof extensions. The proposed render was omitted and replaced with a red brick to match existing. The proposed roof covering would be zinc and new aluminium windows are considered acceptable given the properties are relatively modern (1970's). The number of rooflights to the front elevation has been reduced from three to two to provide a more proportionate appearance.
- 4.8 Consideration has been given to the effect of the proposed development on neighbouring amenities in terms of overlooking, loss of privacy, outlook, loss of light and sense of enclosure. The proposal is considered acceptable in relation to neighbour amenity and does not raise any other issues.

5. SITE AND SURROUNDING

- 5.1 The application site comprises a part two/part three storey terrace of four residential properties, No's 1-4 Netherleigh Close. Netherleigh Close is accessed via Hornsey Lane which is situated to the north of the site. The building is not listed but is located within the Highgate Hill / Hornsey Lane Conservation Area.
- 5.2 Situated directly to the west of 1-4 Netherleigh Close is another terrace of 6 properties, No's 5-10 Netherleigh Close. To the east of the site is Fitzwarren House, a five storey residential development. To the north of the site are No's 8 & 10 Hornsey Lane which comprise four storey residential properties, subdivided into flats. Immediately to the south of the application building is a small car parking area and garages associated with Netherleigh Close. Adjoining the garages are the rear gardens of properties located along Highgate Hill.

6. PROPOSAL (IN DETAIL)

- 6.1 Full planning permission is sought for four individual properties, which form a terrace, for the construction of a mansard roof extension with 2 no. rooflights to the front elevation at No's 1 – 4 Netherleigh Close. The proposal also comprises the replacement of existing windows and doors to the front and rear elevation with aluminium powder coated double glazed units.
- 6.2 Amended drawings were submitted on the 14th November 2014 to overcome officer concern relating to the design and appearance of the extensions. The proposed render has been omitted and replaced with a red brick to match existing. The number of rooflights to the front elevations has been reduced from three to two to provide a more proportionate appearance.
- 6.3 The mansard roof extensions will be finished in zinc and include 2 no. rooflights to each property to the front elevation and full width aluminium, double glazed windows to the rear elevations. New aluminium windows are proposed to the front elevations at ground and first floor and a timber door at ground floor.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **850695** - Construction of conservatory extension to top floor extension at No. 1 Netherleigh Close. Approved 29/07/1985.

Relevant applications at adjoining sites

- 7.2 **P2014/4018/FUL** - Construction of a mansard roof extension with 2. no rooflights to front elevation. Replacement windows and doors at 2 Netherleigh Close. Recommended for Approval.
- 7.3 **P2014/4017/FUL** - Construction of a mansard roof extension with 2. no rooflights to front elevation. Replacement windows and doors. Recommended for Approval.
- 7.4 **P2014/4019/FUL** - Construction of a mansard roof extension with 2. no rooflights to front elevation. Replacement windows and doors. Recommended for Approval.

ENFORCEMENT:

- 7.5 None.

PRE-APPLICATION ADVICE:

- 7.6 None.

8. CONSULTATION

Public Consultation

- 8.1 A total of 35 letters were sent to occupants of adjoining and nearby properties dated 14/10/2014. A site and press notice were also displayed.
- 8.2 A further round of consultation was required as the 'replacement windows and doors' had been missed from the description of development by the case officer. A total of 35 letters were sent out to adjoining and nearby properties dated 02 December 2014. A site and press notice was displayed on the 04/12/2014. The re-consultation date expired on the 25 December 2014. However, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 There have been eight objections raised to the proposals. The objections can be summarised as follows (with the relevant paragraph numbers of the evaluation listed):
- Design and appearance (See Paragraphs 10.3 – 10.11);
 - Use of white render is unacceptable (See Paragraph 10.7);
 - The extension will be visible from the street and public area and is contrary to policy (See Paragraphs 10.3 – 10.11);
 - Impact on Conservation Area (See paragraphs 10.3 – 10.11);
 - Overlooking and loss of privacy (See Paragraphs 10.14 – 10.15);
 - Loss of Light (See Paragraph 10.16-10.18);
 - Construction noise and disturbance (See Paragraphs 10.21);
 - Result in an increase in residents, overcrowding and resultant problems with parking and refuse collection (See Paragraph 10.19);
 - Loss of views of mature trees (See Paragraphs 10.20);
 - Increase in traffic in the area (See Paragraph 10.19).
 - Inaccuracies with consultation (See Paragraph 10.22)

External Consultees

- 8.4 None.

Internal Consultees

- 8.5 **Design & Conservation Team:** Approve subject to the recommended alterations to the design.

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.
- 9.2 The National Planning Practice Guidance 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, The 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, and Site Allocations 2013:

- **Highgate Hill/Hornsey Lane**

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
- Design and appearance and impacts on the host building & surrounding Highgate Hill / Hornsey Lane Conservation Area;
 - Impact on amenity of neighbours.
- 10.2 The National Planning Policy Framework (NPPF) has been considered in the assessment of this application.

Design and Appearance

- 10.3 No's 1-4 Netherleigh Close is located within the Highgate Hill/Hornsey Lane conservation area. The properties make up a c1970s terrace of four part two/part three storey houses which are set back from the main road but are partially visible from the access to Netherleigh Close off Hornsey Lane. The construction of mansard roof extensions are considered to be acceptable in principle but subject to satisfactory design.
- 10.4 Section 30.9 (i) of the CADG states that new roof extensions visible from street level will only be allowed on those terraces where a significant number already

exist, with the intention of eventually completing a new and harmonious roof line on these terraces.

- 10.5 In this instance all four properties on Netherleigh Close (No's 1 – 4) seek to construct the same matching roof extension. On this basis, the proposal is deemed acceptable as the resultant roof form will be consistent and harmonious. The owner/occupiers of No's 1 – 4 Netherleigh Close will need to enter into a Unilateral Planning Obligation made under Section 106 Town and Country Planning Act 1990 relating to land at 1 – 4 Netherleigh Close to ensure all roof extensions are constructed simultaneously. This forms an informative to this report.
- 10.6 In most instances any new extensions within a conservation area would be expected to use traditional materials such as red stock brick, timber windows and doors and slate roofs. Such traditional materials reflect the surrounding properties and the character of the conservation area. However, the properties at Netherleigh Close are relatively modern (1970's), and subsequently a more contemporary design is acceptable given the host building style and context within which they are located. The design and conservation officer agrees with this approach and is satisfied with the revised scheme.
- 10.7 Amended drawings have been submitted during the assessment of the application following officer comments. The proposed white render has been omitted from the scheme following officer objection and has been replaced with red brick to match existing. The number of rooflights to the front roofslope have been reduced from three to two on each property in order to achieve a desirable appearance and align with the existing proportions of the buildings. Given the relatively modern style of the host buildings, a zinc roofing material is acceptable.
- 10.8 New aluminium windows are proposed to the front elevation at ground and first floor and a timber doors at ground floor. Replacement aluminium windows are proposed to rear ground floor. Again, given the contemporary style of the buildings the use of aluminium windows/sliding doors is acceptable. The Design and Conservation officer raises no objection to the revised drawings.
- 10.9 Views from Hornsey Lane to the north of the site would be in most part obscured by the existing buildings, and there would be only glimpses of the proposed mansard roof extensions from the public realm. The application buildings are screened entirely from Highgate Hill by existing buildings. The only public views would be from Netherleigh Close itself and from the access to Netherleigh Close off Hornsey Lane.
- 10.10 There is a diverse mix of buildings surrounding the application sites and there is no consistent style. Given the relatively modern design of the host buildings and taking into consideration the surrounding context, the proposed roof extensions at 1-4 Netherleigh Close are not seen to harm the conservation area. Subsequent to this, given the limited visibility from the streetscene and public realm, the roof extensions are seen to result in negligible harm as not to

warrant the refusal of this application. The construction of consistent roof extensions at the terrace would be acceptable in this setting.

- 10.11 The proposal, if constructed together (rather than individually), is not considered to have a harmful impact on the host buildings or terrace and surrounding streetscene, nor would it negatively impact on the character or appearance of the Highgate Hill/Hornsey Lane Conservation Area and it is therefore considered to generally comply with London Plan policies 7.4 (Local Character), CS9 of the Islington Core Strategy and Policies DM2.1 (Design) and DM2.3 (Heritage) of the Islington Development Management Policies 2013.

Neighbouring Amenity

- 10.12 Impact on surrounding residential amenity has been considered in the assessment of this application. The site is located on the southern side of Hornsey Lane, on Netherleigh Close. The site is landlocked with the rear of residential properties located on Hornsey Lane, Fitzwarren House and Highgate Hill. Notwithstanding this constrained site, there is sufficient separation to prevent any adverse impact on neighbouring occupiers' amenity.
- 10.13 There have been eight objections to the proposed development. The issues raised relating to design and appearance, including views of the roof extension, have been addressed above in paragraphs (10.3 - 10.11).
- 10.14 Loss of privacy and increased overlooking has been raised as a concern. The proposed mansard extensions comprise two rooflight windows to the front elevations which will serve bathrooms. The windows to the front roofslope have been reduced from three to two to address design concerns. Given the windows serve bathrooms they will subsequently be obscurely glazed. A condition will be attached to secure this. On this basis, there will be no increased overlooking to the front of the site towards the rear elevations of 8 – 10 Horney Lane.
- 10.15 The roof extensions will have full width aluminium powder coated double glazed windows to the rear elevations. The windows will be positioned directly above existing full width windows below. There are existing rear windows and existing terrace areas at to the rear elevations of 1- 4 Netherleigh Close. There would be no direct overlooking to the properties located to the rear of the site (rear elevations of properties located at Highgate Hill) as a result of the extensions, taking into account the existing site arrangement, vegetation & trees between the buildings and the distance between the application site and properties to the rear and importantly, the oblique angle between 1-4 Netherleigh Close and the properties at Highgate Hill. There is a distance of 20 metres from the rear of No. 4 Netherleigh Close to No. 78 Highgate Hill and a distance of 30 metres from the rear of No. 1 Netherleigh Close to No. 78 Highgate Hill. The proposed additional windows at the application sites would present a situation no worse than what currently exists with the existing windows and rear terraces at No. 1 – 4 Netherleigh Close.

- 10.16 The proposed mansard roof extensions to the front elevations would increase the height of the building by 2.7 metres. The rearward element of the roof extension would result in an increase of 2.1 metres. In terms of loss of light the distance between the application site (measurements taken from closest point along the terrace at 1 – 4 Netherleigh Close) and the rear of No. 10 Hornsey Lane is 13 metres and the rear of No. 8 Hornsey Lane is 23 metres. On the basis of the height increase, this is considered a more than adequate distance as not to result in any loss of light to the rear windows of these properties. In addition, 1-4 Netherleigh Close is located at a lower land level than the properties along this section of Hornsey Lane. The rear windows at Hornsey Road are located at a sufficient distance from the application site and the rear windows each meet the 25 degree rule.
- 10.17 There is a distance of over 20 metres from the rear elevation of 1 – 4 Netherleigh Close to the closest building at Highgate Hill, No. 78. There would be no impact in terms of loss of light. The 25 degree rule is met.
- 10.18 In respect to No's 5-10 Netherleigh Close, which are located to the west of the application site, these properties are already overshadowed to a degree by 1-4 Netherleigh Close due to the close proximity. No. 5 Netherleigh Close has a south facing wall with a number of windows in it, providing ample daylight to the habitable rooms. This south facing elevation forms the main elevation of No. 5 Netherleigh Close and the proposal would therefore not have an impact on the daylight serving this property. In relation to No. 6 Netherleigh Close, as a result of the orientation of the site, the rear elevation of No. 6 Netherleigh Close is already obscured to a degree by the application site during the morning hours (the application site is located to the north east of No's 5-10 Netherleigh Close). Notwithstanding this the proposed roof extensions are not considered to represent any further detrimental impact on these properties in terms of loss of light.

Others matters raised by objectors

- 10.19 A further issue raised in objection letters relates to increases in traffic, increases in parking requirements at the site, overcrowding due to an increase in residents and impacts on refuse collection. The proposal does not seek to increase the number of units at the site. The applications are to construct an additional bedroom and bathroom at the four residential properties. The proposal does not seek to introduce additional vehicles and/or parking spaces at the site. There will be no impact on refuse collection as a result of the proposed development as no additional units are proposed.
- 10.20 Concern has been expressed in relation to the loss of views of mature trees. This is not a material consideration in the assessment of a planning application and no weight can be given to this objection.
- 10.21 Objection has also been raised insofar as the development would result in noise and disturbance during the construction phase. The demolition and construction periods are generally responsible for the most disruptive impacts affecting residential amenity and this issue has been raised by an objector.

The council has powers under the Control of Pollution Act to restrict the hours of noisy working. Any subsequent work outside of these hours can result in prosecution and a fine of up to £5,000. The council can also specify other standards or conditions with which the builder or owner must comply. The council allows building works that generate noise to be carried out between the hours of: 8am - 6pm on Monday to Friday, 8am - 1pm on Saturday and no audible building works to be carried out on Sunday or public holidays. A condition is recommended to control working hours during the construction phase.

- 10.22 There has been one objection stating that there have been inaccuracies with the public consultation undertaken. The objection states that No's 5-10 Netherleigh Close were not consulted on all four applications. Only No. 4 Netherleigh Close adjoins No's 5-10 Netherleigh Close, and all adjoining neighbours were consulted, the correct consultation has been undertaken to meet the statutory requirements.
- 10.23 Overall, the creation of roof extensions to No's 1-4 Netherleigh Close is not considered to have any material adverse impact in terms of any undue sense of enclosure, loss of light and outlook, privacy or increased incidences of overlooking in relation to adjoining properties. The proposed development is thereby considered to comply with policy DM2.1 (Design) of the Development Management Plan 2013.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 In accordance with the above assessment, it is considered that the proposed development is generally consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director Planning and Development/Head of Service – Development Management or in their absence or relevant Team Manager:

1. There shall be no commencement on any of the individual sites until a building contract for the development of all four sites together has been approved by the Council

All payments are due on practical completion of the development and are to be index-linked from the date of committee. Index linking is calculated in accordance with the Retail Price Index. Further obligations necessary to address other issues may arise following consultation processes undertaken by the allocated S106 officer.

That, should the **Section 106** Deed of Planning Obligation not be completed within 6 weeks from the date of the decision of the application, the Service Director Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development is not acceptable in planning terms. ALTERNATIVELY should this application be refused and appealed to the Secretary of State, Service Director Planning and Development / Head of Service – Development Management be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions: 1-4 Netherleigh Close

| | |
|----------|---|
| 1 | Commencement |
| | CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5). |
| 2 | Approved plans list |
| | CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: |

| | |
|----------|--|
| | <p>OS.01; Dwg No's: EX.01; EX.02; EX.03; PP.01 Rev A; PP.02 Rev A; PP.03 Rev A; EX. Image; PP. Image Rev A; Design and Access Statement prepared by Tasou Associated.</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 | Facing Brickwork |
| | <p>MATERIALS TO MATCH (COMPLIANCE): The facing brickwork of the roof 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.</p> |
| 4 | Materials |
| | <p>MATERIALS (COMPLIANCE): The development shall be constructed in accordance with the schedule of materials noted on the plans. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p> |
| 5 | Obscurely glazed rooflights to front elevation |
| | <p>CONDITION: The 2 no. rooflights to the front elevation shown on the plan No.PP.02 Rev A hereby approved, shall be obscurely glazed shall be provided as such prior to the first occupation of the development.</p> <p>All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p> |
| 6 | Hours of Construction |
| | <p>No building work shall be carried out at the site outside the following hours:</p> <ul style="list-style-type: none"> • 8am - 6pm, Monday to Friday; • 8am - 1pm, Saturday; and • no audible building works to be carried out on Sunday or public holidays <p>REASON: To safeguard surrounding residential amenity.</p> |

List of Informatives:

| | |
|----------|---|
| 1 | Positive statement |
| | <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 | Section 106 |
| | SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990. |

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 and the Finsbury Local Plan 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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.4 Local character

Policy 7.6 Architecture

B) Islington Core Strategy 2011

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

5. 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:

- **Highgate Hill/Hornsey Lane Conservation Area**

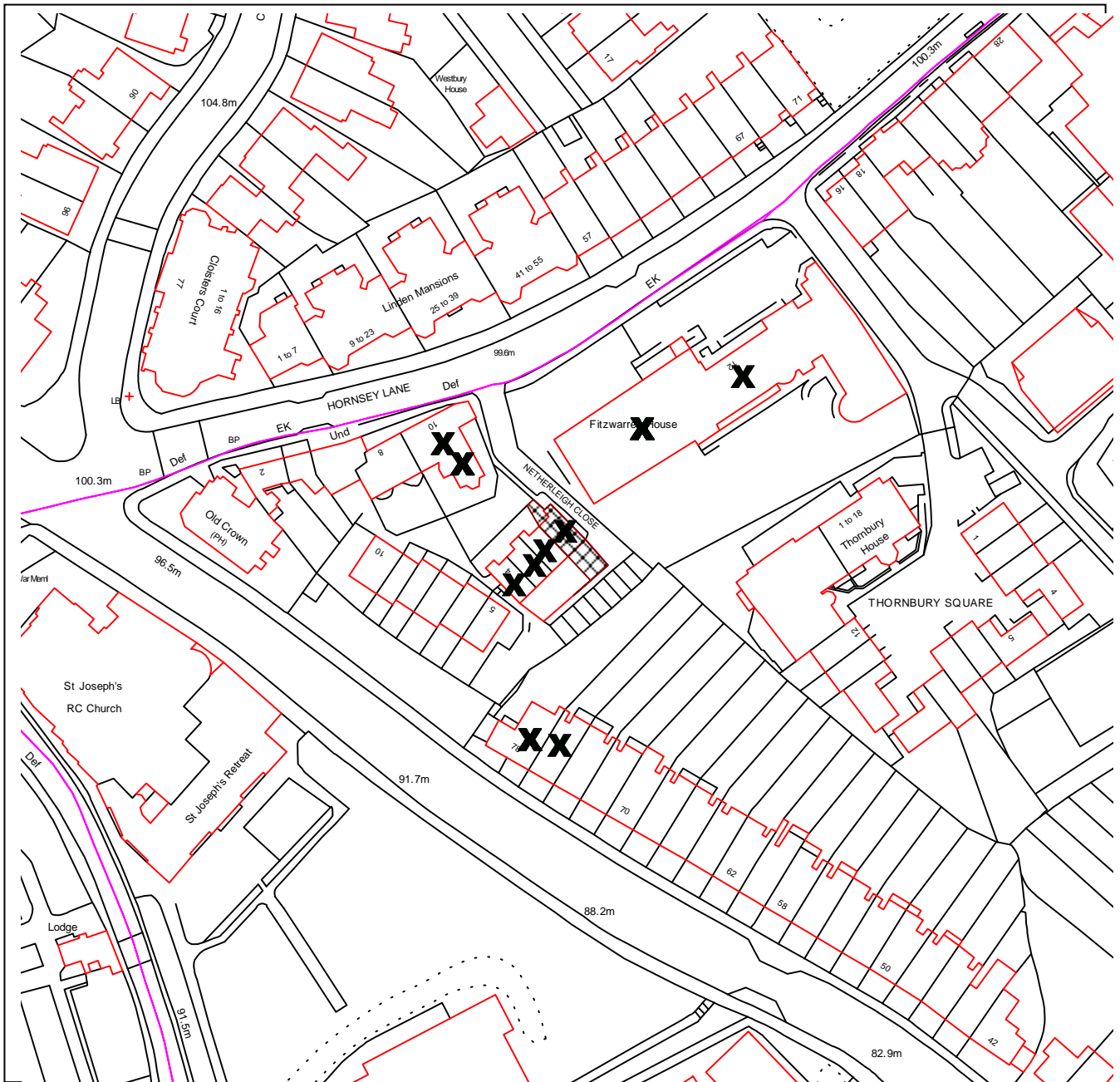
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan**
- **Conservation Area Design Guidelines (2002)**
 - **Urban Design Guide (2006)**



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/4016/FUL

LOCATION: 1 NETHERLEIGH CLOSE LONDON LONDON N6 5LL

SCALE: 1:1250

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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 | | |
| Date: | 5th February 2015 | NON EXEMPT |

| | |
|--------------------------|--|
| Application number | P2014/3577/FUL |
| Application type | Full Planning Application |
| Ward | Caledonian Ward |
| Listed building | 35-43 Caledonian Road are locally listed 5-35 Balfe Street opposite the site are grade II listed |
| Conservation Area | Keystone Crescent |
| Development Plan Context | Core Strategy Key Area – Kings Cross and Pentonville Mayor's Protected Vista Kenwood Viewing gazebo to St Paul's Cathedral Mayors Protected Vista Right Lateral Assessment Area Within 100 metres of Strategic Road Network Within 50 metres of Kings Cross Conservation Area Local Flood Risk Zone Caledonian Road side falls within Kings Cross Local Shopping Area |
| Licensing Implications | N/A |
| Site Address | 2-8 Balfe Street and 35-45 Caledonian Road, Islington, London, N1 9EG |
| Proposal | Part demolition of 2-8 Balfe Street and 35-45 Caledonian Road, the erection of a part four storey, part second floor, part third floor and roof extension to create a four storey building, alterations to Balfe Street, Caledonian Road and northern elevations, erection/replacement of six shopfronts on Caledonian Road, lowering of basement floor level and change of use of six retail units (A1 use) fronting Caledonian Road to offices (B1 use). |

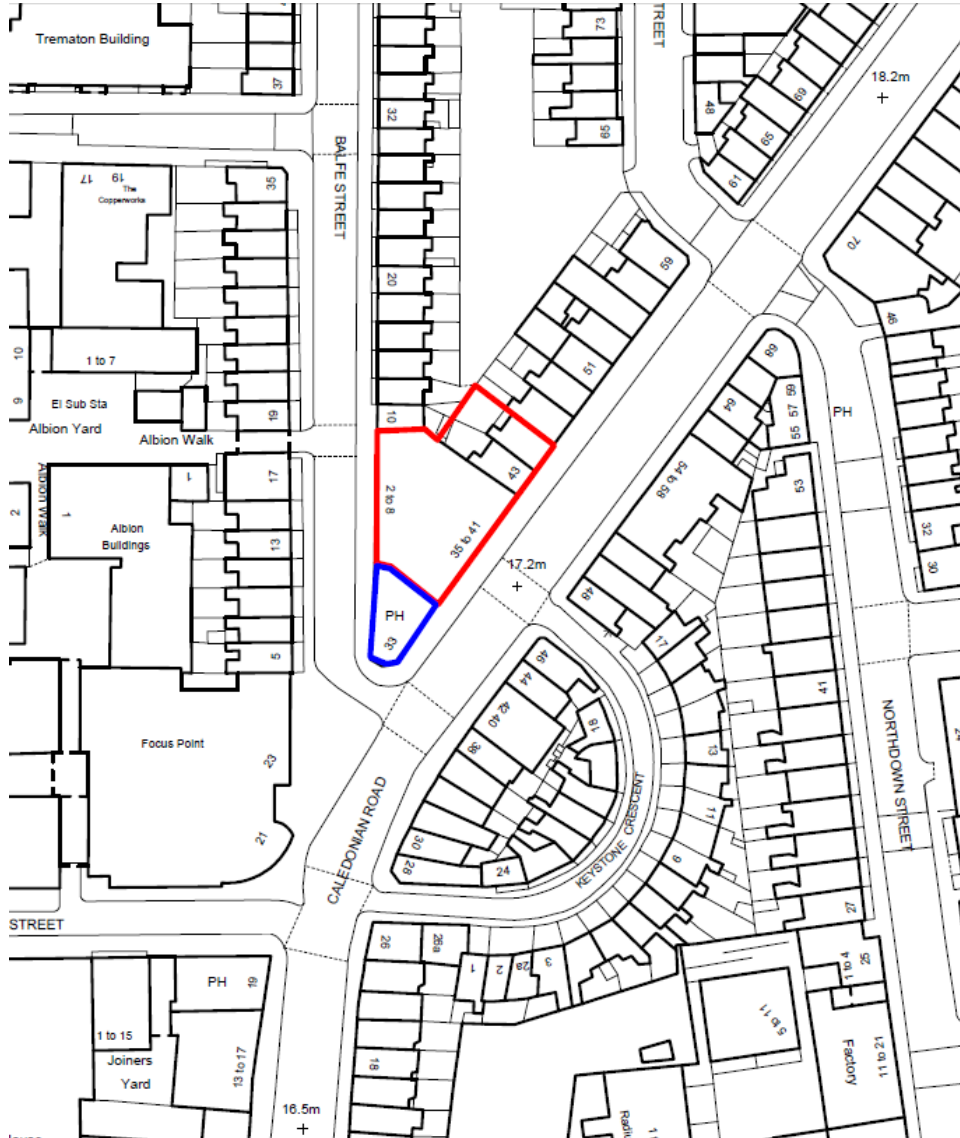
| | |
|--------------|---------------------------|
| Case Officer | Mr Nathaniel Baker |
| Applicant | The Institutes of Physics |

1 RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1

2 SITE PLAN (SITE OUTLINED IN BLACK) - Note that the PH to the south of the site is edged in blue on the online plan.



3 PHOTOS OF SITE/STREET



Image1: Aerial view of site:

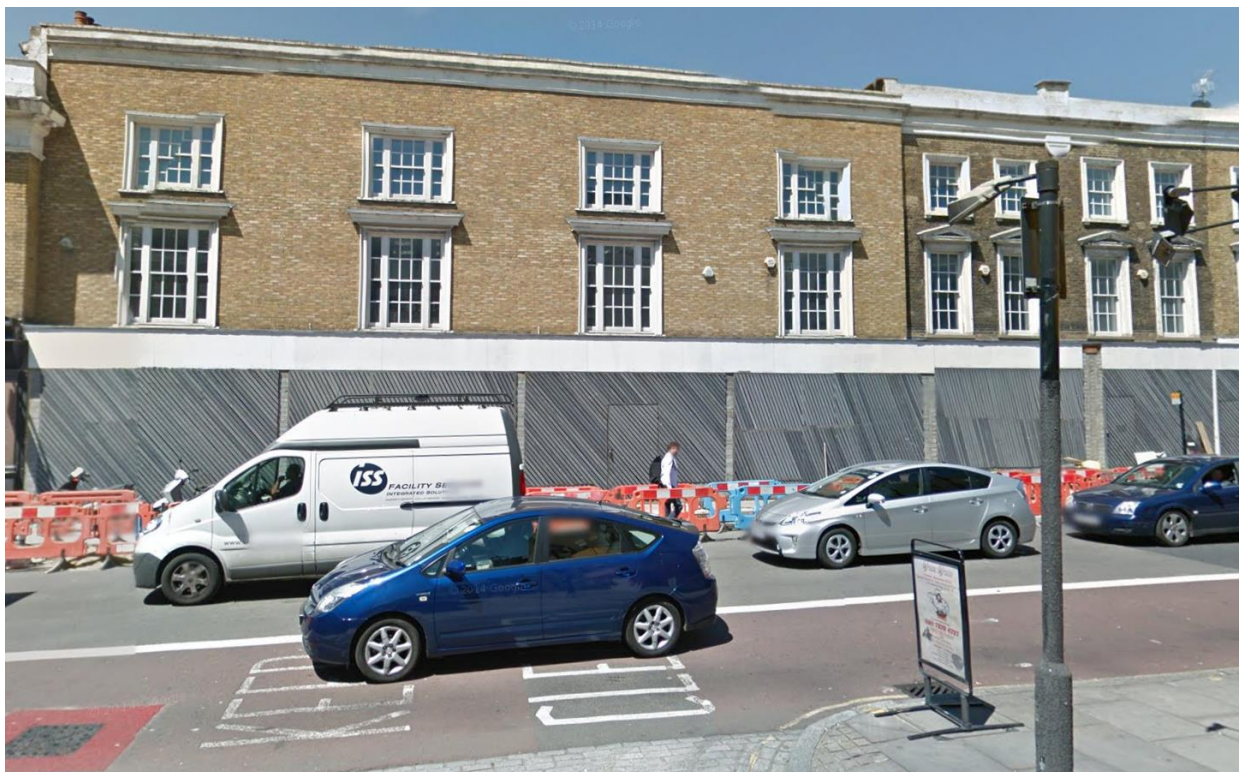


Image2: Caledonian Road elevation:



Image3: Balfe Street elevation:



Image4: View from Battlebridge Community Garden

4 SUMMARY

- 4.1 The proposal would bring a currently vacant building back into use, increase the extent of office and employment floorspace within the locality and enhance the viability and vitality of a Local Shopping Area.
- 4.2 The proposal, while of considerable scale, would reintroduce shopfronts and activity to Caledonian Road and although contrary to the Conservation Area Design Guidance, it would provide a high quality design at the site that would frame the retained historic facades, reference the character of the locality and positively contribute to the Conservation Area.
- 4.3 The proposal would result in some harm to the Conservation Area (a designated Heritage Asset) and the building (a non-designated Heritage Asset) but in accordance with the NPPF the public benefits of the proposal (education, employment, economic, regeneration and sustainability) have been assessed. In this case the public benefits of the proposal are considered to outweigh any harm.
- 4.4 Residents concerns predominantly relate to neighbour amenity. Although increasing the height of the buildings on the site within close proximity residential properties the proposed development would not be overbearing to neighbouring occupiers. There are identified effects and losses of daylight receipt to neighbouring properties as a result of the development but following a technical assessment of these losses, it is not considered that this would justify the refusal of the application in the context of the balance of various planning considerations.
- 4.5 The proposal would introduce a building with high standards of energy efficiency and sustainability that would exceed policy requirements. It would also provide sufficient cycle parking spaces in accordance with policy requirements.
- 4.6 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The application site is formed of a building set between Caledonian Road and Balfe Street, with frontages onto both and forms the penultimate building before Balfe Street meets Caledonian Road to the south of the site.
- 5.2 On Caledonian Road the building is formed of two elements; the larger part consists of 4 x three storey, laterally linked terraced properties that have a refurbished frontage (No. 35 - 41). At ground floor level these terraces have four A1 units laid out but not completed, with the shopfronts removed and extensive hoarding which has been in place for a number of years. Beyond this to the north, there are 2 x three storey historic terraced buildings (No. 43 and 45) which are internally linked to the building and again have the shell of A1 units at ground floor level.
- 5.3 The Balfe Street side of the building consists of a red brick, two storey historic warehouse building (No. 4 – 8) with a projecting gable, and a more recent cream painted breeze block two storey addition to the south (No. 2). Above the Balfe Street buildings and to the rear of Caledonian Road are two extensive roof terraces,

projecting roof lanterns, a glazed lift overrun and extensive air handling units set within bamboo screening.

- 5.4 Beyond the site to the south and forming the corner building where Balfe Street and Caledonian Road meet is a part two storey, part single storey locally listed 'Be at One' public house (grade B). On the Balfe Street elevation this building steps in at first floor level with a small timber clad first floor addition, revealing part of the south elevation of the application site. To the north and north east, the site adjoins two separate rows of three storey terraced properties in commercial and residential uses. These terraced properties back onto a private central shared garden space which terminates at its southern point where it meets a two storey projection at the application site.
- 5.5 Directly opposite on the west side of Balfe Street is a terraced row of three storey Grade II listed dwellinghouses, with Albion Yard, an office development beyond this. To the east across Caledonian Road is a mix of properties, primarily at three storey height, with commercial ground floors, residential upper floors and in one case a hostel.
- 5.6 The building is currently vacant but has a lawful B1 use across almost the entire site (measuring 1628 Square metres GIA), with six retail units at ground and basement level on the Caledonian Road elevation (measuring 381 square metres GIA). The B1 office is accessed from a single entrance on Balfe Street and there is a demarcated loading bay for servicing on this side of the building. The building has an extensive basement running across the entire site that incorporates a high number of partitions, low head height in parts and limited natural light.
- 5.7 The site is located within the Keystone Crescent Conservation Area and the Caledonian Road elevation falls within designated Kings Cross Local Shopping Area.
- 5.8 Whilst No. 35-43 Caledonian Road are locally listed for their traditional shopfront designs, it should be noted that the shopfronts were removed a number of years ago and the frontage remains open behind the hoardings.

6 PROPOSAL (IN DETAIL)

- 6.1 The proposal is for the part demolition of 2-8 Balfe Street and 35-45 Caledonian Road, the erection of a part four storey, part second floor, part third floor and roof extension to create a four storey building, alterations to Balfe Street, Caledonian Road and northern elevations, erection/replacement of six shopfronts on Caledonian Road, lowering of basement floor level and change of use of six retail units (A1 use) fronting Caledonian Road to offices (B1 use).
- 6.2 The proposed demolition comprises of the demolition of two storey building at No. 2 Balfe Street, the demolition of a gable end projection over No. 4-8 Balfe Street, the demolition of the façade of No. 35 Balfe Street, the removal of the upper floor rear elevations and roof slopes across No. 35-45 Caledonian Road and the removal of internal floor plates and partitions. The works to the basement would lower the floor level by 2 metres.
- 6.3 The proposed extensions to the Balfe Street elevation consist of a four storey extension to replace No. 2 Balfe Street that would then extend over the retained façade of No. 4-8 Balfe Street, adding two floors to this building to create a four

storey building. The four storey and part second floor extension would be set back from the main ground floor frontage with the third floor incorporating a further set back, terrace area with glazed balustrade and a set in of 1.4 metres from the neighbouring building to the north. A lift overrun would project 0.7 metres above the roof.

- 6.4 The proposed extensions to the Caledonian Road elevation consist of the insertion of a glazed and zinc clad three storey façade to No. 35 Caledonian Road (adjacent to the public house), the erection of a set back roof extension with a roof terrace and glazed balustrade and the insertion of five new shopfronts. The roof extension would incorporate repeated stacks projecting 0.5 metres above a flat roof.
- 6.5 To the rear, the proposal would introduce a four storey glazed atrium with a pitched roof projecting a maximum of 1.6 metres above the flat roof of the roof extension and over the existing single storey rear projection to be retained a first, second and third floor extension would increase the depth of No. 45 Caledonian Road by 2.3 metres.
- 6.6 The works to Balfe Street consist of the replacement of a first floor window below the gable with a window to match those either side, the continuation of the parapet where the gable would be removed, the replacement of the first floor windows with sash windows to match existing and the replacement of the ground floor windows and doors with anodised aluminium framed double glazed windows.
- 6.7 To the rear a ground floor window would be replaced with facing brickwork, the existing air handling units would be removed and the first floor roof terrace would be retained with the addition of a 1.8 metre high privacy screen.
- 6.8 The resultant building would accommodate 2292 square metres (GIA) of office floorspace with ancillary uses including a café area, a lecture theatre and exhibition space.

Revision 1:

- 6.9 The plans were amended on 9th December 2014 to revise the roof extension over the Caledonian Road properties with the previously proposed 'saw toothed' roof profile omitted and the roof height reduced (including the stacks) and the proposed shopfront design was revised.
- 6.10 Additional daylight/sunlight information was submitted on 19th December 2014.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

35-45 Caledonian Road:

- 7.1 **P102751** - Installation of new shopfronts - **Granted Conditional Permission** (04/03/2011).
- 7.2 **P071713** - Change of use of basement and ground floor to A3 (restaurant and cafe) - **Granted Conditional Permission** (20/12/2007).
- 7.3 **P071712** - Change of use to A4 (drinking establishment) - **Withdrawn** (11/10/2007).

- 7.4 **P071711** - Change of use to A5 (hot food takeaway) - **Withdrawn** (11/10/2007).
35-55 Caledonian Road and 2-12 Balfe Street:
- 7.5 **992019** - Repair of elevations and reinstatement of altered or missing original features - **Granted Conditional Permission** (17/11/1999).
2-8 Balfe Street (Second floor of 35-45 Caledonian Road):
- 7.6 **P071667** - Change of use to Class D1 medical - **Granted Conditional Permission** (04/10/2007).
Lynson House, 2-8 Balfe Street, 10, 12, Balfe Street & 35-41, 43, 45, Caledonian Road, Islington N1:
- 7.7 **P070898** - Change of Use to Class D1 (non residential institution) - walk in NHS healthcare centre - **Granted Conditional Permission** (25/05/2007).

PRE-APPLICATION ADVICE:

- 7.8 **Q2014/0872/MIN** - The proposal has been subject to ongoing pre-application discussions. The key points which required further consideration during the pre-application process were:
- Further details of public benefits to outweigh the harm caused to eh Heritage Asset;
 - The design of the roof extension;
 - Materials;
 - The impact of the roof extension on daylight/sunlight received at neighbouring properties; and
 - The re-location of the cycle storage to ground floor level;

ENFORCEMENT

- 7.9 **E09/04081** - Removal of historic shopfront – Planning permission granted and case closed (29/06/2011).
- 7.10 **E10/05137** - Removal of Historic Shopfront – Case Closed (30/06/2011).
- 7.11 **E10/5139** - Removal of Historic Shopfront – Case Closed (30/06/2011).
- 7.12 **E11/05834** - Unauthorised building works and erection of hoarding – Case closed (02/11/2012).

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 153 adjoining and nearby properties at Albion Yard, Balfe Street, Caledonian Road, Keystone Crescent and Northdown Street on the 9th September 2014. Following the receipt of amended plans/additional information the application was re-notified on the 10th December 2014. A site notice was displayed and a press advert published on 11th October 2014 and again on the 18th December 2014. The public consultation on the application therefore expired on 8th January 2015. 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 16 responses had been received from the public with regard to the application. These consisted of 8 objections, 7 responses in support of the proposal and 1 letter of comment. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Objections:

- The works to the Caledonian Road elevation would break the uniform frontage in this area (para 10.54 – 10.56);
- The roof extension would break a uniform roofline in the Conservation Area, contrary to the Keystone Crescent Conservation Area Guidelines (para 10.50 – 10.52);
- The proposal is unsympathetic to the existing building and Conservation Area (para 10.48 - 10.67);
- Objection to the loss of the shopfronts (para 10.4 – 10.11 and 10.34 – 10.36);
- The proposal would set an undesirable precedent (para 10.48 – 10.62 and 10.66);
- The glazed insertion on Caledonian Road would disrupt the 4-5-4 arrangement of frontages within the terraced row (para 10.54 - 10.56);
- The proposal is of no architectural merit (para 10.48 – 10.67);
- The rear elevation facing onto Battlebridge Communal Garden is monolithic and inappropriate in its context (para 10.60 and 10.103);
- The demolition of sound buildings to interpose infill and add an extra storey sits ill with energy conservation. The embodied energy of the construction is not covered in the Energy Statement (para 10.132 – 10.140);
- The proposal should achieve BREEAM 'outstanding' (para 10.133);
- The absence of definitive statement about environmental performance (as apposed to mechanisms) is disappointing (para 10.132 – 10.140);
- The Institute does not require modern insertions and additions to the street to make its presence known (para);

- The proposal achieves only 7% extra space (para 6.8);
- Concern raised regarding loss of light to neighbouring properties, particularly 12 Balfe Street (para 10.110 - 10.123);
- The proposal would overshadow neighbouring gardens and Battlebridge Community Garden (para 10.124 – 10.126);
- The offices will overlook the rear of the neighbouring properties (para 10.105 – 10.109);
- The demolition of part of Caledonian Road and the replacement with glass and steel is out of context (para 10.54);
- The ground floor façade below the roof extension should be designed to be in keeping with the roof extension (para 10.56);
- The loss of all shopfronts takes away critical space for retail/restaurant space within this viable and vibrant part of Caledonian Road (para 10.4 – 10.11);
- The glazed addition to Balfe Street is not subordinate to the existing building (para 10.57 – 10.59);
- The loss of the gable on Balfe Street would detract from the unique historic element of this building (para 10.46 and 10.59);
- The existing buildings are not derelict (para 5.6);
- Battlebridge Community Garden would be overlooked (para 10.107 and 10.108); and
- If amended plans are submitted these should be re-advertised (para 8.1).

Support:

- The proposal will be a major enhancement to this run down part of the Borough and has the potential to help regenerate the area;
- The proposal is an opportunity to get this long vacant site re-occupied by a world leading not for profit organisation;
- The design is modern but retains the essence of the original Victorian buildings and the built environment in the immediate area;
- The application is aligned to the educational buildings in the area;
- This is a well conceived scheme that will enhance the visual appearance of the local area and is of a sufficient scale to avoid appearing as a piecemeal addition;
- There are community benefits to the proposal;
- The plans are sensitive to the local area;
- The Institute would be a welcome addition to the local community;

- The development to Regents Quarter was commercially viable as the Council permitted new extensions to be added to the top of Listed Buildings;
- The Caledonian Area is a mixed area with residential, commercial and offices and by remaining so it will thrive further;
- This part of Caledonian Road is overdue investment in uses that are not bars, cafes and drinking establishments;
- The Institute of Physics would attract the spread of the prestigious 'Knowledge Quarter';
- Energy Efficient design, such as this, should be more widespread in the community; and
- The existing building has been an eyesore for a long time.

Comments and Non-planning Issues:

- The proposal should not breach the 'Right to Light' of neighbouring properties (para 10.151);
- Alternative design approaches to the required floor areas should be explored (para 10.152); and
- Should the application be approved it should be ensured that any retail is appropriate (para 10.153).

Applicant's consultation

8.3 The applicant has carried out extensive consultation with local residents and businesses in the locality. This has included:

- Meeting with Local Councillors;
- Distributing a news letter to 1544 local households and businesses in May 2014 informing them of the proposal and inviting them to attend a public exhibition;
- A public exhibition on Monday 19th May 2014;
- Providing a website with details of the proposal;
- Providing access to a questionnaire (via the website) for residents to comment on the proposal; and
- Providing a freepost address, telephone number and email address for residents to contact the development team (on the website).

External Consultees

8.4 **London Borough of Camden** – No response received.

Internal Consultees

8.5 **Planning Policy** – No response received.

8.6 **Access and Inclusive Design Officer** – The overall spatial planning of the building appears to be logically and generally well thought through. However, details of on-street accessible parking is required, a Changing Places WC is recommended to be included, mobility scooter storage space would be useful, the use of colour, tone,

reflective and translucent surfaces should be considered for visually impaired persons using the building and two of the lifts should be specified as evacuation lifts.

8.7 Design and Conservation Team – The proposals have been subject to extensive pre-application discussions and have also been presented to the Design Review Panel (DRP). Issues were identified at these stages and some amendments have been carried out. However, not all concerns have been addressed as they relate to the principle of the development proposal.

Harm: In assessing the impact on the historic environment and identified heritage assets, it is my opinion that the proposal would cumulatively cause substantial harm to the significance of the conservation area.

Demolition and façade retention: The buildings on site make a positive contribution to the character and appearance of the conservation area. As the Caledonian Road buildings are locally listed, the level of contribution is given more significance. Therefore, their loss would cause significant harm to the conservation area.

Concerning the rebuilt Caledonian Road facade, in my opinion the original facade has been generally reproduced and there has been no reduction in the contribution it makes to the CA. As mitigation to potential harm, it is proposed to retain the facades (with one section of the Caledonian Road frontage lost, including the pediment). Although facade retention can sometimes be successfully implemented, it goes against conservation best practice and lacks architectural integrity.

The facade retention here is obvious and although attempting to accommodate conservation considerations, the proposals would result in a development that lacks architectural integrity, causes harm to the conservation area and ultimately fails to provide high quality design on the site.

Roof extension: The roof extension to Caledonian Road would disrupt an unbroken roofline (contrary to the Conservation Area Design Guidelines and IUDG), would disrupt the views of the terrace, the setting of the corner building and would involve the loss of the butterfly profile to the rear.

Shopfronts: The historic shopfronts were removed without consent and should have been repaired/reinstated. These were a significant part of the local listing and the loss of these elements is considered to be harmful. The missed opportunity to reinstate these important features is highly regrettable. In accordance with the NPPF the shopfronts should be considered to be in existence.

Design: Turning to the design and without prejudice to the above considerations, I appreciate that there have been revisions to address concerns raised both by officers and the DRP. I acknowledge that there has been some improvement in the design.

The prominent roof extension to Caledonian Road would be overly dominant and would break a consistent roofline. The proposed "chimneys" are very prominent and dominant and would draw the eye and detract from the host terrace.

The "break" on the terrace is an interesting design feature, however, it involves the loss of a positive contributor and detracts from the continuity of the terrace which is part of the character of the conservation area.

The shopfronts have been carefully considered and as an individual feature are not poor. However, there is a rigidity/homogeneity which detracts from the more organic

composition of the shopfronts in the conservation area. Although the historic shopfronts would normally follow a traditional composition and would share architectural features, there are slight variations to each of them which add richness to the character of the area. The non-reinstatement of the lost historic shopfronts is very detrimental.

The facade retention raises concerns with the insertion of new floor plates behind and new layout which does not properly tie in with the historic fenestration

On the Balfe Street elevation, the additional two storeys are dominant and out of scale with the host building.

The rear elevations are also of concern given that there is public view. The alterations are dominant, there is disruption to the continuous and consistent butterfly profile of the terrace.

Recommendation: Objection raised to the proposal.

- 8.8 **Energy Conservation Officer** – No objection.
- 8.9 **Sustainability Officer** – Reduction in surface water run-off and use of renewable energy technology supported. As the site falls partially within a Local Flood Risk Zone a flood risk assessment should be submitted.
- 8.10 **Bio-diversity and Nature Conservation** – No response received.
- 8.11 **Transport Planning Officer** – Cycle parking should be provided for 29 spaces. Product specification of the two tier cycle parking system should be submitted. The servicing, delivery and refuse collection plan is acceptable. Where possible a wheelchair accessible space should be provided and the cost borne by the applicant.
- 8.12 **Highways** – Would not support the loss of an on-street parking space for accessible parking bay.
- 8.13 **Refuse and Recycling** – No response received.
- 8.14 **Environmental Health** – We have no significant comments to make. It is advised that sufficient and adequate means of waste storage is provided prior to collection by licensed waste collectors.
- 8.15 **Tree and Landscape Officer** – No objection.
- 8.16 **Public Protection** – No objection raised. Conditions relating to noise levels from plant machinery are recommended to protect residential amenity.

The applicant has carried out a Phase 1 desktop contaminated land study. The site is not detailed on the Council's database as having previous potentially polluting uses. However, the submitted study does advise the need for further investigation here and as such this should be carried out and a condition is recommended requiring details to be submitted.

The servicing and delivery hours should be conditioning to be between 07:00 and 23:00.

Other Consultees

8.17 **Members' Pre-application Forum** – 15th September 2014

8.18 **Design Review Panel** – At pre-application stage the proposal was considered by the Design Review Panel on the 4th November 2014. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The panel's observations are attached at Appendix 3 but the main points raised in the most recent review are summarised below:

- The Panel welcomed the Institute of Physics' ambition, investment in Islington, and ideas around community engagement;
- The Panel expressed concerns over the appropriateness of the site for what the Institute is looking to achieve and suggested that a cleared site might be more appropriate;
- The Panel noted that the four southernmost bays of the existing Caledonian Road faced were not original and lacked the qualities of the original elevations;
- The Institutes desire to make a bold statement with its new building was understood but the Panel felt that the proposed design was unsuccessful in bringing together the contemporary and historic architecture, with too many competing styles;
- The Panel commented that the partial demolition of the Caledonian Façade and replacement with glazing was inconsistent with the ambition to retain the façade and preserve the historic streetscape;
- It was suggested that the four southernmost bays on Caledonian Road should be removed and a modern insertion added;
- The Panel had concern regarding the roof extension, particularly in terms of the chimneys and sustainable technology on the roof; and
- The Panel questioned the loss of the gable and top heavy design of the additional floors.

8.19 Since the scheme was presented to the Design Review Panel (DRP) the following amendments were made to address the Panel's concerns:

- The roof extension over Caledonian Road has been amended to lower the height of the roof and chimneys, the 'saw tooth' element has been replaced with a flat roof and it has a consistent design across its entire length;
- The shopfronts fronting Caledonian Road have been amended to have a more traditional design with more intricate detailing to No. 43 and 45;
- A consistent material/colour has been detailed across the roof extension, glazed insertion and shopfronts;
- Further window detail and material/colour detailing added to carry through approach on Caledonian Road elevate; and
- Internal alterations to layout.

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 and the associated National Planning Policy Guidance (NPPG, 2014) are 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 has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Area Action Plan 2013.

- King Cross and Pentonville Core Strategy Area
- Locally Listed Building
- Within 100m of Strategic Road Network
- Within 50m of King's Cross Conservation Area
- Mayor's Protected View, Kenwood viewing gazebo to St Paul's Cathedral
- Mayor's Protected View, Right Lateral Assessment
- Local Flood Risk Zone

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Environmental Impact Assessment

- 9.5 An EIA screening was not submitted. However the general characteristics of the site and proposal are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

10 ASSESSMENT

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

- Land Use;
- Design and Heritage;
- Accessibility;
- Neighbour Amenity;

- Sustainability, Energy Efficiency and Renewable Energy; and
- Highways and Transportation Implications;

Land Use

- 10.2 The existing property is currently vacant but the majority of the floor space (1628 square metres) has a lawful B1 office use with 381 square metres of floor space spread across 6 unfinished units fronting Caledonian Road in a lawful use as A1 retail.
- 10.3 The proposal would result in the loss of the retail use at the site and introduce a solely B1 use of the building by a single occupier, the Institute of Physics. While the B1 use would predominantly consist of office space, it would also include supporting/ancillary functions such as a lecture theatre, exhibition space and an ancillary café. The building would also include interactive learning features and would have a programme for education.

Loss of retail:

- 10.4 The site is located within the Kings Cross Local Shopping Area (LSA) where Development Management policy DM4.6 sets out that proposals will only be permitted where an appropriate mix and balance of uses within the LSA, which maintains and enhances the retail and service function of the LSA, is retained.
- 10.5 The loss of A1 units will only be permitted where:
- i) The premises has been vacant for a continuous period of at least 2 years and continuous marketing evidence for this 2 year vacancy is provided which demonstrates that there is no realistic prospect of the unit being used in its current use in the foreseeable future;
 - ii) The proposal would not result in a harmful break in the continuity of retail frontages; and
 - iii) Individually, or cumulatively, the proposed replacement use would not have an adverse effect on the vitality, viability and predominantly retail function of the LSA
- 10.6 The retail units at the site are currently in shell form with no shopfront, unfinished pilasters and a lack of internal separation. The previous shopfronts were removed as part of refurbishment works prior to 2010 and the retail units have remained unfinished and therefore vacant for a number of years. As such, it is clear that the retail units have been vacant for in excess of 2 years, but no marketing evidence has been provided to demonstrate that there is no realistic prospect of the units being used for retail. Whilst it may be assumed that due to the units being unfinished that they would deter potential occupiers and/or not be considered suitable for marketing, it is often the case that potential occupiers take on and/or seek out such units so as to install and fit out retail units to their own specification.
- 10.7 Looking at the wider LSA, the evidence base document '*Local Shopping Areas: review and health check*' (April 2012) details that 74% of shop units were not in A1 use with only 2% of shop units in B1 use, whilst vacancy rates were about average. It can be seen that the predominant use of shop units within the LSA are not as retail units and that there are other available vacant sites for such uses. Taking the high number of non-retail uses in the LSA together with the period of vacancy of the units

at the site, this casts doubt upon the realistic prospect of the vacant units at the site being used for retail.

- 10.8 With regard to the continuity of the retail frontage, at this point the shopfronts extend between No. 33 to 59 Caledonian Road, with the LSA terminating at No 59. The adjoining property to the south is in A4 (Public House) use and immediately to the north of the site are three café/restaurant units before two retail units and a takeaway unit.
- 10.9 Although the proposal would result in the loss of 6 units with a lawful retail use, it would reintroduce 5 shopfronts of traditional character and proportions, and would locate the main entrance of the resultant building onto the Caledonian Road frontage. The proposed frontage would include two entrances to the property, a café with direct access from the street and occupying three shopfronts (as is the case at No. 47-51), interactive window displays and views into the main reception area.
- 10.10 The reinstatement of shopfronts, the provision of a café and the relocation of the main entrance of the site to Caledonian Road from Balfe Street would reintroduce an active frontage to this part of the LSA where there has been vacancy for a significant period of time. Furthermore, the introduction of active commercial ground floor space, which is in accordance with the aims of the Keystone Crescent Conservation Area Design Guidelines, would result in a footfall which could be considered akin to that of a retail frontage. As such, it is considered that although the proposal would result in a break in the retail frontage and reduce the amount of actual retail units in the frontage, due to the re-use of the vacant site and the provision of an active commercial frontage of traditional character and proportions, the proposed loss of the retail units would not result in a harmful break in a retail frontage. Furthermore, the introduction of high quality shopfronts and active frontages would improve the public realm in accordance with the aims of Core Strategy policy CS6 (Kings Cross).
- 10.11 Concerning the vitality and viability of the LSA, whilst the primary function of the LSA is retail, as previously set out retail units form a small proportion of the occupied shop units. Notwithstanding this, B1 uses support a higher employment density level than retail units (12 square metres per Full Time Equivalent employee compared to 19 square metres for A1 uses, Employment Density Guide 2010), which together with the re-use of the currently vacant building and uplift in useable floor space, would introduce a higher number of building users and therefore an increased level of expenditure in the local area. The introduction of an active frontage to this part of Caledonian Road, which will include a café and publicly accessible space would increase the footfall to this part of Caledonian Road, while the increase in the employment density and number of people visiting the premises would result in an uplift in the number of consumers within the area. As such the proposal would enhance the vitality and viability of the Local Shopping Area.

Office use:

- 10.12 The proposed extension and change of use of the A1 units at the site would result in an uplift of 664 Square Metres of office floor space. Policy DM5.1 states that outside of Employment Growth Areas, Town Centres and Locally Significant Industrial Sites, as is the case here, business floor space may be provided within mixed use developments where this would enhance the character and vitality of the local area, would not detrimentally impact upon residential amenity and would not compromise residential growth. Furthermore, Core Strategy policy CS6 sets out that the Kings Cross area is expected to accommodate estimated growth in jobs from B-use floor space through office led mixed use development which intensifies land use.

- 10.13 Although the proposal would result in the building being in a single use class, it would incorporate a number of ancillary uses, including a lecture theatre, exhibition space and a café, that would ensure the vitality and vibrancy usually associated with a mixed use. Additionally, due to the reasons previously set out (para 10.11) and the public benefits, as assessed in the 'Design' section below, the proposal would represent an enhancement of the character and vitality of the local area.
- 10.14 An assessment of residential amenity is detailed below and with regard to compromising residential growth, the existing building has a lawful commercial use and the extension/change of use of this building would not jeopardise any residential growth.
- 10.15 In accordance with the Keystone Crescent Conservation Area Design Guidelines the proposal would result in the reoccupation of upper floors above commercial premises.

Conclusion:

- 10.16 The proposal would re-use a currently vacant building, increase the extent of office and employment floorspace and enhance the viability and vitality of a Local Shopping Area in accordance with the aims of Core Strategy policy CS6, CS13 and CS14.
- 10.17 Although no marketing data for the period of vacancy of the retail units has been submitted, it is considered that due to the unique benefits of the proposal and the enhancement to the vitality and viability of the locality, on balance the proposed loss of retail use can be accepted in this case.
- 10.18 The site is owned by the Institute of Physics and it is their intention to relocate their head quarters into the building, such that the proposal is not speculative but represents a deliverable proposal. The refurbishment and redevelopment of the Heritage Asset would also accord with the National Planning Policy Framework's presumption in favour of sustainable development.

Design and Heritage

- 10.19 The site is located within the Keystone Crescent Conservation Area, a designated Heritage Asset and while 35 - 41 and 43 Caledonian Road are locally listed, these do not constitute designated Heritage Assets.

Policy Context:

- 10.20 The NPPF (2011) details that when considering the impact of a proposed development on the significance of a designated Heritage Asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the Heritage Asset or development within its setting. As Heritage Assets are irreplaceable, any harm or loss should require clear and convincing justification.
- 10.21 The effect of an application on the significance of a non-designated Heritage Asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated Heritage Assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the Heritage Asset.

- 10.22 The recently published NPPG (2014) sets out that an unlisted building that makes a positive contribution to a Conservation Area is individually of lesser importance than a listed building. If the building is important or integral to the character or appearance of the Conservation Area then its demolition is more likely to amount to substantial harm to the Conservation Area. However, the justification for its demolition will still be proportionate to the relative significance of the building and its contribution to the significance of the Conservation Area as a whole.
- 10.23 London Plan (2011) policy 7.8 states that development affecting Heritage Assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Policy 7.9 sets out that the significance of a designated Heritage Asset should be assessed when development is proposed and schemes designed so that the designated heritage significance is recognised both in their own right and as a catalyst for regeneration.
- 10.24 Core Strategy (2011) policy CS9 encourages conservation-led regeneration and states that the historic significance of Islington's unique Heritage Assets and historic environment will be conserved and enhanced whether designated or not.
- 10.25 Development Management (2013) policy 2.3 states that the Council will require the retention of all buildings and structures which make a positive contribution to the significance of a Conservation Area. The appropriate repair and re-use of such buildings will be encouraged. The significance of a Conservation Area can be substantially harmed over time by the cumulative impact arising from the demolition of buildings which may individually make a limited positive contribution to the significance of a Conservation Area. Consequently, the loss of a building which makes a positive contribution to a Conservation Area will frequently constitute substantial harm to the significance of the Conservation Area.
- 10.26 The Keystone Crescent Conservation Area Design Guidelines (2002) sets out that the roofline of a street, particularly on a terrace, is a major component of its character. Alterations which are not in keeping with the existing roofs have a harmful effect upon the character and appearance of the Conservation Area. New roof extensions will only be allowed where a significant number already exists and where additional extensions will create a more harmonious roof line.
- 10.27 The Islington Urban Design Guide (2006) states that where a roofline is unaltered then there is a strong presumption against any alteration or extension beyond the existing roofline.
- 10.28 In accordance with the above policy context an assessment of the relevant material considerations will be set out as detailed below:
- Significance of the designated and non-designated Heritage Asset;
 - Harm to the designated and non-designated Heritage Asset;
 - Proposed Development;
 - Public Benefits; and
 - Conclusion.

Significance:

- 10.29 In determining applications the NPPF requires an assessment of significance to be made as part the consideration, with harm identified (see 'Assessment of Harm'). The applicant's submitted Heritage Statement and Islington's Design and Conservation

Team have detailed the significance of the Heritage Asset and this is considered below.

- 10.30 The Keystone Conservation Area, the 'designated Heritage Asset' in this case, remains visually of undoubted coherent character and largely unchanged since it was first laid out in the 19th Century. There are some exceptions to this, notably the modern houses built to fill gaps in Balfe Street.
- 10.31 The application site consists of a number of buildings which have historically been amalgamated to form a single unit. There are three elements to the site; Caledonian Road consists of six stock brick former Victorian dwellings split into two elements; four southern bays with a less intricate façade and the two northern bays set back from this façade and forming part of a row of six dwellings with more intricate facades; and on Balfe Street there is a red brick Victorian former warehouse building which appears to have been historically reduced in scale.
- 10.32 The Caledonian Road elevation is considered to be in keeping with the predominant architectural character and appearance of the Conservation Area and therefore contributes positively. No. 35-43 Caledonian Road are locally listed with a grading of 'S', meaning they are listed for their shopfront quality.
- 10.33 However, it should be noted that the four southern bays of the Caledonian Road elevation were rebuilt around the late 20th/early 21st century and whilst, in the most part successfully replicating the original frontage, the facades incorporate modern building techniques and materials and are not original. Notwithstanding this, of upmost importance to the assessment of significance is the omission of the historic shopfronts at the site which form the basis for the local listing.
- 10.34 The shopfronts at 35 – 45 Caledonian Road were removed without planning permission in 2009 and following an Enforcement investigation an application was submitted and granted for the installation of replacement shopfronts (P102751). Preliminary works were carried out at the site, constituting implementation and the Enforcement investigation was closed with no enforcement notice having been served. The removal of the shopfronts constituted operational development and as four years has elapsed the existing building situation is therefore lawful by virtue of Section 171B of the Town and Country Planning Act 1990 (as amended by Section 10 of the Planning & Compensation Act 1991).
- 10.35 Paragraph 130 of the NPPF states that where there is evidence of deliberate neglect of or damage to a Heritage Asset the deteriorated state of the Heritage Asset should not be taken into account in any decision. However, there is no evidence to suggest deliberate neglect or damage to the building to gain permission easier and as set out above the existing situation is lawful. As such, the loss of the shopfronts is considered to be material consideration in the assessment of significance of the non designated Heritage Asset and in turn that of the conservation area.
- 10.36 It is therefore considered that while the Caledonian Road buildings at the site contribute positively to the significance of the Heritage Asset, this is somewhat diminished by the lack of the historic shopfronts and the non-original façade.
- 10.37 The Balfe Street building includes a late 20th century infill building (No. 2) with an incised rendered façade. This building is of poor quality and has no historic or architectural merit and negatively impacts upon the character of the Conservation Area.

- 10.38 The red brick Victorian former warehouse structure at 4 – 8 Balfe Street, despite the apparent severing of the façade and loss of internal partitions, represents an uncommon historic example of a commercial and industrial building that contributes positively to the Conservation Area.
- 10.39 As such, while the significance of the Caledonian Road elevation has been diminished it is considered that the buildings at the site positively contribute to the Keystone Crescent Conservation Area, which is the designated Heritage Asset.

Assessment of Harm:

- 10.40 The Design and Conservation Officer considers the cumulative impact of the partial demolition of the locally listed Caledonian Road frontage, the removal of a historic feature on Balfe Street, the large scale of the Balfe Street elevation and the introduction of a roof extension to an unaltered roofline that would be visible in the Conservation Area would amount to ‘substantial harm’ to the designated Heritage Asset.
- 10.41 The applicant, in the submitted Heritage Statement states that ‘*some harmful impacts are recognised as likely to result to the historic environment*’ but considers that these constitute ‘less than substantial harm’.
- 10.42 Paragraph 18 of the NPPG sets out that if a building is important or integral to the character or appearance of the Conservation Area, then its demolition is more likely to amount to substantial harm to the Conservation Area, engaging the tests in paragraph 133 of the National Planning Policy Framework.
- 10.43 It is acknowledged that the proposed roof extension is contrary to Conservation Area Design Guidelines for roof extensions and would therefore be harmful to the designated Heritage Asset. However, for the reasons set out in the ‘Proposal’ section below, it is considered that there are exceptional site circumstances that would ensure that the proposed roof extension would not prejudice future proposals in the Conservation Area. Taking this together with the high quality, responsive design of the roof extension, it is considered that the harm arising from the roof extension would be ‘less than substantial harm’.
- 10.44 The proposed works to the Caledonian Road elevation would maintain five of six bays, demolishing an element of the rebuilt façade where it adjoins the atypical public house building that projects out beyond the building frontage. As such, the majority of the historic façade, inclusive of the whole of the original façade and most of the rebuilt late 20th/early 21st century would be maintained and while the loss of traditional shopfronts at the site is regrettable, the proposal would introduce traditionally proportioned and styled shopfronts to the site. Notwithstanding this the frontage is not a unique example of its design type such that it is integral to the significance of the Conservation Area and therefore the harm is considered to be ‘less than substantial’. It is recommended that these shopfronts are secured by way of condition.
- 10.45 No. 2 Balfe Street is a late 20th century infill building with a rendered façade. This building is of no historic or architectural merit and negatively impacts upon the character and appearance of the Conservation Area. As such, the loss of this building, where replaced with appropriate built form would not constitute harm.
- 10.46 The proposed works to Balfe Street would remove a historic gable end and window, while introducing two additional floors above this building. The alterations to the

historic façade and introduction of a large addition would undoubtedly impact harm the appearance of the building. However, the majority of the historic façade would be maintained and due to the extensions incorporating a set back from the retained façade, the significance of the building would be maintained. As such, the importance of this building to the Conservation Area and its importance would not be diminished. Therefore the works are considered to constitute 'less than substantial harm'.

- 10.47 The existing buildings across the site are considered to be important to the character and appearance of the Conservation Area, representing the predominantly residential 19th Century development in the case of Caledonian Road and reflecting some of the commercial and industrial uses of the area on Balfe Street. However, for the reasons set out above and in light of the proposed design (see below) the proposal would maintain the importance of these buildings and therefore retain the integrity of these buildings within the Conservation Area. Subsequently the proposal would represent 'less than substantial harm' to the designated Heritage Asset and accordingly the tests of paragraph 134 of the NPPF are relevant.

Proposal:

- 10.48 The proposal would introduce a part four storey, part second and part fourth floor extension over the Balfe Street buildings which would then project over the Caledonian Road buildings to form a roof extension. On the Caledonian Road elevation, the southern most bay of the terrace would be demolished and a glazed bay inserted, with five shopfronts inserted at ground floor level.
- 10.49 The terraced row in which the Caledonian Road part of the site forms the southern most element has a fairly consistent roofline with butterfly roofs set behind a pediment. However, the adjoining public house to the south of the terraced row steps down in height and introduces a hipped roof form and an area of flat roof.
- 10.50 It is acknowledged that the proposal would introduce a considerable roof extension above the established roofline of this part of Caledonian Road and would result in the loss of six butterfly roof forms which contribute positively to the setting of the terrace when viewed from the community garden to the rear. While the Caledonian Road elevation maintains a consistent roofline, the historic amalgamation of the site and the proposal to create an overarching roof form that spans both frontages of the building of the planning unit would present a unique consideration in that it would provide a single consistent roofline where there is currently a mixture of roofs. The aim of the Conservation Area Design Guidelines is to maintain harmonious rooflines, which the proposal would resolve. Additionally, as the site forms the penultimate building where two terraced rows meet with the atypical roof form of the public house to the south, it is considered that subject to an acceptable design, a uniform roof extension would be acceptable at the site.
- 10.51 The Balfe Street element of the site is set a storey below the adjoining terrace to the north and has a roof terrace and a small dual pitched roof. The terraced row projecting to the north has a relatively unaltered roofline and the proposal would introduce a storey projecting above this. However, due to the differing architectural form of this building from the terraced row, including the extensive roof terrace and its set down, the existing roof does not form part of this relatively unbroken roofline and is atypical of the character of this part of the Conservation Area. As such, the introduction of built form projecting above the height of the terraced row, while not in keeping with the existing roofs of the terraced row, would not represent a break in this roofline and would repeat the use of a flat roof and upper floor terraces.

- 10.52 For these reasons it is considered that the principle of a roof extension is accepted at the site and due to the unique site context this would not prejudice any further decisions regarding roof extensions within the area. Reference should be made that to the west of the site and within the setting of the listed buildings along Balfe Street is Albion Yard where there are numerous examples of successful contemporary roof extensions being added over historic buildings within a Conservation Area (see aerial image in section 3).
- 10.53 The proposed roof extension over the Caledonian Road buildings would be set back from the mostly retained pediment and would have a lightweight glazed frontage broken by zinc clad chimney stacks that would demarcate the break between each of the original properties and align with the pilasters of the shop fronts. It is noted that the Design and Conservation Officer considers the roof extension and particularly the stacks to be overly dominant. Following similar concerns raised by the Design Review Panel (DRP) the proposal was amended to remove a 'saw tooth' roof form and reduce the height of the roof and chimney stacks. The roof extension, whilst visible within the Conservation Area, would represent a subordinate addition to the property employing lightweight materials and the stacks to reduce the massing and provide a rhythm and integrity to the structure.
- 10.54 Without prejudice to any harm from the partial demolition of a locally listed building, the location of the insert is considered by Officers to be the most appropriate due to it forming the last bay before adjoining the adjoining public house, which projects out beyond the façade of the application property. The concerns of the Design and Conservation Officer and the DRP are noted. However, the proposal would introduce a predominantly glazed projecting bay set level with the property frontage and incorporate a zinc clad recess either side. The large window would include mullions to emphasise the verticality of the elevation, which is a defining characteristic of the buildings within this part of the Conservation Area, while the zinc parapet would provide a modern interpretation of the pediment running along the terraced row. The insert would provide a clear break to the public house while maintaining the proportionality of the terraced bays.
- 10.55 The proposed shopfronts at the property would have traditional proportions incorporating projecting cornices, repeated pilasters and the glazing would have mullions with low level stall risers similar to those at the neighbouring properties immediately to the north of the site. The two shopfronts within the recessed frontages at No. 43 and 45 Caledonian Road would include more historically accurate detailing to the cornice, similar to the adjoining neighbouring shopfronts. While the Design and Conservation Officer considers the shopfronts to display a rigidity/homogeneity, it is noted that there are runs of shops within the locality displaying very similar designs, whilst the proposal would also include two shopfront types. It is proposed to have a interactive digital window displays and manifestations, details of these have not been submitted and a condition is recommended requiring the submission of these details together with full details of the shop fronts.
- 10.56 Although the extensions and alterations to the Caledonian Road elevation are substantial the majority of the historic façade would be retained and through the continuity of the materials across the roof, insert and shopfront elements, the historic elevation would be framed. The proposed extensions and alterations to this elevation reference historic elements of the building and Conservation Area while introducing contemporary form of a high quality.
- 10.57 The proposed extension to Balfe Street is substantial, wrapping around the historic façade and adding two floors to the building. While the proposal cannot be

considered as subordinate, the employment of a set back at the southern end and first floor, and the further set back of the lightweight glazed third floor would ensure that the retained façade, albeit altered, would be framed and remain the dominant and defining feature of the building on Balfe Street.

- 10.58 The three storey and second floor elements of the proposal would incorporate large extents of glazing which replicate the high windows in the property while the rhythm of these windows would maintain the horizontality of this part of the site. The three storey extension would replace an existing two storey building of poor quality and provide an appropriate resolution to the currently blank south corner where it turns to meet the public house. The upper floor would have a repeated bay design which references the proportions of the terraced row to the north.
- 10.59 The proposed alterations to the retained façade at Balfe Street would include the replacement of an existing first floor window that extends into the gable with a window to match those existing in the façade. The alterations to the ground floor windows and doors would consist of the removal of the cills in the windows and introduction of floor to ceiling height windows with anodised aluminium frames to match those in the contemporary additions. While the loss of the gable end is regrettable, the integrity of the façade would be maintained and the retention of the gable would have an awkward relation to the upper floors.
- 10.60 The proposed extension would introduce considerable massing to the building in views from Battlebridge Community Garden to the rear. However, the centrally located glazed atrium would break the massing significantly, while the second and third floor brick elevations would include recessed brick detailing and the upper floor zinc cladding would incorporate a further set back from the brick elevations and would be broken by narrow vertical obscure glazed panels. These design features/details would articulate the rear elevation.
- 10.61 Some distant views of the south elevation would be afforded from the south of Caledonian Road, however, these would be over the public house and would be minimal.
- 10.62 It is noted that concern has been raised regarding the floor plates of the proposal not relating to the retained façades of the building. The building has historically evolved to have an open floor plate. When viewed from Caledonian Road the pilasters and their projection into the property would reference the original subdivision. Although on Balfe Street views into the building would be over a sunken floor level this building historically had an open floor plate.
- 10.63 The proposed extensions to the building would be visible in views of the terraced row of Listed Buildings on the opposite side of Balfe Street from the site. Due to the set back of the upper floors of the extension and that site frontage at street level would remain relatively unaltered, the proposal would not detrimentally impact upon the setting of the listed buildings.
- 10.64 The proposal would not be visible in views of the listed buildings within Keystone Crescent and the setting off these listed buildings would not be detrimentally impacted upon.
- 10.65 The building is located within the London Plan designated Kenwood Viewing Gazebo to St Paul's Cathedral Protected Vista (3A.1). Although increasing the height of the building it would remain significantly below the threshold heights of the viewing corridor.

- 10.66 The proposal, while of considerable scale, would reintroduce shopfronts and activity to Caledonian Road and although contrary to the Conservation Area design guidance, it would provide a high quality design at the site that would frame the retained historic facades, reference the character of the locality and positively contribute to the Conservation Area.
- 10.67 The overall quality of materials and finishes is considered to be key to the success of the proposal. Conditions are attached with regard to submission of material samples prior to commencement to ensure that a building of appropriate high quality would be delivered.

Public Benefit:

- 10.68 The NPPF sets out that where development would lead to less than substantial harm to the significance of a designated Heritage Asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. It defines public benefits as those that would deliver economic, social or environmental progress. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- 10.69 The applicant has submitted a Public Benefit Statement detailing the following:
- 10.70 Regeneration: It is asserted that installation of the IOP to Balfe Street within high quality, locally distinctive premises would have an immediate and positive impact on the social, environmental and economic performance of Balfe Street and Caledonian Road and would catalyse the regeneration of the surrounding area. The installation of the IOP would comprise the arrival of an internationally recognised, forward thinking and leading scientific society whose primary objective is to promote the understanding and application of physics across an incredibly broad spectrum of members, professionals, members of the public, stakeholders and other industries.
- 10.71 Employment and Economic: The proposal would relocate 85 existing IOP employees to the currently vacant site, while the change of use and uplift in floor area would provide up to 133 full time equivalent positions compared to 114 as existing when using the Homes and Communities Agency Employment Density Guide figures.
- 10.72 The proposed use would introduce employment within a skills range and at different levels. In addition to the existing IOP staff the proposal would introduce a facilities management team and hospitality positions.
- 10.73 Having regard to the Indices of Multiple Deprivation, the site falls within an area that is within the bottom 27% nationally for employment deprivation. The creation of new jobs by the IOP would directly address this, improving resident employment levels with subsequent additional economic and social positive effects.
- 10.74 It is asserted that an increase in employment in the area would increase induced consumption. The applicant details that research undertaken by McDermott *et al.* (1994) estimates that employees spend between 30-40% of their salaries on purchases within the local community. This would therefore directly support those local shops, cafes and restaurants within the local area, both during construction and throughout the lifetime of the building, further enhancing the performance of the local economy.

- 10.75 The building will offer the IOP the opportunity to develop a business incubator centre. This centre will provide space for physics-based start-ups to establish a first presence in London, and in the Borough. These new companies will require support services and as the more successful grow and develop, and establish a more permanent home, they will continue to offer employment opportunities. IOP will work with the Borough to help retain these new companies in the local area.
- 10.76 Records show that the existing IOP head quarters received 116,950 visitors in 2013, comprising school students and teachers (1,800), students from physics departments (2,850), Institute members (108,000), and walk-in visitors from the general public (4,300). These numbers would increase once the IOP runs a range of events directly targeting the general public. The IOP forecast that visitor numbers will increase by an additional 100,000, facilitated by the conference and exhibition space, and the business hub. Induced consumption would also be increased from visitor expenditure.
- 10.77 During the anticipated 18 month construction period there is predicted to be a workforce that would amount to 22 400 man days (cumulative number of days worked by individuals at site) of skilled and unskilled labour, which would bring job opportunities to residents of Islington and income to local facilities.
- 10.78 Education and Outreach: The proposed IOP head quarters within Islington would be a hub for existing extensive education programmes carried out by the IOP and it follows that the schools in Islington, and particularly those in closest proximity to the site, are best placed to secure an advantage. Indeed the proximity of the proposed premises to a number of schools offers an opportunity for implementing existing programmes and working symbiotically to develop new programmes. Five state-funded schools in Islington have already participated in the Stimulating Physics Network Programme which the IOP help to run.
- 10.79 The proposal would allow the institute to initiate close working links with the Borough's education advisors to ensure that the best practice emerging from research projects is directly shared with the Borough's experts; a network for the science teachers in Islington will be created to engender greater support for those directly involved in the provision of physics education; an annual science show and careers event will be held for students and parents from the Borough; and, if desired by the schools, Institute staff will be given time to serve on the governing boards of schools in Islington.
- 10.80 It is the IOP's intention to use the space it is developing on Balfe Street to create opportunities and reasons for students to visit. Lectures, interactive exhibitions and meeting space for youth group physicists can all be given a new home.
- 10.81 In 2013 1800 students and teachers visited the existing IOP premises. It is anticipated that an additional 1,200 students and teachers would have cause to visit the new premises, but having regard to the IOP's desire to grow its education programme and the new facilities directly supporting this, the visitor numbers are likely to increase.
- 10.82 The IOP would work with strategic partners to further strengthen the local area's burgeoning reputation as the national base for science, technology, and the growing knowledge economy.
- 10.83 The IOP would offer the use of its new meeting spaces and exhibition spaces to neighbouring charities and Islington Borough Council for the Borough's community

meetings and exhibitions. During the public consultation event, the IOP was introduced to a number of local charities and community groups who indicated that they would welcome the opportunity to make use of space within the IOP premises for numerous functions.

- 10.84 The IOP hosts a wide-range of public facing events from launch events to lectures that bring together the public faces of physics. The public lecture series gives inspirational scientists an opportunity to present latest developments in physics to the general public.
- 10.85 The educational engagement and public outreach benefits are not implicit as part of the built form and as such the submission of a scheme for these elements is secured through a legal agreement.
- 10.86 Energy and Sustainability: The proposal is intended as an exemplar of sustainability, using this as an interactive and educational tool that will serve to inform visitors and staff on the environmental processes of the building. AV will play a key role in the realisation of this vision, and in the public area at ground floor reception as well as the education/ exhibition space at basement level, large digital screens are proposed to perform this function. External information screens are proposed along Caledonian Road that would allow the general public to find out what is happening within the building and about future events and activities. At basement level within the education and exhibition zone, a glazed 'viewing wall' onto the building's plant room is proposed.
- 10.87 The building aims to achieve optimum levels of sustainability and energy performance, where possible incorporating technologies developed by its own membership. The energy performance of the building will be continually monitored and therefore it will be straightforward to demonstrate that the IOP is delivering these energy and sustainability benefits for the local area. This information will be publically displayed on the interactive screens. Conditions are recommended which secure the sustainability of the building.

Conclusion:

- 10.88 The proposed development is considered to represent a high quality design that would respond to the site context and would not detract from the character and appearance of the Conservation Area.
- 10.89 Considering the harm in accordance with paragraph 134 of the NPPF (which states that such harm should be weighed against the public benefits of the proposal), the applicant has detailed substantial public benefits arising from the development including regeneration of this part of Caledonian Road and economic, employment, education and sustainability benefits. It is asserted by the applicant that the public benefits would meet the tests of both paragraph 134 (less than substantial harm) and paragraph 133 (substantial harm) of the NPPF.
- 10.90 Officers agree with the assessment to an extent, but would add that together with the reinstated traditionally proportioned shopfronts and an active frontage onto Caledonian Road, as well as those benefits listed above these would outweigh the harm that the partial demolition and roof extension would cause to the Conservation Area. In this regard, the harm is outweighed and the aim of paragraph 134 of the NPPF is met.

Accessibility

- 10.91 The Islington Core Strategy (2011) policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard.
- 10.92 It is noted that the Access and Inclusive Design Officer considers the overall spatial planning of the building to be generally acceptable.
- 10.93 The application was amended on 19th December 2014 and included details of an accessible cycle/mobility scooter storage point within the ground floor cycle parking space. After trip shower facilities are provided with an accessible shower facility provided at basement level, where there is lift access.
- 10.94 The applicant has confirmed that the fire strategy for the building includes refuges on each level and that the main access doors to the site would be PIR activated with a paddle system during the evening.
- 10.95 A Changing Places WC is recommended due to the publicly accessible ground floor and basement spaces. However, due to the limited area available for a Changing Places WC and that the primary use of the building would be as an office it is not considered reasonable to require a Changing Places WC.
- 10.96 The proposal does not include any accessible parking spaces. While the submitted Transport Statement sets out that the applicant will support the conversion of an on-street parking bay on Balfe Street, this is not supported by the Highways Officer. Due to the high accessibility level of the site the provision of an accessible parking bay is not considered to be necessary in this case.

Neighbouring Amenity

- 10.97 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 10.98 Enclosure and massing: The proposal would introduce a roof extension across the Caledonian Road properties, extending up to the boundary with the Public House to the south and extending to within 0.5 metres from the adjoining property to the north, No. 47. Due to the separation distance of the roof extension from the properties on the opposite side of Caledonian Road and its modest height above the front parapet, when viewed from the opposite side of Caledonian Road the proposal roof extension would not be overbearing.
- 10.99 With regard to the occupiers of the western side of Balfe Street, the proposal would introduce two additional storeys to the application property. However, the resultant building steps back as it increases in height and reduces in massing with the second floor set 14.5 metres back from the front elevation of these properties, the top floor set a further 1.5 metres back again and the top floor having a set back from the north elevation of 1.4 metres. Due to this separation, the step in and the use of light weight materials at across the top floor, the proposal would not be overbearing when viewed from the west side of Balfe Street.
- 10.100 On the rear of the Caledonian Road buildings the proposal would project 2.3 metres at first, second and third floor level beyond the rear of the adjoining building, No. 47 Caledonian Road. Due to the limited projection of the proposal beyond this rear

elevation and that the closest windows to this property serve a stairwell, the proposal would not be overbearing to the occupiers of this property.

- 10.101 To the rear the proposal would introduce a four storey height rear projection facing onto Battlebridge Community Garden. The application site forms the confluence of the terraced rows of Balfe Street and Caledonian Road, resulting in the properties at the southern end of the terraces having restricted outlooks to the south and a reduced separation distance to the relative property to the rear.
- 10.102 The proposed rear projection would be set back from the existing building footprint on the western side but would extend across at an angle to adjoin the rear of No. 43 Caledonian Road, bringing this part of the building line further out. Representations have been received regarding the proposal being overbearing to the occupiers of No. No. 12 Balfe Street. The basement and ground floor windows in this property currently look out onto single storey rear projections at the site and neighbouring property and a high wall within the community garden. Although the proposal would introduce additional built form to the south and south east when viewed from the upper floor windows of this property, to the south the extension would be set back 6 metres from the boundary and set at an oblique angle to No. 12, while the extensions to the south east would be set over 11 metres away. By reason of this and that the primary outlook of the rear windows in the neighbouring property being to the east and north east, the proposed extension would not be overbearing to the occupiers of this property.
- 10.103 Representations have been received raising concern over the scale of the proposal when viewed from Battlebridge Community Garden. The existing buildings at the site backing onto the gardens are set lower than the surrounding built form and the proposal would introduce significant massing to the southern end of the gardens. However, the building would be set back from the narrow southernmost part of the gardens and the massing would be broken up by different heights, materials, obscurely glazed strips and the glazing in the atrium. By reason of this, that the main usable area of the community garden is set further to the north beyond the narrow southern tip of the gardens and that there would be some screening afforded by existing trees which are protected by the Conservation Area, the resultant building would not be overbearing to users of Battlebridge Community Garden.
- 10.104 The proposed shopfronts, glazed infill on Caledonian Road and alterations to the elevations of the existing building would be within the existing footprint and scale of the building and would not be overbearing to the neighbouring occupiers.
- 10.105 Overlooking: The proposed roof extension over the Caledonian Road buildings would introduce high level windows and terraces facing over Caledonian Road. However, the windows would be set back over 18 metres from the opposite windows and whilst the proposed terraces would be closer Development Management policy DM2.6 sets out that this is acceptable across a highway.
- 10.106 Concerning views across Balfe Street, whilst introducing a higher level roof terrace and further high level windows, these would be set over 14 metres from the neighbouring windows and the views would be across a highway.
- 10.107 To the rear an existing first floor roof terrace would be reused but with the addition of a 1.8 metre high obscure glazed screen to ensure that there is not overlooking to neighbouring properties. This screen would also ensure that there was no mutual overlooking to the first floor terrace and windows serving the commercial property at No. 10 Balfe Street.

10.108 The glazed atrium starts at first floor level and extends up to the roof. Concern has been raised regarding overlooking to Battlebridge Community Gardens and the neighbouring properties from the proposed atrium. Although the atrium introduces a large extent of glazing facing back onto the community gardens, by design atriums form open voids within buildings, resulting in floor plates being set back from the glazing and restricting views. In this case, direct views looking back into the community garden would be set a minimum of 6.5 metres from the glazing. Concerning views into neighbouring properties, views from the office space either side of the atrium would be partially screened from the west side of the building by brickwork, while on the eastern side of the atrium is a walkway rather than desk space. Notwithstanding this, any views from the office space would be at oblique angles and set back from the glazing itself.

10.109 It should also be noted that the office use of the site would be at its most intensive use within normal working hours.

10.110 Daylight and Sunlight The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.

10.111 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight);

And

The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

10.112 It should be noted that whilst the BRE guidelines suggest a 20% reduction in NSL would represent an unacceptable loss of daylight, it is commonly held that losses in excess of 50% NSL are not acceptable and should be avoided even in dense urban areas unless where this is unavoidable within an appropriate townscape response.

10.113 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

10.114 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Sunlight and Daylight Losses for Affected Properties Analysis

10.115 Residential dwellings within the following properties have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:

- 7 – 21 (odd) Balfe Street;
- 12 Balfe Street; and
- 48 and 50 Caledonian Road

10.116 With the exception of 12 Balfe Street, none of the properties considered have windows within 90 degrees of due south and therefore do not require testing for Sunlight.

10.117 7-21 (odd) Balfe Street: is a terraced row of three storey listed dwellings on the opposite side of Balfe Street to the application site. The BRE assessment demonstrates that all of the windows would maintain acceptable levels of VSC but six rooms would have a reduction of Daylight Distribution (DD) in excess of 20% at No. 13, 15, 19 and 21. A further three rooms are detailed to fail the DD test but these rooms serve as circulation space and therefore did not require testing, being non-habitable.

10.118 Five of the six affected rooms would have a DD reduction of between 20% - 30%, which is considered to be a lesser/minor infringement. Of the six windows four serve basement rooms which have windows set within front lightwells while the most affected window at No. 15 Balfe Street faces out onto a tree. Notwithstanding this, all of the rooms that would fail the DD test maintain acceptable levels of VSC and currently benefit from an outlook towards a low level two storey building whereas the predominant urban context within the terraced row is an outlook onto an uninterrupted three storey row of terraced buildings. The submitted additional information (dated 23rd December 2014) asserts that the losses to DD at the affected properties are commensurate to the established context of the terraced row as it continues north.

10.119 12 Balfe Street: is a three storey mid-terrace dwellinghouse to the north of the site and has a rear back garden. The BRE daylight assessment demonstrates that the windows/rooms at this property would maintain acceptable levels of VSC and DD.

10.120 It is noted that a representation has been received regarding the testing of this property and the losses in Annual Daylight Factor (ADF). The BRE Guidelines set out that the relevant tests for the impact upon existing properties from new development is VSC and DD, whereas ADF is used to test daylight levels within new developments. Notwithstanding this, the applicant has provided further test results for this property which detail that daylight is within the BRE Guidelines.

10.121 With regard to sunlight, three windows serving habitable rooms would fail the Annual Probable Sunlight Hours (APSH) test. Of these windows two serve bedrooms which are considered less important in the BRE Guidelines. Notwithstanding this, while one of the bedrooms would have a reduction in APSH of over 20% and 100% loss of

winter APSH, which is contrary to the BRE Guidelines, it would continue to receive over 25% of APSH as required by the BRE Guidelines.

- 10.122 The living room window which is detailed to fail the APSH test is dual aspect with two front windows that receive acceptable levels of sunlight. Taking the dual aspect of this room and that all three affected windows would continue to receive good standards of VSC and DD, the losses in sunlight are considered to be acceptable in this case.
- 10.123 48 and 50 Caledonian Road: consist of 2 x three storey terraced properties incorporating commercial ground floor uses with residential above. The BRE assessment demonstrates that all of the windows would maintain acceptable levels of VSC and DD.
- 10.124 Overshadowing The BRE guidelines state that to appear adequately sunlit throughout the year at least half of an amenity space should receive at least 2 hours of sunlight on 21st March. The two areas tested are the rear garden serving 12 Balfe Street and Battlebridge Community Garden.
- 10.125 The submitted daylight/sunlight assessment details that the rear garden serving No. 12 Balfe Street is in complete shadow on the 21st March and therefore the proposal will not result in any change to this, which is in accordance with the BRE Guidelines. Representation has been received requesting further alternative testing of overshadowing to this garden. The submitted additional information (dated 16th October 2014) to address this representation details a Transient Overshadowing assessment which shows that the levels of overshadowing throughout the year to this garden will remain very similar to the existing relationship.
- 10.126 The overshadowing test to Battlebridge Community Garden details that 90.5% of these gardens will receive at least 2 hours of sunlight on 21st March. Furthermore, the area which would have increased overshadowing is at the southern most point of the gardens where the space narrows significantly is bound by a high wall on the eastern side and has an area of hardstanding.
- 10.127 Noise and Disturbance: Although the proposal would undoubtedly increase the intensity of the use of the site from the present situation, the site has lawful office and retail uses which could operate with site users coming and going to the site. Notwithstanding this, the proposed reception/lobby, lecture theatre, café and exhibition spaces are all located at ground and basement level, with access from Caledonian Road, which would be commensurate with the commercial nature of ground floor and basement uses along Caledonian Road.
- 10.128 A condition is recommended ensuring that any potential amplified sound from the use of the lecture theatre or exhibition space would not be audible to neighbouring residents.
- 10.129 The submitted Acoustic Assessment and Ventilation and Extraction Statement have been assessed by the Council's Public Protection Acoustic Officer and are considered to be acceptable subject to a condition restricting the noise emission of the proposed plant machinery.
- 10.130 Hours of operation: This part of Kings Cross and especially the southern part of Caledonian Road is notable for its evening and night time economy, with restaurants, bars and shops with late opening hours. The applicant has not submitted any proposed hours of operation but has set out in the Planning Statement that the

building would be predominantly used in normal working hours with some lectures and evening events being held. B1 office space is generally compatible with residential uses and although the proposal would introduce some evening usage, access and egress would be onto/from Caledonian Road where evening/night time economy is more appropriate. As such, the use of the site for evening events and lectures is considered to be acceptable subject to a condition restricting the hours to the following:

- 0700 hours to 2300 hours Monday - Saturday; and
- 1000 hours to 2200 hours on Sunday and Bank Holidays

10.131 With regard to delivery and serving, this is proposed to be from the largely residential Balfe Street and whilst Kings Cross is a generally busy area it is considered necessary to restrict the hours of delivery and serving by condition to between 0700 hours and 2300 hours.

Sustainability, Energy Efficiency and Renewable Energy

10.132 It is the aim of the Institute of Physics to provide an exemplary standard of sustainable design, construction and operation over the lifetime of the building. Accordingly the applicant has aimed to achieve the highest possible standards, in some cases achieving policy targets for new Major developments, such as a draft Green Performance Plan and overheating modelling. The proposal would incorporate a number of renewable energy technologies and sustainable design features such as photovoltaic panels, ground source heat pumps, passive design and green/blue roofs.

10.133 Islington Core Strategy (2011) policy CS10 requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard. Whilst there is no specific BREEAM target for minor non-residential schemes the submitted Energy Statement details that the proposal would achieve a pre-assessment BREEAM rating of 'Excellent'. The proposed BREEAM level is in excess of policy requirements and is welcomed. A condition is recommended to ensure that this standard is achieved.

10.134 Core Strategy policy CS10 also requires all development to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. The applicant has detailed that the proposal would achieve a total (regulated and unregulated) CO2 emissions reduction of 25.8% against 2010 Building Regulations, which is considered to be acceptable.

10.135 Policy DM7.3 of the Development Management Policies identifies that minor new-build development within 100 metres of a Decentralised Energy Network (DEN) will be required to connect to the network. Although the proposal would not be within 100 metres of a DEN, the Kings Cross Shared Heat Network (SHN) is in close proximity to the site and there could be future opportunities to connect to this. However, this is dependant upon major developments coming forward and the proposal would have a relatively small base heat load that could be met through other low carbon technologies. Where connection to a DEN is not possible, applicants are encouraged to explore the use of Combined Heat and Power, however the size and profile of the energy demands of the proposal are considered to be too small to support the use of a CHP engine. The use of ground source heat pumps to meet the majority of the development's heating and cooling demands is supported.

- 10.136 London Plan policies 5.10 and 5.11, Islington Core Strategy Policy CS10 and Islington Development Management Policies policy DM6.5 promote urban greening and enhancing biodiversity. The London Plan 2011 policy 5.13 considers development should utilise Sustainable Urban Drainage Systems (SUDS) unless practical reasons prevent this, and should aim for Greenfield run-off rates.
- 10.137 The proposal would be located over the existing footprint of the building and would therefore not result in a reduction in the amount of open space for run-off across the site. Notwithstanding this, the application includes the use of Green and Blue roofs (Blue roofs consist of an attenuation layer below a green roof) and rainwater harvesting. The proposed SUDS strategy would reduce the level of surface run-off by approximately 30% and is in accordance with Development Management policy DM6.6.
- 10.138 Although a minimal area of the site (approximately 15 square metres) encompassing the facades of No.41, 43 and 45 Caledonian Road fall within a Local Flood Risk Zone, the proposed SUDS strategy takes provides sufficient reduction in run-off rates taking into account climate change projections and is considered to be sufficient.
- 10.139 Conditions are recommended to ensure the water use target is met.
- 10.140 The proposal would introduce a building with high standards of energy efficiency and sustainability that would exceed policy requirements.

Highways and Transportation

- 10.141 The site has a PTAL rating of 6b, which is 'Excellent' with Kings Cross St Pancras Railway Station and a number of major bus routes in close proximity to the site.
- 10.142 Public Transport Implications: The proposal would result in an uplift in floor space and an increase in the intensity of the use of the site. However, due to there being no on-site car parking, the high PTAL level of the site and the measures set out in the submitted Travel Plan, the proposal would not detrimentally impact upon the surrounding transport infrastructure.
- 10.143 Cycle Parking: Policy DM8.4 and Appendix 6 of the Development Management Policies set out the minimum cycle parking standards for development proposals. Cycle parking should be covered and secure and end of trip facilities such as showers and locker facilities should be provided.
- 10.144 The proposal details the provision of 16 stacked cycle parking spaces, one accessible cycle parking space and end of trip facilities. It is noted that the Transport Officer recommends the provision of 29 cycle parking, which is based on the gross floor space of the entire building. However, the net increase in office floor space is 664 square metres, which would require 9 cycle parking spaces, which the proposal exceeds. Even when the ancillary café and 172 seat lecture theatre floor space, which both have greater cycle parking requirements than office space, are taken into account the proposal would provide sufficient cycle parking space.
- 10.145 Owing to space restrictions the applicant has detailed the use of two tier stacked cycle parking spaces. A condition is recommended requiring details of the cycle staking to be submitted and approved in writing by the Local Planning Authority to demonstrate that the dimensions and landing space is adequate.

- 10.146 In addition to this there are a number of public cycle parking spaces available in the immediate locality, with the closest to the south of the site where Balfe Street meets Caledonian Road. Should the applicant wish to add to these public spaces, as suggested by the Transport Officer, then this should be discussed with the Council's Highways Department. However, the area is highly accessible by public transport and there are a number of Barclays' cycle hire points within close proximity of the site (Northdown Street and Killick Street) such that it is not considered necessary to require additional on-street cycle parking spaces to be provided.
- 10.147 Delivery and Servicing Arrangements: A detailed delivery and servicing plan has not been submitted. However, it is detailed in the Transport Statement that all servicing would be from Caledonian Road and take into account the Council's future planned changes to this part of Caledonian Road to form a two way highway.
- 10.148 Construction: Due to the constrained nature of the site and its frontage onto a residential area on Balfe Street and a busy road on Caledonian Road, a condition is recommended requiring the submission of a Construction Management Plan.
- 10.149 Refuse Collection: The refuse collection point is located close to the service entrance with an intercom system to the reception. The area of the refuse and recycling store is in excess of the minimum space requirements in Islington's Rubbish and Recycling Storage Guidance (2013).

National Planning Policy Framework

- 10.150 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the supply of housing and require good design from new development to achieve good planning.

Other Matters

- 10.151 Representations have been received which state that the proposal should not breach residents 'Right to Light'. 'Right to light' is a civil legal matter and does not form a material planning consideration. However, an assessment of daylight/sunlight and overshadowing has been considered as part of the application.
- 10.152 Representations have been received requesting the exploration of alternative design approaches. The application should be assessed on the basis of the plans submitted and an alternative scheme would be likely to require a separate planning application and is not therefore in for consideration.
- 10.153 A representation has been received which requests that should the application be approved it should be ensured that any retail premises proposed are appropriate. However, the proposal does not include the provision of any retail space.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposal would bring a currently vacant building back into use, increase the extent of office and employment floorspace within the locality and enhance the viability and vitality of a Local Shopping Area.
- 11.2 The proposal, while of considerable scale, would reintroduce shopfronts and activity to Caledonian Road and although contrary to the Conservation Area Design Guidance, it would provide a high quality design at the site that would frame the retained historic facades, reference the character of the locality and positively contribute to the Conservation Area.
- 11.3 The proposal would result in some harm to the Conservation Area (a designated Heritage Asset) and the building (a non-designated Heritage Asset) but in accordance with the NPPF the public benefits of the proposal (education, employment, economic, regeneration and sustainability) have been assessed. In this case the public benefits of the proposal are considered to outweigh any harm.
- 11.4 Residents concerns predominantly relate to neighbour amenity. Although increasing the height of the buildings on the site within close proximity residential properties the proposed development would not be overbearing to neighbouring occupiers. There are identified effects and losses of daylight receipt to neighbouring properties as a result of the development but following a technical assessment of these losses, it is not considered that this would justify the refusal of the application in the context of the balance of various planning considerations.
- 11.5 The proposal would introduce a building with high standards of energy efficiency and sustainability that would exceed policy requirements. It would also provide sufficient cycle parking spaces in accordance with policy requirements.
- 11.6 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

Conclusion

- 11.7 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

- Not to occupy the development until a scheme for the 'Educational Engagement' and 'Public Outreach' programmes has been submitted to and approved by the Council.

That, should the Section 106 Deed of Planning Obligation not be completed within 4 weeks from the date when the application was presented to Planning Committee (in the event of a positive resolution), the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

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| 1 | Commencement (Compliance) |
| | CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5). |
| 2 | Approved plans list (Compliance) |
| | CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: Location Plan, EX(03)209, EX(03)210, EX(03)211, EX(03)212, EX(03)213, EX(04)201, EX(04)202, EX(04)203, EX(05)201, EX(05)202 Rev 01, EX(05)203, EX(05)204, DE(03)009, DE(03)010, DE(03)011 Rev 01, DE(03)012 Rev 01, DE(03)013, DE(04)001, DE(04)002, DE(04)003, DE(05)001 Rev 01, DE(05)002, DE(05)003, DE(05)004, PL(03)009 Rev 01, PL(03)010 Rev 01, PL(03)011 Rev 01, PL(03)012 Rev 01, PL(03)012 Rev 01, PL(03)014 Rev 01, PL(04)001 Rev 01, PL(04)002 Rev 01, PL(04)003 Rev 02, PL(04)004 Rev 01, PL(05)001 Rev 02, PL(05)002 Rev 01, PL(05)003 Rev 02, PL(05)004 Rev 02, PL(05)301 Rev 01, |

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| | <p>PL(05)302 Rev 01, Planning Supporting Statement (ref: S31533), Public Benefit Statement (ref: S31533) Design and Access Statement (ref: 13020 LO1-015-01), Heritage Statement (August 2014), Daylight/Sunlight and overshadowing report (Version 1), Daylight/Sunlight additional information dated 28th August 2014,, Daylight/Sunlight additional information dated 16th October 2014, Daylight/Sunlight additional information dated 23rd December 2014, Sustainable Design and Construction Statement (August 2014), Transport Statement (August 2014), Travel Plan (August 2014), Statement of Community Involvement (August 2014), Phase 1 Geotechnical and Geo-environmental Desk Study Report (August 2014), Utilities and Foul Sewage Assessment (August 2014), Acoustic Strategy Report (August 2014) and Ventilation and Extraction Statement (August 2014).</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 | Materials and Samples (Details) |
| | <p>CONDITION: Details and/or samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on the development. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Facing Brickwork(s); Sample panels of proposed brickwork to be used showing the colour, texture, facebond and pointing shall be provided b) Metal Cladding c) Doors d) Glazing (including obscure glazing) e) Balustrades f) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p> |
| 4 | Shopfronts (Details) |
| | <p>Notwithstanding the plans hereby approved details of the shop front designs fronting Caledonian Road (at scale 1:10) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on that aspect of the scheme.</p> <p>The development shall be carried out strictly in accordance with the details so approved, installed prior to the first occupation of the ground floor, maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting shop fronts are appropriately designed and in order to safeguard the special architectural or historic interest of the Heritage Asset.</p> |
| 5 | Window Manifestations (Details) |
| | <p>CONDITION: Details of any window manifestations, digital displays and interactive features fronting Caledonian Road (at scale 1:10) shall be submitted to and approved in writing by the Local Planning Authority prior to the first operation of the premises.</p> <p>The development shall be carried out strictly in accordance with the details so</p> |

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| | <p>approved, maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.</p> |
| 6 | Hours of Operation (Compliance) |
| | <p>CONDITION: The development hereby approved shall only operate between the hours of 0700 and 2300 Monday to Saturday and between the hours of 1000 and 2200 on Sunday and Bank Holidays.</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</p> |
| 7 | BREEAM (Compliance) |
| | <p>CONDITION: The building hereby approved shall achieve a BREEAM New Construction – Office rating (2011) of no less than ‘excellent’.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p> |
| 8 | Green Roof (Compliance) |
| | <p>CONDITION: The green/blue roof(s) shall be installed prior to the first operation of the building and maintained as such thereafter. The green/blue roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base of a depth of at least 80-150mm; and</p> <p>b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p> |
| 9 | Cycle Parking (Details) |
| | <p>CONDITION: Prior to the first occupation of the building, details of the proposed cycle stacking system shall be submitted to and approved in writing by the Local Planning Authority. The bicycle storage area detailed on the plans shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p> |
| 10 | Refuse/Recycling (Compliance) |
| | <p>CONDITION: The dedicated residential refuse / recycling enclosure shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p> |
| 11 | Construction Management Plan (Details) |
| | <p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority.</p> |

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| | <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development</p> |
| 12 | Servicing and Delivery (Compliance) |
| | <p>CONDITION: All service vehicle deliveries/collections/visits to and from the development hereby approved must not take place outside hours of 0700 to 2300 HOURS Monday to Saturday and not at all on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure that resulting servicing arrangements do not adversely impact on residential amenity.</p> |
| 13 | Plant Noise (Compliance) |
| | <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 protect the amenity of neighbouring occupiers.</p> |
| 14 | Amplified Noise (Compliance) |
| | <p>CONDITION: No music or amplified sound emanating from the premises shall be audible at 1 metre from the façade of the nearest noise sensitive premises.</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</p> |
| 15 | Contaminated Land (Details) |
| | <p>Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority</p> <p>a) A land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme a</p> |

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| | <p>verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).</p> <p>Reason: To protect the amenity and health of current and future occupiers.</p> |
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List of Informatives:

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| 1 | <p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p> |
| 2 | <p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), if planning consent is granted for this application following an appeal, this development will be liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and Mayor of London Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London CIL Charging Schedule 2012.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the Planning Policy Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p> |
| 3 | <p>Working in a Positive and Proactive Way</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and 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.

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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

3 London's people

Policy 3.1 Ensuring equal life chances for all
Policy 3.16 Protection and enhancement of social infrastructure

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.1 Strategic approach
Policy 6.2 Providing public transport capacity and safeguarding land for transport
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.4 Enhancing London's transport connectivity
Policy 6.7 Better streets and surface transport
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.12 Road network capacity
Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and archaeology
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Housing

DM3.7 Noise and vibration (residential uses)

Shops, cultures and services

DM4.3 Location and concentration of uses

DM4.4 Promoting Islington's Town Centres

DM4.12 Social and strategic infrastructure and cultural facilities

Employment

DM5.1 New Business Floor Space

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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:

- King Cross and Pentonville Core Strategy Area
- Locally Listed Building
- Within 100m of Strategic Road Network
- Within 50m of King's Cross Conservation Area
- Mayors Protected View, Kenwood viewing gazebo to St Paul's Cathedral
- Mayors Protected View, Right Lateral Assessment
- - Local Flood Risk Zone

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Accessible Housing in Islington
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidelines

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

APPENDIX 3: DRP Comments

3rd December 2014



Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: P2014/3577/FUL

Date: 03 December 2014

ATT: Charles Mills
Daniel Watney LLP
165 Fleet Street
London EC4A 2DW

Dear Charles Mills,

ISLINGTON DESIGN REVIEW PANEL

RE: Institute of Physics

Thank you for attending Islington's Design Review Panel meeting on 4 November 2014 for an assessment of the above scheme. The proposed scheme under consideration is for the part demolition of 2-8 Balfe Street and 35-46 Caledonian road, the erection of a part four storey, part second floor, part third floor and roof extension to create four storey building, alternations to Balfe Street, Caledonian Road and northern elevations, erection/replacement of six shop fronts on Caledonian Road, lowering of basement floor level and change of use of six retail units (A1 use) fronting Caledonian road to offices (B1 use).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (chair), Michael Richter, Alec Forshaw, Mustafa Erdem, Sarah Featherstone and Paul Reynolds on Tuesday 4 November 2014, and included a site visit, presentation from the design team followed by question and answers session and deliberations at Islington Town Hall. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

Panel's observations

The Panel welcomed the Institute of Physics' ambition, investment in Islington, and ideas around community engagement. However, the Panel expressed concerns over the appropriateness of the site for what the Institute is looking to achieve and suggested that a cleared site might be more appropriate.

In terms of the Caledonian Road elevation, the Panel appreciated the Institute's wish to preserve the street scape, but advised that the proposed design was unsuccessful in bringing together the contemporary and historic architecture. The Panel understood the Institute's desire to make a bold statement with its new building, but felt that the proposed design approach appeared to be contradictory, concealing the statement building behind the retained façade, and creating a strong ambiguity between the retained façade and the new building behind. The Panel argued that the result was too many competing styles of architecture. The Panel commented that the partial demolition of part of the existing façade on Caledonian

Road, adjacent to the corner pub, and replacement with the proposed glass section was inconsistent with the ambition to retain the façade and preserve the historic street scape. The amount and configuration of floor space appeared impossible to achieve on this awkwardly shaped and constrained site without breaching the established conservation area policies.

The Panel noted that the four most southern bays of the existing Caledonian Road façade were not original and in the Panel's view lacked the qualities of the original elevations.

The Panel suggested that in light of the compromised design, the retained façade would need to be significantly improved, or removed altogether to allow for the creation of a modern insertion and the bold design the Institute desired. The Panel also argued that a new elevation would allow for a more unified design of shop fronts and upper floors.

The Panel raised concerns over the proposed roof extension, particularly in relation to the chimneys and queried whether these were integral to the sustainability of the building. The Panel appreciated the Institute's desire to make a statement about modern technology, but felt that the roof design and the chimneys in their current composition appeared alien in the local context.

On Balfe Street, the Panel were of the opinion that the industrial quality of the existing elevation added important character to the quality of the street and that the elevation should be retained. The Panel questioned the proposal to remove the third floor gable which they felt was an important part of the composition. The Panel raised concerns over the top heavy appearance of the additional floors and the bulky glass box on the roof.

Summary

The Panel was concerned over the suitability of the site for accommodating the signature building that the Institute proposes. Panel members felt that the attempt of designing a new signature building within the retained façades had resulted in an unsuccessful compromise with too many competing architectural styles.

The Panel recommended that either the full retention of the façade without the glass section or the complete removal of the non-original façade should be explored. However, the Panel appreciated and supported the conservation area policy context and the difficulties surrounding a proposal which would involve the removal of the façade and recommended that this option should be explored in consultation with Islington Council.

Confidentiality

Please note that as the scheme under review is currently the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

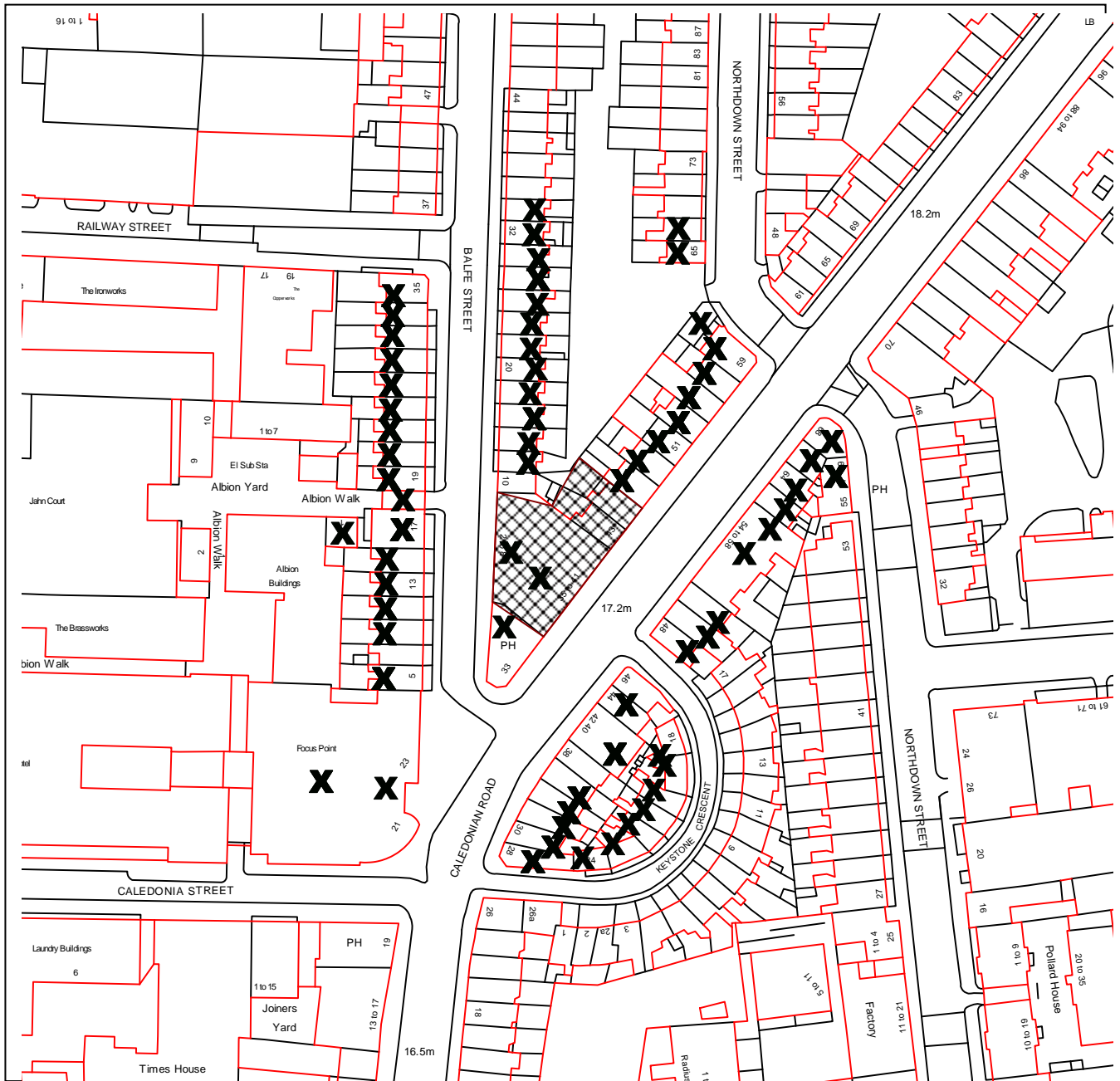


Luciana Grave
Design Review Panel Coordinator
Design & Conservation Team Manager





ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3577/FUL

LOCATION: 2-8 BALFE STREET AND 35-45 CALEDONIAN ROAD
LONDON N1 9EG

SCALE: 1:1250

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Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 PO Box 333
 222 Upper Street

PLANNING COMMITTEE REPORT

| | | |
|---------------------------------|-------------------------------|------------|
| PLANNING SUB-COMMITTEE B | | |
| Date: | 5 th February 2015 | NON-EXEMPT |

| | |
|--------------------------|---|
| Application number | P2014/4365/FUL |
| Application type | Full Planning Application |
| Ward | St Mary's Ward |
| Listed building | None |
| Conservation area | Within 50 metres of Canonbury and Upper Street (North) Conservation Areas |
| Development Plan Context | None |
| Licensing Implications | None |
| Site Address | 23 - 26 Hyde's Place London N1 2XE |
| Proposal | Erection of a single storey roof extension at second floor level to create additional storey to existing single dwelling house. |

| | |
|--------------|---------------------------------------|
| Case Officer | Thomas Broomhall |
| Applicant | Mr Guy Walker |
| Agent | Mr Stephen Archer – Archer Architects |

1 RECOMMENDATION

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

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

3. PHOTOS OF SITE/STREET



Image 1 - Aerial view of the site and surroundings

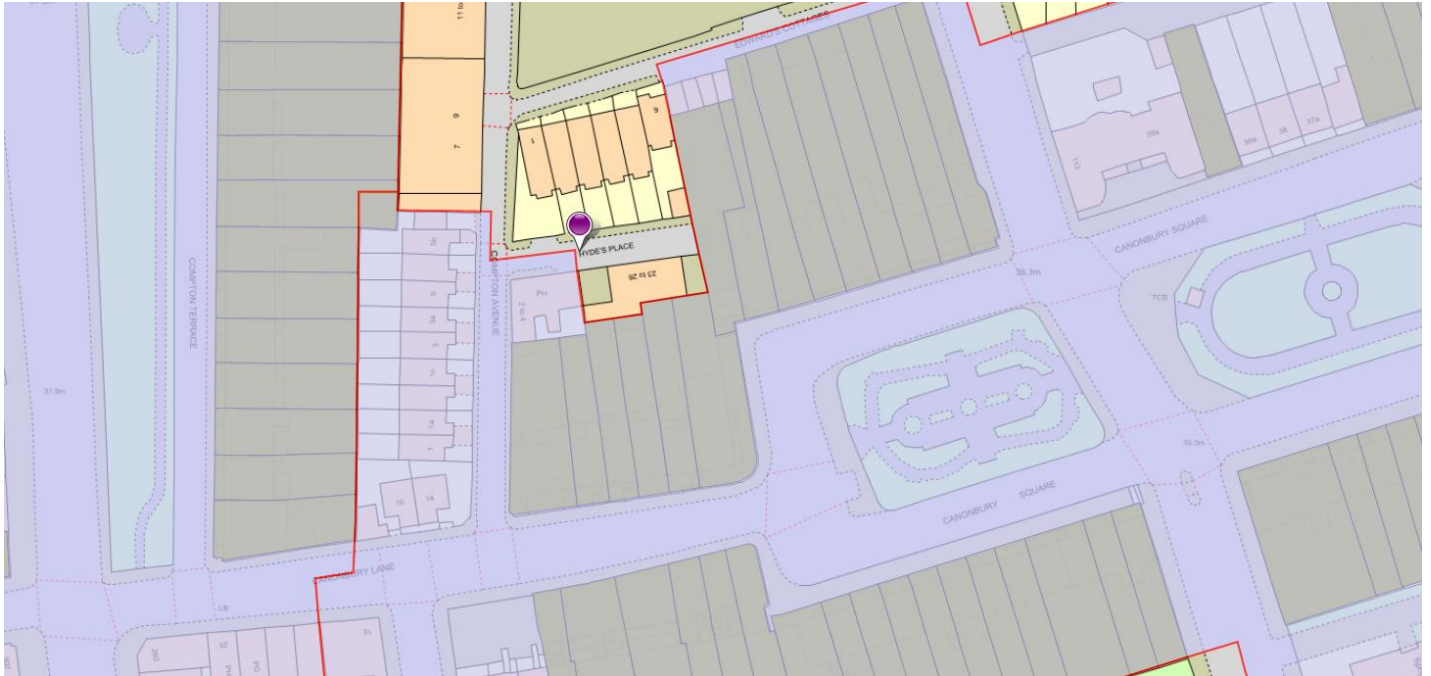


Image 2 – Conservation Area Boundary and Listed Buildings



Image 3 - View of front elevation of site



Image 4 – View of front elevation from Compton Avenue



**Image 5 –
View of the southern elevation of the site from rear of 6 Canonbury Lane**



Image 6 – View towards the rear elevation from Compton Avenue



Image 7 – View towards Edward’s Cottages from Compton Avenue

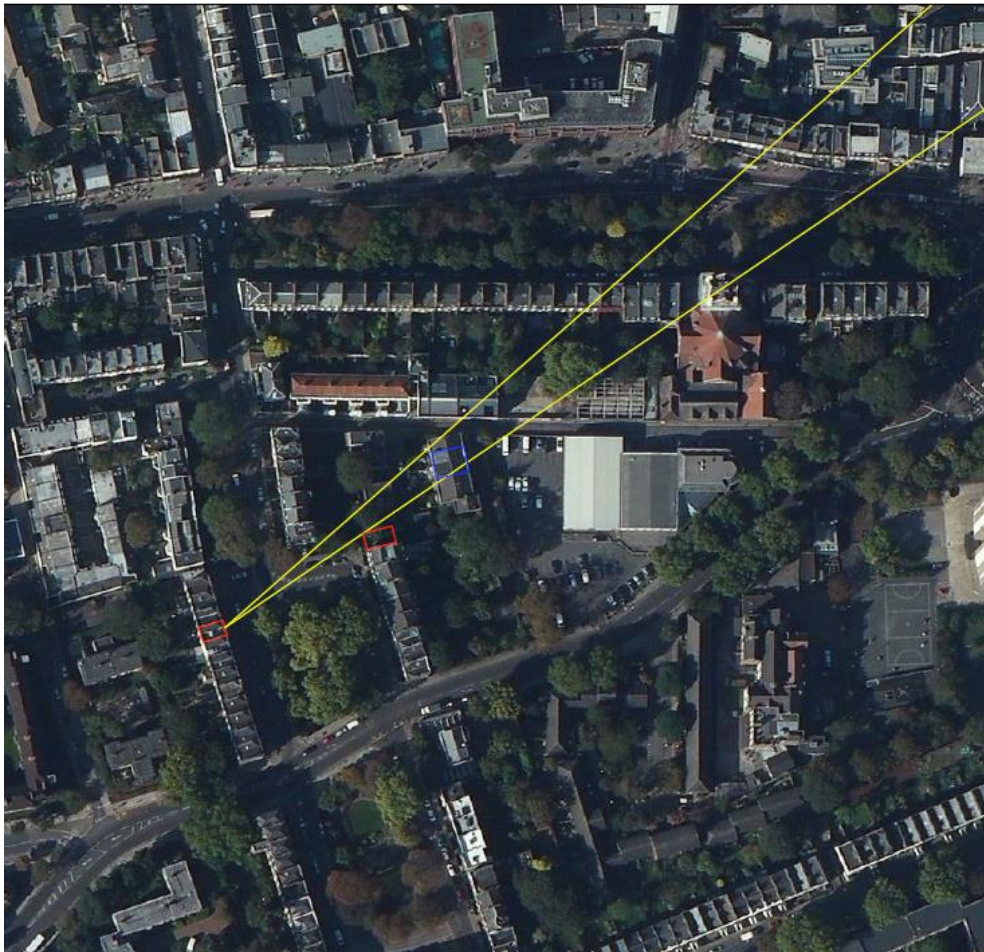


Image 8 – Angle of view towards Union Chapel from Canonbury Square

4 SUMMARY

- 4.1 The application proposes the erection of a single storey roof extension at second floor level to create an additional storey to the existing part single storey part two-storey detached single dwelling house.
- 4.2 The issues arising from the application are the impact on the character and appearance of the host building, the impact on the setting of adjacent listed buildings, and on the character and appearance of the adjacent Canonbury Conservation Area, and impact on the neighbouring amenity of the adjacent residential properties.
- 4.3 The proposed roof extension is considered to be acceptable. The impact of the proposal on the character and appearance of the host building, the setting of adjacent listed buildings, and on the character and appearance of the adjacent Canonbury Conservation Area is considered to be acceptable. The impact on the amenities of the adjacent residential properties is also considered to be acceptable. The application is therefore recommended for approval with conditions.

5 SITE AND SURROUNDING

- 5.1 The site is a modern two storey detached single dwelling house on a cul-de-sac known as Hyde's Place. The boundary of the site adjoins 47 Canonbury Square (a Grade II Listed Building) to the east, the rear gardens of 48 Canonbury Square, and 2-12 Canonbury Lane to the south (also Grade II Listed Buildings), and the public house 'The Compton Arms' to the west. It is noted that the site is not within a conservation area however the eastern, southern and western boundaries of the site abut the boundary of the Canonbury Conservation Area. As indicated on the site location plan, the land immediately in front of the property is also under the ownership of the applicant. On a recent site visit this land continues to be used as part of the access road known as Hyde's Place.
- 5.2 The terrace of 5 properties at Edward's Cottages opposite the site, also outside of a conservation area boundary, comprise part two part three storey properties with balconies at first and second floor level facing south towards the front elevation of the application site. It is noted that second floor roof extension was approved at 5 Edward's Cottage under a Certificates of Lawfulness in 2009.

6 PROPOSAL (in Detail)

- 6.1 The proposal is for the erection of a single storey roof extension at second floor level to create an additional storey to the part single storey part two storey modern detached building. The roof extension comprising floor to ceiling glazing on the northern, eastern and western boundaries with grey polyester coated metal roof. The roof extension will extend the main part of the roof of the original building and is set away from the site boundaries to the eastern, southern and western elevations.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 **961221** - *redevelopment to provide part single and part two storey four bedroom house, involving demolition of existing B1 building at 23-26, Hydes Place (off Compton Avenue), N1. Granted December 1996.*

CONDITION 3: The development hereby approved shall be completed in all respects in accordance with the plans and details submitted and approved, and no change therefrom shall take place without the prior and express permission of the Local Planning Authority.

REASON: To ensure that the Authority may be fully satisfied that the detail of the proposal to which it gives planning permission is implemented exactly, because of the nature of the development.

CONDITION 6: Notwithstanding the provision of The Town and Country Planning (General Permitted Development) Order 1995 no extension and alteration to the original dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.

REASON: To ensure that the Local Planning Authority has control over future extensions in view of the limited space within the site available for such alterations and the impact such extensions may have on residential amenity and the overall design entity of the scheme itself and in relation to the surrounding area.

CONDITION 7: Details of windows to the first floor on elevation CC, including sample of obscured glass thereto, shall be submitted to and approved in writing by the Local Planning Authority before any work on the site is commenced.

REASON: In order to ensure a satisfactory standard of residential amenity is provided and maintained.

- 7.2 **P2014/2211/FUL** - *Erection of a single storey side extension with a glazed roof* at 23 - 26 Hyde's Place London N1 2XE. Granted September 2014.

ENFORCEMENT:

- 7.3 None

PRE-APPLICATION ADVICE:

- 7.4 None.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 27 adjoining and nearby properties at Edward's Cottages, Canonbury Lane, Compton Avenue, Canonbury Square, on 18 November 2014. A site notice was displayed on 27 November 2014. A Press Notice was displayed on 27 November 2014. The initial round of public consultation of the application therefore expired on 18 December 2014.
- 8.2 At the time of the writing of this report a total of 7 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):
- Over development of the site (See paragraph 10.3)

- Breaches permitted density for the site as demonstrated by Condition 6 attached to consent 961221 (See paragraph 10.4-10.5)
- Detrimental impact on listed buildings (See paragraph 10.8)
- Loss of visual amenity to the conservation area (See paragraph 10.9, 10.13)
- Imbalance of heights with Compton Arms (See paragraph 10.11)
- Block Line of sight of Union Chapel (See paragraph 10.12)
- Loss of amenity to Edward's Cottages (See paragraph 10.16-10.18)
- Loss of amenity to 6 Canonbury Lane, 47 and 48 Canonbury Square (See paragraph 10.19-10.23)
- Condition 7 attached to consent 961221 protected neighbouring amenity which is breached by the latest application (See paragraph 10.19-10.23)

External Consultees

8.3 No comments received.

Internal Consultees

8.4 **Design and Conservation Team** - the proposal is considered to be acceptable subject to conditions

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.

9.3 The National Planning Practice Guidance 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.

Designations

9.4 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013.

None.

Supplementary Planning Guidance (SPG) / Document (SPD)

9.5 The 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 the:

- Impact on the character and appearance of the host building,
- Impact on the setting of the adjacent Listed Buildings,
- Impact on the character and appearance of the adjoining Canonbury Conservation Area,
- Impact on neighbouring amenity.

Impact on the character and appearance of the host building

- 10.2 Policy DM2.1 of the Development Management Policies requires development to be of high quality, make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Part vii) of DM2.1 requires design to respect and respond positively to existing buildings, the streetscape and the wider context, including local architectural language and character, surrounding heritage assets, and locally distinctive patterns of development and landscape.
- 10.3 The scale and proportions of the proposed roof extension to create an additional third storey, respects the existing building and adjacent properties outside of the conservation area, notably the part two storey part three storey properties at Edward's Cottages. The minimal design of the roof extension and use of materials comprising floor to ceiling glazing and polyester coated grey metal roof is in keeping with the modern character of the host building.
- 10.4 An objection was received in relation to a breach of the permitted density of the site; however the density of the site will remain unchanged as a single dwelling house.
- 10.5 Condition 6 attached to planning permission ref: 961221 removed permitted development rights to extend or alter the external appearance of the dwelling house without express planning permission. The presence of this condition requiring express planning consent for alterations and extensions to the dwelling is noted. This condition ensures the Local Planning Authority has control over future alterations or extensions, but the presence of this condition does not render alterations or extensions to the property to be unacceptable in principle.
- 10.6 Therefore the impact of the proposed single storey roof extension on the character and appearance of the existing building is considered to be acceptable.

Impact on the setting of the adjacent Listed Buildings

- 10.7 The existing flat roof design of the modern dwelling is read independently to the listed properties which have varied mansard roofs. An additional flat roofed storey to the building would sit considerably below the height of the surrounding four storey listed buildings and would not dominate or appear overbearing on the setting of the adjacent listed buildings. The position of the roof extension is set within the footprint of the existing flat roof and separate from all adjacent buildings. Therefore the additional storey to the modern single two storey dwelling house does not harm the setting of the adjacent listed buildings and is therefore acceptable.

10.8 Objections were received regarding the impact on listed buildings. The host building is significantly smaller in proportion to the scale and massing of the adjacent listed terraces to the east and south of the application site. On a recent site visit the presence of the completed side extension to the listed building at no. 47 Canonbury Square immediately adjacent the site forming a four storey building was noted. At present the dwelling is detached from 47 Canonbury Square although a single storey ground floor side extension to the east elevation of the host building adjoining Canonbury Square was approved in September 2014.

Impact on the character and appearance of the adjoining Canonbury Conservation Area

10.9 The Canonbury Conservation Area Design Guidelines resists roof extensions which are visible from the street or other public areas and requires the use of traditional materials for extensions. Given the contemporary character of the modern detached flat roof two-storey building, although in close proximity to the conservation area, in this instance it would be unreasonable to impose the requirements of the Canonbury Conservation Area Design Guidelines.

10.10 The Design and Conservation Officer expressed concerns over the visual prominence from the extent of the overhang however given the minor extent of the overhang and the proportions of the adjacent listed buildings, this is not sufficient to form grounds for refusal and is therefore acceptable.

10.11 An objection was received concerning an imbalance of heights with the two-storey Compton Arms public house. The application site is a modern flat roofed single dwelling house of largely two storeys, the scale of which relates to the massing and proportions of the two storey flat roof Compton Arms Public House. The proposed additional storey does not harm the heritage asset given the separation distance between the buildings, the modern design and use of materials. Therefore this does not form grounds for refusal and is acceptable.

10.12 An objection was received expressing concern that the roof extension will block the view of the Union Chapel from Canonbury Square. This view has already been blocked by the recent four storey development of 47 Canonbury Square, which had provided the direct line of sight. Image 8 earlier in this report demonstrates the position of the Union Chapel and how the building is not visible from street level on Canonbury Square.

10.13 The scale, massing, design and appearance of the roof extension does not cause visual harm to the character and appearance of the surrounding conservation area including the Compton Arms as to justify refusal on this basis. The proposed roof extension is therefore acceptable.

Impact on neighbouring amenity

10.14 The roof extension proposes floor to ceiling glazing on the northern, eastern and western elevations. No windows or glazing is proposed on the rear elevation which will comprise brickwork to match the existing.

10.15 An objection was received concerning a loss of amenity to 4 Edward's Cottages located opposite the application site, through a loss of daylight, increase in overlooking and loss of privacy.

- 10.16 Part (x) of policy DM2.1 of the Council's Development Management Policies requires development to provide a good level of amenity including overlooking. Paragraph 2.14 of the supporting text requires a minimum distance of 18 metres between windows of habitable rooms in order to protect privacy for residential developments and existing residential properties. However this does not apply across the public highway. Despite the applicant's purchase of the land immediately in front of the property, the land is unaltered and continues to be used as highway for access to the application property. Therefore although less than 18 metres the increase in overlooking across a public highway does not constitute an unacceptable loss of privacy.
- 10.17 The proposed second floor roof extension incorporates floor to ceiling glazing on the northern elevation facing towards Edward's Cottages. There are currently large expanses of clear glazing on the front elevation of the property on the ground and first floors and therefore the roof extension does not worsen the current situation. The impact of the additional storey is no more harmful than the existing arrangement as the ground and first floor already look directly across at Edward's Cottages and therefore the impact on amenity in terms of increase in overlooking is acceptable.
- 10.18 Despite the distance of less than 18 metres, front gardens to the properties of Edward's Cottages and the established highway of Hyde's Place, (although part owned by the applicant), provide a separation distance between the front elevation of Edwards' Cottages and the application site. The additional storey creates a building of similar height to Edward's Cottages and a mirror image across the highway. As a result there is not considered to be a harmful impact on daylight or increase in overlooking from the proposed second floor roof extension. Therefore the proposal accords with the Council's policies on the protection of neighbouring amenity and is therefore acceptable.
- 10.19 Objections were received concerning the impact on daylight and overlooking towards the rear elevations and rear gardens of the properties fronting Canonbury Lane and Canonbury Square. Reference in the objection was made to the fact that condition 7 attached to consent 961221 required obscure glazed windows at first floor. Currently the windows on the eastern elevation at first floor level are obscure glazed in accordance with condition 7.
- 10.20 The windows on the eastern elevation of the roof extension would be set back from the existing eastern elevation and therefore the angle of view towards the rear of 48 Canonbury Square is greater than the existing view at ground and first floor levels. However to prevent a harmful increase in overlooking it is recommended that a condition is attached to the grant of consent requiring the use of obscure glazing on the eastern elevation.
- 10.21 No windows are proposed on the southern elevation of the proposed roof extension and therefore there is no increase in overlooking from this elevation.
- 10.22 Due to the oblique angle of view and distance from habitable windows, the position of the proposed windows on the western elevation of the roof extension does not create direct overlooking towards the rear elevation of properties on Canonbury Lane or Canonbury Square. The Council do not have policies to protect views into and of private gardens as to justify refusal on this basis. Therefore the impact on overlooking from the western elevation is acceptable.
- 10.23 With regards to the impact on daylight to the rear of the properties on Canonbury Lane and Canonbury Square, consideration was given to the guidelines set out by the British Research Establishment (BRE) to measure the impact on levels of daylight. There is no breach of the minimum 25 degree rule set out by the BRE to assess the acceptable impact on daylight to habitable rooms of existing buildings.

The additional height from the roof extension does not cause an unacceptably harmful loss of daylight to the windows of habitable rooms on the rear elevation of properties fronting Canonbury Lane or Canonbury Square.

- 10.24 Therefore the proposal is acceptable in accordance with the council's policies on the protection of neighbouring amenity in terms of its impact on daylight and sunlight, overlooking, outlook, or creation of undue sense of enclosure.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The impact of the proposal on the character and appearance of the host building, setting of adjacent listed buildings and character and appearance of the adjacent Canonbury conservation area is acceptable. The impact of the proposal on the neighbouring amenity of the adjoining and adjacent properties is considered to be 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 the grant of planning permission be subject to conditions:

List of Conditions:

| | |
|----------|--|
| 1 | <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 | <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>(PW)539/00/101, (PW)539/00/102, (PW)53901/101, (PW)539/01/102, (PW)539/01/103, (PW)539/01/104, (PW)539/01/105, (PW)539/02/201, (PW)539/02/202, (PW)539/02/203, (PW)539/02/204, (PW)539/02/205, (PW)539/02/206, (PW)539/02/207, (PW)539/02/209, (PW)539/02/210, Design and Access Statement dated 21st October 2014</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 | <p>MATERIALS (COMPLIANCE): The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p> |
| 4 | <p>CONDITION: Notwithstanding the approved plans the windows on the Courtyard (East) Elevation of the roof extension hereby approved as shown on drawing (PW) 539/02/206, shall be obscurely glazed from finished floor level to a minimum height of 1.7 metres and fixed shut and retained as such thereafter into perpetuity.</p> <p>REASON: For the protection of the amenities of neighbouring occupiers.</p> |

List of Informatives:

| | |
|----------|---|
| 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.</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> |
|--|---|

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

B) Islington Core Strategy 2011

Policy CS8 (Enhancing Islington's Character)

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

C) Development Management Policies June 2013

DM2.1 Design
DM2.3 Heritage

3. 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

None

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/4365/FUL

LOCATION: 23 - 26 HYDE'S PLACE LONDON N1 2XE

SCALE: 1:1250

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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 | | |
| Date: | 5 th February 2015 | NON-EXEMPT |

| | |
|---------------------------------|---|
| Application number | P2014/3524/FUL |
| Application type | Full Application |
| Ward | Junction |
| Listed Building | No |
| Conservation Area | No |
| Licensing Implications Proposal | None |
| Site Address | Archway Leisure Centre, Macdonald Road N19 5DD |
| Proposal | Erection of a single storey extension to leisure centre main entrance |

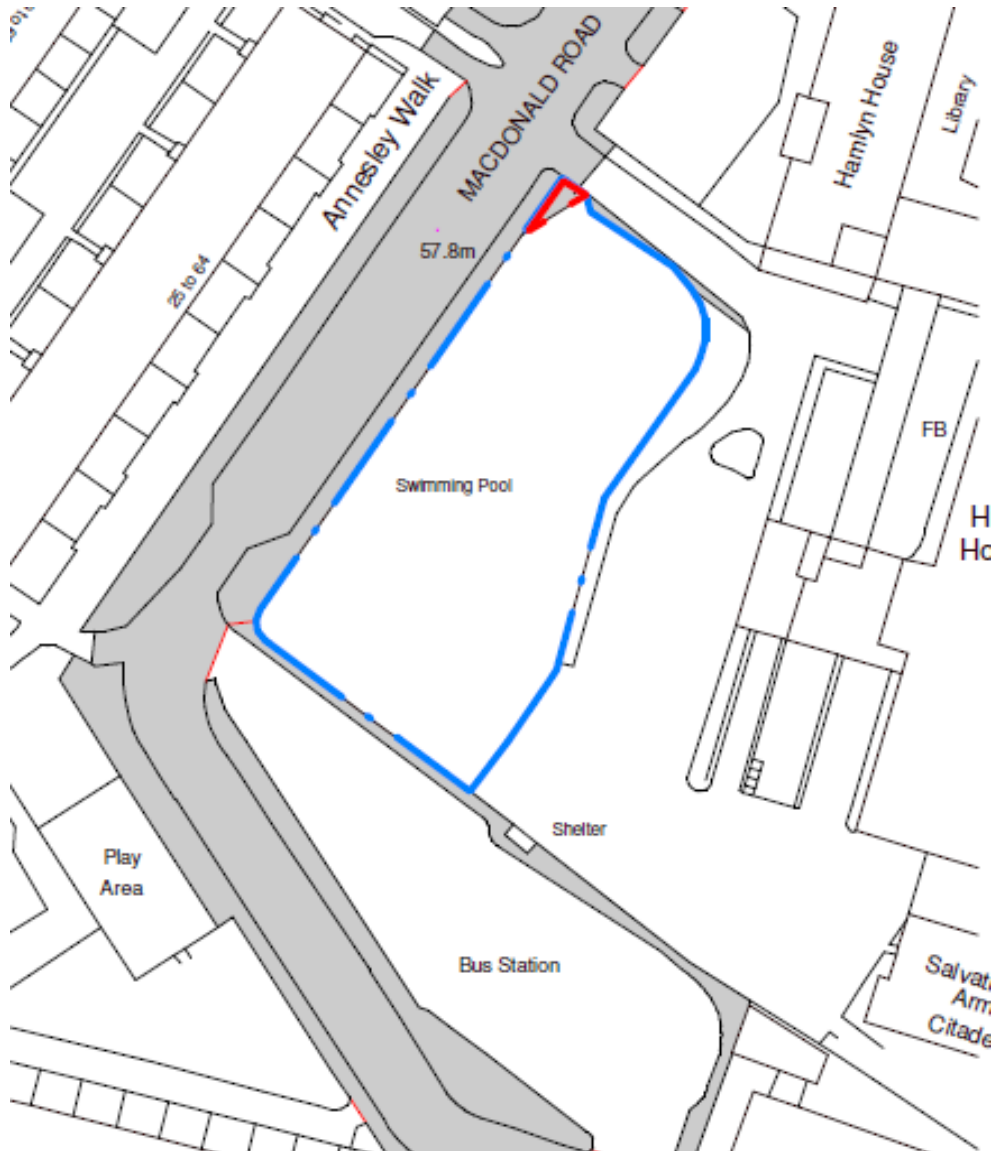
| | |
|--------------|--------------------|
| Case Officer | Eoin Concannon |
| Applicant | Islington Council |
| Agent | Mr. Gustavo Macedo |

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 BLACK)



3 PHOTOS OF SITE/STREET

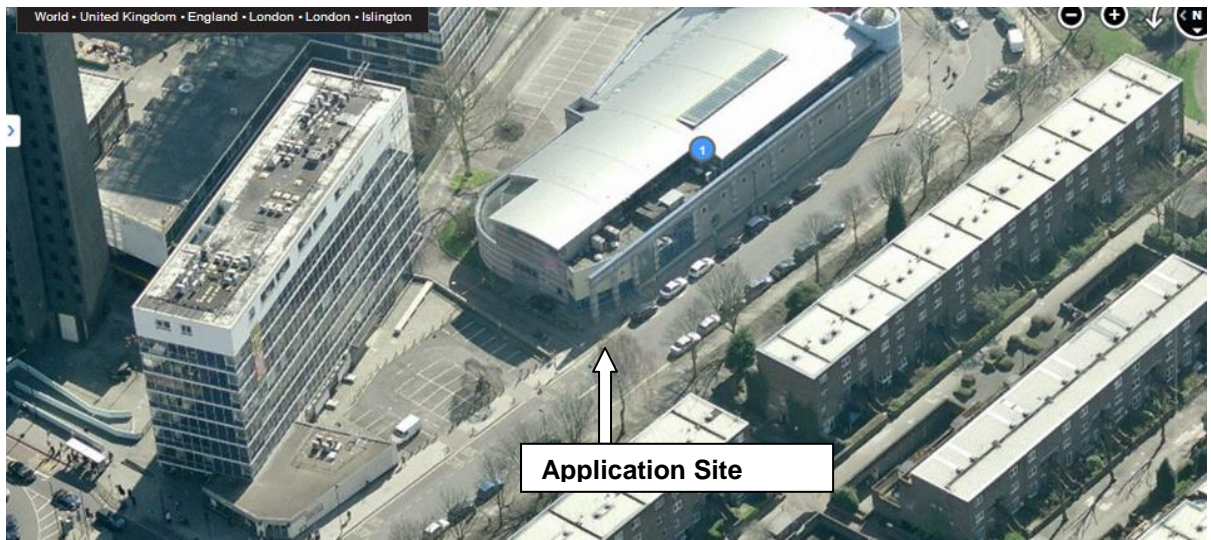


Photo 1: Aerial view of leisure centre along MacDonald Road



Photo 2: Existing entrance to leisure centre

4 SUMMARY

- 4.1 The application seeks planning permission for the erection of single storey ground floor extension to the Leisure Centre to provide an improved access arrangement. The main considerations relate to the impact on the existing building, surrounding area, access arrangements and neighbour amenity.
- 4.2 The infill extension would improve the front elevation with a design that emphasises its functional role as a public leisure centre. The Access Officer is content that the design would also meet the Islington Council's Inclusive Design Guidance. There would not be any concerns regarding impact on amenity of neighbouring properties given its frontage onto a public highway.
- 4.3 Representations have been received raising concerns regarding the internal alterations proposed. The internal increase in floor space to the gym floor would comply with the Local and National Policy guidance which seeks to improve the quality, accessibility and capacity of sports facilities. As such, the application is considered acceptable and recommended for approval.

5 SITE AND SURROUNDING

- 5.1 The building is situated on the south eastern side of Macdonald Road and comprises three storey brick building situated along a prominent junction with Vorley Road.
- 5.2 The site is set over an area of 0.208 hectares and comprises a Council owned Leisure Centre (D1 use class) with a pedestrian access from the existing car park to the south. The building which was originally built in 1991 is of a post modern design with a mixture of brick and glazing in its finish.
- 5.3 The area is a mixture of commercial, residential and other uses with Archway underground station and town centre situated to the north east of the site. The property is neither a listed building or within a Conservation Area.

6 Proposal (in Detail)

- 6.1 The proposed development seeks planning permission for a single storey infill extension at ground floor level to the main entrance of the leisure centre together with internal first floor mezzanine extension over the lobby area to create additional floor space for the gym.
- 6.2 The existing entrance lobby through glazed doors is set back from two concrete columns. The proposed extension would bring this area forward and align with the columns, infilling a section of approximately 10.5 square metres. The new entrance doors would have a glazed finish and automatic doors. This would provide additional floor space to the lobby with automatic entrance doors.
- 6.3 The submitted plans also show the existing mezzanine floor at first floor level over the entrance lobby to be infilled to create 21 square metres additional floor space to be used for the gym. Further internal alterations are included which would not be apart of the planning assessment.

7. RELEVANT HISTORY

Planning Applications:

- 7.1 **880720:** Erection of new swimming pool and associated car parking spaces. (Approved 01/11/88)

Enforcement:

- 7.2 None

Pre-application:

- 7.3 None

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on the 21st October 2014. A site notice was also displayed. The public consultation of the application therefore expired on 11th November 2014 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, 2 objections had been received. The objections can be summarised as follows (with the relevant paragraph numbers that provide responses to those issues indicated in brackets):
- concerns raised regarding the internal layout changes and its impact on members (10.3 &10.13)
 - infill section at first floor level which would reduce natural light (10.14)
 - impact on seating arrangements to the café (10.13)
 - implications of changes to the internal layout (10.9-10.14)
 - poor consultation process by the Leisure Centre to the general public and its members. (10.12)

Internal consultees

- 8.3 **Design & Conservation Team:** The entrance proposed is contemporary and would enhance the overall design of the building. Acceptable
- 8.4 **Inclusive Design Officer:** No objections subject to full compliance with Part M of Building Regulations.

9 REVELANT 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.
- 9.2 The National Planning Practice Guidance 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 relevant SPGs and/or SPDs are listed in Appendix 2.

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
 - Principle of the development
 - Impact of the development on the character and appearance of the existing building and surrounding area.
 - Impact of the development on the residential amenities of the neighbouring occupiers;
 - Accessibility
 - Other issues.

Principle of the development

- 10.2 Policy CS17 (Sports and recreation provision) of the Core Strategy and Policy DM6.4 (Sport and recreation) of the Development Management Policies supports the need to improve the quality, accessibility and capacity of sports facilities. These policies seek to retain and improve existing facilities in order to support the local population increase.

- 10.3 The proposal would not involve a change of use to the existing building. Internally, there would be an increase in floorspace to be used in conjunction with the first floor gym. This would provide a larger gym floor which would improve the overall leisure facilities and potentially creating more opportunity to local residents to utilise the facilities. As such, the principle of the internal infill extension is acceptable.
- 10.4 Other internal refurbishment and reconfiguration of the leisure centre layout would not be considered under this assessment as it would not require planning permission however the applicant would need to comply with other regulations outside the realms of the planning legislation (Building regulations, Equality Act)
- 10.5 The external extension would provide additional lobby space serving the leisure centre use and its principle is also therefore considered acceptable.

Impact of the development on the character and appearance of the existing building and surrounding area.

- 10.6 The host building is in a prominent location and given its functioning it would be imperative to have a well defined entrance. The works proposed involve improving the internal area within the ground floor of the building. It would not extend beyond the existing footprint of the building as it infills a triangular section between the existing entrance and the brick pillars.
- 10.7 The mixture of both full height glazing and dark grey painted fascias would enhance the entrance along prominent corner. It would soften the overall design of the building creating a contemporary design to the leisure centre without detracting from the appearance of the building. The proposal would also have the appearance of a formal entrance which currently is not as obvious. The Design & Conservation Team have been consulted and are content that the proposal would be neatly accommodated with a high quality contemporary design. This would be in compliance with the guidance set in the Islington Urban Design Guide.
- 10.8 As such, the proposal would improve the overall appearance of the building and the surrounding townscape or the adjacent conservation area. Therefore, the proposal is considered to accord with policies 7.4 (Local character), 7.6 (Architecture) of the London Plan 2011, policy CS8 (Enhancing Islington's character) of the Islington Core Strategy 2011, and policy DM2.1 (Design) of the Islington Development Management Policies 2013.

Impact of the development on the residential amenities of the neighbouring occupiers

- 10.9 Policy DM2.1 of the Development Management Policies Plan states that 'developments are required to provide a good level of amenity including consideration of overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.' The proposal

would not cause a detrimental impact on the surrounding neighbour's amenity space. The extension faces onto the highway with no neighbouring properties in close vicinity. As such, the proposal would comply with Policy DM2.1 of the Development Management Policies Plan.

Accessibility

- 10.10 The alterations proposed would improve accessibility to the building. The door indicated would be automatic with additional lobby space improving manoeuvring ability for all. Also, there would be a level access approach from the street into the centre. The Design and Access Statement indicates it would be fully compliance with Part M of the Building Regulations. As such, the proposal would comply with Policy DM2.2 (Inclusive Design) as well as Supplementary Guidance (Inclusive Design).

Other issues

- 10.11 The objections received raised other concerns related to the general internal layout changes and the lack of consultation by the leisure centre.
- 10.12 With regard the consultation, the Planning Department has carried out neighbourhood consultation for a period of 21 days of adjoining property owner/occupier and erected a site notice outside of the site. Any further consultation between the applicant and the residents regarding the use/remodification of the internal layout is not a planning matter to be assessed within this application
- 10.13 The internal layout changes would involve improving the gym layout and increasing floorspace which would comply with Islington's local policies which seeks to improve the recreational and sporting facilities within the borough. Infilling the mezzanine would increase gym floor space which may contribute increased membership from local population and thereby indirectly increasing local population health and wellbeing.
- 10.14 Although internal light would be lost to this infill extension, it would still be served by sufficient windows on the front elevations. Other issues include the toilets and seating arrangement to the café which would not be planning issues. The internal access as noted provides access for all as well as disabled toilets. As such, the proposal would not merit a refusal on the internal modification and layout.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development is considered to comply with adopted policies and therefore is acceptable. The proposed development would not lead to an adverse impact on neighbours' amenity and would be accessible to all. The internal alteration would improve the size and quality of the leisure facilities.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

| | Commencement (Compliance) |
|---|--|
| 1 | <p>3 YEAR CONSENT PERIOD: 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> |
| | Approved Plans List: (Compliance) |
| 2 | <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[P010, P011, P100, P101, P102 Rev A, Design and Access Statement Archway Leisure Centre]</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> |
| | Materials |
| 3 | <p>MATERIALS (COMPLIANCE): The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p> |

List of Informatives:

| | Positive statement |
|----|---|
| 1. | <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</p> |

| | |
|----|--|
| | accordance with the NPPF. |
| | Other legislation |
| 2. | You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & Equalities Act |
| | Part M Compliance |
| 3. | <p>You are advised that the scheme is required to comply with -</p> <ul style="list-style-type: none"> • The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', <p>For this proposal, this may include</p> <ul style="list-style-type: none"> - colour contrast nosing to the external steps; - improvements to the handrail profile - glass marking manifestations <p>For more information, you may wish to contact Islington Council's Building Control (0207 527 5999).</p> |
| | Construction hours |
| 4. | <p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations as well as Environment Health Regulations.</p> <p>Any construction works should take place within normal working day. The Pollution Control department lists the normal operating times below.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Delivery and operating times - the usual arrangements for noisy works are</p> <ul style="list-style-type: none"> ○ 8am –6pm Monday to Friday, ○ 8am – 1pm Saturdays; ○ no noisy work on Sundays or Public Holidays (unless by prior agreement in special circumstances) </div> |

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

1 Context and strategy

Policy 1.1 (Delivering the strategic vision and objectives for London)

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)

Policy CS17 (Sports and recreation provision)

C) Development Management Policies June 2013

Design and Heritage

Health and open space

Policy DM2.1 (Design)
Policy DM2.3 (Heritage)

Policy DM6.4 (Sport and recreation)

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

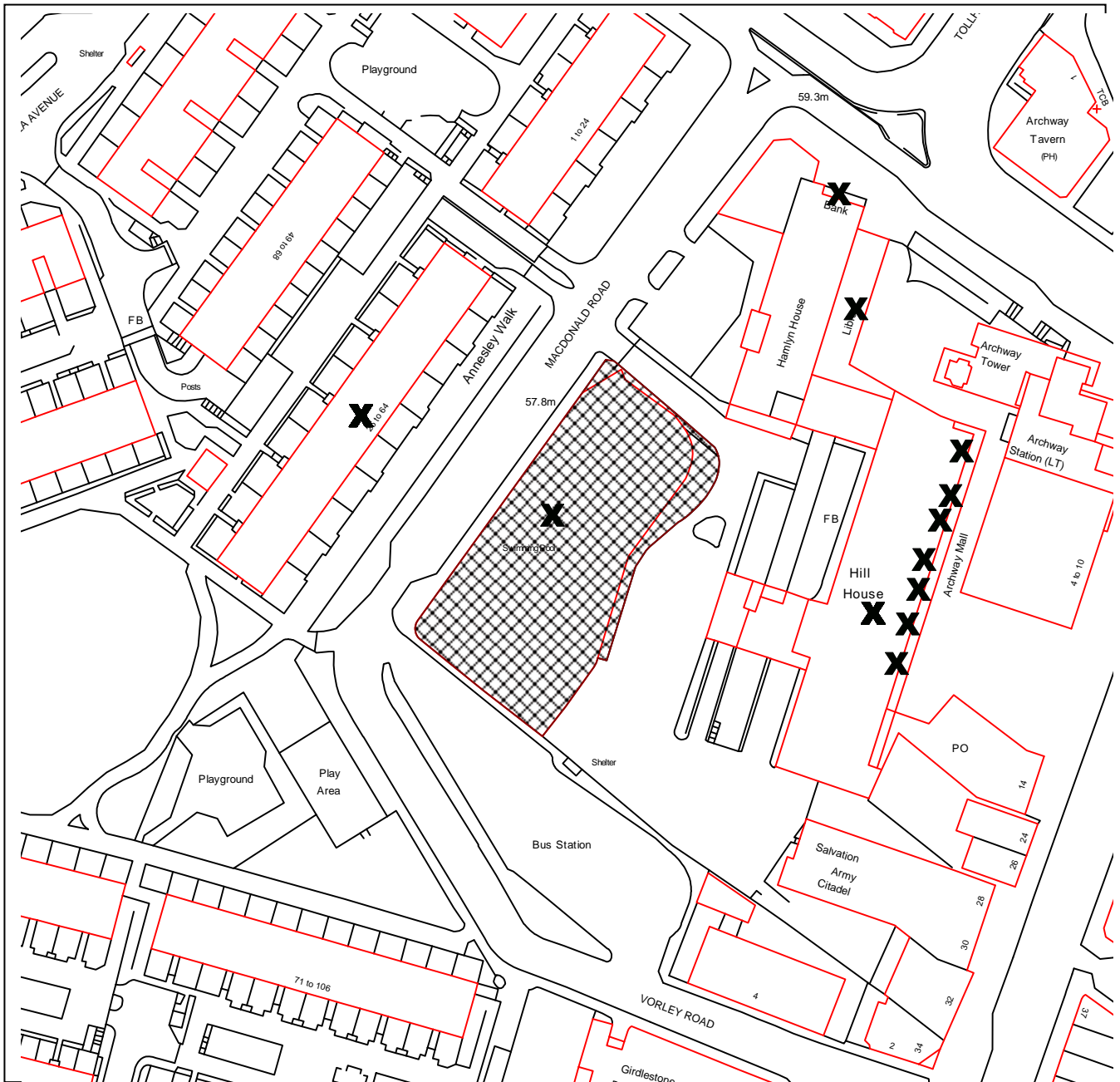
The following SPGs and/or SPDs are relevant:

- Urban Design Guide
- Inclusive Design in Islington

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3524/FUL

LOCATION: ARCHWAY LEISURE CENTRE, MACDONALD ROAD,
LONDON N19 5DD

SCALE: 1:1250

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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 | | |
| Date: | 5 th February 2015 | NON-EXEMPT |

| | |
|------------------------|--|
| Application number | P2014/3611/FUL |
| Application type | Full Planning |
| Ward | Tollington |
| Listed building | No |
| Conservation area | No |
| Licensing Implications | None |
| Site Address | Islington Arts and Media School, 1 Turle Road N4 3LS |
| Proposal | Siting of one storage container along the western boundary of the school grounds to provide additional storage for the school. |

| | |
|--------------|---------------------------------|
| Case Officer | Eoin Concannon |
| Applicant | Islington Arts and Media School |
| Agent | Peter Wells |

1. RECOMMENDATION

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

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



Image 2 & 3 show proposed positioning of storage container (marked with star) in relation to No.37 Almington Street and the existing school

4. SUMMARY

- 4.1 Planning permission is sought for the siting of one storage container (2.5m wide by 6m deep with 2.59 metre height) within the service area of the school grounds to provide additional storage for the school.
- 4.2 The application is brought to committee because it is a Council-own development, albeit submitted directly by the school.
- 4.3 The proposed building is for the storage of educational items which are not needed on a daily basis.
- 4.4 The proposed new structure will neither harm the appearance, character and setting of Islington Arts and Media School nor the wider street scene, nor will it materially affect the amenity of adjacent residents.
- 4.5 It is therefore recommended that planning permission be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application site comprises a part two-storey, part one-storey main school building. The site is located to the south of Thorpedale Road with the smaller residential roads of Almington Street and Montem Street directly abutting the site to the north west.
- 5.2 The location of the proposed storage container is to the north western section of the site, towards the boundary with the main residential flank wall of No.37 Almington Street.

5.3 The application site is not listed and is not within a Conservation Area. The boundary of Tollington Park Conservation Area does lie further west of the site. The surrounding area is predominately residential with two storey period style terrace dwellings the prominent dwelling type.

6. PROPOSAL (IN DETAIL)

6.1 Planning permission is sought for the siting of one storage container within the service entrance area the school grounds to provide additional storage for the school.

6.2 The proposed building is for the storage of items which are not needed on a daily basis.

6.3 The proposed storage container building will be steel and measure 2.5m in width x 6 m in length. The building will reach a height of 2.59m in total.

6.4 The siting of the building is discrete, in a corner location and will not require the repositioning of any existing building or play equipment.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

7.1 **P2014/1094/FUL** Replacement boundary wall with associated security fencing. **(Application approved by Committee 10/06/14)**

7.2 **P121409** Erection of replacement boundary wall with associated security fencing. **(Application approved by Committee 25/07/14)**

7.3 **P092021** Part renovation, part new build of Islington Arts and Media School for continued secondary education purposes totalling 5139m² and the separate re-provision of the Adult Learning Centre. **(Approved 02/03/10)**

7.4 **P040277** Installation of games area including new flood lighting, fencing and disabled access on part of existing tarmac playground. **(Approved 31/03/10)**

ENFORCEMENT:

7.5 **E/2012/0129** Alleged non-compliance with planning permission in regard lights (Case was closed as no breach of planning permission had occurred)

7.6 **E11/05894** - Alleged of astro-turf areas on weekend Case was closed as no breach in planning was found.)

PRE-APPLICATION ADVICE:

7.7 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties at Almington Street, Montem Street Thorpedale Road and Marriot Road on the 3rd October 2014.
- 8.2 A site notice and press advert was also displayed. Consultation expired on the 30th October 2014 however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 Three objections were received from the public with regard to the application, they can be summarised as follows (with the relevant paragraph numbers that provide responses to those issues indicated in brackets):
- Design and positioning concerns (10.2-10.9)
 - Lack of greenery (10.6)
 - Increase in vehicle/pedestrians using street cause of school (10.10)
 - Noise (See paragraph 10.11).

Internal Consultees

- 8.4 **Design and Conservation Team:** No objection.
- 8.5 **Planning Policy:** No comment.

External Consultees

- 8.6 None

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.
- 9.2 The National Planning Practice Guidance 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, The 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 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 and appearance and impacts on IAMS school building and the surrounding residential area;
- Impact on amenity of neighbours.

Design and Appearance

- 10.2 The application site relates to Islington Art and Media School, an irregular shaped site with service access off Alington Street to the north west of the site.
- 10.3 The application seeks to provide one storage container within this service/car park area to provide additional storage facilities for the school. This immediate area is located adjacent to the flank wall of No.37 Alington Street. This wall is two storey render finish which abuts the school.
- 10.4 The proposed storage container will measure 6 metres in length, 2.5 metres in width and 2.59 metres in height. The neighbouring dwelling would screen the proposed container from the street scene with limited obscure views of the container from the south west boundary.
- 10.5 The container will be made of steel with a brown painted finish. The materials and finish proposed for the storage container are considered acceptable and would not have a detrimental impact on the surrounding character and appearance of the area. Furthermore, the Council's Design & Conservation officers have raised no objections to the scheme which is not considered to have a detrimental impact on the nearby Conservation Area.
- 10.6 Although, the container would add further structures within a hard landscaped area with little greenery, it's positioning along the side boundary would reduce its visual impact. The area is also situated in proximity to leafier environs with

Wray Crescent in close proximity. There would be no requirement for additional landscaping in this instance.

- 10.7 Notwithstanding the above, the storage container is viewed as a temporary storage facility and subsequently a condition is recommended to limit the consent to 3 years. During this time, the school is required to find a better, more permanent and improved visual quality form of storage space within the main school site boundary.

Neighbouring Amenity

- 10.8 The Council seeks to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise. The proposed structure will be single storey and will be set along the flank wall with No.37 Almington Street and screened by this two storey wall from this neighbouring property.
- 10.9 There will be no material impact on the amenity of the adjacent residents, as the proposed container measures only 2.59 metre in height and positioned adjacent a flank wall approximately 5 metres in height. The adjoining neighbouring property at No. 37 Almington Street has an two storey infill extension situated along the site boundary of the site. This would completely screen the container from this neighbour's garden with no visual or overbearing impact on their amenity space.
- 10.10 There have been three objections to the development. The main concern appears to be the potential increase in vehicle/pedestrian along Almington Street. The application does not propose to create any new access to the site. The container will be used solely for the storage of equipment which is needed on a periodic, not daily, basis and subsequently raises no concern insofar as movement to and from the site.
- 10.11 Increased noise has also been raised in one letter of objection. There is not considered to be any detrimental impact on surrounding residential amenity in terms on noise or nuisance given the proposed storage use. The storage container would remain predominantly locked as it is required for storage of items that are required at specific times of the year only. Even if it were to be used daily it would be during school hours and associated with the school and therefore low key.
- 10.12 The proposal is therefore considered not to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington Development Management Policies June 2013.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, and the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

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 approved shall be carried out in accordance with the following approved plans:</p> <p>Site Location Plan, Proposed Block Plan, P2002759_(00)A010_C, B-14-34-1</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 | Materials |
| | <p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted in part 9 of the application form with a brown coated finish. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p> |
| 4 | Limited Consent Period – Temporary Use |
| | <p>CONDITION: The use of the building hereby approved is granted only for a limited period, being until 5th February 2018 on or before that date the temporary use shall cease.</p> <p>On the cessation of the temporary use hereby granted the building and land shall revert to the use/purpose for which it was normally used prior to the grant of this planning permission.</p> <p>REASON: The temporary container is such that the Local Planning</p> |

| | |
|--|--|
| | Authority is only prepared to grant permission for a limited period. |
|--|--|

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. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. 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 accordance with the requirements of the NPPF. |
| 2 | Temporary Consent |
| | You are advised that the planning permission is granted on a temporary basis of 3 years from the decision date. Within this time, it is advisable to consider a long-term storage strategy which may involve a permanent form of development that is more visually acceptable in the context of the existing school and surrounding area. |

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 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

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.18 Education facilities

7 London's living places and spaces

Policy 7.1 Building London's

neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

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

Energy and Environmental Standards

DM7.4 Sustainable design standards

**DM2.2 Inclusive Design
DM2.3 Heritage**

5. 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:

- **Newington Green Conservation Area**

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

The following SPGs and/or SPDs are relevant:

- | | |
|---|--|
| Islington Local Development Plan | London Plan |
| - Conservation Area Design Guidelines (2002) | - Sustainable Design & Construction |
| - Urban Design Guide (2006) | |



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3611/FUL

LOCATION: ISLINGTON ARTS AND MEDIA SCHOOL 1 TURLE
ROAD LONDON N4 3LS

SCALE: 1:1250

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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 | | |
| Date: | 5th February 2015 | NON-EXEMPT |

| | |
|--------------------------|--|
| Application number | P2014/3169/FUL |
| Application type | Full Planning Application |
| Ward | Bunhill Ward |
| Listed building | None |
| Conservation area | None |
| Development Plan Context | Central Activities Zone Core Strategy Key Area Within 50m of Conservation Area |
| Licensing Implications | none |
| Site Address | Worcester Point, Central London, EC1V 8AZ |
| Proposal | Installation of 1no. Satellite and associated equipment including walkway and balustrade |

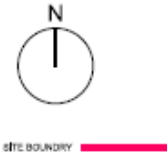
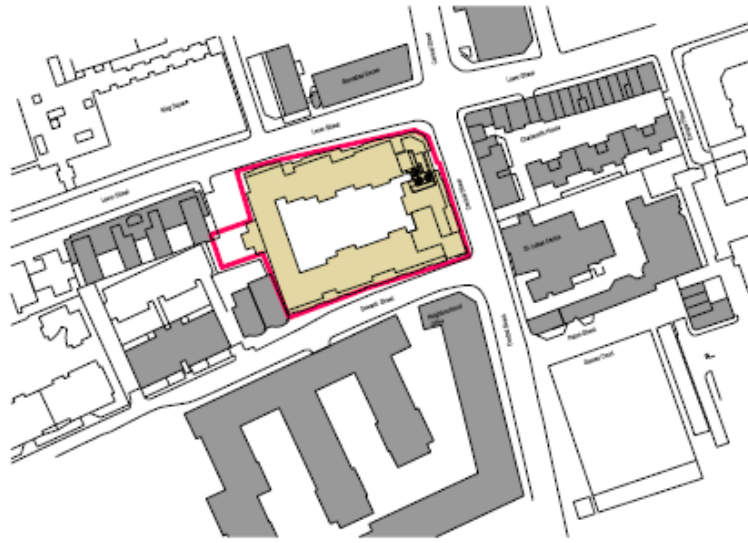
| | |
|--------------|-----------------|
| Case Officer | Joe Aggar |
| Applicant | Mr Paul Abbott |
| Agent | Mr John O'Meara |

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 black)



LOCATION PLAN, SCALE 1:1250

3. PHOTOS OF SITE/STREET



Image 1: Aerial view (Worcester Point labelled 'A')



Image 2: View from the corner of Central Street and Lever Street



Image 3: View from northern terrace



Image 4: view looking West from 143 Worcester Point

4 SUMMARY

- 4.1 Planning permission is sought for the installation of one satellite dish and associated equipment including walkway, balustrade and screening, at roof level of the existing building to the eastern edge. The proposal is linked to an accompanying application to move two previously approved satellite dishes under a material minor amendment (P2014/3596/S73). The linked application moving two dishes will facilitate the siting of this third dish.
- 4.2 The principle of satellite dishes in this location has previously been established under application reference P2013/3173/FUL. The proposed additional dish would be set away from the edge of the parapet. The proposed satellite dish would not detract from the appearance of the building or impact detrimentally on neighbouring amenity.
- 4.3 The application is therefore recommended for approval subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The application property is the Worcester Point development, a recently completed mixed use development with commercial uses on the ground and basement floors and residential above. The site fronts onto three roads, Lever Street to the north, Central Street to the east and, to the south, Seward Street. The proposal relates to the roof of the six storey corner frontage which faces Central Street and Lever Street. The building is not within a Conservation Area but is located within 50m of the St Luke's Conservation Area.
- 5.2 The surrounding area is characterised by a range of buildings in a fairly dense configuration of a variety of ages, heights and designs, including a mixture of residential and commercial. The exception to this concentration of built form is the open area of Kings Square Gardens to the north of Lever Street. The majority of buildings in the vicinity are 4 storeys or taller and they tend to limit or restrict views from street level.

6 PROPOSAL (in Detail)

- 6.1 The proposal consists of the installation of one satellite dish and accompany equipment including walkway, balustrade and screen to the north eastern edge of the roof. The satellite dish would be 1.8m in diameter and situated on a 1.3m high platform.
- 6.2 The application has been referred to the planning sub-committee due to the level objections received.

7 RELEVANT HISTORY

PLANNING APPLICATIONS

- 7.1 Worcester Point, Central Street, planning application ref: P2014/4053/FUL for the 'Application is for 3no. Satellite receivers on the roof of Worchester Point plus associated equipment, including walkway and balustrade' is under assessment.
- 7.2 Worcester Point, Central Street, planning application ref: P2014/3596/S73 for the 'Variation of a condition 2 (drawings) of planning permission P2013/3173/FUL to re-position x2 satellite dishes plus associated equipment including walkway and balustrade' is under assessment.

7.3 Worcester Point, Central Street, planning application ref: P2014/0790/NMA for the 'Non Material minor amendment of planning permission P2013/3173/FUL dated 31 October 2013 for repositioning of 2 no. approved satellite dishes on roof' was APPROVED on 27/03/2014.

7.4 Worcester Point, Central Street, planning application ref: P2014/0659/FUL for the 'Installation of 6 x satellite dishes on roof,' was REFUSED on 27/05/2014.

REASON: The proposed 5 satellite dishes on the Lever Street elevation and associated screening to the northern elevation by reason of their height, scale and location, result in an incongruous addition and visually harmful feature when viewed from the public realm and as such would detract from the character of the host building and to the wider streetscape The proposed form of development is therefore contrary to and Policies CS8 and CS9 of the Islington's Core Strategy 2011; Development Management Policies DM2.1 and DM2.7 and the Islington's Urban Design Guide.

7.5 Worcester Point, Central Street, planning application ref: P2013/3173/FUL for a 'Installation of 2 x satellite dishes on roof,' was GRANTED on 31/10/2013.

PRE APPLICATION ADVICE

7.6 Worcester Point, Central Street, pre planning application ref: Q2014/2737/MIN for the 'Erection of three satellite dishes on the roof of the Lever Street.'

ENFORCEMENT:

7.7 No history.

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of adjoining and nearby properties on the 06/10/2014. A site notice was also erected. These expired on the 06/11/2014. A further period of consultation was carried out which commenced on the 15/12/2014 due to update the description to better reflect the proposal. This consultation period expired on the 30/12/2014. At the time of the writing of this report 38 responses had been received from the public with regard to the application. Members will be updated at committee of any additional responses received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).

- Decrease value of property (10.20)
- Obscure views from the roof terrace (10.12 – 10.16)
- Affect the green roof (10.17-10.18)
- Precedent for more dishes (10.22)
- Add to the roofline (10.2 -10.11)
- Dishes installed within 50m of a conservation area (10.11)
- Residents not given 21 days in the second consultation (10.21)
- Access to the dishes contravenes lease (10.19)
- Health risk of the satellite dishes (10.12-10.16)

- Noise and mechanical movements (10.12-10.16)
- Views from windows diminished (10.12-10.16)
- Loss of outlook (10.12-10.16)
- Impacts on BREEAM (10.17-10.18)
- Scale of the dishes (10.2-10.11)

Internal Consultees

- 8.2 The Sustainability Officer: There will be some loss of living roof, however these losses will be small and impact unlikely to be significant.
- 8.3 The Public Protection Officer: No Objections.
- 8.4 The Design and Conservation Team: No Objections

External Consultees

- 8.5 None

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 Practice Guidance 2014 is material consideration in the assessment of and has been taken into account as part of the assessment of these proposals.
- 9.3 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 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 and Appearance
- Neighbouring Amenity
- Sustainability

Design and Appearance

- 10.2 Policy DM2.7 of the Development Management Policies states that good telecommunications and infrastructure is an essential part of maintaining and developing a modern community; however, poorly designed and sited equipment can have a detrimental impact on the character and appearance of a building and the wider area.
- 10.3 In general it is not acceptable to locate satellite dishes and other telecommunications and utilities equipment on the front of buildings and other locations where they are visible from the public realm. On-street location of telecommunications boxes and other utilities equipment should be avoided where possible, and designed and located to minimise street clutter and conflict with street furniture. It is generally reasonable to expect satellite equipment to be located at roof level.
- 10.4 The proposed development, would be sited towards the centre of the roof of this 5 storey building plus set back roof addition. Under the previous application (P2013/3173/FUL) concerns were raised during the assessment of the proposal, which led to revisions to reduce the proposal from three to two dishes. *'Following assessment of the scheme it was evident that one of the three proposed dishes would be visible from the streetscene due to it being on a raised platform. This dish has now been omitted from the scheme. The remaining two dishes would not be visible from the streetscene.'* The current application proposes the additional satellite dish (which was removed from application ref P2013/3173/FUL) to be set away from the parapet edge thereby overcoming these concerns.
- 10.5 The majority of buildings in the vicinity are 4 storeys or taller and they tend to limit or restrict views from street level in the vicinity.
- 10.6 In terms of the likely visual impact, regard to the site lines provided with the drawings and observations from a variety of public vantage points on site. The dish would be located on the north eastern corner of the building and it is views around this area which are considered most sensitive.
- 10.7 Due to the height of the building, at six storeys, and width of Central Street in conjunction with satellite dish being located centrally on the roof the proposal is considered not to be visible from this public vantage point at street level. Taking into account views further north, looking south from Central Street, close to the Thistle Hotel and Barnabas House the proposal would not be visible.
- 10.8 Turning to potential views from residents, whilst private views are a consideration, overwhelmingly consideration is given to views from the public realm in terms of design and context and in this instance the proposal is seen to be acceptable. As the arrangement of the Worcester Point includes a large internal court, the satellite dishes would be visible from the two communal roof terraces and the windows and terrace which face into the courtyard.
- 10.9 In summary, the visual impact at street level is likely to be limited to a few locations in the surrounding area where only the upper part of the dishes may be seen. Even from these positions the proposed dish would not stand out as an obtrusive or incongruous feature on the skyline as efforts have been made to step these back from the parapet. The positioning in the centre of the roof, away from the parapets of the building, would mitigate the impact considerably and the associated equipment. A screen was previously granted under application (P2013/3173/FUL) in this location. The proposal for a screen here has therefore been established and is seen to not negatively impact on the appearance of the overall building.

- 10.10 The proposed development should not conflict with the guidance in the Islington Urban Design Guide (2006) where possible. Paragraph 2.6.3 concerns telecommunication and aerials which states such development should not dominate the public realm and should only be allowed where they are largely obscured and do not impact adversely upon the skyline from longer views. Given the above reasoning the proposal for one dish in this location is seen as acceptable. Moreover national policies and local policies concerning satellites, including the Council's own Urban Design Guide, do not require invisibility from street level.
- 10.11 Objections have been raised in regards to the setting of the adjoining Conservation Area. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant planning permission or listed building consent for development or works that affect the historic environment. In such cases, it is necessary to have special regard to preserving or enhancing the character or appearance of conservation areas affected by development proposals. Due to the limited visibility of the proposed satellite dish the proposal is not considered to negatively impact the adjoining conservation area.

Neighbour Amenity

- 10.12 The Public Protection Officer has assessed the proposals and has advised that the proposed satellite dishes there are no noise sources that will give rise to noise outbreak impacting upon nearby residential properties. Moreover the department are not aware of any previous noise complaints about the operation of satellite dishes. Therefore the Pollution team have no objections to the proposal.
- 10.13 The Public Protection Officer has raised no concern of the satellite dishes causing health concerns based on Advisory Group on non-ionising radiation (AGNIR's) findings. Moreover the satellite dishes are likely to be orientated in a skyward direction with radio frequency pointed upwards rather than towards any residential.
- 10.14 The satellite dish would be approximately 2.1m in height and have a radius of 1.8m in diameter. This dish would be located on a raised platform 1.3m high. The dish would be located at roof level and not located adjacent to habitable windows.
- 10.15 The dish would be set in from the inner parapet edge, located centrally on the roof and located some distance from any potentially affected resident's windows which face inwards to the courtyard. The screening would be 2.1m high. On balance, taking into account that there would be no loss of daylight due to the orientation and the distance to the residential facing windows of the courtyard the installation of the one satellite dish is not considered to cause undue loss of outlook or an increased sense of enclosure that would warrant refusal of the application.
- 10.16 Objections have been raised regards loss of a view. In planning terms the loss of a view is not a material consideration and therefore this objection holds little weight.

Sustainability

- 10.17 The proposal would be located on a 1.3m high platform above the green roof. Whilst it is acknowledged there would be some loss of green roof to accommodate the platform, this loss would be minimal and have no adverse effect on the functioning of the green roof. Further information has been provided regarding the walkway which is designed to sit above the roof levels to allow light to penetrate through (although some shading will occur). There will be some shading as a result of the satellite dish,

this may impact upon any established species in this area of the roof, as a consequence may provide variation of habitat.

- 10.18 Due to the negligible impact on the green roof this would not affect the BREEAM rating of the building as a whole.

Other Matters

- 10.19 Issues have been raised in relation to access. Whilst consideration has been given to the walkway, the issue of access to the roof is considered a civil matter and therefore is not assessed. Moreover the installation of the dish and issues to do with access that relate to leasehold matters are not a material planning consideration and are not an issue that can be taken into account. This is civil matter. The green roof is seen not to be a communal area for amenity space ie. Sitting out. Therefore there would be no considerations given to its loss as an communal amenity space.
- 10.20 Objections have been received regarding decrease in the value of property. In planning terms this is not considered a material consideration and therefore does not hold weight in the assessment of the application.
- 10.21 Objections have been received regards the lack of correct notification given. No revisions to the proposal had been received. The additional period for consultation was to better reflect the description of development, therefore a further 14 days is considered an appropriate amount of time. In any case, original representations received are still considered in the assessment of the application. Any representation received after the revised consultation expiry date will also be taken into account.
- 10.22 Each application is assessed on its own merits. It is not considered a justifiable reason to refuse this application on the basis of further applications of this nature.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed satellite dish and associated equipment are considered to be acceptable with regards to design and impacts on neighbour amenity and sustainability.
- 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 in Recommendation A.

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:</p> <p>PL(0)001 Revision A; PL(0)230; PL(0)231; PL(0)232; Design and Access Statement; PL(0)220 Revision A; PL(0)222 Revision A; PL(0)223 Revision A; PL(0)108 Revision A.</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: Details of all screen shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The details shall include materials, profile, reveal depth and detailing.</p> <p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p> |
| 4 | Green Roof |
| | <p>CONDITION: Details of all new walkway and platform shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that there is no adverse impact on the green roof.</p> |
| 5 | Removal |

| | |
|--|--|
| | <p>CONDITION: In the event the satellite dishes hereby approved are no longer required, they shall be removed from the property.</p> <p>REASON: To ensure a satisfactory standard of visual amenity.</p> |
|--|--|

List of Informatives:

| 1 | Positive Statement |
|----------|--|
| | <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.</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> |

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

7 London's living places and spaces:

7.4 Local character

7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

DM2.1 Design

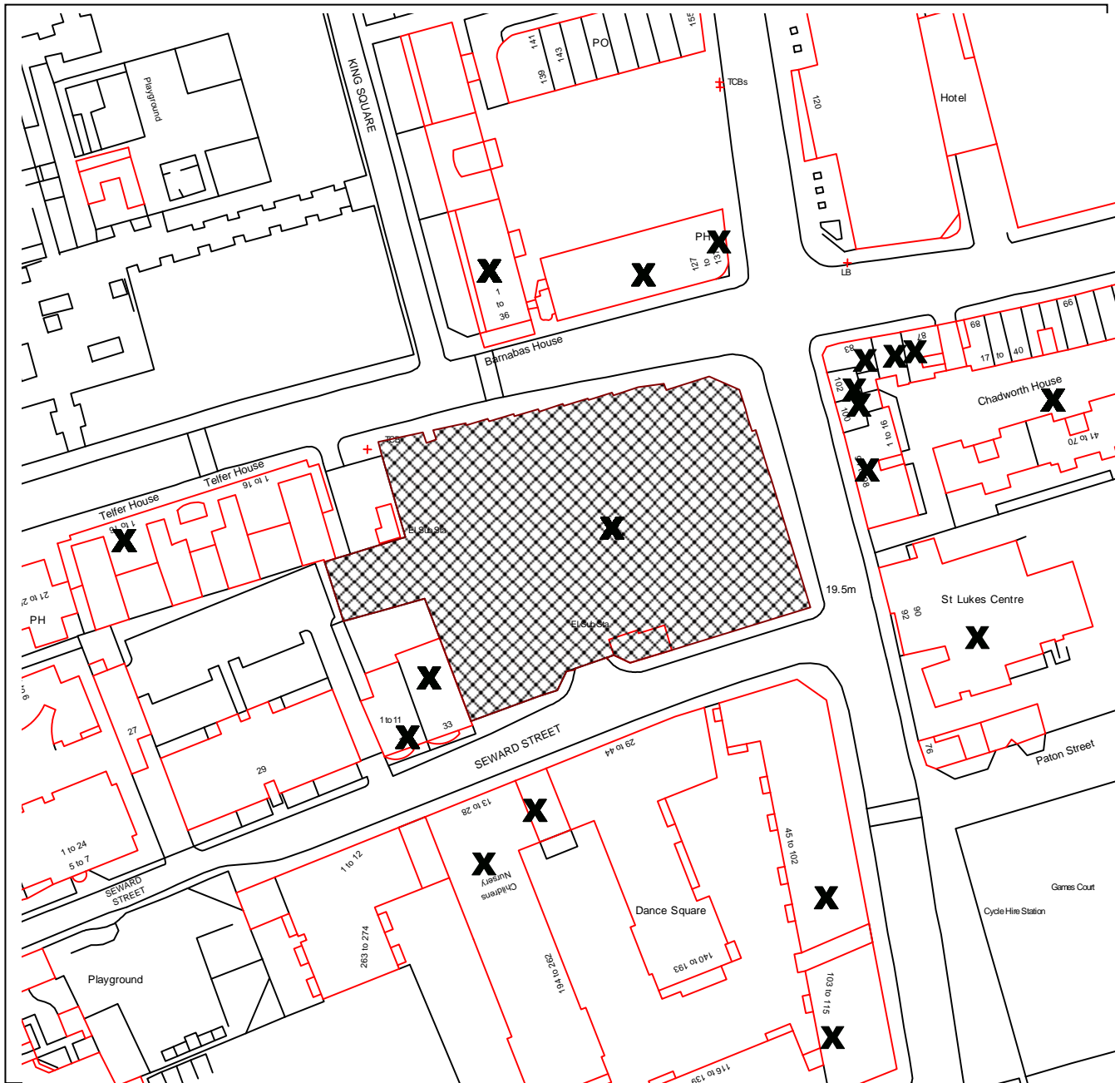
DM2.7 Telecommunications

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3169/FUL

LOCATION: WORCESTER POINT CENTRAL STREET LONDON
EC1V 8AZ

SCALE: 1:1250

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Islington Council, LA086452

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Agenda Item 7

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

PLANNING COMMITTEE REPORT

| | |
|---------------------------------|------------|
| PLANNING SUB-COMMITTEE B | |
| Date: 5th February 2015 | NON-EXEMPT |

| | |
|--------------------------|---|
| Application number | P2014/4053/FUL |
| Application type | Full Planning Application |
| Ward | Bunhill Ward |
| Listed building | None |
| Conservation area | None |
| Development Plan Context | Central Activities Zone Core Strategy Key Area Within 50m of Conservation Area |
| Licensing Implications | none |
| Site Address | Worcester Point, Central London, EC1V 8AZ |
| Proposal | Application is for 3no. Satellite receivers on the roof of Worcester Point plus associated equipment, including walkway and balustrade. |

| | |
|--------------|-----------------|
| Case Officer | Joe Aggar |
| Applicant | Mr Paul Abbott |
| Agent | Mr John O'Meara |

1 RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

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

3. PHOTOS OF SITE/STREET



Image 1: Aerial view (Worcester Point marked 'A')



Image 2: View looking west Lever Street



Image 2: View looking east along Lever Street



Image 3: View from 143 Worcester Point



Image 4: view looking West at roof level of Worcester Point

4 SUMMARY

- 4.1 Planning permission is sought for the installation of three satellite dish and associated equipment including walkway and balustrade. The satellite dishes would total 3m in height including the base and be 2.4m in diameter. The proposal would be located at roof level of the existing building to the north western corner of the building.
- 4.2 The satellite dishes would be set away from the edge of the parapet. The proposed satellite dishes would not detract visually from the appearance of the building or impact detrimentally on neighbouring amenity.
- 4.3 The application is therefore recommended for approval subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The application property is the Worcester Point development, a recently completed mixed use development with commercial uses on the ground and basement floors and residential above. The site fronts onto three roads, Lever Street to the north, Central Street to the east and, to the south, Seward Street. The proposal relates to the roof of the six storey frontage which faces Lever Street. The building is not within a Conservation Area but is located within 50m of the St Luke's Conservation Area.
- 5.2 The surrounding area is characterised by a range of buildings in a fairly dense configuration of a variety of ages, heights and designs, including a mixture of residential and commercial. The exception to this concentration of built form is the open area of Kings Square Gardens to the north of Lever Street. The majority of

buildings in the vicinity are 4 storeys or taller and they tend to limit or restrict views from street level in this vicinity.

6 PROPOSAL (in Detail)

- 6.1 The proposal consists of the installation of three satellite dishes and accompanying equipment including walkway and balustrade and to the north western corner at roof level. These dishes would total 3m in height including the base structure and be 2.4m in diameter. The satellite dishes are proposed to serve a TV broadcasting business located at ground floor for receiving and distribution of their service.
- 6.2 The application has been referred to the planning sub-committee due to the level objections received.

7 RELEVANT HISTORY

PLANNING APPLICATIONS

- 7.1 Worcester Point, Central Street, planning application ref: P2014/3596/S73 for the 'Variation of a condition 2 (drawings) of planning permission P2013/3173/FUL to re-position x2 satellite dishes plus associated equipment including walkway and balustrade' is under assessment.
- 7.2 Worcester Point, Central Street, planning application ref: P2014/3169/FUL for the 'Installation of 1no. Satellite and associated equipment including walkway and balustrade' is under assessment.
- 7.3 Worcester Point, Central Street, planning application ref: P2014/0790/NMA for the 'Non Material minor amendment of planning permission P2013/3173 dated 31 October 2013 for repositioning of 2 no. approved satellite dishes on roof' was APPROVED on 27/03/2014.
- 7.4 Worcester Point, Central Street, planning application ref: P2014/0659/FUL for the 'Installation of 6 x satellite dishes on roof,' was REFUSED on 27/05/2014.

REASON: The proposed 5 satellite dishes on the Lever Street elevation and associated screening to the northern elevation by reason of their height, scale and location, result in an incongruous addition and visually harmful feature when viewed from the public realm and as such would detract from the character of the host building and to the wider streetscape The proposed form of development is therefore contrary to and Policies CS8 and CS9 of the Islington's Core Strategy 2011; Development Management Policies DM2.1 and DM2.7 and the Islington's Urban Design Guide.

- 7.5 Worcester Point, Central Street, planning application ref: P2013/3173/FUL for a 'Installation of 2 x satellite dishes on roof,' was GRANTED on 31/10/2013.

PRE APPLICATION ADVICE

- 7.6 Worcester Point, Central Street, pre planning application ref: Q2014/2737/MIN for the 'Erection of three satellite dishes on the roof of the Lever Street.'

ENFORCEMENT:

7.7 No history.

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of adjoining and nearby properties on the 24/10/2014.. These expired on the 14/11/2014. . A further period of consultation was carried out which commenced on the 15/12/2014 due to update the description to better reflect the proposal. This consultation period expired on the 30/12/2014. At the time of the writing of this report 38 objections had been received from the public with regard to the application. Members will be updated at committee of any additional responses received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).

- Satellite dishes will occupy communal terrace (10.26)
- Changing the nature the use of the roof (10.25)
- Decrease value of property (10.22)
- Obscure views (10.14)
- Affect the green roof (10.19-10.20)
- Precedent for more dishes (10.24)
- Dishes installed within 50m of a conservation area (10.2-10.10)
- Residents not given 21 days in the second consultation (10.23)
- Access to the dishes contravenes lease (10.21)
- Health risk of the satellite dishes (10.11-10.12)
- Noise and mechanical movements (10.11)
- Views from windows diminished (10.11-10.18)
- Loss of outlook (10.11-10.18)
- Impacts on BREEAM (10.19-10.20)
- Scale of the dishes (10.2-10.13)

Internal Consultees

8.2 Sustainability Officer: there will be some loss of living roof, however these losses will be small and impact unlikely to be significant.

8.3 Public Protection Officer: no objections.

8.4 Design and Conservation Team: no objections.

External Consultees

8.5 None

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 Practice Guidance 2014 is material consideration in the assessment of and has been taken into account as part of the assessment of these proposals.

- 9.3 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

- 9.4 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)

- 9.5 The 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 and Appearance
- Neighbouring Amenity
- Sustainability

Design and Appearance

- 10.2 Policy DM2.7 of the Development Management Policies states that telecommunications and infrastructure is an essential part of maintaining and developing a modern community; however, poorly designed and sited equipment can have a detrimental impact on the character and appearance of a building and the wider area.
- 10.3 In general it is not acceptable to locate satellite dishes and other telecommunications and utilities equipment on the front of buildings and other locations where they are visible from the public realm. On-street location of telecommunications boxes and other utilities equipment should be avoided where possible and designed and located to minimise street clutter and conflict with street furniture. It is generally reasonable to expect satellite equipment to be located at roof level.
- 10.4 The proposed development, would be sited towards the centre of the roof of this 5 storey building plus set back roof addition. This overcomes the concerns of the previous application (P2014/0659/FUL) which related to the proposal being located at the edge of the parapet and therefore visible.
- 10.5 The majority of buildings in the vicinity are 4 storeys or taller and they tend to limit or restrict views from street level. The satellite dishes would be located in the north western corner of the building and it is views around this area which are considered most sensitive. The previous proposal abutted the front parapet along Lever Street which was not seen to mitigate their appearance and as result was not considered appropriate.
- 10.6 In terms of the likely visual impact, regard has been given to the photomontages provided and observations from a variety of public vantage points and from those observed during the site visit. When approaching Lever Street, from the west, it may be possible to see the dishes from the pavement on the northern side but this is only

likely to be the top part and from some distance away, and not at close quarters. When coming from the east, the proposal would probably not be in view due to the siting of the dishes. It is acknowledged there would be views of the dishes from Kings Square, however these views would again be over some distance. The positioning and number of dishes would not appear as an incongruous feature against the sky from these positions and they are not considered to have a visually harmful impact.

- 10.7 Turning to potential views from residents, whilst resident's private views are a consideration, overwhelmingly consideration is given to views from the public realm in terms of design and context. In this instance the functional appearance of the satellite dishes does not result in undue harm that would warrant refusal of the application.
- 10.8 In summary, the visual impact at street level is likely to be limited to a few locations in the surrounding area where only the upper part of the dishes are likely to be seen. The limited views from street level of the proposed dishes, they are not considered as an obtrusive or incongruous feature on the skyline as efforts have been made to step these back from the parapet. The positioning in the centre of the roof, away from the parapets of the building, would mitigate the impact considerably and the associated equipment and railings are likely to be obscured from view from all street level vantage points.
- 10.9 The proposed development should not conflict with the guidance in the Islington Urban Design Guide (2006) where possible. Paragraph 2.6.3 concerns telecommunication and aerials and states they should not dominate the public realm and should only be allowed where they are largely obscured and do not impact adversely upon the skyline from longer views. Given the above reasoning the proposal is considered to satisfy this guidance.
- 10.10 Objections have been raised in regards to the impact of the proposed dishes on the setting of the adjoining Conservation Area. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant planning permission or listed building consent for development or works that affect the historic environment. In such cases, it is necessary to have special regard to preserving or enhancing the character or appearance of conservation areas affected by development proposals. Due to the limited visibility of the proposed satellite dishes the proposal is not considered to negatively impact the adjoining conservation area.

Neighbour Amenity

- 10.11 The Public Protection Officer has assessed the proposals and advised that there are no noise sources associated with the proposed dishes that will give rise to noise outbreak impacting upon nearby residential properties. Moreover the department are not aware of any previous noise complaints about the operation of satellite dishes.
- 10.12 The Public Protection Officer has raised no concern of the satellite dishes causing health concerns based on Advisory Group on non-ionising radiation (AGNIR's) findings. Moreover the satellite dishes are likely to be orientated in a skyward direction with radio frequency pointed upwards rather than towards any residential.
- 10.13 The satellite dishes, including their bases would be approximately 3m in height and have a radius of 2.4m in diameter. The dishes would be located at roof level and not located adjacent to habitable windows.

- 10.14 It is not the role of the planning system to protect private views. Where a development would interfere with the outlook from a habitable room window, to the extent that the building/structure would appear unduly intrusive and oppressive, then this loss of outlook or increased sense of enclosure becomes an important consideration
- 10.15 The dishes would be set in from the inner parapet edge, located centrally on the roof and located approximately 30m from any potentially resident's windows, facing inwards to the courtyard. Given this separation distance and the orientation there would be no loss of daylight and it is not considered to cause undue loss of outlook or an increased sense of enclosure that would warrant refusal of the application.
- 10.16 Policy DM2.1 states that developments should "provide a good level of amenity including consideration of...outlook." Paragraph 17 of the NPPF also states that developments should secure a good standard of amenity for all existing and future occupants of land and buildings.
- 10.17 Whilst satellite dishes are very functional in appearance, as the facing windows and terraces to the south are considered to be sited sufficiently far away (30m) there is no impact in terms of outlook, loss of light or increased sense of enclosure.
- 10.18 A minimum distance between buildings to maintain an adequate outlook is not set out within Islington's Development Management Policies or within any supplementary planning guidance but must be considered on a case by case basis taking into account amongst other things the size and scale of the structure. In light of the above it is considered that the proposed three satellite dishes would not unacceptably compromise outlook, and that a good standard of amenity is provided for all occupiers of the buildings, consistent with policy DM2.1 and paragraph 17 of the NPPF.

Sustainability

- 10.19 The proposal would be located on a platform above the green roof. Whilst it is acknowledged there would be some loss of green roof to accommodate the platform, this loss would be minimal and have no adverse effect on the functioning of the green roof. Further information has been provided regarding the walkway which are designed to sit above the roof levels to allow light to penetrate through. There will be some shading as a result of the satellite dishes and associated structures. This may impact upon any established species in this area of the roof, but on the other hand provide shaded area that will provide variation of habitat.
- 10.20 The Sustainability Officer has advised that due to the negligible impact on the green roof this would not affect the BREEAM rating of the building as a whole and the limited impact is acceptable.

Other Matters

- 10.21 Issues have been raised in relation to access. Whilst consideration has been given to the walkway, the issue of access to the roof is considered a civil matter and therefore is not assessed. The green roof is not an amenity area. In any case access would be required for maintenance. Moreover the installation of the dish and issues to do with access that relate to leasehold matters are not a material planning consideration and are not an issue that can be taken into account. This is civil matter.
- 10.22 Objections have been received regarding decrease in the value of property. In planning terms this is not considered a material consideration and therefore does not hold weight in the assessment of the application.

- 10.23 Objections have been received regards the lack of correct notification given. No revisions to the proposal had been received. The additional period for consultation was carried out to better reflect the description of development, therefore a further 14 days is considered an appropriate amount of time. In any case, original representation received were still considered in the assessment of the application. Representations are also taken into account up until the time of decision.
- 10.24 Each application is assessed on its own merits. It is not considered a justifiable reason to refuse this application on the basis of further applications of this nature.
- 10.25 Concerns have been raised regarding the change in the nature of the use of roof. This application is assessed on the basis of operational development to implement the dishes and this application is not seen to result in a change of use at roof level.
- 10.26 The green roof is seen not to be a communal area for amenity space ie. Sitting out. Therefore there is no considerations given to its loss as an communal amenity space as this is not the case.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed satellite dishes and associated equipment are considered to be acceptable with regards to design and impacts on neighbour amenity and sustainability.
- 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 in Recommendation A.

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:</p> <p>L(0)229; PL(0)230; PL(0)231; PL(0)232; PL(0)233; Design and Access Statement; P(0)225; P(0)226; PL(0)227; PL(0)228.</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> |
| 4 | Materials |
| | <p>CONDITION: Details of all new walkways and platforms shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that there is no adverse impact on the green roof.</p> |
| 5 | Removal |
| | <p>CONDITION: In the event the satellite dishes hereby approved are no longer required, they shall be removed from the property.</p> <p>REASON: To ensure a satisfactory standard of visual amenity.</p> |

List of Informatives:

| | |
|----------|--|
| 1 | Positive Statement |
| | <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.</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> |

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

7 London's living places and spaces:

7.4 Local character

7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

DM2.1 Design

DM2.7 Telecommunications

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/4053/FUL

LOCATION: WORCESTER POINT, CENTRAL STREET, LONDON
EC1V 8AZ

SCALE: 1:1250

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Agenda Item 8

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

PLANNING COMMITTEE REPORT

| | | |
|---------------------------------|-------------------|------------|
| PLANNING SUB-COMMITTEE B | | |
| Date: | 5th February 2015 | NON-EXEMPT |

| | |
|--------------------------|--|
| Application number | P2014/3596/FUL |
| Application type | Full Planning Application |
| Ward | Bunhill Ward |
| Listed building | None |
| Conservation area | None |
| Development Plan Context | Central Activities Zone Core Strategy Key Area Within 50m of Conservation Area |
| Licensing Implications | none |
| Site Address | Worcester Point, Central London, EC1V 8AZ |
| Proposal | Variation of condition 2 (drawings) of planning permission P2013/3137/FUL to re-position x2 satellite dishes plus associated equipment including walkway and balustrade. |

| | |
|--------------|-----------------|
| Case Officer | Joe Aggar |
| Applicant | Mr Paul Abbott |
| Agent | Mr John O'Meara |

1 RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

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

3. PHOTOS OF SITE/STREET



Image 1: Aerial view (Worcester Point marked 'A')



Image 2: View from the corner of Central Street and Lever Street



Image 3: View from northern terrace



Image 4: view looking West from 143 Worcester Point

4 SUMMARY

- 4.1 Planning permission is sought for the repositioning of two previously approved satellite dishes and associated equipment including walkway and balustrade. The resited dishes would be located at roof level of the existing building to the north eastern edge. This application is linked to another application (ref P2014/3169/FUL) to position 1 satellite dish at roof level. In order to position this additional dish the two previously approved dishes need to be resited.
- 4.2 The principle of satellite dishes in this location has previously been established. The proposed resited dishes would be set away from the edge of the parapet. The proposed resited satellite dishes would not detract from the appearance of the building or impact detrimentally on neighbouring amenity.
- 4.3 The application is therefore recommended for approval subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The application property is the Worcester Point development, a recently completed mixed use development with commercial uses on the ground and basement floors and residential above. The site fronts onto three roads, Lever Street to the north, Central Street to the east and, to the south, Seward Street. The proposal relates to the roof of the six storey corner frontage which faces Central Street and Lever Street. The building is not within a Conservation Area but is located within 50m of the St Luke's Conservation Area.
- 5.2 The surrounding area is characterised by a range of buildings in a fairly dense configuration of a variety of ages, heights and designs, including a mixture of residential and commercial. The exception to this concentration of built form is the open area of Kings Square Gardens to the north of Lever Street. The majority of buildings in the vicinity are 4 storeys or taller and they tend to limit or restrict views from street level.

6 PROPOSAL (in Detail)

- 6.1 The proposal consists of the repositioning of two satellite dishes and accompany equipment including walkway, balustrade and screen to the north eastern edge of the roof. The satellite dishes are 2.4m in diameter and would measure approximately 3m in height including the base. The design and appearance of the dishes will not alter. The dishes are proposed to be moved south to accommodate a further satellite dish.
- 6.2 The application has been referred to the planning sub-committee due to the level objections received.

7 RELEVANT HISTORY

PLANNING APPLICATIONS

- 7.1 Worcester Point, Central Street, planning application ref: P2014/4053/FUL for the 'Application is for 3no. Satellite receivers on the roof of Worchester Point plus associated equipment, including walkway and balustrade' is under assessment.
- 7.2 Worcester Point, Central Street, planning application ref: P2014/3169/FUL for the 'Installation of 1no. Satellite and associated equipment including walkway and balustrade' is under assessment.

- 7.3 Worcester Point, Central Street, planning application ref: P2014/0790/NMA for the 'Non Material minor amendment of planning permission P2013/3173 dated 31 October 2013 for repositioning of 2 no. approved satellite dishes on roof' was APPROVED on 27/03/2014.
- 7.4 Worcester Point, Central Street, planning application ref: P2014/0659/FUL for the 'Installation of 6 x satellite dishes on roof,' was REFUSED on 27/05/2014.
- 7.5 Worcester Point, Central Street, planning application ref: P2013/3173/FUL for a 'Installation of 2 x satellite dishes on roof,' was GRANTED on 31/10/2013.
- 7.6 Worcester Point, Central Street, planning application ref: P2013/2793/S73 for a 'Application under s73 of the Town and Country Planning Act (1990) to vary condition 2 (approved plans) to allow for changes to the facades and condition 6 (BREEAM) to allow for a change from 'excellent' to 'very good' of planning permission reference P122148 dated 22 January 2013. The application also proposes an amendment to the unilateral undertaking to allow for a financial contribution towards the provision of affordable workspace as an alternative to on-site provision,' was GRANTED on 31/10/2013.

PRE APPLICATION ADVICE

- 7.7 Worcester Point, Central Street, pre planning application ref: Q2014/2737/MIN for the 'Erection of three satellite dishes on the roof of the Lever Street.'

ENFORCEMENT:

- 7.8 No history.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on the 30/09/2014. These expired on the 21/10/2014. A further period of consultation was carried out which commenced on the 15/12/2014 due to update the description to better reflect the proposal. This consultation period expired on the 30/12/2014. At the time of the writing of this report 23 objections had been received from the public with regard to the application. Members will be updated at committee of any additional responses received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).

- Obscure views from the terrace (10.12-10.17)
- Loss of daylight (10.12-10.17)
- Affect communal roof terrace (10.12-10.17)
- Affect the green roof (10.18-10.19)
- Precedent for more dishes (10.24)
- Add to the roofline (10.4-10.11)
- Dishes installed within 50m of a conservation area (10.11)
- Residents not given 21 days in the second consultation (10.23)
- Access to the dishes contravenes lease (10.21)
- Health risk of the satellite dishes (10.12-10.17)
- Noise and mechanical movements (10.12-10.17)

- Views from windows diminished (10.12-10.17)
- Loss of outlook (10.12-10.17)
- Impacts on BREEAM (10.19-10.20)

Internal Consultees

- 8.2 The Sustainability Officer: there will be some loss of living roof, however these losses will be small and impact unlikely to be significant.
- 8.3 The Public Protection Officer: no objection.
- 8.4 The Design and Conservation Team: no objection.

External Consultees

- 8.5 None

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 Practice Guidance 2014 is material consideration in the assessment of and has been taken into account as part of the assessment of these proposals.
- 9.3 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

- 9.4 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)

- 9.5 The 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 and Appearance
- Neighbouring Amenity
- Sustainability

- 10.2 Section 73 of the Town and Country Planning Act 1990 concerns 'Determination of application to develop land without compliance with conditions previously attached'. It is colloquially known as 'varying' or 'amending' conditions. Section 73 applications

also involve consideration of the conditions subject to which planning permission should be granted. Where an application under s73 is granted, the effect is the issue of a fresh grant of permission and the notice should list all conditions pertaining to it.

- 10.3 Alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. However, these must be considered in light of the matters discussed in the previous paragraphs and the fact that the structures have previously been granted planning permission.

Design and Appearance

- 10.4 Policy DM2.7 of the Development Management Policies states that good telecommunications and infrastructure is an essential part of maintaining and developing a modern community; however, poorly designed and sited equipment can have a detrimental impact on the character and appearance of a building and the wider area.
- 10.5 In general it is not acceptable to locate satellite dishes and other telecommunications and utilities equipment on the front of buildings and other locations where they are visible from the public realm. On-street location of telecommunications boxes and other utilities equipment should be avoided where possible and designed and located to minimise street clutter and conflict with street furniture. It is generally reasonable to expect satellite equipment to be located at roof level.
- 10.6 The proposed development, would be sited towards the centre of the roof of this 5 storey building plus set back roof addition.
- 10.7 The majority of buildings in the vicinity are 4 storeys or taller and they tend to limit or restrict views from street level. The configuration of the two dishes would remain. These are proposed to be moved south to accommodate an additional dish.
- 10.8 Sight lines have been provided with the drawings. These indicate the dishes would not be seen from Central Street or Lever Street. The dishes would be located in the north eastern corner of the building and it is views around this area which are considered most sensitive. A screen would be located to this façade to diminish views of the dishes, the principle of which was previously approved.
- 10.9 In summary, the visual impact at street level is likely to be limited to a few locations in the surrounding area where only the upper part of the dishes may be seen. Even from these positions these would not stand out as an obtrusive or incongruous feature on the skyline. The positioning of the two dishes further south is therefore not seen to have an adverse visual effect on the building and as such the proposed alteration is seen as acceptable.
- 10.10 A proposal should not conflict with guidance in the Urban Design Guide (2006). Paragraph 2.6.3 concerns telecommunication and aerials and advises that they should not dominate the public realm and should only be allowed where they are largely obscured and do not impact adversely upon the skyline from longer views. Given the above reasoning the proposal resiting of two dishes in this location is seen as acceptable. Moreover national policies and local policies concerning satellites, including the Council's own Urban Design Guide, do not require invisibility from street level.
- 10.11 Objections have been raised in regards to impact on the setting of the adjoining Conservation Area. Provisions in the Planning (Listed Buildings and Conservation

Areas) Act 1990 impose obligations on those considering whether to grant planning permission or listed building consent for development or works that affect the historic environment. In such cases, it is necessary to have special regard to preserving or enhancing the character or appearance of conservation areas affected by development proposals. Due to the limited visibility of the proposed resited satellite dishes and the previous permission which establishes the principle of satellite dishes close to this location, the proposal is not considered to negatively impact the adjoining conservation.

Neighbour Amenity

- 10.12 The Public Protection Officer has assessed the proposals and has advised that there are no noise sources associated with the resited dishes that will give rise to noise outbreak impacting upon nearby residential properties. Moreover the department are not aware of any previous noise complaints about the operation of satellite dishes.
- 10.13 The Public Protection Officer has raised no concern of the satellite dishes causing health concerns based on Advisory Group on non-ionising radiation (AGNIR's) findings. Moreover the satellite dishes are likely to be orientated in a skyward direction with radio frequency pointed upwards rather than towards any residential.
- 10.14 These resited satellite dishes would be approximately 3m in height into total and have a diameter of 2.4m. The dishes would be located at roof level and not located adjacent to habitable windows.
- 10.15 The dishes would be set in from the inner parapet edge, located centrally on the roof and located some distance from any potentially affected resident's windows to residents which face inwards to the courtyard. The screening would be 2.1m high. On balance, taking into account that there would be no loss of daylight due to the orientation and the distance to the residential facing windows of the courtyard the resiting of two satellite dishes is not considered to cause undue loss of outlook or an increased sense of enclosure that would warrant refusal of the application.
- 10.16 Objections have been raised regards loss of a view. In planning terms the loss of a view is not a material consideration and therefore this objection holds little weight.
- 10.17 The proposed resited dishes are located behind the existing building core. The installation of the dishes is not seen to compromise the use of the communal terrace as an ancillary amenity space to the flats.

Sustainability

- 10.18 The proposal would be located on platform above the green roof. Whilst it is acknowledged there would be some loss of green roof to accommodate the platform, this loss would be minimal and have no adverse effect on the functioning of the green roof. Further information has been provided regarding the walkway which are designed to sit above the roof levels to allow light to penetrate through. There will be some shading as a result of the satellite dishes and associated structures. This may impact upon any established species in this area of the roof, but the shaded area that will provide variation of habitat.
- 10.19 Due to the limited impact on the green roof, the Sustainability Officer has advised that this would not affect the BREEAM rating of the building as a whole.

- 10.20 Under planning application P2013/2793/S73, a change was proposed to condition 6, this permission reduced the requirement for a BREEAM rating of 'Excellent' to 'Very Good'. BREEAM relates to a high level of environmental sustainability in terms of thermal comfort, water quality, safety and security, amongst other things. The minimal impact on the green roof would be not considered to down grade overall BREEAM of the building in this context.

Other Matters

- 10.21 Issues have been raised in relation to access. Whilst consideration has been given to the walkway, the issue of access to the green roof is considered a civil matter and therefore is not assessed. The green roof is not an amenity area to be accessed. ie. Sitting out and is accessed for maintenance only. Moreover the resiting of the two satellite dishes and issues to do with access that relate to leasehold matters are not a material planning consideration and are not an issue that can be taken into account.
- 10.22 Objections have been received regarding decrease in the value of property. In planning terms this is not considered a material planning consideration and therefore does not hold weight in the assessment of the application.
- 10.23 Objections have been received regards the lack of correct notification given. No revisions to the proposal had been received. An additional period for consultation was to better reflect the description of development, therefore a further 14 days is considered an appropriate amount of time. In any case, original representation received were still considered in the assessment of the application. Representations are also taken into account up until the time of decision.
- 10.24 Each application is assessed on its own merits. It is not considered a justifiable reason to refuse this application on the basis of further applications of this nature.
- 10.25 Condition number 1 relates to the timeframe for implementation. Usually this is a 3-year time frame from the date of issue in accordance with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended). To ensure that an extension of time is not granted by the grant of this material minor amendment application, condition 1 has been reworded to relate to the expiry of the original decision notice.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed repositioning of the satellite dishes and associated equipment are considered to be acceptable with regards to design and impacts on neighbour amenity and sustainability.
- 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 in Recommendation A.

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.</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> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of 31/10/2016.</p> <p>REASON: To ensure the commencement timescale for the development is not extended beyond that of the original planning permission granted on 31/10/2013 [LBI ref: P2013/3173/FUL]. Furthermore, 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:</p> <p>Site location plan; L(0)220 Rev D, L(0)221 RevD; L(0)222 Rev D, L(0)108 RevE.</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 | Screening |
| | <p>CONDITION: Details of all screen shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The details shall include materials, profile, reveal depth and detailing.</p> <p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p> |
| 4 | Walkway |
| | <p>CONDITION: Details of all new walkway and platform shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that there is no adverse impact on the green roof.</p> |
| 5 | Removal |

| | |
|--|--|
| | <p>CONDITION: In the event the satellite dishes hereby approved are no longer required, they shall be removed from the property.</p> <p>REASON: To ensure a satisfactory standard of visual amenity.</p> |
|--|--|

List of Informatives:

| 1 | Positive Statement |
|----------|--|
| | <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.</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> |

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

7 London's living places and spaces:

7.4 Local character

7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

CS8 (Enhancing Islington's Character)

C) Development Management Policies June 2013

DM2.1 Design

DM2.7 Telecommunications

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington

- Islington Urban Design Guide

London Plan



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3596/S73

LOCATION: WORCESTER POINT, CENTRAL STREET, LONDON,
EC1V 8AZ

SCALE: 1:1250

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