



Resources Department  
Town Hall, Upper Street, London, N1 2UD

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## AGENDA FOR THE PLANNING SUB COMMITTEE B

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Members of Planning Sub Committee B are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **29 November 2016 at 7.30 pm.**

**Stephen Gerrard**  
**Director – Law and Governance**

Enquiries to : Jackie Tunstall  
Tel : 020 7527 3068  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 21 November 2016

**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](mailto:enquiriesplanning@islington.gov.uk)**

Committee Membership

Councillor Donovan (Chair)  
Councillor Picknell (Vice-Chair)  
Councillor Chowdhury  
Councillor Khan  
Councillor Ward

Wards

- Clerkenwell;  
- St Mary's;  
- Barnsbury;  
- Bunhill;  
- St George's;

Substitute Members

Councillor Convery  
Councillor Klute  
Councillor Nicholls  
Councillor Fletcher  
Councillor A Perry  
Councillor Poyser  
Councillor Wayne  
Councillor Caluori  
Councillor Gantly  
Councillor O'Halloran  
Councillor Webbe

- Caledonian;  
- St Peter's;  
- Junction;  
- St George's;  
- St Peter's;  
- Hillrise;  
- Canonbury;  
- Mildmay;  
- Highbury East;  
- Caledonian;  
- Bunhill;

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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<b>D.</b>	<b>Urgent non-exempt items</b>
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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.

<b>E.</b>	<b>Exclusion of press and public</b>
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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.

<b>F.</b>	<b>Confidential/exempt items</b>	<b>Page</b>
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<b>G.</b>	<b>Urgent exempt items (if any)</b>
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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, 9 January 2017

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

[www.democracy.islington.gov.uk](http://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 Lewis/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](mailto:enquiriesplanning@islington.gov.uk)**



# London Borough of Islington

## Planning Sub Committee B - 3 October 2016

Minutes of the meeting of the Planning Sub Committee B held in Committee Room 4, Town Hall, Upper Street, N1 2UD on 3 October 2016 at 7.30 pm.

**Present:**           **Councillors:** Alice Donovan (Chair), Nick Ward, Martin Klute  
                                       (Substitute) (In place of Robert Khan) and Una  
                                       O'Halloran (Substitute) (In place of Angela Picknell)

### Councillor Alice Donovan in the Chair

234 INTRODUCTIONS (Item A1)

Councillor Donovan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

**235      APOLOGIES FOR ABSENCE (Item A2)**

Apologies were received from Councillors Khan and Picknell.

**236      DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

Councillor Klute substituted for Councillor Khan and Councillor O' Halloran substituted for Councillor Picknell.

**237**      **DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

**238**      **ORDER OF BUSINESS (Item A5)**

The order of business would be B3, B6, B4, B5, B2, B1 and B7.

**239 MINUTES OF PREVIOUS MEETING (Item A6)**

**RESOLVED:**

That the minutes of the meeting held on 28 June 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**240**      **1 JUNCTION ROAD, LONDON, N19 5QT (Item B1)**

Erection of two projecting signs (internally illuminated) – two ‘White Wordmark’ fascia signs (Halo Illuminated).

(Planning Application Number: P2015/5253/ADV)

Alterations to shopfront including tiling of stall-riser in place of timber.

(Planning application number: P2015/5248/FUL)

Reconsultation for change of use of upper floors to form 2x2 bed residential units (C3 use) with separate internal residential access plus ground and first floor rear extensions to increase the ground and first floor roof heights, proposed terrace at rear first floor level with balustrade and at roof level with roof structure to allow access to roof garden. Replacement

of windows to front elevation and installation of windows and door to rear elevation.  
Removal of railings and introduction of brick parapet at roof level.

(Planning application number: P2015/2436/FUL)

In the discussion the following point was made:

- The application was policy compliant.

**RESOLVED:**

That planning permission and advertising consent be granted subject to the conditions and informatives in Appendix 1 of the three officer reports.

**241**

**CAR PARK AREA, CENTURION CLOSE, LONDON, N7 (Item B2)**

Redevelopment of the car park at Centurion Close involving the erection of a 4 storey building consisting of 8 x 2 bed units with associated balconies, communal open space and improvements to the public realm.

(Planning application number: P2016/2865/FUL)

In the discussion the following points were made:

- The planning officer advised that a clause was to be secured in the service level agreement for the development requiring trees on the approved landscaping plans to be planted prior to first occupation of the units hereby approved.
- The outlook from neighbouring windows was considered.
- The proposed materials were discussed.
- The planning officer confirmed that there would be eight units in the proposed development.

Councillor Klute proposed a motion to amend condition 3 to require solid bricks and not brick slips to be used. This was seconded by Councillor Donovan and carried.

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report as amended as above and subject to the prior completion of a Director level agreement to secure the planning objectives outlined in Recommendation A of the officer report as amended above.

**242**

**FLATS 1-37, MULBERRY COURT, TOMPION STREET, LONDON, EC1V 0HP (Item B3)**

Replacement of the existing single glazed metal windows with aluminium framed double glazed windows.

(Planning application number: P2016/0529/FUL)

In the discussion the following points were made:

- The difference in the thickness and depth of the existing and proposed window frames was considered. Officers stated that any difference in thickness would be marginal. Concern was raised that it was not possible to tell this from the drawings and the sample shown to the committee was not a sample of a window that would be used.
- The planning officer stated that the material the frames would be made from was powder coated aluminium.
- Concern was raised that there appeared to have been a lack of public consultation.

Councillor Klute proposed a motion to defer the consideration of this application due to inaccurate drawings and an insufficient sample meaning the sub-committee did not have accurate information on which to make a decision. The drawings presented to a future sub-committee meeting should include a side by side comparison between the existing and proposed windows and a drawing detailing how an installed window would look. In addition, the applicant was asked to consider other finishes for the frames and do more consultation. This was seconded by Councillor Nick Ward and carried.

**RESOLVED:**

That consideration of the application be deferred for the reasons outlined above.

**243**

**HERBERT CHAPMAN COURT, FLATS 1-8 AVENELL ROAD, LONDON, ISLINGTON, N5 1BP (Item B4)**

Replacement of the existing single glazed metal windows with aluminium framed double glazed units. Replacement of the existing mineral felt roof covering with a high performance mineral felt covering.

(Planning application number: P2016/2530/FUL)

In the discussion the following point was made:

- Concern was raised that there had been a lack of consultation and that inaccurate information i.e. drawings and window sample had been submitted to the sub-committee.

Councillor Klute proposed a motion to defer the consideration of this application due to inaccurate drawings and an insufficient sample meaning the sub-committee did not have accurate information on which to make a decision. In addition, the applicant was asked to do more consultation. This was seconded by Councillor Donovan and carried.

**RESOLVED:**

That consideration of the application be deferred for the reasons outlined above.

**244**

**HERBERT CHAPMAN COURT, FLATS 9-16 AVENELL ROAD, LONDON, ISLINGTON, N5 1BP (Item B5)**

Replacement of the existing single glazed metal windows with aluminium framed double glazed units. Replacement of the existing mineral felt flat roof covering with a high performance mineral felt covering.

(Planning application number: P2016/2531/FUL)

In the discussion the following point was made:

- Concern was raised that there had been a lack of consultation and that inaccurate information i.e. drawings and window sample had been submitted to the sub-committee.

Councillor Klute proposed a motion to defer the consideration of this application due to inaccurate drawings and an insufficient sample meaning the sub-committee did not have accurate information on which to make a decision. In addition, the applicant was asked to do more consultation. This was seconded by Councillor Donovan and carried.

**RESOLVED:**

That consideration of the application be deferred for the reasons outlined above.

**245      ST JAMES HOUSE, 28 DRAYTON PARK, ISLINGTON, LONDON, N5 1PD (Item B6)**

Erection of roof extension to accommodate 3 self-contained residential units (3x2 bed 3 persons) and private amenity space plus bike and refuse storage.

(Planning application number: P2016/1791/FUL)

In the discussion the following points were made:

- The planning officer stated that paragraph 10.24 of the officer report should refer to a further contribution of £3,000 having been secured off-setting and not £4,500 as stated in the report.
- The planning officer confirmed that the parapet would be raised by 300mm.
- Concern was raised that the drawing containing the details of the refuse store was incorrect as the details had not yet been agreed and it was possible the refuse store could be reconfigured.
- The committee requested details about the previous scheme. The planning officer advised that the previous scheme had been refused due to design, its height and having a terrace on top.

Councillor Donovan proposed a motion to defer the consideration of the application to enable the drawings of the previous scheme to be shown to members, to require more accurate details on the refuse store to be submitted and for planning officers to directly address all the objections listed in the officer report. This was seconded by Councillor Klute and carried.

**RESOLVED:**

That consideration of the application be deferred for the reasons outlined above.

**246      UNIT 10 ROMAN WAY INDUSTRIAL ESTATE, 149 ROMAN WAY, LONDON, N7 8XH (Item B7)**

Erection of four boiler flues and seven silencers to roof.

(Planning application number: P2015/3131/FUL)

In the discussion the following points were made:

- The hours of operation had been controlled.
- There was a noise limit condition and if the application did not put in silencers, it would not be possible to comply with this condition.

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report.

The meeting ended at 9.10 pm

**CHAIR**



## COMMITTEE AGENDA

**1 (Land located opposite Islington Municipal Council Offices) Upper Street London N1**

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**2 13 Rotherfield Street  
LONDON  
N1 3EE**

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**3 14 Bonhill Street  
Islington  
LONDON  
EC2A 4BX**

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**4 5 & 5A Rotherfield Street  
LONDON  
N1 3EE**

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**5 67 Rotherfield Street  
LONDON  
N1 3BZ**

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**6 8 Wray Crescent  
Islington  
N4 3LP**

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**7 Arsenal Football Club 75 Drayton Park London N5 1BU**

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**8 Bus shelter outside 46 Newington Green  
Islington  
LONDON  
N16 9PX**

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**9 First Floor Flat  
31 Cressida Road  
LONDON  
N19 3JN**

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**10 Royal Bank of Scotland Regent's House  
42 Islington High Street  
LONDON  
N1 8XL**

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**11 St James House  
28 Drayton Park  
Islington  
LONDON  
N5 1PD**

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## 1 (Land located opposite Islington Municipal Council Offices) Upper Street London N1

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**Ward:** St. Marys

**Proposed Development:** Single panel - 6 Sheet Advertisement Display Freestanding internally Illuminated Panel

**Application Number:** P2016/0451/ADV

**Application Type:** Advertisement Consent

**Case Officer:** Daniel Power

**Name of Applicant:** J Foster Architects - Mr Jeremy Foster

**Recommendation:**

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## 2 13 Rotherfield Street LONDON N1 3EE

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**Ward:** St. Peters

**Proposed Development:** Replacement of existing roof covering with artificial slate covering.

**Application Number:** P2016/3553/FUL

**Application Type:** Full Planning Application

**Case Officer:** Nathan Stringer

**Name of Applicant:** Breyer Group PLC - Ms Linda Harris

**Recommendation:**

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## 3 14 Bonhill Street Islington LONDON EC2A 4BX

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**Ward:** Bunhill

**Proposed Development:** Extension of existing building to rear from 1st to 5th floor to create additional office space, relocation of existing plant to roof level and new entrance at ground level. (Reconsulation additional acoustic report received)

**Application Number:** P2016/2078/FUL

**Application Type:** Full Planning Application

**Case Officer:** Duncan Ayles

**Name of Applicant:** .

**Recommendation:**

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## 4 5 & 5A Rotherfield Street LONDON N1 3EE

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**Ward:** St. Peters

**Proposed Development:** Replacement roof covering to 5&5A Rotherfield Street (Flats 1-6)

**Application Number:** P2016/3552/FUL

**Application Type:** Full Planning Application

**Case Officer:** Nathan Stringer

**Name of Applicant:** Breyer Group PLC - Ms Linda Harris

**Recommendation:**

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## 5 67 Rotherfield Street LONDON N1 3BZ

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**Ward:** St. Peters

**Proposed Development:** Replacement of existing roof covering with artificial slate covering.

**Application Number:** P2016/3554/FUL

**Application Type:** Full Planning Application

**Case Officer:** Nathan Stringer

**Name of Applicant:** Breyer Group PLC - Ms Linda Harris

**Recommendation:**

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**6 8 Wray Crescent  
Islington  
N4 3LP**

**Ward:** Tollington

**Proposed Development:** Change of use of the property from a single residential dwelling to a mixed use comprising C3 residential use and commercial filming venue (Sui Generis Use). The proposed Sui Generis would last no longer than 4 consecutive days resulting in no more than 40 days per calendar year.

**Application Number:** P2016/1209/FUL

**Application Type:** Full Planning Application

**Case Officer:** Joe Aggar

**Name of Applicant:** Miss Louisa Grey

**Recommendation:**

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**7 Arsenal Football Club 75 Drayton Park London N5 1BU**

**Ward:** Highbury West

**Proposed Development:** Erection of a two storey building forming an extension to the existing Arsenal Football Club offices at Highbury House providing 671sqm of B1(a) office floorspace, together with relocated cycle parking.

**Application Number:** P2015/1137/FUL

**Application Type:** Full Planning Application

**Case Officer:** Daniel Power

**Name of Applicant:** Mr John Beattie

**Recommendation:**

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**8 Bus shelter outside 46 Newington Green  
Islington  
LONDON  
N16 9PX**

**Ward:** Mildmay

**Proposed Development:** Double-sided freestanding forum structure, featuring 2 x Digital 84" advertisement screens positioned back to back.

**Application Number:** P2016/3426/ADV

**Application Type:** Advertisement Consent

**Case Officer:** Daniel Power

**Name of Applicant:** Mr Mohamed Ahmed

**Recommendation:**

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**9 First Floor Flat  
31 Cressida Road  
LONDON  
N19 3JN**



**Ward:** Hillrise

**Proposed Development:** Erection of rear roof dormer extensions with replacement roof tiles.

**Application Number:** P2016/3319/FUL

**Application Type:** Full Planning Application

**Case Officer:** Daniel Jeffries

**Name of Applicant:** Ms Polly Flynn

**Recommendation:**

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**10 Royal Bank of Scotland Regent's House**

**42 Islington High Street**

**LONDON**

**N1 8XL**

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**Ward:** St. Peters

**Proposed Development:** Works to the front façade of the building facing Islington High Street including new lighting, replacement of ground floor bay windows with floor to ceiling windows, new glazing to secondary entrances and replacement roller shutters, replacement surfacing and alterations to the existing entrance. Also, replacement glazing above the main entrance to levels 1 to 4. To the rear in the servicing yard, new lighting, seating and bike store and alterations to the rear elevation of the building include a new entrance, to facilitate the use of the servicing yard as a gathering/ meeting area.

**Application Number:** P2016/2382/FUL

**Application Type:** Full Planning Application

**Case Officer:** Sally Fraser

**Name of Applicant:** n/a

**Recommendation:**

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**11 St James House**

**28 Drayton Park**

**Islington**

**LONDON**

**N5 1PD**

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**Ward:** Highbury East

**Proposed Development:** Erection of roof extension to accommodate 3 self-contained residential units (3x2bed 3persons) and private amenity space plus bike and refuse storage (updated information in relation to enlargement of existing refuse storage area).

**Application Number:** P2016/1791/FUL

**Application Type:** Full Planning Application

**Case Officer:** Daniel Jeffries

**Name of Applicant:** Mr ozmen safa

**Recommendation:**

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### PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 3333  
222 Upper Street  
LONDON N1 1YA

PLANNING SUB COMMITTEE B		
Date:	Tuesday, 29 November 2016	NON-EXEMPT

Application number	P2016/0451/ADV
Application type	Advertisement Consent
Ward	St. Marys
Listed building	Not Listed
Conservation area	Upper Street (North)
Development Plan Context	Core Strategy Key Areas- Angel and Upper Street Conservation Area- Upper Street (North) Cycle Routes- Strategic Employment Shopping Areas- Upper Street
Licensing Implications	None
Site Address	(Land located opposite Islington Municipal Council Offices) Upper Street London N1
Proposal	Single panel - 6 Sheet Advertisement Display Freestanding internally Illuminated Panel

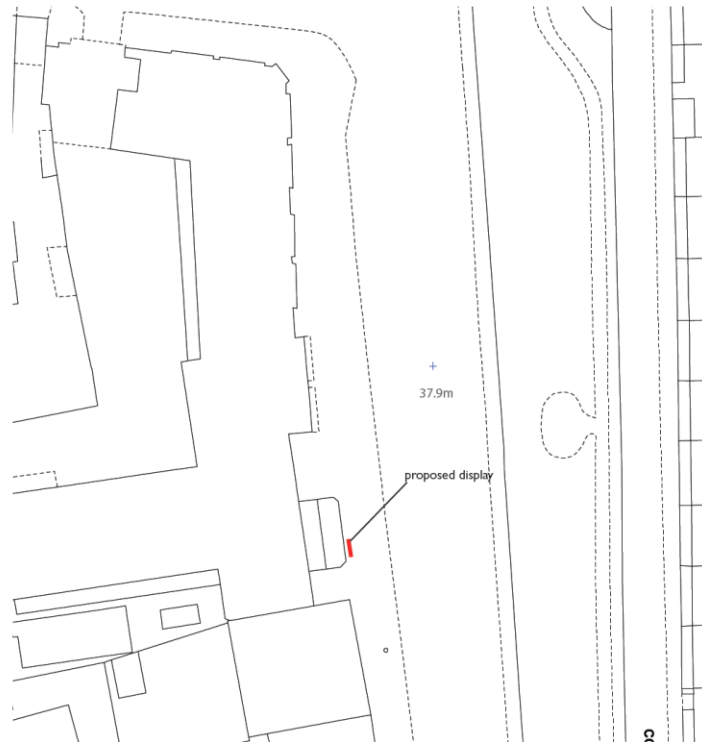
Case Officer	Daniel Power
Applicant	J Foster Architects - Mr Jeremy Foster on behalf of Islington Council
Agent	J Foster Architects

#### 1. RECOMMENDATION

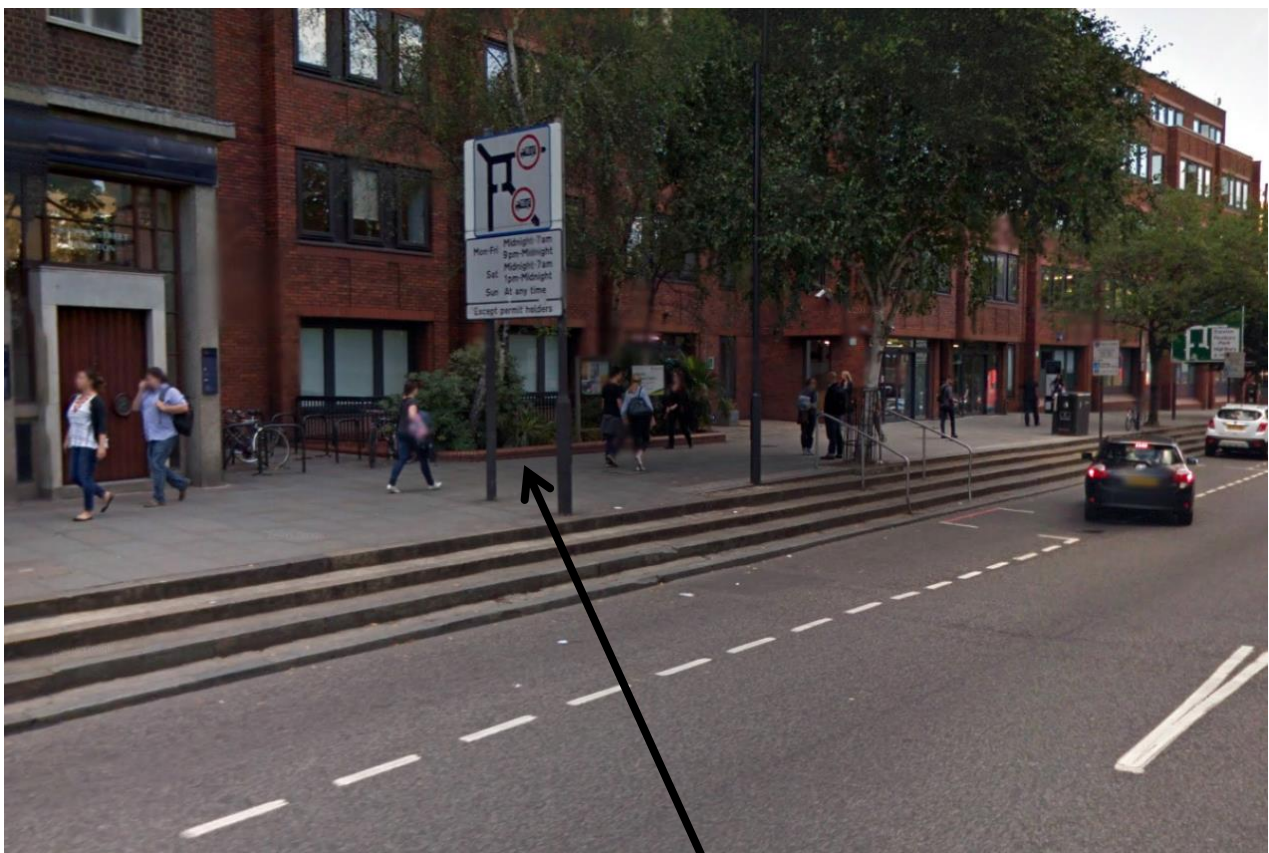
The Committee is asked to resolve to **GRANT** advertisement consent:

- subject to the conditions set out in Appendix 1

**2. SITE PLAN (site indicated in black)**



**3. PHOTOS OF SITE/STREET**



Location of sign

Image 1: Street View of the Site

#### **4. SUMMARY**

- 4.1 Advertisement consent is sought for the installation of a free standing internally illuminated advertisement display panel (6 sheet) on the pavement outside of Islington Council Offices on Upper Street.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The proposed advertisement display panel will neither harm the character or appearance of the street scene or the wider conservation area, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.
- 4.4 It is recommended that advertisement consent be granted subject to conditions.

#### **5. SITE AND SURROUNDING**

- 5.1 The application site relates to the wide pavement fronting Islington Council Offices on 222 Upper Street. The sign would be sited on a wide pavement, in front of a planted area to the north of existing cycle racks and south of existing signage. The Council's offices are a five storey modern building, with a set back to the south where it adjoining the Natwest building. The proposal would be located within this set back, in front of a planted area. The footpath is tree lined with steps down to the road with a lamp post and traffic sign located opposite the application site. On the opposite side of the road is Compton Terrace, with Compton Terrace Gardens in front. The row of dwellings of Compton Terrace are Grade II listed with the Compton Terrace Garden to the front allocated as open space. The application site is located on the edge of Upper Street (north) Conservation Area.

#### **6. PROPOSAL (IN DETAIL)**

- 6.1 Advertisement consent is sought for the installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the pavement outside of Islington Council Offices on Upper Street.
- 6.2 The proposed sign will measure a maximum of 2.7 metres in height, 1.4 metres in width and 0.3 metres in depth. The visible area of the digital screen display will measure 1.15 metres in width and 1.76 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.
- 6.3 Since the submission of the application, amended plans have been submitted which move the proposed advertisement further away from the steps down to the road and against a planted area in front of the Council Offices.

#### **7. RELEVANT HISTORY:**

##### **PLANNING APPLICATIONS:**

- 7.1 None

##### **ENFORCEMENT:**

- 7.2 None

##### **PRE-APPLICATION ADVICE:**

- 7.3 None

## 8. CONSULTATION

### Public Consultation

- 8.1 Letters were sent to 2 occupants of adjoining and nearby properties at Upper Street, on the 10/02/16 and following the submission of amended plans on the 10/03/16. A site notice was placed outside the site on 4/02/16 with a notice in the local press on the 4/02/16. The consultation therefore expires on 25/10/16.
- 8.2 At the time of the writing of this report two objections have been received from the public with regards to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Obscure views of Compton Terrace Gardens (para. 10.6)
  - Harm Compton Terrace Gardens (para. 10.6)

### Internal Consultees

- 8.3 **Design and Conservation Officer:** Objection: The officer considered this an inappropriate location for a large internally illuminated sign. There are significant heritage assets on the opposite side of the road and the officer considers this would harm their setting and add visual clutter.
- 8.4 **Highways:** No objections.

### External Consultees

- 8.5 **Transport for London:** No objections subject to conditions.

## 9. RELEVANT POLICIES

**Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.**

### National Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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 2015, Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application 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:
- Amenity

### **Amenity**

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. Furthermore, Development Management Policy DM2.6 requires all advertisements to be of a high standard and contribute to a safe and attractive environment. Any new sign should not cause a public safety hazard or contribute to a loss of amenity and should be appropriate to the building.
- 10.3 The proposal would be located within the frontage set back, in front of a planted area. The footpath is tree lined with steps down to the road with a lamp post and traffic sign located opposite the application site. On the opposite side of the road is Compton Terrace, with Compton Terrace Gardens in front. The row of dwellings along Compton Terrace are Grade II listed with the Compton Terrace Garden to the front allocated as open space. The application site is located on the edge of Upper Street (north) Conservation Area.
- 10.4 The western side of Upper Street is mainly commercial with the eastern side residential and the open space of Compton Terrace Gardens. Given the distance of the proposal from the dwelling of Compton Terrace, the road and gardens located between these dwellings and the application site and the proposed conditions, it is considered not have a detrimental impact on the amenity of neighbouring properties.
- 10.5 The signage would be seen within the context of predominantly commercial development on the western side of Upper Street and against a back drop of four and five storey buildings with existing street furniture. In particular the signage will be set against a planted area and the more modern Council building, which itself has existing adverts and signage. Having special regard to the character of the conservation area, given the existing amount of street furniture, the proposal would not be out of character or detract from its setting.
- 10.6 Objections have been received in relation to the proposed development impact on Compton Terrace Gardens. Since these objections were received the amended plans have been received re-siting the proposed advertisement further to the west against a planted area in front of the Council Offices. The proposed sign will measure 2.6 metres in height would be located against the Council building. Given its location it is considered that the sign would not be seen within the context of Compton Terrace Garden and would therefore not have a detrimental impact on its setting.
- 10.7 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

### **Highways Safety**

- 10.8 It should be ensured that all new advertisement signs do not cause a hazard to pedestrians or road users, as a result of their visual dominance and method of illumination, in accordance with policy DM2.6 of the Islington Development Management Policies 2013.
- 10.9 The proposed sign will be internally illuminated, will not have flashing illumination and will have an LED backlit display brightness which can be adjusted to suit the day/night ambient levels. The sign will be located on a wide pavement and will be set back from the main pedestrian route to ensure there are no public safety hazards and maintain the free flow of pedestrian traffic. The Council's Highways Officer has no objections, nor does Transport for London subject to conditions. Given the existing lights and street furniture, it is considered that the advert would not

have a detrimental impact on highways safety. The proposal is therefore considered not to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies 2013.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 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, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

- 11.3 It is recommended that advertisement consent be granted subject to conditions 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

<b>1</b>	<b>Standard advertisement conditions</b>
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>No advertisement is to be displayed without permission of the owner of the site or any other people with an interest in the site entitled to grant permission.</p> <p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</p> <p>REASON: In the interests of visual amenity and safety.</p>
<b>2</b>	<b>Luminance</b>
	<p>CONDITION: The advertisement display(s) shall be statically illuminated and the illumination shall not exceed a maximum steady brightness of 300 candelas per square metre during the hours of darkness consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements" (PLG05, January 2015).</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
<b>3</b>	<b>Display time</b>
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
<b>4</b>	<b>Special effects</b>
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
<b>5</b>	<b>Display functions</b>
	<p>CONDITION: The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual</p>

	effects (including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction.  REASON: In the interests of highway safety.
<b>6</b>	<b>Installation and maintenance</b>
	CONDITION: The footway and carriageway on the TLRN and SRN must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic.  REASON: In the interests of highway safety.

#### List of Informatives:

<b>1</b>	<b>Positive statement</b>
	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. 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.  The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.

## 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 2015, 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 2015 - 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**

### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

### **Strategic Policies**

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

## **C) Development Management Policies June 2013**

### **Design and Heritage**

**DM2.1** Design

**DM2.6** Advertisements

## **3. Designations**

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Core Strategy Key Areas- Angel and Upper Street
- Conservation Area- Upper Street (North)
- Cycle Routes- Strategic
- Employment Shopping Areas- Upper Street

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

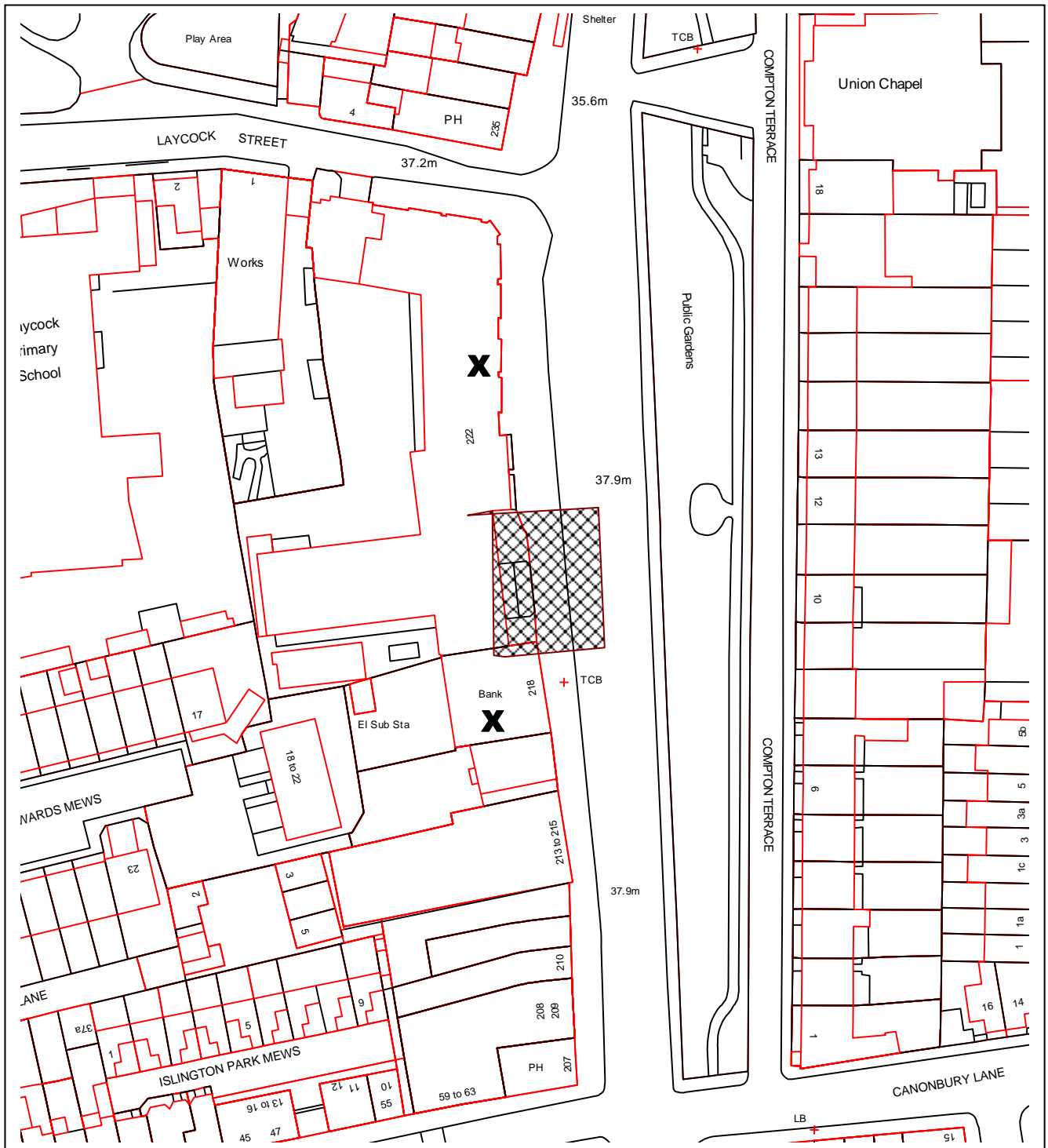
The following SPGs and/or SPDs are relevant:

**Islington Local Development Plan**

**Urban Design Guide (2006)**

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### PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 3333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB COMMITTEE B</b>		
<b>Date:</b>	29 November 2016	<b>NON-EXEMPT</b>

Application number	P2016/3553/FUL
Application type	Full Planning Application
Ward	St. Peter's
Listed building	Not listed
Conservation Area	East Canonbury Conservation Area
Site Address	13 Rotherfield Street, London, N1 3EE
Proposal	Replacement of existing roof covering with artificial slate covering.

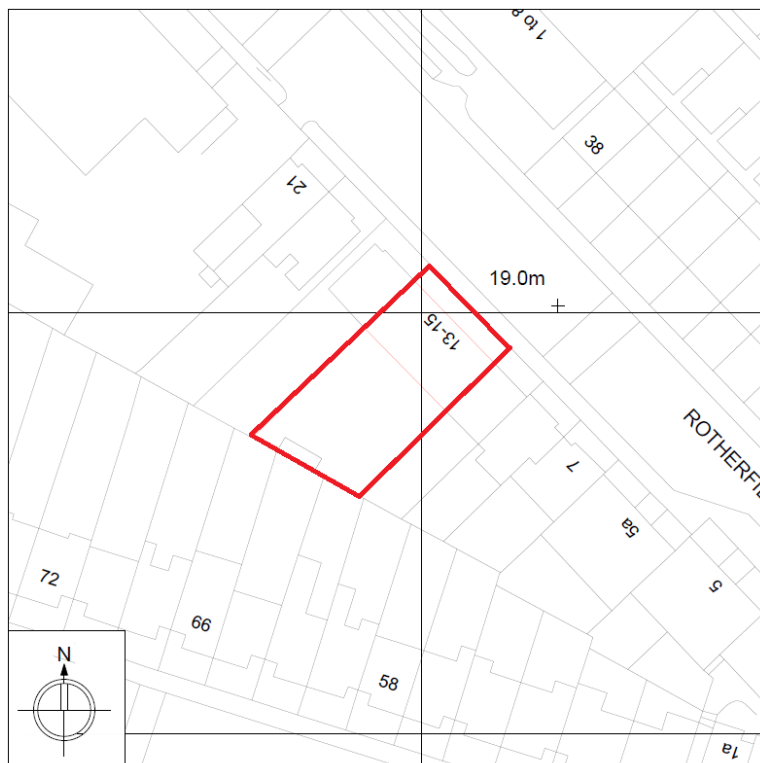
Case Officer	Nathan Stringer
Applicant	Ms Linda Harris on behalf of Islington Council
Agent	FES Group

#### 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: Photograph of front of site showing roof





Image 2: Aerial Photo of the Site (centre)

#### **4. SUMMARY**

- 4.1 Planning permission is sought for the replacement of the existing artificial slate roof covering with a Britslate Duchess Graphite artificial slate roof covering. The proposed roof system is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing roof form.
- 4.2 The proposed alterations to the building are considered to have a neutral impact on the character and appearance of the surrounding streets. The proposals would not give rise to any adverse impact on the amenity of neighbouring properties.

#### **5. SITE AND SURROUNDINGS**

- 5.1 The application site comprises a three-storey building on the west side of Rotherfield Street. The property is a purpose built block of flats used for residential purposes and contains 6 self-contained flats.
- 5.2 The building is not listed, however it is within the Canonbury East Conservation Area. The surrounding area is predominantly residential in character.

## **6. PROPOSAL (IN DETAIL)**

- 6.1 Planning permission is sought for the replacement of the existing artificial slate roof covering with a Britslate Duchess Graphite artificial slate roof covering. The proposed roof system is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing roof form.

## **7. RELEVANT HISTORY**

### **PLANNING APPLICATIONS:**

- 7.1 **P092368** – Installation of replacement windows. Approved 05/03/2010.

### **ENFORCEMENT:**

- 7.2 None.

### **PRE-APPLICATION ADVICE:**

- 7.3 None.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 86 adjoining and nearby properties at Rotherfield Street and Shepperton Road 27<sup>th</sup> September 2016. A site and a press notice were placed on 27<sup>th</sup> September 2016. The public consultation of the application therefore expired on 27<sup>th</sup> October 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.

At the time of the writing of this report no responses had been received from the public with regard to the application.

### **Internal Consultees**

- 8.2 Design and Conservation: no objection.

## **9. RELEVANT POLICIES**

**Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.**

### **National Guidance**

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

### **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 2015, 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)**

- 9.3 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
- Neighbouring Amenity

### **Design**

- 10.2 Islington's Planning Policies and Guidance help encourage high quality design which complements the character of the area. In particular, DM2.1 and DM2.3 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local heritage, character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.
- 10.3 The existing building contains a grey artificial slate covering roof. The proposed replacement of the existing roof covering would have a neutral impact to the character and appearance of the building, as the proposed roof covering system is of a similar appearance to the existing, and will not require any rebuilding of the roof. As such, it is not considered that these works would significantly alter the external appearance of the building.
- 10.4 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.6 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policy DM2.1.

### **Neighbouring Amenity**

- 10.5 Policy DM2.1 of the Development Management Policies 2013 requires all new development to protect the amenity of nearby properties in terms of the loss of daylight, sunlight, outlook, privacy and overlooking.
- 10.6 The proposed alterations to the roof covering would have no adverse impact on neighbour amenity, as the shape and size of the roof will not alter.
- 10.7 The proposal is therefore not considered to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington's Development Management Policies 2013.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed alterations to the roof of the building are considered to be acceptable in terms of design and the impact on the character and appearance of the building. The proposed works would not give rise to any material impact on neighbour amenity, including in terms of the loss of daylight, outlook or privacy.
- 11.2 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, the Islington Development Management Plan and Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

- 11.3 It is recommended that planning permission be granted subject to conditions 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	<b>Commencement</b>
	<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	<b>Approved plans list</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>BritSlate Duchess and BritSlate Countess Specification, and PD001.</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	<b>Materials</b>
	<p>CONDITION: 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>
4	<b>Roof Not Use as Amenity Space</b>
	<p>CONDITION: The flat roof area shown on the hereby approved drawings shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows</p>

### List of Informatives:

1	<b>Positive statement</b>
	<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>
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## **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 2015, 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 2015 - 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**

##### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

##### **Strategic Policies**

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

#### **C) Development Management Policies June 2013**

##### **Design and Heritage**

DM2.1 Design  
DM2.3 Heritage

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

The following SPGs and/or SPDs are relevant:

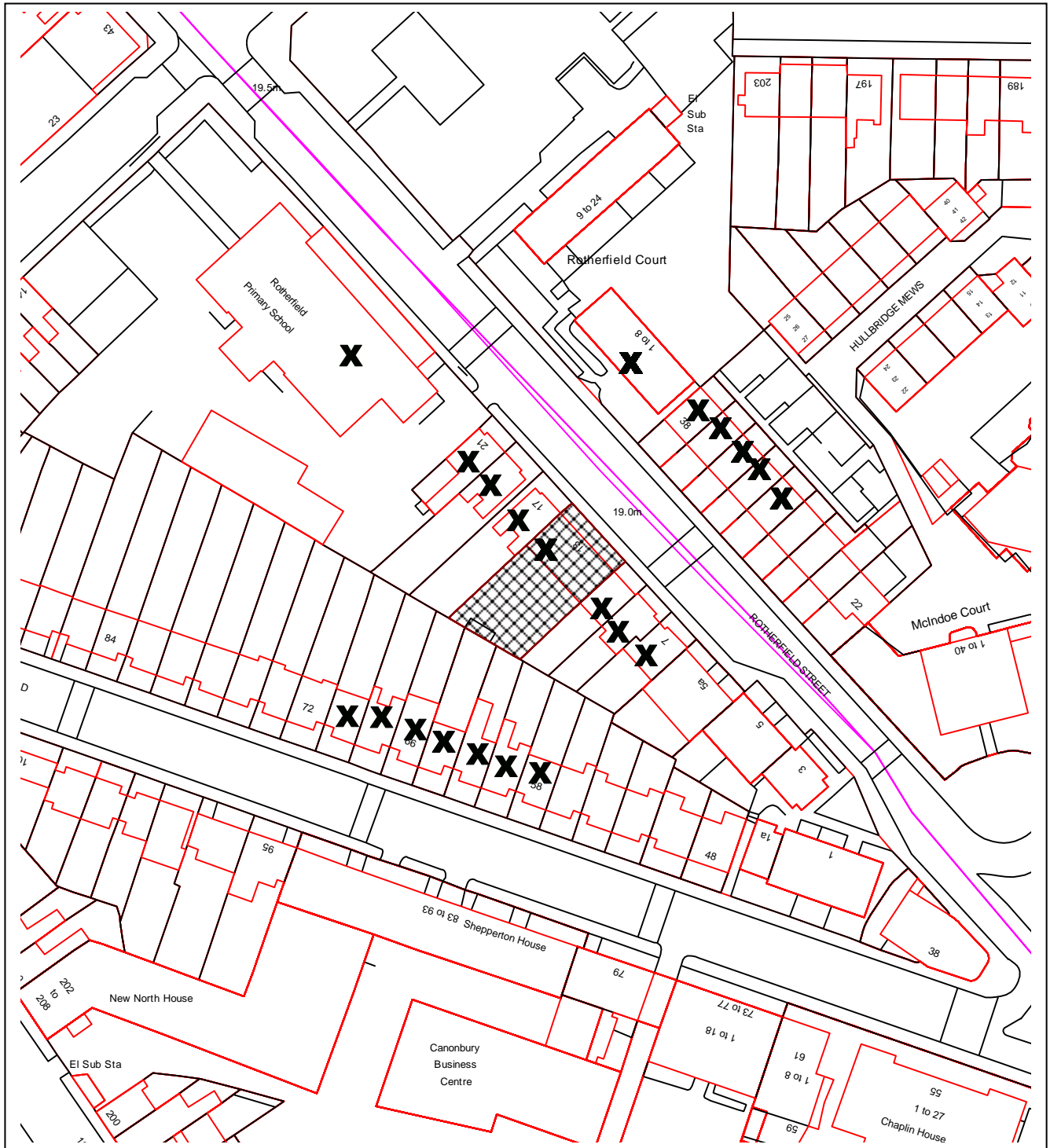
#### **Islington Local Development Plan**

- Urban Design Guide

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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

<b>PLANNING SUB- COMMITTEE B</b>		
<b>Date:</b>	29th November 2016	<b>NON-EXEMPT</b>

Application number	P2016/2078/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed Building	Not Listed
Development Plan Context	Bunhill and Clerkenwell Key Area Central Activities Zone City Fringe Opportunity Area Employment Priority Area
Conservation Area	Not in a conservation area
Licensing Implications Proposal	None
Site Address	14 Bonhill Street, London EC2A 4BX
Proposal	Extension of existing part 5, part 8 storey office building to rear from 1st to 5th floor to create 474 square metres of additional office space (B1), removal of existing building plant from rear of the site and location of new plant at roof level within new acoustic enclosure, removal of existing rear fire escape and creation of new entrance at ground level.

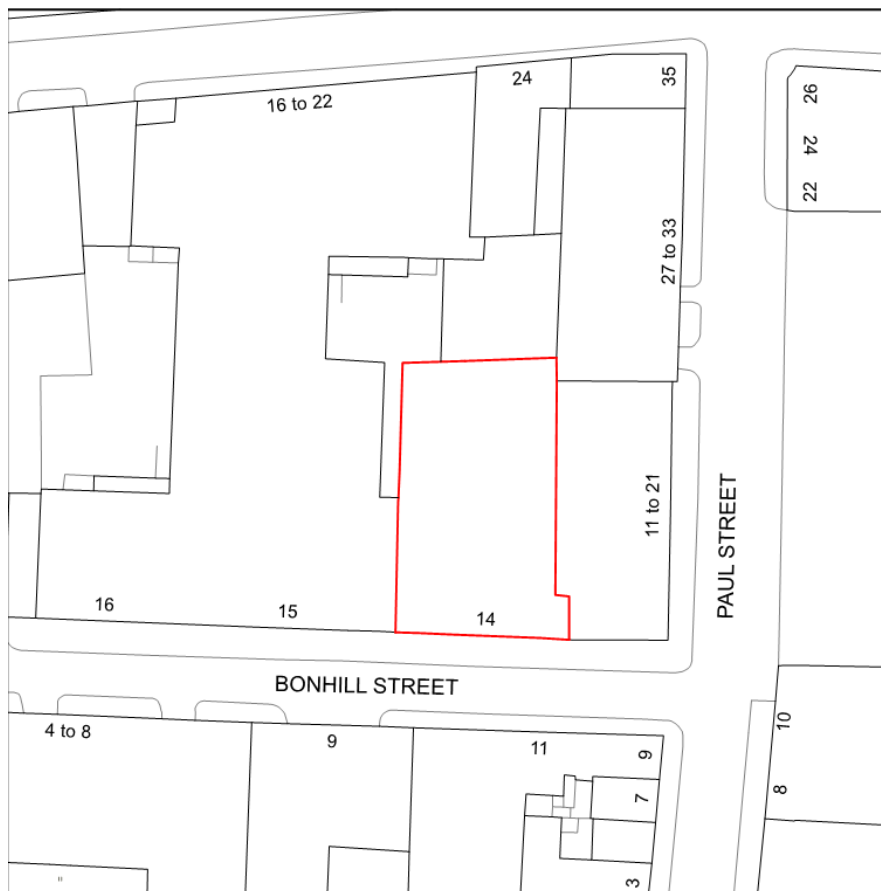
Case Officer	Duncan Ayles
Applicant	GPAD London
Agent	Matt Bailey

### 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

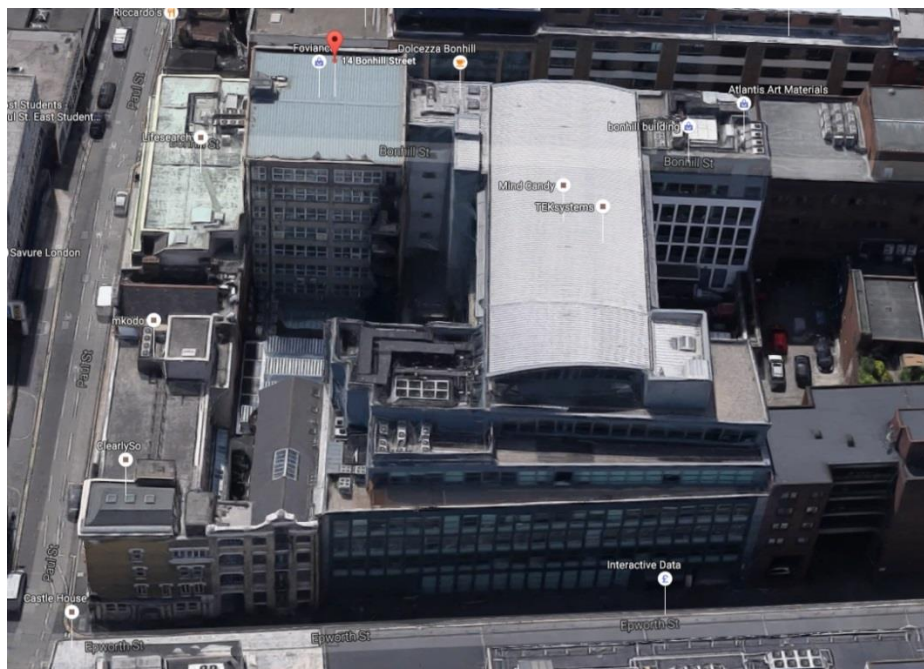


Image 1: Aerial View of the Site



Image 2: View of the Rear of the building from existing fire escape including existing A/C plant and plant serving data centre



Image 3: View of Existing Data Centre Plant and part of rear façade of 24 Epworth Street

#### **4. SUMMARY**

- 4.1 The application proposes the erection of a five storey extension to the rear of an office building within the south of the Borough, the relocation of existing air conditioning plant to the roof of the property and the creation of a new entrance from Bonhill Street into the property. The proposed land use is considered to be acceptable given the existing use at the site and the requirements of the Finsbury Local Plan. The proposed extension is also considered to be acceptable in terms of its design, given its location at the rear of the building, and the character of the courtyard area to the rear of the site. The impact on the amenity of neighbouring properties is also considered to be acceptable.
- 4.2 Objections have been received from a data centre located in close proximity to the site, which relies on heat exchange plant situated immediately to the north of the application site. The objection is submitted on the grounds that the extension would reduce air flow to the plant which would give rise to an increase in temperatures and an increase in the noise emission from the plant. Objections have also been received in respect of the new air conditioning plant proposed to the roof of the application building.
- 4.3 The Council's acoustic officer has reviewed the objections received, and has confirmed that subject to appropriate conditions being imposed on the approval, the impact on the data centre and the amenity of neighbouring properties would be acceptable.

#### **5. SITE AND SURROUNDING**

- 5.1 The application site is located at 14 Bonhill Street, a part five, part eight and part single storey office building located within the south of the Borough. The building includes a five storey element on the frontage to Bonhill Street, a further three storeys set back from Bonhill Street and a single storey element at the rear. The site is located to the north east of Finsbury Square. The site is located within a predominantly commercial location, with surrounding office buildings at 15 and 16 Bonhill Street and at 11 to 21 Paul Street. Residential uses are also located in close proximity to the site at 24 Epworth Street and 23 Paul Street to the north east of the site contains a bar/night club.
- 5.2 To the rear of the site is a courtyard that is bounded by the development at Paul Street, Epworth Street and the Bonhill Building which is an I shaped building with frontages on Bonhill Street and Epworth Street. This courtyard contains a number of heat exchangers that serve the Iomart data centre at 11 to 21 Paul Street. The buildings

#### **6. PROPOSAL (in Detail)**

- 6.1 The application seeks planning permission for the erection of a five storey rear extension between the first and fifth floors, the creation of a new ground floor access into the building from Bonhill Street, the removal of existing A/C plant at the first floor rear and an existing fire escape, and the installation of new air conditioning plant to the roof of the building enclosed in a 2.2 metre high acoustic enclosure.

- 6.2 The proposed extension will be built along the site boundary line with 11 to 21 Paul Street, and will project 7.7 metres in depth from the existing rear façade of the building. The extension will extend across the full width of the rear of the building at first to third floor level, with a chamfered corner in the north-western part of the site closest to 15 Bonhill Street. At fourth and fifth floor level the rear extension also projects to a depth of 7.7 metres but will be part width and extends 9.3 metres across the rear facade. The erection of the proposed rear extension requires the removal of an existing fire escape staircase.
- 6.3 The application also proposes to remove existing air conditioning plant from the ground floor level at the rear of the property and located new building plant on the 8<sup>th</sup> floor roof of the building, where it will be located within an acoustic enclosure. The application also proposes the formation of a new entrance on the Bonhill Street frontage with associated changes to the elevation.

## 7. RELEVANT HISTORY

### PLANNING APPLICATIONS

- 7.1 **P2016/3398/FUL:** Removal of existing external plant at first floor rear and installation of new plant to rooftop level, concealed within a new louvred enclosure: **Approved with conditions (25/10/2016).**
- 7.2 The proposed removal of the existing plant from the rear of the site and installation of new plant to the roof has there been approved.

#### Standard House Epworth Street

- 7.3 **P010148:** The installation of four generators and dry air coolers, within a housing structure and louvres within the ground floor yard area east of and adjoining Standard House: **Approved with conditions (29/9/2001).**

### ENFORCEMENT

- 7.4 None

### PRE APPLICATION ADVICE

- 7.5 None

## 8 CONSULTATION

### Public Consultation

- 8.1 Letters were sent to occupants of 37 nearby and neighbouring properties on the 31<sup>st</sup> of May 2016. Neighbours were reconsulted on the 26<sup>th</sup> of October following the submission of an updated acoustic report by the applicant. The final resconsultation expires on the 10<sup>th</sup> November 2016. Two objections were received from neighbouring properties, including one resident at 24 Epworth Street and the Iomart Data Centre. The issues raised can be summarised as follows (including the corresponding paragraphs in the report addressing the issues in brackets);



-Impact on the function of the adjacent data centre, including in terms of restricted air flow, causing increased noise emissions, increased energy use and therefore impact on the ongoing operation of the data centre. (Paras.10.26-10.35)

-Impact on the new roof plant on the amenity of neighbouring properties. (Para 10.24-10.25)

### **Internal Consultees**

- 8.2 **Acoustic Officer:** Has assessed the report submitted, the engineer's report with the Computational fluid dynamic (CFD) analysis. The Acoustic officer has confirmed that he is not an expert on CFD and can't comment on the validity of the assumptions within the report. However, the report submitted has taken a worst case scenario. A one degree increase in air temperature would cause an increase in sound pressure of an average of 1 dB over the values quoted, at most 2dB and at the least no change. The structure of the building has also been modelled to cause a 1.1 dB increase.
- 8.3 Therefore, as a worst case scenario there would be an increase of 3.1 dB and at some temperatures at 1.1 dB increase. Predictions are quoted to a 1 decimal place in line with the report, but this suggests a level of accuracy that is unrealistic certainly in the noise predictions and probably in the CFD analysis too. The impact of the development will be variable over the range and will be less at lower temperatures. This is a site where the Council has previously received complaints, although planning and noise nuisance are different regimes, it may be difficult for use to take action if the development led to noise complaints. Although 3 dB is commonly quoted as the minimum discernible impact, this is a sensitive receptor and any increase in noise levels could lead to a moderate impact that should be minimised in line with the NPPF, through the imposition of a condition.
- 8.4 It not a typical situation as planning applications tend to deal with noise plant or uses, or introduce sensitive uses that need to be conditioned to ensure adequate noise insulation.
- 8.5 **Updated Comment 13<sup>th</sup> October.** Complaints were historically received from 24 Epworth Street, and this is why this has been used as the monitoring position in the MLM report submitted by Iomart. There have been no complaints following the mitigation measures, and the Council are not aware of any issues raised from the residential units at Paul Street. The dominant noise from the Epworth Street property is likely to be from the Iomart Plant rather than the Bonhill Street plant and it likely to have little effect on the sound received at 24 Epworth Street (and may even make the sound more noticeable).
- 8.6 The situation is sensitive due to the complaint history and a potential rise in noise levels could be significant. The objector's position is that the proposed new building will have a significant effect on the noise level of their plant at the receiver. The CFD analysis would seem to demonstrate that (and the applicant has not submitted information to address this point). Therefore, the condition is necessary
- 8.7 **Legal Department:** The proposed condition meets relevant statutory tests. The main concern is whether it is reasonable given that it requires the applicant to undertaken measures on land outside of its control. There is case law [British Railways Board v Secretary of State for the Environment (1993)] which held that as long as the condition is negative in character, and is imposed for sound planning reasons, then



the fact that it may be difficult to fulfil does not mean that it would be unlawful to impose it. The PPG also addresses this issue:

When can conditions be used relating to land not in control of the applicant?

Conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability. It may be possible to achieve a similar result using a condition worded in a negative form (a *Grampian* condition) – i.e. prohibiting development authorised by the planning permission or other aspects linked to the planning permission (e.g. occupation of premises) until a specified action has been taken (such as the provision of supporting infrastructure). Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.

- 8.8 As long as there is some prospect of the action being performed that it will meet the policy tests. In this case there is such a prospect, as the adjacent land owner itself has invited a condition being imposed. However, the proposed wording should be discussed with GL Hearn, which addresses the event that the mitigation measures turn out to be ineffective.
- 8.9 **Design and Conservation:** The proposed extension is not located in a conservation area and public views of the extension will be limited due to its location at the rear of the building. While the extension is relatively large, it would be subordinate to the application building as a punctuating gap is provided to the top of the building and because the upper floors are part width. Given the character of the existing rear courtyard area, the design is considered to be acceptable.

#### **External Consultees:**

- 8.10 None

## **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 2014 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 2015 Consolidated with Alterations Since 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application 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:

- Land Use
- Design and Impact on the Character and Appearance of the Area
- Impact on the Amenity of Neighbouring Properties
- Impact on the Function of the adjacent data centre
- Sustainability

#### **Land Use**

10.2 The existing use at the site is an office (B1(a)) and the application proposes to extend this use with a further 474 square metres of B1 (a) floor space. The site is located within the central activities area and within an employment priority area. Policy BC8 of the Finsbury local plan confirms that new office development should not be an unfettered B1 (a) floorspace, but should also include a proportion of non-B1(a) or other business related floor space such as light industrial workshops, galleries and exhibition space. BC 8 C confirms that within employment priority areas the proportion of B1(a) floor space should be optimised.

10.3 Therefore, the principle of an extension to the existing office use to provide additional employment floor space is considered acceptable on land use grounds. The application proposes unfettered B1(a) floorspace, however, it is not considered appropriate to include non B1(a) floorspace, as the application is a rear extension to an established B1(a) use, and because the new floorspace would form part of an enlarged use that would use the same access and circulation routes as the existing floorspace. Policy BC 8 I requires the new business floorspace to be designed to allow for future flexibility. The floorspace shown is open plan and therefore is considered to allow for future flexibility in accordance with policy.

10.4 Policy BC 8 B requires the provision of micro and/or affordable workspace or retail space to be provided for major office development. However, the new floorspace does not meet the 10,000 square metre threshold and therefore this element of the policy is not applicable.

#### **Design Impact of the development on the Character of the Area**

10.5 The application site is located within a predominantly commercial area and is not located within a conservation area. Policy DM 2.1 of the DM Policies requires all new development to be of a high quality to respect and respond positively to existing buildings, the streetscape and wider context. Sections 2.2 and 2.3 of the Islington Urban Design Guide provide general principles for the consideration of design, confirming that new development should harmonise with their setting and existing built form, while also enhancing and complementing the local

- 10.6 The proposed five storey extension would be built up against the side elevation of 11 to 21 Paul Street, and would project 2 metres above the roof of this building. Given the limited projection above this building, and the narrow width of Paul Street, it is not considered that the extension would be visible from Paul Street to the east of the property, including within long views further from the north and south. The proposed rear extension would, however be visible from a range of private viewpoints within the courtyard to the rear of the property, including windows at 16-22 Epworth Street, the Dolcezza café and the development at Paul Street. As these views are private, the impact of the rear extension on the character and appearance of the area would be limited, and for the reasons set out below the design is considered to be acceptable.
- 10.7 Section 3.2.1 of Islington Urban Design Guide supports the perimeter block arrangement with consistent building lines at the front and rear. The building lines that define the courtyard to the rear of the site are relatively weak with the depths of the building varying significantly, and as a result, the proposed form and massing would not erode a uniform perimeter block arrangement, and is considered to be appropriate, and in accordance with policy DM 2.1 (vii) which requires buildings to respect and respond to existing buildings and locally distinctive patterns of the development. The proposed rear extension is part width at upper floor level, and terminates two storeys below the top of the property. As a result, the proposed extension is considered to be subordinate to the existing property, and therefore is considered to be acceptable in terms of its scale and massing.
- 10.8 The rear courtyard has a utilitarian character characterised by areas of curtain walling, blank facades, building plant and a large metal staircase at the application site. Within the rear courtyard there is little uniformity to the buildings in terms of their age, detailed design or materials used. The proposed extension includes matching aluminium window with white render, and this design is considered to be appropriate to its context although it is acknowledged that the building does not match the treatment of the existing rear façade.
- 10.9 The application also proposes to alter the ground floor of the property to provide a new access to the basement and ground floor level. This is a minor change that involves inserting a door to part of the façade at ground floor level that comprises a window, and as such is considered to be acceptable on design grounds. The application also proposes to move existing plant to the roof of the property, and to enclose this within an acoustic enclosure. Due to the height of the building, and the location of the plant within the centre of the roof, it is not considered that the plant or associated acoustic enclosure would be visible from street level. As such, this would not lead to any adverse impact on the character and appearance of the area. The application does not propose to alter the existing lift over run which provides access to the roof.
- 10.10 The proposed design is therefore considered to be acceptable because the scale, massing and detailed design of the rear extension is acceptable, because of the minor nature of the alteration to the existing façade at ground floor level and because the new roof level plant will not be visible from views along the street, and therefore it is in accordance with policy DM 2.1 of the Development Management Policies 2013 and the principles of the Urban Design Guide SPD. Design and Conservation officers have not objected on design grounds due to the location of the extension at the rear of the property which limits public views of the extension.

### **Impact of the Proposed Development on the Amenity of Neighbouring Properties**

- 10.11 Policy DM 2.1 aims to protect the amenity of residential properties from overlooking, loss of daylight and sunlight, over dominance, sense of enclosure and outlook. This policy is full in compliance with the NPPF, which seeks to provide a good standard of amenity for all current and future occupiers of the land.

#### **Loss of Daylight and Sunlight**

- 10.12 The proposed rear extension would be in close proximity to a number of commercial uses and a single residential use, at 24 Epworth Street, and the application is supported by a daylight and sunlight report which considers the possible impact on these properties. The report assesses the impact of the proposed rear extension and removal of the existing fire access to all of the properties that enclose the courtyard to the rear of the site, including, the Dolcezza coffee shop, 16-22 Epworth Street, the residential flats at 24 Epworth Street, 35 Paul Street, 23 Paul Street and 21 Paul Street.
- 10.13 The proposed development, including the removal of the existing fire escape, increases the amount of daylight received by the windows on the adjacent property to the west at 15 Bonhill Street and 16-22 Epworth Street. This is because the proposed removal of the existing metal fire escape to the rear of the site would outweigh any loss of light from the proposed extensions, because the fire escape is closer to these buildings than the proposed extension and because the fire escape extends to the seventh floor. The VSC reduction to windows at 24 Epworth Street, which is the only residential use affected by the proposed rear extension, is within the BRE criteria as the daylight reduction is only 0.99 times its previous figure. There is no reduction to the daylight received by 35 Paul Street.
- 10.14 The daylight report submitted finds VSC reductions to a glazed door within the Dolcezza coffee shop, which is at ground floor level between the application site and 16-22 Epworth Street and first and second floor windows at 23 Paul Street, a bar/night club to the north-east of the application site that is greater than allowed by the BRE criteria. The reduction to window W2 of the Dolcezza coffee shop experiences a reduction to 0.63 times its previous figure. The second and third floor windows at 23 Paul Street experience reductions to 0.76 and 0.74 times their previous figure.
- 10.15 However, the report also tests the Daylight Skylight Component impact, and finds that the daylight penetration into these properties would still be in accordance with the relevant Daylight Skylight Component criteria, which assesses the amount of daylight that would penetrate into a particular building. In assessing the impact on the amenity of both properties it should be noted that the buildings are used as a coffee shop and bar/nightclub respectively, and section 2.2.2 of the BRE guidance confirms that the BRE criteria should be applied to non-domestic buildings where the occupants have a reasonable expectation of daylight. The two uses do not fall into any of the categories of non-domestic uses where there is a reasonable expectation of daylight, and therefore the loss of daylight to these spaces would not lead to any planning harm.
- 10.16 The impact on direct sunlight is also considered to be acceptable. 17 windows within 16-22 Epworth Street experience a reduction in winter sunlight measured through the Available Sunlight Hours measure in excess of the BRE guidance. However, in each

case the existing level of winter daylight is very low, with the existing winter daylight figure not exceeding 5%. One opening within the Dolcezza coffee shop also experiences a reduction in winter sunlight in excess of that allowed by the BRE criteria. In assessing the planning harm caused by these reductions it should be borne in mind that section 2.2.2 of the BRE Guidance specifies that sun lighting testing is only required for commercial spaces that have a special requirement for sunlight. It is not considered that the affected windows which serve an office and coffee shop have any special requirement for sunlight, as these uses generally benefit from artificial lighting in any event. There is no reduction in daylight to 24 Epworth Street, the only residential use in close proximity of the proposed rear extension.

- 10.17 Finally, the application has tested the loss of daylight to two amenity spaces, including a fourth floor rear roof terrace to the rear of 21 Paul Street and the seating area adjacent to the Dolcezza coffee shop. In both instances the testing found that these spaces currently receive no direct sunlight and therefore the impact is acceptable.
- 10.18 Overall, the loss of daylight and sunlight identified by the submitted report is considered to be acceptable in planning terms. The daylight and sunlight impact on the only residential use in close proximity of the rear extension, at 24 Epworth Street, is within the BRE criteria. Any losses of daylight or sunlight in excess of the BRE criteria relate to uses which do not require significant levels of daylight and sunlight, and the BRE Guidance confirms that the daylight and sunlight criteria should not be applied in these cases. The impact on the sunlight and daylight received by neighbouring properties is therefore in accordance with policy DM 2.1 of the DM Policies 2013.

#### Loss of Outlook

- 10.19 The impact of the proposed development on the outlook of neighbouring properties is also considered to be acceptable. There would be no loss of outlook to the residential windows at 24 Epworth Street, as the only windows on this property facing toward the proposed rear extension serve circulation spaces.
- 10.20 The proposed extension would impact on the outlook from the windows on the eastern elevation of the properties at 15 Bonhill Street, which is an office building to the west of the site. While the extension would somewhat reduce the spaciousness of the outlook in this direction, as the east facing windows on the middle wing of the building are situated approximately 9 metres away from the western boundary of the application site. However, the resultant loss of outlook would be acceptable as the new extension would be viewed against the backdrop of the existing development at Paul Street. The impact on the outlook from the windows on the eastern façade of 16-22 Epworth Street would also benefit from the removal of the existing fire access.
- 10.21 The proposed rear extension would also give rise to an impact on the rear windows at first and second floor of 23 Paul Street, which serves a bar/night club, particularly on the two windows closes to the proposed rear extension. However, a bar/night club is not considered to be sensitive to the loss of outlook, and as such this would not give rise to any harm in planning terms.
- 10.22 The proposed extension would give rise to a significant loss of outlook to an existing amenity space that serves 21 Paul Street, an office building to the east of the site, as it would be constructed on the boundary and would project 7 metres to the rear

façade of the existing building. However, this amenity space is currently in use as an ad hoc seating/break area that serves the office/data centre at 21 Paul Street. As a result, it is not considered that the loss of outlook to this space would give rise to any material harm in planning terms.

#### Loss of Privacy

- 10.23 The rear facades that enclose the courtyard to the rear of the site are already subject to extensive overlooking from the large windows on the facades of 16-22 Epworth Street and 14 Bonhill Street, which gives rise to extensive view between properties. While the proposed extension would increase the intensity of these views from the application site, as the windows would be closer to the windows at 14 Bonhill Street, this would impact only on commercial uses which do not have a specific requirement for privacy. No adverse privacy impact would occur to the residential flats at 24 Epworth Street as these properties do not have windows on their southern façade facing the application building.

#### Noise from New A/C Plant at Roof Level

- 10.24 The application proposes to remove the existing air conditioning plant that is located at the rear of 14 Bonhill Street at first floor level and install new air conditioning plant to the roof of the building at eight floor level. The application is supported by an acoustic report that assesses the noise emissions from the air conditioning units.
- 10.25 The Council's Acoustic Officer has confirmed that noise emissions from the air conditioning plant at roof level would be acceptable, subject to a condition being imposed controlling noise emissions, and requiring a further report being submitted prior to the commencement of development. An objection has been received from a resident of 24 Epworth Street which concerns possible noise emissions from the plant at roof level, but it is considered that the conditions proposed would be sufficient to ensure no adverse impact on neighbours, including the residential at 24 Epworth Street. In addition, this element of the application has been approved under application: P2016/3398/FUL.

#### Impact on the Ongoing Function of the Data Centre at 21 Paul Street

- 10.26 The application site is located in close proximity to a data centre situated at 21 Paul Street, and the data centre relies on cooling plant situated within the courtyard area to the north of the application site bounded by the development at Paul Street, Epworth Street and Bonhill Street (including the application site at 14 Bonhill Street), and 15 Bonhill Street which is building with frontages to Bonhill Street and Epworth Street connected by a central wing. The data centre is a tier 3 data centre that requires the ability to manage maintenance so that there is no downtime, and be operational to 99.982% of each year (which equates to no more than 94 minutes of non-operational time per year).
- 10.27 The NPPF confirms that the planning system should contribute to and enhance the natural and local environment by: 'preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution'. Similarly policy 7.15 of the London Plan requires Council to manage noise to improve health and quality of life through the planning system.

- 10.28 Policy CS 10 of the Core Strategy confirms that the Council will seek to minimise Islington's contribution to climate change and ensure the borough develops in a way which respects environmental limits and improves quality of life. Policy DM 7.5 of the DM policies 2013 require all developments to maximise the incorporation of passive design measures to control heat gain and to deliver passive cooling, following the sequential cooling hierarchy. Policy DM 6.1 promotes healthy developments and aims to reduce environmental stresses. Part G of the policy relates to noise sensitive development, and confirms the noise sensitive developments should be adequately separated from major sources of noise.
- 10.29 An objection has been received from Iomart Plc, who objected on the grounds that the proposed envelope of the building will reduce the volume of the courtyard by over 1,400 cubic metres, and that this will constrain the capability for air to be dissipated effectively, and therefore cause an increase in heat within the courtyard. This increase in heat (predicted to be approximately 1 degree C through computational fluid dynamic modelling) would require the existing cooling plant to work harder, which would increase energy usage and noise emissions by neighbours. The increase in temperature would likely give rise to a +2 dB increase in noise emissions to neighbours. Any increase in noise emissions is significant, because the site is in close proximity to a sensitive residential façade associated with the residential units at 24 Epworth Street, and because there have been historical noise complaints from this property. For the avoidance of doubt, the impact of a development on the function of an adjacent use is a material planning consideration, and therefore the possible impacts on the Iomart Data Centre need to be considered as a result of the application, despite the fact that the data centre is not directly subject of the application.
- 10.30 The applicant has been provided with copies of the reports submitted by the objector, and has submitted additional information including a further acoustic report. The applicant has not disputed the Computational Fluid Dynamic modelling submitted by the objector, but submitted an amended acoustic report that states that even if the worst case scenario of a one degree increase in temperature occurred as a result of the loss of air volume, this would not lead to a significant increase in noise emissions to neighbours. The applicant has also referred to the proposed relocation of the existing A/C plant from the rear of the building to the roof, as a factor that needs to be taken into account when assessing the noise impact, as this will reduce noise emissions to neighbours.
- 10.31 The Council's Acoustic Officer has reviewed the information submitted by the objector and applicant, and has confirmed that the situation is sensitive given the history of noise complaints from residents at 24 Epworth Street regarding the cooling plant that serves the data centre. It is noted that the objector has based their case on a worst case scenario within their associated reports, both in terms of the increase in air temperature caused by the construction of the extension and in terms of the increase in noise emissions from the cooling plant that would result from the increase in temperature. Given that the extension itself would also contribute to the increase in noise emissions by increasing noise reflections back toward 24 Epworth Street, the acoustic officer has confirmed that the worst case scenario would be a 3.1 dB increase, with a 2dB average increase and minimum 1 dB increase at lower temperatures.
- 10.32 The Acoustic Officer has also noted that while 3dB is usually considered to be the minimum discernible increase, in this case the site is particularly sensitive and therefore a lower increase may give rise to complaints from 24 Epworth Street.

Therefore, the Acoustic Officer has concluded that the resultant increase in noise emissions would be acceptable, subject to a condition requiring the developer to submit a noise impact report comprising noise mitigation measures. This condition was suggested by the objector, has not been agreed with the applicant, who maintains that the reports submitted are sufficient to demonstrate that there would be no adverse impact and therefore the condition is not necessary. However, legal advice has been received that confirms that this condition meets the six tests and relevant case law, and therefore it is recommended that it is imposed. Without this condition the scheme may give rise to unacceptable impact on the amenity of neighbouring properties through noise emissions.

- 10.33 In addition to the above issues regarding increase noise emission, the objector has made reference to other possible impacts on their business, including through increased energy requirements, possible impacts on business continuity and construction impacts. While it is acknowledged that the objections submitted suggests that an increase in energy uses may occur, it is not considered that the level of energy usage would be sufficient to form a reason for refusal. Possible impacts on business continuity are also considered to be acceptable, given the advice that noise emissions would likely be within an acceptable range (subject to further mitigation).
- 10.34 The objector has also referred specifically to impacts during the construction phase, particularly through dust and vibration impacts. Although some construction impacts are unavoidable, it is considered that the impacts could be kept to a sufficient level by requiring the applicant to agree a construction management plan prior to the commencement of development.
- 10.35 As a result of the above, the impact on the ongoing function of the data centre, including in terms through possible increased noise emissions to neighbours, is considered to be acceptable subject to conditions.

### **Sustainability**

- 10.36 Policy DM 7.1 of the DM Policies requires commercial extensions over 100 square metres to be accompanied by a Sustainable Design and Construction Statement that clearly sets out how the application complies with relevant sustainable design and construction policies and guidance. Policy DM 7.4 G requires non-residential extensions of 100 square metres or greater to demonstrate how they would achieve all credits for water efficiency in the relevant BREEAM Scheme. A sustainable design and construction statement has been submitted, which specifies means to achieve sustainable design including fabric performance, air tightness and the use of sustainable materials. The statement also includes details of low flow taps and dual flush toilets, to meet the relevant water efficiency requirement.

### **Other Matters**

- 10.37 The application proposes to remove the existing fire escape from the rear of the site to facilitate the construction of the new extension. It is acknowledged that this will affect the compliance of the building with relevant fire regulation, but the compliance with relevant fire safety criteria will be assessed under the Building Regulations. Therefore, this issue cannot be given weight as part of the planning determination.

## **11. SUMMARY AND CONCLUSION**



### **Summary**

- 11.1 The proposed extension to the existing office use is considered to be acceptable in land use terms given the location of the site and the relevant policies within the Finsbury Local Plan, which support new office development in this area. The design of the proposed extension is also considered to be acceptable given the location of the extension at the rear of the site and the character of this space.
- 11.2 The impact of the proposed extension on the amenity of neighbouring properties is also considered to be acceptable in terms of the loss of privacy, daylight, sunlight and outlook as a result of the new extension and as a result of noise emissions from the new plant proposed to the roof of the building.
- 11.3 The impact of the proposed extension on the ongoing function of the adjacent data centre is also considered to be acceptable subject to the conditions imposed, which ensure that the reduction in the amount of ventilation space does not lead to any significant increase in noise emission to neighbouring residents.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That the grant of Full Planning be subject to **conditions** to secure the following:

#### List of Conditions:

	<b>3 Year Consent</b>
1	<p><b>3 YEAR CONSENT PERIOD:</b> The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p><b>REASON:</b> 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>
	<b>Approved Plan List</b>
2	<p><b>DRAWING AND DOCUMENT NUMBERS:</b> The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[Daylight and Sunlight Report project ref 21BHS, Planning, Design and Access Statement May 2016, Acoustic Design Review ref: 160914-002A dated 28/09/2016, Acoustic Assessment of proposed mechanical Equipment at 14 Bonhill Street 160418-002A, Sustainable Design and Construction Statement, 517-PA. 15, 517-EX.01, 517-PA.01, 517-PA.02, 517-Pa.03, 517-PA.04, 517-PA.05, 517.PA.06, 517.PA.07, 517.PA.08, 517-PA.09, 517-PA.10, 517-PA.11, 517-PA.12, 517-PA.13, 517.PA.14, 517.EX.02, 517.EX.03, 517.EX.04, 517-EX.05, 517-EX.06, 517.EX.07, 517.EX.08, 517.EX.09, 517-EX.10, 517.EX.11, 517.EX.15, 517.EX.16, 517.EX.12, 517.EX.13, 517.EX.14, ]</p> <p><b>REASON:</b> 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>
	<b>Noise Condition</b>
3	<p><b>CONDITION:</b> “The development hereby permitted shall not commence until a noise impact report, prepared by an appropriately experienced and competent person, which assesses the direct and indirect noise impact of the proposed development (including for the avoidance of doubt noise from the datacentre at 16-22 Epworth Street, London EC2A 4DN resulting from the proposed development) on nearby sensitive receptors and identifies any necessary mitigation measures, has been submitted to and approved in writing by the Local Planning Authority (after consultation with the operators of the datacentre). Any noise mitigation measures identified in the report shall be installed and made fully operational prior to the occupation of the extension. The mitigation measures shall be permanently retained thereafter.”</p> <p><b>REASON:</b> In order to protect the amenity of neighbouring properties.</p>
	<b>Noise Validation Report</b>
4	<p><b>CONDITION:</b> Within three months of occupation of the development hereby permitted, an acoustic validation report, prepared by an appropriately experienced and competent person, which assesses the effectiveness of the mitigation measures referred to in condition 3 and, where the measures are not effective, recommends further mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority (after consultation with the operators of the datacentre). Any further mitigation measures identified in the acoustic</p>

	validation report shall be installed and permanently retained thereafter within one month of approval.  REASON: In order to protect the amenity of neighbouring properties.
	<b>Acoustic Condition A/C Plant</b>
5	The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ 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 $L_{AF90 Tbg}$ . The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014  REASON: In order to protect the amenity of neighbouring properties.
	<b>Validation Report A/C Plant</b>
6	A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 5 . The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before first use of the extension hereby permitted and permanently retained thereafter  REASON: In order to protect the amenity of neighbouring properties.
	<b>A/C Timer Condition</b>
7	Prior to the hereby approved plant equipment being used, a timer shall be installed limiting the operation of the condenser units and extract fan to between the hours of 07:00 to 19:00 each day only. The plant shall not be operated outside of these hours. The timer shall be maintained as such thereafter.”  REASON: In order to protect the amenity of neighbouring properties.
	<b>Construction Management Plan</b>
8	CONDITION: 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, dirt and vibration during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works  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.
	<b>Materials Compliance</b>
9	CONDITION: 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.  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.
	<b>Acoustic Enclosure</b>
10	CONDITION: The acoustic enclosure shown on the approved plans shall be installed prior to the first use of the roof plant hereby approved, and shall be retained as such in perpetuity.  REASON: In order to protect the amenity of neighbouring properties.

**List of Informatives:**

<b>1</b>	<b>Positive Statement</b>
	<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>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 accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>INFORMATIVE: HOURS OF CONSTRUCTION</b>
	<p>INFORMATIVE: The applicant is advised that the accepted working hours for development within the borough are:</p> <p>08.00am - 6.00pm on Mondays to Fridays, 9.00am - 1.00pm on Saturdays and not at all on Sundays and Bank Holidays.</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.

The NPPG is also a material consideration in the determination of this application.

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2015, 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 2015**

#### **7 London's living places and spaces**

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.15 Reducing and Managing Noise

#### **B) Islington Core Strategy 2011**

##### **Spatial Strategy**

Policy CS 10 Sustainable Design

Policy CS13 Employment Space

#### **C) Development Management Policies June 2013**

**DM 2.1 Design**

**DM 6.1 Healthy Development**

**DM 7.5 Heating and Cooling**

#### **D) Finsbury Local Plan**

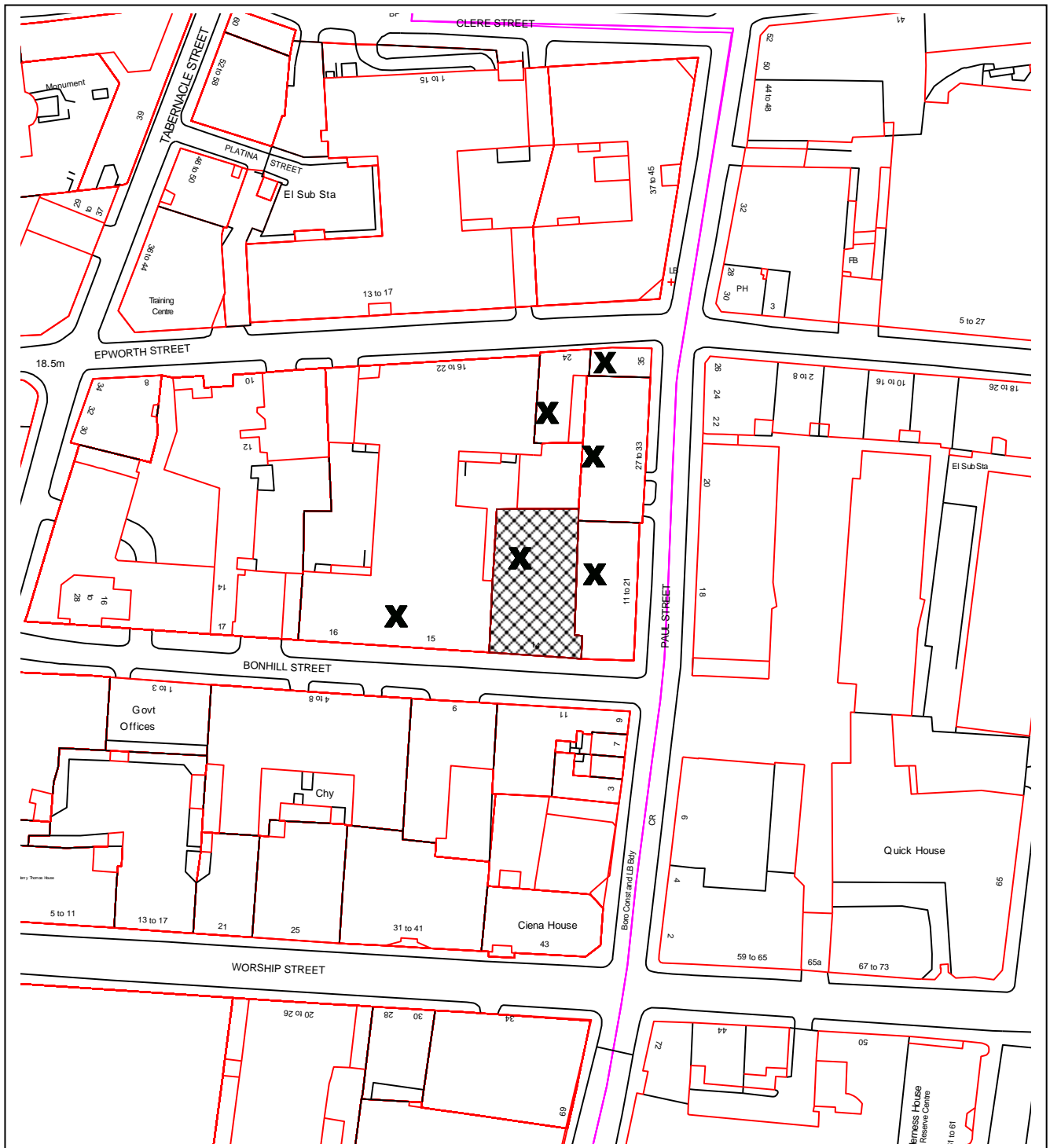
BC 8 Achieving a balanced mix of uses

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

The following SPGs and/or SPDs are relevant:



# Islington SE GIS Print Template



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### PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 3333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB COMMITTEE B</b>		
<b>Date:</b>	29 November 2016	<b>NON-EXEMPT</b>

Application number	P2016/3552/FUL
Application type	Full Planning Application
Ward	St. Peter's
Listed building	Not listed
Conservation Area	Not in a conservation area
Site Address	5 and 5A Rotherfield Street, London, N1 3EE
Proposal	Replacement of existing roof covering with artificial slate covering.

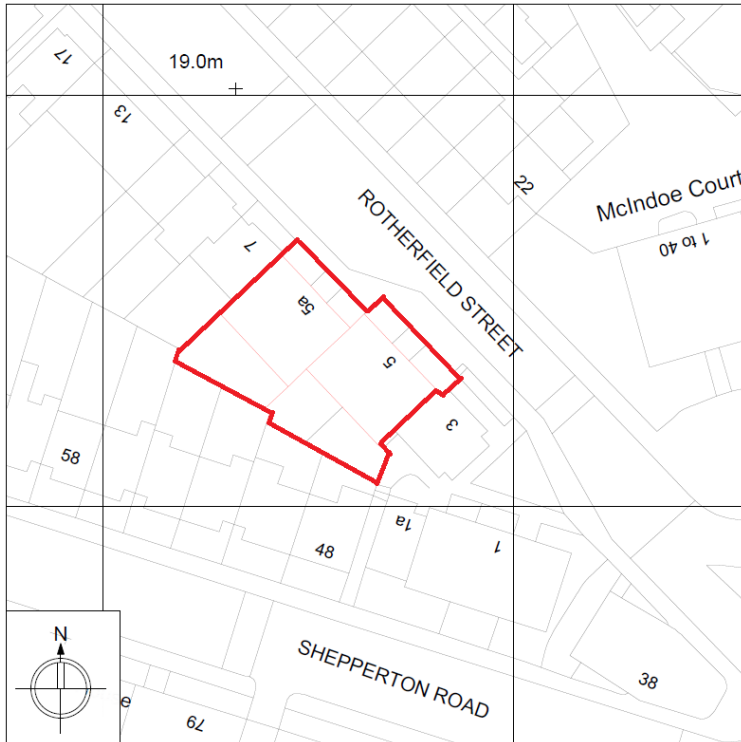
Case Officer	Nathan Stringer
Applicant	Ms Linda Harris on behalf of Islington Council
Agent	FES Group

#### 1. RECOMMENDATION

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

- subject to the conditions set out in Appendix 1.

## 2. SITE PLAN (site outlined in black)



## 3. PHOTOS OF SITE/STREET



Image 1: Photographs of front of the site (5 on left, 5A on right)





Image 2: Closer photograph showing roof (5A shown)



**Site**

Image 2: Aerial Photo of the Site

#### **4. SUMMARY**

- 4.1 Planning permission is sought for the replacement of the existing artificial slate roof covering with a Britslate Duchess Graphite artificial slate roof covering on both buildings. The proposed roof systems are similar in terms of its colour and appearance to the existing felt roof coverings and do not require any rebuilding or alteration to the existing roof form.
- 4.2 The proposed alterations to the buildings are considered to have a neutral impact on the character and appearance of the surrounding streets. The proposals would not give rise to any adverse impact on the amenity of neighbouring properties.

#### **5. SITE AND SURROUNDINGS**

- 5.1 The application site comprises of 2x three-storey buildings (5 and 5A) on the west side of Rotherfield Street. The properties are purpose built blocks of flats used for residential purposes. Each building contains 6 self-contained flats.
- 5.2 The buildings are not listed, and are not in a conservation area. However, they are adjacent to the Canonbury East Conservation Area. The surrounding area is predominantly residential in character.

#### **6. PROPOSAL (IN DETAIL)**

- 6.1 Planning permission is sought for the replacement of the existing artificial slate roof covering with a Britslate Duchess Graphite artificial slate roof covering on both buildings. The proposed roof systems are similar in terms of its colour and appearance to the existing felt roof coverings and do not require any rebuilding or alteration to the existing roof form.

#### **7. RELEVANT HISTORY**

##### **PLANNING APPLICATIONS:**

- 7.1 None.

##### **ENFORCEMENT:**

- 7.2 None.

##### **PRE-APPLICATION ADVICE:**

- 7.3 None.

#### **8. CONSULTATION**

##### **Public Consultation**

- 8.1 Letters were sent to occupants of 96 adjoining and nearby properties at Rotherfield Street and Shepperton Road 20<sup>th</sup> September 2016. The public consultation of the

application therefore expired on 13<sup>th</sup> October 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.

At the time of the writing of this report no responses had been received from the public with regard to the application.

### **Internal Consultees**

- 8.2 Design and Conservation Officer: No objection.

## **9. RELEVANT POLICIES**

**Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.**

### **National Guidance**

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

### **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 2015, 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)**

- 9.3 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
- Neighbouring Amenity

### **Design**

- 10.2 Islington's Planning Policies and Guidance help encourage high quality design which complements the character of the area. In particular, DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.
- 10.3 The existing buildings each contain a grey artificial slate covering roof. The proposed replacement of the existing roof coverings would have a neutral impact to the character and appearance of the buildings, as the proposed roof covering systems are of a similar appearance to the existing, and will not require any rebuilding of the roofs. As such, it is

not considered that these works would significantly alter the external appearance of the either building.

- 10.4 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.6 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policy DM2.1.

### **Neighbouring Amenity**

- 10.5 Policy DM2.1 of the Development Management Policies 2013 requires all new development to protect the amenity of nearby properties in terms of the loss of daylight, sunlight, outlook, privacy and overlooking.
- 10.6 The proposed alterations to the roof coverings would have no adverse impact on neighbour amenity, as the shape and size of the roof will not alter.
- 10.7 The proposal is therefore not considered to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington's Development Management Policies 2013.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed alterations to the roof of the each building are considered to be acceptable in terms of design and the impact on the character and appearance of the buildings. The proposed works would not give rise to any material impact on neighbour amenity, including in terms of the loss of daylight, outlook or privacy.
- 11.2 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, the Islington Development Management Plan and Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

- 11.3 It is recommended that planning permission be granted subject to conditions 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	<b>Commencement</b>
	<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	<b>Approved plans list</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>BritSlate Duchess and BritSlate Countess Specification, and PD001.</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	<b>Materials</b>
	<p>CONDITION: 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>
4	<b>Roof Not Use as Amenity Space</b>
	<p>CONDITION: The flat roof area shown on the hereby approved drawings shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows</p>

### List of Informatives:

1	<b>Positive statement</b>
	<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>
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## **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 2015, 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 2015 - 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**

##### **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

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

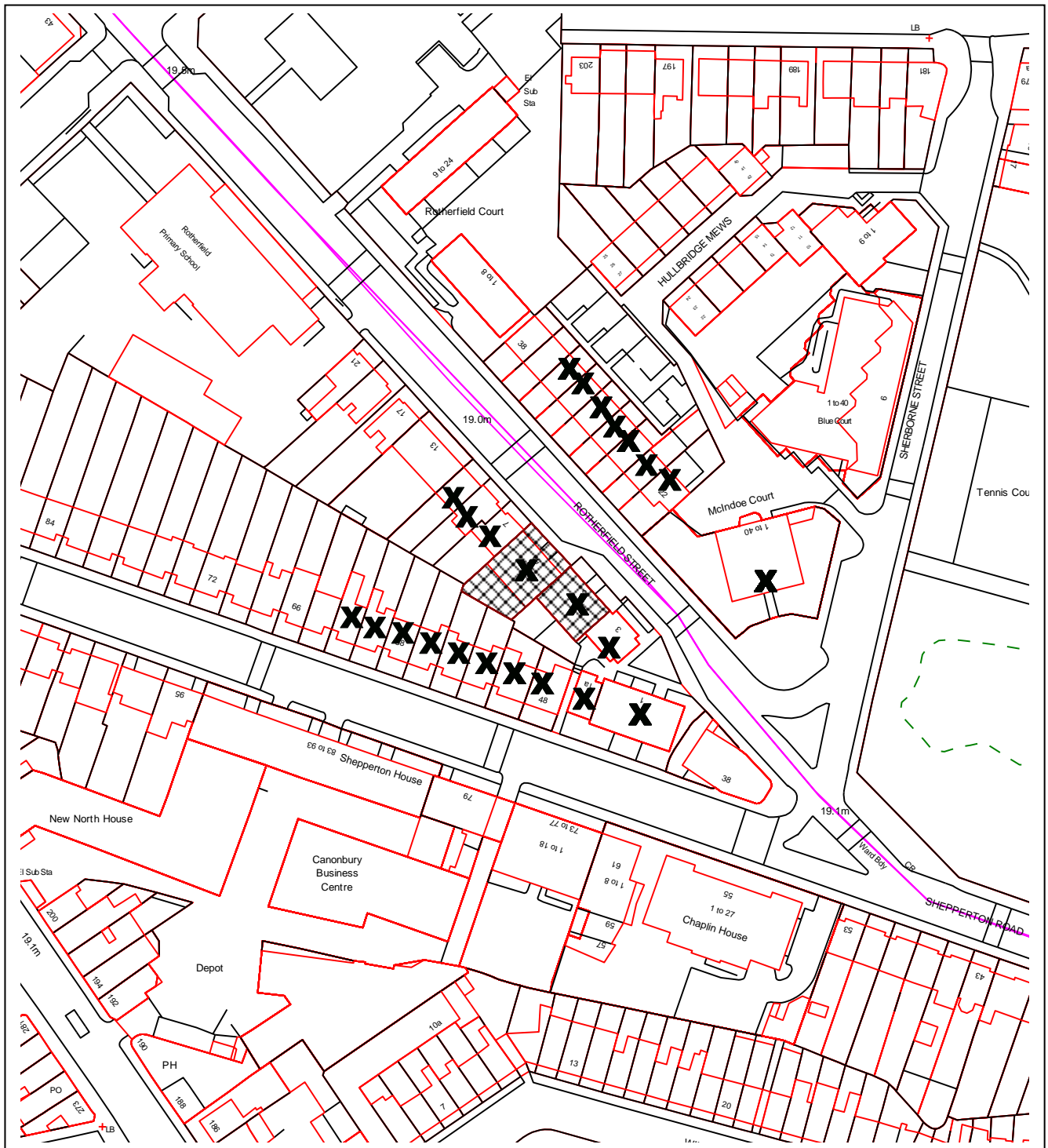
The following SPGs and/or SPDs are relevant:

#### **Islington Local Development Plan**

- Urban Design Guide

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### PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 3333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB COMMITTEE B</b>		
<b>Date:</b>	29 November 2016	<b>NON-EXEMPT</b>

Application number	P2016/3554/FUL
Application type	Full Planning Application
Ward	St. Peter's
Listed building	Not listed
Conservation Area	East Canonbury Conservation Area
Site Address	67 Rotherfield Street, London, N1 3BZ
Proposal	Replacement of existing roof covering with artificial slate covering.

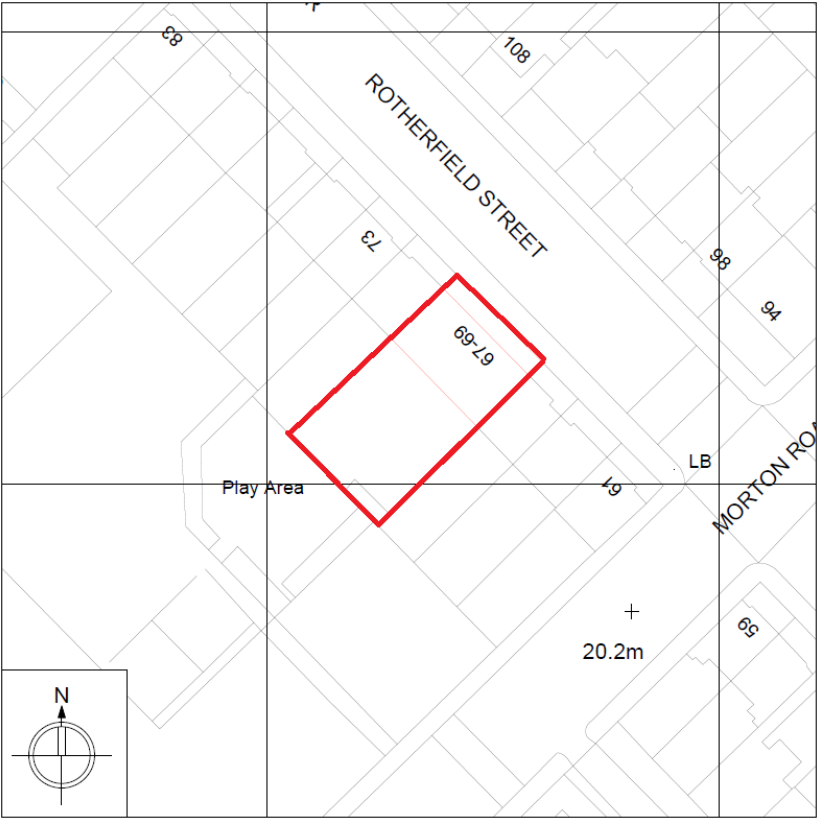
Case Officer	Nathan Stringer
Applicant	Ms Linda Harris on behalf of Islington Council
Agent	FES Group

#### 1. RECOMMENDATION

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

- subject to the conditions set out in Appendix 1.

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Photograph of roof from the facade of the site





**Site**

Image 2: Aerial Photo of the Site (centre)

#### **4. SUMMARY**

- 4.1 Planning permission is sought for the replacement of the existing artificial slate roof covering with a Britslate Duchess Graphite artificial slate roof covering. The proposed roof system is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing roof form.
- 4.2 The proposed alterations to the building are considered to have a neutral impact on the character and appearance of the surrounding streets. The proposals would not give rise to any adverse impact on the amenity of neighbouring properties.

#### **5. SITE AND SURROUNDINGS**

- 5.1 The application site comprises a three-storey building on the west side of Rotherfield Street. The property is a purpose built block of flats used for residential purposes and contains 6 self-contained flats.
- 5.2 The building is not listed, however it is within the Canonbury East Conservation Area. The surrounding area is predominantly residential in character.

#### **6. PROPOSAL (IN DETAIL)**

- 6.1 Planning permission is sought for the replacement of the existing artificial slate roof covering with a Britslate Graphite artificial slate roof covering. The proposed roof system

is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing roof form.

## **7. RELEVANT HISTORY**

### **PLANNING APPLICATIONS:**

- 7.1 **P100044** – Replacement of existing windows with double glazed aluminium framed windows. Approved 05/03/2010.

### **ENFORCEMENT:**

- 7.2 None.

### **PRE-APPLICATION ADVICE:**

- 7.3 None.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 35 adjoining and nearby properties at Rotherfield Street and Morton Road on 27<sup>th</sup> September 2016. A site and a press notice were placed on 27<sup>th</sup> September 2016. The public consultation of the application therefore expired on 27<sup>th</sup> October 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.

At the time of the writing of this report no responses had been received from the public with regard to the application.

### **Internal Consultees**

- 8.2 Design and Conservation Officer: no objection.

## **9. RELEVANT POLICIES**

**Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.**

### **National Guidance**

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

### **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 2015, 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 of this report.



## **Supplementary Planning Guidance (SPG) / Document (SPD)**

9.3 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
- Neighbouring Amenity

### **Design**

10.2 Islington's Planning Policies and Guidance help encourage high quality design which complements the character of the area. In particular, DM2.1 and DM2.3 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local heritage, character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.

10.3 The existing building contains a grey artificial slate covering roof. The proposed replacement of the existing roof covering would have a neutral impact to the character and appearance of the building, as the proposed roof covering system is of a similar appearance to the existing, and will not require any rebuilding of the roof. As such, it is not considered that these works would significantly alter the external appearance of the building.

10.4 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.6 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policy DM2.1.

### **Neighbouring Amenity**

10.5 Policy DM2.1 of the Development Management Policies 2013 requires all new development to protect the amenity of nearby properties in terms of the loss of daylight, sunlight, outlook, privacy and overlooking.

10.6 The proposed alterations to the roof covering would have no adverse impact on neighbour amenity, as the shape and size of the roof will not alter.

10.7 The proposal is therefore not considered to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington's Development Management Policies 2013.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

11.1 The proposed alterations to the roof of the building are considered to be acceptable in terms of design and the impact on the character and appearance of the building. The

proposed works would not give rise to any material impact on neighbour amenity, including in terms of the loss of daylight, outlook or privacy.

- 11.2 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, the Islington Development Management Plan and Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

- 11.3 It is recommended that planning permission be granted subject to conditions 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	<b>Commencement</b>
	<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>
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	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>BritSlate Duchess and BritSlate Countess Specification, and PD001.</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>
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	<p>CONDITION: 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>
4	<b>Roof Not Use as Amenity Space</b>
	<p>CONDITION: The flat roof area shown on the hereby approved drawings shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows</p>

### List of Informatives:

1	<b>Positive statement</b>
	<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>
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## **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 2015, 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 2015 - 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**

##### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

##### **Strategic Policies**

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

#### **C) Development Management Policies June 2013**

##### **Design and Heritage**

DM2.1 Design  
DM2.3 Heritage

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

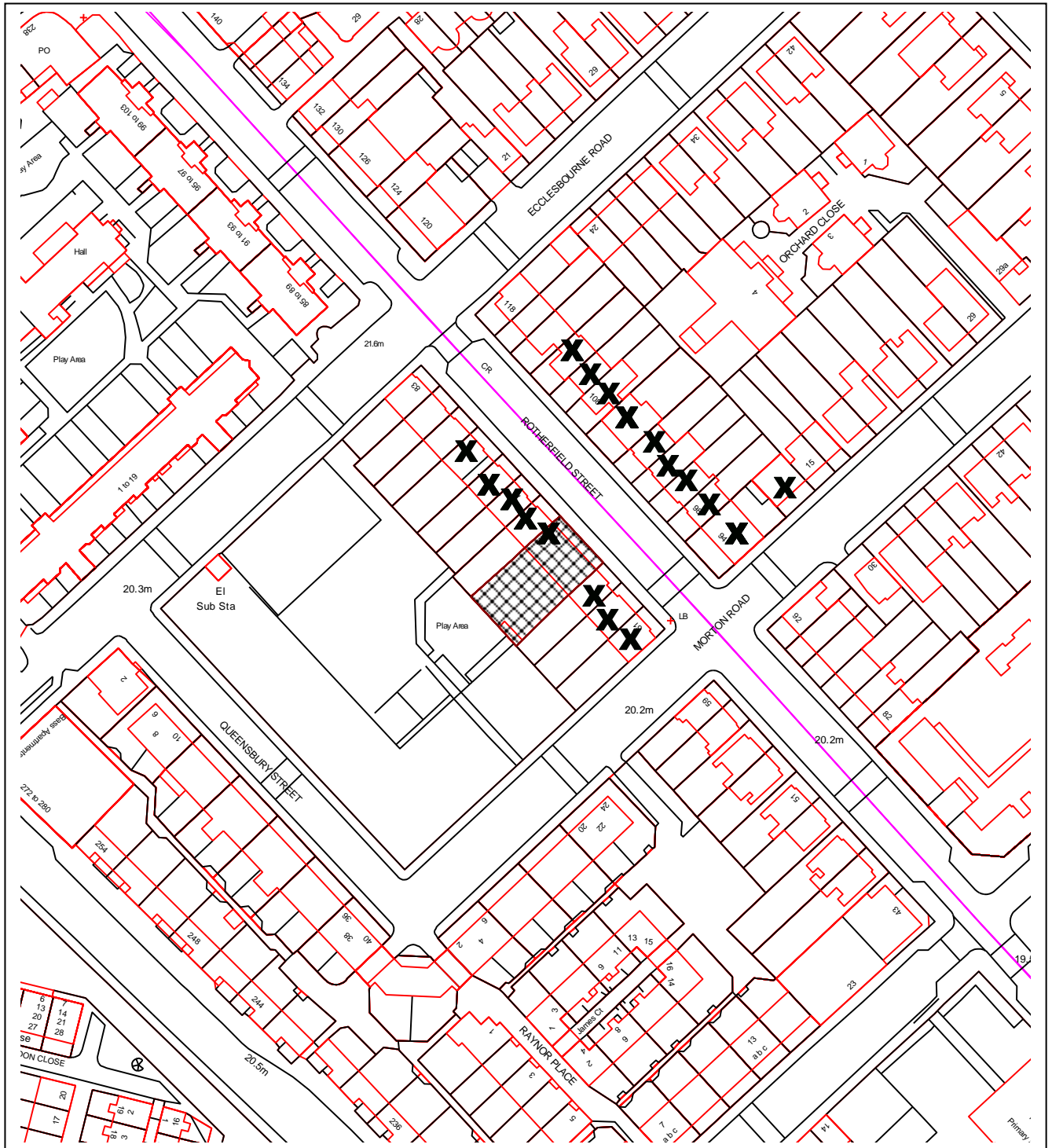
The following SPGs and/or SPDs are relevant:

#### **Islington Local Development Plan**

- Urban Design Guide

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### PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 3333  
222 Upper Street  
LONDON N1 1YA

PLANNING SUB COMMITTEE B		
Date:	29 <sup>th</sup> November 2016	NON EXEMPT

Application number	P2016/1209/FUL
Application type	Full Planning Application
Ward	Tollington
Listed building	Not Listed
Conservation area	Tollington Park Conservation Area
Development Plan Context	Mayors Protected Vista
Licensing Implications	none
Site Address	8 Wray Crescent, Islington, N4 3LP
Proposal	Change of use of single family dwelling (Use Class C3) to incorporate commercial filming venue use (Sui Generis). The proposed Sui Generis Use would not last longer than 4 consecutive days (including setting up and taking down of associated equipment) resulting in no more use than 40 days per calendar year.

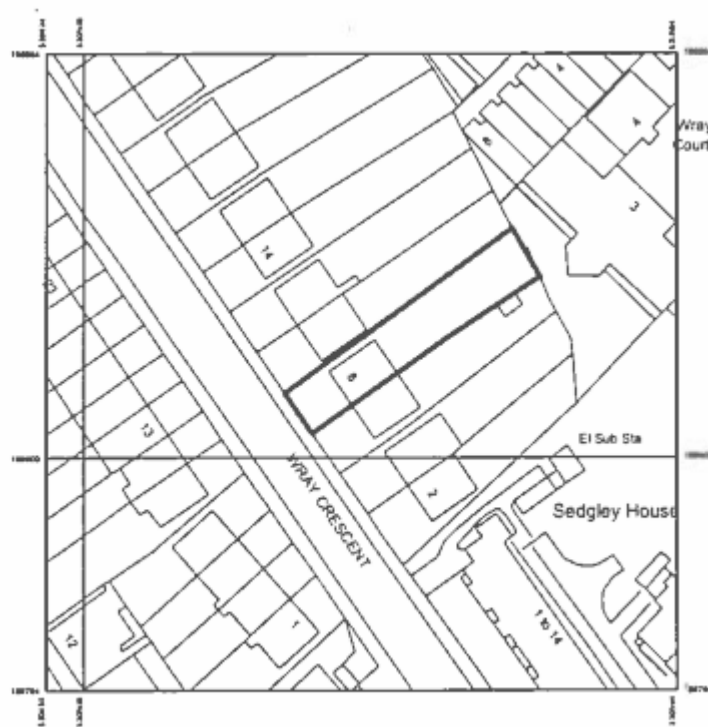
Case Officer	Joe Aggar
Applicant	Miss Louisa Grey

## 1. RECOMMENDATION

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

- subject to the conditions set out in Appendix 1.

**2. SITE PLAN (site outlined in black)**



**3. PHOTOS OF SITE/STREET**



Image 1: Aerial view of 8 Wray Crescent



Image 2: Front elevation of 8 Wray Crescent



Image 3: View looking north towards Wray Crescent Park

#### **4. SUMMARY:**

- 4.1 The application seeks permission for the change of use of the property from a single residential dwelling house to a mixed use comprising C3 residential use and commercial filming (sui generis use). The proposed use is proposed to last no more than 4 consecutive days (including setting up and taking down associated equipment) and would be carried out no more than 40 days in a calendar year.
- 4.2 The proposal is considered not to prejudice the residential amenity of neighbouring properties insofar as loss of light, outlook, sense of enclosure and disturbance in line with policy DM2.1 of the Islington Development Management Policies June 2013.
- 4.1 The proposal is considered to be acceptable and is in accordance with the Development Plan policies and planning permission subject to conditions is recommended.

#### **5. SITE AND SURROUNDINGS:**

- 5.1 The application property is a three-storey over basement semi-detached dwelling house, located on the east side of Wray Crescent, near the junction with Tollington Park. This stretch along this side of the street is formed by uniform pairs of semi-detached properties that contain rear gardens that have a considerable depth.
- 5.2 The surrounding area is residential in character. Although the building is not listed, the property lies within the Tollington Park Conservation Area.

#### **6. PROPOSAL (IN DETAIL):**

- 6.1 The application involves the change of use of the property from a single residential dwelling (C3 Use Class) into a mixed use (Sui Generis Use) as a single dwelling and commercial filming venue. The proposed use would last no longer than four consecutive days (including setting up and taking down associated equipment and structures), resulting in no more than 40 days per calendar year.
- 6.2 The application site requires servicing from the public highway with suspension of adjacent parking bays. The maximum number of people entering and the site on any one day is proposed to be 35.
- 6.3 The application is likely to involve temporary structures including lights, gazebos in the rear garden and props. These therefore will be temporary and erected and deconstructed sporadically in line with the parameters of the permission in that they shall be in situ no longer than 4 days consecutively and no in position for more than 40 days in a calendar year.
- 6.4 Permission is only required because the dwellinghouse is situated within a conservation area and therefore does not have any permitted development rights for filming under Schedule 2, Part 4, Class E, E.1(d) of the General Permitted Development Order 2015.

#### **7. RELEVANT HISTORY:**

##### **PLANNING APPLICATIONS:**

- 7.1 **P2014/2064** - Erection of a timber framed, timber clad garden outbuilding (studio with ancillary storage) in rear garden. Refused on the 08<sup>th</sup> October 2014.
- 7.2 **P2014/0853** - Erection of a full-width single storey rear extension; installation of replacement timber sash window to the front and rear elevations at first floor level and



lowering of capped chimney to below roof level and reinstatement of roof slates including re-cladding of front steps. Approved on the 28<sup>th</sup> April 2014.

#### **ENFORCEMENT:**

- 7.3 **E/2015/0420** – Planning Enforcement Investigation with reference to an unauthorised change of use from a residential house to a mixed use comprising residential and sui generis use for a filming venue. Enforcement Notice issued on the 20<sup>th</sup> November 2015. The enforcement notice has been withdrawn.

#### **PRE-APPLICATION ADVICE:**

- 7.4 None

### **8. CONSULTATION**

#### **Public Consultation:**

- 8.1 Letters were sent to occupants of 71 adjoining and nearby properties at Pavillion Mews, Wray Crescent, Tollington Place, and Wray Crescent open space, Wray Crescent.
- 8.2 A site notice and press advert was also published and distributed. Consultation expired on the 22<sup>nd</sup> July 2016 however it is the Council's practice to continue to consider representations made up until the date of a decision. A further period of consultation was carried out which commenced on the 21/09/2016. This consultation period expired on the 05/10/2016. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).
- 8.3 At the time of writing this report 16 representations have been received from the public with regard to the application. 6 letters of objection have been received. 10 letters of support were received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).

#### Comments Against:

- Reduction in parking (10.19)
- Increased noise, including from generators (10.15)
- Lighting in the evening (10.15)
- Times of filming too frequent (10.7)
- Wray Crescent not wide enough to allow large vehicles (10.16)
- Servicing vehicles block the road (10.16-10.17)

#### Comments in Support:

- Property has been renovated to a high standard
- Previous filming was not intrusive
- No change to the fabric of the building
- Professionally run filming
- Reduce anti-social behaviour
- No undue noise or congestion
- Positive effect on regeneration
- Ample turning space for vehicles

#### **Internal Consultees:**

- 8.4 **Policy Officer:** No objections if the existing C3 residential use is kept as the primary use for the property and the proposed sui generis use is limited and conditioned. A condition that restricts the permission for a limited period of 12 months would be recommended.

- 8.5 **Design & Conservation Officer:** No objections, by virtue of the absence of external alterations to the property.
- 8.6 **Acoustic Officer:** No objections subject to conditions restricting hours of operation and condition to limit the number of days and consecutive days.
- 8.7 **Highways Officer:** objection subject to emergency services observations. The road is narrow and there is insufficient space for commercial vehicles to park and have parking on the other side.

**External Consultees:**

- 8.8 **London Fire and Emergency Planning Authority:** There should be fire brigade vehicle access to the perimeter of the building which should comply with Approved Document – B, B5 and maintained at all times.

## **9. RELEVANT POLICIES**

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents:

### **National Guidance**

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

### **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 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)**

- 9.3 The relevant SPGs and/or SPDs are listed in Appendix 2.

## **10. ASSESSMENT:**

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

- Land Use
- Design and Conservation
- Neighbouring Amenity
- Highways

### **Land Use**

- 10.2 The applicant has previously been using the residence as a location house for photographing and filming. This application seeks to formalise the change of use for up to 40 days a year and no more than 4 consecutive days of filming (including setting up and taking down). As an average this would occur on 10 occasions in a calendar year. The introduction of commercial filming and photography within the residential property is not considered incidental by virtue of Section 55 of the Town and County Planning Act to the residential use (Use Class C3) by reason of the frequency, scale, duration and intensity, based within the description of development.

- 10.3 It is noted within the application details, the applicant refers to '48 days' for commercial filming and photography. However, based on the details provided on the application form within Section 3. and the subsequent consultation of the application of the single family dwelling house being used for no more than 40 days in a calendar year, with each 'shoot' lasting no more than 4 consecutive days (including setting up and taking down) the application is assessed on this basis as agreed with the applicant.
- 10.4 Overall, the use of the single family dwelling or other land within the curtilage of the dwellings house for commercial shoots for up to 40 days per year is not considered for any purpose incidental to the enjoyment of the dwelling house and as such a material change of use is considered to have occurred. The General Permitted Development Order Schedule 2, Part 4, Class E (temporary use of buildings or land for film-making purposes) allows for the temporary use of any land or buildings without the need for applying for planning permission. In this instance, for a period not exceeding 9 months in any 27 month period for the purpose of commercial film-making; and the provision on such land, during the filming period, of any temporary structures, works, plant or machinery required in connection with that use.
- 10.5 The site is located within a conservation area, as such the proposed development, would require planning permission.
- 10.6 The proposed activity would represent a material change in the use of the planning unit from C3 to Sui Generis. Policy DM3.2 of the Development Management Policies seeks to protect the loss of the existing self-contained housing. The level of filming activity proposed at the planning unit would cover 40 days and no more than 4 consecutive days. The unit would still comprise a family dwelling albeit with an increased material activity in photographing and filming. As such, the proposal for commercial filming/shooting for on average 3 days per month would not result in the loss of a family dwelling. Nor would it change expand or unacceptably intensify a use which would harm the area.
- 10.7 Due to the nature of the proposed use a limited consent would be appropriate (1 year), in order to provide a limited period for this type of activity within the residential dwelling house (Condition 4) and for the full effects to be monitored given the mixed support from the local residents. Given that the residential use would remain as the primary use of the property, the introduction of a sporadic use for filming activity would be considered acceptable.

### **Design and Conservation**

- 10.8 The property is a 3-storey plus basement semi-detached building located on the east side of Wray Crescent, near the junction with Tollington Park. The street is in a predominantly residential area. The property is not listed, but is located within the Tollington Park Conservation Area.
- 10.9 Tollington Park was one of the earliest residential streets to be laid out in the northern part of the Borough, and was lined with grand semi-detached villas in the 1830's and 40's, many of which survive. Together with the two fine Victorian Churches of St Mellitus and St Mark in their contrasting styles, and the many mature trees, Tollington Park has an unusually spacious quality and an above average standard of architectural design.
- 10.10 Section 72(1) of the Act sets out the general duty as regards conservation areas in exercise of planning functions: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.11 Information provided with the application states that the majority of the photographing and filming occurs internally. However, reference is made on the application form to temporary external lighting, cameras, props and gazebos in the rear garden. No other information has been given regarding the proposed external alterations. Given their temporary nature and subject to condition on hours of operation, the structures used in association with 'shooting' are not considered to cause undue harm to the character and appearance of the Tollington Park Conservation Area.

## Neighbouring Amenity

- 10.12 The property is located on a residential street and any impact on amenity should be assessed in terms of potential noise, lighting and general disturbance. London Plan Policy 7.6 requires buildings and structures not to cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing, in particular. DMP Policy 2.1 requires development to provide a good level of amenity including consideration of overshadowing, overlooking, privacy, sunlight and daylight, over-dominance, sense of enclosure and outlook. One of the core principles is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy DM3.7 also seeks to ensure no adverse impacts on neighbouring occupiers in terms of noise and vibration.
- 10.13 Paragraph 17 of the Framework, to achieve a good standard of amenity for all existing and future occupants of land and buildings.
- 10.14 Filming activities involve personnel and equipment being brought to and from the site, the presence of additional people (approximately 35 people on main 'shooting' days) in the property (for four consecutive days only, including setting up and taking down). The application has been reviewed by the Public Protection Team who have raised no concerns subject to limiting the number of days and the hours of operation, it is considered the operations would not cause sufficient disturbance to neighbouring residents living conditions. The filming activity is considered a low-key activity that would not generate unacceptable levels of noise and disturbance in this instance subject to appropriate conditions to control the levels of activity.
- 10.15 Any concern over noise or disturbance can be addressed by a planning condition restricting hours and days of operation. In light of the above, there are 10 letters of representation supporting the application, advising that the restricted use of the site as a filming venue would not represent an over-intensification of use and causes no unreasonable harm on residential amenity. The development would therefore be considered on balance consistent with policies DM2.1 and DM3.7 of the Islington's DMP (2013).

## Highways

- 10.16 Wray Crescent is a cul-de-sac accessed from the junction with Tolling Park. Wray Crescent has parking bays on both sides of the road that are used by residents in the main. The Council's Highways Officer has raised concern that service vehicles may block the highway and possibly impede emergency service vehicles that may need to access to properties located beyond the subject site. The Fire Service has been consulted and advised that the applicant must comply with Approved Document – B, B5 of the Building Regulations. This requires a minimum distance of 3.7m is required to allow emergency vehicles to pass. This specific advice does not fall within the remit of the planning regime. Nonetheless, highway matters, highway safety and parking are material considerations within the assessment of an application. Whilst the applicant would still be required to comply with the Building Regulation Standards, under the assessment of this application, the applicant has not provided adequate information based on serving arrangements including the size, number and position of the vehicles to evidence there would be no adverse impact on the highway.
- 10.17 DM8.6 B of the Development Management Policies states where on-street servicing is proposed as in this instance, details must be submitted to demonstrate that arrangements will be safe and will not cause obstruction or nuisance. Para 8.41 states the council will, where appropriate, control servicing by condition and/or planning obligation. A condition (Condition 5) is therefore recommended that prior to the implementation of the proposed use; details are submitted relating to the delivery hours, delivery frequency, service location, size of vehicles and auto tracking for turning circles of the largest proposed vehicles to ensure the proposed change of use does not adversely impact on the Wray Crescent highway, safety or parking.
- 10.18 The property has one parking permit for the residential personal use of the dwelling house. Any additional parking would require a visitor parking permit. Parking activities for the property were reviewed during the enforcement investigation and it was noted that seven vouchers were obtained during one specific day of commercial activity. The planning statement mentions that “appropriate notification will be given **Part 8** application to the Council by the production



*company and should parking permission not be provided through the appropriate department, there will be no filming”.*

- 10.19 The only way for the parking bays to be utilised is if they were suspended for filming days and get dispensations for visiting vehicles from Highways Department. Any agreement to discharge the condition would have to satisfy the relevant highway officers in the council. As such, based on the attached condition requiring the necessary information to assess highways and parking matters, this would not warrant refusal of the application.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed development is not considered to adversely impact on neighbouring occupiers living conditions in respect of the loss of daylight, sunlight, outlook, privacy noise or disturbance subject to appropriate conditions attached. The proposal is therefore considered to be in accordance with policy DM 2.1 and DM 3.7 of the Development Management Policies 2013.
- 11.2 The proposed development is considered to be acceptable on the grounds of the impact on the character and appearance of the Conservation Area and host building based on the temporary nature of structures associated with the proposed use for photographing and filming. Therefore the proposed development is in accordance with policies DM 2.1 and DM2.3 of the Development Management Policies 2013.
- 11.3 The shortcomings in regards to highways and parking are recommended to be conditioned to ensure no adverse impact on the highway. As such, the proposal is considered to be in accordance with DM8.6 of the Development Management Policies.
- 11.4 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, 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 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:

<b>1</b>	<b>Commencement</b>
	<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>
<b>2</b>	<b>Documents List: (Compliance)</b>
	<p>The development hereby approved shall be carried out in accordance with the following approved document:</p> <p>Planning Statements dated 25th April 2016 and 08th June 2016.</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>
<b>3</b>	<b>Hours of Operation (COMPLIANCE):</b>
	<p>The commercial filming activity hereby approved shall not operate outside the hours of:</p> <p>0700 to 2300 hours Monday to Friday 0800 to 1900 Saturdays and not at all on a Sunday or public holiday.</p> <p>And shall not operate for more than four consecutive days or more than forty days in a calendar year.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<b>4</b>	<b>Limited Consent Period (Compliance)</b>
	<p>LIMITED CONSENT PERIOD - TEMPORARY USE: The sui generis use as a single family dwelling and commercial filming unit of the planning unit hereby approved is granted only for a limited period, being for one year from the date granted for permission. 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 lawful use for which it was normally used prior to the grant of this planning permission.</p> <p>REASON: The temporary use is such that the Local Planning Authority is only prepared to grant permission for a limited period in view of the special circumstances of this case and for the impact of adjoining residential amenity to be monitored.</p>
<b>4</b>	<b>Number of days of filming activity (Compliance)</b>
	<p>CONDITION: The sui generis use as a single family dwelling and commercial filming unit hereby approved shall not operate for more than four consecutive days (including setting up and taking down associated equipment) and more than 40 days overall within a calendar year.</p> <p>REASON: To ensure that the proposed development does not have an adverse</p>

	impact on neighbouring residential amenity.
5	<b>Delivery Servicing Plan</b>
	<p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times, size of vehicles, number of bays anticipated to be suspended and frequency of trips shall be submitted to and approved in writing by the Local Planning Authority prior to the hereby approved sui generis use commencing.</p> <p>The development shall be constructed and operated 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.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic</p>

**Informative:**

1	<b>Positive statement</b>
	<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	<b>Signage</b>
	<p>Please note that separate advertisement consent application may be required for the display of signage at the site.</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 2015, 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 2015 - Spatial Development Strategy for Greater London**

Policy 7.4 Local character

#### **B) Islington Core Strategy 2011**

Policy CS8 (Enhancing Islington's Character)

#### **C) Development Management Policies June 2013**

DM2.1 Design  
DM2.3 Heritage  
DM3.7 Noise and Vibration  
DM8.2 Managing Transport Impact  
DM 8.5 Vehicle Parking  
DM8.6 Delivery and Servicing for New Developments

### **3. Designations**

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:  
Hillmarton Conservation Area

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

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan
- Conservation Area Design Guidelines – Tollington Park
- Mayors Protected Vista

# Islington SE GIS Print Template



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## PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 3333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB COMMITTEE B</b>		
<b>Date:</b>	Tuesday, 29 November 2016	<b>NON-EXEMPT</b>

Application number	P2015/1137/FUL
Application type	Full Planning Application
Ward	Highbury West
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Cycle Routes – Major
Licensing Implications	N/A
Site Address	Arsenal Football Club 75 Drayton Park London N5 1BU
Proposal	Erection of a two storey building forming an extension to the existing Arsenal Football Club offices at Highbury House providing 671sqm of B1(a) office floorspace, together with relocated cycle parking.

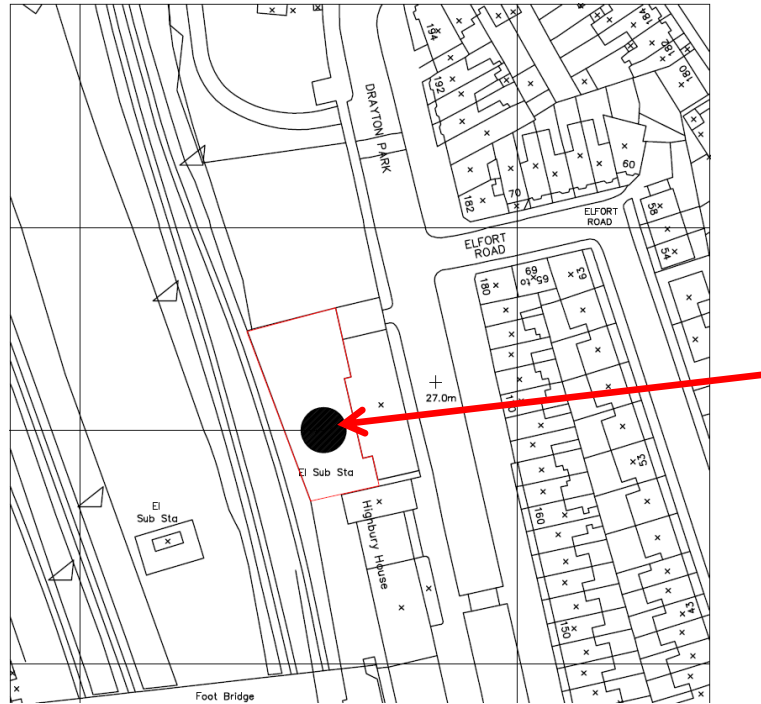
Case Officer	Tom Broomhall
Applicant	Mr John Beattie
Agent	RMA Services Ltd.

## 1. RECOMMENDATION

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

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

## 2. SITE PLAN (site outlined in red)



## 3. PHOTOS OF SITE/STREET





#### **4. SUMMARY**

- 4.1 This application seeks full planning permission for the erection of a two storey building forming an extension to the existing Arsenal Football Club offices at Highbury House providing 671sqm of B1(a) office floorspace, together with relocated cycle parking.
- 4.2 The proposed use of office B1 is considered acceptable in this location given that this is an extension to the existing office use. The scale and form of the proposed extension is lower than the existing Highbury House building, set behind an existing building and is therefore considered acceptable. The design and materials are in keeping with the existing Highbury House building and the residential flats to the south, and are therefore considered acceptable. Given the distance of 35 metres of the proposed building to neighbouring properties and the high level windows proposed, it is considered that the development would not have a detrimental impact on the amenity of neighbouring properties by way of overbearing, loss of privacy or loss of light. The proposal is the same scheme granted planning permission in 2010 but was never implemented and has now lapsed.
- 4.3 It is therefore recommended that planning permission be approved subject to conditions.

#### **5. SITE AND SURROUNDING**

- 5.1 The application site is located on the western side of Drayton Park, to the east of the Arsenal Football stadium. Highbury House, located to the south of the application site, is a five storey building of modern design and appearance with the main façade comprising of copper clad sheeting and extensive areas of glazing. The building comprises of Arsenal's merchandise shop and ticket sales office on the ground floor with the clubs administrative offices located above. The centre of the building incorporates a staircase that provides public access to the north bridge over the adjoining railway line that leads to the Stadium.
- 5.2 Adjoining the proposed development to the east is a 6.5 metre high building owned by London Underground that provides a ventilation shaft for the Victoria Line below, this is referred to as the "LTE" building on the submitted plans. An 8.2 metre high ventilation tower projects 3.6 metres above the roof level on the south side of the London Underground building, this building lies between the application site and Drayton Park. The overground railway line adjoins the sites western boundary. To the north of the application site is Gillespie Park, a designated Site of Importance for Nature Conservation (SINC) and allocated as Open Space. This area has a small children's play area and a Ecology Centre.
- 5.3 On the eastern side of Drayton Park is a terrace of residential properties that face the stadium. Drayton Park is a tree lined road with one of the accesses to the stadium to the south of the application site and to the north is Arsenal tube station, with Drayton Park Overground station to the south. To south of Highbury House on the western side of Drayton Park is a row of modern four and five storey residential flats, with white render and copper cladding.

#### **6. PROPOSAL (IN DETAIL)**

- 6.1 This application seeks full planning permission for the erection of a two storey building forming an extension to the existing Arsenal Football Club offices at Highbury House providing 671sqm of B1(a) office floorspace, together with relocated cycle parking.
- 6.2 The building would measure 40 metres in length, 8 metres in depth and 10 metres in height. It would have a flat roof with rounded eaves and would be finished in green copper sheeting to match the existing on Highbury House.

#### **7. RELEVANT HISTORY:**

## **PLANNING APPLICATIONS:**

- 7.1 P120270- Non illuminated panel advertisement sign.- Approved 22/03/2012
- 7.2 P111377- Display of internally illuminated fascia sign.- Approved 03/10/2014
- 7.3 P100806- Erection of a two storey building to the rear of the LTE Plant, forming an extension to the existing Arsenal Football Club offices at Highbury House providing for 671 sqm of business (B1 use) accommodation; together with relocated cycle parking and re-modelled entrance to Highbury House- Approved – 29/07/2010 but not implemented.

## **ENFORCEMENT:**

- 7.4 None

## **PRE-APPLICATION ADVICE:**

- 7.4 None

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to 361 occupants of adjoining and nearby properties on the 24/04/16. A site notice was placed outside the site on 5/05/16 with a notice in the local press on the 15/09/16. The consultation therefore expires on 06/10/16.
- 8.2 At the time of the writing of this report one objection had been received from the public with regards to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Loss of privacy and overlooking (para. 10.13)
  - Overshadowing (para. 10.13)
  - Loss of light (para. 10.13)
  - Scale and position of the development (para. 10.10)
  - Highway safety (para. 10.14 and 10.15)
  - Parking (para. 10.16)
  - Proposal out of keeping with the area. (para. 10.7 and 10.8)
  - Drainage (para. 10.19)
  - Environmental impact on the ecology centre (para. 10.20)

### **Internal Consultees**

- 8.3 **Environmental Health (Noise):** No objection, subject to conditions. The officer commented that the proposed development includes a new rooftop plant area, no details of the plant proposed, hours of operation or assessment of the noise impact has been provided. There already is substantial plant servicing the Highbury House building but it will need mitigating with residential opposite and advised suggested conditions. In addition he commented that the site is directly to the west of the current London Underground mid tunnel ventilation shaft for the Victoria line. There have been complaints about machinery noise from this shaft. It is noted that the building is below the termination point and therefore any potential for reflected noise affecting the Highbury Hill residential is limited provided that the elevation is accurate.

8.4 **Tree Officer:** No objection: The officer commented that there are several trees adjacent to the boundary with Gillespie Park which may be impacted upon, he was in broad agreement with the submitted arboricultural report (ARBSOL: 17/03/2015 HighburyHouseExtension/AIA/FC-0) that the impacts to these trees are minimal and can be managed.

8.5 **Transport:** Comments with regard to the provision of cycle parking

#### **External Consultees**

8.6 **Natural England:** No comments.

8.7 **Network Rail:** No objection subject to conditions.

8.8 **London Underground:** No objection subject to conditions.

### **9. RELEVANT POLICIES**

**Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.**

#### **National Guidance**

9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application 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:

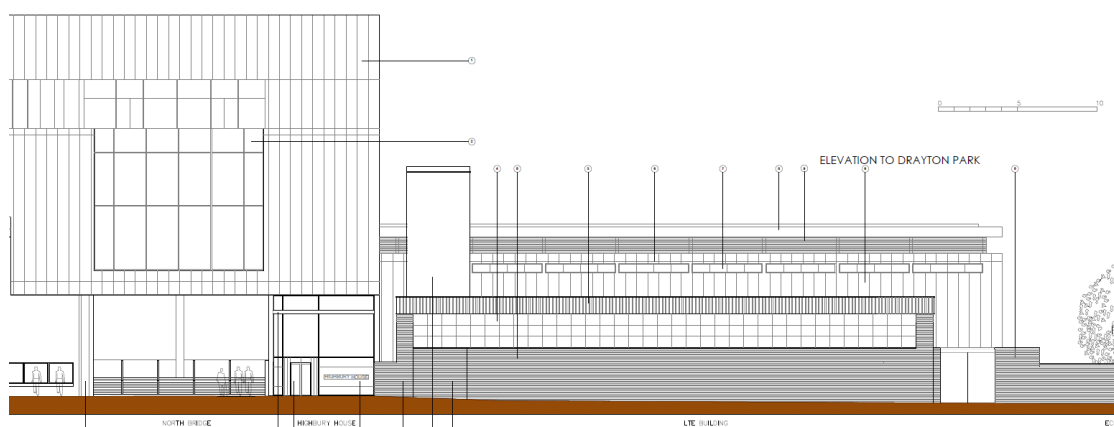
- Land Use
- Design
- Neighbour amenity
- Highways
- Trees and landscaping
- Drainage
- Impact on Ecology Centre

## **Land use**

- 10.2 In 2010 planning permission (P100806) was granted for the erection of a two storey extension to side of Highbury House at the rear of the LTE Plant, forming an extension to the existing Arsenal Football Club offices at Highbury House providing for 671 sqm of business (B1 use) accommodation; together with relocated cycle parking and re-modelled entrance to Highbury House. The 2010 permission approved an extension of the same design and office use, in the same location as this current application. The 2010 permission has now lapsed as the applicant did not commence development within the 3 years.
- 10.3 The application site adjoins Highbury House which is currently used for offices for Arsenal football club, the Arsenal's shop and the entrance to the stadium. The proposed building would be located behind an LTE building, eastern side of Drayton Park is a terrace of residential properties that face the stadium. The proposed extension would be accessed via the existing building. Policy DM5.1 requires new business floorspace to be designed to allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business accommodation, particularly for small businesses.
- 10.4 In this instance, given that the proposal is for an extension to an existing building in use for offices by Arsenal Football Club, the previous permission, and the adjoining development, the land use is considered to be acceptable in accordance with policy DM5.1.

## **Design**

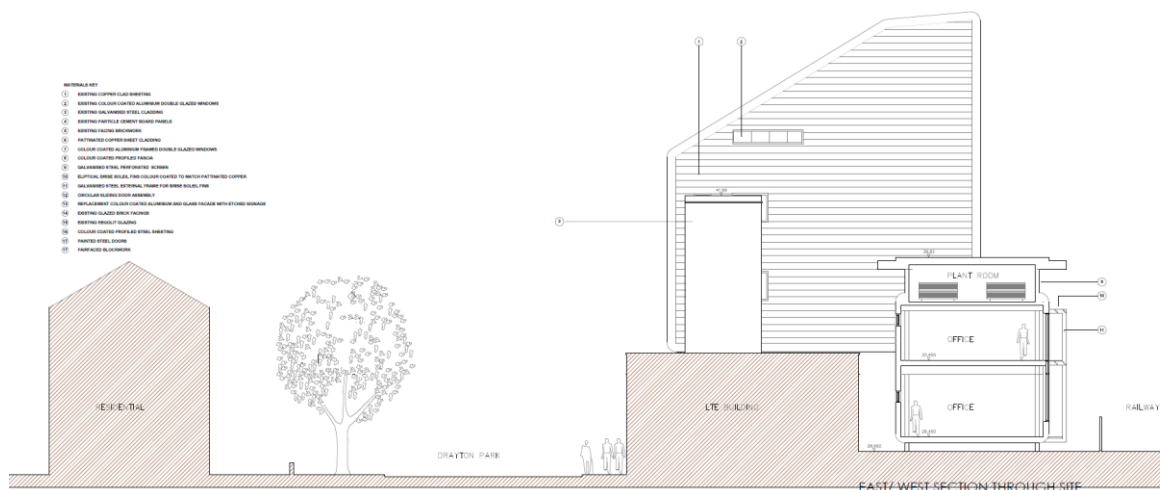
- 10.5 Policy DM2.1 of Islington's Development Management Policies state that all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics.
- 10.6 The application site is located between the railway lines to the west and an existing LTE building to the east. To the south of the site is Highbury House and a bridge to access to the north of the stadium. Highbury House is a large building measuring approximately 15 metres from Drayton Park road rising to 23 metres to the rear, the building is clad in copper sheeting with aluminium windows and doors. The LTE building to the east of the site measures 7 metres in height and is a brick built building with cement section and a sheet metal roof. On top of the LTE building there is a steel structure against the Highbury House building and lower in height. To the east of Drayton Park road is a terrace of residential properties which are of traditional materials and design, but are not locally listed or within a conservation area. The road is tree lined with parking bay outside of the dwelling to the east and outside of the LTE building.
- 10.7 The application proposes a two storey attached building to accommodate additional office space of 671 sqm. The building would measure 40 metres in length, 8 metres in depth and 10 metres in height. It would have flat roof with rounded eaves and would be finished in green copper sheeting to match the existing on Highbury House. The half of the flat roof would house the required plant and the remainder would have a green roof.



- 10.8 The proposed building would be attached to Highbury House and would site behind the LTE building that faces Drayton Park road, as shown on the above proposed elevation. The proposed building would be considerable lower than Highbury House and approximately 4 metres higher than the LTE building in front. The materials would match the Highbury House building, which would link the building to the use of the site and the existing development. Given the scale of the Highbury House building, the location of the proposed building and its small increase in height in comparison to the LTE building, the scale and massing of the building is considered acceptable.
- 10.9 The adjoining Highbury House building has a sloping roof, with the mass of the building rising toward the west. The existing development on the western side of Drayton Park road is similar in its form, design and materials. The design and materials proposed are in keeping with the development on this side of Drayton Park and would therefore be seen as an addition rather than a separate element.
- 10.10 It is therefore considered that given the character of development on the western side of Drayton Park road, the existing scale of development and the location of the proposed building, it considered that the development would not harm the character of the area or the street scene. As such the development accordance with the relevant design policies within the Council's Local Plan and is considered acceptable.

### **Neighbouring Amenity**

- 10.11 Policy DM2.1 of the Council's Development Management Policies state that development should not have an adverse impact on neighbouring amenity in terms of overshadowing, overlooking, privacy, direct sunlight and day light, over dominance, sense of enclosure and outlook.
- 10.12 The application proposes a two storey extension measuring 40 metres in length, 8 metres in depth and 10 metres in height. The proposed building would be located behind an existing building that measures 6.4 metres in height. One objection has been received from a local resident in relation to the over bearing impact the development would have on neighbouring amenity and loss of privacy.



Proposed cross section

- 10.13 The extension is located behind an existing smaller building and approximately 35 metres from the residential properties on the other side of the road, as shown on the proposed cross section above. While the proposed building is 5 metres higher than the LTE building, it is 6 metres lower than the closest part of Highbury House building, which rises in height away from the residential properties. The windows facing to the east towards the residential properties would be 600 mm in height, while the windows on the western side would be floor to ceiling. Given the distance of the proposal from the adjacent residential properties, the separation by a highway, the small window openings and the existing development, it is considered that the proposal would not have a significant detrimental impact on the amenity of neighbouring properties in terms of loss of privacy, overlooking, overshadowing or loss of daylight.

### Highways

- 10.14 Policy DM8.4 of Islington's Development Management Policies states that proposals must demonstrate that there are no road safety conflicts between pedestrians, cyclists and vehicles entering, parking and servicing a development. Cyclist entrances must be safe and convenient. Separate cycle lanes should be demarcated.
- 10.15 There are currently 178 cycle parking spaces provided to the rear of Highbury House. It is proposed to retain this level of cycle parking and reposition some of these spaces within the same area at the rear of Highbury House in order to facilitate access to the rear of the proposed extension for non-vehicular deliveries. The total number of spaces would not be reduced and whilst these spaces have been provided primarily for spectators their secure location behind Highbury House would allow them to be used for staff. The access to the cycle parking is currently via the servicing access and this application would not change this agreement. This level of cycle spaces exceeds the requirements for B1 office use and the existing access arrangement and the close proximity to public transport, the proposed level is considered acceptable.
- 10.16 An objection was received concerning the impact of traffic congestion and noise from people attending and leaving occasional evening events at Highbury House. However the proposed extension would provide additional office space rather than a D1 use, and the site is adjacent to a Controlled Parking Zone and local residents already have parking permits. Therefore there would not be a harmful impact on neighbouring amenity in this regard, as a result of the proposed office extension.

### Trees and Landscaping

- 10.17 Policy DM6.2 of Islington's Development Management Policies states that Developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats.

Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation

- 10.18 The area to the north of the application site is allocated as open space with a number of mature trees, there are no trees within the site. The application was submitted with an Arboricultural Impact Assessment, which was considered by Islington's tree officer. He advised that he has no objection to the applications and considered that the impacts to the trees to the north are minimal and any impact can be managed. It is therefore considered that the proposal would not have a detrimental impact on the surrounding trees.

### **Drainage**

- 10.19 The existing site is largely hardstanding however given the proximity to the Ecology Centre and a Network Rail site, it is recommended that a condition is attached requiring details of surface drainage works is approved by the Council prior to commencement of super structure works on site.

### **Environmental Impact on Ecology Centre**

- 10.20 The northern elevation of the site adjoins a nature reserve at Gillespie Park which is a designated Site of Importance for Nature Conservation. The flank elevation of the extension would lie close to the boundary at a height of 10 metres which may result in some degree of overshadowing of the nature reserve at certain times. However given the use of the adjoining land and the park's setting in a built up urban environment, this would not cause a significant loss of amenity or detract from its nature conservation value. A green roof would be provided on the section of the extension adjacent to the park which would help to ameliorate the building's visual impact. It is also recommended that a condition is attached requiring the provision of a new fence to replace the existing palisade fencing on the northern boundary to screen the lower part of the building and further ameliorate the visual impact. An additional condition is proposed requiring the window on the northern elevation to be fixed shut and obscurely glazed to prevent undue light spillage. A further condition is recommended to be attached to require the installation of a bat box and bird boxes to provide enhancements for wildlife.

### **Impact on London Underground substation and vents shaft tunnels**

- 10.21 London Underground (LU) have stated that as the site is adjacent to an LU substation and above LU vents shaft tunnels details are required to demonstrate to the satisfaction of LUL engineers that: their right of support is not compromised, the development will not have any detrimental effect on their structures either in the short or long term, the design must be such that the loading imposed on our structures is not increased or removed and LU offer no right of support to the development or land. Therefore LU have requested that a condition is attached to any grant of consent requiring details to be submitted prior to commencement of development, in order to meet these requirements.

## **11.0 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed extension would occupy an area of mainly unused land situated between the rear of the London Underground service building and the overground railway line. The proposed building would be subordinate in scale to the host building and would be finished in matching materials. Its design is considered to be in keeping with the character of development in the area.
- 11.2 Given the distance of the proposal from adjacent residential properties and the location of the proposed windows together with the proposed conditions, it is considered the development

would not result in an adverse impact on the amenity of nearby residential properties or the character of the area. The application proposes an acceptable level of cycle parking and would be car free. It is considered that the development accords with the London Plan, Islington Core Strategy and Islington's Development Management Policies and therefore subject to conditions is recommended for approval.

### **Conclusion**

- 11.2 It is recommended that planning permission be granted subject to conditions 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

<b>1</b>	<b>Standard time condition</b>  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.  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).
<b>2</b>	<b>Drawing and Document numbers</b>  The development hereby approved shall be carried out in accordance with the following approved plans:  01344.PL01B, 01344.PL 02B, 01344.PL03B, 01344.PL04C, 01344.PL05C, 01344.PL06A 01344.PL07B, , 01344.PL08, , 01344.PL09, 01344.PL10,01344.PL11A, 01344.PL12, Servicing and Delivery Plan, Design and Access statement, Arboricultural Impact Assessment.  REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.
<b>3</b>	<b>Highway safety</b>  CONDITION: No development works shall be commenced unless and until a construction phase management plan detailing the operational and protective measures that will be taken during construction to ensure that there is no adverse impact on the adjoining Site of Metropolitan Importance for Nature Conservation have been submitted to and approved in writing by the Local Planning Authority.  Construction works shall be carried out strictly in accordance with the method statement so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.  REASON: To ensure there is no adverse environmental impact on the Site of Metropolitan Importance for Nature Conservation during the construction phase.
<b>4</b>	<b>Construction Wheel Washing</b>  CONDITION: Details of construction vehicle wheel washing facilities shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The facilities shall be installed at the site preparation stage and maintained in working order at all times during the construction phase. Any vehicle carrying mud, dust or other debris on its wheels must use the facilities before leaving the site.  REASON: To ensure that construction traffic does not result in pollution of the surrounding street environments.

<b>5</b>	<b>Construction vehicle routes</b>
	<p>CONDITION: A report assessing the planned construction vehicle routes and access to the site, avoiding school starting and leaving times of 8.30 to 9.30am and 3pm to 4.30pm, including addressing pedestrian and cyclist safety, speed limits for construction vehicles, environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess and take into account the impacts during the construction phases of the development on nearby residential amenity, with means of mitigating any identified impacts. Limit construction to 8am-6pm Monday to Friday and 8am-1pm Saturday. Including deliveries and ancillary operations.</p> <p>The document should pay reference to Islington's Code of Construction Practice, the GLA's Best Practice Guidance on control of dust from construction sites, BS5228:2009 and any other relevant guidance. The development shall be carried out strictly in accordance with the details so approved and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic and local residential amenity and mitigate the impacts of the development.</p>
<b>6</b>	<b>Window obscurely glazed</b>
	<p>CONDITION: The window on the northern elevation of the extension shown on the plans hereby approved as being obscurely glazed shall be provided as such prior to the first occupation of the development.</p> <p>The obscurely glazed window 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 light spillage on the neighbouring site.</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 mitigate the impact of light spillage on the adjoining site in order to safeguard its ecological and nature conservation value.</p>
<b>7</b>	<b>Cycle Parking Provision</b>
	<p>CONDITION: The bicycle storage area hereby approved, which shall be covered, secure and provide for no less than 178 bicycle spaces 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>
<b>8</b>	<b>Fixed plant</b>
	<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: 2014.</p>

	REASON: To ensure that the operation of fixed plant does not impact on residential amenity.
<b>9</b>	<b>Noise report</b>
	<p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 8. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
<b>10</b>	<b>Excavations and earthworks</b>
	<p>CONDITION: Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority.</p> <p>REASON: To ensure the safety of the railways.</p>
<b>11</b>	<b>Green/Brown biodiversity roof</b>
	<p>CONDITION: Details of the biodiversity green roof shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity green roof shall be:</p> <ul style="list-style-type: none"> <li>d) biodiversity based with extensive substrate base (depth 80-150mm);</li> <li>e) laid out in accordance with plan PL04C hereby approved; and</li> <li>f) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li> </ul> <p>The biodiversity green roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>12</b>	<b>Materials</b>
	<p>CONDITION: MATERIALS (DETAILS): 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:</p> <ul style="list-style-type: none"> <li>a) external finishing including cladding</li> <li>b) window treatment (including sections and reveals);</li> <li>c) roofing materials; and</li> <li>d) any other materials to be used.</li> </ul> <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</p>

	that the resulting appearance and construction of the development is of a high standard.
<b>13</b>	<b>Sustainable Urban Drainage System</b>
	<p>CONDITION: Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <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: To ensure that sustainable management of water.</p>
<b>14</b>	<b>Landscaping</b>
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) an updated Access Statement detailing routes through the landscape and the facilities it provides;</li> <li>b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</li> <li>c) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>d) proposed trees: their location, species and size;</li> <li>e) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> <li>g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</li> <li>i) any other landscaping feature(s) forming part of the scheme.</li> </ul> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as approved.</p> <p>REASON: In the interest of biodiversity, sustainability and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>15</b>	<b>Details of rooftop Plant</b>
	CONDITION: Details of any scheme of:

	<p>a) roof-top plant;  b) ancillary enclosures/structure; and  c) lift over-run</p> <p>shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding.</p> <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 good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure or the lift over-run do not have a harmful impact on the surrounding streetscene.</p>
<b>16</b>	<b>Details of bird and bat nesting boxes</b>
	<p>CONDITION: Details of bird and bat nesting boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>No less than four nesting boxes shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes shall be installed with the development prior to the first occupation of the building.</p> <p>The nesting boxes shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>17</b>	<b>Replacement Fence</b>
	<p>CONDITION: Full details of a replacement fence along the northern boundary of the site shall be submitted to and approved by the Local Planning Authority and installed prior to the first occupation of the development hereby approved.</p> <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: To ensure that the resulting treatment/fencing is functional, attractive and secure.</p>
<b>18</b>	<b>Impact on London Underground Structures</b>
	<p>CONDITION: The development hereby permitted shall not be commenced until detailed design, load calculations and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures above and below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> <li>- Provide details on all structures;</li> <li>- Accommodate the location of the existing London Underground structures;</li> <li>- Demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land;</li> <li>- Demonstrate that there will at no time be any potential security risk to our railway, property or structures;</li> <li>- Accommodate ground movement arising from the construction thereof;</li> <li>- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures.</li> </ul> <p>The development shall thereafter be carried out in all respects in accordance</p>

	<p>with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>REASON: To ensure that the development does not impact on existing London Underground transport infrastructure.</p>
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#### List of Informatives:

<b>1</b>	<b>Positive statement</b>
	<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>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>
<b>2</b>	<b>London Underground</b>
	<p>The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security and load calculations</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 2015, 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 2015 - Spatial Development Strategy for Greater London**

### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

### **2 London's places**

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.3 Growth areas and co-ordination corridors

### **4 London's economy**

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

### **5 London's response to climate change**

Policy 5.1 Climate change mitigation

Policy 5.7 Renewable energy

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

### **6 London's transport**

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.8 Coaches

Policy 6.9 Cycling

Policy 6.10 Walking

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

## **B) Islington Core Strategy 2011**

### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

### **Strategic Policies**

**Policy CS10** (Sustainable Design)

**Policy CS11** (Waste)

**Policy CS13** (Employment Spaces)

## **C) Development Management Policies June 2013**

### **Design and Heritage**

**DM2.1** (Design)

**DM2.2** (Inclusive Design)

### **Employment**

**Policy DM5.1** (New business floorspace)

### **Energy and environmental standards**

**Policy DM7.1** (Sustainable design and construction)  
**Policy DM7.2** (Energy efficiency and carbon reduction in minor schemes)  
**Policy DM 7.4** (Sustainable design standards)

**Transport**

**Policy DM8.1** (Movement hierarchy)  
**Policy DM8.2** (Managing transport impacts)  
**Policy DM8.3** (Public Transport)  
**Policy DM8.4** (Walking and cycling)  
**Policy DM 8.6** (Deliver ad servicing for new developments)

**3. Designations**

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Cycle Routes – Major

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

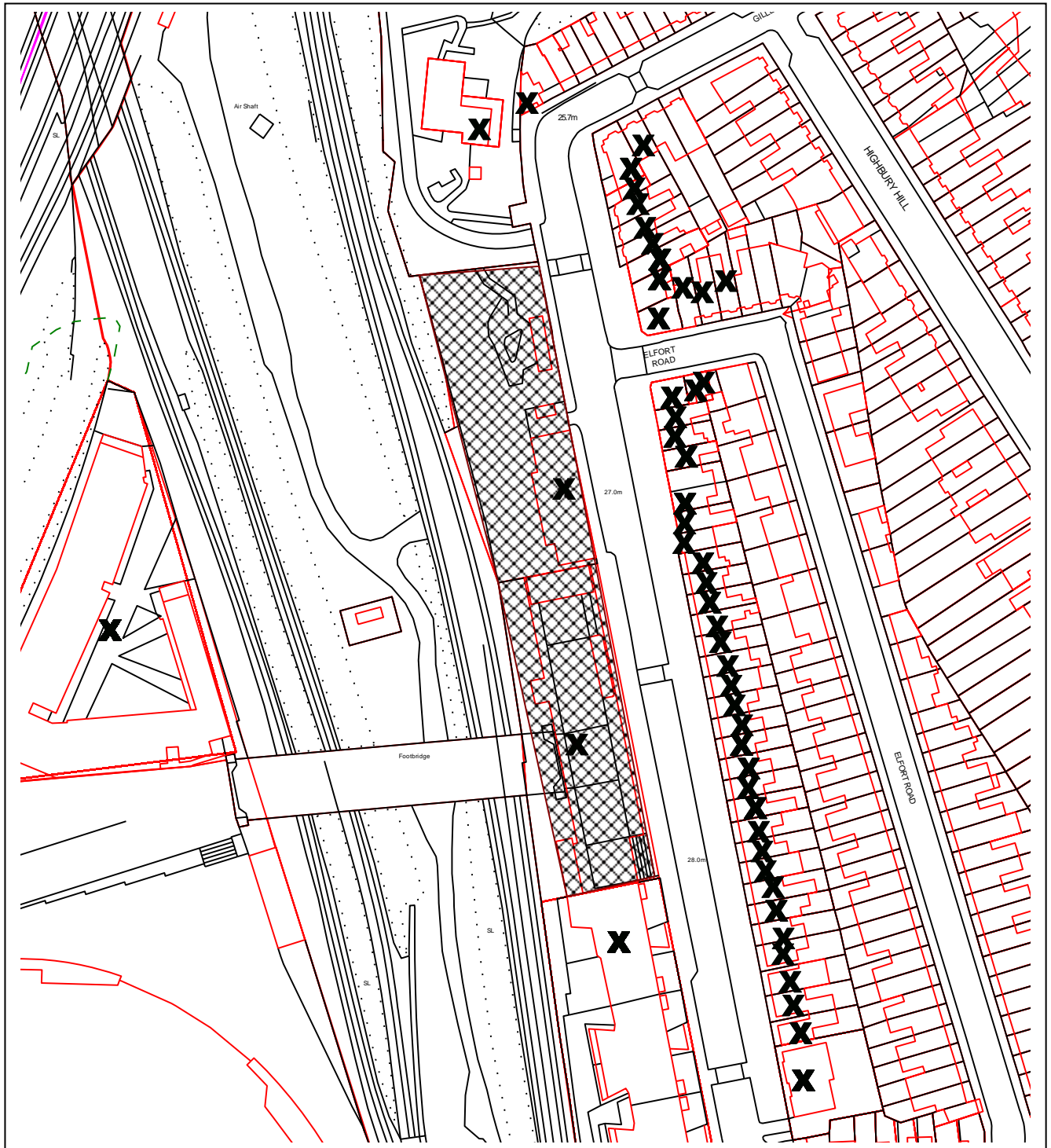
The following SPGs and/or SPDs are relevant:

**Islington Local Development Plan**

**Urban Design Guide (2006)**



# Islington SE GIS Print Template



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### PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 3333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB COMMITTEE B</b>		
<b>Date:</b>	Tuesday, 29 November 2016	<b>NON-EXEMPT</b>

Application number	P2016/3426/ADV
Application type	Advertisement Consent
Ward	Mildmay
Listed building	Not listed building
Conservation area	Newington Green
Development Plan Context	Local Shopping Area- Newington Green
Licensing Implications	N/A
Site Address	Bus shelter outside 46 Newington Green, Islington, LONDON, N16 9PX
Proposal	Double-sided freestanding forum structure, featuring 2 x Digital 84" advertisement screens positioned back to back.

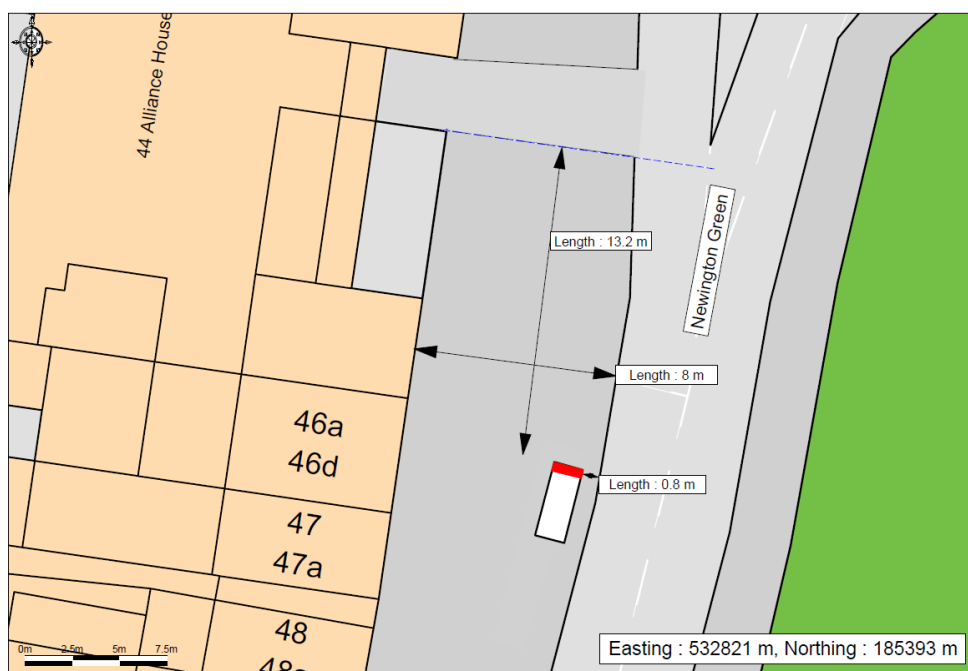
Case Officer	Daniel Power
Applicant	JD Decaux Ltd – Mr Mohamed Ahmed
Agent	None.

#### 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

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

## 2. SITE PLAN (site indicated in black)



## 3. PHOTOS OF SITE/STREET



Image 1: Street View of the Site

## 4. SUMMARY

- 4.1 This application seeks advertisement consent for the installation of a double-sided freestanding forum structure, featuring 2 x Digital 84" advertisement screens positioned back to back, replacing an existing advertisement incorporated within an existing bus stop.

- 4.2 The application is brought to committee because of members' request (Cllr Kay and Cllr Caluori).
- 4.3 The proposed advertisement display panel will neither harm the character or appearance of the adjacent buildings nor the special character of the conservation area, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.
- 4.4 It is recommended that advertisement consent be granted subject to conditions.

## **5. SITE AND SURROUNDING**

- 5.1 The application site relates to an existing bus stop on the western side of Newington Green, which is located within the Newington Green Conservation Area. The buildings of no. 46 and 47 are both locally listed with buildings of no. 52 and 53 Grade I listed. The existing bus stop is located on a wide section of pavement fronting 46 and 47 Newington Green, with a set of bins located to the south of the bus stop with the pavement tree lined. To the east of the site and on the other side of Newington Green is Newington Green Gardens, which is allocated as Open Space. The bus stop is in front of three storey shops with projecting single storey elements to the front.

## **6. PROPOSAL (IN DETAIL)**

- 6.1 Advertisement is sought for a double-sided freestanding forum structure, featuring 2 x Digital 84" advertisement screens positioned back to back. The proposed sign will measure a maximum of 2.37 metres in height, 1.34 metres in width and 0.35 metres in depth. The visible area of the digital screen display will measure 1 metre in width and 1.9 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 None

### **ENFORCEMENT:**

- 7.2 None

### **PRE-APPLICATION ADVICE:**

- 7.3 None

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to 61 occupants of adjoining and nearby properties at Newington Green on the 8/09/16. A site notice was placed outside the site on 15/09/16 with a notice in the local press on the 15/09/16. The consultation therefore expires on 06/10/16.
- 8.2 At the time of the writing of this report one objection had been received from the public with regards to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Inappropriate design and illumination (para. 10.2 and 10.8)
- Unnecessary piece of street furniture and create additional unwanted visual urban clutter (para. 10.2 and 10.8)
- Create a distraction to passing drivers (para. 10.9 and 10.10)

### **Internal Consultees**

- 8.3 **Design and Conservation Officer:** – Object. The officer commented that they appreciated that the existing bus stop already has one solid end with an advert, however the proposed advert is a lot bulkier. The officer considered that this is the core of the conservation area and such bulky structures detract from the character and appearance of the conservation area.
- 8.4 **Highways:** No Comments received.

### **External Consultees**

- 8.5 N/A

## **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 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application 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:
- Amenity
  - Highways Safety

### **Amenity**

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and

distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. Furthermore, Development Management Policy DM2.6 requires all advertisements to be of a high standard and contribute to a safe and attractive environment. Any new sign should not cause a public safety hazard or contribute to a loss of amenity and should be appropriate to the building,

- 10.3 The application site is located in Newington Green Conservation Area, and adjacent to locally listed buildings at Nos. 46 and 47 Newington Green. The sign would replace an existing advertisement that forms part of a bus stop. The existing sign is a double sided paper advertisement, located on the northern end of the bus stop. The sign would be located on a wide pavement and project no further than the existing sign, in line with existing street furniture.
- 10.4 The proposed advertisement sign will be positioned in the same location as the existing and very similar is scale and size to the existing. The proposal would sit within the context of and align with existing street furniture. Given the wide pavement and size and scale of the proposal it is considered that the proposal would not obstruct the pavement.
- 10.5 The application is located within the Newington Green Conservation Area and opposite two locally listed buildings. The signage would replace an existing advert that forms part of a bus stop, to the rear is a terrace of three storey shops with projecting single storey elements to the front. The bus stop structure would also be replaced with the sign being incorporated within its structure, but remaining freestanding. The proposed sign would result in a small increase in the depth of the sign to 0.3 metres and is a standard design across London for bus stops.
- 10.6 The application will replace an existing advertisement and would be seen against the back drop of shops existing street furniture. The proposal would result in an increase in the depth of the advertisement panel, but it is considered that the increase is not harmful to the character of the conservation area. The proposed sign would feature 2 x digital 84" advertisement screens positioned back to back and would therefore be illuminated. Newington Green has a number of existing street lights surrounding the area and it is recommended to control the illumination intensity by condition to 2,500 candelas per square metre during the day and 300 candelas per square metre during the hours of darkness. Given the existing signage, method of illumination and the recommended condition, while having special regard to the conservation area, it is considered that the proposal would not be out of character or detract from the Newington Green Conservation Area.
- 10.7 The proposed sign will measure a maximum of 2.37 metres in height, 1.34 metres in width and 0.35 metres in depth. The visible area of the digital screen display will measure 1 metre in width and 1.9 metres in height. It is considered that when viewed against the back drop of the existing shop fronts, the proposed advertisement sign will not create an overly dominant feature that would have a detrimental impact on amenity. Furthermore, as the sign is not located in close proximity to any neighbouring windows, it is not considered that the sign, by reason of its illumination, would have a detrimental impact on amenity.
- 10.8 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2016, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

### **Highways Safety**

- 10.9 It should be ensured that all new advertisement signs do not cause a hazard to pedestrians or road users, as a result of their visual dominance and method of illumination, in accordance with policy DM2.6 of the Islington Development Management Policies 2013.
- 10.10 The proposed sign will be internally illuminated, will not have flashing illumination and will have an LED backlit display brightness which can be adjusted to suit the day/night ambient levels. The sign will be located on a wide pavement and will be set back from the main pedestrian route to ensure there are no public safety hazards and maintain the free flow of pedestrian traffic. Given the existing lights and street furniture, it is considered that the advert would not

have a detrimental impact on highways safety. The proposal is therefore considered not to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

## **11.0 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 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, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

- 11.3 It is recommended that advertisement consent be granted subject to conditions 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

<b>1</b>	<b>Standard advertisement conditions</b>
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>No advertisement is to be displayed without permission of the owner of the site or any other people with an interest in the site entitled to grant permission.</p> <p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
<b>2</b>	<b>Luminance</b>
	<p>ADVERTISEMENT ILLUMINATION INTENSITY (COMPLIANCE): The advertisement display(s) shall be statically illuminated and the illumination shall not exceed a maximum steady brightness of 2,500 candelas per square metre during the day and 300 candelas per square metre during the hours of darkness.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
<b>3</b>	<b>Display time</b>
	<p>CONDITION: No special visual effects of any kind are permitted during the time that any message is displayed. The displayed image must not include animated, flashing, scrolling, intermittent or video elements. No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. The minimum time between successive displayed images shall be 10 seconds and the display will include a mechanism to freeze the image in the event of a malfunction. The sequencing of messages relating to the same product is prohibited.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
<b>4</b>	<b>Highways</b>
	<p>CONDITION: The footway and carriageway on the TLRN and SRN must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic.</p>

	REASON: In the interests of highway safety.
--	---

#### 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>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.

### 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 2015, 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 2015 - 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

##### **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

**3. Designations**

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Local Shopping Area- Newington Green
- Conservation Area- Newington Green

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

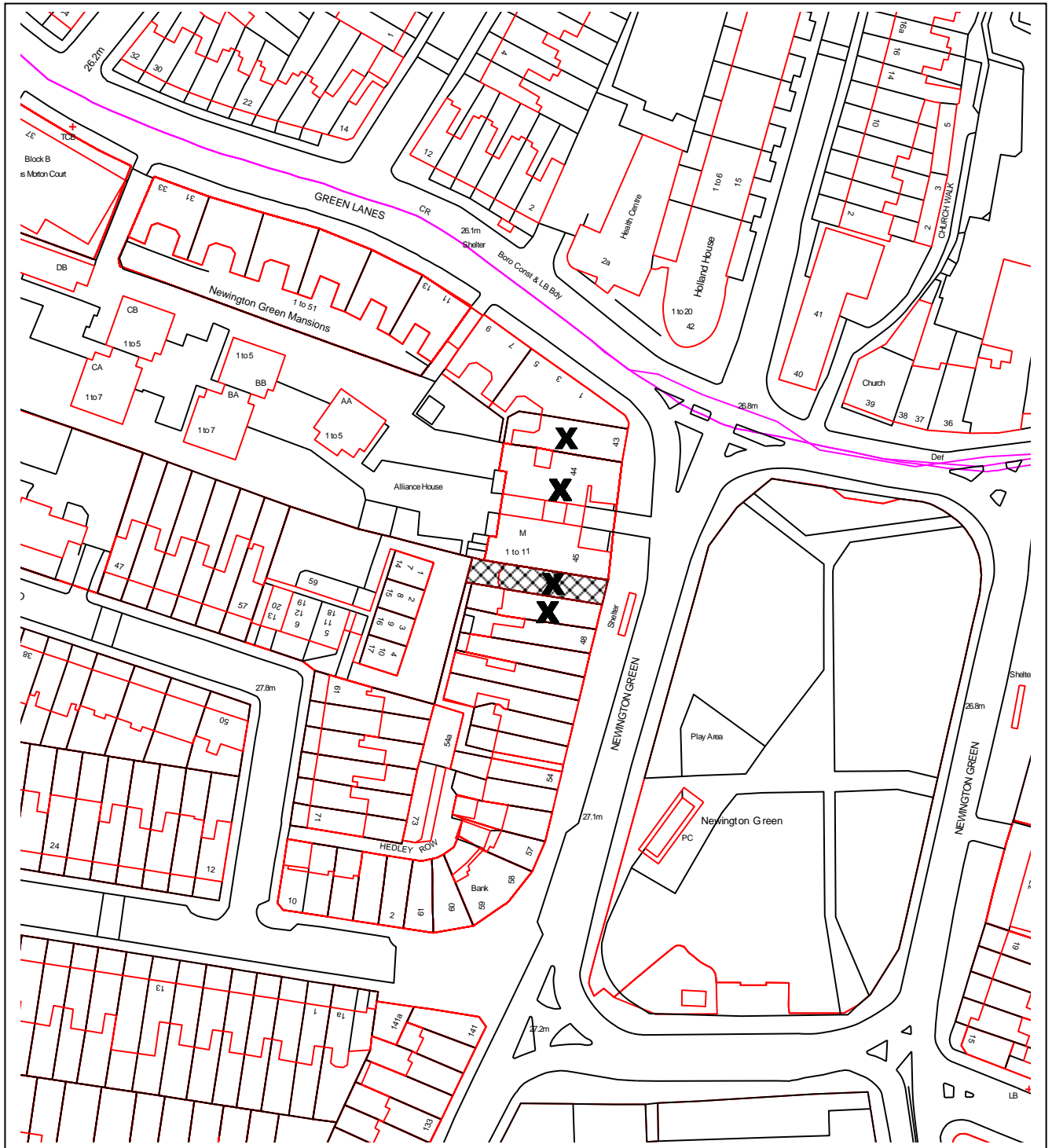
The following SPGs and/or SPDs are relevant:

**Islington Local Development Plan**

**Urban Design Guide (2006)**

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# Islington SE GIS Print Template



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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

<b>PLANNING SUB- COMMITTEE B</b>		
<b>Date:</b>	29 <sup>th</sup> November 2016	<b>NON-EXEMPT</b>

Application number	P2016/3319/FUL
Application type	Full planning application
Ward	Hillrise
Listed Building	Not Listed
Conservation Area	Whitehall Park Conservation Area
Licensing Implications Proposal	None
Site Address	First Floor Flat 31 Cressida Road, London N19 3JN
Proposal	Erection of rear roof dormer extensions with replacement roof tiles

Case Officer	Daniel Jeffries
Applicant	Ms Polly Flynn
Agent	As above

### 1. RECOMMENDATION

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

1. the conditions set out in Appendix 1;

## 2 SITE PLAN (SITE OUTLINED IN BLACK)



## 3. PHOTOS OF SITE/STREET

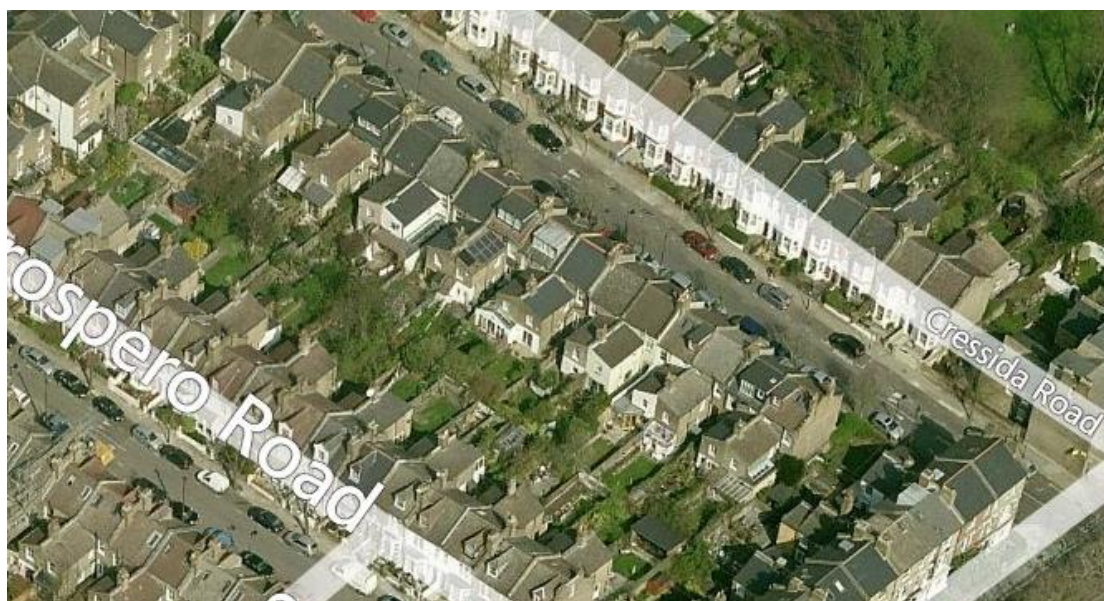


Image 1: Aerial view of site





Image 2: Side of rear roofslope of 31 Cressida Road taken from north



Image 3: Long view of 31 Cressida Road from east from Prospero Road

## **4 SUMMARY**

- 4.1 The application seeks permission for the erection of rear roof dormer extensions with replacement roof tiles.
- 4.2 The principle of the development is considered acceptable with a number of rear roof dormer extensions found on the row of terraced properties along Cressida Road.
- 4.3 The design of the proposal including the rear roof dormer extensions is considered to accord with the general design guidance found within the Islington Urban Design Guide and the Whitehall Park Conservation Area Design Guidelines.
- 4.4 The proposal is considered not to result in any significant amenity issues, in terms any loss of daylight/sunlight, outlook or privacy to neighbouring properties.

## **5 SITE AND SURROUNDING**

- 5.1 The application site consists of a two storey end terraced property, consisting of two residential flats. The building which is located to the west side of Cressida Road is constructed using red brick, incorporating front bay windows, and tiled sloping roofs. The host building is not a Listed Building, however, the site does fall within the Whitehall Park Conservation Area.
- 5.2 The area is predominately residential in character being two storey terraced properties.

## **6 PROPOSAL (in Detail)**

- 6.1 The proposed development seeks planning permission for the construction of rear dormer extensions to the main rear roof slope. The extensions involve two dormer extensions, which have two rear facing windows, with a separation gap between. The dormers would be clad in lead, double glazed sliding sash timber framed windows. As part of the proposal the existing concrete roof tiles would be replaced by traditional slate tiles.

### **REVISION**

- 6.2 Amended plans were received on 23/09/2016 to alter the design, including splitting the originally proposed single dormer into two separate dormer extensions.

## **7. RELEVANT HISTORY**

### **PLANNING APPLICATIONS:**

- 7.1 **None**

### **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 12 September 2016 providing residents with opportunity to comment on the proposed scheme. A Site Notice was also displayed to the front of 31 Cressida Road, on 15/09/2016, and a Press Notice displayed in the Islington Gazette on 15/09/2016, giving members of the local community the opportunity to comment on the proposal.
- 8.2 Five letters of objection were received. The issues raised are summarised below (with paragraph numbers stated in brackets stating where the issue is addressed)
- Loss of daylight/sunlight (10.12)
  - Loss of privacy (10.13)

### **Internal Consultees**

- 8.3 **Design & Conservation:** raised no objections to the proposal following the amendments received.

### **External Consultees**

- 8.4 **None**

## **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 2015, Islington Core Strategy 2011, Development Management Policies 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:
- Design, Character and Appearance of the Area

- Impact on the Amenity of Neighbouring amenity,

### **Design, and Impact on the Conservation Area**

- 10.2 Policy DM 2.1 of Development Management Policies 2013 requires all new development to be high quality and to contribute to local distinctiveness and character. Specific guidance with respect to rear extensions and alterations to existing roofs is set out within the Islington Urban Design Guide (2006).
- 10.3 The application site forms part of, and is the end property of a row of two storey residential properties fronting onto Cressida Road. Some of this row of properties benefit from existing rear roof extensions.
- 10.4 Section 2.4.3 of the Islington Urban Design Guide 2006 states that in assessment of rear roof extensions there are a number of things to consider, being the *'number of existing roof extensions, and the extent to which the unity / consistency of the roofline has already been compromised.*
- *The length of the terrace;*
  - *The age of the extensions;*
  - *Listed buildings and terraces within conservation areas will also be respectively subject to the detailed individual consideration of the listed building issues and Conservation Area Design Guidelines'.*
- 10.5 In addition to the Islington Urban Design Guide the application site falls within the Whitehall Park Conservation Area. Paragraph 7.17 of the Conservation Area Design Guidelines for this area has special roof policies. These roof policies that should be applied are as follows:
- i) on properties with exposed pitched roofs, new or enlarged windows either flush, projecting or recessed will not normally be permitted on the front or side slopes;*
  - ii) on properties with front parapets, roof extensions and associated party wall alterations will not normally be permitted which are visible from the street or other public areas, including long views from side streets;*
  - iii) consent will not normally be granted for demolition or removal of chimney stacks or pots which are visible from the street or other public areas;*
  - iv) permission will not normally be given to replace traditional roof materials such as Welsh or Westmoreland slate with artificial materials;*
  - v) roof lights will only be allowed where they are not visible from the street;*
  - vi) the Council is opposed to the erection of plant rooms, air conditioning units and other services including water tanks and radio or satellite equipment at roof level where this can be seen from street level or public space, including long views from side streets'.*
- 10.6 There are a number of approved rear roof extensions along this terrace of residential properties, to the south west of Cressida Road. The most recent of which is at no. 1 (ref. P2012/0620/FUL), however, similar approved rear dormer extensions exist at 15 (ref. 950696), 17 (ref. P062271), 21 (ref. P110567) and 25 (ref. P072875).
- 10.7 The most common design of these existing roof extensions in the vicinity has to have three rear facing windows. It is acknowledged that this proposal would have four windows rather than three. However, the roof of the host property is larger in width than the other properties along this terrace. In addition, the design has been amended from one larger dormer extension to two sets of two dormer extensions, positioned side by side, with a separation gap between. The proposal would also benefit from being positioned centrally within the rear roofslope, being set away from the eaves, ridge and the sides of the host property. It is considered therefore that the scale of the proposal would be subordinate to the host building. In addition, both the materials and fenestration details of the extension are considered to be in keeping with the visual appearance of the host building.

- 10.8 As stated above, the Conservation Area Design Guidelines requires that roof extensions which are visible from the street or any other public areas, including any long views from side streets would not normally be acceptable. In this instance, given the proposal would be positioned to the rear of the property and would be set within the rear roofslope, it is considered that it would not be visible from the east along Cressida Road.
- 10.9 The only possible long views of the proposal are from Prospero Road. These views are between the residential properties of nos. 32 Prospero Road and 26 Parolles Road. However, any views of the proposal from this location are considered to be obscured, due to the orientation of the residential properties along Parolles Road and the existing rear extensions to these properties.
- 10.10 The other element of the proposal seeks to replace the existing concrete roof tiles with more traditional tiles which are considered to be more appropriate materials and more in keeping with both the visual appearance of the host building and the wider Conservation Area.
- 10.11 Therefore, based on the above assessment, the proposal is considered to be in keeping with the visual appearance and historic character of the host building and the wider Whitehall Park Conservation Area. It is therefore considered acceptable in design terms, and compliant with policies CS8 and CS9 of the Islington Core Strategy 2011 and DM2.1 and DM2.3 of the Development Management Policies 2013, and the Whitehall Park Conservation Area Design Guidelines.

#### **Neighbouring Amenity:**

- 10.12 The proposed dormers would be positioned within the rear roofslope, to the centre of the rear roofslope and set away from the sides, ridge and eaves. It is considered that whilst the host property has a west facing rear garden, any loss of daylight/sunlight, outlook or a sense of enclosure to neighbouring properties would not to be significant. In addition, the proposal would also benefit from being set away from the neighbouring properties to the north, along Parolles Road.
- 10.13 The new rear facing windows are considered not to result in any significant overlooking over and above what currently exists on the rear elevation of the host property.
- 10.14 The proposal would therefore not conflict with Policy DM2.1 of the Islington's Development Management Policies or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm on residential amenity.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed development is considered to be acceptable on the grounds of the impact on the character and appearance of the Area, and is in accordance with policies DM 2.1 of the Development Management Policies 2013, and the Islington Urban Design Guide guidance on rear roof extensions.
- 11.2 The proposed development is also considered to be acceptable on the grounds of the impact on the amenity of neighbouring properties, including in respect of the loss of daylight, sunlight, outlook and privacy. The proposal is therefore considered to be in accordance with policy DM 2.1 and DM 3.5 of the Development Management Policies 2013.

## **Conclusion**

- 11.3 It is recommended that planning permission be granted subject to conditions as set out within 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:

1	<b>Commencement (Compliance)</b>
	<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>
2	<b>Approved Plans List: (Compliance)</b>
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>001B; Site Location Plan;</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>
	<b>Materials (Compliance)</b>
3	<p>CONDITION: 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>

#### List of Informatives:

1	<b>Positive statement</b>
	<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>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	<b>CIL Informative (Granted)</b>

	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's 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's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> and the Islington Council website at <a href="http://www.islington.gov.uk/cilinfo">www.islington.gov.uk/cilinfo</a>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/">http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</a>.</p>
3.	<b>Party Walls</b>
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations &amp; the Party Wall etc. Act 1996 ("the Act"). Environmental Legislations and the Equality Act.</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 2015, 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 2015 - Spatial Development Strategy for Greater London

##### 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

DM2.2 Inclusive Design

##### Energy and Environmental Standards

DM7.4 Sustainable design standards

### 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:

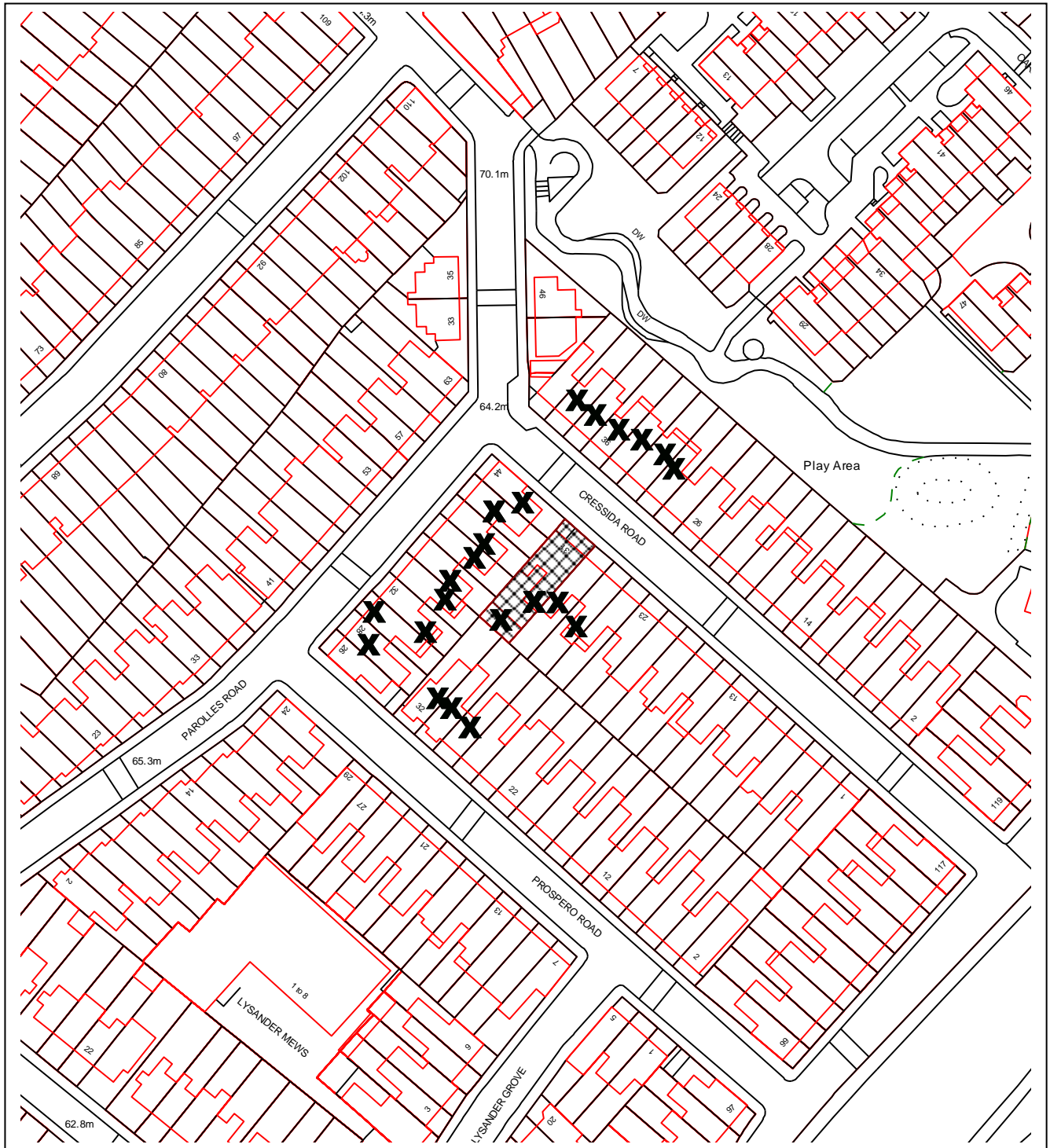
None

### 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)

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P2016/3319/FUL

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## PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB-COMMITTEE B</b>		
Date:	29 <sup>th</sup> November 2016	NON-EXEMPT

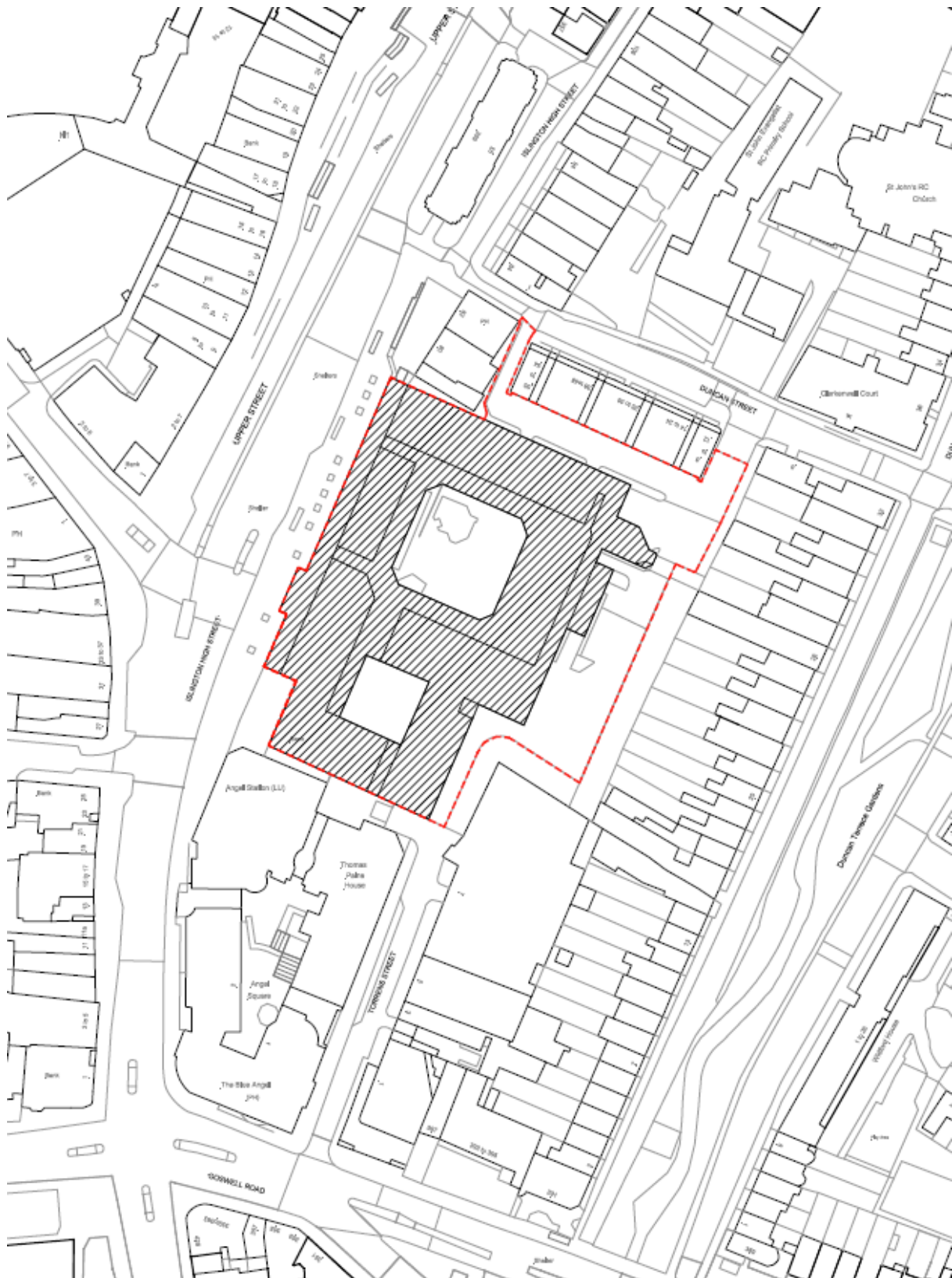
Application number	P2016/2382/FUL
Application type	Full Planning Application
Ward	St. Peters
Listed building	Not listed
Conservation area	Not within a Conservation Area
Development Plan Context	N/A
Licensing Implications	None
Site Address	Royal Bank of Scotland Regent's House, 42 Islington High Street, N1 8XL
Proposal	Works to the front façade of the building facing Islington High Street including new lighting, replacement of ground floor bay windows with floor to ceiling windows, new glazing to secondary entrances and replacement roller shutters, replacement surfacing and alterations to the existing entrance. Replacement glazing above the main entrance to levels 1 to 4. To the rear in the servicing yard, new lighting, seating and bike store and alterations to the rear elevation of the building include a new entrance, to facilitate the use of the servicing yard as a gathering/ meeting area.

Case Officer	Ben Oates
Applicant	Royal Bank of Scotland
Agent	BILFINGER GVA - Sophie Hockin

### 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1.

## 2. SITE PLAN (site outlined in black)





### 3. PHOTOS OF SITE/STREET



Image 1: Looking into the site in a Northerly direction

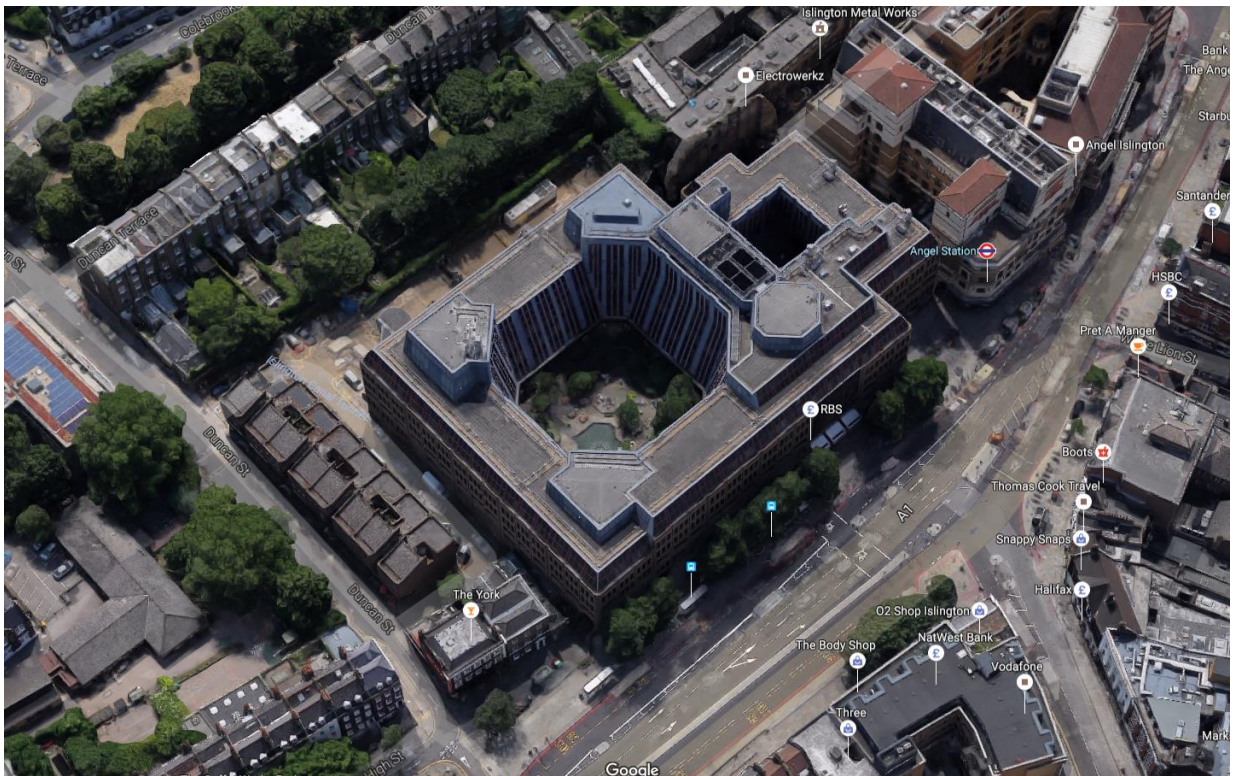


Image 2: Looking into the site in a Southerly direction.





Image 3: Main front entrance



Image 4: View of front elevation from Islington High Street





Image 5: Front covered walkway



Image 6: View of entrance to public courtyard





Image 7: View of rear elevation



Image 8: Rear deliveries area

#### **4. SUMMARY**

- 4.1 Planning permission is sought for works to the front façade of the building facing Islington High Street including new lighting, replacement of ground floor bay windows with floor to ceiling windows, new glazing to secondary entrances and replacement roller shutters, replacement surfacing and alterations to the existing entrance. The proposal also includes replacement glazing above the main entrance to levels 1 to 4 and at the rear in the servicing yard, new lighting, seating and bike store and alterations to the rear elevation of the building include a new entrance, to facilitate the use of the servicing yard as a gathering / meeting area.
- 4.2 The application property, Regent's House, occupies a 9,000sqm site located on the east side of Islington High Street, adjacent to Angel underground station. The building consists of eight storeys above ground and three subterranean storeys. It has been part of the Royal Bank of Scotland Ltd (RBS) property real estate under a 30 year lease agreement since 2007. Prior to this, the building was owned and occupied by RBS. Due largely to an evolving financial landscape and current day banking methods, the cash counting centre, cash vault and loading bays at lower ground and basement level are no longer in use and are void of activity.
- 4.3 The alterations are proposed as part of an extensive internal refurbishment of the building, which is becoming dated and in need of improvements. The internal refurbishments, which don't constitute development, would significantly enhance the existing office space to give the internal space a cutting edge appearance. However, the existing external appearance of the building poorly reflects the forthcoming high quality internal office space.
- 4.4 The application is brought before the Planning Sub-Committee because of the number of objections recieved.
- 4.5 Whilst Regent's House fronts onto the busy and vibrant heart of the Angel Town Centre, the site backs onto a residential terraced row of properties to the rear, which is within the Duncan Terrace / Colebrook Row Conservation Area.
- 4.6 The existing building is large and contemporary and the proposed alterations are considered to be an improvement on the existing by uplifting its tired and aged external appearance to the Angel Town Centre frontage. The alterations at the rear would not be publicly visible; however there would be changes to the way it is used, which has raised concerns of impacts to the amenity of the neighbouring properties. It is considered that the proposal has been sensitively designed to mitigate harmful noise and light impacts to the nearby residential properties.
- 4.7 The application has also been amended to remove the closing in of the front entrance to ensure that pedestrian permeability along the high street won't be impacted. The site is identified within the safeguarding area for Crossrail 2; however the proposed works will not impact on any of its infrastructure or future interests in the land. Instead the proposed refurbishment will ensure

that the building continues to provide high quality office floorspace for the foreseeable future.

## **5. SITE AND SURROUNDING**

- 5.1 The application property is Regent's House, which occupies a 9,000sqm site located on the east side of Islington High Street, adjacent to Angel underground station. The building consists of eight storeys above ground and three subterranean storeys. It has been part of the Royal Bank of Scotland Ltd (RBS) property real estate under a 30 year lease agreement since 2007. Prior to this, the building was owned and occupied by RBS. Due largely to an evolving financial landscape and current day banking methods, the cash counting centre, cash vault and loading bays at lower ground and basement level are no longer in use and are void of activity.
- 5.2 Whilst Regent's House fronts onto the busy and vibrant heart of the Angel Town Centre, the site backs onto a residential terraced row of properties to the rear, which is within the Duncan Terrace / Colebrook Row Conservation Area.

## **6. PROPOSAL (in Detail)**

- 6.1 The application proposes works to the front façade of the building facing Islington High Street including new lighting, replacement of ground floor bay windows with floor to ceiling windows, new glazing to secondary entrances and replacement roller shutters, replacement surfacing and alterations to the existing entrance. Also, replacement glazing above the main entrance to levels 1 to 4. To the rear in the servicing yard, new lighting, seating and bike store and alterations to the rear elevation of the building include a new entrance, to facilitate the use of the servicing yard as a gathering / meeting area.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 P2016/4326/FUL - Erection of vehicular and pedestrian security gates, security lighting and CCTV monitoring at the Duncan Street site entrances to Regents House, 42 Islington High Street. LIVE APPLICATION
- 7.2 P2016/0473/ADV - Sign 1) Aluminium fascia powder coated with aluminium powder coated roundel with acrylic Williams & Glyn letters with vinyl face. Internally illuminated. Sign 2) Aluminium fascia powder coated with aluminium powder coated roundel with acrylic Williams & Glyn letters with vinyl face. Internally illuminated. Sign 3) Aluminium powder coated projection sign with acrylic ampersand. Sign 6) Wall mounted Heritage Welcome Sign. Aluminium powder coated tray with screen printed text and logos. Sign 8) No. 3 Specialist ATM plastic surround with opal returns and Williams & Glyn text. Internally halo illuminated. Approve with conditions - 23/03/2016.

- 7.3 P2015/3175/FUL - Replacement of 1no. Air Handling Unit within concealed roof space Replacement of 7 no. condenser units within concealed roof space. Approve with conditions - 19/10/2015.
- 7.4 P2015/1738/FUL - Replacement of 3no generators within the existing roof enclosure. Approve with conditions - 20/07/2015.
- 7.5 P120596 - Installation of 2 x externally illuminated fascia signs and 1 x non-illuminated hanging sign to replace existing signs. Approve with conditions - 17/07/2012.
- 7.6 P072673 - Installation of two standby generators within internal courtyard. Approve with conditions - 18/12/2007.
- 7.7 991279 - Installation of clear windscreen at the front. Approve with conditions - 20/07/1999.
- 7.8 970752 - Erection of a ground floor infill extension, an enlarged entrance area and a new canopy. Refused - 15/08/1997.

**ENFORCEMENT:**

- 7.5 None.

**PRE-APPLICATION ADVICE:**

- 7.6 Q2016/0846/MIN - Revisions to the internal layout and removal of the cash handling facility at basement level and its use as an events space, alterations to the ground floor lobby and façade fronting Islington High Street, alterations to the goods entrance to the rear of the building. Response provided: 03 June 2016 – Advised that there are no land use issues resulting from the proposal; the alterations to the front elevation are welcomed except that enclosing the entrance would impact pedestrian movement; rear alterations would need to be supported by substantial details to demonstrate that impacts on nearby residents would be mitigated.

**8. CONSULTATION**

**Public Consultation**

- 8.1 Letters were sent to occupants of adjoining and nearby properties on 07/07/2016 and a second round of consultation was carried out on 08/09/2016. A site notice and public advertisement were displayed on 15/09/2016. The public consultation of the application therefore expired on 06/10/2016, 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 8 objections and 5 general comments received had been received from the public with regard to the application. The

issues that were raised can be summarised as follows (including the corresponding paragraphs in the report addressing the issues in brackets):

- Concern regarding noise from events (10.);
- Concern regarding event finishing times (10.);
- Concern regarding light pollution from the service yard (10.);
- Concern regarding the likelihood of the space being used for concerts (10.);
- Concern regarding the environmental quality of Duncan Street (10.);
- Concern regarding construction noise and timings, including in relation to the removal works which are currently underway (10.); and
- That the application should be refused due to the Crossrail Safeguarding route (10.).
- Concern of construction traffic and safety to the nearby school ()

### **Internal Consultees**

- 8.4 **Design and Conservation:** Advised that enclosing the walkway is not supportable and concern raised regarding alterations to the main façade and its integration with the existing building and additional clutter from treatment to columns. There were no objections to the proposed lighting and rear alterations. Following amendments to the scheme the Council's design officer advised that the concerns has been sufficiently addressed and provided an attractive and functional scheme that would improve the appearance of the building.
- 8.5 **Public Protection:** No objection to the proposed lighting. Advised that the use of the rear courtyard could generate noise and that a condition be included to limit its use to 9pm and only for 12 days per year.
- 8.6 **Highways:** Enclosing the walkway and entrance would impact on permeability along the busy thoroughfare and it should be kept open.
- 8.7 **Planning Policy:** The use of the basement and courtyard area would continue to be an ancillary use of the main office building and therefore no objection is raised.

### **External Consultees**

- 8.8 **Transport for London (Road Network):** No objection subject to sufficient provision of cycle parking and inclusion of a condition for further details within a construction management plan to be submitted for approval by the local authority in consultation with TfL.
- 8.9 **Transport for London (Underground):** No objection subject to inclusion of a condition for a construction method statement to be submitted for approval by the local authority in consultation with TfL.
- 8.10 **Crossrail 2:** No objections - informative provided to ensure the applicant is aware that there are scheduled works for Crossrail 2 in the vicinity; however this would not commence before 2020.

- 8.11 **Crime Prevention:** Potential for adverse impacts on the use of the ATM machines as a result of the enclosed entrance.

## **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 Policy and Guidance**

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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 2015, 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)**

- 9.3 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:

- Impact on the character and appearance of the existing building and surrounding area;
- Impact on the amenity of adjoining properties; and
- Impacts on highways and pedestrian safety.

### **Impact on the character and appearance of existing building**

- 10.2 The proposed works to the front elevation include:
- Alterations to the central glazed façade to levels 1 through to 4 above the main entrance to allow a greater degree of transparency to the upper floor activity.
  - Alterations of the ground floor main entrance to create a landmark arrival point aligned with the type of activity accommodated within the building.
  - Alterations to the covered walkway along Islington High Street to enhance the public space and strengthen public access to the inner courtyard.





- 1 Glazed facade above main entrance
- 2 Main entranceway
- 3 Covered walkway

Image 9: Front elevation alterations.

- 10.3 The existing north eastern facade of Regents House spans approximately 100m along Islington High Street from Angel underground station in the south to Duncan Street in the north. The ground floor facade is recessed 4.5m from the external column line to create an undercroft and covered pedestrian walkway. At ground floor, the facade is permeated by two openings that provide access to the inner courtyard and form a protected public right of way. The glazed main entrance provides the major reference point along the rhythm of the brick outer skin, and remains relatively understated on approach along the undercroft from the north or south.
- 10.4 The proposed new glazing panels to the upper levels of the main entrance will maximise transparency to reveal the inner activity and improve its relationship with the town centre high street. The proposed restoration works to the external cladding will retain the facades across level 2 to level 4 to continue to existing rhythm provided by the existing treatment.
- 10.5 The ground floor facade will be opened to become double height, creating a void that clearly announces the entranceway. It is considered that it would provide a bright and welcoming entrance in a crisp and contemporary style that would significantly improve the dated and rather uninviting existing facade. The proposed framework will be finished in a dark grey finish to match the existing framework on the vertical façade and would improve the building's appearance.





Image 10: Proposed main entrance

10.6 The alterations proposed to the covered walkway include replacing the existing bay windows with new floor to ceiling glazed panels with a brickwork plinth, recladding the ceiling soffit and installing improved ground and ceiling lighting. The proposed design will resonate with the alterations to the main entrance by modernising its appearance whilst creating a brighter and more welcoming environment. The walkway will be transformed from an unremarkable and poorly illuminated space to an active, well-lit and enhanced urban environment with a strengthened public right of way through to the internal courtyard.



Image 11: Proposed covered walkway.

10.7 The proposed works to the rear of the property include a new entrance way to the basement level accommodation, new cycle storage area, new fire escape

and introduction of landscaping and associated lighting. The area is largely concealed from public views and its original purpose was for a controlled delivery point for heavy vehicles. With the changing function of the building the controlled delivery area has become redundant and provides an opportunity to repurpose the area. The proposed alterations to the rear of the building, due to its lower ground level and distance from the street entrance, would not be noticeable from the public realm. Despite this, it is considered that the proposed alterations would improve the appearance of this part of the property and there would be no impact on the appearance of the neighbouring conservation area.

- 10.8 The design of the proposal is considered to be acceptable in accordance with the guidance provided under the Urban Design Guide 2006, policies DM2.1 and DM2.3 of the Development Management Policies 2013, policies CS8 and CS9 of the Core Strategy 2011 and the NPPF 2012.

### **Impact on the Amenity of Neighbouring Properties**

- 10.9 The proposed alterations to the front elevation facing Islington High Street, due to its nature, the existing town centre environment and distance to neighbouring properties, would not result in any adverse impacts to the amenity of neighboring properties.
- 10.10 The proposed alterations to the rear of the property would not cause loss of light, overlooking or overbearing impacts given its lower ground level location and the nature of the proposed alterations being largely cosmetic changes to the building. The proposed cycle storage unit would only be single storey and would also not create harmful amenity impacts.



Image 12: Proposed rear courtyard

- 10.11 The primary concerns that have been raised in regards to the proposed rear alterations relate to noise and light disturbance arising from the new use of the area. The refurbishments would transform the former loading bay into a

corporate event space with capacity to cater for 150 people. The space would only be used by the business occupying the building and not accessible to the public. The event space would be internal and well insulated given that the rear elevation would remain enclosed with the only opening being bi-fold doors at the basement level, which would be a significant decrease in the size of the existing opening. It is therefore considered that the noise from the internal use of the event space would be well contained within the building.

- 10.12 The proposal also includes landscaping improvements to provide a courtyard area accessible from the event space. Concerns were raised from neighbouring properties that the use of the courtyard during events would lead to noise disturbance issues. However, the area has been used for deliveries from heavy vehicles and therefore has regularly been of a noisy nature.
- 10.13 The environmental circumstances of the area also help of mitigate noise emissions from the rear courtyard. It is at lower ground level and there is a large retaining wall along the rear boundary with a vegetated trellis above in addition to mature vegetation within the adjoining green strip along the rear boundary. Furthermore, there is approximately 40m of separation to the rear elevation of the nearest residential building within Duncan Terrace. It is therefore considered that these environmental factors collectively mitigate harmful noise impacts to the nearby residential properties. However, the details in the application state that the duration of time and frequency in which the service yard would be used in support of events would be limited to 2 hour periods between the hours of 10am and 7pm, occurring daily in support of internal events and up to 9pm on a limited number of 24 preselected dates throughout the year.
- 10.14 The Council's public protection officer acknowledges both the potential noise from the use of the proposed courtyard area and its historic use for deliveries and therefore does not object to the proposal. Furthermore, being an ancillary area to the office building it is expected that there would be some activity in this location that could generate noise. Therefore, the Council's public protection officer has recommended a condition limiting its hours of use in order to mitigate noise impacts to neighbouring properties, which has been included.
- 10.15 The lighting strategy details within the application also demonstrate that it has been carefully designed to reduce adverse light pollution impacts to neighbouring properties. Lighting would all directed downwards and back towards Regents House with the exception of small bollard lighting; however this would only be located close to the proposed cycle store, which would block light spillage to the rear adjoining properties. The Council's public protection officer has advised that the proposed lighting strategy is for low level LED lighting, which would be appropriately directed and screened, and therefore would not result in adverse impacts to the amenity of the neighbouring properties. As such it is considered that the proposal would not result in adverse light impacts to neighbouring properties.
- 10.16 In accordance with the above assessment it is considered that the proposal has been sensitively designed to mitigate amenity impacts on neighbouring

properties in accordance with the NPPF and policy DM2.1 of the Development Management Policies 2013.

### **Highways and Transport**

- 10.17 The proposed alterations to the front elevation would further open it up and considered to improve the permeability of this busy pedestrian environment. The enhanced lighting strategy would also increase pedestrian safety.
- 10.18 The proposed cycle store would provide 100 new cycle parking spaces and there are no new car parking spaces in accordance with policy DM8.5. There is no proposed uplift of floorspace that would require planning permission and therefore there is no policy requirement for additional cycle parking spaces for the proposed development. However, the proposed provision of a new cycle parking facility is supported in accordance with policy DM8.4. The Transport Statement submitted with the application demonstrates that the retained delivery and servicing area not subject to the proposed rearrangements will continue to provide acceptable facilities to cater for the office building and vehicles will be able to enter and exit in a forward gear.
- 10.19 Transport for London (TfL) Road Network has advised that there is no objection to the application subject to sufficient provision of cycle parking and inclusion of a condition for further details within a construction management plan to be submitted for approval by the local authority in consultation with TfL. TfL Underground has also advised that there is no objection to the proposal subject to the inclusion of a condition for approval of a construction method statement to ensure that the development does not impact on TfL road networks and infrastructure. The conditions have therefore been included accordingly. Crossrail 2 have advised that the property is within a railway safeguarding area; however the proposed development is only for refurbishment works to facilitate its continued use. Therefore it would not impact on underground railway infrastructure or on the future ability of Crossrail 2 activities.

### **Other Issues:**

- 10.20 Concerns were raised in regards to the likelihood of the proposed event space being used for concerts; however the use of the building is for B1 Office and the event space would be used ancillary to this main use. Primarily it would be an event space for presentations and corporate events, which would be contained within the existing building, and not for concerts.
- 10.21 Concerns were also raised in regards to the construction noise, traffic and timings, including those currently underway. There is expected to be a level of noise and disruption with any building work and this proposal is not considered to represent any additional harm to neighbouring occupiers than reasonably expected. The Council has powers under the Control of Pollution Act to restrict the hours of noisy working. Notwithstanding this, the council's public protection officer has recommended that a condition be including requiring a construction environment management plan for approval prior to commencement to ensure that the disruption during the construction of the



proposed development is minimised. The current work that is being carried out on site is not part of this application; however it is subject to the abovementioned restrictions to limit hours of noisy work.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed development is acceptable in design and visual appearance and would form a contextual alteration to the host building without adversely impacting on the character of the area. The proposed design would integrate well with the host building and would adequately address the surrounding town centre environment. The proposal would also not result in any material adverse impact on adjoining resident's amenity levels including noise and light emissions. The proposed new bicycle facilities would benefit the existing office building and the existing pedestrian environment would be improved.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan 2015, Islington Core Strategy 2011, Islington Development Management Policies 2013 and the National Planning Policy Framework 2012 and as such is recommended for approval subject to appropriate conditions.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b>
	<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>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>1592-PP-LO-01 Rev A, 1592-PP-ST-01 Rev A, 1592-PP-00-BA Rev A, 1592-PP-00-BMZ Rev A, 1592-PP-00-01 Rev A, 1592-PP-00-04 Rev A, 1592-PP-20-00 Rev C, 1592-PP-20-BA Rev B, 1592-PP-20-BMZ Rev B, 1592-PP-20-01 Rev B, 1592-PP-20-04 Rev A, 1592-PP-30-01 Rev B, 1592-PP-30-02 Rev B, 1592-PP-31-01 Rev B, 1592-PP-31-02 Rev C, 1592-PP-55-01 Rev B, 1592-PP-55-02 Rev B, 1592-PP-55-03 Rev B, 1592-PP-55-04 Rev A, 1592-PP-55-05 Rev A, Design and Access Statement Rev B, Transport Statement, Construction Management Plan, Planning Statement.</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>
<b>3</b>	<b>Cycle Parking Provision (Compliance)</b>
	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be covered and secure, 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>
<b>4</b>	<b>Hours of Operations (Compliance)</b>
	<p>CONDITION: The rear courtyard area hereby approved shall not operate outside the hours of:</p> <ul style="list-style-type: none"> <li>- 10:00am to 7:00pm Monday to Friday; and</li> <li>- Up to 9:00pm on no more than 24 pre-selected dates throughout the year.</li> </ul> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<b>5</b>	<b>Construction Method Statement (Details)</b>
	<p>CONDITION: The development hereby permitted shall not be commenced until a construction method statement has been submitted to and approved in writing by the local planning authority (in consultation with TfL – Underground and TfL – Road Network), which shall demonstrate the following:</p>

	<ul style="list-style-type: none"> <li>- provide details on use of tall plant, scaffolding or hoardings;</li> <li>- provide confirmation that entrance to the London Underground station and its emergency access will not be obstructed at any time;</li> <li>- provide an Environment Impact Statement confirming that no dust particles will affect London Underground assets to ensure safety of railway, passenger and staff;</li> <li>- accommodate the location of the existing London Underground structures;</li> <li>- provide details for the protection of all trees along the A1 highway frontage;</li> <li>- provide vehicle tracking plots to show how the size and type of vehicles required during construction can access and egress the site via Duncan Street. (The non-A1 Islington High Street and Duncan Street are very narrow, with tight turns to and from the A1, so TfL would be concerned if difficulty in manoeuvring led to unlawful waiting and loading on the A1 frontage).</li> <li>- confirmation that all necessary licenses will be obtained from TfL as highway authority for any works that affect the A1 highway</li> </ul> <p>REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1 and Land for Industry and Transport Supplementary Planning Guidance 2012.</p>
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#### List of Informatives:

<b>1</b>	<b>Positive Statement</b>
	<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>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 accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>Crossrail 2 Safeguarding</b>
	<p>Please note that the proposed site does fall within an area which is of interest to Crossrail 2 (Site A). Site A, the site of the Royal Bank of Scotland building, would be used for station tunnelling works and construction of the station entrance, station box and station shaft. If Crossrail 2 gets the go ahead construction would not start before 2020.</p> <p>In addition, the latest project developments can be found on the Crossrail 2 website <a href="http://www.crossrail2.co.uk">www.crossrail2.co.uk</a> which is updated on a regular basis.</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 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2015, 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 2015 - Spatial Development Strategy for Greater London**

- Policy 2.15 Town centres
- Policy 7.4 Local Character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 6.2 Providing public transport capacity and safeguarding land for transport
- Policy 6.9 Cycling
- Policy 6.10 Walking

#### **B) Islington Core Strategy 2011**

##### Strategic Policies

- Policy CS 5 – Angel and Upper Street
- Policy CS 8 – Enhancing Islington's character
- Policy CS 9 - Protecting and enhancing Islington's built and historic environment

#### **C) Development Management Policies June 2013**

- DM2.1 Design
- DM2.3 Heritage
- DM7.1 Sustainable design and construction
- 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

### **3. Designations**

- Central Activities Zone



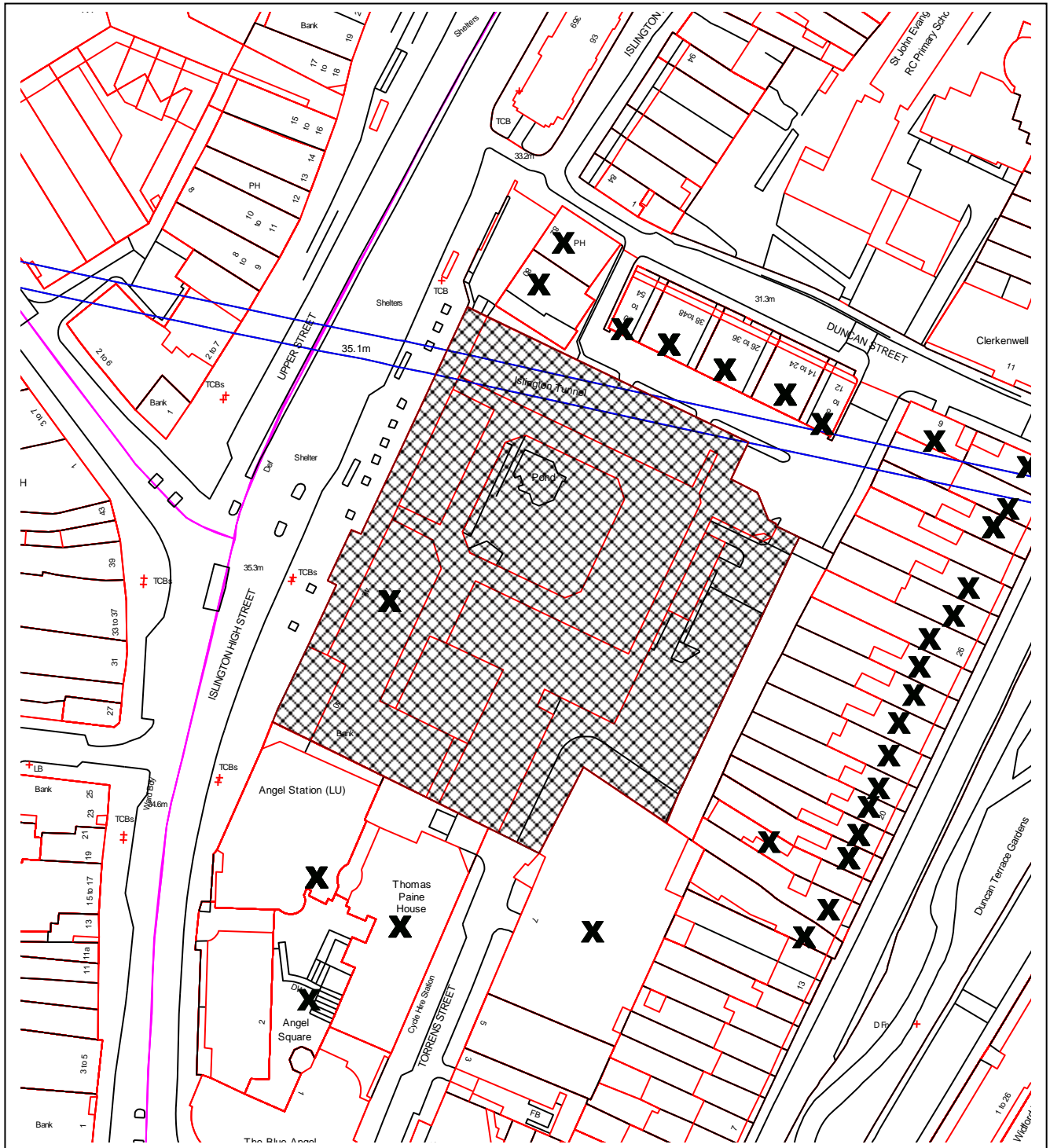
Angel Town Centre  
Angel & Upper Street - Core Strategy Key Area  
Archaeological Priority Area  
Mayors Protected View – Alexandra Palace viewing terrace to St Pauls  
Crossrail 2 safeguarding area  
Royal Bank of Scotland Site Allocation  
Frontage onto TLRN  
Rail Land Ownership – TfL tunnels & surface  
Cycle Routes (Major and Strategic)

#### **4. SPD/SPGS**

Islington Urban Design Guidelines 2006  
Environmental Design SPD 2012

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# Islington SE GIS Print Template



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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

<b>PLANNING SUB- COMMITTEE B</b>		
<b>Date:</b>	29 <sup>th</sup> November 2016	<b>NON-EXEMPT</b>

Application number	P2016/1791/FUL
Application type	Full planning application
Ward	Highbury East
Listed Building	Not Listed
Conservation Area	No
Licensing Implications Proposal	None
Site Address	St James House 28 Drayton Park Islington LONDON N5 1PD
Proposal	Erection of a roof extension to accommodate 3 self-contained residential units (3x2 bed), raising the buildings parapet level and private amenity space plus bike and refuse storage.

Case Officer	Daniel Jeffries
Applicant	Mr Ozmen Saffa
Agent	As above

### 1. RECOMMENDATION

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

- the unilateral agreement and conditions set out in Appendix 2;

## **2 REASON FOR DEFERRAL**

- 2.1 This application was previously discussed at Planning Sub Committee B on 3<sup>rd</sup> October 2016. At the meeting there were concerns in relation to the refuse and recycling storage provision associated with the proposal. The application was deferred in order for the applicant to consider these elements further and enable for the submission of amended drawings.

## **3. AMENDMENTS TO THE SCHEME**

- 3.1 Following the meeting the applicant has provided amended drawings for the proposed refuse and recycling storage provision. The amendments show the existing refuse and storage being enlarged, measuring an area of 5.8m (depth) x 2m (width). It would retain its position adjacent to the existing electricity station and car park to the rear of the building. It would also allow for the additional storage of an existing 1100 litre bin and 2 x 360 litre bins. In addition the drawings show the cycle stands for 10 bicycles.

## **4. PUBLIC CONSULTATION**

- 4.1 Letters were sent to 125 neighbours on the 27<sup>th</sup> October 2016. The public consultation of the application, for these amended drawings, therefore expired on 10<sup>th</sup> November 2016, however it is the Council's practice to consider representations made up until the date of decision.
- 4.2 At the time of writing the report a total of 46 letters of objection were received, for the application as a whole and an additional 40 objections since it was previously discussed at Planning Sub Committee B on 3<sup>rd</sup> October 2016. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Visual appearance (5.9)
  - Quality of accommodation (5.8)
  - Inadequate waste and recycling provision (5.5)
  - Impact on the parking spaces (5.7)

## **5. ASSESSMENT OF THE AMENDMENTS**

- 5.1 The amendments received were to address concerns raised in relation to the proposed refuse and recycling storage facility associated with the proposal. The existing refuse and recycling storage, positioned between the electricity station, to the south, and car parking space no. to the north. This current storage is large enough to store 3 x 1100 litre bins, plus there is an existing 1100 litre bin stored outside this area.
- 5.2 The amended plans propose to replace this area with a new enlarged storage area, this would house the existing total of 4400 litres bin storage (4 x 1100 litre bins) plus the additional provision of 720 litres (2 x 360 litre bins), for the three new units. This would result in total refuse storage capacity of 5120 litres.
- 5.3 The Islington 'Recycling and Refuse Storage Requirements' document in relation to residential development states that 'Recycling and refuse storage capacity should

comply with the Code for Sustainable Homes guidance'. The following table provides details of this guidance:

Size of Unit	Total storage capacity required for Refuse and Recycling
One bedroom	200 litres
Two bedroom or more	A further 140 litres for each additional bedroom
<b>Recycling</b> - At least <b>50%</b> of total storage capacity (calculated using the table above) must be allocated for recycling.	

- 5.4 The proposal involves the creation of 3 x 2 bedroom units. Therefore in order to provide adequate refuse storage provision a total of 200 litres is required for each unit plus a further 140 litres. As a result in order to comply with the above guidelines the proposal should provide an additional 1020 litres in capacity (340 litres per unit).
- 5.5 It is acknowledged that the additional storage, at 720 litres would fall short of the recommended storage capacity for each unit. However, the proposed shortfall is not considered sufficient to warrant refusal given the acceptability of the overall scheme. In addition the enlargement of the refuse storage would allow for both the existing refuse storage and proposed refuse storage to be housed, which is considered to be an improvement on the current situation.
- 5.6 The increase in storage capacity would increase the existing area from 3.91m (depth) x 1.94m (width) to an area of 5.8m (depth) x 2m (width). It is acknowledged that as a result the proposal would reduce the size of both car parking space nos. 1 and 2 by 0.5m each. The existing car parking spaces measure a depth of 5.8m and would be reduced to 5.3m.
- 5.7 The Islington Inclusive Design SPD provides advices in terms of acceptable off-street car parking space standards. It states that the standard car parking space should be 2.4m (width) x 4.8m (depth). In this instance, given the proposal would achieve 2.4m (width) x 5.3m (depth) the proposal would have an acceptable on the use of these vehicle parking spaces.
- 5.8 The amended plans also include cycle storage provision for an additional 10 cycles. Table 6.3 of the London Plan requires at least one secure, cycle storage for each bedroom proposed for residential development. It is therefore considered that given the proposal would involve 3 x 2 bedroom units this provision would exceed these requirements. However, it is recommended that condition 7 is retained from the previous appended Committee report (Appendix 1), which required 'covered, secure and provide for no less than [6] bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter'.
- 5.9 A number of concerns have been raised in relation to the overall development, following the consultation process for the amendments, including the visual appearance of the proposal and the quality of accommodation of the proposed units. However these matters were raised as part of the initial consultation process and were evaluated within the previous Committee report (in Appendix 1).

## **Conclusion**

- 5.10 It is recommended that planning permission be granted subject to the unilateral undertaking and the conditions as set out in Appendix 2 – RECOMMENDATIONS and the additional conditions set out below.
- 5.11 It is recommended that
- condition 2 is amended to reflect the amended drawings

## Revised Condition 2

The development hereby approved shall be carried out in accordance with the following approved plans:

Site Location Plan; SE-1567-EX03; SE-1567-EX03A; SE-1567-04; SE-1567-05; SE-1567-EX05A; SE-1567-06; SE-1567-EX6A; SE-1567-07; SE-1567-EX07A; SE-1567-08; SE-1567-08A; SE-1567-09; SE-1567-11; SE – 1567 - 12;

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.

## **6. SUMMARY AND CONCLUSION**

### **Summary**

- 6.1 The proposed development is acceptable in design, scale, massing and visual terms and would form a sympathetic and contextual addition to the host building. The proposed design and setbacks would integrate well with the host building and would adequately address the surrounding built form in terms of height to ensure that the development would not appear as a dominant or discordant feature when seen from the surrounding public and private realm.
- 6.2 The proposed units offer a good standard of amenity for future occupiers.
- 6.3 The provision of additional refuse and bike facilities for the uplift of units is considered to be acceptable and proportionate bearing in mind the scale of the proposed development.



## APPENDIX 1: October 2016 Committee Report

<b>PLANNING SUB- COMMITTEE B</b>		
<b>Date:</b>	3 <sup>rd</sup> October 2016	<b>NON-EXEMPT</b>

Application number	P2016/1791/FUL
Application type	Full planning application
Ward	Highbury East
Listed Building	Not Listed
Conservation Area	No
Licensing Implications Proposal	None
Site Address	St James House 28 Drayton Park Islington LONDON N5 1PD
Proposal	Erection of a roof extension to accommodate 3 self-contained residential units (3x2 bed), raising the buildings parapet level and private amenity space plus bike and refuse storage.

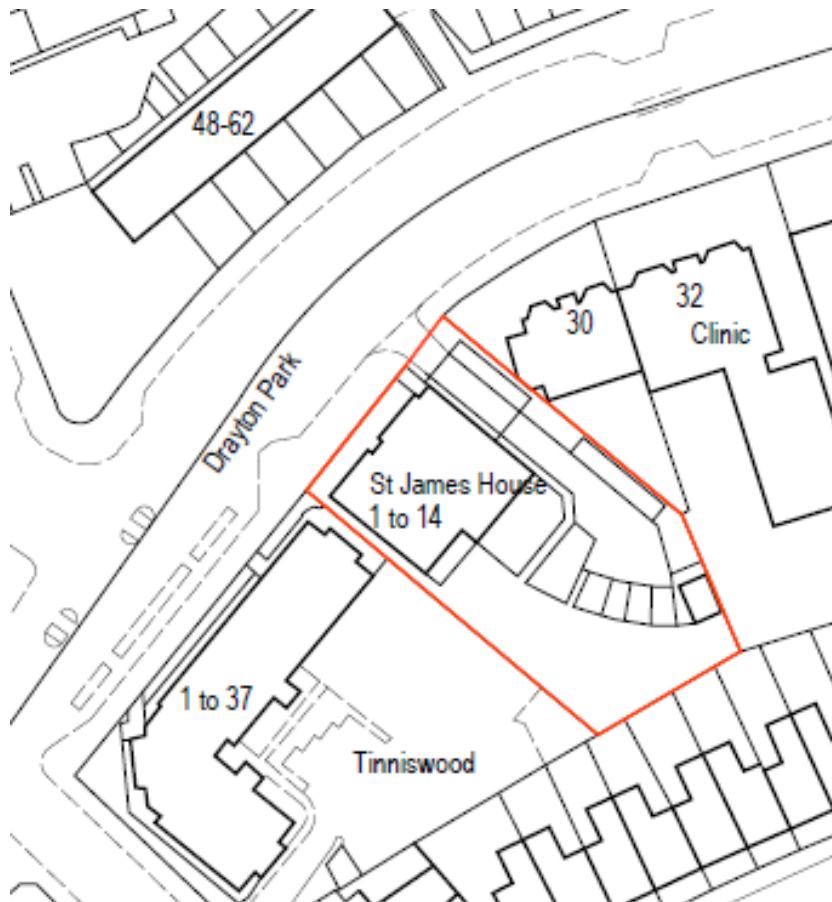
Case Officer	Daniel Jeffries
Applicant	Mr Ozmen Saffa
Agent	As above

### 1 RECOMMENDATION

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

- the conditions set out in Appendix 2;
- subject to 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 2.

## 2. SITE PLAN (SITE OUTLINED IN BLACK)



## 3. PHOTOS OF SITE/STREET



Image 1: Aerial view of site



Image 2: Side of St James House, 28 Drayton Park taken from north



Image 3: Front of St James House, 28 Drayton Park from west

## **4 SUMMARY**

- 4.1 The application seeks permission for the erection single storey extension to the roof of the four storey building of 28 Drayton Park to provide 3 self-contained dwellings (3 x 2bed 3 person units) together with associated refuse stores and cycle storage facilities.
- 4.2 The principle of the development is considered acceptable with sufficient private amenity space provided. The area is residential in character and the site is not within a Conservation Area.
- 4.3 The single storey design, layout scale and massing of the proposed development is considered to be visually acceptable and would not dominate the host block of flats in this location, and has addressed the objections to the previously appealed scheme.
- 4.4 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov 2012). The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM9 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. Each of the proposed units are 2 bedroom developments.
- 4.5 Private amenity space is provided in accordance with the Council's requirements. It is proposed that the new build dwellings would be constructed to meet the standards set by the Code for Sustainable Homes.
- 4.6 The redevelopment of the site has no vehicle parking on site and occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.
- 4.7 Consideration and weight has been given to a recent dismissed appeal decision and the Inspector's comments on a roof extension on the same property within the overall assessment of the planning merits of this case. In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies.

## 5 SITE AND SURROUNDING

- 5.1 The application site consists of the four storey flat roofed building on the southern side of Drayton Park, consisting of residential flats. The buildings is constructed using yellow stock brick and render elevations, incorporating Juliet balconies to the first floor level, and two recessed channels to the front elevation. The flat roof is surrounded by a concrete parapet wall. The host building is not a Listed Building nor is the site within a Conservation Area.
- 5.2 The site is accessed from the front via Drayton Park.
- 5.3 In general the area is predominately residential with a mixture of flats and larger residential dwellings, with some low level commercial uses. Adjoining properties to St James House are characterised by a variety of building heights with the majority rising to a height 3 and 4 storeys (30 Drayton Park) and the flatted development adjacent at 1 to 37 Tinniswood Close with some examples of 5 and 6 storeys further along the road close to the junctions with Horsell Road and Benwell Road.
- 5.4 The rear of the site is accessed by a secure gate along the side of the building allowing access to car parking facilities and bike and waste facilities.

## 6 PROPOSAL (in Detail)

- 6.1 The proposed development seeks planning permission for the construction of single storey roof extension to provide 3 self-contained dwellings (3 x 2bed 3 person), building up of the buildings main elevations parapet, front and rear roof terraces together with associated bin and cycle storage areas to the rear of the site.
- 6.2 The development would be situated on top of the existing four storey flat roofed building of 28 Drayton Park and would be accessed through the existing entrance core to the building with a relatively simple extension of the buildings existing staircase.
- 6.3 The proposed development would have a height of 2.5m above the existing flat roof, and a maximum height of 14.7m. The extension would have a mansard style, with a set away from the north east and south west elevations, by 1m, and the north west, by 1.925m, and south east elevations, between 0.95m and 1.75m. The extension is proposed to be finished in zinc, and would have uPVC double glazed windows.
- 6.4 Each residential unit would provide 2 bedroom accommodations with access to a roof terrace. The units would include separate dining/kitchen and living space. The proposal would also provide additional cycle storage and bin storage.

## 7. RELEVANT HISTORY

### Planning Applications:

- 7.1 **P2015/0985/FUL** - Erection of three storey roof addition to provide 4 x 2 bedroom, 3 person and 2 x 3 bedroom, 5 person plus out door amenity space and associate balustrade, refuse and cycle parking, green roof and PV panels – **Refusal of permission** (Reasons: additional floors would introduce a visually dominant and incongruous form of development that in addition fails to respect the architectural character and detail of the host and adjoining buildings by virtue of its size and bulk; and substandard private amenity space) **20/05/2015.**

- 7.2 **P2015/4183/FUL** - Erection of a single storey and part two storey roof extension containing 2x2bed and 1x3bed self-contained units (C3) plus external amenity space and PV panels. – **refusal of permission** (Reason: inappropriate design, scale, massing, bulk, height and detailed finish would form a discordant and dominant feature when seen from both the public and private realms) **17/12/2015. Subsequent Appeal (Appeal Ref: APP/V5570/W/16/3142273) Dismissed 17/05/2016.**
- 7.3 **P2016/0227/FUL** - Erection of a single storey roof extension containing 3 x 2 bedroom self contained C3 units plus external amenity space, PV panels on roof, cycle and bin storage. – **refusal of permission** (Reason: inappropriate design, scale, and detailed finish would form a discordant and dominant feature when seen from both the public and private realms) **01/04/2016**
- 7.4 **Enforcement:**
- 7.5 None

**Pre-application:**

- 7.6 **Q2013/5000/MIN 28 Drayton Park, St James House:** advice given that “the provision of a single additional penthouse floor could be considered acceptable at the site, where this was set a significant distance back from the roof edges to ensure that it was not immediately apparent within the locality. With regard to the design and materials of such an additional floor, this should have a low profile and contemporary materials or lightweight materials would be acceptable.”

## **8 CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of adjoining and nearby properties on the 21<sup>st</sup> July 2016 providing residents with opportunity to comment on the proposed scheme. A Site Notice was also displayed to the front of 28 Drayton Park, on 30/06/2016, giving members of the local community the opportunity to comment on the proposal.
- 8.2 Twenty seven letters of objection were received. The issues raised are summarised below (with paragraph numbers stated in brackets stating where the issue is addressed)
- Design and visual appearance (10.8 to 10.12)
  - Density of the development is excessive (10.2)
  - Overshadowing (10.19)
  - Overlooking/Loss of Privacy (10.19)
  - Structural impact (10.26)
  - Concerns of noise during the construction phase (10.25)
  - Increased demand for residential parking (10.21)
  - Lack of information in relation sustainability and renewable energy (10.27)
  - Issues in terms of ownership (not a material planning consideration)
  - Lack of, and impact on existing communal space (10.28)
  - The lack of adequate recycling and waste storage (10.22)



### **Internal Consultees**

- 8.3 **Design & Conservation:** raised no objections to the proposal.
- 8.4 **Access Officer:** raised concerns in relation to compliance with inclusive design standards.

### **External Consultees**

- 8.5 **None**

## **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 2015, Islington Core Strategy 2011, Development Management Policies 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,
  - Design, Character and appearance,
  - Standard of accommodation,
  - Accessibility,
  - Neighbouring amenity,
  - Highways and Transportation, and
  - The securing of necessary contributions towards affordable housing.

## Land use

1. The application is for additional residential accommodation on top of the existing four storey building used as flats, within a predominately residential area. The Islington Development Management Policies (2013) document recognises the requirement for *'high density development is needed to accommodate the projected population growth within the borough'*. Given the location and use of the host building and the requirement it is considered the principle of providing additional residential accommodation within this location is acceptable, subject to other material considerations.
2. The principle of additional residential accommodation has never been raised as an issue by officers nor the Planning Inspectorate in recent refused and dismissed applications at appeal.

## Design, Character and appearance

3. The host building has been subject to a number of previous planning applications for extensions to the roof of the building, to provide additional residential accommodation. It is noted that all of these applications have been refused on being of *'inappropriate design, scale, and detailed finish would form a discordant and dominant feature when seen from both the public and private realms'*.
4. The most recent of these applications, and most relevant, was for 'Erection of a single storey roof extension containing 3 x 2 bedroom self-contained C3 units plus external amenity space, PV panels on roof, cycle and bin storage' (ref. P2016/0227/FUL dated 01/04/2016). This decision was subject to an Appeal (Appeal Ref: APP/V5570/W/16/3142273) which was subsequently dismissed, concluding that the *'proposed roof extension would have a harmful effect on the street scene'*.



**Image:** Dismissed at appeal proposed front elevation.

5. This refused proposal would have provided an additional floor (the 4th floor) onto the roof and on top of that there would have been balustrades around a rooftop terrace.



On that terrace there would be a small additional storey (5th floor). The extensions would be set back from the front elevation. The refused extension would have been predominately glazed with vertical roofslopes.

6. Paragraph 5 and 6 of the Appeal Decision states:

*'I acknowledge that there are taller buildings nearby but given the proximity of the two buildings next door to the appeal site, the extensions would be visually overbearing in relation to them and would look incongruous between them' and that 'the extension, being opaque glass clad would be in sharp contrast to the more traditional facing materials and fenestration pattern of the parent building. However, such a contemporary approach to roof extensions is not uncommon and, in isolation, I do not find that the extensions would harm the host building itself. However, I must have regard to the relationship of the proposal to its surroundings'.*

7. It is therefore considered that the above assessment confirms that the principle of extending the host building is acceptable, subject to an acceptable visual appearance of any proposed roof extension and if it adequately relates to the surrounding built form along Drayton Park.
8. In this instance, the main difference, in design terms, to this previously refused application is the proposals different scale, shape and the finishing materials. The maximum height of the proposal was 15.6m, above ground level, which includes the height of the single storey extension, being 2.9m, and the balustrades, being 1.1m. Therefore the new proposal would be a reduction in a maximum height by 0.9m. In addition, the shape of the proposal would be altered from a flat roof to a mansard shape, with angled sides and roofslopes. The proposal would also increase its set back from the eaves of the host building.
9. Therefore the design, scale, massing and finishing materials changes within this proposal have materially altered the proposed extension and offer a far more sympathetic addition to the host building and surrounding area. The proposed building up of the existing buildings parapet level helps also to lessen the bulk of the proposed extension.



**Image:** Proposed front elevation and contextual street scene within current proposal.

10. It is considered that these design alterations, in terms of its reduction in height, the set back from the eaves and the shape of the roofslope would help the proposal integrate with the host building, and those within the surrounding area. It is acknowledged that the extension would be larger than the existing roof heights at the immediately adjacent properties, however, it would be comparable in height with existing buildings along Drayton Park, including Terrace Apartments, which is a five storey building with similar roof terraces in existence. It also has recessed setbacks of the extended parapets and a sloping finished roof profile which further reduces its overall bulk and dominance. The council must demonstrate real visual harm when attempting to refuse applications on visual terms. It is considered that whilst views may be possible the design alterations to the previously refused scheme would ensure that it would be a less visually prominent addition to the host building and surrounding streetscape to ensure that it would dominate or form a discordant visual feature when seen from both the surrounding public and private realm.
11. The design of the proposal, including the use of dormer windows and the use of zinc cladding, is considered to be appropriate in this location. There are examples in the surrounding area where dormer windows have been used including at the adjacent properties, to the east, nos. 30 and 32. In addition these openings align with and are similar in terms of shape to the existing windows found on the floors below.
12. The proposed balustrades are considered acceptable given that they would replace an existing parapet wall of similar size which runs around the perimeter of the eaves of the building.
13. For the above reasons, it is considered that the application would respect the scale, form and character of the existing host building and the character of the surrounding area. The design of the proposed development is acceptable and complies with Core Strategy policy CS8, and Development Management policy DM2.1, & Islington's Urban Design Guidance 2006 because of its low rise curved form it would not appear dominant or incongruous from the surrounding properties.

#### **Standard of accommodation**

14. The three proposed self-contained residential units would contain 2 bedrooms with a separate roof terrace. These 2 bedroom 3 person units would have internal floor space of 62.2 square metres (for unit 15) and 61 square metres (for units 16 and 17) which would meet the criteria and include sufficient storage space.
15. Each unit would be dual aspect with a good internal layout. Each bedroom would meet the minimum floor space standards; while the living/kitchen and dining room combination would be a minimum of 25 square metres.
16. It is considered that the proposal would provide a good internal living environments and space standards. The double bedrooms would be a minimum of 12 square metres and single bedrooms would be a minimum of 8 square metres. Overall, the general layout, room sizes and internal floor space (including private amenity space) would meet the recommended guidance set in DM3.4 & DM3.5 of the Development Management Plan and would provide satisfactory living condition for future occupiers of the dwelling.

### **Accessibility**

17. It is acknowledged that the Council's Inclusive Design Officer has raised concerns in relation to accessibility and adaptability. However, the proposed new units would be an extension to an existing block of flats, using the existing entrances to the host building, and the use of one wheelchair accessible lift, which is required for dwellings entered at fourth floor (fifth storey). A condition has been attached to ensure that the proposal achieve Lifetimes homes standards (category 2). The proposal is therefore considered acceptable given that the restrictions in terms of the scale of the extension, and the units would generally conform to accessible standards set within the Supplementary Design Guide (Inclusive Design) and would be contrary to Policy DM 2.2 (Inclusive Design) of the Development Management Plan 2013.

### **Neighbouring Amenity:**

18. The proposed single storey extension would be above the four storey building located to the south of Drayton Park. Given, the proposal relates to a detached building, its elevated position, the set back from the eaves, and the shape of the extension, it is not considered to result in any significant loss of daylight/sunlight, overshadowing, outlook and enclosure levels to neighbouring properties. It is considered that the proposal would not result in any significant privacy issues, given the existing windows found on the host building.
19. The proposal would therefore not conflict with Policy DM2.1 of the Islington's Development Management Policies or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm on residential amenity.

### **Highways and Transportation:**

20. The proposed units would not be eligible to apply for car parking permits in the area. The applicant has included cycle spaces for each unit to the side of the development in accordance with Development Management Policy DM8.4 (Walking and cycling). As such, it complies with the Council's transport policies. The applicants have proposed to provide an additional 10 bike stands to the rear of the site. The council's policies expect at least 6 spaces so this level of provision is welcomed.

### **Refuse facilities**

21. Concerns have been received in relation to the recycling and refuse provision for the proposal. Within this application, the proposal includes x 1100Litre storage containers adjacent to the existing provision, and car parking spaces. It is considered that this additional provision would be acceptable as it would provide adequate refuse and recycling storage for the three additional units, over and above the current situation.

### **Small sites (affordable housing) and carbon Off-setting contributions**

22. The development would require a contribution towards affordable housing in the Borough, in line with policy CS12 of the Core Strategy and the council's Supplementary Planning Document- 'Affordable housing- small sites' 2012.
23. A Unilateral Agreement has been signed and agreed with a payment of £150,000 secured towards affordable housing. A further contribution of £4,500 has been secured towards carbon off-setting. Therefore, the proposal complies with policy

### **Other issues**

24. Disturbance from construction of the proposed development is not a material planning consideration. Furthermore, any noise or disturbance complaints received during construction of the proposal would be investigated by the Council's Environment Services team.
25. Concerns such as the structural impact, and ownership issues of the development are not material planning considerations. However, potential structural impact of the development is likely to be covered within the Building Regulations process. The development involves no basement works in this case.
26. Concerns have been raised in relation to the lack of information relating to sustainable and renewable energy. A condition has been attached to any approval relating to the submission of details prior to the occupation of the units, to show that the development would be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 110 l/p/d. In addition the applicant has signed and agreed to a Unilateral Undertaking for payments for carbon offsetting for the development. By the use of these requirements, it is considered that the proposal would have an acceptable impact in terms of sustainable design.
27. The proposal is considered to provide acceptable level of private amenity space. However, given that the proposal relates to additional an existing block of flats, there is no requirement to provide any additional communal outdoor space. In addition the proposal is considered not to result in any impact on the existing communal space.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed development is acceptable in design, scale, massing and visual terms and would form a sympathetic and contextual addition to the host building. The proposed design and setbacks would integrate well with the host building and would adequately address the surrounding built form in terms of height to ensure that the development would not appear as a dominant or discordant feature when seen from the surrounding public and private realm.
- 11.2 The proposed units offer a good standard of amenity for future occupiers.
- 11.3 The provision of additional refuse and bike facilities for the uplift of units is considered to be acceptable and proportionate bearing in mind the scale of the proposed development.
- 11.4 The proposal would not lead to any material adverse impact on adjoining resident's amenity levels in terms of loss of daylight/sunlight, nor any material loss of outlook or increase in enclosure levels.

### **Conclusion**

- 11.5 It is recommended that planning permission be granted subject to the unilateral undertaking and the conditions as set out in Appendix 2 – RECOMMENDATION A.

## **APPENDIX 2 – 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:

1. A contribution of £150,000 towards affordable housing within the Borough.
2. A contribution of £3,000 towards carbon offsetting

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.

### **RECOMMENDATION B**

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

#### **List of Conditions:**

<b>1</b>	<b>Commencement (Compliance)</b>
	<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>
<b>2</b>	<b>Approved Plans List: (Compliance)</b>
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Site Location Plan; SE-1567-EX03; SE-1567-EX03A; SE-1567-04; SE-1567-05; SE-1567-EX05A; SE-1567-06; SE-1567-EX6A; SE-1567-07; SE-1567-EX07A; SE-1567-08; SE-1567-08A; SE-1567-09; SE-1567-10; z</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>
	<b>Materials (Compliance)</b>
<b>3</b>	<p>CONDITION: 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:</p>

	<p>a) Roof ,materials</p> <p>b) glazing/screening details for proposed terraces including samples and drawings;</p> <p>c) final window treatment and finishes (including drawings);</p> <p>d) any other materials to be used.</p> <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	<b>Accessible Homes Standards - (Compliance):</b>
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, the dwelling shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p> <p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with LPP 3.8</p>
5	<b>Visual Screens (Compliance)</b>
	<p>CONDITION: The visual screens to roof terraces shown on the drawings hereby approved shall be installed prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To prevent undue overlooking (oblique, backwards or otherwise) of neighbouring habitable room windows.</p>
6	<b>Car Permits (Compliance)</b>
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>i) In the case of disabled persons;</p> <p>ii) In the case of units designated in this planning permission as "non car free"; or</p> <p>iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free in accordance with policies 6.3 and 6.13 of the London Plan 2011, policy CS18 of the Islington Core Strategy 2011 and policy DM8.5 of the Development Management Policies.</p>
7	<b>Cycle Parking Provision (Compliance)</b>

	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be covered, secure and provide for no less than [6] bicycle spaces 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>
8	<b>Sustainable design</b>
	<p>CONDITION: A Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail how the dwellings hereby permitted achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwellings will achieve a 19% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2013, and not exceed water use targets of 95L/person/day.</p> <p>REASON: In order to ensure the highest sustainability credentials are achieved within the development.</p>
9	<b>Restricted use of roof terraces</b>
	<p>CONDITION: The north and east sides of the proposed roof terrace as outlined in approved drawing 1551-PL-101_C shall only be used to access the residential units, emergency access and maintenance only and not for amenity or sitting out.</p> <p>REASON: To protect the amenity of adjacent residents of Worcester Point.</p>
10	<b>CMP</b>
	<p>CONDITION: A Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents together with means of mitigating any identified impacts. 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.</p> <p>REASON: In order to mitigate the impact of the development to nearby residents.</p>
11	<b>Refuse provision</b>
	<p>CONDITION: The dedicated refuse/recycling enclosure 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>

**List of Informatives:**



1	<b>Positive statement</b>
	<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>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	<b>CIL Informative (Granted)</b>
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's 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's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> and the Islington Council website at <a href="http://www.islington.gov.uk/cilinfo">www.islington.gov.uk/cilinfo</a>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/">http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</a>.</p>
3.	<b>Party Walls</b>
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations &amp; the Party Wall etc. Act 1996 ("the Act"). Environmental Legislations and the Equality Act.</p>



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## Appeal Decision

Site visit made on 17 May 2016

**by Siobhan Watson BA(Hons) MCD MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 9 June 2016**

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**Appeal Ref: APP/V5570/W/16/3142273**

**28 St James House, Drayton Park, Islington, London N5 1PD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Ozmen Safa against the decision of the Council of the London Borough of Islington.
  - The application Ref P2015/4183/FUL, dated 1 October 2015, was refused by notice dated 17 December 2015.
  - The development proposed is one floor of 3 apartments to be built on top of the host building with a further room to be placed on top of this floor which affords access to the roof terrace.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the roof extension upon the character and appearance of the host building and the street-scene.

### Reasons

3. Drayton Park is a road characterised by large-scale buildings of widely different design, age and materials. The appeal site is a large 4-storey block of flats. Buildings in the immediate vicinity of the site are generally of 3-4 storeys high although I accept that there are a few that are taller. Nevertheless, the appeal building is of a similar height to that of the building next door at No 30, and it is significantly taller than the building to the other side, Tinniswood.
4. The extension would add an additional floor (the 4<sup>th</sup> floor) onto the roof and on top of that there would be balustrades around a rooftop terrace. On that terrace there would be a small additional storey (5<sup>th</sup> floor). The extensions would be set back from the front elevation of the host building which would help to reduce their visual impact. However, not withstanding the appellant's submitted street view diagram which shows narrow lines of vision, given my examination of the site, I remain unconvinced that the extensions would not be seen from the street. Even though the 5<sup>th</sup> floor would be substantially set back from the front it would be especially visible from the Tinniswood side, as the appeal site is on an angle to this building, allowing views of the roof.
5. The additional 2 storeys and the balustrades would add significant height to the building and they would project substantially above the two buildings on either side. I acknowledge that there are taller buildings nearby but given the

proximity of the two buildings next door to the appeal site, the extensions would be visually overbearing in relation to them and would look incongruous between them.

6. The extension, being opaque glass clad would be in sharp contrast to the more traditional facing materials and fenestration pattern of the parent building. However, such a contemporary approach to roof extensions is not uncommon and, in isolation, I do not find that the extensions would harm the host building itself. However, I must have regard to the relationship of the proposal to its surroundings.
7. The appellant has drawn my attention to other taller buildings in the area. I do not know the full circumstances surrounding these developments which are not typical of the heights of the buildings in closer proximity to those of the appeal site and have slightly different settings to it. In any event, they do not provide justification for me to allow further harm. I note the eco friendly green roof and solar panels but these features do not overcome the harm to the street-scene.
8. I therefore conclude that the proposed roof extension would have a harmful effect upon the street-scene. Consequently, I find conflict with Islington Core Strategy 2011 Policies CS8 and CS9; Islington Development Management Policies 2013 (DMP) Policy DM2.1 Policy DM2; London Plan, 2015, Policy 7.6 and the Council's Urban Design Guide 2006. In combination, these policies seek to protect the character and appearance of the public realm.
9. I have considered all other matters raised, including representations from interested parties, but none outweigh the conclusions I have reached and the appeal is dismissed.

*Siobhan Watson*

INSPECTOR

## **APPENDIX 3: 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 2015 - Spatial Development Strategy for Greater London**

##### **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

DM2.2 Inclusive Design

##### **Energy and Environmental Standards**

DM7.4 Sustainable design standards

### **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:

None

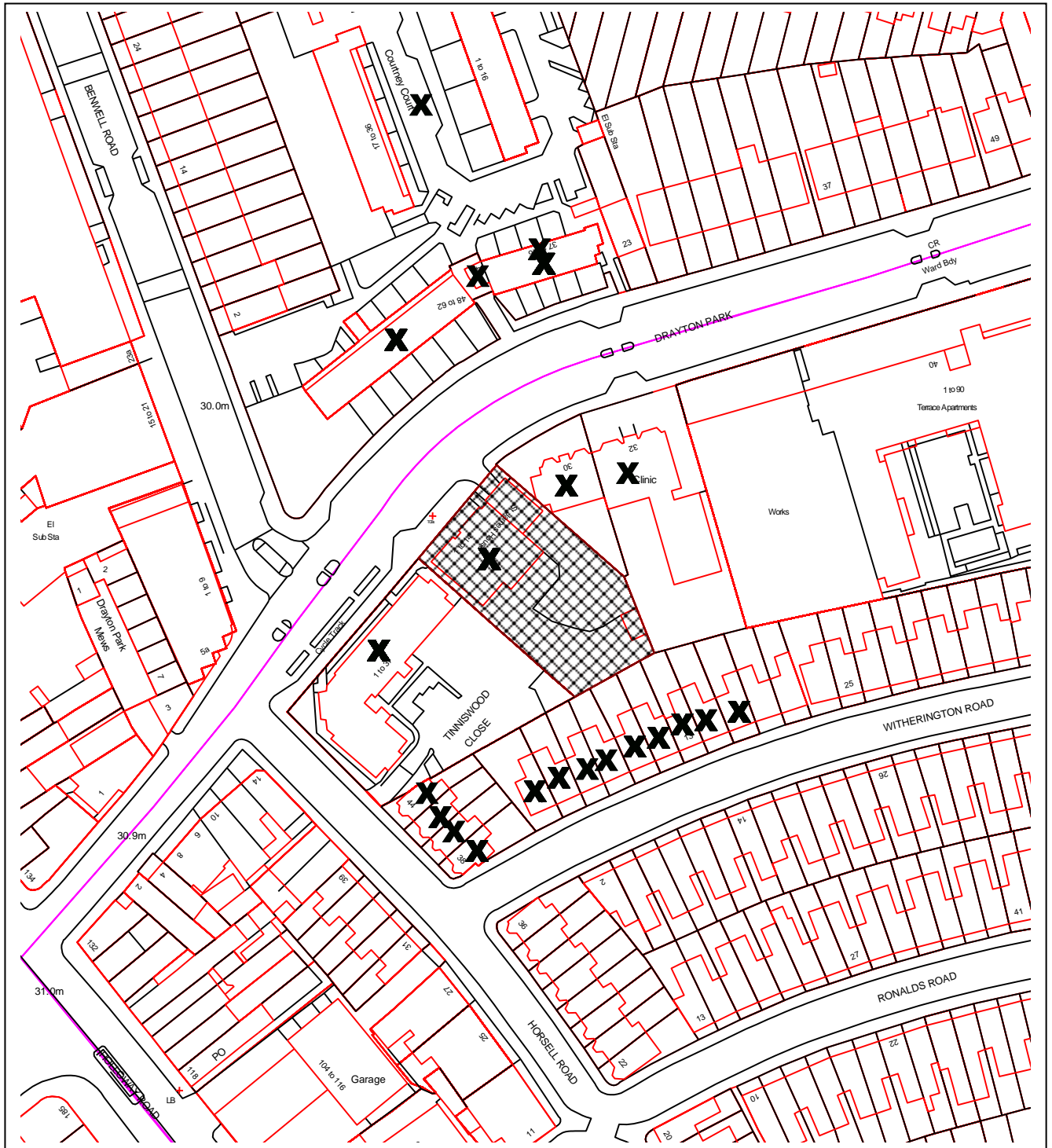
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

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

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