



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

AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **20 April 2017 at 7.30 pm.**

Lesley Seary
Chief Executive

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
E-mail : democracy@islington.gov.uk
Despatched : 10 April 2017

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**

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 Poyser
Councillor Wayne
Councillor Caluori
Councillor Gantly
Councillor O'Halloran
Councillor Webbe
Councillor Kay

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

Quorum: 3 councillors



A. Formal Matters	Page
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| 1. | Introductions | |
| 2. | Apologies for Absence | |
| 3. | Declarations of Substitute Members | |
| 4. | Declarations of Interest | |

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

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

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

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

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

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

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

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

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

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

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

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

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| 5. | Order of Business | |
| 6. | Minutes of Previous Meeting | 1 - 6 |

B. Consideration of Planning Applications	Page
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| 1. | 25-27 Easton Street and Roman House, 35 Easton Street, WC1X 0DS | 7 - 38 |
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2.	60 Halliford Street, N1 3EQ	39 - 56
3.	Garages r/o 21-28 Barnsbury Square, N1 1JP	57 - 80
4.	Land adjacent to 1 Dresden Road, N19 3BE	81 - 120

C. Urgent non-exempt items

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

D. Exclusion of press and public

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

E. Confidential/exempt items

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F. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee B, 6 June 2017

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

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

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

London Borough of Islington

Planning Sub Committee B - 27 February 2017

Minutes of the meeting of the Planning Sub Committee B held at Council Chamber, Town Hall, Upper Street, N1 2UD on 27 February 2017 at 7.30 pm.

Present: **Councillors:** Alice Donovan, Angela Picknell, Jilani Chowdhury, Robert Khan and Paul Convery.

Also Present: **Councillors:** Diarmaid Ward and David Poyser.

Councillor Alice Donovan in the Chair

264 INTRODUCTIONS (Item A1)

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

265 APOLOGIES FOR ABSENCE (Item A2)

Apologies were received from Councillor Nick Ward.

266 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Paul Convery substituted for Councillor Nick Ward.

267 DECLARATIONS OF INTEREST (Item A4)

Councillor Paul Convery declared a personal interest in Item B3 as his wife is a co-opted governor of Elizabeth Garrett Anderson School.

268 ORDER OF BUSINESS (Item A5)

The order of business would be B2, B1, B5, B10, B9, B6, B7, B8, B4 and B3.

269 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 29 November 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

270 134 LIVERPOOL ROAD AND LAND TO THE REAR OF 132 LIVERPOOL ROAD, N1 1LA (Item B1)

Partial demolition of existing buildings to facilitate the construction of 3 no. residential single dwelling houses comprising a 1x 2 bedroom house and 2 x 4 bedroom houses including basement excavation, communal and amenity spaces and other associated works. Enclosing boundary walls to be retained but reduced in height in some locations.

(Planning application number: P2016/3758/FUL)

In the discussion the following points were made:

- The Sub-Committee were satisfied that there was a decrease in height for the bulk of the existing site although there would be a minor increase of height for the lift overruns.
- That the proposal accorded with the Basement Development SPD.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

271

16 JAPAN CRESCENT, N4 4BB (Item B2)

Demolition existing disused derelict building and construction of two storeys over basement single dwelling house and associated excavation at basement level.

(Planning application number: P2015/4983/FUL)

In the discussion the following points were made:

- Concerns raised regarding the reference to the term master bedroom in the report indicating a two bedroom dwelling. Noted the response by the applicant that this was a typing error.
- It was noted that without the inclusion of a home office, the accommodation would fall below minimum standards required by the London Plan.
- The concerns of objectors who had commissioned their own survey by a civil engineer which raised concerns about the inaccuracies contained in the Structural Method Statement provided by the applicant.
- It was noted that the accessibility of the toilet at first floor level would need to comply with Building Regulations and a condition to ensure that the premises would be accessibility compliant had been recommended.
- Concerns raised by Councillor Convery that the scheme did not comply with the minimum provision of adequate private outdoor amenity space as set out in policy DM3.5.

Councillor Paul Convery proposed a motion to refuse the application.

Councillor Alice Donovan proposed a motion to defer the application in order for the Sub-Committee to further consider structural method statements from the applicant and from the objectors. This was seconded by Councillor Robert Khan.

RESOLVED:

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

272

ELIZABETH GARRETT ANDERSON SCHOOL, DONEGAL STREET, N1 9QG (Item B3)

Retention of a new 1.2m high security fence above the existing 2m high brick wall to the north eastern boundary backing onto gardens to Chalbury Walk.

(Planning application number: P2016/3681/FUL)

RESOLVED:

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

273 FLATS 1-37 MULBERRY COURT, TOMPION STREET, EC1V 0HP (Item B4)

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

(Planning application number: P2016/0529/FUL)

In the discussion the following points were made:

- It was accepted that leaseholders could choose to opt out of the scheme and in practice not all windows may be replaced.

RESOLVED:

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

274 FORMER NORTH LONDON MAIL CENTRE, 116-118 UPPER STREET, N1 1AA (Item B5)

Change of use of Unit G7A (Block A) from Use Class A1 (Shops) to flexible Use Class A1 (Shops) or A3 (Restaurant/Cafe), (Associated with Planning Permission Ref: P052245 dated 6 July 2007 and Planning Permission Ref: P2013/2697/S73 dated 4 November 2014).

(Planning application number: P2016/2471/FUL)

The planning officer advised that there be an additional condition requiring the use of a timer switch as advised by the noise team.

In the discussion the following points were made:

- The objections made by residents could be more appropriately made at the licensing committee.
- Consideration be given to the noise levels made from dispersal of patrons using Studd Street.

Councillor Convery proposed a motion to amend condition 9 to read 20:00 hours rather than 22:00 hours. This was seconded by Councillor Khan and carried.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report with the additional condition requiring the use of a timer switch and the amendment to condition 9 outlined above.

275 GARAGES BETWEEN 6 AND 9 DAGMAR TERRACE, N1 (Item B6)

Demolition of a single double garage and the erection of a four storey townhouse with basement level.

(Planning application number: P2016/4554/FUL)

In the discussion the following points were made:

- The application was policy compliant.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

276 HERBERT CHAPMAN COURT, FLATS 1-8 AVENELL ROAD, N5 1BP (Item B7)

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

(Planning application number: P2016/2530/FUL)

RESOLVED:

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

277 HERBERT CHAPMAN COURT, FLATS 9-16 AVENELL ROAD, N5 1BP (Item B8)

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

(Planning application number: P2016/2531/FUL)

RESOLVED:

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

278 LAND AND ACCESS WAY REAR OF 13-27 COWCROSS STREET, EC1 (Item B9)

Use of the external plaza area for a food market of up to 13 stalls for a maximum of 3 days per week. The market would operate Tuesday, Wednesday and Thursdays between 9am and 4.00pm with food cooked and served between 11am and 2.30pm only.

(Planning application number: P2016/2449/FUL)

The planning officer proposed two further conditions not detailed in the report, one regarding loading/unloading times and one regarding a market management plan to include refuse and the management of stallholders. The wording to be delegated to officers.

In the discussion the following points were made:

- It was noted that the market had been operating under permitted development and not unlawfully.

- It was noted that there were three streets used for unloading and it was considered by the applicant that Britton Street was not used exclusively. This could be further controlled by the submission of an operational management plan.
- It was considered that the market supervisor should be present until the end of the hours detailed in a loading/unloading condition.

Councillor Convery proposed a motion that the market supervisor hours detailed in condition 6 reflect the loading/unloading hours of use. 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 with the additional three conditions regarding loading/unloading, the submission of an operational management plan and the amendment of condition 6 to reflect the hours detailed in the loading/unloading condition; the wording of which was delegated to officers.

279 LAND ADJACENT TO WEST SIDE OF 1 DRESDEN ROAD, N19 3BE (Item B10)

Erection of a three storey 4 bedroom end of terraced single family dwelling, with associated private amenity space and boundary treatments.

(Planning application number: P2016/1949/FUL)

In the discussion the following points were made:

- It was noted that the applicant was not present to respond to questions or issues of clarification from the Sub-Committee.
- It was noted that the area at the rear of the development was currently in garden use.
- Members raised concerns regarding the light loss to number 1 and number 3 Dresden Road.

Councillor Khan proposed a motion to defer the application in order for the applicant to attend to respond to questions by the Sub-Committee. This was seconded by Councillor Convery and carried.

RESOLVED:

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

The meeting ended at 10.00 pm

CHAIR

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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE B		
Date:	20 April 2017	NON-EXEMPT

Application number	P2016/4789/FUL
Application type	Full Planning Application
Ward	Clerkenwell Ward
Listed building	Not listed
Conservation area	Clerkenwell Green Conservation Area
Development Plan Context	Bunhill & Clerkenwell Core Strategy Key Area Rosebery Avenue Conservation Area Central Activities Zone Local Cycle Routes Mayors Protected Vista - Kenwood viewing gazebo to St Paul's Cathedral Other area with high concentration of alcohol licences premises
Licensing Implications	None
Site Address	25-27 Easton Street, and Roman House 28-35 Easton Street, London, WC1X 0DS
Proposal	Demolition of the existing roof terrace and roof pavilion at Nos. 25-27 Easton Street and 28-35 Easton Street, and erection of single storey roof extensions together with external alterations to the existing office buildings (Use Class B1) and installation of solar panels.

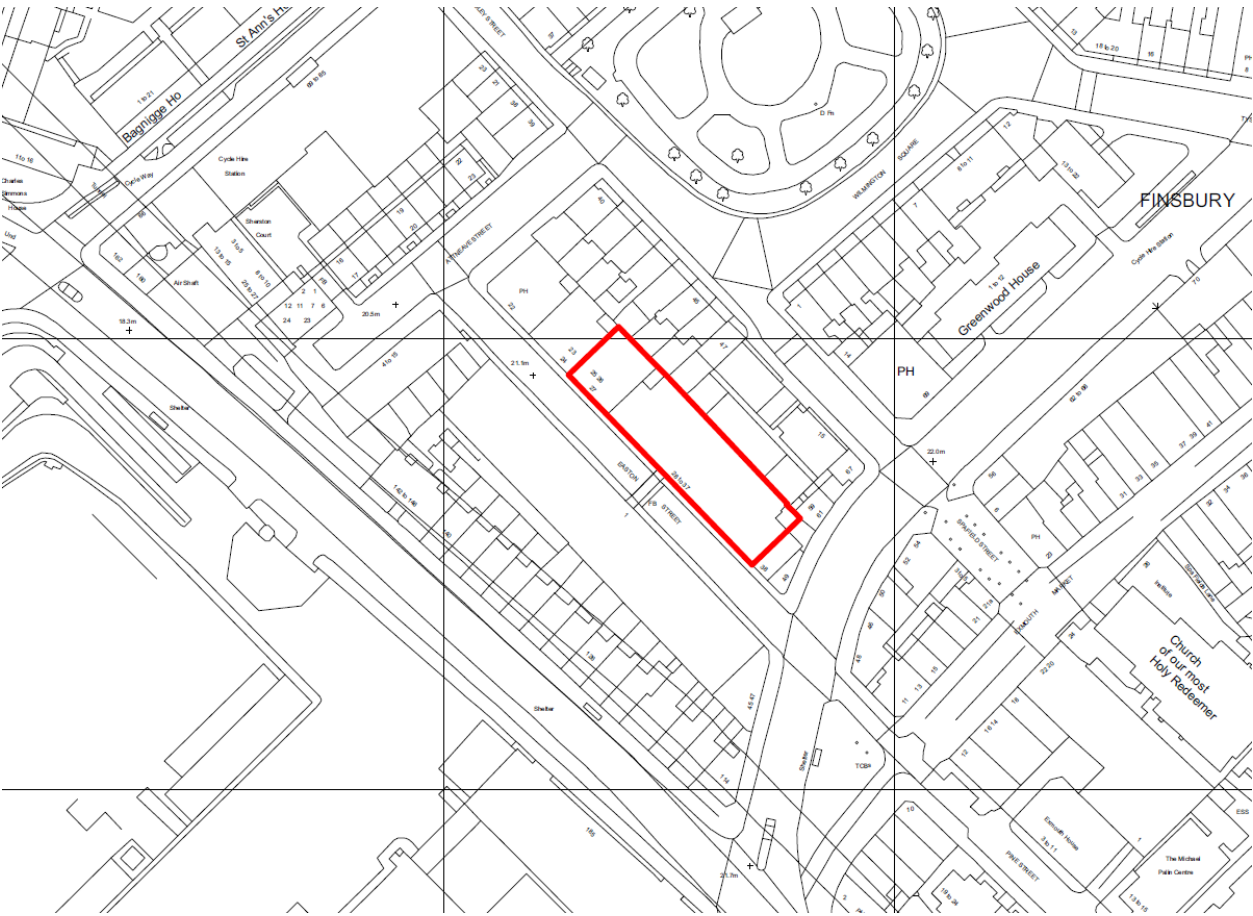
Case Officer	Thomas Broomhall
Applicant	Workspace 14 Ltd.
Agent	Miss Timea Nacsa - Nathaniel Lichfield & Partners

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)



2. PHOTOS OF SITE/STREET

Image 1: Aerial view of the application site



Image 2: Aerial view in north-easterly direction



Image 3: Aerial view in north-westerly direction



Image 4: View from corner of Easton Street and Rosebery Avenue



Image 5: View from Rosebery Avenue



Image 6: View from Wilmington Square



4.0 SUMMARY

- 4.1 Planning permission is sought for the demolition of the existing roof pavilion and associated structures at third floor level across Nos. 25-27 Easton Street and 28-35 Easton Street, and erection of single storey roof extensions together with external alterations to the existing office buildings (Use Class B1) and installation of solar panels and alterations to plant equipment.
- 4.2 The application is brought to committee because of the number of objections received.
- 4.3 The issues arising from the application are the principle of additional office floorspace, the impact on the character and appearance of the host building, surrounding conservation area and setting of adjoining listed buildings, and the impact on the neighbouring amenity of the adjoining and surrounding residential and commercial properties.
- 4.4 The design of the proposal is considered to be acceptable and would not detract from the character and appearance of the host building, surrounding conservation area and setting of adjoining listed buildings. The principle of the creation of additional office floorspace is considered to be acceptable. The proposal would not detrimentally impact on the amenity of the neighbouring properties.
- 4.5 The proposal is therefore considered to be acceptable and it is recommended that the application be approved subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The site comprises two buildings at no's 25-27 Easton Street and Roman House, 28-35 Easton Street. No. 25 is a four storey building with a small basement area and no. 28 is a three storey building with a double height ground floor, matching the roof height of the adjacent four storey building at no. 25. The two buildings are connected at roof level via a roof top extension and pavilion providing a roof terrace. No. 28 has two small set back roof structures which extend half the length of the building to the northwest. The existing buildings have brick facades and each building is of a symmetrical design. There is an existing third floor roof terrace on both sides of the existing structures, including along most of the north-western boundary adjacent to the rear elevations of the Yardley Street and Wilmington Square residential properties.
- 5.2 The subject property is within the Rosebery Avenue Conservation Area, however it is not statutorily or locally listed. The site adjoins the rear of Grade II listed buildings at no's 44 to 47 Wilmington Square as part of a terrace of Listed Buildings.

6. PROPOSAL (in Detail)

- 6.1 The application proposes the demolition of the existing roof pavilion and associated structures at Nos. 25-27 Easton Street and 28-35 Easton Street, and the erection of single storey roof extensions to both buildings at third floor level

together with external alterations to the existing office buildings (Use Class B1) and installation of solar panels.

- 6.2 The proposed roof extensions would be constructed of bronze clad framing, bronze fins and fixed double glazed units interspersed with paired bays of perforated brick, extending the width of Nos. 25-28. The roof extensions would be set back by 1m from the Easton Street façade and results in an uplift of 340 square metres (GIA) of office floorspace across the two buildings.
- 6.3 The works also include internal refurbishment and upgrading, external alterations to the buildings façades include alterations and extension to the existing building parapet by 750mm, installation of double height windows at ground floor level, creation of a new principal entrance to no.28 and reinstatement and lowering of the entrance to no. 25. The works result in the reconfiguration, repositioning and a reduction in the extent of the existing roof terrace area to 30 square metres at third floor level of no. 28, now limited to the south eastern end of the site, adjacent to Rosebery Avenue. Green sedum roofs will be provided at third floor and roof level of no. 28 covering an area of 231 square metres and Photovoltaic panels are proposed to be installed on the roof of no.25.
- 6.4 The proposals also include the installation of fixed external plant for ventilation purposes within the external courtyard of the basement and ground floor levels and the provision of 42 cycle parking spaces of which 28 are for visitors, one of which is accessible.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 08/01/1986 Planning Permission (Ref: 851500) granted *to allow part of the first floor office area to be used by Amnesty International - contrary to Condition 2 of planning permission (Application no.85/1334) dated 9.11.83. for a period of 2 years from 1.1.86.*
- 7.2 06/11/1986 Planning Permission (Ref: 860734) granted *for to use first and second floors as offices and alteration to ground floor and use as office storage and workshop and reinstatement of a pedestrian link bridge with 1-7 Easton Street for Amnesty International.*
- 7.3 12/10/1988 Planning Permission (Ref: 880217) granted *for rebuilding front and rear of second floor level and addition of third floor extension for any purpose within Class B1 of the Town and Country (Use Classes) Order 1987 (increasing the floorspace by approx. 120 sq.m.) (as revised by revision made 28.07.88 and further revised by letter 13.09.88.*
- 7.4 10/05/1988 Planning Permission (Ref: 880559) granted *for Erection of additional floor on the roof to provide a further 521 sq. m. of space for Amnesty International.*
- 7.5 27/09/1989 Planning Permission (Ref: 890258) granted *for addition of fourth floor for any purpose falling within class B1 (Business Use) - 73 sq.m.*
- 7.6 14/10/2002 Planning Permission (Ref: P021205) granted *for erection of roof extension and pavilion in connection with use of the roof as a terrace for existing offices.*

- 7.7 25/11/2003 Planning Permission (Ref: P032204) granted for *increase height of rooftop pavilion by 300mm (being a variation of extant permissions ref: P021205 and P022859 dated 14th October 2002 and 27th March 2003 respectively).*
- 7.8 10/09/2015 Planning Permission (Ref: P2015/2030/FUL) granted for *remove existing second floor footbridge between No. 1 & No. 28 Easton Street, make good external elevations to both buildings and addition of ventilation openings to North Eastern Elevation at Peter Beneson House, 1-7, Easton Street & Roman House 35 Easton Street, London, WC1 (including footbridge between both sites).*

ENFORCEMENT

- 7.9 None.

PRE-APPLICATION ADVICE:

- 7.10 06/10/2016 - Pre-application Advice (ref: Q2016/1680/MIN) provided in relation to *Erection of a two storey roof extension following the removal of the existing roof level structures to provide additional B1 office floorspace; replacement of ground floor fenestrations and alterations to entrances to Easton Street frontage at 25 – 27 Easton Street and Roman House, 28-35 Easton Street, London, WC1X 0DW.*



- 7.11 Advice was provided that whilst the principle of a one additional floor level of roof accommodation roof extension to the host property is supported there are significant concerns that a two storey roof extension would add inappropriate scale, massing, bulk and height to the host building and would strike a discordant and dominant feature when seen from longer views into the site from the surrounding conservation area and public realm. The proposed second floor level was also considered to have a harmful intrusive impact on the setting of the nearby listed buildings. Furthermore, the compressed height of the extension in an attempt to reduce this impact is adversely affecting the quality and flexibility of the new business floorspace and this needs to be revisited within any future submission. As such it was recommended to focus on achieving a higher quality single storey roof extension than two storeys of substandard business floorspace in this case.
- 7.12 Advice was also provided that a sunlight / daylight assessment would be required and any assessment should also consider all nearby properties that may be affected by the proposed extensions, in particular any which are in residential use. If there is likely to be any unacceptable amenity impacts amendments to the design should be explored to mitigate the harm.

- 7.13 Further advice was provided that large roof terraces can potentially lead to noise disturbances from use by large groups of people and overlooking. Roof terraces should be clearly indicated on submission plans; however consideration should be given to reducing the size of roof terraces and incorporating more space for green roofs, which would in-turn assist to meet the sustainable design objectives. It was advised that appropriate screening measures should also be included where direct overlooking of neighbouring residential properties is likely to occur.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 111 occupants of adjoining and nearby properties at Easton Street, Attneave Street, Wilmington Square, Rosebery Avenue, Farringdon Road, Yardley Street, on 19 December 2016. The initial public consultation of the application expired on 12 January 2017. A total of 8 objections were received following the first period of public consultation.
- 8.2 A second period of public consultation took place on 28 February 2017 to ensure adequate advertisement of the site's location in the setting of the adjoining listed buildings on Wilmington Square and amendments to the external facing materials.
- 8.3 Prior to completion of the second period of public consultation, a third period of public consultation took place on 20 March 2017 following receipt of revised drawings indicating a reduction in the height of the proposed lift shaft and A Daylight and Sunlight Explanatory Note. This ended on 4 April 2017.
- 8.4 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report 9 no. objections in total had been received from the public with regard to the application including comments from the Chair of the Amwell Society and the Chair of the Wilmington Square Society. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):
- Design of roof extension should be contemporary (See paragraph 10.21);
 - Impact on the heritage assets is more substantial than is described in heritage assessment (See paragraph 10.22);
 - Object to the raising of the roof height by between 1 metre and 3 metres (See paragraph 10.50)
 - Overbearing impact, increase in sense of enclosure, overlooking and loss of privacy to the rear of the Wilmington Square residential properties (See paragraphs 10.29-10.49 and 10.50);
 - Loss of daylight and sunlight to residential properties at Wilmington Square and Yardley Street and fails to meet BRE Guidelines (See paragraph 10.29-10.49 and 10.51);
 - Proposals do not provide detail as to mitigation from impact of increased noise disturbance (See paragraph 10.52);
 - Increase in congestion from parking (See paragraph 10.54);
 - Roof terrace and air conditioning is not required by shared workspace users (See paragraph 10.57);

Non-planning issues:

- Lights left on within the existing building overnight.

Internal Consultees

- 8.5 **Planning Policy:** Supports the uplift in B1 floorspace and the flexibility to accommodate SMEs.
- 8.6 **Design and Conservation Officer:** The proposed roof extension is visible from Wilmington Square and has some negative visual impact on the listed terraced houses to the square when viewed from the central garden, however views from the street are likely to be limited. While there is some harm to the setting of the listed buildings the harm would be less than substantial and you should weigh any public benefits arising from the proposal against the harm. In weighing public benefit against harm limited weight should be given to public benefits if:
- The public benefits arise from what is required by policy;
 - Where a similar extent of public benefit could be achieved on the site without harming heritage assets;
 - The public benefit could be delivered elsewhere without harming the heritage assets.
- 8.7 Contemporary set-back roof extensions should generally read as 'lightweight' and visually contrasting additions. Consequently, the removal of the previously proposed 'hit and miss brickwork' is welcomed and the bronze anodised aluminium clad vertical sections in addition to the glazing are acceptable in design terms.
- 8.8 **Inclusive Design:** No comments received.
- 8.9 **Transport Planning Officer:** No objection raised.
- 8.10 **Highways:** No objection subject to a Construction Management Plan including a proposed site layout plan.
- 8.11 **Sustainability:** No comments received.
- 8.12 **Noise Officer:** No objection subject to conditions regarding Noise Report relating to the plant equipment, use of a timer to the control hours of operation of the plant equipment and a Written Code for management of noise from emergency plant equipment.
- 8.13 **Refuse and recycling:** No comment.

External Consultees

- 8.14 None.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2.

This report considers the proposal against the following development plan documents.

National Guidance

- 9.1 The National Planning Policy Framework 2012 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 2016, 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:

- Land Use
- Design and Conservation
- Accessibility
- Neighbouring Amenity including sunlight/daylight
- Highways and Transportation
- Sustainability
- Other Matters - refuse

Land Use

- 10.2 The proposal results in the demolition of the existing roof terrace and roof pavilion erection of a single storey roof extension to both 25-27 and 28-35 Easton Street. This will provide an extension of 426 square metres, which when considering the proposed demolition results in an uplift of 340 square metres of (GIA) office floorspace across the two buildings. The proposed new B1 Office floorspace is within the Central Activities Zone and therefore is policy compliant due to the uplift in B1 floorspace in accordance with policy CS 13 of the Core Strategy.
- 10.3 The uplift in B1 Office floorspace sits below the 500 square metre threshold set out by Mayoral Crossrail CIL where schemes are required to enter into a legal agreement to make a financial contribution.
- 10.4 Policy BC8 (J) of the Finsbury Local Plan sets out that outside of the designated Employment Priority Areas that micro and small workspaces/retail spaces that do

not impact on the amenity or character of adjacent residential areas will be encouraged.

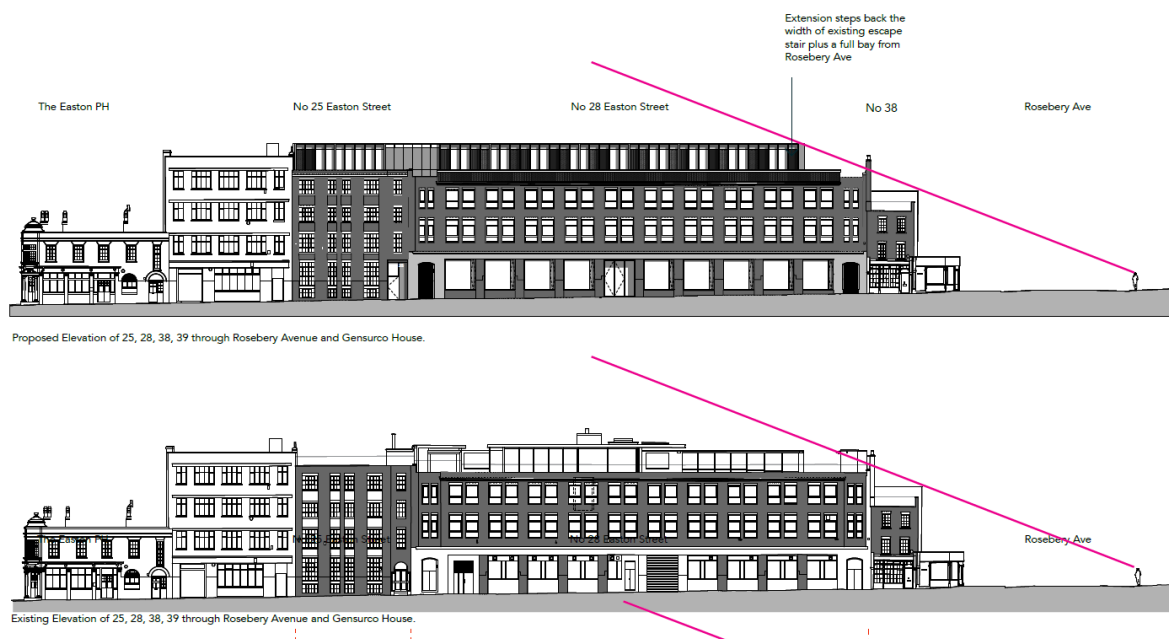
- 10.5 Policy CS7(A) sets out that employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy. Employment-led development will be largely concentrated south of Old Street and Clerkenwell Road, but also encouraged in other parts of the area particularly along major routes (Farringdon Road, Rosebery Avenue, Goswell Road and City Road). Creative industries and Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and encouraged. Accommodation for small enterprises will be particularly encouraged.
- 10.6 Part F (i) of Policy DM5.1 sets out that new business floorspace must 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. Supporting paragraph 5.10 of the Development Management Policies clarifies what will be expected by policy DM5.1 in terms of flexible design features to help ensure adaptability to changing economic conditions and occupants (including small and medium businesses), this includes:
- adequate floor to ceiling heights (at least 3 metres of free space);
 - Strategic lay-out of entrances, cores, loading facilities and fire escapes to allow a mix of uses;
 - Grouping of services, plumbing, electrics, cabling, communications infrastructure and circulation;
 - Flexible ground floor access systems, and
 - Good standards of insulation.
- 10.7 The internal alterations will allow for cellular units on the upper floors to cater for SMEs, high ceilinged units all of at least 3 metres, and a new lift core to cater for a wider range of needs. The ground floor unit at no. 28 can be accessed from two entrances, enabling it to be subdivided into two smaller workspaces if required. The proposed new and reconfigured B1 floorspace across the site has access at each level. As a result the proposals will ensure enhanced provision of flexible business floorspace with specifications and facilities to meet the needs of a variety of modern businesses, particularly micro, small and medium sized enterprises.
- 10.8 As a result the provision of additional B1 floorspace and its design is considered to meet the requirements of policy CS13 of the Core Strategy, policy DM5.1 of the Development Management Policies, and the needs of small or micro enterprises as required by policy BC8 of the Finsbury Local Plan, and is acceptable in this regard.

Design and Conservation

- 10.9 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural interest which it possesses. Section 72 (1) of the Act requires the Local Authority to pay special

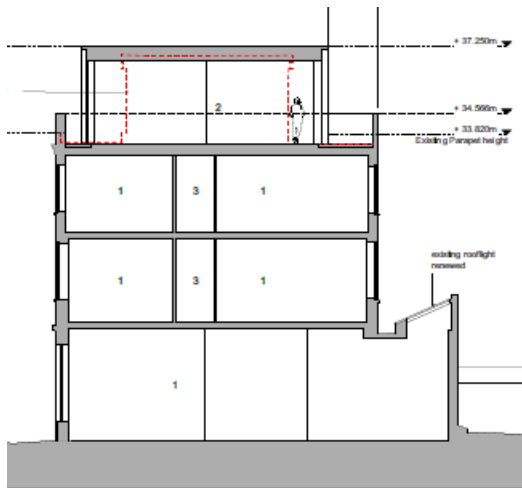
attention to the desirability of preserving the character and appearance of Conservation Areas within their area.

- 10.10 Under the National Planning Policy Framework Listed Buildings and Conservation Areas are considered designated heritage assets. Under paragraph 128 applicants are required to describe the significance of heritage assets affected by a proposal, including any contribution made by their setting.
- 10.11 Paragraphs 132 – 134 state that great weight should be given to an asset's conservation in a manner appropriate to its historic significance. Significance is defined in the NPPF as: "the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic."
- 10.12 Paragraph 134 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 10.13 The scheme proposes the demolition of the existing roof terrace and roof pavilion and associated structures at third floor level at nos. 25-27 and 28-35 Easton Street and the erection of a single storey roof extension across both 25-27 and 28-35 Easton Street.

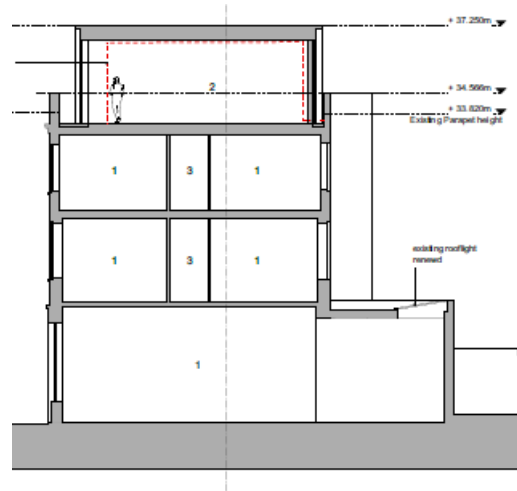


- 10.14 Both the Rosebery Avenue Conservation Area Design Guidelines (CADG) and the Urban Design Guide (UDG) 2017 make reference to roof extensions or new dormers however the context for this guidance relates to residential properties rather than commercial properties. A key UDG objective is that development should contribute to the vitality and mix of uses on commercial streets and main roads.

- 10.15 The proposed works amount to the replacement and enlargement of the existing structures at third floor level and are not considered to conflict with the aims of the CADG or the Urban Design Guide in this regard.
- 10.16 In considering applications for extensions and refurbishment, the CADG also sets out that the Council will normally require the use of traditional materials. For new development, materials should be sympathetic to the character of the area, in terms of form, colour, texture and profile. On all redevelopment, extensions and refurbishment schemes the Council expects to see the use of appropriate materials such as stock brick, render, stone, timber windows and slate roofing, which will blend with and reinforce the existing appearance and character of the area.
- 10.17 Following consultation with the Design and Conservation Officer, the appearance and use of materials was revised from the proposed use of 'hit and miss' brickwork to the use of Bronze Aluminium Mesh as part of the front elevation of the roof extension and Sandblasted/frosted opaque glazed units as part of the rear elevation of the roof extension. Whilst these changes are considered to have sufficiently addressed the Design and Conservation Officer's concerns, it is recommended that a condition is attached requiring details of the external materials to be submitted and approved prior to commencement of works.
- 10.18 The site adjoins the rear of Grade II listed buildings at no's 44 to 47 Wilmington Square as part of a terrace of Listed Buildings. Policy DM2.3 of the Development Management Policies requires the significance of Islington's listed buildings to be conserved or enhanced. New developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.
- 10.19 The proposed roof extension would be visible in public views of the Listed Terrace at Wilmington Square. Whilst the proposals have some negative visual impact on the listed terraced houses facing the square (when viewed from the central garden), and views from the street are likely to be limited. While there is some harm to the setting of the listed buildings the harm would be less than substantial.
- 10.20 The scheme provides a number of public benefits including a significant uplift in office floorspace and improvements to the building's façades. As a result the public benefits of the scheme are considered to outweigh any perceived less than substantial harm to heritage assets.
- 10.21 An objection was received concerning the design of roof extension stating that it should be contemporary. Whilst the Design and Conservation officer has noted that contemporary set back roof extensions should read as clear 'lightweight' and visually contrasting additions, in this instance the bronze anodised aluminium clad vertical sections are considered to be an acceptable response to the site's context subject to condition requiring details of the materials to be formally approved prior to commencement of works.



Section through no. 28 adjacent to rear of Wilmington Square



Section through no. 25 adjacent to rear of Yardley Street

- 10.22 An objection was received raising concerns that the impact on the heritage assets is more substantial than is described in the submitted heritage assessment. Consideration has been given to the scale of the existing structures on the site, the scale of the enlarged roof extension and the design, appearance and use of materials. The Design and Conservation Officer concludes that the harm to heritage assets is less than substantial and this is considered to be outweighed by public benefits. Therefore the proposals are considered to accord with policy DM2.3 and guidance contained within the NPPF, the CADG and UDG.

Accessibility

- 10.23 The proposals result in step-free access and lift provision to each floor along with accessible toilets, cycle parking including one accessible visitors parking space, and kitchen facilities which is an improvement on the existing situation within the building.
- 10.24 Given the site's constraints, the proposal is considered to generally conform to accessible standards set out within the Inclusive Design In Islington Supplementary Planning Document and conform to Policy DM2.2 (Inclusive Design) of the Development Management Policies (2013).

Neighbouring Amenity including Sunlight and Daylight

- 10.25 The proposal would create a single storey roof extension at third floor level and include external alterations to the building's facades. The works result in the reconfiguration, repositioning and reduction in the extent of the existing commercial roof terrace area to 30 square metres at third floor roof level of no. 28, (now limited to the south eastern end of the site, adjacent to Rosebery Avenue).
- 10.26 Part X of Policy DM2.1 requires new development to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments,

overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

10.27 The north-eastern boundary of the site adjoins the rear boundaries of the rear gardens of the residential properties at no's 44 to 47 Wilmington Square. There is an existing level of overlooking between the first and second floors of the existing office buildings on the site, the existing third floor roof terrace which runs along the north eastern boundary, and the rear of the residential properties at Wilmington Square and Yardley Street. The rear elevation of the proposed roof extension is separated from these properties by approximately 12 metres.

10.28 The rear elevation to the proposed roof extension to no. 25 would comprise opaque glazing and the rear elevation to the roof extension to no. 28 would comprise bronze aluminium panels, opaque glazing and bronze rainscreen cladding.



View of existing roof terrace on south-western elevation



View of existing roof terrace on north-western elevation

- 10.29 The proposals result in a reduction in the extent of the existing roof terrace and repositioning towards the south-eastern corner of the site. There would be no access beyond the proposed roof extension except for maintenance, which is a reduction on the existing situation, and in this regard the proposals would represent a reduction in the potential for overlooking. As a result of the position, design and materials of the extension, the proposals would not result in an increase in overlooking towards the residential properties nor loss of privacy and are acceptable in this regard.
- 10.30 This reduction in the extent of the roof terrace and increase in separation from the adjacent residential properties would reduce the potential for noise disturbance from the users of the terrace.
- 10.31 The proposed third floor roof extension to no. 25 would result in an infill of the space between the existing structures at no's 23-24 and no 28 Easton Street. This element of the extensions would be set back from the boundary with the Wilmington Square rear gardens by 8.4 metres and the infill extension would be 3.1 metres to match the existing height.
- 10.32 The proposed roof extension to no's 28 Easton Street would replace the existing structures on this part of the site, which occupy much of the existing third floor level adjacent to the rear façade and whilst there would be an enlargement on the footprint at third floor level, the majority of the extension would be set back from the rear façade by 2 metres. The height of the replacement structure would be

marginally increased in height by 0.7 metres measuring 2.7 metres high above the existing parapet wall.

10.33 Consideration has been given to the set back of the extension from the nearest residential properties at Wilmington Square and Yardley Street, the revisions to the proposed lift shaft and the nature of the dense urban and central location of the site as well as the statutory listing of these properties. The proposed increase in height, bulk and massing and footprint of the existing structures at third floor level would not result in an overbearing impact or increase in sense of enclosure. The impact of the proposed works is not considered to be so significant as to result in a material loss of amenity to the adjacent residential properties in terms of enclosure, dominance or outlook and is therefore acceptable in accordance with policy DM2.1.

10.34 Daylight and Sunlight: The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'. During the course of the assessment of the application and following public consultation additional comments and information in relation to the impact on neighbouring amenity including levels of Daylight and Sunlight were received in a letter including a Waldram Diagram.

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

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

And

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

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

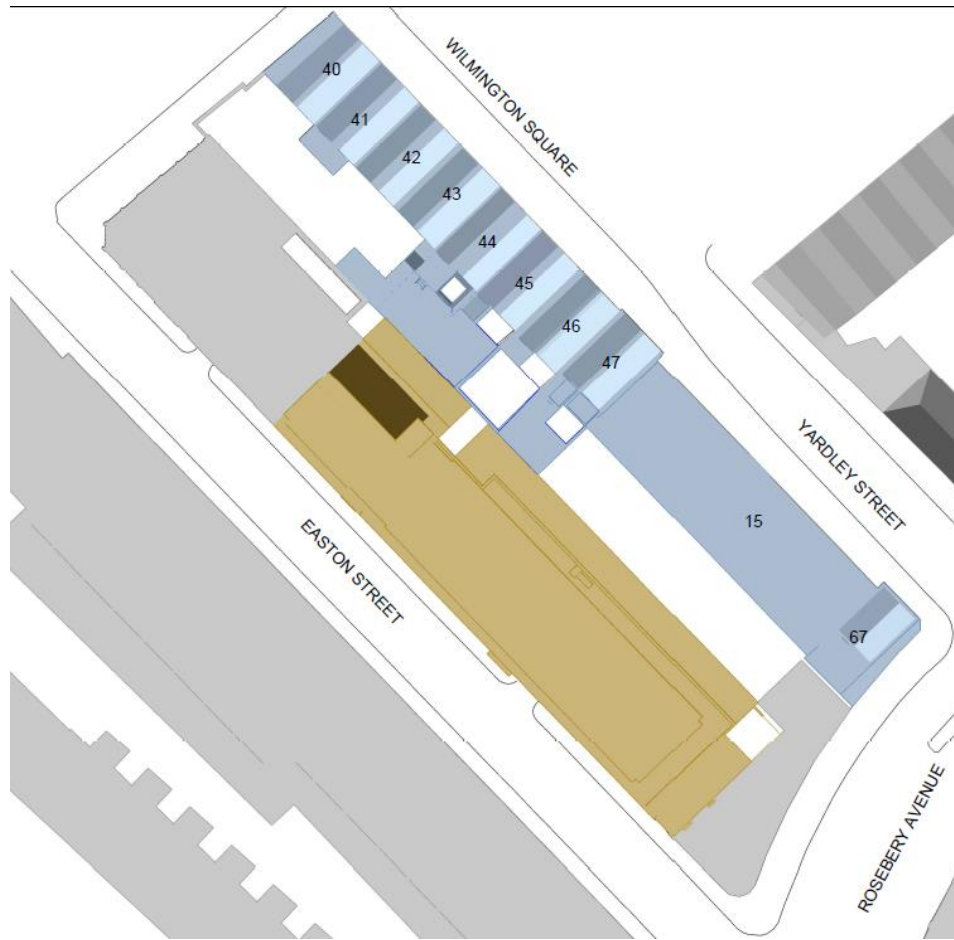
In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

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

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

Analysis of Daylight Losses for Affected Properties

- 10.38 Residential dwellings at the following properties listed and detailed on the map below have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:
- 10.39 40-47(Inclusive) Wilmington Square: The report and additional letter sets out that no windows on the adjacent residential properties at Wilmington Square would fail the British Research Establishment Guidelines (BRE) Vertical Sky Component (VSC) Test.
- 10.40 15 Yardley Street: The report concludes that two windows at 15 Yardley Street would fail the VSC Test (30% losses). The associated two kitchens affected would lose 46 percent and 49 percent of their existing daylight. Due to the low level of existing light, the actual daylight area lost would only be 1.05 and 1.08 square metres. It is apparent that the over sailing access decks are inhibiting the ability of the rooms to receive daylight.
- 10.41 An additional two kitchen windows at second floor level, whilst passing VSC, the rooms they serve would experience losses of 0.29 and 0.41 daylight distribution. Again, due to the low area of existing lit, the actual loss of lit area would be 1.05 and 0.85 square metres.
- 10.42 As a result, the impact on the quantified small areas is not considered to be so significant as to sustain the refusal of the application on this basis.
- 10.43 67 Rosebery Avenue: The report confirms that no windows on this residential property would fail the British Research Establishment Guidelines (BRE) Vertical Sky Component (VSC) Test.



Analysis of Sunlight Losses for Affected Properties

40-47(Inclusive) Wilmington Square: The living room of no. 44 would see an overall reduction to four hours of winter sun amounting to a 43% loss of previously received winter sun however the APSH would exceed the BRE requirements. 43 Wilmington Square ground floor kitchen would lose 67% winter sun, but comfortably exceed APSH. At 45 Wilmington Square two basement kitchen would lose 42 % and 44% APSH. No change to winter sunlight hours. At no. 47 the ground floor kitchen window would lose 32% of APSH and would lose one hour of winter sun. The first floor living room window would lose 50% of winter sun however the APSH would exceed the BRE requirements.

10.44 15 Yardley Street: The report confirms out that no windows on the residential properties here would fail the APSH assessment method.

10.45 67 Rosebery Avenue: The report confirms out that no windows on this residential property would fail the APSH assessment method.

10.46 All other tested windows would be in accordance with the BRE Guidelines for sunlight.

10.47 Therefore the impact on the proposals on the levels of daylight and sunlight of the neighbouring residential properties is considered to be acceptable.

Noise

- 10.48 The proposals includes the installation of fixed external plant for ventilation purposes within the external courtyard of the basement and ground floor levels and for emergency purposes, two additional external smoke extract plants are proposed at third floor level. The Council's Acoustic Officer has reviewed the submitted documents following discussions with the applicant's noise consultants, and has not raised an objection subject to conditions concerning a Noise Report relating to the plant equipment, use of a timer to control the hours of operation of the plant equipment and a Written Code for management of noise from emergency plant equipment. The impact of the proposals on the amenity of neighbouring occupiers is acceptable subject these conditions.
- 10.49 In summary the proposal would not conflict with the aims of Policy DM2.1 of the Islington's Development Management Policies with regards to the protection of neighbouring amenity or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm to residential amenity and is therefore acceptable in this regard.
- 10.50 Objections have been received expressing concerned that the proposals would result in an overbearing impact, as well as an increase in sense of enclosure, overlooking and loss of privacy to the rear of the Wilmington Square residential properties and regarding the increase in height. At paragraphs 10.29 to 10.33 consideration has been given to the position and proximity of the proposed roof extensions to the adjacent residential properties on Wilmington Square and the existing relationship and structures on site. There is not considered to be a significantly harmful impact in terms of overbearing impact, loss of outlook or increase in sense of enclosure of these properties as to justify refusal on this basis.
- 10.51 Objections have been received concerned that the proposals would result in a loss of daylight and sunlight to the residential properties at 44-47 Wilmington Square and Yardley Street and fails to meet BRE Guidelines. The findings of the BRE report and additional information have been considered in paragraphs 10.35 to 10.46 and conclude that having regard to the central urban context of the site and the modest increase in massing proposed, the scheme would not result in a significantly harmful impact on the amenities of the surrounding properties in terms of levels of daylight and sunlight as to warrant refusal of the application.
- 10.52 An objection has been received concerned that the proposals do not provide detail as to mitigation from impact of increased noise disturbance. The impact of the proposals has been assessed by the Acoustics Officer as set out in paragraph 10.48. The impact on the amenity of neighbouring occupiers is considered to be acceptable subject conditions set out above and listed at the end of this report.

Highways and Transportation

- 10.53 Policy DM8.6 sets out that provision for delivery and servicing should be provided off-street, particularly for commercial developments over 200m² gross floor area, in order to ensure proposed delivery and servicing arrangements are acceptable. A Transport Assessment and Delivery and Servicing Plan has been submitted. In line with the existing arrangements, servicing and deliveries will continue to be

undertaken via the Easton Street carriageway and are acceptable subject to a condition requiring a Construction Method Statement.

- 10.54 An objection was received concerned that there would be an increase in congestion from parking. However Core Strategy policy CS10 requires all new developments to be car-free, which means no parking provision will be allowed on site and occupiers will not have the ability to obtain parking permits. Therefore there will be no material impact on traffic congestion as a result of the proposed works.
- 10.55 The requirements for cycle parking set out in Policy DM8.4 and Appendix 6 of the Development Management Policies applies to the creation of new office floorspace. Cycle parking is required to be provided at a rate of one space per every 80m² of new floorspace and needs to be secure, covered, conveniently located and step free. The scheme proposes 42 Cycle parking spaces of which 36 are for workers and 6 are for visitors including one accessible cycle parking space. The total provision of cycle parking accords with the requirements of Development Management Policy DM8.4 (Walking and cycling). As such, the scheme complies with the Councils transport policies.
- 10.56 The Council's highways officer has made comments regarding the access arrangements for construction and commented that a Construction Management Plan including a site layout plan would need to be submitted. Therefore it is recommended that a condition is attached requiring a Construction Management Plan which includes details to address the matters outlined above.

Other Matters

- 10.57 An objection was received commenting that the roof terrace and air conditioning are not required by shared workspace users. However the council's policies do not object to the principle of plant equipment for a commercial property or alterations to existing plant equipment. Whilst there is no requirement for a roof terrace for a commercial property, it does provide an amenity benefit and provided there is no undue amenity impact, the principle of such a roof terrace is acceptable. Therefore it would be unreasonable to refuse the application on this basis.
- 10.58 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposal is for the demolition of the existing roof pavilion and associated structures at Nos. 25-27 Easton Street and 28-35 Easton Street, and the erection of single storey roof extensions to both buildings at third floor level together with external alterations including alterations and extension to the existing building parapet by 750mm, installation of double height windows at ground floor level, creation of a new principal entrance to no.28 and reinstatement and lowering of the entrance to no. 25.
- 11.2 The provision of additional B1 floorspace and its design is considered to meet policy requirements and is acceptable. The design of the proposal is considered to be acceptable and would not detract from the character and appearance of the host building, surrounding conservation area and setting of adjoining listed buildings. The statutory duties under Section 66 (1) and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are met. Whilst the proposal would impact on the amenity of the neighbouring properties, having regard to the central urban location of the site and the minimal increase to the bulk, height and massing of the existing building, the harm is considered to be acceptable. The impact of the proposal in terms of overlooking, sense of enclosure and noise is considered to be acceptable. It is recommended that conditions are attached to minimise the impact of any noise disturbance to an acceptable level.
- 11.3 The proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Finsbury Local Plan, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>PL 100 01 P1; PL 100 02 P1; PL 100 03 P1; PL 101 00 P1; PL 101 01 P1; PL 101 02 P1; PL 101 03 P2 15.03.17; PL 101 04 P2 15.03.17; PL 101 05 P1; PL 101 06 P1; PL 101 07 P1; PL 102 01 P3 15.03.17; PL 102 02 P1; PL 102 03 P1; PL 102 04 P1; PL 102 05 P1; PL 102 06 P1; PL 102 07 P1; PL 102 08 P1; PL 103 01 P2 08.02.17; PL 103 02 P3 15.03.17; PL 103 03 P1; PL 103 04 P1; PL 103 05 P1; PL 103 06 P1; PL 103 07 P2 16.03.17; PL 103 08 P1; 1.1 Cladding Amendments; 1.2 Cladding Amendments; 1.3 Massing Models 16-03-17; 1.4 Massing Models - Relationship between the rear of No. 25 & Wilmington Square Properties 16-03-17; Letter from Nathaniel Lichfield and Partners dated 5 December 2016 ref: 15003/IR/TN/12876049v1; Letter from Nathaniel Lichfield and Partners dated 9 February 2017 ref: 15003/IR/TN/13292935v3; Design & Access Statement 1503_315_161115 - Easton Street - November 2016; Economic Statement dated 5 December 2016 ref: 15003/IR/RN; Heritage; Townscape and Visual Impact Assessment dated December 2016 ref: 15003/IR/NBi/KD; Planning Statement dated 5 December 2016 ref: 15003/IR/HW/TN; Daylight and Sunlight Report 28 November 2016; Energy statement revision P4; Framework Construction Logistics Plan 01 December 2016 ref: WIE12080-100-R-4-2-3-CLP dated 01/12/16; Framework Travel Plan 01 December 2016 WIE12080-100-R-3-4-3-Framework Travel Plan dated 01/12/16; Heritage; Townscape and Visual Impact Assessment Appendix 4: Assessment of Representative Views December 2016; Planning Noise Assessment ref: WIE12080-100-R-1.3.3-IU Issue 003 dated December 2016; Service & Delivery Management Plan 01 December 2016 WIE12080-100-R-2-4-3-SDMP dated 01/12/16; STATEMENT OF COMMUNITY INVOLVEMENT December 2016; SUSTAINABLE DESIGN AND CONSTRUCTION STATEMENT Dec 2016 - Rev G 20160122; Transport Statement 01 December 2016 WIE12080-100-R-1-4-3-TransportStatement dated 01/12/16; Daylight and Sunlight Assessment Explanatory Note;</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</p>

	planning.
3	Materials (Details)
	<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> <ul style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); f) Bronze aluminium mesh g) Sand blasted/frosted opaque glazed units; h) Any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>
4	Construction Method Statement
	<p>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:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>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: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
5	Plant Equipment Noise Levels
	<p>CONDITION: 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</p>

	<p>with the methodology contained within BS 4142: 2014.</p> <p>REASON: For the protection of neighbouring amenity.</p>
6	Timer for Plant Equipment
	<p>CONDITION: Prior to the hereby approved plant equipment being used, a timer shall be installed limiting the operation of VRF units to between the hours of 07:00 to 19:00 each day only. The VRF units shall not be operated outside of these hours and the timer shall be maintained as such thereafter, unless an appropriate mitigation strategy has been submitted to and approved by the Local Planning Authority demonstrating that the plant equipment being used outside of the hours of 07:00-19:00 comply with the requirements of condition 5.</p> <p>REASON: For the protection of neighbouring amenity.</p>
7	Management of Plant Equipment Noise
	<p>CONDITION: This approval is subject to the prior written approval by the Local Planning Authority of a written code for the management of noise from emergency plant and equipment, the subject of this consent. The code shall be submitted to and approved prior to the commencement of the use to which this consent relates. The code shall be fully implemented and operated at all times in accordance with the approved details. The management code shall identify measures to reduce the impact of the noise on the community. The Management code shall include measures to address the following matters:</p> <ol style="list-style-type: none"> 1. The testing of equipment not to take place between the hours of 1800 and 0800 on any day, and not at any time on Sundays, Bank Holidays or after 1300 on a Saturday. 2. The duration of the testing to be commensurate with the test requirements and not to exceed one hour. 3. A list of potential residential receptors to be drawn up and those receptors to be given advance written notification of the time and date of the test. 4. The acoustic design and control of the fixed plant and equipment to meet a criterion of a rating level, measured or calculated at 1m from the façade of the nearest noise sensitive premises, of not more than 5dB(A) above the existing background noise level (LA90). The rating level to be determined as per the guidance provided in BS4142:2014. 5. A report to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the plant and machinery. The report is to be submitted to, and approved in writing by the Local Planning Authority, and any noise mitigation measures shall be installed before the commencement of the use hereby permitted and permanently retained thereafter. <p>REASON: For the protection of neighbouring amenity.</p>
8	Cycle Storage
	<p>CONDITION: The bicycle storage area(s) hereby approved, shall be provided prior to the first occupation of the development hereby approved as shown on drawing no. PL10101P1 and maintained as such thereafter.</p>

REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.
--

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 accordance with the requirements of the NPPF.</p>
2	Community infrastructure Levy (CIL)
	<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 cil@islington.gov.uk. 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 www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</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 2016, 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 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 7 - Bunhill and Clerkenwell
Policy CS 8 – Enhancing Islington's character
Policy CS 9 - Protecting and enhancing Islington's built and historic environment
Policy CS 10 – Sustainable Design

C) Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.2 – Inclusive Design
- Policy DM2.3 – Heritage
- Policy DM5.1 - New business floorspace
- Policy DM5.4 - Size and affordability of workspace
- Policy DM7.1 - Sustainable design and construction
- Policy DM7.2 - Energy efficiency and carbon reduction in minor schemes
- Policy DM7.4 – Sustainable Design Standards
- Policy DM8.4 - Walking and cycling
- Policy DM8.5 - Vehicle parking

D) Finsbury Local Plan (June 2013)

- Bunhill & Clerkenwell Key Area
- Mix of uses

3. Designations

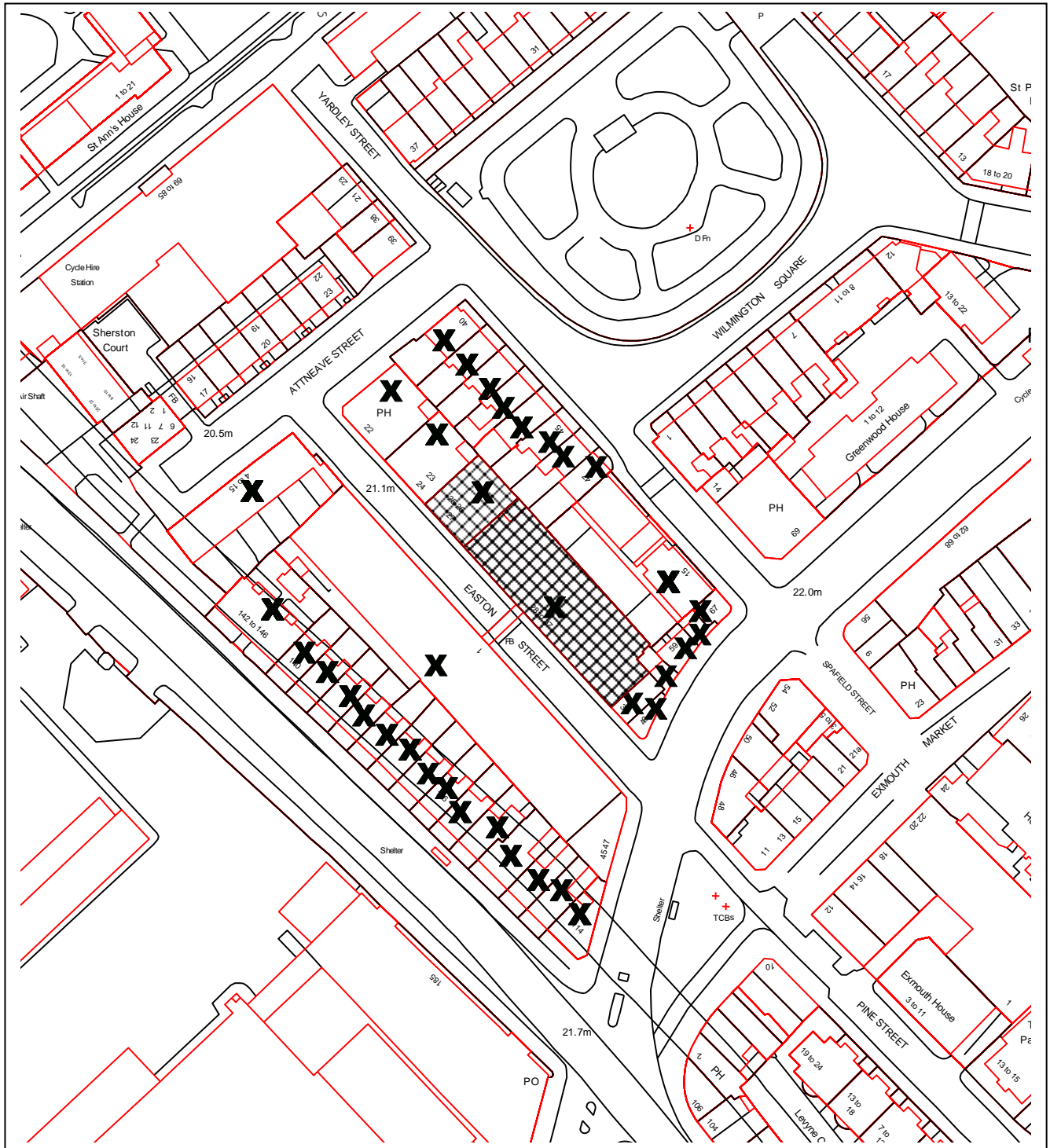
Rosebery Avenue Conservation Area

4. SPD/SPGS

Urban Design Guidelines 2017
Conservation Area Design Guidelines
Environmental Design SPD
Inclusive Design SPD

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PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration
Department

PLANNING SUB-COMMITTEE B		
Date:	20 th April 2017	NON-EXEMPT

Application number	P2016/4970/FUL
Application type	Full Planning Application
Ward	Canonbury Ward
Listed building	Not listed
Conservation area	East Canonbury Conservation Area
Development Plan Context	Locally Listed Building Grade B East Canonbury Conservation Area Article 4(2) East Canonbury (1) Major Cycle Route
Licensing Implications	None
Site Address	60 Halliford Street, Islington, LONDON, N1 3EQ
Proposal	Demolition of the existing rear lower ground floor level conservatory and erection of a single storey full width, two storey part width rear extension. Installation of new upper ground floor window to side elevation. Enlargement of existing dormer window in rear roof slope and installation of new Velux-type roof window in rear roof slope.

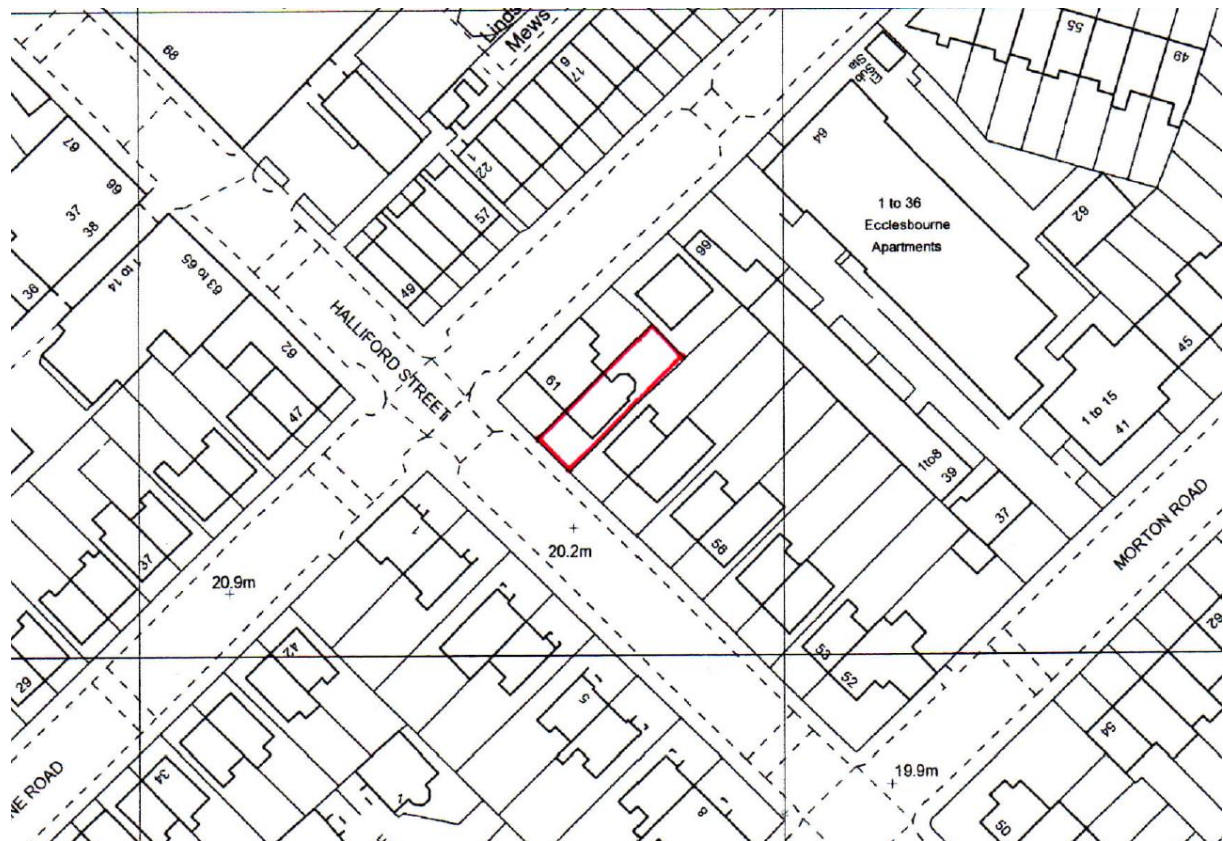
Case Officer	Thomas Broomhall
Applicant	Mr & Mrs Neil & Laura Avery
Agent	Peter Brades - Peter Brades Architects

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

Location of Site

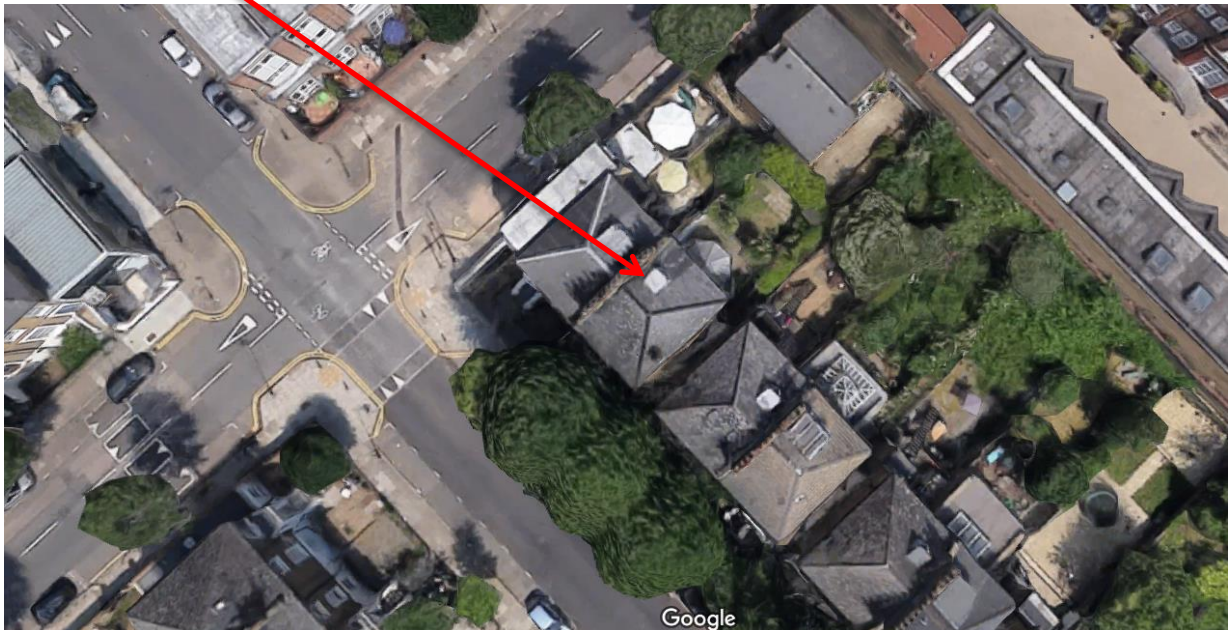


Image 1: Aerial view of the site from directly above the site

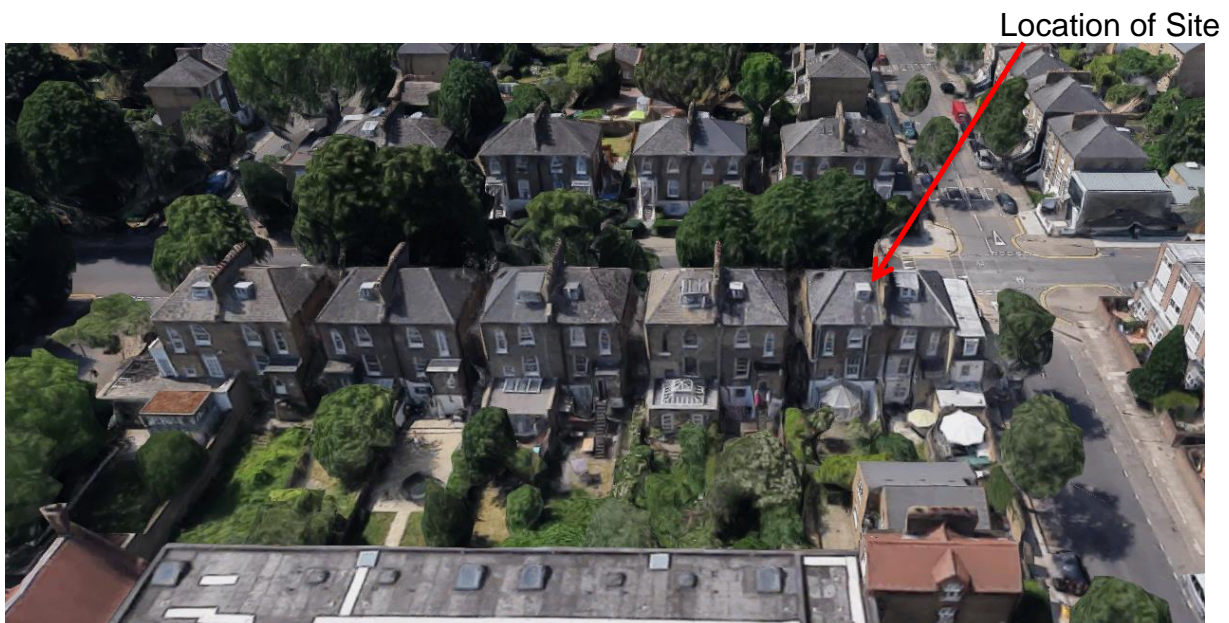


Image 2: Looking into the site in a south westerly direction



Image 3: View of rear elevation



Image 4: View of lower ground floor of rear elevation



Image 5: View towards rear of neighbouring properties



Image 6: View of rear roof slope from street



Image 7: View of the side elevation from the street

4. SUMMARY

- 4.1 Planning permission is sought for the demolition of the existing rear lower ground floor level conservatory and the erection of a single storey full width, two storey part width rear extension. The proposed works also include the installation of a new upper ground floor window to the side elevation, the enlargement of the existing dormer window in the rear roof slope and the installation of a new Velux-type roof window in the rear roof slope.
- 4.2 The application is brought to committee because the applicant is an employee of Islington Council.
- 4.3 The issues arising from the application are the impact of the proposals on the character and appearance of the host building, being a pair of semi-detached villas and the East Canonbury Conservation Area; and the impact on the amenities of the adjoining and surrounding residential properties.
- 4.4 The impact of the proposal on the character and appearance of the host building, being a pair of semi-detached villas and East Canonbury Conservation Area is considered to be acceptable. The impact on the amenities of the adjoining and surrounding properties is considered to be acceptable.

5. SITE AND SURROUNDING

- 5.1 The application site is a two storey over lower ground floor single dwelling house, part of a pair of semi-detached villas in a row of ten similar properties. The property is Locally Listed Grade B however it is not statutorily listed and is within the East Canonbury Conservation Area. The surrounding area is predominantly residential in character.

6. PROPOSAL (in Detail)

- 6.1 Planning permission is sought for the demolition of the existing rear lower ground floor level conservatory and the erection of a single storey full width, two storey part width rear extension to the rear elevation of the semi-detached property. The application also includes the installation of a new upper ground floor window to the side elevation, the enlargement of the existing dormer window in the rear roof slope and the installation of a new Velux-type window in the rear roof slope
- 6.2 The proposed extension would extend at the lower ground floor level of the property to a depth of 3.75 metres across the full width of the building. A rooflight is proposed within in the flat roof of the single storey element of the extension. The single storey element rises on the boundary with no. 61 to a height of 3 metres. The two storey element rises to a height of 5.6 metres on the staircase side of the semi-detached building set away from the boundary with no. 59 by 1.2 metres. The two storey element would be less than half the width of the property measuring 2.5 metres.

- 6.3 The proposed enlargement of the existing rear dormer window would increase the width and the depth of the existing dormer window and result in similar proportions to the existing dormer window on the adjoining property at no. 61. The proposed dormer would extend 1.5 metres in width and 2.2 metres in depth. The proposed new rooflight to the rear roof slope would sit adjacent to the dormer window and measure 0.5 metres in height and width.
- 6.4 The proposed new window on the side elevation would be located at upper ground floor level with proportions of 0.5 metres in width and 0.9 metres in height.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 23/05/2002 Planning Application (ref: P012300 60) refused for Erection of a rear dormer at 60 HALLIFORD STREET, N1.

REASON: The proposed rear dormer would be visible from the street and would constitute an unsightly interruption to the existing skyline, by virtue of its size and location on the roof slope, to the detriment of the character and appearance of the original building and the streetscene in particular and the East Canonbury Conservation Area in general, contrary to Policies D21 and D24 and Unitary Development Plan (Second Deposit Draft June 2000) and Paragraph 23.7 of the Conservation Area Guidelines.

ENFORCEMENT:

- 7.2 None.

PRE-APPLICATION ADVICE:

- 7.3 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Halliford Street, Orchard Close, Morton Road and Ecclesbourne Road. A site notice and press notice were also displayed on 3 January 2017. The public consultation on the application ended on 2 February 2017.
- 8.2 At the time of the writing of this report no objections have been received from the public consultation.

Internal Consultees

- 8.3 Design and Conservation – No objection.

External Consultees

8.4 None.

9. RELEVANT POLICIES

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

National 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 2016, 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 and Conservation
- Neighbouring amenity

Design and Conservation

10.2 The application proposes the erection of a full width single storey part with two storey rear extension, enlargement to the existing rear dormer window, installation of rear roof light and installation of new window at upper ground floor level on the side elevation.

10.3 A Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving the character and appearance of Conservation Areas within their area.

- 10.4 Section 5.134 of the Islington Urban Design Guide (IUDG) sets out the following:

Rear extensions must be subordinate to the original building; extensions should be no higher than one full storey below eaves to ensure they are sufficiently subordinate to the main building. For this reason and also in order to respect the rhythm of the terrace, full width rear extensions higher than one storey, or half width rear extensions higher than two storeys, will normally be resisted, unless it can be shown that no harm will be caused to the character of the building and the wider area.

- 10.5 Paragraphs 23.41 and 23.15 of the East Canonbury Conservation Area Design Guidelines (CADG) set out the following:

Full width rear extensions higher than one storey or half width rear extensions higher than two storeys, will not normally be acceptable, unless it can be shown that no harm will be caused to the character of the area. In order to preserve the scale and integrity of the existing buildings it is important that rear extensions are subordinate to the mass and height of the main building. Rear extensions will be permitted on their merits and only where the scale, design and materials to be used are in keeping with the existing property and where all other planning standards are met.

- 10.6 Section 5.148 of the UDG sets out the following:

In all cases, applications for roof extensions, dormers and roof lights will be assessed on merit, giving due consideration to:

- *The quality of design.*
- *Materials and construction proposed.*
- *The cumulative effect on visual amenity, unity and coherence of the street scene.*

- 10.7 The additional mass, height, scale, depth and proportions of the proposed rear extension are considered to remain subordinate to, and preserve the scale and integrity of the original building, retaining sufficient height below the eaves. Consideration has been given to the extent of the proposed increase to the footprint of the dwelling and the impact on the character of the modest rear garden and the property's dense urban setting. The proposed extension is considered to balance the increase in built form with retaining sufficient private outdoor amenity space.

- 10.8 It is noted that two storey additions of varying heights and depths exist on the adjacent properties in the terrace including at no's 61, 59, 57, 55 and that large single storey rear extensions exist at no's 58 and 56. As a result the extension is of a similar scale to the pattern of development in the area.

- 10.9 The design, appearance and use of materials (including brickwork to match existing, timber sliding sash window at upper ground floor and aluminium

framed sliding doors at lower ground floor level) are considered to be appropriate to the rear elevation of the host building.

- 10.10 The proposed enlargement of the existing rear dormer would result in a dormer of similar proportions and in a similar position to the existing rear dormer window on the adjoining property at no. 61 improving the symmetry of the pair of villas. The dormer is positioned a clear distance below the ridge-line, significantly clear of the boundary parapets, and above the line of the eaves. The use of sash windows and the small size of the cheeks around the dormer window also follow the appearance of the existing dormer at no. 61. As a result, the enlargement of the dormer is considered to be in keeping with the original dwelling and relate appropriately to the windows of the original house and pair of villas, in proportion, detailing and position. The proposed dormer is considered to have addressed any previous reasons for refusal of the application for a rear dormer in 2002.
- 10.11 The proposed roof light is flush with the roof covering, small scale, almost entirely hidden behind the existing parapet wall and is acceptable in design terms.
- 10.12 The proposal is therefore considered to be consistent with the aims of Council objectives on design and in accordance with Islington Development Management Policies DM2.1 and DM2.3, and guidance contained within the Islington Urban Design Guide (2017) and the East Canonbury Conservation Area Design Guidelines (2002).

Neighbouring Amenity

- 10.13 The proposal is for a single storey full width, two storey part width rear extension to the rear elevation of the semi-detached building. The extensions would be separated from the boundary with no. 59 by a pathway running along the side of the property.
- 10.14 Part X of Policy DM2.1 requires new development to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.15 Consideration has been given to the increase in bulk, scale, depth and height from the proposed rear extension and the impact on the amenities of the adjoining properties.
- 10.16 Particular consideration has been given to the design of the proposed rear extension and the potential impact on the window on the rear elevation of no. 61 at lower ground floor level. The boundary wall currently slopes downwards from a maximum height of 3.2 metres down to 2.2 metres. It is noted that there

would be a minor increase in height adjacent to the boundary as a result of the single storey element of the rear extension, at a maximum height of 0.8 metres although this extent would covers 2.4 metres.

- 10.17 Given this design, the impact of the partial increase in height and massing adjacent to the boundary wall on the outlook and perceived sense of enclosure of no. 61 will be minimal and not result in sufficient loss of amenity as to sustain the refusal of the application on this basis and is therefore acceptable.
- 10.18 The submitted drawings indicate that the existing window to no. 61 would fail the 45 degree rule set out by the BRE guidelines in plan and elevation. The small increase in height and massing is not considered to result in any discernible loss of daylight on the existing situation. The rear elevation is within 90 degrees of due north so there will be no sunlight impact. The window is set away from the boundary wall, has an otherwise open aspect to the rear and therefore the impact of the proposals are acceptable in this regard.
- 10.19 The two storey element of the proposed rear extension would be set away from both boundaries with no's 61 and 59 due to the pathway running down the side of the semi-detached villa and given the 1.2 metre set in from the boundary with no. 59. There is an existing two storey addition in place at no. 59. Consideration has been given to the separation between the dwellings, and the position and proximity to windows of habitable rooms sited on the rear elevation. The proposed two storey rear extension would not result in a harmful impact in terms of loss of outlook, enclosure or daylight and is therefore acceptable in this regard.
- 10.20 The proposed windows to the rear elevation only overlook the garden and therefore there is no potential for an increase in overlooking from the proposed extension. The proposed side elevation window would serve a staircase, being non-habitable room, resulting in no undue overlooking.
- 10.21 The proposed enlargement of the rear dormer window and roof light would sit comfortably within the rear roof slope and would not have an impact on the amenities of the adjoining or adjacent properties in terms of an increase in overlooking, loss of outlook or increase of enclosure and is acceptable in this regard.
- 10.22 In summary the overall impact of the proposals is not considered to result in an unacceptably harmful impact on the adjoining and adjacent properties in terms of loss of outlook, daylight, sunlight, or increase in sense of enclosure or overlooking. Therefore the proposals are considered to be acceptable in accordance with policy DM2.1 of the Islington Development Management Policies.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The impact of the proposal on the character and appearance of the host building being a pair of semi-detached villas and surrounding conservation area is considered to be acceptable. The impact on the amenities of the adjoining and surrounding properties is considered to be acceptable.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>1716/01, 1716/02 RevA, 1716/03, 1716/04, 1716/05, 1716/06 RevA, 1716/07 RevA, 1716/08, 1716/09 RevA, 1716/10, 1716/11, 1716/12, 1716/13 RevA, 1716/14 RevA, 1716/15, Design and Access Statement dated December 2016</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	MATERIALS (COMPLIANCE):
	<p>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.</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	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p>

	<p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in 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 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 2016, 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 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

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

Policy DM2.1 – Design
Policy DM2.3 - Heritage
Policy DM7.1 - Sustainable design and construction
Policy DM7.2 - Energy efficiency and carbon reduction in minor schemes
Policy DM7.4 – Sustainable Design Standards

3. Designations

East Canonbury Conservation Area

4. SPD/SPGS

East Canonbury Conservation Area Design Guide 2002
Urban Design Guide 2017
Environmental Design SPD 2012

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PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB COMMITTEE B		
Date:	20 April 2017	NON-EXEMPT

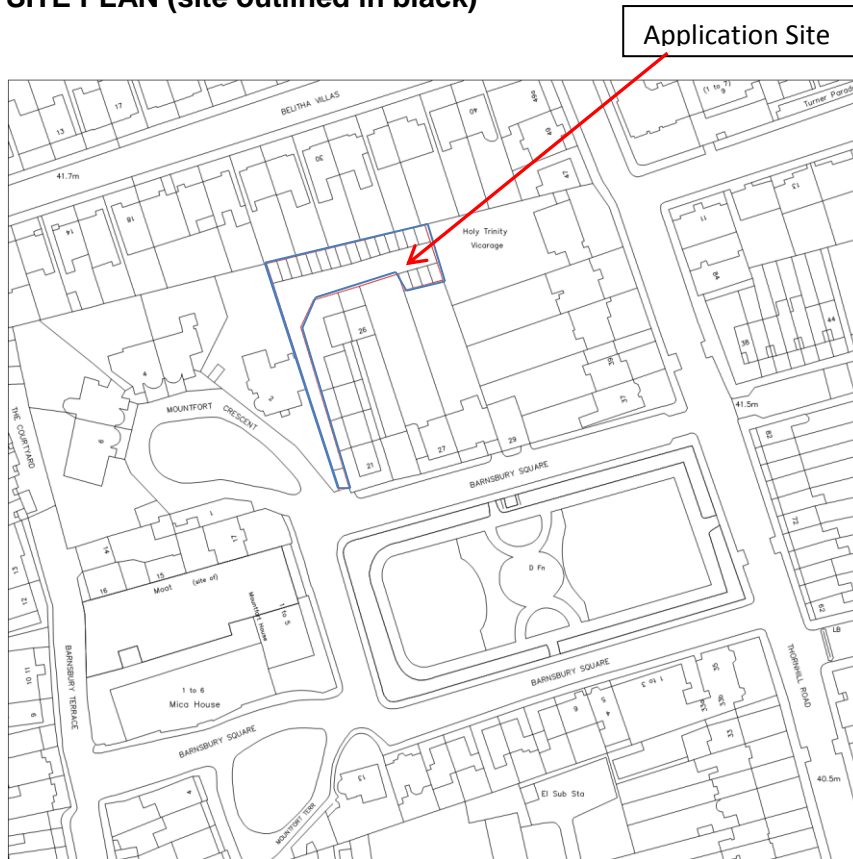
Application number	P2016/1383/FUL
Application type	Full Planning Application
Ward	Barnsbury Ward
Listed building	Not Listed
Conservation area	Barnsbury Conservation Area
Development Plan Context	<ul style="list-style-type: none"> - Barnsbury Conservation Areas - Local cycle routes - Major Cycle Route - Mayors Protected Vistas - Alexandra Palace viewing terrace to St Paul's Cathedral - Open Space - Barnsbury Square Garden - Sites of Importance for Nature Conservation Barnsbury Square (SINC)
Licensing Implications	None
Site Address	Garages Rear of 21 – 28 Barnsbury Square Islington N1 1JP
Proposal	Demolition of existing garages and erection of a three-bedroom single family dwelling house including excavation at basement level with associated landscaping; erection of boundary wall and provision of cycle and refuse storage.

Case Officer	Sandra Chivero
Applicant	c/o Agent
Agent	Oliver Jefferson – Turley

1. RECOMMENDATION

- 1.1 The Committee is asked to resolve to Refuse planning permission for the reason 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: Aerial View of site in winter



Image 3: Existing Garages



Image 4: Existing Access to Garages

4. SUMMARY

- 4.1 The application seeks planning permission for the construction of a three-bedroom single family dwelling house including excavation at basement level. All of the habitable accommodation will be located at ground floor level and would incorporate storage space at lower ground floor level, however, would read as a single storey structure when viewed from neighbouring properties.
- 4.2 The main considerations are the principle of residential use on the site, design, impact on the character and appearance of the Barnsbury Conservation Area, setting of adjacent listed buildings and neighbouring amenity, standard of accommodation, transport, trees, sustainability, affordable housing contributions and carbon offsetting contributions.
- 4.3 The development would be acceptable in terms of its height limited to a single storey to this back land site. The use of modern materials is also considered acceptable to the contemporary low rise development which would not be prominent from public views. The resulting dwelling is therefore not considered to impact on the setting of the neighbouring listed buildings nor the character and appearance of the surrounding Barnsbury Conservation Area.
- 4.4 The proposed building would also generate no significant harm on neighbouring amenity in terms of loss of light, outlook or privacy. The proposed standard of residential accommodation is considered to be more than adequate and the proposed building raises no concerns in relation to sustainability and transport.
- 4.5 The single family dwelling is proposed totalling 346sqm (GIA). This would be far in excess of 113sqm minimum required for a 4 bedroom/ 6 person house and 110sqm required for a 3 bedroom / 5 person house as required by the London Plan and Islington Policies. The resulting dwelling house would exceed by 3 times the minimum space standard for a 4 bedroom/ 6 person house and 3 bedroom/ 5 persons houses respectively. It is considered that the proposed scheme, resulting in a creation of only 1 no. single family house does not result in sustainable development as it fails to maximise the development potential of this urban site. It is further considered that the provision of

only a single residential unit on the same amount of floor space which can clearly provide a greater number of units is also an inefficient use of the site.

- 4.6 In addition, the site, being beneath the canopies of numerous significant and mature protected trees introduces residential use with an expectation for light. The relationship would introduce pressure to prune these trees due to leaf drop. Overtime, the impact arising from construction under tree canopies will harm the existing trees, prevent potential canopy cover improvements and undermine the character and amenity of the surrounding area in the future. The proposal fails to present either reduced footprint or provision of an additional much needed homes to off-set the harm to existing trees overtime.
- 4.7 The proposal is therefore considered unacceptable and it is recommended that planning permission is refused.

5. SITE AND SURROUNDING

- 5.1 The application site is located to the rear of nos. 21-28 Barnsbury Square which are positioned to the south of the application site. No. 21 – 26 are two-storey post war houses which run along the access route and no. 27 – 28 Barnsbury Square are Grade II Listed semi-detached villas. To the north the site is bounded by the rear garden of semi-detached Villas along Belitha Villas. The Holy Trinity Vicarage is located to the east of the site and the Grade II Listed 2 Mountfort Crescent is located to the west of the site.
- 5.2 The site is approximately 713 sqm and occupied by two rows single garages and associated hard standing 20 in total. The garages are accessed by a 2.8m wide private lane from the north east corner of Barnsbury Square close to the junction with Mountfort Crescent. The existing garages are not listed but the site is located within the Barnsbury Conservation Area. The surrounding area is predominantly residential in character.
- 5.3 There are a total of 14 trees which border the site, three of these hold Tree Protection Orders and as the site is located within a Conservation Area, all the trees are also protected by the Council. None of these trees are within the application site boundary, but their canopies and in some cases roots extend into the plot.

6. PROPOSAL (IN DETAIL)

- 6.1 It is proposed to erect a single family dwelling house (C3 Use Class) including excavation at basement level. The dwelling will be single storey over basement, the basement would incorporate storage space with all of the habitable accommodation at ground floor level. The resulting building would read as a single storey structure when viewed from the street and neighbouring properties.
- 6.2 The resulting dwelling will be 341sqm including 275sqm located at ground floor level and 66sqm at basement level. The building would be of a contemporary design and would be constructed of modern materials comprising of slim metal windows and ceramic clad façade. The ceramic tiles are sized to reflect the scale of brick surrounding walls.
- 6.3 The dwelling would comprise of 6 persons/ 3 no. en-suite bedrooms, kitchen with a pantry, living room and a study located at ground floor level. A utility room, storage space, and plant would be located at basement level. The dwelling also incorporates an Orchard Garden, internal courtyard garden, conservatory and a specimen flower garden.
- 6.4 The development will be carfree. Convenient and secure cycle parking will provided for at least four bicycles. This storage also provides for refuse and recycling storage.
- 6.5 The development would benefit from private outdoor amenity space in excess of 300sqm including the access way. The entrance of the site comprises of a metal gate from Barnsbury Square and the retention of the large hedges to both sides of the entrance. The access drive will be densely

planted with a footpath leading to the entrance garden. A number of trees will also be planted in the entrance courtyard, the total number has not been confirmed by the applicant but could be dealt with by way of landscaping condition. The boundary fence with no. 27 Barnsbury Square will be replaced by a masonry wall 2.9m high.

Revisions

6.6 Revised drawings were received during the course of the application as follows:

- Amendments on 18 October 2016 – ground floor plan 1101 rev I, roof plan 1103 rev G, and south elevation 1300 rev C.
- *Floorplan changes to accommodate tree – set back from T4 and T5*
- Amendments on 3 June 2016 – ground floor plan 1101 rev H and section HH 1207 rev –
- *Floorplan changes in response to access officer comments*
- Amendments of 3 May 2016 – Existing section 0203 rev C and Proposed east elevation 1303 rev B.
- Prior to public consultation an accurate eastern elevation was submitted based on a site survey

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

7.1 None

PRE-APPLICATION ADVICE

7.2 December 2015: Pre application advice (Ref. **Q2015/3938/MIN**) issued relating to the *demolition of existing garages and construction of a three-bedroom dwelling house*. The applicant was advised that the demolition of the garages was considered acceptable in principle. However, the covered walkway was considered inappropriate for the site. It was also recommended to reduce the height of the building and footprint of the proposed house to reduce impact of the listed buildings and the surrounding conservation area.

7.3 May 2015: Pre-application advice (Ref. **Q2015/1012/MIN**) issued relating to Demolition of existing garages and the construction of a four storey house. The pre-application enquiry was submitted by a different applicant and it was advised that the proposal was not supported.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 39 adjoining and nearby properties at Barnsbury Square, Thornhill Road, Mountfort Crescent and Belitha Villas on 25 April 2016. A site notice and a press advert were displayed on 28 April 2016. The public consultation of the application therefore expired on 06 June 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision. Following receipt of amended drawings the application was not reconsulted on as the amendments presented an improvement to the scheme and did not exacerbate impact on neighbouring properties.

8.2 At the time of writing this report five objections and a petition had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Multiple Units inappropriate at this location (**Paragraph 10.12 – 10.17**)

- Visibility of roof from neighbouring properties upper floor windows, should not be higher than boundary wall (**Paragraphs 10.22, 10.23, 10.25**)
- Pruning (**Paragraph 10.57, 11.4**)
- Height of boundary wall (**Paragraphs 10.22, 10.23, 10.25**)
- Incorrect drawing to the eastern elevation, arboricultural assessment and heritage statement (**Paragraph 8.4**)
- Fire access (**Paragraph 10.62**)
- Party Wall concerns and concerns over the replacement of existing walls (**Paragraph 8.3**)
- Should be no structure on flat roof including rooflights, aerials (**Paragraph 10.22**)
- Driveway not suitable for construction vehicles (**Paragraph 10.32**)
- Noise and damage to property (**Paragraph 10.31, 10.32**)
- Damage to tree roots during piling and listed buildings foundations (**Paragraph 10.29, 10.32. 10.56 – 10.59**)
- Flat roof should be an entirely green roof (**Paragraph 10.61**)

8.3 Concerns raised regarding party wall issues are not a material planning consideration. The application therefore could not be refused for this reason.

8.4 The submitted documents elevations and supporting documents are considered to be of an adequate standard to assess the application. The Design and Conservation Officer was satisfied with the Heritage Statement provided. An updated arboricultural report was submitted with the application. The Tree Officer was satisfied with the standard of the report and information provided.

8.5 3 letters were also received in support of the application.

External Consultees

8.6 **London Fire and Emergency Planning** - No comments received, committee will be updated at the meeting.

8.7 **Historic England** - No objections.

Internal Consultees

8.8 **The Design and Conservation Officer** stated that generally where the proposed built form is positioned close to the listed boundaries there are currently garages already in existence on the site. It is stated that any increase in height appears to be relatively minimal and as such the outlook from the surrounding buildings and impact on the setting of the listed buildings would be an improvement on the existing situation on site with sufficient open space retained and planting to the roofs. A condition is recommended requesting a detailed method statement for any works to the listed walls.

8.9 The reduced footprint of the house and removal of the covered walkways/ pergolas since the request for pre-application advice was considered to be an improvement. The incorporation of flat roofs is also welcome and it has been recommended to condition the roofs to be green roofs so as to appear more like an open space from above.

8.10 It is also stated that the proposed ceramic tile cladding to the facades may be considered acceptable in principle, however further details would be required in order to assess this, including samples of all facing materials.

8.11 **The Tree Officer** raised significant concerns regarding the juxtaposition of the development to the surrounding trees. This application has greater impacts to the trees than was advised would be acceptable at the pre-application stage and the last application. The arboricultural impacts are significant and could have a detrimental impact to the important mature trees surrounding the site.

- 8.12 In response to the updated arboricultural report was submitted. The Tree Officer stated that the detail within that report and amendments to the proposed footprint adjacent to T4 and T5 addressed his concerns regarding the safe retention of those trees. This was the primary concern regarding the application. The other issues regarding the position and methodology of construction for the services have also been addressed. However, it is further stated that in principle objections to building residential property beneath substantial protected trees stands.
- 8.13 **The Inclusive Design Officer** sought for better level access within the property. In response revised drawings were submitted indicating level access into the property through the kitchen and internal level access between the kitchen, a bedroom and a bathroom. Internal changes were also made to the layout of the en-suite bathroom to the western bedroom.
- 8.14 **The Sustainability Officer** accepts the level of excavation and does not object to the submitted Structural Method Statement. The Sustainability Officer also requires the maximisation of green roofs in line with DM policy requirements.
- 8.15 **Refuse** No comments made.

9. RELEVANT POLICIES

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

National Guidance

- 9.2 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.3 Since March 2014 Planning Practice Guidance for England has been published online.

Development Plan

- 9.4 The Development Plan is comprised of the London Plan 2016, 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.

Designations

- 9.5 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:
- Barnsbury Conservation Areas
 - Local cycle routes
 - Major Cycle Route
 - Mayors Protected Vistas - Alexandra Palace viewing terrace to St Paul's Cathedral
 - Open Space - Barnsbury Square Garden
 - Sites of Importance for Nature Conservation Barnsbury Square (SINC)

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.6 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
- Sustainable Use of the Site
- Design and Conservation
- Principle of basement development
- Neighbouring Amenity
- Quality of residential accommodation
- Inclusive Design
- Affordable Housing and Financial Viability
- Highways and Transportation
- Trees
- Sustainability

Land Use

10.2 It is proposed to demolish the existing 20 garages and erect a single family dwelling house (C3 Use Class). The garages are vacant and are privately owned. There is no policy protection for the existing garages, therefore the loss of the existing use is considered acceptable in principle. In judging the acceptability of residential use in this location it is considered that residential use would be appropriate in this predominantly residential area. The provision of additional housing at this location would be supported by policies CS12 of the Core Strategy which seeks to meet and exceed the borough housing targets through the provision of additional housing in suitable locations.

10.3 However, it is considered that the proposed scheme resulting in a creation of 1 no. single family dwelling house does not result in sustainable development as it fails to maximise the development potential of this urban site.

Sustainable Use of Site

National Planning Policy and Housing Need

10.4 Meeting housing is a key national policy objective. The National Policy Framework (NPPF) requires that local planning authorities should boost significantly the supply of housing by using their evidence to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework (Paragraph 47).

10.5 Almost 15, 000 new households were accepted as statutory homeless in London in 2012/13, a 16% increase on the previous year, whilst overcrowding rates have risen rapidly in the social and private rented sectors to 14% and 13% respectively. The 2013 SHMA identifies a need for 25, 600 additional affordable dwellings per year between 2015 and 2035, representing more than half of the projected total housing need for London of 49, 000 new homes per year during this timeframe.

10.6 Islington is a high demand area for housing and has the highest population density of any local authority in the UK. The borough is also the 10th most overcrowded in the country and as of September 2014 there were 9, 143 people who qualified for allocation on the borough's housing register.

10.7 The share of Islington's households renting privately has risen from 18.6% to 28.3% in the ten years to 2011. Despite having rents significantly higher than those across Greater London, there growth in the borough's rental market. The GLA London Rents Map indicates that for the year to February 2014, Islington median rents for a one-bed home per £325 per week, compared with £255 across Greater London and Islington median rents were £500 per week for a three-bed

home, compare with £369 across Greater London. With the median house price in Islington now 14.5 times higher than the median income, the need for housing in the borough is particularly high.

- 10.8 For the reasons outlined above, maximising housing provision is key priority for Islington. This is set out in the borough's Corporate Plan and the Islington Housing Strategy 2014 – 2019, which includes the objective of ensuring that there are decent, suitable and affordable homes for all. The priority given to housing is reflected in the Development Plan, with policy CS12 of the Core Strategy setting out that in order to meet the current London Plan Housing Target, Islington will need to deliver 17, 400 residential units over the 15 Year Period (2010/11 – 2024/25).

Development Plan Policies

- 10.9 The London Plan (2016) stipulates in realising the optimum potential of sites requires taking into account a range of factors into account including local context, design and transport capacity as well as social infrastructure. It is also highlighted that higher density housing is not automatically seen as requiring high rise development.
- 10.10 It is further stipulated that the form of housing output should be determined primarily by an assessment of housing requirements and not by assumption as to the built form of development. While there is usually scope to provide a mix of dwelling types in different locations, higher density provision for smaller households should be focused on areas with good public transport accessibility.
- 10.11 Policy CS12 states that Islington will meet its housing challenge, to provide more high quality, inclusive and affordable Homes, by ensuring Islington has a continuous supply of land for housing by identifying sites in Islington's five, ten and fifteen year housing supply and seeking to meet and exceed the borough housing target, which is set by the Mayor of London

Housing Delivery

- 10.12 Despite its small size and very high density, Islington has been very successful in delivering housing in recent years, reflected in the borough receiving the fourth highest New Home Bonus award for 2013.14. Islington has consistently exceeded its very high housing targets (currently 1, 264 per annum) for many years and is now the most densely populated local authority area in the country as per 2011 Census.
- 10.13 A single family dwelling is proposed totalling 346sqm (GIA). This would be far in excess of 113sqm minimum floor area required for 4 bedroom/ 6 person house and 110sqm minimum required for a 3 bedroom / 5 persons house as required by the London Plan and the Development Management Policies. The resulting dwelling house would exceed by 3 times the minimum space standard for a 4 bedroom/ 6 person house and 3 bedroom/ 5 persons houses respectively. This amount of floor space can clearly deliver a greater number of units, although this may require site layout and internal reconfiguration. It is considered that the proposed scheme resulting in creation of only 1 no. single family dwelling house does not result in sustainable development as it fails to maximise the development potential of this urban site. It fails to deliver a maximum number of units on the site, and is therefore contrary to Policy CS12 of the Islington Core Strategy.
- 10.14 The proposal which fails to optimise residential housing provision on a site which can accommodate multiple residential accommodations would be contrary to policy 3.4 of the London Plan. This requires all developments to optimise housing output for different types of location. The Council expects the application site can be utilised properly (in terms of development potential) in order to provide the maximum amount of units.
- 10.15 The provision of only a single residential unit on the same amount of floor space which can clearly provide a greater number of units is also considered to be inefficient use of the site. This would be contrary to policy DM2.1 which requires all new development to efficiently use the site.

- 10.16 During the course of the application the applicant submitted a Supplementary Design Report which includes a review by a member of the London Borough of Camden's Design Review Panel and an architect, designer and critic to support the scheme. The report asserts that the achievement of a new dwelling of architectural merit and high quality building build is sensitive to the local context helps protect the mature trees, returns 50% of land to landscaping removal of redundant garages is the best and most effective use and optimisation of the site. It is also argued that given the site constraints include the natural environment of the site, imposed limits as a result of Council's Pre-application advice, neighbour request and design standards the design utilises the full potential of the site in terms of its footprint and massing.
- 10.17 It considered that there is scope to layout the proposed residential development as multiple units (at least 2) in order to fully optimise of the housing potential and efficient use the site in accordance with relevant policies stated above.

Design and Conservation

- 10.18 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural interest which it possesses. Section 72 (1) of the Act requires the Local Authority to pay special attention to the desirability of preserving the character and appearance of Conservation Areas within their area.
- 10.19 Under the National Planning Policy Framework Listed Buildings and Conservation Areas are considered designated heritage assets. Under paragraph 128 applicants are required to describe the significance of heritage assets affected by a proposal, including any contribution made by their setting.
- 10.20 Paragraphs 132 – 134 state that great weight should be given to an asset's conservation in a manner appropriate to its historic significance. Significance is defined in the NPPF as: "the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic."
- 10.21 Paragraph 134 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 10.22 The proposed building is a lightweight single storey plus basement house of simple form. The resulting structure would incorporate ceramic clad façade with slim metal windows. The layout would incorporate courtyards that alternate with the interior spaces. Following pre-application advice to reduce the built form, the overall footprint of the building has been reduced by approximately 70sqm. The amended proposals no longer exceed the boundary height to the north, however they exceed the existing boundary height by 0.2m to the west and up to 1.2m to the east. The reduced footprint and removal of the covered walkways/ pergolas is considered to be an improvement and the reduced footprint of the proposed dwelling house is an improvement. The incorporation of flat roofs is considered to reduce the bulk and massing of the building. The proposal does not include additional structures at roof levels including aials. The proposed rooflights will be integrated into the roof and would not result in inappropriate height increase to the proposed dwelling. Overall, the resulting is not considered to incorporate inappropriate structures to its roof which would be harmful to the visual amenity of neighbouring properties.
- 10.23 Where the proposed built form is positioned close to the listed boundaries there are currently garages on the site and so the replacement of this built form is acceptable. Any increase in height is relatively minimal (no more than 1.2m) and as such the outlook from the surrounding buildings and the setting of the listed buildings would be improved with sufficient open space retained.
- 10.24 The existing garages are not statutory listed and they are not buildings of architectural merit. The Council therefore does not object to their demolition. The proposed refuse store and bike store are located in concealed positions to the driveway and are therefore considered not to detract from the

streetscene and the character and appearance of the Conservation Area nor impact on the setting of neighbouring Listed Buildings.

- 10.25 Overall, it is considered that the character and appearance of the surrounding Barnsbury Conservation Area would be preserved due to the appropriate single storey height and acceptable use of modern materials on a contemporary low rise development not prominent from public views. The proposal is also considered accord with policies CS8 and CS9 of Islington's Core Strategy 2011, policies DM2.1 and DM2.3 of Islington's Development Management Policies Document June 2013 and the guidance contained within the Conservation Area Design Guidelines and the Islington Urban Design Guide.

Principle of Basement Development

- 10.26 The proposed development would involve excavation at basement level covering an area of 66sqm. The construction of basements can cause harm to the natural environment, the stability of existing buildings, the amenity of nearby residents and the character and appearance of an area. The Basement SPD (January 2016) states footprint of the basement should be subordinate to the above ground element and should not exceed 1 storey in depth and not exceed 3m in floor to ceiling height. On residential developments the basement SPD stipulates that a basement and/or other structures should cumulatively occupy less than 50% of the original garden/unbuilt upon area, and be smaller in area than the original footprint of the dwelling, *whichever the lesser*.
- 10.27 The proposed basement one storey basement would be 66sqm which would be less than 50% of 275sqm the footprint the proposed house and would be less than 50% of the application site which is 713sqm. The modest basement excavation is therefore considered acceptable in principle and would not result in harmful, permanent, irreversible damage and would not impact on drainage and biodiversity to the surrounding area. In addition, the excavation is set away from trees and listed buildings. The extent of the basement excavation would therefore accord with the requirements of the Basement SPD.
- 10.28 The Basement SPD (January 2016) also requires the submission of a Basement Impact Assessment, Structural Method Statement (SMS) and a Construction Management Plan (CMP) endorsed by a suitably qualified person(s) with any planning application for a basement development. These documents also enable the council to consider the cumulative impacts of basement development across the borough and balance the potential site-specific benefits basements can provide (i.e. additional floor space) against those wider cumulative impacts set out in Policy DM6.3.
- 10.29 The application included a Structural Method Statement (SMS) endorsed by a suitably qualified person. The report states that the design for this proposed basement has considered the site specific list of issues relating to ground conditions and groundwater, existing trees and infrastructure, drainage, flooding, vertical and lateral load movements and integrity of existing structures as required by the Islington Basement SPD. A geotechnical investigation provided the specific details of ground conditions to allow design of the basement to be carried out, the scheme being developed around mature trees on and adjacent the site. It is further stated that the potential effect of the basement construction on the nearby buildings has been assessed in accordance with best practice to demonstrate that the potential for damage to the adjoining properties is acceptable. The separate flood risk and drainage report confirms that there is a negligible flood risk and describes the limits placed on the drainage design by the site constraints in particular the mature trees. The proposed design is considered to comply with the requirements of the Council Policy. The Sustainability Officer is satisfied with the level of excavation.

Neighbouring Amenity

- 10.30 The daylight and sunlight report submitted shows that the built form of the house complies with the BRE Guidance. The layout of the building has been considered to ensure privacy and prevent overlooking and would not incorporate terraces on flat roofs. Bedrooms are located to the west and east of the site with windows facing away from nos. 25 and 26 Barnsbury Square.

There are no windows directly facing neighbouring properties, except the corridor window facing no. 26 Barnsbury Square which is located at a distance of 11.6m away. The orientation and location of windows to the proposed house are considered to limit overlooking of habitable rooms maintain privacy to the new and neighbouring buildings. Where the facing window occurs the need to obscure glazed the windows could be conditioned to prevent overlooking.

- 10.31 Overall, the new house which would read as a single storey structure and would not directly face the habitable windows to neighbouring properties with the exception of a corridor window facing the rear ground floor window to no. 26 Barnsbury Square is considered not to result in harmful overlooking, loss of privacy nor loss of light to neighbouring properties. In addition, the proposal for residential use is considered not to result in harmful noise and disturbance to neighbouring properties.
- 10.32 To ensure that the development does not adversely impact on neighbouring amenity, a condition is recommended requiring the submission of a Construction Method Statement to provide details on the access, parking, and traffic management and delivery arrangement throughout the construction phase of the development. An informative was recommended by the Tree Officer advising the applicant to consider the construction impacts of the proposed excavation of a considerable basement in close proximity to neighbouring residential. In addition, the applicant is referred to LBI's Code of Construction Practice, BS5228:2009 (Code of practice for noise and vibration control on construction and open sites), the GLA's SPG on control of dust and emissions during construction and demolition.
- 10.33 The proposal is therefore considered to accord with policy DM2.1 which requires development to a provide good level of amenity including consideration of noise, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

Quality of residential accommodation

- 10.34 It is proposed to create a single family dwelling house comprising of a 6 persons/ 3 bedrooms with en-suite bathrooms, kitchen with a pantry, living room and a study all located at ground floor level. A utility room, storage space, and a plantroom would be located at basement level. The proposal also incorporates an Orchard Garden, internal courtyard garden, conservatory and a specimen flower garden.
- 10.35 The scheme incorporates rooflights and large windows, and creates a dual aspect building. The large glazing and rooflights affords the dwelling adequate light levels and outlook.
- 10.36 As shown in the table 2 below the resulting residential unit would also exceed the minimum gross internal area stipulated within the Development Management Policies and the London Plan.

Table 2 - Gross Internal Area required

Dwelling type	Dwelling permutation (bedroom (b)/persons-bed spaces (p))	Required GIA (sqm)	Proposed GIA (sqm)	Required Outdoor Amenity Space (sqm)	Proposed Outdoor Amenity Space (sqm)
2 storey house	3b/6p	102 (for 3b/5p) 113 (for 4b/6p)	341	30	300>

- 10.37 The resulting 341sqm unit is in excess of minimum space standards of 102 - 113sqm applicable to the unit's size. The resulting house is considerably over the required Gross Internal Area. The resulting floor space is considered to provide sufficient floorspace of good quality residential accommodation with a logical and functional layout as well as provision of dual aspect.
- 10.38 The generous bedrooms and living spaces to the new house would more than meet the minimum room size requirements and floor to ceiling heights stipulated within the Development Management Policies.
- 10.39 As shown in Table 2 above the proposal would also result in provision of generous outdoor space of 300sqm. The outdoor space incorporates 4 no. usable amenity space adequately spread comprising of a Specimen/ Flower Garden (28.12sqm), Courtyard Garden (17.1sqm), kitchen/ Medicinal Garden (68.2sqm) and Garden Orchard (48sqm). The kitchen/ Medicinal Garden (68.2sqm) and Garden Orchard (48sqm) are in excess of the outdoor amenity space minimum required standard of 30sqm stipulated within policy DM3.5 of the Development Management Plan.
- 10.40 Overall, the scheme would result in good standard residential accommodation with dual aspect, outlook from habitable rooms, natural ventilation, privacy and light levels. This would be in line with Policy 12 of the NPPF; Policy 3.5 of the London Plan 2016; policy CS12 of the Core Strategy and policies DM2.1 and DM3.4 of the Development Management Policies.

Inclusive Design

- 10.41 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable 'optional requirements'
 - Deregulation Bill received Royal Assent 26th March 2015
- 10.42 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.
- 10.43 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements. If they are not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.
- 10.44 Planners are only permitted to require (by Condition) that housing be built to Category 2 and or 3 if they can evidence a local need for such housing i.e. housing that is accessible and adaptable. The London Plan 2016, requires that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London.
- 10.45 Concerns were raised regarding access within the property by the Council's Inclusive Design Officer. During the course of the application amended drawings were received showing level/ ramped access from the kitchen garden and between the kitchen and a bedroom. The bathroom within the west bedroom has also been amended. However, the living room could not be amended to be at the same level due to tree root protection requirements. Given, the landscape restrictions and the commitment to deliver an entrance of equivalent quality/ status, the alternative accessible entrance via the kitchen is acceptable.
- 10.46 The provision for the ramp in place of the steps to the bed and bathroom is welcomed. However, the ramp should have a gradient of no more than 1:12 for a stretch of no more than 2m or no more than 1:15 for a stretch of 5m should be fitted with handrails on both sides and should have a

landing at the head, clear of the door swings, unless the doors are automated. It is stated that the internal ramp of 1:12 cannot be provided due to space constraints but 1:13 could be achieved and would satisfy Building Regulations.

- 10.47 The standard further requires the bedrooms to have a clear space of 750mm provided around 3 sides of a double bed and stated that the bathrooms also should satisfy the criteria described in fig 14b from the Inclusive Design SPD. The submitted drawings do not show turning circles to demonstrate that has been achieved. An informative is recommended setting out required standards, stipulated within the Inclusive Design SPD.
- 10.48 Overall however, these measures proposed by the applicant are welcome and are considered to facilitate and promote inclusive and sustainable communities in line with policy DM2.1 and the Inclusive Design SPG and the national standards.

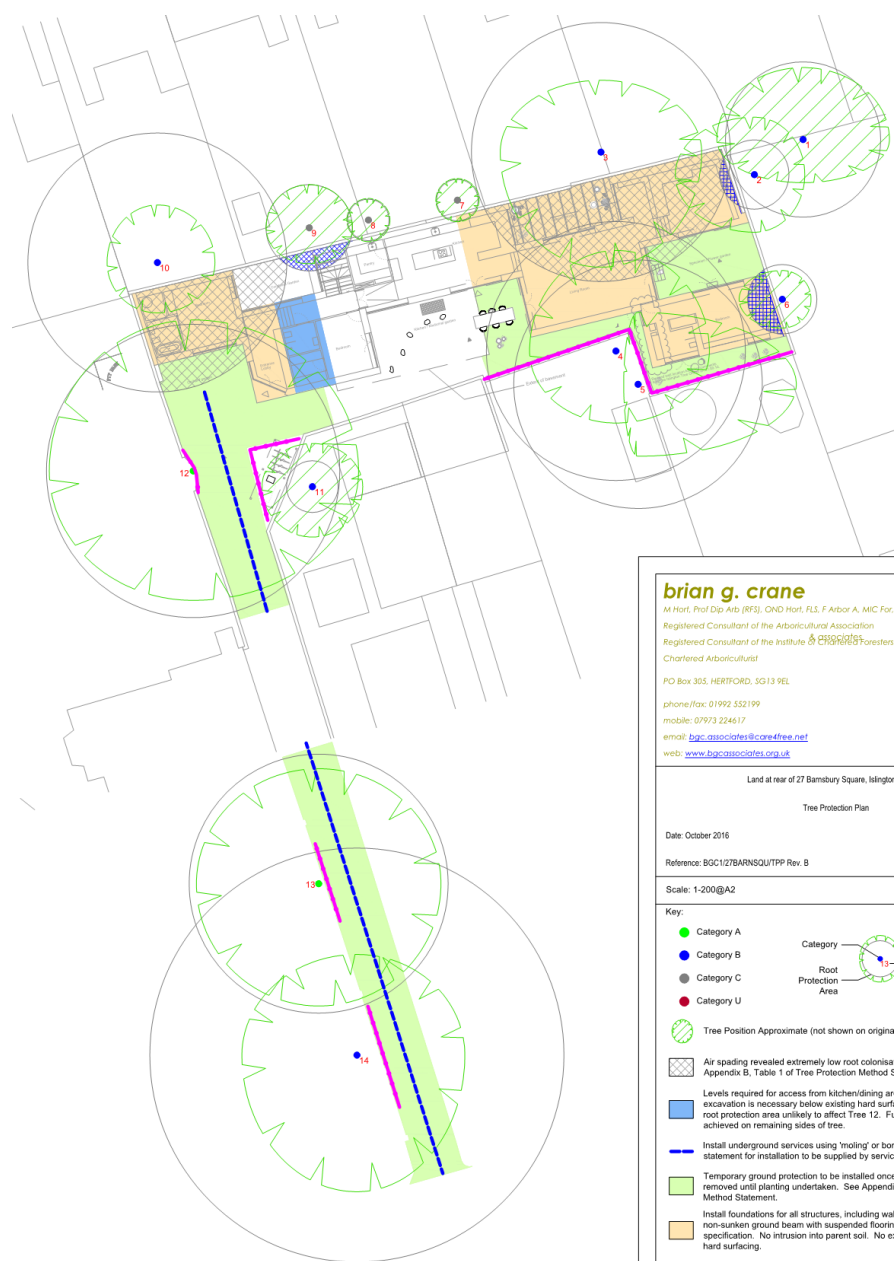
Affordable Housing and Financial Viability

- 10.49 The Core Strategy Policy CS 12 – ‘Meeting the Housing Challenge’ requires (part G) all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough. The SPD ‘Affordable Housing Small Sites’ states that in line with the evidence base, the council will expect developers to be able to pay a commuted sum of £50,000 per unit for sites delivering fewer than 10 residential units in the north and middle parts of the borough.
- 10.50 The SPD does state, in accordance with the NPPF, that in instances where the applicants consider that this level of contribution would leave the development unviable, that the council will accept viability assessments justifying not providing the full financial contribution. In this instance the applicant has agreed to make the full £50 000 affordable housing contribution. This fully satisfies the requirement of CS12G and the Affordable Housing Small Sites Contributions SPD. As such, it is considered that this policy requirement has been satisfied and therefore the proposal is acceptable in this regard.
- 10.51 It should also be noted if the provision of housing on site were to be maximised this would in turn result in the provision of additional affordable housing contributions. Maximising affordable housing is a key priority for Islington Council.
- 10.52 The Environmental Design Planning Guidance Supplementary Planning Document (SPD) and Islington's Core Strategy policy CS10 require minor new-build developments of one residential unit or more to offset all regulated CO2 emissions not dealt with by onsite measures through a financial contribution. The cost of the off-set contribution is a flat fee based on the development type and is £1500 per house. The applicant has agreed to make Carbon Off-setting contribution in full.

Highways and Transportation

- 10.53 The proposed residential unit would be car free. Therefore, the proposal would not result in a material increase in parking pressure on surrounding roads. It is considered that the proposed development would not have a material impact on highway safety or the free flow of traffic on surrounding roads and the loss of garages would be an improvement. The proposal would also be line with policy CS10 of the Core Strategy and policy DM8.5 of the Development Management Policies which expects all new developments to be ‘car free’.
- 10.54 The provision of 4 cycle spaces for the three bedroom unit would accord with policy DM8.4 which requires one cycle space provision per bedroom.

Trees



Plan showing location of existing trees

- 10.55 The scheme would incorporate six courtyard gardens of different proportions, each with distinct planting suited to their size and orientation. The courtyard to the north-eastern side would be covered with glazed roof to form a greenhouse for young or exotic plants. The former driveway and hardstanding will be extensively landscaped and planted, obscuring views from Barnsbury Square and introducing more sustainable drainage. A 2.8m pathway leads to the building entrance.
- 10.56 There are several mature trees close to the boundaries of the application site and they give a special character to the site and Conservation Area generally. The proposal will retain all of the trees. Whilst the tree trunks are not located on the site, the tree reports submitted show the tree roots and canopies passing under/over the site. The scheme incorporates specialist foundations which have been developed to suspend the building above the root protection area which are supported by bored piles. In these areas, where excavation is not possible, raised ground beams will be installed to connect the concrete piles. Utility services will be installed with a trenchless method which moles below tree roots.

- 10.57 In order to limit issues related to the maintenance of canopies and leaf mess, all roofs are flat and accessible for regular maintenance. Wide gutters permit simple cleaning. Rooflights are positioned according to tree canopy locations.
- 10.58 To address the Tree Officer's concerns amended drawings have been submitted showing a setback of the bedroom located to the south-eastern side of the site away from T4 located to the north-eastern corner the rear garden to 27 Barnsbury Square. Parts of the building will be within the root protection areas and therefore the proposed construction method piling with a floor slab fully-supported above the ground, onto which the building's external envelope and additional structure will be built is supported.
- 10.59 In addition, an updated arboricultural report was submitted. The Tree Officer stated that the detail within that report and amendments to the proposed footprint adjacent to T4 and T5 to the north-eastern corner of the rear garden to no. 27 Barnsbury Square satisfies concerns regarding the safe retention of these trees. This was the primary concern regarding the application. The other issues regarding the position and methodology of construction for the services have also been addressed. However, in principle there is an objection to building residential property beneath substantial protected trees.

Sustainability

- 10.60 The property is proposed to be aligned north to south with the majority of the habitable room windows facing either north or south. The majority of the windows will be triple glazed to minimise heat loss. The dwelling has been developed to maximise passive design principles and has been designed in accordance with the energy hierarchy. The applicant states that the proposed development will meet the requirement of Part L of the Building Regulations 2013 in that it provides 27% reduction in carbon dioxide emissions. The development optimises the amount of natural light through multiple aspect glazing and rooflights.
- 10.61 With regards to the green roof suggestion, it is stated that this has been explored previously but would add height to the structure which would run counter to the overall design and heritage imperative to produce a building of limited height. It is considered that the height increase would only be marginal. In addition, the Design and Conservation Officer requested for the incorporation of green roof to the flat roofs, this is therefore not a heritage argument. A condition is there recommended for the provision of a green roof.

Other Issues

- 10.62 Concerns were raised regarding fire access. The applicant provided correspondence from the London Fire Brigade stating that the Brigade is satisfied with the proposals. It should be noted that Fire Regulations are dealt under different legislation from planning. No comments have been directly to the Council by the London Fire Brigade, but the Committee will be updated at the meeting when a response is received.
- 10.63 It is considered that adequate refuse, recycling and cycles storage would be provided. The location and layout of the refuse, refuse and cycle storage is also considered satisfactory. However, occupiers would require to bring the refuse to the gate for collection.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of residential development on this land is considered acceptable and the proposed building due to its single storey massing, not to exceed boundary wall heights by more than 1.2m and subject to condition requiring green roofs would not detract from the character and appearance of the Barnsbury Conservation Area nor impact on the setting of the neighbouring listed buildings. In this regard the duty to preserve the setting of the listed buildings and Conservation Area is met.

- 11.2 The impact on neighbours has been assessed and it is considered that the development would not harm the amenities of adjoining neighbouring properties in terms of loss of light, overlooking or overbearing effect. The internal layout and spatial standards of the proposed flats meet and significantly exceed the policy standards and would provide adequate outdoor amenity space in accordance with the Council's objectives and planning policies.
- 11.3 However, the proposed scheme resulting in the creation of only 1 no. single family house does not result in sustainable development as it fails to maximise the development potential of this urban site. It is further considered that the provision of only a single residential unit on the same amount of floor space which could clearly accommodate a greater number of units is also considered to be an inefficient use of the site. The proposal would therefore be contrary to relevant policies discussed above.
- 11.4 Additionally, the site, being beneath the canopies of numerous significant and mature protected trees introduces resident uses with an expectation for light. The relationship would introduce pressure to prune these trees due to leaf drop, shading however either a reduced building foot print or the provision of an additional much needed home may tip the balance in favour or support of developments.

Conclusion

- 11.5 It is recommended that planning permission be refused subject to the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATION

RECOMMENDATION A

That planning permission be refused for **the following reasons:**

- (1) REASON: The proposed scheme does not result in sustainable development as it fails to maximise the development potential of this urban site. It fails to deliver a maximum number of units on the site, and is therefore contrary to Policy CS12 of the Islington Core Strategy.
- (2) REASON: The proposed scheme fails to demonstrate that the development could be implemented without undue harm to numerous significant and mature protected trees. Overtime, the cumulative impact arising from construction under tree canopies will substantially harm the existing trees, prevent potential canopy cover improvements and undermine the character and amenity of the surrounding area in the future. This is contrary to policies DM6.5 of the Development Management Policies June 2013 and to the aims of policy 5.10 of the London Plan July 2016.

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.

Since March 2014 Planning Practice Guidance for England has been published online.

2. Development Plan

The Development Plan is comprised of the London Plan 2016, 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 2016 - Spatial Development Strategy for Greater London

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality of Design and Housing Developments
Policy 3.8 Housing Choice
Policy 3.9 Mixed and Balanced Communities
Policy 3.10 Definition of Affordable Housing
Policy 3.11 Affordable Housing Targets
Policy 3.13 Affordable Housing Thresholds
Policy 5.1 Climate Change Mitigation
Policy 5.2 Minimising Carbon Dioxide Emissions
Policy 5.3 Sustainable Design and Construction
Policy 5.14 Water Quality and Wastewater Infrastructure
Policy 5.18 Construction, Excavation and Demolition Waste
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.2 An Inclusive Environment
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology
Policy 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
Policy 8.1 Implementation
Policy 8.2 Planning Obligations
Policy 8.3 Community Infrastructure Levy

B) Islington Core Strategy 2011

Policy CS8 (Enhancing Islington's Character)
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

Policy DM2.1 Design
 Policy DM2.2 Inclusive Design
 Policy DM2.3 Heritage
 Policy DM2.4 Local Views
 Policy DM3.1 Mix of housing sizes
 Policy DM3.4 Housing standards
 Policy DM3.5 Private outdoor space
 Policy DM3.7 Noise and vibration (residential uses)
 Policy DM6.5 Landscaping, Trees and Biodiversity
 Policy DM7.1 Sustainable Design and Construction
 Policy DM7.2 Energy Efficiency and Carbon Reduction in Minor Schemes
 Policy DM8.4 Walking and Cycling
 Policy DM8.5 Vehicle Parking
 Policy DM9.1 Infrastructure
 Policy DM9.2 Planning Obligations
 Policy DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan:

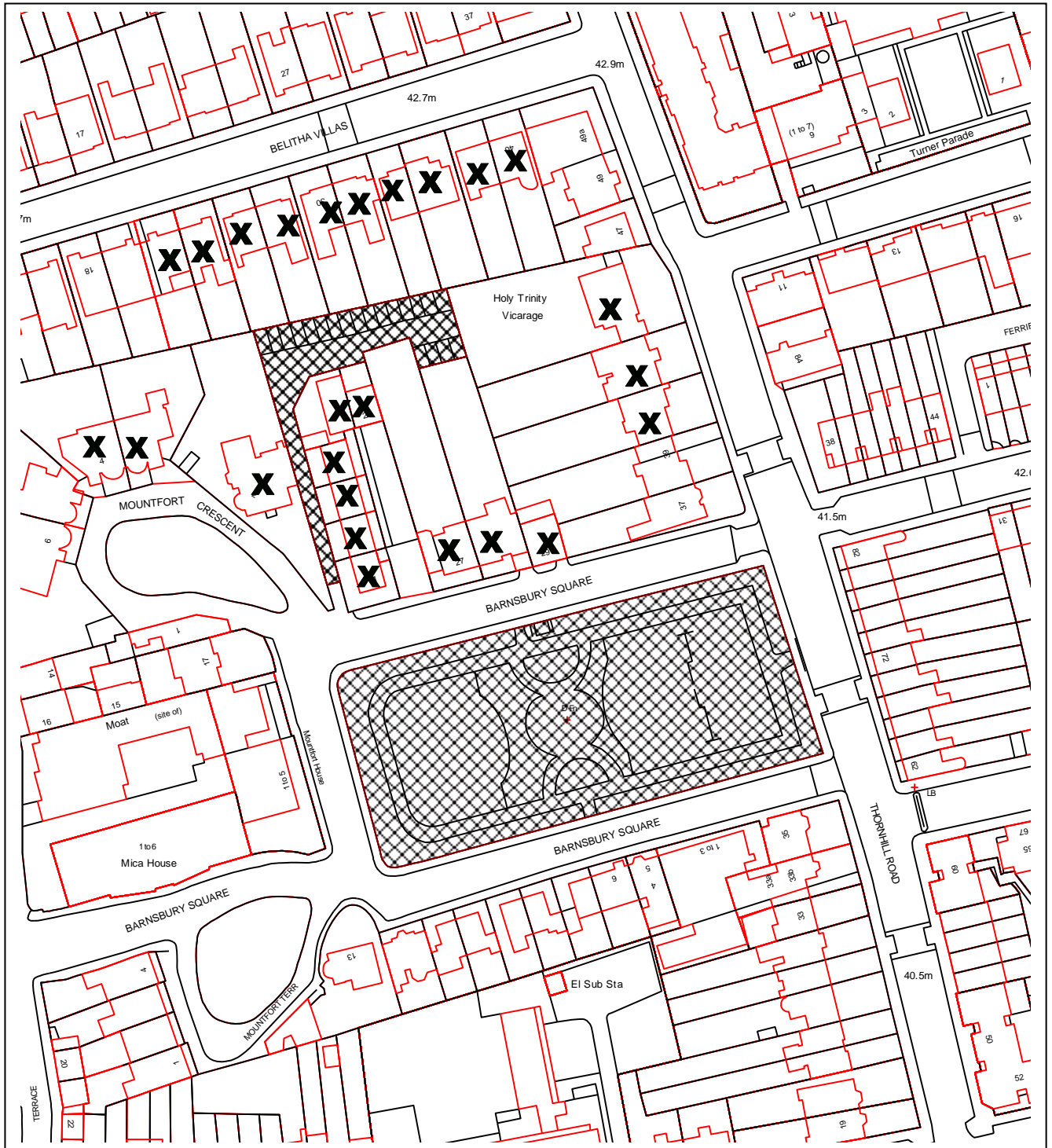
- Affordable Housing Small Sites Contributions SPD
- Conservation Area Design Guidelines
- Planning Obligations and S106
- Urban Design Guide 2017
- Basement SPD
- Inclusive Design in Islington SPD
- Environmental Design Planning Guidance SPD

London Plan:

- Housing
- Sustainable Design & Construction

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Islington SE GIS Print Template



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P2016/1383/FUL

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PLANNING COMMITTEE REPORT



PLANNING SUB-COMMITTEE B		
Date:	20 April 2017	NON-EXEMPT

Application numbers	P2016/1949/FUL
Application types	Full Planning
Ward	Hillrise Ward
Listed building	Adjoins locally listed building
Conservation area	Whitehall Park Conservation Area
Development Plan Context	Whitehall Park Conservation Area Cycle Routes (Local)
Licensing Implications	None relevant
Site Address	Land adjacent to west side of 1 Dresden Road, London, N19 3BE
Proposals	Erection of a three storey 4 bedroom end of terraced single family dwelling, with associated private amenity space and boundary treatments.

Case Officer	Joe Aggar
Applicant	C/O White & Sons
Agent	Mr Julian Sharpe

1 RECOMMENDATION

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

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

2. REASON FOR DEFERAL

- 2.1 This application was previously discussed at the Planning Sub Committee B on 27th February 2017 when objectors were given the opportunity to speak. It was suggested that the agent should attend the Planning Sub Committee meeting to address the following:
- Concern was raised regarding the loss of light to numbers 1 and 3 Dresden Road.

3. ASSESSMENT OF NEIGHBOURING AMENITY

- 3.1 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. The application has been submitted with a sunlight and daylight assessment dated January 2017. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.

- 3.2 The BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

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

And

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

- 3.3 The applicant submitted a daylight / sunlight report which examines the Vertical Sky Component to a number of windows including those to the east elevation of no. 1 Dresden Road and the windows to the rear and west elevations of No. 3 Dresden Road.
- 3.4 Windows identified as 119 and 120 on the side elevation to the rear of no.3 Dresden Road serve a kitchen which also has a fully double glazed door and outlook towards at the rear. Also window 121 on the rear elevation at no. 3 Dresden Road, serves a living room which extends into the other living area to the front half of the property via a set of internal doors and therefore could gain outlook and access to light from the front of the house. Taking into consideration the existing internal layout of 3 Dresden Road and alternative outlooks whilst the visibility of sky from windows 119 and 120 would be considerably reduced, the overall amount of light within the open plan room is likely to remain high due to other windows and the relationship is similar to that along the rest of the terrace. In this regard the impacts are considered to be acceptable.

Window	Vertical Sky Component		
	Existing	Proposed	% of Existing
119	27.292	15.474	56.70%
120	28.392	17.326	61.02%
121	20.93	17.216	82.26%
122	31.396	28.483	90.72%
123	27.602	14.024	50.81%
124	25.584	11.8	46.12%
125	34.579	28.488	82.39%

VSC in relation to neighbouring windows.

- 3.5 At No. 1 Dresden Road, window 123 to the side elevation serves a ground floor bedroom with an alternative outlook and access to light to the front of the house. Window 124 also on the side elevation at ground floor level serves an open plan kitchen, living and diner which also has an alternative outlook and access to light through double fully glazed doors to the rear of the house. As a result whilst individual windows may be impacted upon (in terms of sky visibility) by the proposed development the rooms as a whole are considered likely to maintain sufficient light as the windows that fail VSC (sky visibility) are secondary and positioned on the side elevations.
- 3.6 Overall, where it is noted that there would be a noticeable impact in terms of outlook and light to the side elevational windows of the adjacent occupiers, these are considered secondary windows. Overall it is considered that the development would not result in an unacceptable loss of daylight or sunlight to the occupiers of the adjoining residential properties, undue increase in enclosure levels, loss of outlook or have a significant detrimental impact upon their amenity levels taken as a whole.

4. CONCLUSION

- 4.1 The principle of the development and providing additional residential accommodation would be acceptable in land use terms, have an acceptable impact upon the character and appearance of the adjacent properties and street scene and will preserve the character and appearance of the adjoining Whitehall Park Conservation Area. In addition, it would not be unduly harmful to the amenities of adjoining residents
- 4.2 Subject to conditions, the proposal is considered to accord with relevant policies.
- 4.3 It is recommended that planning permission be granted subject to conditions and completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 - RECOMMENDATION.

PLANNING COMMITTEE REPORT



PLANNING SUB-COMMITTEE B		
Date:	27 th February 2017	NON-EXEMPT

Application numbers	P2016/1949/FUL
Application types	Full Planning
Ward	Hillrise Ward
Listed building	Adjoins locally listed building
Conservation area	Whitehall Park Conservation Area
Development Plan Context	Whitehall Park Conservation Area Cycle Routes (Local)
Licensing Implications	None relevant
Site Address	Land adjacent to west side of 1 Dresden Road, London, N19 3BE
Proposals	Erection of a three storey 4 bedroom end of terraced single family dwelling, with associated private amenity space and boundary treatments.

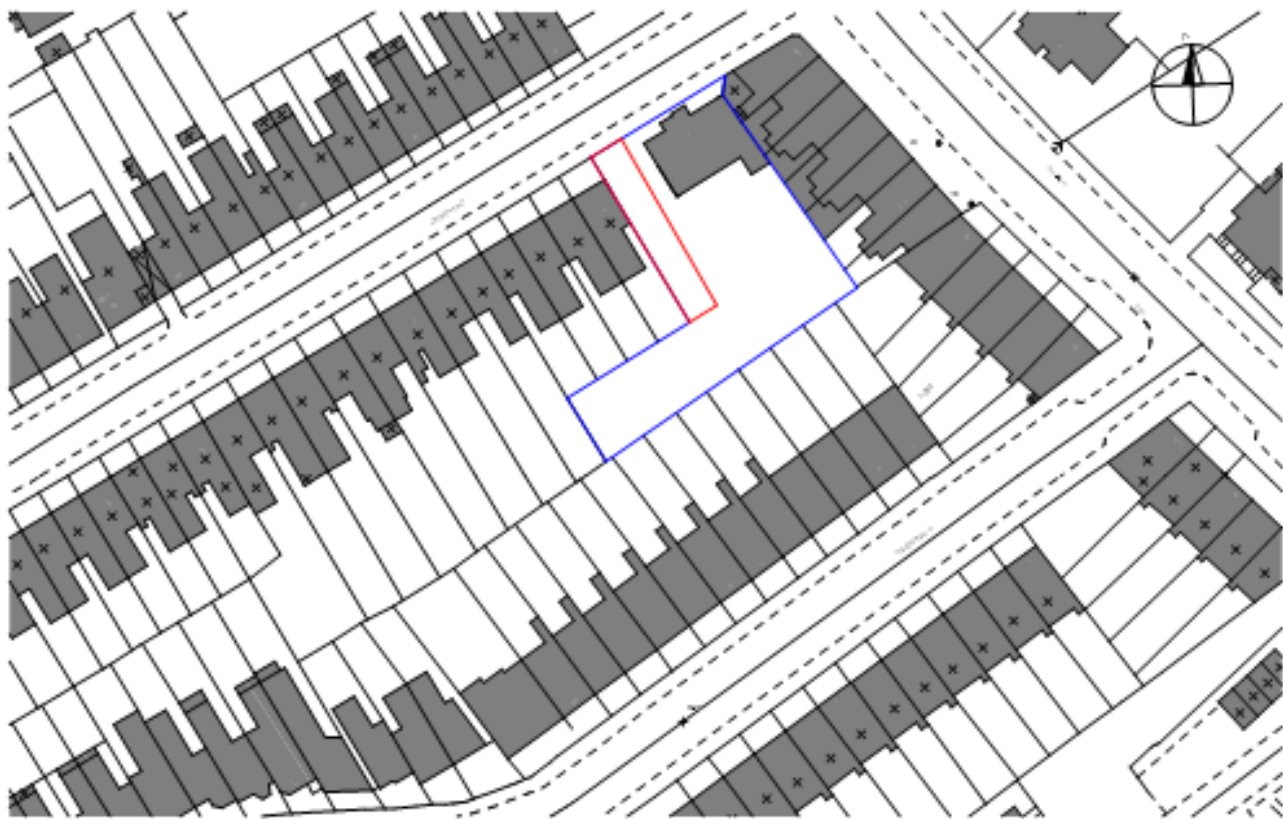
Case Officer	Joe Aggar
Applicant	C/O White & Sons
Agent	Mr Julian Sharpe

1 RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET

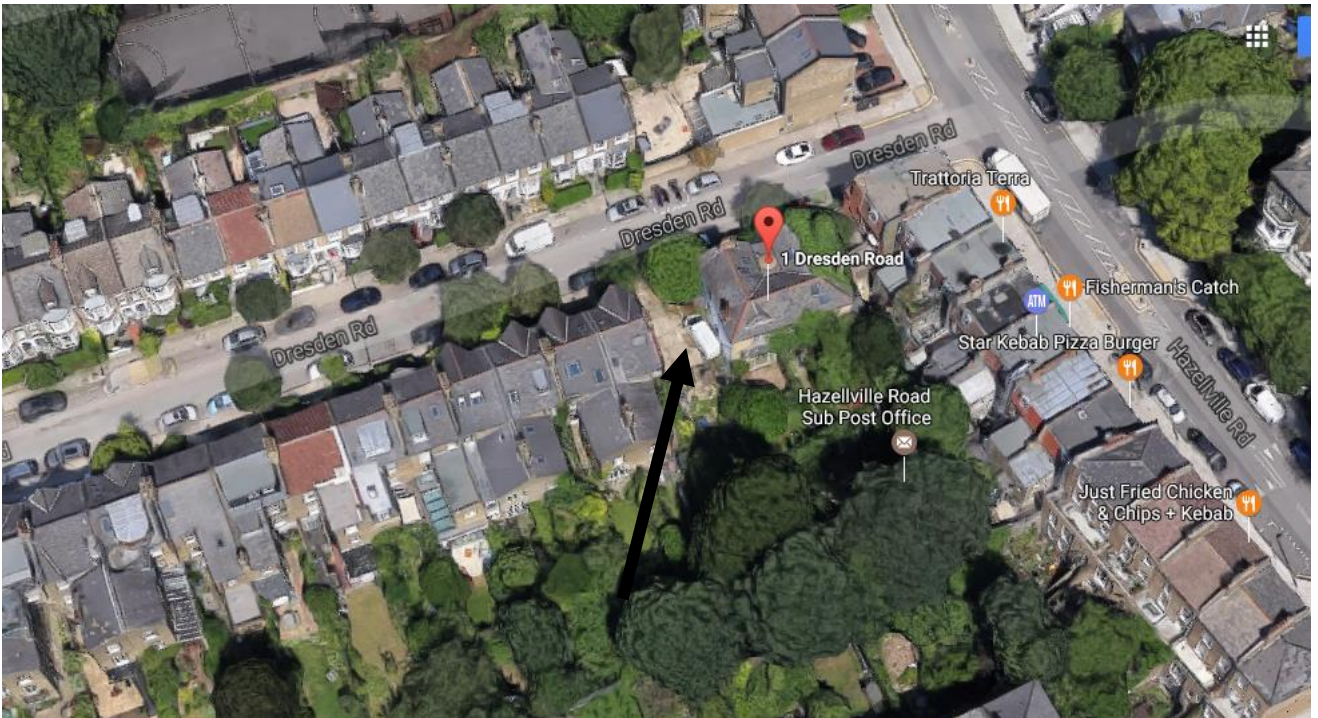
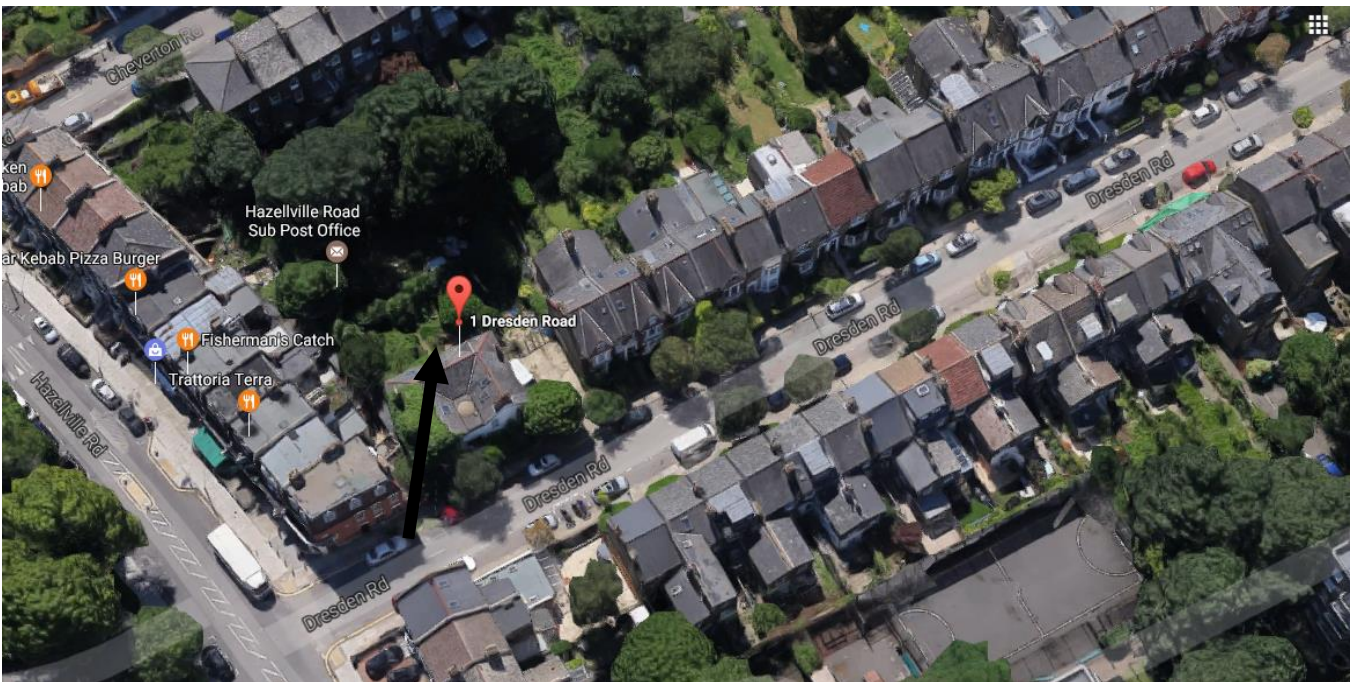


Image 1 - Aerial view of the site and surroundings



View of front of site



View of front of the site and adjoining properties at 1 Dresden Road and 3 Dresden Road



View looking north

4 SUMMARY

- 4.1 The application site currently forms a car parking hardstand and part of the former gardens to no. 1 Dresden Road. The proposal is to erect a single family, two storey dwelling house. The proposed dwelling is designed to largely replicate the terraced houses at nos. 3 – 9 Dresden Road and would partially infill the area between no. 1 and no. 3 Dresden Road. The pattern of development follows nos. 3-9 Dresden Road which forms part of a late Victorian terrace with distinctive gables in a slight gothic style. The area is residential in character and the site is located within Whitehall Park Conservation Area.
- 4.2 The design, layout scale and massing of the proposed development is considered acceptable. The proposed new dwelling would not detract from the character and appearance of the conservation area or the adjoining locally listed building.
- 4.3 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan (2015). 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 DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. The proposed unit is 4 bedrooms.
- 4.4 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 Building Regulations.
- 4.5 The proposal is not considered to prejudice the residential amenity of neighbouring properties insofar of loss of light, outlook or increased sense of enclosure and would not be contrary to policy DM2.1 of the Islington Development Management Policies June, 2013.
- 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.
- 4.1 The application is referred to committee as based on the number of objections.
- 4.2 The proposal is considered to be acceptable and in accordance with the Development Plan policies and planning permission is recommended for approval.

5 SITE AND SURROUNDING

- 5.1 The site is located directly adjacent to a large detached property, No.1 Dresden Road fronting Dresden Road near the corner with Hazelville Road and located within the Whitehall Park Conservation Area. The site forms part of the substantial former gardens to no.1 Dresden Road and consists of a vehicle hardstanding area front Dresden Road. This area is in an untidy state.
- 5.2 No 1 Dresden Road is a mid-Victorian house, probably built before the surrounding terraced properties, and has a distinct character with double fronted gables facing the street and painted brick elevations. The permission for conversion to flats and a boundary of conifer planting has resulted in some degree of separation between the rear. Based on its size and its open, leafy nature the open area to the rear makes a significant and unique contribution to the character and appearance of the surrounding area. This area is widely overlooked from the first and second floors of many of the surrounding residential properties in Dresden Road, Cheverton Road and Hazellville Road. No. 1 Dresden Road is

on the Council's register of locally listed buildings and is therefore also an undesignated heritage asset.

6 PROPOSAL (in Detail)

- 6.1 The application seeks permission for the erection of new-build, 4 bedroom single family dwelling house accommodated over 3 levels including provision of a front and rear garden and associated refuse and cycle storage facilities. The proposed buildings design and massing replicates that of nos. 3-9 Dresden Road. The new build dwelling is proposed to partially infill the open area between no. 1 and no.3 Dresden Road.
- 6.2 The proposed footprint of the building would largely sit on the existing hardstanding with a rectangular rear garden to the south.
- 6.3 The form, height and massing of the proposed dwelling is designed to replicate the adjoining terrace. The ridge height and eaves is proposed to match the adjoining properties. The details to the front façade in terms of the window bays, doors, windows and fenestrations pattern would be characteristic of the adjoining terrace. The rear elevation appears plain, with a simple partial width ground floor rear projection. To the rear roofslope and dormer is proposed.
- 6.4 The application has been referred to the planning sub-committee due to the number of objections received.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS

Relevant planning history in relation to the existing building at 1 Dresden Road and the application site.

- 7.1 1, Dresden Road, planning application re: P031643 for the 'Alterations to existing property including erection of dormer and roof light to rear roof slope, and removal of chimney stack in addition to the erection of a new three storey, four bed roomed house. adjacent to No.1 and abutting No.3 with two off-street car parking spaces' was REFUSED on the 11/02/2004. APPEAL DISMISSED.

REASON: The proposed development is considered unacceptable in the interests of visual amenity. More particularly the roof slope interventions to the rear in the form of a dormer and a roof light would represent intrusive and unsympathetic elements out of keeping with the appearance of the original building. The fenestration would unbalance and disturb an unadorned roof slope whose muted, simple appearance is a characteristic of the locally listed house as a whole. In this respect the proposed development would be contrary to Policies D4, D11 and D42 of Islington Council's Adopted Unitary Development Plan (2002).

REASON: The proposed development of a new residential property adjacent to No.1 is unacceptable in that significant design elements would fail to properly acknowledge the relationship with the established surrounding buildings. More particularly proposed fenestration, the buildings footprint and a proposed side entrance are considered inappropriate and incoherent design features which cause detriment to the character and appearance of the established streetscene and the Whitehall Park Conservation Area as a whole which the Council considers desirable to preserve and enhance in compliance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In this respect the proposed development would be contrary to Policies D1, D4 and D22 of Islington Council's Adopted Unitary Development Plan (2002) and approved Conservation Area Design Guidelines (2002).

REASON: The proposed development is considered to be unacceptable in that the two proposed handstand, car parking spaces to the fore of the proposed residential dwellings front building line, would represent an alien feature within the established streetscape and would therefore result in detriment to the character and appearance of the Whitehall Park Conservation Area which the Council considers it desirable to preserve and enhance in compliance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. In this respect the proposal is contrary to Policy D32 of Islington Council's Adopted Unitary Development Plan and approved Conservation Area Design Guidelines (2002).

REASON: The submitted drawings, specifically the existing rear elevation (Drawing No. D/03/11) are considered inaccurate. The submission is therefore at variance with Policy D2 of Islington's Adopted Unitary Development Plan (2002).

Relevant Planning history regarding the existing building at 1 Dresden Road.

- 7.2 1, Dresden Road, planning application re: P070924 for the 'Conversion of large family house to provide 4 self-contained flats (Retrospective application)' was REFUSED on the 30/05/2007.
- 7.3 1, Dresden Road, planning application re: P070930 for the 'Removal of side dormer and demolition of chimney stack. Construction of new chimney stack in original stock bricks. Construction of dummy dormer (without windows) behind chimney stack to provide headroom above original staircase' was REFUSED on the 30/05/2007. APPEAL DISMISSED.
- 7.4 1, Dresden Road, planning application re: P072281 for the 'Conversion of property into 4 self-contained flats. Removal of the existing (unauthorised) side dormer and existing chimney stack. Construction of a side dormer behind a new chimney stack on the side roof slope. Roof light to rear roof slope' was REFUSED on the 20/12/2007.
- 7.5 1, Dresden Road, planning application re: P081219 for the 'Conversion of a dwelling house into four self-contained flats (1 x 3 bedroom flat, 2 x 2 bedroom maisonettes and 1 x 1 bedroom flat)' was GRNATED on the 12/12/2008.
- 7.6 1 Dresden Road, planning application re: P101658 for the 'The erection of a 2 storey ECO building with 4 self/contained flats (three x 2 bedroom and one x 3 bedroom) within the rear garden of 1 Dresden Road, access via Dresden Road; private and communal gardens to all flats; bin and bicycle storage.' was REFUSED on the 13/12/2010. APPEAL DISMISSED.

REASON: The loss of garden space in a built up area like Islington would be harmful to the character and appearance of the Whitehall Park Conservation Area, would be a loss of visual amenity to neighbours, including the occupants of 1 Dresden Road itself and because of its size and location, is overlooked by at least a dozen surrounding properties. The proposal is therefore contrary to policies H6, H10 and D20 of the Islington Unitary Development Plan 2002, Conservation Area Guidelines 2002 (Whitehall Park), Islington Urban Design Guide 2006 (Mews or Backland Development), the NPPF and policy CS9 of the Islington Core Strategy 2011 and DM3 of the emerging Development Management policies 2012.

REASON: The construction of a single storey house on garden land at this location is out of context with its surroundings and within this context the form, scale and materials are alien to the garden site. The proposal is therefore contrary to policies D4, D5, D22, D24 and H10 of the Islington Unitary Development Plan 2002, Conservation Area Guidelines 2002 (Whitehall Park), Islington Urban Design Guide 2006 (Use of Materials, Stand Alone Buildings, Mews or Backland Development), the NPPF and policy CS9 of the Islington Core Strategy 2011, and policies DM1A and DM3 of the emerging Development Management policies 2012.

REASON: There are mature trees surrounding the proposed building, but have not been shown accurately on the plans. There is no information on location, species or root protection areas. Therefore it is not possible to fully assess the potential negative impact to the garden and the wider Whitehall Park Conservation Area due to impact to the trees. The proposal is therefore contrary to policies Env5/6 of the Islington Unitary Development Plan 2002, Conservation Area Guidelines 2002 (Whitehall Park), and policy 7.21 of the London Plan 2011.

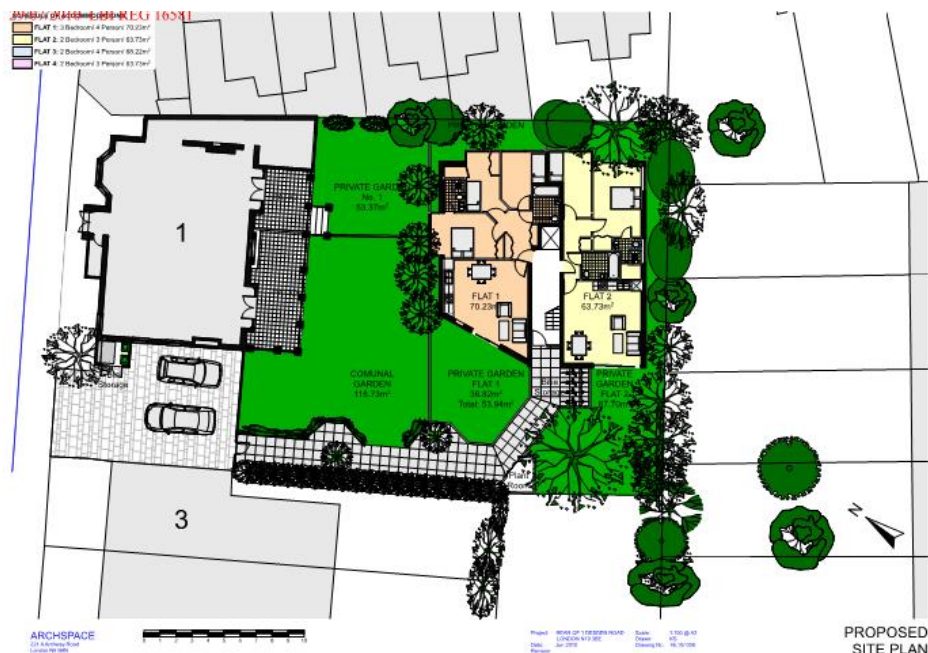


Figure 1. Proposed site plan of refused scheme P101658

- 7.7 Rear of 1, Dresden Road, planning application re: P121575 for the ‘The construction of a single storey single dwelling house (three bedroom) over part of the rear garden of 1 Dresden Road. Part retention of garden and access to side of 1 Dresden Road’ was REFUSED on the 18/09/2012. APPEAL DISMISSED.

REASON: The loss of garden space in a built up area like Islington would be harmful to the character and appearance of the Whitehall Park Conservation Area, would be a loss of visual amenity to neighbours, including the occupants of 1 Dresden Road itself and because of its size and location, is overlooked by at least a dozen surrounding properties. The proposal is therefore contrary to policies H6, H10 and D20 of the Islington Unitary Development Plan 2002, Conservation Area Guidelines 2002 (Whitehall Park), Islington Urban Design Guide 2006 (Mews or Backland Development), the NPPF and policy CS9 of the Islington Core Strategy 2011 and DM3 of the emerging Development Management policies 2012.

REASON: The construction of a single storey house on garden land at this location is out of context with its surroundings and within this context the form, scale and materials are alien to the garden site. The proposal is therefore contrary to policies D4, D5, D22, D24 and H10 of the Islington Unitary Development Plan 2002, Conservation Area Guidelines 2002 (Whitehall Park), Islington Urban Design Guide 2006 (Use of Materials, Stand Alone Buildings, Mews or Backland Development), the NPPF and policy CS9 of the Islington Core Strategy 2011, and policies DM1A and DM3 of the emerging Development Management policies 2012.

REASON: There are mature trees surrounding the proposed building, but have not been shown accurately on the plans. There is no information on location, species or root protection areas. Therefore it is not possible to fully assess the potential negative impact to

the garden and the wider Whitehall Park Conservation Area due to impact to the trees. The proposal is therefore contrary to policies Env5/6 of the Islington Unitary Development Plan 2002, Conservation Area Guidelines 2002 (Whitehall Park) , and policy 7.21 of the London Plan 2011.



Figure 2. Proposed floor plan of refused scheme P121575

ENFORCEMENT:

- 7.8 1, Dresden Road, planning application re: E07/03332 for 'Excavation works harming trees in rear garden'.
- 7.9 1, Dresden Road, planning application re: E06/02411 for an 'Unauthorised rear dormer'.
- 7.10 1, Dresden Road, planning application re: E05/02138 for the 'Conversion to flats without planning permission'.
- 7.11 1, Dresden Road, planning application re: E03/01026 for the 'Demolition within a Conservation Area without consent'.
- 7.12 1, Dresden Road, planning application re: E12/06546 for an 'Unauthorised fence'.
- 7.13 1, Dresden Road, planning application re: E10/05202 for the 'Removal of trees prior to pp approval P101658'.

PRE-APPLICATION ADVICE:

- 7.1 Land at Side and Rear 1, Dresden Road, pre-application response for the 'erection of a three storey single family dwelling (4bed 6person) with private amenity space'.

"the principle of a new dwelling maybe acceptable subject to securing a high quality and contextual overall design and finish to the proposed dwelling. There are however, at this stage concerns over the proposed design of the proposed dwelling notably to the rear elevation and the need to adequately respect the setting and openness of the adjacent locally listed building and its views from the surrounding public realm. There is also the potential negative impact on the amenity of the adjacent property at no.1, including the loss of sunlight/daylight, enclosure levels and outlook loss and further evidence needs to be submitted to address these concerns in any future submission."

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 52 adjoining and nearby properties at Dresden Road, Cheverton Road and Hazellville Road.
- 8.2 A site notice and press advert was also displayed. Consultation expired on the 14th July 2016. It is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 At the time of writing this report 22 responses have been received from the public with regard to the application. A further period of consultation was carried out which commenced on the 23/01/2017 due to revised drawings being received. The reconsulted alterations related to the reductions and alterations to the scale of the proposed rear dormer, rear extension, side elevation and internal access arrangements. This consultation period expired on the 15/02/2016. Members will be updated at committee of any additional responses received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).
- Unwarranted impact on the conservation area (10.9)
 - Unconvinced about the quality of the build (10.13)
 - Unconvinced about the quality of accommodation (10.33)
 - Concerned about impact on street trees and trees within the site (10.42-10.43)
 - No financial contribution to affordable housing or carbon offsetting (10.53)
 - No green roof (10.44)
 - The proposed frontage will not fit in well with the street (10.9)
 - Concerned over cross over traffic and children safety(10.41)
 - Any development should be agreed with neighbour (10.64)
 - Object to vehicle access to the rear of the site (10.41)
 - There have been numerous applications on the site (10.4)
 - Disruption and noise from construction (10.53)
 - Impact on locally listed building (10.9)
 - Use as a house would create noise and light pollution (10.48)
 - Concerned with water supply and drainage (10.50)
 - Potential for rear of site to be developed (10.4)
 - Loss in visual amenity (10.15)
 - Loss of green space, bio diversity and ecology (10.8)
 - Street facing velux should not be allowed (10.51)
 - Supporting plans unclear and imprecise (10.52)
 - Pastiche development (10.15)
 - Negative impact on neighbouring amenity in terms of light, outlook and privacy (10.22, 10.23, 10.24 &10.25)
 - Support the application as this will allow trees to be trimmed (10.43)

External Consultees

- 8.4 Whitehall Park Residents Association: object to the proposal.

Internal Consultees

- 8.5 **Design and Conservation Officer:** considers the principle of developing the open gap in this location will detrimentally impact the setting and visual appearance of the adjoining locally listed building. The remaining open space surrounding it is considered an important part of the character of the locally listed building, as well as the character of the wider conservation area. The space adjacent to no. 1 makes reference to the original setting of

this building and contributes to the openness of the conservation area. As it is one of the last surviving houses of this style in the area it is important to maintain this relationship and setting.

- 8.5 **Tree Preservation Officer:** no objection subjects to condition requiring construction method statement to protect retained trees.
- 8.6 **Planning Policy:** no objection and welcome a good sized family unit on this undeveloped site.
- 8.7 **Highways Officer:** No objections subject to the removal of the redundant crossover to be secured via condition.
- 8.8 **Access Officer:** recommends approval.

9 RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.3 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
 - Deregulation Bill received Royal Assent 26th March 2015

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 1 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011 and Development Management Policies 2013.

Whitehall Park Conservation Area

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:

- Previous Appeals weight and materiality to the planning merits and considerations of this current scheme.
- Land Use
- Design, appearance and visual impacts on the surrounding Whitehall Park Conservation Area, streetscene and setting of the adjoining locally listed building.
- Impact on the amenity of adjoining neighbouring residents.
- Quality of the proposed residential accommodation
- Accessibility
- Small Site Housing Contributions and Carbon Offsetting
- Highways and transport implications
- Trees
- Sustainability
- Community Infrastructure Levy
- Refuse and bin storage facilities
- Other Matters

Previous Appeals

10.2 Previous applications have been submitted in relation to residential new builds within the garden area. These consisted of the erection of four flats (P101658) and the construction of a single storey property (P121575). These two applications were primarily located in the south west corner of the large garden to No.1 Dresden Road. Both applications were refused and subsequently dismissed by the Inspectorate.

10.3 Of note application P031643 proposed to build a three storey four bedroom house adjacent to no. 1 Dresden Road. In relation to the proposed dwelling the Inspector concluded, *"The proposed house would be sited in a gap between Nos 1 and 3 Dresden Road and as the ridge height and eaves would match the adjacent properties, it would appear as part of the terrace row of houses. However difference between the proposal (including the amended scheme shown on drawing D/03/01A and D/03/17) and the existing terrace in the location and height of windows and doors and the details of the door and window surrounds would be evident and the house would appear as a poorly detailed version of the original terrace. I consider that it would therefore detract significantly from the regular appearance and harmony of the original terrace, key characteristics of the building which contribute to the street scene and conservation area"*. The previous Inspector did explicitly raise issue with the principle of infilling the gap between the properties, rather the proposed appearance of the dwelling would detract from the conservation area.

10.4 Planning decisions need to be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The three previous applications application mentioned above are considered material in the assessment of the current application. However proposals to build in the garden under the two previous applications (P101658 & P121575) differ in their location and design to the current proposal, whilst the principle of infilling the gap was not raised as an issue in the Inspectors report in relation to application P031643. Therefore it considered that the scheme before members is for a materially different scheme to previous dismissed appeal proposals and officers have taken due consideration of these appeals while assessing the current application on its own individual planning merits overall.

Land Use

- 10.5 The application is a residential development within a predominately residential area. It would involve the erection of a family dwelling over 3 storeys fronting Dresden Road. The NPPF states local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Policy DM6.3 states development of private open space is not permitted where there would be a significant individual or cumulative loss of open space/open aspect and/or where there would be a significant impact on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and/or flood alleviation effect.
- 10.6 The application site comprises a hardstanding parking area that is considered lawful in its nature and part of the historic large garden to the rear of no.1 Dresden Road. The majority of the footprint of the proposed building would be sited on the hardstanding and the private amenity space to the proposed dwelling would extend partially into the large garden area to the rear. As a result the loss of the hard standing parking area is considered to be in accordance with CS10 of the Islington Core Strategy and DM8.4 of the Islington Development Management Policies.
- 10.7 Turning to the potential loss of green space the Inspector at the previous appeal to application P121575 found the area to the rear of no.1 Dresden Road “clearly has some value in terms of biodiversity as a result of the mature trees and as part of a larger green space”. The Inspector found that
- “The permission for conversion to flats and a boundary of conifer planting has resulted in some degree of separation between the land on which the new dwelling would be sited and the building at no 1 and the wide terrace, steps and part of the rear garden would be left intact. The rear private amenity space would result in the further subdivision of the original garden. The majority of the rear of the site would be given over to private garden space which would be conducive to the larger green space around it. As a result the development would not result in cumulative loss of private open space in this particular instance. “*
- 10.8 The removal of the existing hardstanding on site at present is particularly welcome in visual terms. The creation of a modest and proportionate end of terrace dwelling to match the remainder of the terrace is considered to be visually appropriate and will leave a very generous rear garden to the proposed dwelling and the adjoining neighbour at 1 Dresden Road. In visual terms the street frontage will be reinstated involving the removal of a barren hardstanding area and large rear amenity spaces will remain after the development. The proposed building is considered to be of an acceptable overall scale, finish and massing and is set away from the adjoining locally listed building to such a degree that it is not considered on balance that there would be any appreciable visual harm to this building when viewed from both long and shorter views from the surrounding public realm.
- 10.9 The proposed dwelling would inevitably be seen in the same view as the adjoining locally listed building and would change the existing view and relationship of the application site with this building at present. However change does not necessarily equate to visual harm in planning terms. The building clearly relates to the existing terraced properties starting from 3 Dresden Road which is considered to be visually appropriate and further ensures that the differing and attractive design of the adjoining locally listed building is not compromised by the proposed design in this case. The overall attractive design, scale, massing and separation from the adjoining locally listed building are considered to ensure that the development would be readily assimilated into the surrounding streetscene and would enhance the character of the conservation area and respect and have a neutral overall impact in visual terms on the setting of the adjoining locally listed building at 1 Dresden Road.

Design and Conservation

- 3.6 Dresden Road is comprised in part of terraces of traditional Victorian houses. Adjacent to the application site is a substantial detached mid-Victorian house located on the eastern end of the road. The terraced houses vary but they have traditional bays, windows details and gables and regular features of the adjacent house contribute significantly to the street scene and the features of the conservation area. No. 1 Dresden Road is locally listed. Whilst not statutorily listed is of local significance. National guidance advises that the setting of undesignated heritage assets, can contribute to the significance of a Conservation Area.
- 3.7 This part of the Conservation Area consists mostly of long terraces of Victorian dwellings in tree lined streets and there are occasional glimpses into rear gardens. Between no.1 and no. 3 Dresden Road there is a driveway of some 7m in width which allows narrow views from the street of the rear garden. The land drops away from street level to the rear of the site and some of the tall trees adjacent to the application site are seen clearly, making a pleasant contribution to the leafy character of the area. The land to the rear, whilst untidy, based on its size and its open, leafy nature also makes a significant and unique contribution to the character and appearance of the surrounding area. This is mainly appreciated from private views.
- 3.8 The Urban Design Guide 2017 recognises end of terrace infill development can have a significant impact on the character of an area and its local distinctiveness. This property was built prior to the setting out of Dresden Road as an isolated house whose principle orientation as to the south. When the road was redeveloped the house was re-orientated to face the street to the east. There is therefore an historical relationship with the adjacent terrace, the gap application site and no.1 Dresden Road.
- 3.9 The gap between existing buildings is not similar to that which exists where other terraces in the area meet one another perpendicularly. The UDG states to approaches can satisfactorily respond to Victorian terraces. This can be a full height building that follows the existing scale, proportions, roofline and building line of the adjacent street frontage. The height, scale, proportions, elevational treatment, materials to the front elevation respond to nos. 3-9 and therefore meets the guidance. Concerns have been raised by residents on the quality of the appearance of the new dwelling. It is recommended to control the use of materials to ensure quality in appearance.
- 3.10 Islington's policies on conservation areas and heritage assets are in line with the requirement of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that special attention be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. In addition, paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 3.11 It is acknowledged the new build house would appreciably narrow the gap between no.1 Dresden Road, a locally listed building and undesignated heritage asset. However a narrow gap would remain. More importantly the relationship with the house to the rear large rear garden would remain intact as per the previous Inspectors concerns, "the loss of this space as a result of the proposed siting of the new dwelling would substantially reduce the setting of the heritage asset, resulting in significant harm to it." Moreover the new build house would respond to the prevailing pattern of development to the street. Overall therefore the additional end of terrace dwelling is not considered to cause material harm to the street scene as a result. It would respect the relationship of the property and to the neighbouring terraces on Dresden Road. The size and bulk of the proposal would preserve the character and appearance of the

host building and the wider conservation area in accordance with Policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies Development Plan Document (DPD), Policy CS9 of Islington's Core Strategy 2011 (CS) as well as guidance in the Council's Urban Design Guide Supplementary Planning Document 2017 (SPD). Collectively these seek to ensure that heritage assets are conserved and enhanced in a manner appropriate to their significance and that development respects and responds positively to existing buildings, the streetscape and the wider context.

Neighbouring Amenity

- 3.12 The council's planning policies seek to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise.
- 3.13 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.

Daylight/Sunlight

- 3.14 A Daylight and Sunlight Assessment was submitted in support of the application. An updated report was submitted in January 2017. The report examines the Vertical Sky Component to a number of windows including those to the east elevation of no. 1 Dresden Road and the windows to the rear and west elevations of No. 3 Dresden Road.
- 3.15 The advice given in the BRE is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.
- 3.16 Vertical sky component (VSC) tests daylight to specific habitable windows. Four of the windows assessed do not meet the criteria for VSC. Two of the windows relate to no. 1 Dresden Road and two windows to no.3 Dresden Road. A reduction of more than 20% contrary to the BRE Guidelines. Reductions of between 20-30% are considered to be a lesser/minor infringement in urban areas.
- 3.17 Windows identified as 119 and 120 at no.3 Dresden Road serve a kitchen which also has a fully double glazed door and outlook towards at the rear. Also window 121 serves an open plan living room which extends with outlook and access to light to the front of the house. Bearing in mind the existing internal layout of 3 Dresden Road and alternative outlooks and the limited degree of the reduced loss of VSC in this case in relation to 3 Dresden Road the impacts are considered to be not material and therefore acceptable.

Window	Vertical Sky Component		
	Existing	Proposed	% of Existing
119	27.292	15.474	56.70%
120	28.392	17.326	61.02%
121	20.93	17.216	82.26%
122	31.396	28.483	90.72%
123	27.602	14.024	50.81%
124	25.584	11.8	46.12%
125	34.579	28.488	82.39%

VSC in relation to neighbouring windows.

3.18 At No. 1 Dresden Road, window 123 serves a ground floor bedroom with an alternative outlook and access to light to the front of the house. Window 124 serves an open plan kitchen, living and diner which have an alternative outlook and access to light through double fully glazed doors to the rear of the house. As a result whilst individual windows may be impacted the rooms as a whole are considered to maintain sufficient light as the windows that fail are secondary and positioned on the side elevations. As such it is not considered this would warrant a reason for refusal in this case.

Outlook and Sense of Enclosure

3.19 The proposed development would follow the established building line to the terrace on the south side of Dresden Road. The boundary to No. 3 is characterised by a boundary fence with vegetation that extends above the existing boundary line. To the rear of the proposed dwelling is a single storey projection set away from the boundary with no. 3 Dresden Road. A ground floor side window, which is considered a secondary window directly faces the existing boundary and based on the existing arrangement, is already slightly diminished. The proposed single storey projection to the new dwelling which is set off the boundary the effect of the proposal on the outlook would not unduly harm the living conditions of the occupiers of No 3 Dresden Road. It is considered appropriate to condition the details of boundary treatment to ensure these are appropriate.

3.20 The effect of the proposal would be to bring a flank wall closer to the side windows of no.1 Dresden Road. These windows are considered secondary windows. It is acknowledged the effect of the proposal would diminish the outlook to these windows. Nevertheless, the main view from this window towards the rear garden would not be significantly affected and on balance would not form a reason for refusal.



Flank elevation to No. 3 Dresden Road.

Overlooking/Loss of Privacy

- 3.21 The proposed dwelling would face Dresden Road. There is an established building line. Overlooking is not considered to occur across a highway. To the rear, there would be in excess of 18m including the rear dormer to other neighbouring habitable windows.
- 3.22 The development of a new dwelling would result in a material residential intensification of the use of the site and, compared to its use as parking and part of a larger rear garden. Nonetheless, given the predominant character of the surrounding area and the overall extent of existing residential development nearby, it is considered that the development of the site for one new dwelling in this location would be relatively limited in its impact on neighbouring living conditions.
- 3.23 For these reasons, it is considered that the proposed development would not significantly harm the living conditions of the occupiers of No 158. Accordingly, it does not conflict with Policies CS8 and CS9 of Islington's Core Strategy and Policy DM2.1 of Islington's Local Plan: Development Management Policies insofar as they aim to safeguard residential amenity. The scheme would also adhere to a core principle of the National Planning Policy Framework, which is to always ensure a good standard of amenity for all occupants of land and buildings.

Quality of Accommodation

- 3.24 In terms of new residential development, as well as having concern for the external quality in design terms it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and also be dual aspect. London Plan (2015) policy 3.5 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.3 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards.

Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.

- 3.25 A new nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015 which post-dates the determination of the application by the Council. From this date Councils are expected to refer to the NDSS in justifying decisions.
- 3.26 Policy DM3.4 of the Islington's Local Plan: Development Management Policies (adopted June 2013) sets the context for housing standards for new development. Table 3.2, which supports this Policy gives the minimum gross internal areas (GIA) that new residential developments would be expected to achieve. For 4 bed, 6 person houses the table states that a GIA of 113SqM. The proposed floor area is approximately 127SqM. The proposal would exceed the floor area required by the above prescribed standards in the NDSS and Development Management Policies. The internal layouts of the proposed residential unit are considered to be acceptable and a satisfactory unit size has been provided. The unit is also dual aspect with good outlook and natural ventilation.
- 3.27 A new nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015 which post-dates the determination of the application by the Council. From this date Councils are expected to refer to the NDSS in justifying decisions.
- 3.28 The Development Management policy DM3.5 requires the provision of 30 square metres of good quality private outdoor space on ground floors. The proposed development would comprise a front garden and a private designated amenity space to the rear. The proposed floor area would exceed the amount of private space under policy DM3.5.
- 3.29 For the above reasons it is concluded that the proposed dwelling provide acceptable living conditions for future occupants in terms of the standard of accommodation and amenity space and complies with Policy 3.5 of the London Plan 2015, Policies CS8 and CS9 of the Islington Core Strategy 2011 and Policies DM2.1, DM3.4 and DM3.5 of the Islington Development Management and the National Space Standard, 2015.

Accessibility

- 3.30 As a result of the change introduced by the Deregulation Bill (Royal Assent 26th March 2015) Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor wheelchair housing standards.
- 3.31 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements, if they are not conditioned, Building Control will only enforce the basic Category 1 standards.
- 3.32 This new dwelling internal arrangements have been revised to ensure they comply with Category 2. The layout of this residential unit has been much improved; specifically the stair, WC and bathroom is workable.

Affordable Housing and Carbon Offsetting

- 3.33 The Affordable Housing Small Site Contributions document was adopted on the 18th October 2012. This document provides information about the requirements for financial contributions from minor residential planning applications (below 10 units) towards the provision of affordable housing in Islington. As per the Core Strategy policy CS12, part G and the Affordable Housing Small Sites Contributions SPD the requirement for financial contributions towards affordable housing relates to residential schemes proposing between 1 – 9 units which do not provide social rented housing on site.
- 3.34 The council adopted the Environmental Design Planning Guidance Supplementary Planning Document (SPD) on 25 October 2012. This document is supplementary to Islington's Core Strategy policy CS10 Part A, which requires minor new-build developments of one residential unit or more to offset all regulated CO2 emissions not dealt with by onsite measures through a financial contribution. The cost of the off-set contribution is a flat fee based on the development type as follows: Houses (£1500 per house). Both small site housing contributions and carbon offsetting have been secured via a Unilateral Undertaking and the scheme is considered compliant in this regard.

Highways

- 3.35 Islington policy identifies that all new development shall be car free. Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people. This has been secured via a legal agreement.
- 3.36 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'. Subject to there being sufficient capacity, the secure and integrated location of the proposed cycle storage on the ground floor is acceptable. Policy DM8.4 of the Development Management Policies supports sustainable methods of transport and requires the provision of 1 cycle space per bedroom. No cycle spaces are indicated on the drawings. Therefore it is recommended this detail be conditioned to ensure compliance with DM8.4.
- 3.37 Based on the position of the house the existing crossover would become effectively redundant. Therefore it is considered appropriate to attach a Grampian condition to ensure the highway is reinstated prior to occupation of the dwelling.

Trees

- 3.38 There are several trees that will be affected by the proposal however no trees are proposed to be removed as a result of the erection of a new dwelling. The Tree Officer has advised that if the application on balance is recommended favourably an arboricultural method statement must be conditioned. The reason, to protect the existing street tree from inappropriate excavations for service link up and to protect the evergreen Monterey cypress (T1) at the rear from construction activity. The arboricultural report is brief, not site specific and not to the level of detail that could afford the trees the protection they require. The council disagrees with the consultants assessment of T1 as category C, which has been undervalued.
- 3.39 There may be some post development pressure, notably to prune T1 as it is a large evergreen tree to the south of the site but in the future it is considered this can be managed by

appropriate pruning specifications and the protection afforded by its inclusion within the Whitehall Park Conservation Area.

Sustainability

- 3.40 Policy DM7.2 requires minor developments to achieve best practice energy efficiency standards, in terms of design and specification. The applicant has submitted a Sustainable Design and Construction statement to support the aims in reduction of carbon and water usage. In order to ensure these details are met as part of the scheme the appropriate condition is recommended to ensure these sustainable targets are met. Water efficiency standard of 115L/p/day is also required to be achieved for all homes as required by Core Strategy Policy (CS10). The applicants have also signed and agreed to pay the CO2 offset contribution for this scheme of £1,500.
- 3.41 In accordance with ICS policy CS10 Part E landscaping on the site should incorporate sustainable drainage measures (SUDS), including rain gardens and permeable paving. This is also recommended to be secured via condition.

Community Infrastructure Levy

- 3.42 This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. The payments would be chargeable on implementation of the private housing.

Bins and refuse facilities

- 3.43 No bin refuse has been shown on the proposed drawings. It is considered therefore to condition this aspect in order to ensure the bin stores capacity is sufficient for the proposed dwelling.

Other Matters

- 3.44 An objection has been received regarding the noise that would come from the proposed single dwelling house. The proposed use is for a single family dwelling of a reasonable size located in a primarily residential area. It is not considered that the creation of another single family dwelling would cause any form of material noise increases/incidences that the council could justify refusal of the application on this basis.
- 3.45 Planning proposals are assessed in accordance with the development plan and materials considerations. Discussions between the applicant and neighbours is not a planning issue in this instance.
- 3.46 In relation to an objection regarding drainage a condition is recommended to ensure details of surface water drainage of the site are submitted and approved in writing by the local planning authority. These details shall be based on an assessment of the potential for disposing of surface water by means of a sustainable drainage system and include details of future maintenance arrangements for the scheme.
- 3.47 A condition is recommended to ensure no Velux windows to the front roof slope.

3.48 The plans are to scale and considered accurate in order to form the basis of a decision.

3.49 Noise and pollution from demolition and construction works is subject to control under the Control of Pollution Act 1974, which states that any building works that can be heard at the boundary of the site may only be carried out between 0800 and 1800 Monday to Friday and 0800 to 1300 on Saturday and not at all on Sundays or Public Holidays. In any event a condition recommending a Construction Method Statement is recommended to ensure no undue harm to the living conditions of neighbouring occupiers.

11. SUMMARY AND CONCLUSION

Summary

11.1 The application seeks the erection of an end of terrace single family dwelling house.

11.2 The principle of the development and providing additional residential accommodation would be acceptable in land use terms, have an acceptable impact upon the character and appearance of the adjacent properties and street scene and will preserve the character and appearance of the adjoining Whitehall Park Conservation Area. In addition, it would not be unduly harmful to the amenities of adjoining residents.

11.3 There would be a noticeable impact in terms of outlook and light to the side elevational windows of the adjacent occupiers. However these are considered secondary windows overall it is considered that the development would not result in the loss of daylight, sunlight to the occupiers of the adjoining residential properties, undue increase in enclosure levels, loss of outlook or have a significant detrimental impact upon their amenity levels taken as a whole.

11.4 The proposed residential dwelling would provide acceptable standard of accommodation with all units achieving minimum internal floorspace standards, dual aspect, and meet the required private amenity space standards. The proposal would achieve Category 2 Homes in relation to Building Regulation for wheelchair accessible units and level access to the entrance.

11.5 The proposed mitigation in the form of a condition would not result in the loss of any trees. In addition to a financial contribution relating to small site affordable housing and carbon offsetting. Small Sites Affordable Housing and Carbon Offsetting contributions would be secured by way of a Unilateral Agreement.

11.6 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions and Unilateral Agreement.

Conclusion

11.7 It is recommended that planning permission be granted subject to conditions and completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- a) A financial contribution of £50,000 towards the provision of off-site affordable housing.
- b) A financial contribution of £1,500 towards CO2 off setting.

RECOMMENDATION B

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

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Planning, Design and Access statement by White and Sons dated May 2016, drawing numbers: 02DSR P 0011; Nr.:02DSR P 002; Nr.:03DSR P 004; NR.:03DSR P 005; Nr.:03 DSR P 006; Nr.:03DSR P 201; Nr.:03 DSR P 202 REVA; Nr.:03DSR P 203 REVA; SK1 revision D; Sustainable Design and Construction May 2016; Energy Statement May 2016 7 Daylight and Sunlight Assessment by 16 Design issued January 2017 job number: 2105.</p> <p>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.</p>
3	Materials
	<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> <ul style="list-style-type: none">a) solid brickwork (including brick panels and mortar courses)b) render (including colour, texture and method of application);c) window treatment (including sections and reveals);d) roofing materials;ande) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Trees safeguarding</p> <p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species, size and available rooting volume; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and g) any other landscaping feature(s) forming part of the scheme. <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 such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
5	<p>Cycle Storage</p> <p>CONDITION: Prior to the first occupation of the dwelling hereby permitted detail of storage for at least three secure bicycle storage spaces shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>These spaces shall be used solely for the benefit of the occupants of the development and their visitors and for no other purpose and shall be permanently retained as such thereafter.</p> <p>Reason: To ensure adequate cycle parking is available and easily accessible on site and promote sustainable modes of transport. neighbouring residential amenity.</p>
6	<p>Refuse facilities</p>

	<p>CONDITION: Notwithstanding the details shown on the approved plans, no occupation of the dwellings hereby permitted shall take place until detailed drawings of the refuse and bicycle store to serve the residential property have been submitted to and approved in writing by the local planning authority and these facilities have been provided and made available for use in accordance with the details as approved and to be retained 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>
7	Restriction of Permitted Development
	<p>CONDITION: Notwithstanding the approved scheme no permitted development rights are allowed to the dwelling house under Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.</p> <p>REASON: to preserve and enhance the character and appearance of the conservation area.</p>
8	Construction Method Statement
	<p>CONDITION: No development (including demolition works) in respect of the dwellings hereby approved 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 Statement shall provide details of:</p> <ul style="list-style-type: none"> a. the parking of vehicles of site operatives and visitors; b. loading and unloading of plant and materials; c. storage of plant and materials used in constructing the development; d. the erection and maintenance of security hoarding; e. wheel washing facilities; f. measures to control the emission of dust and dirt during construction; and g. a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>The development shall be carried out strictly in accordance with the Statement as approved throughout the construction period.</p> <p>REASON: to ensure no harm to neighbouring occupiers.</p>
9	Carbon and water efficiency targets
	<p>CONDITION: The dwellings hereby permitted shall 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 115 l/p/d. No occupation of the dwellings shall take place until details of how these measures have been achieved.</p> <p>REASON: In the interest of securing sustainable development.</p>
10	SUDS
	<p>CONDITION: No works shall take place to the superstructure of the residential development hereby permitted until details of surface water drainage of the site have been submitted to and approved in writing by the local planning authority. These details shall be based on an assessment of the potential for disposing of surface water by means of a sustainable drainage system and include details of</p>

	<p>future maintenance arrangements for the scheme. The drainage details as approved shall be installed and made operational before the first occupation of the development and retained as such thereafter, in accordance with the approved maintenance scheme.</p> <p>REASON: In the interest of biodiversity and sustainability.</p>
11	Highways
	<p>CONDITION: The proposed dwelling house shall not be occupied until the crossover immediately situated to the north east of the site has been removed and the pavement has been reinstated pursuant to an agreement with the local highway authority under Section 278 of the Highways Act 1980.</p> <p>REASON: In the interests of ensuring the redundant feature to the street scene as a direct result of the development is removed and the highway reinstated.</p>
12	Car free development
	<p>CONDITION: All future occupiers of the additional residential units, hereby approved shall not be eligible to obtain an on street residents parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) 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>Reason: To ensure that the development remains car free.</p>
13	Access
	<p>CONDITION: Notwithstanding the drawings hereby approved, all residential units 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>
14	Trees
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods: the arboricultural method statement, AMS in accordance with British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction and construction method statement have been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>

15	Removal of rooflight condition
	<p>CONDITION: Notwithstanding the approved drawings no permission is granted for the rooflights to the front roof slope.</p> <p>REASON: In order to protect the character and appearance of the conservation area.</p>
16	Landscaping details
	<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"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c) existing and proposed underground services and their relationship to both hard and soft landscaping; d) proposed trees: their location, species and size; e) soft plantings: including grass and turf areas, shrub and herbaceous areas; f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and i) any other landscaping feature(s) forming part of the scheme. <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 such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
17	Boundary Treatment
	<p>CONDITION: Notwithstanding the approved drawings details of the rear boundary and heights shall be submitted to and approved by the local planning authority.</p> <p>REASON: In order to protect the neighbours residential amenity and the character and appearance of the conservation area</p>

List of Informatives:

1	Positive statement
	To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.
2	Surface Water Drainage
	It is the responsibility of a developer to make proper provision for drainage to ground, water course or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
3	Signage
	Please note that separate advertisement consent application may be required for the display of signage at the site.
3	Community Infrastructure Levy
	<p>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 cil@islington.gov.uk. 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 www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</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 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character

Policy 7.6 Architecture

Housing Supplementary Planning Guidance

Appendix 1 - Summary of the quality and design standards

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 8 – Enhancing Islington’s character

Policy CS 9 - Protecting and enhancing Islington’s built and historic environment

Policy CS 10 – Sustainable Design

Policy CS 12 – Meeting the housing challenge

C) Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.2 – Inclusive Design
- Policy DM2.3 – Heritage
- Policy DM3.1 - Mix of housing sizes
- Policy DM3.3 - Residential conversions and extensions
- Policy DM3.4 – Housing Standards
- Policy DM3.5 – Private outdoor space
- Policy DM5.2- Loss of existing business floorspace
- Policy DM6.3 – Protecting Open Space
- Policy DM6.5 – Landscaping, trees and biodiversity
- Policy DM6.6 – Flood Prevention
- Policy DM7.1 - Sustainable design and construction
- Policy DM7.2 - Energy efficiency and carbon reduction in minor schemes
- Policy DM7.4 – Sustainable Design Standards
- Policy DM8.4 - Walking and cycling
- Policy DM8.5 - Vehicle parking

3. Designations

Whitehall Park Conservation Area

4. SPD/SPGS

Urban Design Guidelines (2017)
Basement Development SPD (January 2016)
Whitehall Park Conservation Area Design Guidelines
Small Sites Affordable Housing SPD
Environmental Design SPD
Inclusive Design SPD



The Planning
Inspectorate

Appeal Decision

Hearing held on 30 April 2013

Site visit made on 30 April 2013

by Sarah Colebourne MA, MRTPI

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

Decision date: 4 June 2013

Appeal Ref: APP/V5570/A/13/2191038

1 Dresden Road, London, N19 3BE

- 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 Robert May against the decision of the Council of the London Borough of Islington.
 - The application Ref P121575, dated 12 July 2012, was refused by notice dated 18 September 2012.
 - The development proposed is the construction of a single storey property at the rear of 1 Dresden Road to provide one residential unit.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposed development would preserve or enhance the character and appearance of the Conservation Area.

Reasons

Character and appearance

3. 1 Dresden Road is large detached Victorian house which has been converted into four flats within the Whitehall Park Conservation Area. It is on the Council's register of locally listed buildings and is therefore also an undesignated heritage asset. It has a very large rear garden which is surrounded by residential properties. The proposed dwelling would be sited on part of this land at a lower level than the existing building.
4. Although the Council's Conservation Area Design Guidelines (2002) do not refer to rear gardens in the area other than to trees on private land and the appellant's Heritage Statement concludes that the site makes little contribution to the character and appearance of the area, I have made my own assessment. This part of the Conservation Area consists mostly of long terraces of Victorian dwellings in tree lined streets and there are occasional glimpses into rear gardens. Between the appeal property and no 3 Dresden Road there is a driveway of some 7m in width which allows narrow views from the street of the rear garden. The land drops away from street level to the rear of the site and some of the tall trees within and adjacent to the appeal site are seen clearly, making a pleasant contribution to the leafy character of the area. The

proposed single storey dwelling would not be seen from here although the pedestrian access into the site would.

5. Although in legal terms there is no right to a view, the character and appearance of a Conservation Area can be perceived not only from public viewpoints but also from private ones. The site is widely overlooked from the first and second floors of many of the surrounding residential properties in Dresden Road, Cheverton Road and Hazellville Road. Despite its current untidy state, its size and its open, leafy nature makes a significant and unique contribution to the character and appearance of the surrounding area.
6. The permission for conversion to flats and a boundary of conifer planting has resulted in some degree of separation between the land on which the new dwelling would be sited and the building at no 1 and the wide terrace, steps and part of the rear garden would be left intact. However, there is a historic relationship between the site and the existing building at no 1. The site remains an important part of its spacious, leafy setting and the loss of this space as a result of the proposed siting of the new dwelling would substantially reduce the setting of the heritage asset, resulting in significant harm to it.
7. National guidance advises that the setting of undesignated heritage assets can contribute to the significance of a Conservation Area. The siting of the proposed dwelling would, therefore, also cause significant harm to the character and appearance of the Conservation Area. The Inspector in a previously dismissed appeal at the site for a new building comprising four flats (albeit it a larger building) reached a similar conclusion.
8. Furthermore, it seems to me that the siting, scale, form and materials of the proposed dwelling are a functional response to the appellant's objective of achieving a development on the site that would minimise any impact on neighbouring residents' living conditions rather than a contextual response to the character and appearance of the surrounding Conservation Area. Whilst the Council does not raise any objection to a contemporary design, its Design Guidelines and Urban Design Guide (2006) seek to ensure that new buildings conform to the size, scale and footprint of the existing buildings in the immediate area. The proposed single storey dwelling with its wide, horizontal form and curved lines would clearly be at odds with the prevailing three storey, narrow, vertical form and straight lines of the surrounding houses.
9. Policy D24 in the Islington Unitary Development Plan 2002 (which refers to new development as well as extensions and refurbishments) does not exclude modern materials and the Design Guidelines recognise that they may be acceptable. However, the proposed timber cladding and sedum roof would be difficult to maintain in this low lying, shady location where a number of large trees would surround the building, including an overhanging sycamore. Falling leaves and associated deposits would be likely to impact on the longevity of the roof and lead to pressure from the future occupiers for the felling or pruning of the trees. The appellant says that timber cladding can be guaranteed for up to 50 years and has submitted photos of other dwellings of similar materials. The age of those dwellings is unclear to me and they mostly appear to be in less shady locations than this and therefore less susceptible to deterioration. Furthermore, in my experience sedum roofs are not green for the whole of the year and, as I saw at the recently built contemporary dwelling nearby at Hornsey Lane, have a reddish brown appearance during winter months. The proposed roof in this case would be seen from many of the upper floors of

surrounding properties especially when the trees are not in leaf. For these reasons I am not convinced that the scale, form and materials of the proposed building would allow it to blend harmoniously into its surroundings and this adds to my concerns regarding the principle and siting of the development.

10. Local residents have objected to the impact that the proposed use and increase in activity would have on the character and appearance of the area. At the site visit I noted the tranquil nature of the site despite its setting within a densely built up area. A new dwelling would inevitably introduce new sources of light and noise into this quiet and at night time essentially dark space which would be seen and heard from surrounding properties. Any lighting associated with the pedestrian access into the site would also be seen from the street. This would add further harm to the character and appearance of the Conservation Area.
11. The recently built dwelling at Hornsey Lane nearby is not directly comparable in terms of its siting within the Conservation Area to this proposal as it was built partly on the site of an existing garage rather than solely on garden land and is sited further from surrounding dwellings. In terms of its design it has a different context as it is sited in an area occupied by domestic garages and sheds. Furthermore, the external materials include render with a smaller proportion of timber cladding than in this case. These differences are significant and do not alter my findings above.
12. National guidance encourages the optimum viable use of a site and the appellant considers it unlikely that the site will revert to its former condition under the current ownership. However, the Council has other means to seek its improvement if necessary and deliberate neglect is not a reason for allowing poor design. In any case, the ownership may change at some point in the future.
13. I conclude, therefore, that the proposed development, by reason of the loss of the garden, the proposed use and siting, together with its scale, form and materials would fail to preserve or enhance the character or appearance of the Whitehall Conservation Area, contrary to the most relevant development plan policies, policy CS9 in the Council's Core Strategy 2011 and policies D4, D22 and D24 in the UDP, which seek to protect such matters. Although these predate the National Planning Policy Framework their objectives are consistent with that document which seeks to sustain and enhance the significance of heritage assets and that new development makes a positive contribution to local character and distinctiveness. (I have not relied on the Council's Development Management policies in view of their emerging status.)

Trees

14. The Council has withdrawn its third reason for refusal relating to trees following the appellant's Arboricultural Report which was submitted after the Council's decision but local residents maintain their objection and I must deal with that. The report concludes that the proposal would not harm the trees within and around the site subject to precautionary measures including piled raft foundations and the crown lifting of an overhanging sycamore.
15. Although the trees have been graded as of low quality they still have an estimated life expectancy of up to 20 years and as mature trees are more vulnerable. Whilst trial digs have shown no larger roots (over 25mm) in that

area, it is my understanding that most roots are less than 0.5mm in diameter and therefore those results are not conclusive. Although there appears to be an error and contradiction within the report, the appellant agreed at the hearing that part of the proposed building would be within the root protection areas of some of the trees. BS 5837:2012 says that technical solutions might be available where there is an overriding justification for construction within the root protection areas of trees. On the basis of my findings earlier, I have insufficient evidence from either party in support of any overriding justification.

16. Even if there were, the proposed use of piled raft foundations suggests that, in the long term, the proposed building may be too close to the trees. The height, proximity and orientation of the canopies of trees T1, T3 and T4 in relation to the living room windows and the garden could result in the obstruction of some afternoon and evening sunlight and could be overbearing to future occupiers. This may make it difficult for the Council to resist subsequent applications to fell or prune the trees on safety grounds.
17. I conclude, therefore, that the proposed development would be likely to prompt, over time, a reduction in tree cover that would result in additional harm, contrary to policy ENV6 of the UDP which seeks to protect important trees and would fail to preserve or enhance the character or appearance of the Whitehall Conservation Area, contrary to UDP policy D22.

Other matters

18. I heard from local residents that owls, woodpeckers and bats have been seen at the site for several years. Although I have no factual evidence of this, from looking at the site I would agree with the Inspector in the previous appeal that it clearly has some value in terms of biodiversity as a result of the mature trees and as part of a larger green space. Whilst the proposed green roof would encourage biodiversity and conditions for mitigation measures could be imposed were the proposal otherwise acceptable, this would not outweigh the potential for harm to biodiversity through the long term pressure for felling or pruning of trees from the future residents of the proposed dwelling. The proposal would, therefore, result in significant harm to biodiversity contrary to UDP policy H6 which seeks to protect the nature conservation amenity of existing gardens and is consistent with the Framework in seeking to minimise biodiversity impacts. This matter adds to my concerns above.
19. The Council confirmed at the hearing that its objection relating to visual amenity refers to that of the Conservation Area rather than the outlook and its impact on the living conditions of neighbouring occupiers. There are, however, a number of objections from local residents concerning their living conditions in terms of outlook, light, and noise and light pollution. At the site visit I inspected the site from 3 Dresden Road, one of the properties with clearest views towards the site. Although the proposed development would bring a residential use and new building very close to existing properties and the outlook from those would undoubtedly change, the proposed building would not be unduly overbearing or result in a significant loss of light. This is a densely populated area in which there is already a high level of activity and the additional light and noise would not significantly harm neighbouring residents' living conditions, despite my earlier findings in relation to the Conservation Area. I am satisfied, therefore, that the proposed building has been carefully designed to reduce any impact on the living conditions of neighbouring residents to an acceptable degree in accordance with those parts of UDP

policies D3, H3, H6 and H10 and Core Strategy policy CS9 which seek to protect such matters.

20. Residents' concerns that the proposal does not make adequate provision for drainage could be addressed by a condition should the development be otherwise acceptable.
21. I have insufficient information to support residents' views that the proximity of the proposed building close to the boundary and trees would result in geological damage to the bank to the south of the site in adjoining gardens.
22. Whilst the proposal would make some contribution to the housing stock and to economic development as sought in the government's Ministerial Statement on Planning for Growth 2011, and could achieve the Code for Sustainable Homes level 4, given the scale of this development those benefits would be limited and these matters do not justify an otherwise harmful development.

Conclusion

23. Notwithstanding my findings with regard to some of the other matters, my findings regarding the Conservation Area, trees and biodiversity are significant and overriding. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Sarah Colebourne

INSPECTOR

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