

# PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department



<b>PLANNING SUB COMMITTEE B</b>	<b>AGENDA ITEM NO:</b>
<b>Date:</b> 27 <sup>th</sup> February 2017	<b>NON-EXEMPT</b>

Application number	P2016/2530/FUL
Application type	Full Planning Application
Ward	Highbury West
Listed building	Not Listed
Conservation Area	Not applicable
Development Plan Context	None
Licensing Implications	None
Site Address	Herbert Chapman Court, Flats 1-8, Avenell Road, LONDON, Islington, N5 1BP
Proposal	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.

Case Officer	Nathan Stringer
Applicant	Ms Linda Harris
Agent	FES Group

## 1. RECOMMENDATION

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

## **2. REASON FOR DEFERRAL**

- 2.1 This application was previously discussed at Planning Sub Committee B on 3<sup>rd</sup> October 2016. At the meeting there were concerns in relation to inaccurate drawings and an insufficient sample meaning the sub-committee did not have accurate information on which to make a decision. The applicant was also requested to do more consultation. Feedback from the Committee also noted that the proposed frames were too wide.

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

- 3.1 Following the meeting the applicant has provided amended drawings for the replacement windows. The amended drawings include section drawings of existing and proposed windows, which provide a clearer depiction of the width of proposed window units. The applicant has also provided a product specification leaflet for the proposed Crown Casement Window System, which provides further detail about the design of the window units. Further, a revised window sample has been provided.

## **4. ASSESSMENT OF THE AMENDMENTS**

- 4.1 The amendments received were to address concerns raised in relation to inaccurate drawings and an insufficient sample as per the Planning Sub Committee B on 3<sup>rd</sup> October.
- 4.2 The amended drawings provide a greater level of detail regarding the width and specifications of the proposed window units. The Design and Conservation Officer reviewed the revised drawings and considers that they are acceptable in principle. However, the officer noted that she would like to see a reduction in depth of the frame and for the frame to be square, rather than chamfered as proposed.
- 4.3 The applicant has since provided further information regarding the request from the Design and Conservation Officer. It is noted that, in order to accommodate a slimmer frame profile, it would be necessary to increase the width of the proposed frames by between 60% and 90% for a reduction in frame size of 7mm for the CS-68 frame profile and 15mm for the ES-50 frame profile. This would not see a reduction in frame width, as previously recommended by Sub Committee B.

### **Conclusion**

- 4.4 It is recommended that planning permission be granted subject to the conditions set out in Appendix 1 – RECOMMENDATIONS A and the amended condition 2 set out below.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b> CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
<b>2</b>	<b>Approved plans list</b> CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  Langley TA-20 Roofing System Specification, PD001 Rev D, PD002 Rev D, WS001 Rev D, WS002 Rev D, WS003 Rev D, WS004 Rev D, WS004.1 Rev D, WS005 Rev D, WS006 Rev D, WS007 Rev D, WS008 Rev D and WS009 Rev D.  REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.
<b>3</b>	<b>Materials</b> CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.  REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.
<b>4</b>	<b>Roof Not Use as Amenity Space</b> CONDITION: The flat roof area shown on the hereby approved drawings shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.  REASON: To prevent the undue overlooking of neighbouring habitable room windows

#### List of Informatives:

<b>1</b>	<b>Positive statement</b> To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.  A pre-application advice service is also offered and encouraged.  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 a timely manner in accordance with the requirements of the NPPF.
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**Appendix 2: PLANNING COMMITTEE  
REPORT**

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



<b>PLANNING SUB COMMITTEE B</b>		<b>AGENDA ITEM NO:</b>	
<b>Date:</b>	3 October 2016	<b>NON-EXEMPT</b>	

Application number	P2016/2530/FUL
Application type	Full Planning Application
Ward	Highbury West
Licensing Implications	N/A
Development Plan	None
Listed building	Unlisted
Site Address	Herbert Chapman Court, Flats 1-8, Avenell Road, LONDON, Islington, N5 1BP
Proposal	Replacement of the existing single glazed metal windows with aluminium framed double glazed units. Replacement of the existing mineral felt roof covering with a high performance mineral felt covering.

Case Officer	Nathan Stringer
Applicant	Ms Linda Harris
Agent	FES Group

**5. RECOMMENDATION**

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

6. SITE PLAN (site outlined in red)



**7. PHOTOS OF SITE/STREET**



Image 1: Photograph of the Front of the Site



Image 2: Aerial Photo of the Rear of the Site

## **SUMMARY**

- 7.1 Planning permission is sought for the replacement of the existing single glazed metal windows with aluminium framed double glazed casement units, and the replacement of the existing mineral felt flat roof covering with a high performance mineral felt covering. The proposed replacement windows are similar in terms of function and appearance as the existing windows. The proposed roof system is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing flat roof form.
- 7.2 The proposed alterations to the building are considered to have a neutral impact on the character and appearance of the surrounding streets. The proposals would not give rise to any adverse impact on the amenity of neighbouring properties.

## **8. SITE AND SURROUNDINGS**

- 8.1 The application site comprises a four-storey building on the east side of Avenell Road at the junction of Elphinstone Street. The property is a purpose built block of flats used for residential purposes and contains 8 self-contained flats.
- 8.2 The building is not Listed and is not within a conservation area. The surrounding area is predominantly residential in character.

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

- 9.1 Planning permission is sought for the replacement of the existing single glazed metal windows with aluminium framed double glazed units, and the replacement of the existing mineral felt flat roof covering with a high performance mineral felt covering. The proposed replacement windows are similar in terms of function and appearance as the existing windows. The proposed roof system is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing flat roof form.

## **10. RELEVANT HISTORY**

### **PLANNING APPLICATIONS:**

- 10.1 **831083** – Landscaping scheme and widening of pavement crossovers. Approved 11/10/1983.

### **ENFORCEMENT:**

- 10.2 None.

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

- 10.3 None.

## **11. CONSULTATION**

### **Public Consultation**

- 11.1 Letters were sent to occupants of 62 adjoining and nearby properties at Avenell Road and Elphinstone Street on 30<sup>th</sup> August 2016. The public consultation of the application therefore expired on 20<sup>th</sup> September 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.

- 11.2 At the time of the writing of this report one response had been received from the public with regard to the application. The response did not raise any objections to the proposal, but questioned why timber window units, rather than aluminium units, are not required. Council considers that timber windows should not be required, as the building currently does not contain any timber windows (the existing metal windows are likely to be original). (See paragraph 9.3)

## **12. 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**

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

### **Development Plan**

- 12.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

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

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

## **13. ASSESSMENT**

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

- Design
- Neighbouring Amenity
- Sustainability

### **Design**

- 13.2 Islington's Planning Policies and Guidance help encourage high quality design which complements the character of the area. In particular, DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.
- 13.3 The existing building contains single glazed metal windows. The proposed replacement of the windows with double glazed aluminium units will have a neutral impact on the character and appearance of the building, as the proposed window units are of a similar appearance to the existing units. As such, it is not considered that these works would significantly alter the external appearance of the building. Bearing in mind the utilitarian appearance of the existing building and the acceptability of the replacement windows in this case, it is considered that aluminium replacement windows are appropriate in this case and there is no planning justification within this context to seek timber double glazed windows.



- 13.4 The existing building contains a flat roof with grey felt roof covering. The proposed replacement of the existing roof covering would have a neutral impact to the character and appearance of the building, as the proposed roof covering system is of a similar appearance to the existing, and will not require any rebuilding of the roof. As such, it is not considered that these works would significantly alter the external appearance of the building.
- 13.5 Given the above, the proposal is considered to be consistent with the aims of Council's objectives on design and in accordance with policies 7.6 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policy DM2.1.

### **Neighbouring Amenity**

- 13.6 Policy DM2.1 of the Development Management Policies 2013 requires all new development to protect the amenity of nearby properties in terms of the loss of daylight, sunlight, outlook, privacy and overlooking.
- 13.7 The proposed replacement windows would not increase incidence of overlooking or have an adverse impact on the privacy of neighbours, as they would be placed in openings consistent with the existing windows on the building. Similarly, alterations to the roof covering would have no adverse impact on neighbour amenity, as the shape and size of the roof will not alter.
- 13.8 The proposal is therefore not considered to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington's Development Management Policies 2013.

### **SUSTAINABILITY**

- 13.9 The proposed double glazing would improve the insulation and thermal efficiency of each individual unit thereby contributing to reductions in carbon emissions and reducing energy costs. The proposed double glazing would improve the retention of heat in winter and is therefore in compliance with policy DM7.2, which requires developments to be energy efficient in design and specification.

## **14. SUMMARY AND CONCLUSION**

### **Summary**

- 14.1 The proposed alterations to the windows and roof of the building are considered to be acceptable in terms of design and the impact on the character and appearance of the building. The proposed works would not give rise to any material impact on neighbour amenity, including in terms of the loss of daylight, outlook or privacy.
- 14.2 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Plan and Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

1	<b>Commencement</b>
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<b>Approved plans list</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Langley TA-20 Roofing System Specification, PD001, PD002, WS001 (Cross Sections) and WS001 (Proposed Window Schedule).</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	<b>Materials</b>
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<b>Roof Not Use as Amenity Space</b>
	<p>CONDITION: The flat roof area shown on the hereby approved drawings shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows</p>

#### List of Informatives:

1	<b>Positive statement</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **1 National Guidance**

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

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

#### **A) The London Plan 2016- Spatial Development Strategy for Greater London**

- 7 London's living places and spaces
  - Policy 7.4 Local character
  - Policy 7.6 Architecture

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

##### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

##### **Strategic Policies**

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

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

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

DM2.1 Design

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

The following SPGs and/or SPDs are relevant:

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

- Urban Design Guide