

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration
Department

PLANNING SUB-COMMITTEE A		AGENDA ITEM :B1
Date:	9 th May 2017	NON-EXEMPT

Application number	P2016/3953/FUL
Application type	Full Planning Application
Ward	St George's Ward
Listed building	Not listed
Conservation area	Tufnell Park Conservation Area
Development Plan Context	Tufnell Park Conservation Area Article 4(2) Tufnell Park Major Cycle Route Local cycle routes Site within 100m of a SRN Road
Licensing Implications	None
Site Address	19 Southcote Road, Islington, London, N19 5BJ
Proposal	Erection of a single storey lower ground floor rear infill extension with sloping roof finish and alteration to an existing rear lower ground floor window.

Case Officer	Thomas Broomhall
Applicant	Mr & Mrs Nicolao
Agent	Robert Perrin - Johnperrin & Sons Ltd

1. RECOMMENDATION

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

1. Subject to the conditions set out in Appendix 1.

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



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



Image 2: View of rear elevation



Image 3: View of boundary wall between no.19 and no. 21 Southcote Road



Image 4: View towards rear windows of the neighbouring property at no. 21 Southcote Road



Image 5: View towards application site from side elevation of no. 21 Southcote Road

4. SUMMARY

- 4.1 Planning permission is sought for the erection of a single storey lower ground floor rear infill extension with sloping roof and alterations to the existing fenestration on the rear elevation. The application is brought to committee because of the number of objections received.
- 4.2 The issues arising from the application are the impact of the proposals on the character and appearance of the host building, adjoining terrace and the Tufnell Park Conservation Area; and the impact on the amenities of the adjoining and surrounding residential properties.
- 4.3 The impact of the proposal on the character and appearance of the host building, terrace of residential properties and surrounding Conservation Area is considered to be acceptable as the mass, height, scale, depth and proportions of the proposed single storey rear infill extension are considered to remain subordinate to, and to preserve the scale and integrity of the original three storey building. The impact on the amenities of the adjoining and surrounding properties is considered to be acceptable as the additional height, bulk and massing is considered to be minimal in the existing context of the site without having an unacceptably harmful impact.
- 4.4 For the above reasons the recommendation to committee is to resolve to grant permission subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is a lower ground floor flat within a two storey over lower ground floor residential property that is in use as two residential flats, within a terrace row of similar properties. The property has an existing three storey rear projection. The property is within the Tufnell Park Conservation Area however it is not listed. The surrounding area is predominantly residential in character.

6. PROPOSAL (in Detail)

- 6.1 Planning permission is sought for the erection of a single storey lower ground floor rear infill extension with sloping roof, and alterations to an existing rear ground floor window.
- 6.2 The proposed extension would extend at the lower ground floor level of the property to a depth of 3.7 metres and width of 2.5 metres to infill and align with the depth of the existing three storey rear projection. The single storey rear extension would have a height of 2.5 metres adjoining the boundary with no. 21 Southcote Road and rises away from the boundary wall to a maximum height of 3.8 metres where it adjoins with the rear projection of the host dwelling, 2.7 metres away from the boundary line. The proposed extension would incorporate UPVC double glazed doors opening into the rear garden.
- 6.3 The proposal includes the installation of a new double glazed timber sash window on the rear elevation of the existing rear projection at lower ground floor level which would match the fenestration elsewhere on the building. The window would have proportions of 0.9 metres in width and 1.3 metres in height and would be upvc finished rear door.

7. RELEVANT HISTORY:

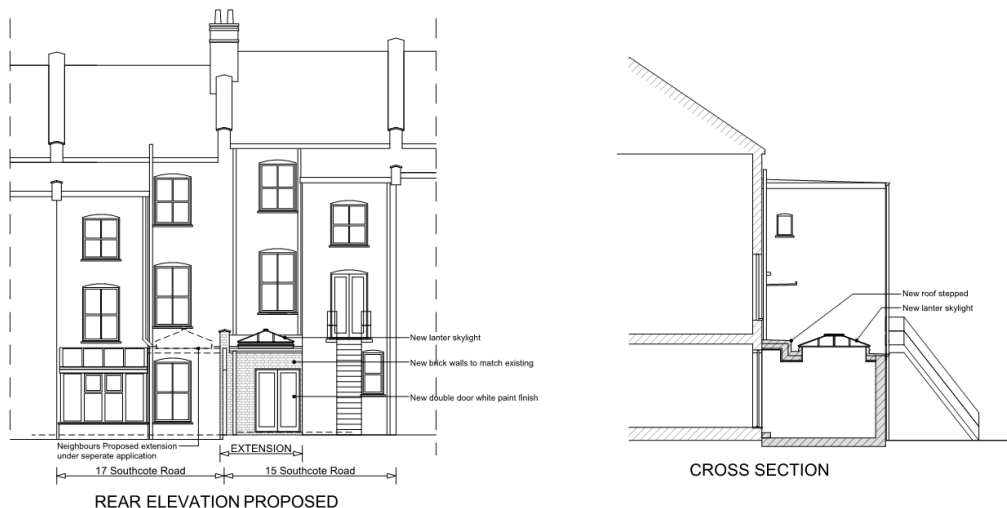
PLANNING APPLICATIONS:

- 7.1 20/10/2009 Planning Permission (Ref: P091729) granted for *erection of single storey rear extension, redesign and recladding of existing roof extension plus replacement of front boundary treatment, installation of green roofs and timber-framed windows to front and rear elevations of existing dwellinghouse* at 9, Southcote Road, Islington, London, N19 5BJ.
- 7.2 03/03/2015 Planning Permission (Ref: P2015/0334/FUL) granted for *Removal of existing rear conservatory and erection of a new single storey rear infill extension* at 17 Southcote Road London N19 5BJ.



Approved rear extension at 17 Southcote Road

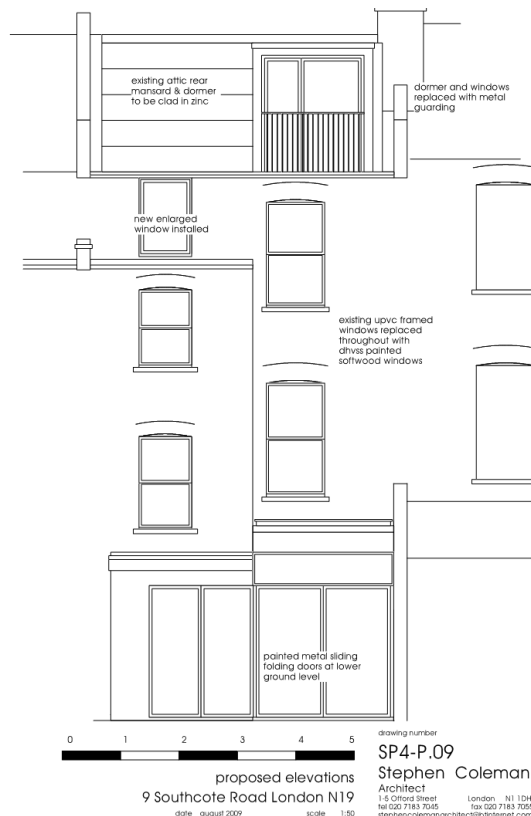
- 7.3 20/04/2015 Planning Permission (Ref: P2014/5065/FUL) granted for *Single Storey Rear Extension* at Flat A 15 Southcote Road London N19 5BJ.



Approved rear extension at 15 Southcote Road

- 7.4 12/12/2016 Planning Permission (ref: P2016/3949/FUL) granted for *Loft conversion incorporating roof lights to the front roof slope and rear dormer extension. Alteration to rear fenestration* at 19 Southcote Road, Islington, London, N19 5BJ.

- 7.5 20/10/2009 Planning permission(refP091729)granted for the erection of single storey rear extension, redesign and recladding of existing roof extension plus replacement of front boundary treatment, installation of green roofs and timber-framed windows to front and rear elevations of existing dwelling house at 9 Southcote Road, Islington.



Approved rear extension at 9 Southcote Road.

ENFORCEMENT:

7.5 None.

PRE-APPLICATION ADVICE:

7.6 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Southcote Road and Tufnell Park Road. A site notice and press notice were also displayed on 24 January 2017. The public consultation on the application ended on 16 February 2017.
- 8.2 A second period of public consultation took place on 8 February 2017 following the proposed drawings being uploaded to the website to ensure the application had been fully advertised. This ended on the 9 March 2017.
- 8.3 A third period of public consultation took place on 20 March 2017 following revisions to the design of the scheme to include a sloping roof. This ended on the 3 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 a total of 15 objections in total 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 in brackets):

- Impact on no. 21 in terms of loss of daylight and sunlight, loss of outlook, loss of privacy, increase in enclosure, loss of view of skyline, overbearing and dominating effect (See paragraphs 10.15-10.27)

- Overshadowing to outdoor space of no. 21 (See paragraph 10.27)

- Excessive height and depth of the extension (See paragraph 10.17)

- Party wall agreement (See paragraph 10.28)

Internal Consultees

8.5 Design and Conservation – No objection.

Interested Parties

8.7 Councillor Satnam Gill – Supports the objection from no. 21 Southcote Road

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
- Other matters

Design and Conservation

- 10.2 The application proposes the erection of a single storey lower ground floor rear infill extension with a sloping roof profile/finish and alterations to the fenestration on the rear elevation.
- 10.3 Section 72 (1) of the 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 The Tufnell Park Conservation Area Design Guidelines (CADG) sets out the following with regards to rear extensions:

Full width rear extensions higher than one storey or half width rear extensions higher than two storeys, will not normally be permitted, 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.

Where permitted, rear extensions should conform with the main building in terms of scale, design and materials.

In considering applications for extensions, 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 and texture.

- 10.6 The mass, height, scale, depth and proportions of the proposed single storey rear infill extension are considered to remain subordinate to, and to preserve the scale and integrity of the original three storey building and its wider terrace setting.

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 at the rear of the property. The rear garden to be retained would still amount to 30 square metres.

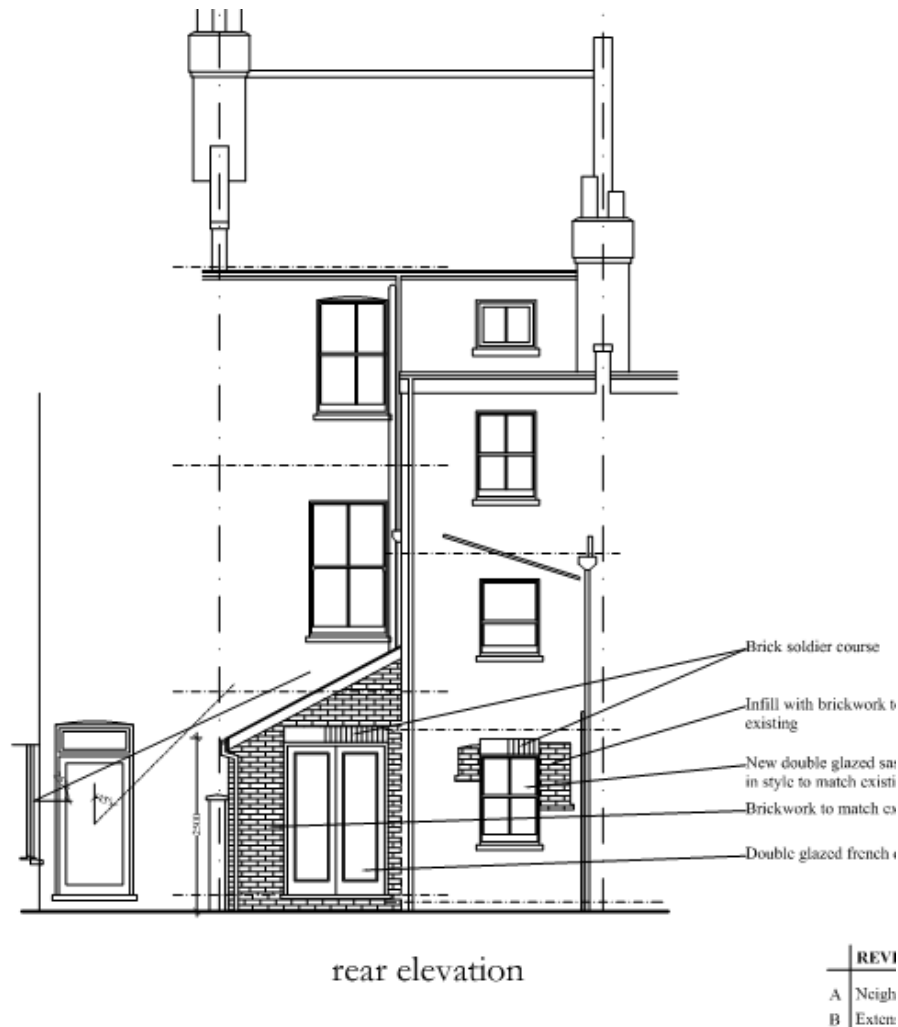
- 10.7 It is noted that single storey rear infill extensions of a similar scale to that proposed, exist on the adjoining and adjacent properties within the terrace including at no's 17, 15 and 9 Southcote Road. There are also a number of additions which extend beyond the original rear projections without any consistency or uniformity in this regard. As a result the proposed extension is of a similar scale to the pattern of development in the immediate built context.
- 10.8 During the course of the application the design of the proposal has been revised to address concerns over the impact on neighbouring amenity which will be considered later in this report. The design has been revised from a flat roof with protruding roof light to a sloping roof with a reduction in height adjoining the boundary wall. The scale of the proposed development at lower ground floor level, is considered to be in proportion to the three storey host building. The sloping roof design is considered to be acceptable in order to ensure minimal amenity impacts whilst remaining sufficiently sympathetic to the host building in accordance with design guidance and policies DM2.1 and DM2.3.
- 10.9 The appearance and use of materials (including brickwork to match existing, timber sliding sash window at lower ground floor and French doors at lower ground floor level) are considered to be appropriate to the rear elevation of the host building.
- 10.10 Each application is assessed on its own merits, in accordance with the relevant planning policies, based on an assessment of the impact of each proposal and the constraints of each site. Officers must be able to demonstrate that the extension would cause a discernible visual harm to the character and appearance of the host dwelling, adjoining terrace or surrounding conservation area in order to justify refusal of the application on this basis. It is considered by officers that there is no visual harm caused by the proposal in this instance.
- 10.11 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 Tufnell Park Conservation Area Design Guidelines (2002).

Neighbouring Amenity

- 10.12 The proposal is for a single storey lower ground floor rear infill extension with sloping roof and alterations to the existing fenestration at rear lower ground floor level.

- 10.13 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.
- 10.14 Particular consideration has been given to the design of the proposed rear extension and the potential impact on the nearest windows on the rear and side elevation of no. 21 at lower ground floor level which sits adjacent to the proposed extension.
- 10.15 During the course of the application, the submitted scheme has been revised to align with the depth of the existing rear projection. It has also been lowered in height adjoining the boundary wall with no. 21 Southcote Road by 0.7 metres through the use of a sloping roof (increasing in height away from the boundary wall).
- 10.16 The proposed rear extension would adjoin the boundary wall rather than being built directly upon the party wall. The boundary wall currently has a height of 1.5 metres. It is noted that there would be an increase in height of 1.0m adjacent to the boundary as a result of the rear extension rising to a total height of 2.5 metres.
- 10.17 Consideration has been given to the impact of the increase in height and massing adjacent to the boundary wall, the depth of the extension, and the existing relationship between the two properties. The existing three storey rear projection to no. 19 is an original feature replicated along the rear of the terrace and sits 2.7 metres from the boundary line between the two properties. This results in a less than satisfactory standard of amenity at the lower ground floor of no. 21 Southcote Road in terms of levels of daylight, outlook and aspect. As result, whilst it is accepted that there would be an impact on the rear windows of no. 21, given the existing situation, the additional height, bulk and massing would sit well below and is much smaller scale than the existing bulk and massing. The impact on the outlook and perceived sense of enclosure of no. 21 is therefore considered to be minimal in the existing context of the site, and would not result in sufficient loss of amenity in this regard, as to sustain the refusal of the application on this basis and is therefore considered to be acceptable.
- 10.18 Daylight and Sunlight: The Council has assessed the proposals 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 information in relation to the impact on neighbouring amenity has been provided. Drawings indicating the BRE 45 Degree Approach and 25 degree rule on the nearest windows on the rear and side elevations of no. 21 have been included on the submitted drawings.
- 10.19 Daylight: The BRE Guidelines for existing buildings stipulate that a significant amount of light is likely to be blocked if the centre of the window lies within the 45 degree angle on both plan and elevation. The impact of an extension should not be noticeable if it would sit below a line drawn at a 45 degree angle from the centre of the nearest window perpendicular to the extension in either plan or elevation.
- 10.20 With regards to windows on existing buildings which face the extension, the BRE guidelines require the extension to pass a minimum of a 25 degree angle from the angle to the horizontal subtended by the new development at the level of the centre of the lowest window.

- 10.21 The submitted drawings indicate that the existing glazed door on the rear elevation to no. 21 would pass the 45 degree approach set out by the BRE guidelines in elevation. The drawings also indicate that the windows on the side elevation to no. 21 facing the extension would pass the BRE 25 degree rule in elevation (see image below).



Proposed rear elevation showing 45 degree and 25 degree sightlines in elevation from the rear windows of 21 Southcote Road towards 19 Southcote Road.

- 10.22 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 purposes. The nearest windows on the rear elevation of no. 21 are within 90 degrees due north and therefore does not warrant assessment in this regard.
- 10.23 The increase in height and massing is not considered to result in any discernible loss of daylight on the existing situation following compliance with the above tests. The rear elevation is within 90 degrees of due north so there will be no impact on sunlight receipt to the rear windows of 21 Southcote Road. In summary the impact of the proposals on the levels of daylight and sunlight to no. 21 are considered to not be so materially harmed as to justify refusal of the application on this basis.

- 10.24 The proposed windows to the rear elevation only overlook the garden and given the existing fences and hedges on the rear boundary there is no material potential for an increase in overlooking from the proposed extension. The proposed windows in the sloping roof would be well above 1.7 metres from finished floor level and therefore there would not be any opportunity for an increase in overlooking obliquely looking upwards towards the rear elevations of 21 Southcote Road to any materially harmful degree.
- 10.25 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.
- 10.26 Throughout the assessment of the application, the impact of the proposed single storey rear infill extension on the amenities of no. 21 has been carefully considered, and has been found to be acceptable. The proposed extension is therefore considered to accord with policy DM2.1 of the Islington Development Management Policies.
- 10.27 An objection has been received expressing concern over the overshadowing to the outdoor space at the rear of no. 21. It is accepted that there will be an impact on the outlook and quality of the outdoor space at the rear of no. 21. However consideration is given to the dense urban location and enclosure levels, and the small scale of the increase in height and the depth adjacent to the boundary. The overall height and sloping roof finish of the proposed extension along the common boundary are considered to be acceptable and would create a subservient and proportionate addition to the host dwelling and wider terrace in this case. As a result, the impact of the extension is considered to not lead to such a material impact on this outdoor space as to justify the refusal of the application on this basis.

Other Matters

- 10.28 Comments have been received concerning party wall matters. However party wall matters are not a material planning consideration and are dealt with by separate Party Wall legalisation.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 A summary of the proposal and its impacts and acceptability is set out at paragraphs 4.1 to 4.4 of this report.
- 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>Block Plan, 2702/1, 2702/2, 2702/3C, 2702/4 & Conservation and Design and Access Statement</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
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. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with 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 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

Tufnell Park Conservation Area

4. SPD/SPGS

Tufnell Park Conservation Area Design Guide 2002
Urban Design Guide 2017
Environmental Design SPD 2012