

# PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department

<b>PLANNING SUB COMMITTEE B</b>		<b>AGENDA ITEM NO: B2</b>
<b>Date:</b>	21 <sup>st</sup> November 2017	<b>NON-EXEMPT</b>

Application number	P2017/2758/FUL
Application type	Full Planning Application
Ward	St. Georges
Listed building	Not listed
Conservation area	Tufnell Park Conservation Area
Development Plan Context	Tufnell Park Conservation Area Article 4 (2) Tufnell Park
Licensing Implications	None
Site Address	15 St George's Avenue, Islington, LONDON, N7 0HB
Proposal	Basement excavation to enlarge existing cellar including creation of front lightwell with metal grill above. Erection of single storey rear infill extension, replacement of door to existing rear ground floor extension, installation of new rooflights to rear roofslope. Installation of double glazed timber sash windows to front and rear elevations at ground, first and second floors, installation of fanlight to front door, installation of 2x2 timber front door, installation of replacement lead roof over second floor front bay window, alterations to front steps and paving, alterations to side boundary walls with no. 13 & 17 to the front and rear of building, installation of timber front gate, and pillars to front boundary wall.

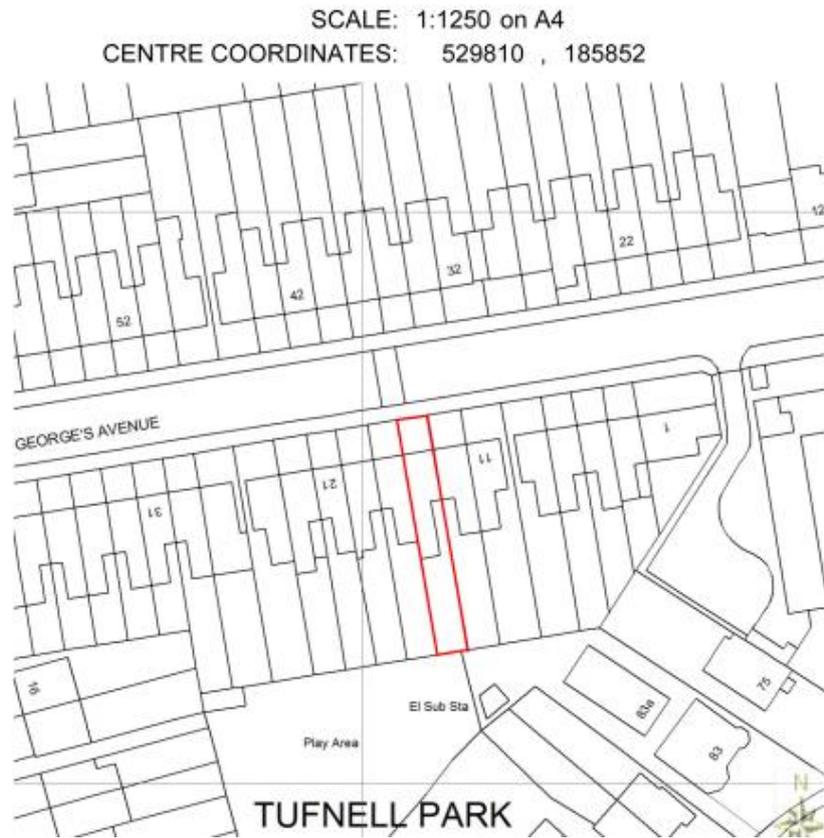
Case Officer	Heather Lai
Applicant	Mr Robert Thomas
Agent	GDL

## 1. RECOMMENDATION

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

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

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



3. **PHOTOS OF SITE/STREET**



**Image 1:** Existing rear elevation of host building



**Image 2:** Boundary wall between no. 15 and no. 13, with rear wall of closet wing to no. 13.



**Image 3:** Showing rear extension to no. 15 (host building) and existing boundary wall with no. 17



**Image 4:** Front garden of no. 15 and boundary railing between no. 15 and no. 13.



**Image 5:** Site of proposed infill extension and its existing relationship with no. 13 St. George's Avenue. It also shows shadowing to the side returns comes from no. 13. Photo taken 25<sup>th</sup> August 2017 at 10:15am



**Image 6:** Front elevation of no. 15 (host building), showing existing front door, bay windows, side boundary timber fence, front wall, existing steps and paving to front path.



**Image 7:** Front elevation of no. 15 in context of street

## **4. SUMMARY**

- 4.1 Planning permission is sought for the excavation of a basement under the footprint of the original house/ into the existing cellar and the associated excavation of a front lightwell with a grill to cover the lightwell.
- 4.2 It is also proposed to erect a single storey rear infill extension with a lightwell adjoining the principal rear wall, the installation of a new metal door to existing rear ground floor extension, the installation of a new window opening to the side of the existing closet wing at ground floor level.
- 4.3 Further minor alterations include the installation of replaced and relocated rooflights to the rear roofslope, the installation of a replacement timber door to the rear flat roof at second floor level, the installation of like for like double glazed timber sash windows to front and rear elevations at ground, first and second floors. The installation of a new 2x2 timber front door with fanlight over the door, the replacement of lead roof coverings over second floor front bay window, alterations to the front steps and paving, alterations to side boundary walls with no. 13 & 17 to the front and rear of building, and the installation of a front gate, railings and pillars to front boundary wall.
- 4.4 The main considerations in the assessment include the impact of the proposals on the character and appearance of the host building and the wider Tufnell Park Conservation Area, and the safeguarding of the amenity of neighbouring residential occupiers.
- 4.5 The proposal has been amended during the course of the application to reduce the size of the front lightwell, including proposing a grill instead of railings, removing the bin and bike store from the proposal, and the removal of a railing from the second floor rear flat roof. The front garden was originally to be paved with hard standing however it is now proposed to retain this as soft landscaping. The excavation works are considered to comply with the Council's Basement SPD as they are to be under the footprint of the existing dwelling, with a discreet lightwell to the front garden.
- 4.6 While concerns have been raised regarding the impact on neighbouring amenity, the design of the proposal and the structural impact of the proposed basement excavation, it is considered the development would not result in a material loss of light to neighbouring and adjoining properties or a material sense of enclosure compared to the existing situation. Following amendments it is considered the proposal is acceptable in design terms, and the basement complies with the Council's SPD. Submission of an amended Structural Method Statement has been sought by condition (suggested condition 6) however beyond this, structural considerations cannot be considered as part of a planning application.
- 4.7 For the above reasons the recommendation to committee is to resolve to grant permission subject to planning conditions.

## **5. SITE AND SURROUNDINGS**

- 5.1 The application site is an unlisted Victorian mid terrace single family dwelling located on the south side of St George's Avenue within the Tufnell Park Conservation Area. It is three storeys and has an existing loft conversion. It is in a run of eight buildings in the terrace which all have back to back two storey rear closet wings.
- 5.2 To the west, the site adjoins no. 13 St George's Avenue which is in use as a single family dwelling, and to the east no. 17 St George's Avenue which is divided into two flats. Directly to the rear of the site is Tufnell Park, an area of public open space.
- 5.3 The property is within the Tufnell Park Conservation Area; the surrounding area is predominantly residential in character, which is a notable feature of the Conservation Area. This section of the street has a variety of extensions and treatments to the rear elevation.

## 6. PROPOSAL (IN DETAIL)

- 6.1 There is an existing cellar under the principal footprint of the dwellinghouse and the proposal seeks permission to excavate to increase the overall head height of this basement to form an additional living space. To the front, it would extend out into the garden where a lightwell would be excavated, with a metal grill to cover it.
- 6.2 A single storey rear infill extension is proposed that would retain a lightwell adjacent to the principle rear elevation. This element would extend out to the common boundary wall with no. 13 St George's Avenue. It would measure 2.26 metres high at the boundary with no. 13, projecting a depth of 5.4 metres, and 2 metres in width. The height will increase to 3.1 metres where it adjoins the existing outrigger. A lightwell of 1.6 metres would be maintained between the extension and the main rear wall of the building.
- 6.3 A new double glazed steel framed door would replace the existing timber door in situ to the existing single storey rear extension. A new window opening to the side of the closet wing at ground floor level would replace the existing door.
- 6.4 At second floor level it is proposed to install a like-for-like replacement timber framed door to the rear flat roof, as well as new and relocated rooflights to be installed to the rear roofslope.
- 6.5 It is also proposed to install like for like double glazed timber sash windows to the front and rear elevations at ground, first and second floors; a replacement fan light is proposed above the front door, and the door would be replaced with a 2x2 timber door.
- 6.6 Further minor alterations include replacement lead cladding to the roof over the second floor front bay window, the front steps are to be retiled to match the existing traditional front paving which is to be repaired and replaced where necessary. Alterations are also to be undertaken to both side boundary walls with no. 13 & 17 to the front and rear of the building including replacing timber fencing to the rear boundary with no. 17; erecting timber fencing above the existing side boundary wall with no. 13 to the rear of the property; replacing the existing front side metal railing with no. 13 with a brick wall, replacing the existing front side boundary timber fence with no. 17 with a brick wall and replacement of existing front timber gate with a new timber gate.
- 6.7 During the course of the application, amendments were received on 9 October 2017 to ensure the scheme is compliant with the relevant policies in the Development Plan. The amendments include the following
- The size of the proposed front lightwell has been reduced by 0.5m so it does not project so far into the front garden and the associated railing was removed as it was considered this was out of character and would look incongruous along this well preserved terrace in a Conservation Area. A metallic grill will be installed to cover the lightwell.
  - The proposed railing to the roof of the rear closet wing at second floor level was removed as it was considered this was inappropriate to the Conservation Area, and the existing ones in situ along the terrace do not appear to have been granted planning permission.
  - The roof to the second floor front bay window was originally to be replaced with a zinc finish, however it was considered this non-traditional material was out of character and is now to be finished in lead.
  - The proposed railing to the front boundary wall was removed as it was considered out of character and the proposed design of the front gate was amended to be a timber gate as this was considered a more appropriate replacement than a modern designed metal gate.
  - The proposed raising of the original stock brick side boundary wall with no. 13 St George's Avenue where it slopes down to the rear has been removed from the scheme. It is now proposed to erect a timber trellis above the existing wall.

- The proposed bike store and bin store to the front garden area has been removed from the scheme as it was considered these elements would add clutter and were unacceptable to a well preserved front garden in a Conservation Area.
- The front garden area that it is currently planted and has slate covering was to be hard paved, however it was considered this did not accord with policy CS10 as it would have resulted in a significant area of hard standing with no provision of a sustainable urban drainage system (SUDS). Therefore this element of the scheme has been removed.

## 7. RELEVANT HISTORY:

### PLANNING APPLICATIONS:

**P070243:** Erection of single storey rear extension, loft conversion and construction of dormer window. Refused on 19 March 2007 for the following reason:

The proposed rear dormer extension would alter the original roof profile along the terrace and be visible from Dalmeny Park with long views from Dalmeny Road and Anson Road. It would therefore result in a discordant feature detrimental to the character and appearance of the host building, street scene and the wider Tufnell Park Conservation Area. The proposal is contrary to Policies D1, D4 and D25 of Islington's Unitary Development Plan 2002, the Conservation Area Design Guidelines 2002, and the Urban Design Guide 2006.

- 7.1 **P070820:** Certificate of Lawfulness (Proposed) in connection with single storey rear extension, alterations to windows, and insertion of 4 velux windows to the rear roof slope. Approved with no conditions on 31 March 2007.

### ENFORCEMENT:

- 7.2 **E/2017/0250:** Enforcement enquiry opened on 3 August 2017 in relation to unauthorised basement works at the site. However this was closed on 15 August 2017 as a site visit confirmed no unauthorised works had taken place.

### PRE-APPLICATION ADVICE:

- 7.3 **Q2017/1376/HH:** Conversion of the existing basement into habitable space through basement level excavation. Erection of a single storey rear infill extension at ground floor level. Creation of a rear roof terrace at first floor level including balustrade. Enlargement of rear rooflights, replacement of windows throughout and works to front patio including creation of front lightwell, new window at lower ground floor and timber bin storage and bike store in front garden.

## 8. CONSULTATION

### Public Consultation

- 8.1 Letters were sent to occupants of 14 adjoining and nearby properties on St George's Avenue and site notice and press advert were displayed. The public consultation of the application therefore expired on 7 September 2017, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 Following the amended plans received on the 9<sup>th</sup> October, a reconsultation period (14 days) was undertaken on the 13<sup>th</sup> November 2017.
- 8.3 At the time of the writing of this report a total of ten responses had been received from the public with regard to the application (from both the original consultation and the re-consultation). The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

## Design

- The proposal does not enhance the character and appearance of the application site or conservation area in terms of scale, materials, height, and design. Object to the significant changes to the property, including loss of original features, and replacement of others including fenestration, which will erode the Conservation Area. The justification for the proposed works does not adequately address the harm caused. **(paragraphs 10.4-10.30)**.
- Property was previously redeveloped in 2007 and these further changes appear to be over development of the site, leading to a loss of garden space **(Paragraph 10.2-10.3)**.
- Proposed lightwell and associated railing, and bike and bin store to front garden area is of a scale and design that is inappropriate and detrimental to the wider Conservation Area **(paragraphs 6.7; 10.6)**.

## Amenity

- Alterations in 2007 raised the existing ground height to the rear of no. 15 and therefore it is elevated above the garden and dwelling at no. 13. Therefore the impact of the raising of the boundary wall will have a greater impact at no. 13 than at the application site. It will result in an overbearing situation with a loss of light to no. 13. **(paragraphs 10.34 -10.40; 10.47-10.50; 10.54)**.
- Urban Design Guide states that side extensions and end of terrace infill development can have a significant impact on the character of an area and on the amenity of neighbours needs to be considered. **(paragraph 10.44)**.
- Alterations to front elevation will block light to neighbouring windows **(paragraph 10.51)**
- Don't understand why original side boundary walls are suddenly a privacy issue for the application site **(paragraphs 10.46)**.

## Basement development

- Neighbours expressed concern over the impact of the proposed development, namely over the structural integrity of the Victorian terrace, especially for adjoining and neighbouring properties as foundations are shallow and terrace is prone to dampness and flooding. Also over the impact on neighbours' amenity in terms of noises, dust and disturbance during construction. Proposed basement seems excessively deep **(paragraphs 10.55-10.65)**.
- Queried whether the author of the Structural Method Statement was in fact chartered, as he claimed to be and don't consider the submitted SMS is detailed enough or complies with the SPD. **(paragraph 10.67)**.
- It is the Council's responsibility to protect residents from the stress and damage resulting from basement conversions **(paragraph 10.60-10.65)**.
- Basements can create significant noise which travels laterally along the terrace **(paragraph 10.66)**.

## Other

Do not consider the detailing of the application represents what is to be undertaken and likely impact on the surrounding area, namely the accuracy of the drawings and the ambiguity of statements regarding the need for alterations in the D&A Statement **(paragraph 10.70)**.

- Was not notified of the proposal prior to the neighbour consult letter received. Object to works being undertaken to joint party walls **(paragraphs 10.68-10.69)**.
- Amenity issues will go against neighbours' rights to safely and peacefully reside in their homes, which is a violation of human rights **(paragraph 10.73)**.

- The existing rear extension has resulted in a significant increase in noise pollution (**paragraph 10.74**).
- Skips are constantly placed on the yellow line outside no. 11 which creates disruption for occupants and obscures visibility for reversing out. This would become an issue during building works if permission is granted (**paragraph 10.71**).
- Proposed works may impact on newt and frog populations to nearby property (**paragraph 10.75**).
- The front garden area is to be replaced with hard standing, and no SUDS therefore is not sustainable (**Paragraph 10.76**).
- The basement rooms would be a high risk for fires (**Paragraph 10.77**)

### **Internal Consultees**

- 8.4 **Conservation and Design Officer:** Following alterations to the scheme to remove the bin and bike store, the rear balustrade at second floor flat roof level and to replace the existing lead coverings to the front bay window roofs are happy with the proposal.

Resist the excavation to create a lightwell to the front garden, however following amendments to reduce the size and the addition of a proposed grill it is considered on balance to be not so harmful to refuse planning permission.

- 8.5 **Building Control:** No objection to the principle of basement extension, however the submitted Structural Method Statement (SMS) is vague and requires more detail, especially around the depth of existing foundations and datum level to which excavations will be undertaken. It is recommended a pre-commencement condition is attached to any planning permission granted requiring a revised SMS to be submitted before any works to the basement excavation are begun.

## **9. RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 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:

- The principle of the extensions
- Design and Conservation
- Neighbouring amenity
- Structural issues and excavation
- Other Issues

### **Principle of the extensions**

- 10.2 The application seeks to extend the existing dwelling house, providing a larger family sized unit. While the objections regarding over development are noted, it is considered that in the context, the erection of a rear infill and a single storey basement do not constitute over development and the principle of these extensions accords with the Development Plan. A substantial rear garden is retained and therefore no objection is raised in land use terms.
- 10.3 While it is acknowledged the property was renovated and extended in 2007, this does not preclude the current owners from undertaking further development works and extensions and is not a reason for refusal.

### **Design and Conservation**

- 10.4 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.

### **Boundary treatment/windows and front elevation alterations**

- 10.5 The property is the subject of a Conservation Area Article 4 Direction and therefore works to the front elevation including alterations to windows require planning permission. The properties along this terrace are in mirrored pairs, with the keystone arched front doorway to the application site being to the east of the building (right when facing the property) adjoining that at no. 17 St George's Avenue. There are bay windows to the ground and first floor to the west (left) side of the front elevation adjacent the matching bays at no. 13 St George's Avenue.
- 10.6 It is proposed to excavate to create a single storey basement under the footprint of the application site, and excavate a front lightwell with a bay window to match the fenestration to the upper floors. During the course of the application the lightwell has been reduced in size to minimise its projection into the front garden. It is to extend 900mm forward of the proposed bay window (1.8m from the principal front wall of the dwelling) and will be covered with a grill, rather than a railing as was originally proposed. Following amendments to the scheme, it is considered the proposed lightwell is to be of a discreet size and design. Its visibility from the street will largely be screened from the street by the front boundary treatment. As such as it accords with the Basement SPD and policies DM 2.1 and 2.3 of the Development Management Policies.
- 10.7 To the side of the front garden adjoining no. 13 St George's Avenue, there is an existing low level horizontal double railing in situ as a boundary marker. To the other side, adjoining no. 17 St George's Avenue there is a non-traditional white picket fence. It is proposed to remove both these elements and replace them with stock brick walls to a height of 1m to match the existing low brick wall to the front boundary. The existing front boundary pillar adjoining no. 13 St George's Avenue is to be removed, and two new brick pillars to both sides of the front boundary wall are to be erected to a height of 1.3m to match the existing at no. 17 St George's Avenue. The existing non-original timber gate is to be replaced with a new timber gate.
- 10.8 Paragraph 11.28 of the Conservation Area Design Guidelines (CADG) states that the removal of original or traditional front boundary walls and railings will not be permitted. It acknowledges the variety of boundary treatments in the area, with the predominant character dwarf walls of London stockbrick with hedging above. While objections have been received over these elements of the proposal, namely the loss of the metal railings to the side-front boundary with no.13, it is considered the proposed works are not contrary to the advice in the CADG.

- 10.9 While the railing may be original, it is considered the CADG refers to protecting tall, vertical traditional cast iron Victorian railings that are common around Islington and the Tufnell Park Conservation Area. In this instance it is considered the existing low height, non-decorative horizontal boundary railing is materially different to the ones the CADG identifies for protecting and retaining.
- 10.10 Paragraph 11.28 of the Conservation Area Design Guidelines (CADG) goes on to say that new railings or boundary walls should be consistent with patterns in the area, and it is considered the erection of front-side boundary walls to a height of 1m to match the principle boundary wall is consistent with others along the terrace. Furthermore, the proposed pillars add symmetry and are consistent with that at no. 17 St George's Avenue and others along the street.
- 10.11 The repair, and where necessary replacement of the traditional black and white tiles to the front path is a welcome element of the proposal, and the extension of this to lay new tiles to the front steps to match the path is likewise acceptable in design terms and will enhance the front elevation and garden to this Victorian dwelling.
- 10.12 It is proposed to replace the existing timber door which is detailed with a single lower panel and two glazed upper panels with a two-over-two timber door with double glazed obscured panes to the upper panels. The existing non-decorative clear glazed fan light is to be replaced with a double glazed non-decorative clear glazed fan light.
- 10.13 It is proposed to replace all existing single glazed sliding sash timber windows to the front and rear elevation at ground, first and second floors with double glazed sliding sash timber windows. As these will be of a design and scale that matches the existing this is considered acceptable in design terms. A condition (4) has been attached requiring the thickness of the windows to be 12mm to reduce the prominence of the double glazing. Objections have been received regarding the alterations to the windows and door, namely that they are unnecessary, not in keeping and do not preserve or enhance the character and appearance of the Conservation Area. However, it is considered the proposed alterations to replace the front door and fan light, and the traditional single sash windows accords with Policy DM 2.3 by preserving the character and appearance of the building and wider Conservation Area by retaining traditional features and ensuring works are in keeping with the rest of the street.
- 10.14 The CADG has limited guidance on the replacement of doors and windows, however it advises that alterations should employ traditional materials and detailed designs to ensure the unique characteristics of the Tufnell Park Conservation Area are preserved, and such details have been provided; the windows are to be timber, of a high quality and a condition will require them to be 12mm thick. Therefore it is considered to accord with this guidance.
- 10.15 Paragraph 11.3 states that the special characteristics of the Conservation Area come from the variety of styles, flamboyant use of different materials and decoration. The unusual relationship between houses of different styles and the variety of architectural details and materials used in the buildings gives the area a special quality.
- 10.16 It is considered the alterations to the front elevation, and replacement of the windows and front door accord with the CADG that seek to preserve the special characteristics of the host building and the wider conservation area.

#### Single storey rear elevation

- 10.17 The application proposes the erection of a single storey ground floor rear infill extension which would build up on the existing boundary wall with no. 13 St George's Avenue to the east. This would involve demolishing and rebuilding this section of the wall to a height of 2.55m (2.26m at the boundary, which would measure approximately 2.66m from the ground level at no. 13 St George's Avenue). The roof of the infill would be sloping and finished in zinc with two rooflights.
- 10.18 Section 5.134 of the UDG 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.*

10.19 The 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, modern materials such as glass and steel may be acceptable as long as the design of the new buildings acknowledges the scale and character of the area.”*

10.20 The mass, height, scale, depth and proportions of the proposed single storey rear infill extension are considered to remain subordinate to the original three storey building and its wider terrace setting. The extension would project to the original building line of the existing outrigger, and would be 5.4m deep and would maintain a lightwell of 1.7m by 1.8 m next to the principle rear wall. It would be 2.26m high on the common boundary with no. 13 St George's Avenue. It then rises to a height of 2.55m slightly set off this boundary with a sloped roof, that extends to a height of 3m at the side of the outrigger.

10.21 The appearance and use of materials (including stock brick to match existing, steel doors to either end, a zinc clad roof and cappings, and rooflights) are considered to be appropriate. Whilst concerns have been raised by the objectors with regard to the removal of a section of the original side boundary wall and the rebuilding up and extending of this wall, this is considered acceptable given the scale and positioning of the proposed modern rear infill.

10.22 One objector quoted paragraph 11.28 of the CADG as saying that the Council will not permit alterations to or removal of original walls. However this paragraph clearly states that this refers to front boundary walls. It also goes on to state that if walls are rebuilt, they should be in brick to match the house. The CADG also states that modern materials may be acceptable if their design acknowledges the scale and character of the area. The proposed infill extension is to the rear of the property and remains subordinate to the host building in terms of its size and detailed design. The use of steel doors will add contrast to the timber frames in situ to the host building, identifying this as a modern extension. Therefore it is considered that the erection of a rear infill which builds up the party wall is acceptable in terms of its scale, relationship to the host building, detailed design and materiality.

10.23 While the proposal originally included the raising of the height of this side boundary wall, this element of the scheme was removed following consultation with the Design and Conservation Officer who considered this would not preserve the original boundary wall and would result in the loss of the historic form, as the wall has a sloped height which still survives to other properties along the terrace. Instead, a timber slatted fence is to be erected to the top of the wall, which would match the one in situ to the other side boundary with no. 17 St George's Avenue. This existing side boundary slatted fence is to be replaced like for like as the timber is in a poor state of repair.

10.24 Following the amendments to the eastern side boundary wall, the Design and Conservation Officer considers the erection and replacement of timber slatted fencing to these original rear-side boundary walls to be acceptable in design terms.

#### Alterations to existing extension/closet wing

10.25 The existing extension to the closet wing has a full width bifolding timber door which, owing to its existing tonality is not in keeping with the fenestration to the host building. It is proposed to replace this door with full width steel framed double glazing and double doors to the middle.

10.26 These doors would match those proposed for either end of the infill extension, and are considered to relate better to this extension as well as the host building. These doors would allow for better reading of the modern extensions to the building.

10.27 It is proposed to replace the existing timber door providing access to the flat roof at second floor level with a like for like double glazed timber door. This is not considered to raise any concerns in design terms, given the location and limited visibility from private views.

10.28 The replacement of the existing door opening with a casement window to the side of the infill, which will face the lightwell is acceptable, given the location and as it will be visible only from limited private views. The loss of the existing poor quality door in situ is welcomed.

10.29 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. It is considered that the proposal would be acceptable in design terms and would preserve the visual appearance and historic character of the Tufnell Park Conservation Area bearing in mind the surrounding context and the visual appearance of the existing buildings on site.

10.30 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

10.31 The proposal includes a single storey ground floor rear infill extension and alterations to the boundary treatment to the side walls to the front and back of the house. Relocating and replacing the rear rooflights and the replacement of the existing door opening with a casement window to the side of the closet wing at ground floor level is also proposed. The other elements of the scheme, including replacing the existing timber sash windows with double glazed units, replacing the ground floor front door and second floor rear door, recladding the front bay window and alterations to the front path and steps are not considered to have material amenity impacts.

10.32 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.

10.33 The objections received have raised concerns regarding the impact on the adjoining neighbours' amenity, namely in regards to the impact of the rear infill, however other points raised that are material considerations are also addressed below.

#### Impact of single storey rear extension on neighbours amenity

10.34 Officers consider that the 5.4m deep single storey rear extension would not have a material impact on the adjoining neighbour's amenity space to the side of the closet wing at no. 13 St George's Avenue owing to an already compromised arrangement in terms of light and sense of enclosure.

- 10.35 There is an existing brick boundary wall between nos. 13 and 15 St George's Avenue which next to the principal rear elevation measures 2m from ground level at no. 13, and 1.55m at no. 15. The proposed infill extension is to be 2m wide, and as described above will be built upon the existing boundary wall. It would be approximately 60cm from the ground floor window of the principal rear wall, and 1.3m from the projecting bay window to the side of the closet wing.
- 10.36 While it is considered the erection of the infill would result in an increased sense of enclosure, the existing arrangement in this location is materially compromised, with overlooking to and from the host site owing to the boundary wall height and the close relationship between the closet wing bay windows. It is considered that erecting timber trellising to raise the boundary wall to 1.8m in height, and a 2.26m high wall (at the boundary) serving the extension would not result in an unacceptable increase in a sense of enclosure.
- 10.37 Furthermore, as a new window is proposed to the side of the original closet wing, which will look out onto the lightwell, the raising of the boundary wall by erecting timber slats above it will prevent overlooking to the adjoining property. While the lightwell between the infill and the principal rear wall can be accessed through a newly created door, as this area can already be accessed this would not materially alter the existing arrangements. As stated above, erecting timber slatting above the boundary wall will protect privacy for the host building and adjoining no. 13 St George's Avenue.
- 10.38 The rear of the application site is north facing. The front elevations of this terrace face to the south. No. 15 St George's Avenue is located to the east, with the ground level of the neighbouring site at no. 13 on a lower level than the application site. Objections to the rear infill have been received, expressing concern that its erection would result in a material loss of sunlight to the rear/closet wing of no. 13 St George's Avenue. As the application site is located to the east of no. 13, and the infill will be to the north facing rear elevation it is not considered that sunlight received to the rear/closet wing of no. 13 St George's Avenue will be material affected.
- 10.39 To address the sunlight concerns, a Daylight/Sunlight Assessment was submitted to model the projected sunlight and shadowing to the rear elevation at different times of the year, the summer and winter solstices and the spring and autumn equinoxes. The sunlight model drawings provided show that the existing two storey closet wing at the application site covers the rear/closet wing of no. 13 St George's Avenue in shadow in the afternoons (from 13:00 in mid-winter and 15:00 in mid-summer), therefore the erection of a single storey infill extension in this location will not result in a material increase in loss of sunlight to no. 13 (please refer to images 1 and 2 below).

Winter Solstice - Proposed Building Arrangement



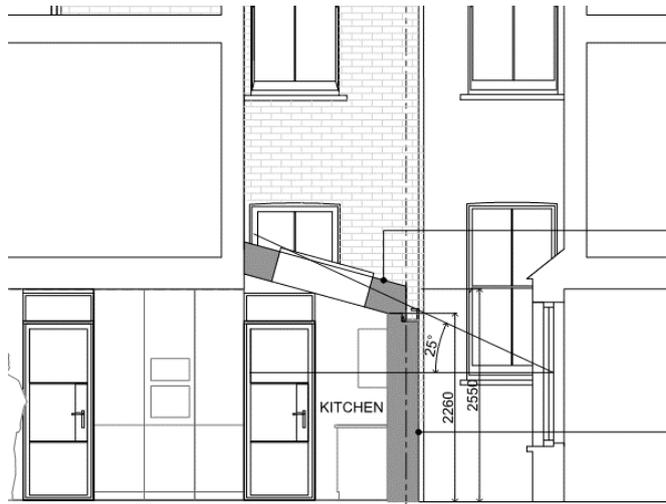
**Image one from Daylight and Sunlight Report showing proposed arrangements for the winter solstice (December 21)**

Summer Solstice - Proposed Building Arrangement

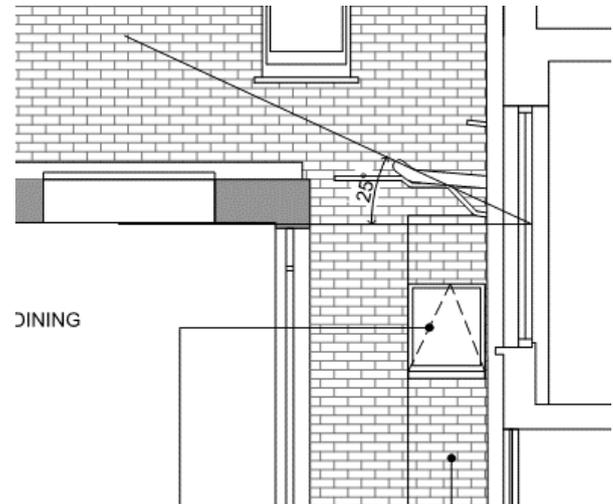


**Image two from Daylight and Sunlight Report showing proposed arrangements for the summer solstice (June 21)**

10.40 Owing to the eaves of the infill being stepped in, the submitted drawings show that the proposed extension would be at an angle of  $45^{\circ}$  of the middle of the ground floor window to the principal rear elevation to no. 13 St George's Avenue. The extension would cross a line drawn at an angle of  $25^{\circ}$  from the middle of the ground floor bay window to the side elevation of the closet wing. However given that it just breaches this roof, the majority of the extension passes the  $25^{\circ}$  test, and therefore would not cause significant loss of light. Based on the details provided in the submitted drawings and the Daylight/Sunlight Assessment, it is considered the erection of the infill extension would not result in a materially unacceptable situation for the windows facing the lightwell to the rear of no. 13 St Georges Avenue.



**Image 1:** Proposed section E showing the impact of the infill to the ground floor bay window to the side of the neighbour's closet wing at 13 St George's Avenue



**Image 2:** Proposed section A showing the impact of the infill to the ground floor windows to the principal rear elevation along the terrace.

10.41 One objection questioned the accuracy of the shadowed areas shown on the submitted proposed rear elevation drawing (023030-115 Rev C). This did not form part of the planning judgment on this issue, and to demonstrate with clarity the impact on daylight and sunlight, an assessment and drawings showing the  $45^{\circ}$  and  $25^{\circ}$  relationship to the windows were provided. An amended drawing (023030-115 Rev E) was provided which has removed the shadowing. Revision E is the approved drawing for this scheme.

10.42 One objection stated that the proposed lightwell would not reduce the impact of the infill to the adjoining property, and while this is acknowledged, the purpose of the lightwell is to retain access to the existing manhole cover. Maintaining a lightwell also reduces the mass and blank wall space which would face no. 13 St George's Avenue and would retain a subordinate appearance.

10.43 The lack of windows to the side of the infill was objected to, however this protects the neighbouring amenity of the occupants of no. 13 as windows to this elevation would have resulted in a material loss of privacy.

10.44 One objection received quoted the UDG section on side extensions and end of terrace infill development appeared to be using this as evidence on the acceptability of the proposed rear infill. However, the sections of the UDG they have cited are not relevant to the current application as the application site is a mid-terrace dwelling and therefore no extension to the principal side elevations of the host building, or to the end of the terrace are proposed. The quoted UDG is more relevant to gap sites where new dwellings are proposed and not related to a single storey rear extension.

10.45 Generally, the character of the immediate area exhibits existing levels of overlooking to and from many of the gardens due to low rise boundary treatments. The proposal to erect timber slat fencing to the top of the low brick walls to the rear side boundaries is not considered to result in a

loss of light, as they would be erected behind the building line of the existing outrigger, and to the side of the proposed infill extension. The fencing will result in a finished wall height of 1.8m above ground level at the application site, which could be achieved under permitted development which allows boundary treatment to the side up to 2m in height.

- 10.46 The rear gardens to this section of the terrace are relatively large by Islington standards, and the host building still has a significant private amenity space even accounting for the existing single storey extension to the closet wing. Therefore, it is not considered to result in a material sense of enclosure for neighbouring occupants, and will reduce the overlooking to and from the site, allowing the occupants a greater degree of privacy.
- 10.47 Objections stated that the plans did not accurately reflect the ground level to the host building and adjoining properties, and that owing to alterations to the ground level in 2007 it was raised above that at no. 13. This is noted, and measurements taken on site confirmed that there is variation in the ground levels between the two properties, with No. 15 St George's Avenue (the application site) on a slightly higher ground level.
- 10.48 The boundary wall adjoining the principal rear elevation at the application site is 1.54m above ground level (below existing decking), and at no. 13 St George's Avenue the boundary wall measures 2m above ground level. Half way along the length of the closet wing (approximately 2.5m from the rear elevation) the height of the boundary wall is 1.59m from ground level at no. 15, and 1.96m above the ground level at no. 13 St George's Avenue.
- 10.49 Where the boundary wall slopes down (approximately 8m from the principal rear wall) the height of the boundary wall is 1.41m from ground level at no. 15, and 1.13m above the ground level at no. 13 St George's Avenue and in the middle of the rear garden, the variation in ground level is minimal, the top of the boundary wall is 1.36m from ground level at no. 15, and 1.37 at no. 13 St George's Avenue. This shows there is some natural variation in the ground level, but that alterations have occurred to ground levels closer to the rear elevations to nos. 13 and 15 St George's Avenue.
- 10.50 It is considered that the proposed rear alterations including the erection of the infill and erection of timber slats to the side boundary wall are acceptable in amenity terms and accounting for the slight variation in ground levels between adjoining properties. Therefore it would not result in a materially unacceptable loss of daylight or sunlight, or an unacceptable degree of enclosure. It is considered the plans accurately reflect the ground level of no. 15, however this will be addressed by a condition requiring the trellising to be erected to the boundary wall have a maximum finished height of 1.8m above ground level at the application site.
- 10.51 Objections have been raised regarding the proposed loss of light resulting from the erection of solid brick walls to a height of 1m to the front side boundaries. Given the proposed height, and that these would be shorter than the bottom cill of the ground floor bay windows, it is considered that there will not be a loss of light to these south facing elevation windows.
- 10.52 There are four existing rooflights to the rear roofslope that were installed under permitted development. It is proposed to remove the two larger ones that sit high up on the roofslope, and replace them with two larger ones that are more centrally placed and openable, allowing better ventilation and visibility.
- 10.53 The proposed relocation of the rooflights is not considered to have a material impact on neighbours amenity, owing to their location on the roof, and that there are no direct neighbours to the rear of the property.
- 10.54 The proposed alterations to no. 15 St George's Avenue and in particular the erection of a rear infill extension have been assessed in terms of their amenity impact, namely loss of daylight, sunlight, loss of privacy and an increase in sense of enclosure. The impact of noise pollution issues has also been assessed. It is considered the proposed alterations accord with the Council's policies on amenity and residential extensions and will not result in a materially unacceptable loss of amenity to adjoining and neighbouring occupants. It is considered these works accord with policy DM 2.1 of the Council's Development Management Policies.

## Structural Issues and excavation

- 10.55 The Supplementary Planning Guidance (Basements) states “*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.*”
- 10.56 Para 7.1.2 of the Basement SPD states basements should respond to the scale, function and character of the site and its surrounds. Where large basement extensions are proposed, the resulting intensity of basement use may be out of keeping with the domestic scale, function and character of its context.
- 10.57 There is an existing cellar beneath the footprint of the host building to a depth of 1.5m. The proposed works would involve excavation to increase the depth by 0.7m to allow a floor to ceiling height of 2.2m to create a single storey basement. This is considered to accord with the Basement SPD by being of a single storey and not exceeding 3m floor to ceiling height.
- 10.58 A lightwell would be excavated to the front elevation to provide natural light to the basement. And the bay window shape will be continued at this level, with the creation of new fenestration. The Basement SPD recommends that lightwells are introduced to the rear of a site if they are required, however owing to the existing arrangements on the site, namely the rear closet wing extension and the small area of space to the side of this, it is considered this would not add significant natural light. During the course of the application the proposed lightwell has been reduced in size to 900mm forward of the proposed bay window and will be covered with a grill. Following these amendments, it is considered the proposed lightwell accords with the Basement SPD as it is of a discreet size and design.
- 10.59 The excavation of a single storey basement by extending down into the existing cellar by 700mm, and the excavation of a lightwell to the front of the property are considered to accord with the Basement SPD as they respond to the scale and function of the host building and surrounding area and is in keeping with its domestic function. Owing to the large size of the application site, including the rear garden which has a significant area of undeveloped land behind the extended closet wing, it is considered the excavations would be acceptable. There would be no additional excavation beyond the footprint of the property.
- 10.60 Concerns have been raised about the potential impact on the structural stability of neighbouring properties from excavation and underpinning and potential impact from the high water table level especially for properties to the east which are slightly downhill of the application site. Objectors stated that there are shallow, earth foundations to many properties on the terrace which already suffer from damp and as this property has already been previously extended the excavation of a basement and infill extension to the rear may compromise the Victorian foundations.
- 10.61 While these are not planning issues, the applicant provided a Structural Method Statement detailing proposed underpinning and excavation methods. It is considered the excavation works of 700mm (2.2m to excavate the front lightwell) would not cause significant impact on the structural stability of the adjoining properties as it is largely under the existing building, with limited additional height proposed to be added. The Council’s Building Control team, who reviewed the Structural Method Statement considered it did not give sufficient detail to demonstrate how they would mitigate against structural issues if they did arise, however they did not raise an objection to the works and recommended the imposition of a condition requiring submission of a revised SMS before works are undertaken to ensure that the works would not lead to any adverse impact on this neighbouring properties foundations. An informative is also recommended to be attached ensuring that the applicant is aware of the need to comply with both Building Regulations and the Party Wall Act.
- 10.62 Objectors stated that a previously approved basement to no. 26 caused subsidence, and neighbours had to claim over damage to their properties. Objectors stated that while a Party Wall and financial recompense can address these, this is after the works are finished and the damage has been done, resulting in unnecessary time, stress and higher insurance policies or premiums. While these objections and concerns are empathetically noted, the current application can only

assess the planning merits of the case. As these issues are civil matters which fall outside the remit of planning, they cannot be addressed within this application.

- 10.63 An objector stated that neighbouring boroughs, namely Camden and Westminster have recently changed their policies regarding basement extensions after damage to properties was caused. The Planning Department is aware of these policies, which reflect the current Islington Basement SPD, which this proposal is considered to accord with.
- 10.64 As such, based on the above and proposed conditions (suggested condition 6), officers are satisfied that the proposed excavation works of 700mm plus front lightwell would be acceptable in planning terms and can be designed so as not lead to adverse impact on the structural integrity of the building and the adjoining properties. Sufficient garden space is retained to the rear and the proposal would therefore be in accordance with the Basement SPD and complies with policies DM2.1 and DM2.3 of the Development Management Policies (Policies 2013).
- 10.65 Concerns were also raised regarding the construction and impact in terms of noise, dust and disturbance. To address these concerns, it is recommended that a Construction Management Statement be submitted detailing traffic, demolition and removal of materials, parking during construction, measures to control emission of dust and dirt and storage of materials. On the basis of this further information and the requirement to carry out construction works between 08.00am and 6pm Monday-Fridays and 09.00am to 1.00pm on Saturdays, it is considered that the construction works would not cause unacceptable adverse impact on the neighbours' amenity in terms of noise and disturbance. This can be secured by suggest condition 5, as outlined in Appendix 1.
- 10.66 Objectors stated that the creation of a habitable basement will result in significant noise travelling along the terrace. While this is noted, as this is an extension to an existing dwelling house, the applicants are currently able to reasonably enjoy and use their property. While it is considered the basement may result in noise travelling along the terrace, the existing situation allows a degree of sound to travel through walls. The amount of noise generated through the use of a single storey residential basement under an existing Victorian terrace is not considered to be so excessive to warrant the imposing of a condition requiring sound insulation to the basement.
- 10.67 One objector queried the professional qualifications of the author of the Structural Method Statement. They queried whether they were in fact a chartered civil engineer. Following their own investigation, they were advised by the Institute of Structural Engineers that he is in fact chartered and therefore sufficiently qualified to produce the report. These details were passed on to the Council's Planning team. This objection is therefore dismissed.

#### **Other Issues (objections)**

- 10.68 One objection stated that the adjoining neighbours were not notified prior to the submission of the application, despite works being undertaken to party walls. The onus is on the applicant to inform the adjoining neighbours who share any affected party wall. Certificate B was signed to confirm that notification was given, and onus is on the applicant to do so. However, for the sake of completeness, the agent provided written confirmation that notification was given prior to the submission of the application.
- 10.69 An objector stated they did not agree with alterations being undertaken to their boundary wall. While this is noted, as Certificate B has been signed and notification given, this would not warrant a reason for refusal. An agreement outside of planning must be reached between the owners of the properties regarding these alterations. Legislation outside the realms of the planning system such as the Party Wall (etc) Act ensures that development on neighbours' walls is secure.
- 10.70 Objections were received by local residents who considered the drawings are misleading and inaccurate and do not present the Council with an accurate picture of what is proposed and the potential impacts, especially regarding the excavation of the basement and its impact on surrounding properties. While these concerns are noted, officers have assessed all submitted documents and drawings and where it was considered these did not accurately reflect the proposal or the existing situation amendments were sought. A visit to the application site and

surrounding properties confirmed that the documents provided were accurate, apart from details of the existing boundary wall to rear of the dwelling between no. 13 and no. 15 which were subsequently amended. In addition, further details are sought by provision of a revised structural method statement through condition 6, and to ensure the rear side boundary wall between no. 13 and no. 15 St George's Avenue be of a maximum height of 1.8m (condition 4), as recommended in Appendix 1.

- 10.71 Concerns raised regarding skips are constantly placed outside no. 11 is noted, however this is a highways issue not a planning matter. The placement of the skip for the current application cannot be controlled by planning would be subject to obtaining a highways license during the process of construction. A condition (7) requiring the submission of a construction management statement has been suggested at the end of this report in Appendix 1 which will cover parking issues.
- 10.72 An objection stated that the application exaggerated the number of infills and basement excavations in the area. This is noted, however it is considered that the documents do not exaggerate the number of permissions granted. Furthermore, each application is considered on its own merits and this does not influence the decision of the planning department.
- 10.73 The objection which stated that the amenity impact of the development is a violation of human rights is not supported. The relevant amenity impacts have been assessed during the course of this application, and also the impact of the basement excavation. It is considered the proposal accords with the relevant Development Plan policies, and the amenity of neighbouring occupants is intrinsically protected by the Development Plan. Therefore, it is not considered approving a planning application for a domestic infill and single storey basement extension is a violation of human rights.
- 10.74 The objection which stated the existing rear extension has resulted in a significant increase in noise pollution is noted, however no evidence has been submitted to demonstrate the material increase in noise resulting from a single storey domestic extension. It is considered that the extensions which are the subject of this application relating to a residential property would not result in a material increase in noise pollution. However, should neighbours consider the occupants of the application site, or other properties are creating unreasonable noise, they are able to contact the Council's Environmental Health team.
- 10.75 The objection in relation to the impact on a nearby newt population is noted, however the site of the pond and newts is two houses down from the application site, and it is considered owing to the distance there will not be a material impact on them or their habitation.
- 10.76 The objection to the hard paving of the front garden area, which is currently soft landscaped with plants and covered with slate shingles is noted and supported. Following amendments to the scheme the proposal to pave it has been removed and it will remain as a soft landscaped garden area which will allow run off from surface water to drain.
- 10.77 The objection regarding the fire risk of excavating and providing habitable basement rooms is noted. Fire safety would be addressed through a building regulations application which would need compliance with all fire safety criteria to receiving a building certificate. This would be outside the realms of the planning regulations however an informative is required advising the applicant of the need to fully comply with all regulations including the Party Wall (etc) Act and Building Regulations.

## **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 4.6 of this report.
- 11.2 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:

<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 permitted shall be carried out in accordance with the following approved plans:  Site location plan, 023030-009 Rev. C, 023030-010 Rev. C, 023030-011 Rev. B, 023030-012 Rev. B, 023030-013 Rev. C, 023030-015 Rev. B, 023030-017 Rev. D, 023030-018 Rev. D, 023030-019 Rev. D, 023030-109 Rev. E, 023030-110 Rev. E, 023030-111 Rev. C, 023030-112 Rev. B, 023030-113 Rev. C, 023030-114 Rev. E, 023030-115 Rev. E, 023030-116 Rev. E, 023030-117 Rev. E, 023030-118 Rev. F, 023030-119 Rev. E, Method Statement for Basement Construction, Daylight Study, Design and Access Statement dated 2 October 2017 (Rev. D).  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.
<b>3</b>	<b>Materials (Compliance)</b> CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.  REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.
<b>4</b>	<b>Windows</b> CONDITION: Notwithstanding the plans hereby approved the double glazed windows to the front and rear elevations at ground, first and second floors shall be formed of 12mm thick glazing.  Reason: In order to protect the character and appearance of the host building and Tufnell Park Conservation Area.
<b>5</b>	<b>Walls</b> CONDITION: The finished height of the trellising to the top of the existing side boundary brick wall shall be 1.8m above the existing ground level at the application site, no. 15 St George's Avenue, as shown on drawings 023030-117 Rev. E and 023030-118 Rev. E.  REASON: To protect the amenity of the neighbouring residential occupants.
<b>6</b>	<b>Structural Method Statement (Details)</b> CONDITION: No development shall be commenced on site unless and until an updated structural engineers report and excavation strategy including methodology for excavation

	<p>and its effect on all neighbouring boundaries and adjoining buildings has been submitted to and agreed in writing by the Local Planning Authority. This includes identifying the depth of the existing foundations and datum levels for the depth to which excavation is proposed.</p> <p>This strategy shall be fully implemented in accordance with the approved details.  REASON: To ensure that the proposed development would have no undue impact on the structural integrity of the neighbouring buildings.</p>
<b>7</b>	<b>Construction Method Statement (Details)</b>
	<p>CONDITION: No development 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"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. loading and unloading of plant and materials</li> <li>iii. storage of plant and materials used in constructing the development</li> <li>iv. measures to control the emission of dust and dirt during construction</li> <li>v. a scheme for recycling/disposing of waste resulting from demolition and construction works</li> <li>vi construction times in accordance with council's recommended hours of development.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and no change from 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.</p>

**List of Informative:**

<b>1</b>	<b>Positive statement</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.  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. While the proposal 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.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>Working Hours of Development</b>
	<p>The applicant is advised that the accepted working hours for development within the borough are:  8:00am - 6:00pm on Mondays to Fridays  9:00am - 1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.</p>
<b>3</b>	<b>Excavation</b>
	<p>The applicant is advised to consider the construction impacts of the proposed excavation of a considerable basement in close proximity to neighbouring residential properties and refer to LBI's Code of Construction Practice, BS5228:2009, the GLA's SPG on control of dust and emissions during construction and demolition.</p>
<b>4</b>	<b>Party Wall (etc) Act 1996 (as amended)</b>

	The applicant is advised to comply with the relevant sections of the Party Wall (etc) Act 1996 (as amended) in regards to the proposal, namely in relation to the alteration and building up onto side boundary walls, and the excavation of a single storey basement to the existing side boundary walls .
<b>5</b>	<b>Other legislation</b>
	You are advised of the need to comply with other legislation outside the realms of planning, namely building regulations and environmental health regulations.

## **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 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
- Policy 7.8 Heritage assets and archaeology
- Policy 7.9 Heritage-led regeneration

#### **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 DM7.4 – Sustainable Design Standards

### **3 Designations**

Tufnell Park Conservation Area and Conservation Article 4 Area

### **4 SPD/SPGS**

- Tufnell Park Conservation Area Guidelines 2002
- Urban Design Guide 2017
- Environmental Design SPD 2012
- Basement SPD 2016