

## PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 333  
222 Upper Street  
LONDON N1 1YA

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

Application number	P2016/0529/FUL
Application type	Full Planning Application (councils own)
Ward	Clerkenwell Ward
Listed building	Not listed
Conservation area	Not within a Conservation Area
Development Plan Context	N/A
Licensing Implications	None
Site Address	Flats 1 - 37, Mulberry Court Tompion Street London EC1V 0HP
Proposal	Replacement of the existing single glazed metal windows with aluminium framed double glazed casement windows.

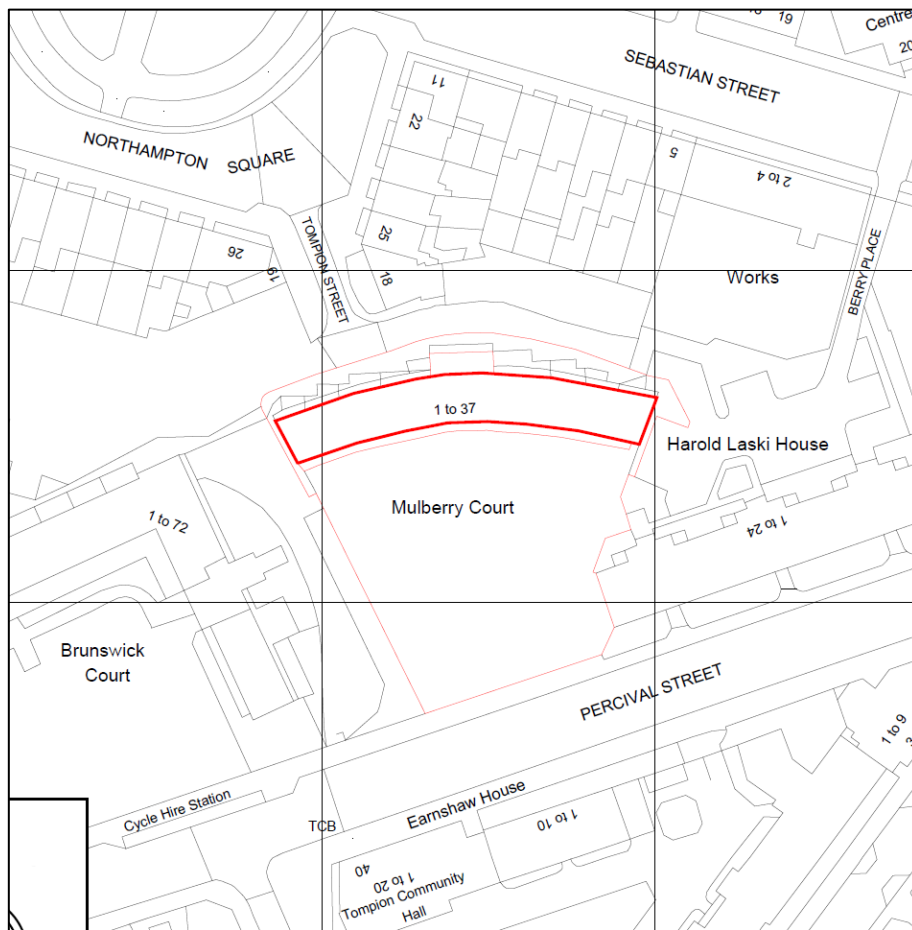
Case Officer	Ben Oates
Applicant	Breyer Group Plc - Ms Linda Harris
Agent	FES Group - Mr David Johnstone

### 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: Looking into the site in a Northerly direction





Image 3: View of front elevation from Tompion Street



Image 4: View of front elevation from Northampton Square



Image 5: View of rear elevation



Image 6: View of rear elevation



Image 7: Close up view of window style W14

#### **4. SUMMARY**

- 4.1 Planning permission is sought for the replacement of all existing single glazed metal framed windows currently installed within the building with double glazed aluminium framed casement windows. The key considerations in determining the application relate to the impact on the existing building and surrounding area, as well as sustainability.
- 4.2 The application is brought to committee because the building is owned by the Council. The application is the first submission on the application property for a full replacement of the windows. No objections were received by the public.
- 4.3 The application property is a 6 storey crescent shaped residential apartment building of post-war construction and is not listed or within a Conservation Area. The surrounding properties are mainly residential; however there is a large variety of built form, age and character.
- 4.4 The building currently contains metal framed windows, which is typical to housing estate buildings of this era, and therefore the main difference in their replacement would be the change from single glazed and double glazed units. Double glazed frames often need to be thicker to compensate for the increased weight of the additional glazing, which can impact on the external appearance of the building. Given the contemporary appearance of the existing building it is considered that the proposed replacement aluminium windows would not result in visual harm to the appearance of the building or to the character of the area nor views into the site from Northampton Square and its listed properties and Tompion Way.
- 4.5 The application is part of a wider Council program to upgrade the energy performance of buildings within Council ownership. Double glazed windows improve the insulation of each individual unit over and above that of the existing single glazed windows and therefore the proposal contributes towards reducing the carbon footprint of the building. Whilst there is a clear public benefit achieved in the proposal, it is considered that the proposed windows would be of an acceptable appearance. Therefore the application is supported and recommended for approval subject to conditions.

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

- 5.1 The application property is a 6 storey crescent shaped residential apartment building of post-war construction and is not listed or within a Conservation Area. The building consists of a mixture of brick, painted render and metal cladding with metal framed windows, which together with the form and design of the building give it a contemporary appearance. Despite being 6 storeys in height the building is not considered to be prominent due to the high density of its location and presence of larger buildings nearby; particularly the 14 storey residential blocks to the west. Tompion Street is a quiet residential street that generally gains no through traffic due to its location and narrow, winding nature with car parking areas throughout. It is also well screened from Percival Street to the south by the mature trees within its amenity space at the rear. There are some partial views of the building from Northampton Square Garden to the north, which is within the Northampton Square Conservation Area, through the gap formed by the junction of Tompion Street and Northampton Square.
- 5.2 The surrounding properties are mainly residential; however there is a large variety of built form, age and character.

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

- 6.1 The application proposes the replacement of the all existing single glazed metal framed windows currently installed within the building with double glazed aluminium framed casement windows. The new aluminium framed units are of a more sophisticated design and would not increase the thickness of the window frames when viewed externally.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 07/04/2009 – Planning Permission (ref: P090275) granted for *Installation of boiler flues (replacement scheme) along with associated alterations and works.*
- 7.2 31/01/2012 - Planning Permission (ref: P112263) granted for *Renewal of the main entrance doors and upgrade of the access control system on Brunswick, Emberton & Wycliff Courts and installation of the estate wide Close Circuit Television System on Brunswick Close Estate. And associated works and alterations.*

### **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 22/02/2016. A site notice was displayed on 25/02/2016. The public consultation of the application therefore expired on 17/03/2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

### **Internal Consultees**

- 8.4 Design and Conservation – No objection.

### **External Consultees**

- 8.5 None.

## **9. RELEVANT POLICIES**

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

## **National Policy and Guidance**

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

## **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

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

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

## **10. ASSESSMENT**

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

- Impact on the character and appearance of the existing building and surrounding area; and
- Sustainability.

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

- 10.2 The proposed replacement aluminium framed casement windows would match the design of the existing windows with the exception that they would be double glazed rather than single glazed. Whilst the main concern is that double glazing usually requires thicker frames, the details submitted illustrate that the frame thickness of the proposed windows would be appropriately proportioned to the glazed window pane and would not be overly different to those existing in the building. Furthermore, given the contemporary appearance of the existing building it is considered that the proposed replacement aluminium windows would not result in visual harm to the appearance of the building or to the character of the area.
- 10.3 The application property is visible from Northampton Square to the north, which is within the Northampton Square Conservation Area. The Conservation Area is relatively small for the borough and is characterised by the late Georgian terraced houses that surround the Northampton Square Gardens. Mulberry Court is visible between a gap in the terraced houses formed by the junction of Tompion Street and Northampton Square. However it is considered that at this distance there would be no noticeable difference between the existing and proposed replacement windows; particularly given the front elevation is partially concealed by balconies. Therefore there would be no demonstrable harm to the character and appearance of the adjoining Conservation Area.
- 10.4 The design of the proposal is considered to be acceptable in accordance with the guidance provided under the Urban Design Guide 2006, policies DM2.1 and DM2.3 of the Development Management Policies 2013, policies CS8 and CS9 of the Core Strategy 2011 and the NPPF 2012.



## **Sustainability**

- 10.5 The proposed double glazing would improve the insulation and thermal efficiency of each individual unit thereby contributing to reductions in carbon emissions and reducing energy costs. The proposed double glazing would enhance the sustainability of the 6 storey building, which contains 37 residential units, as it will improve the retention of heat in Winter and is therefore in compliance with policy DM7.2, which requires developments to be energy efficient in design and specification.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The details submitted illustrate that the frame thickness of the proposed windows would be appropriately proportioned to the glazed window pane and would not be overly different to those existing in the building. Furthermore, given the contemporary appearance of the existing building it is considered that the proposed replacement aluminium windows would not result in visual harm to the overall appearance of the building or to the character of the area. There is also a clear public benefit achieved in the proposal through the enhanced insulated offered by double glazed windows, which will improve the sustainability of the building.
- 11.2 As such, the proposed development is considered to accord with the policies In the London Plan 2015, Islington Core Strategy 2011, Islington Development Management Policies 2013 and the National Planning Policy Framework 2012 and as such is recommended for approval subject to appropriate conditions.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b>
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>PD001, PD002, PD003, WS001, WS002, WS003, WS004 and WS005.</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>

#### List of Informatives:

<b>1</b>	<b>Positive Statement</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **1. National Guidance**

The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

#### **A) The London Plan 2015 - Spatial Development Strategy for Greater London**

Policy 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**

Central Activities Zone  
Bunhill & Clerkenwell - Core Strategy Key Area  
Bunhill & Clerkenwell - Finsbury Local Plan Area

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

Islington Urban Design Guidelines 2006  
Environmental Design SPD 2012