



ISLINGTON

Development Management Service
Planning and Development Division
Environment and Regeneration
Department
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London
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PLANNING SUB- COMMITTEE		AGENDA ITEM NO:	B4
Date:	24 April 2012	NON-EXEMPT	

Application number	P112095
Application type	Full Planning Permission
Site Address:	9 Ashley Road, Islington, London, N19 3AG
Proposal	Retention of ground floor rear extension, conversion to provide 3 self-contained dwellings together with retention of wall and railing to front boundary.

RECOMMENDATION

That the Committee resolve to **GRANT** planning permission as set out in Appendix 1.

INTRODUCTION

Site

1. The building is a 4 storey paired semi detached property. The site does not include any statutory listed buildings. The site is not within a conservation area.

Surroundings

2. The surrounding area is predominantly residential.

Proposal (in Detail)

3. Retrospective planning permission is sought for the conversion of the property into 3 residential units comprising of 2 x 2 bedroom and 1 x 3 bedroom residential units.
4. Permission is also sought for the ground floor rear extension and the front railings/wall. In addition the plans identify the rear roof extension and front rooflights which has been constructed under the basis of being permitted development.

Issues

5. The main issues arising from this proposal relate to the:
 - Permitted development;
 - Inaccuracies;
 - Design;
 - Neighbouring Amenity;
 - Quality of resulting residential accommodation;
 - Highways and Transportation; and
 - Accessibility.

Relevant History

6. **March 2011:** Planning permission (Ref: P110026) Refused for *Conversion of property to provide 2 x 2 bedroom and 1 x 3 bed roomed residential unit, Retrospective permission is sought for the erection of a single storey rear extension. Also proposed as lawful development are alterations to the roof including a dormer roof extension.*
7. **November 2010:** Planning permission (Ref: P101499) Withdrawn for the *extension and enlargement of the existing rear return of the property at ground, first and second floor level. Repositioning of existing windows at the rear of the property.*
8. **July 2010:** Planning permission (Ref: P100717) Withdrawn for the *conversion of the existing dwellinghouse to provide 3 self contained residential dwellings including the erection of a freestanding single storey building within the rear garden of the property. Enlargement of existing rear extension of the main building to provide full width single storey rear extension. Introduction of a rooflight to rear roof slope of main building and the erection of a bin store to the front of the property. Erection of a front boundary wall. Other minor alterations.*

CONSULTATION

Public Consultation

9. Letters were sent to occupants of 40 adjoining and nearby properties on 05 October 2011. A site notice and press advert was displayed on 13 October 2011. The public consultation of the application therefore expired on 03 November 2011, however it is the Council's practice to continue to consider representations made up until the date of a decision.
10. At the time of the writing of this report a total of 9 responses had been received in relation to the proposal. All responses raise objections to the application. The predominate planning matters raised are respectfully summarised as follows:
 - Physical works have been carried out whilst the dwelling was not a single dwellinghouse therefore should not be considered permitted development under class A of the GPDO 2008;
 - Extensions are unsightly and harmful to the character and appearance of the area. Overdevelopment of the site;
 - Reduction of garden space;
 - Proposal provides a poor standard of residential accommodation, on account of layout and absence of necessary amenities;
 - Application contains various inaccuracies and contradictions;
 - Extensions and conversion will unduly compromise neighbouring amenity;
 - Accessibility issues.

External Consultees

11. None

Internal Consultees

12. Access Officer: Raises an objection given the scheme does not include any accessible units and the ground floor unit can not easily be accessed by a wheelchair given the 'front' door to this flat is to the side of the building via a narrow alley. This matter is further discussed below.

RELEVANT POLICIES

National Guidance

13. The following national and regional guidance is considered particularly relevant to this application:
National Planning Policy Framework

Development Plan

14. The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002. The following policies of the Development Plan are considered relevant to this application:

The London Plan 2011 - Spatial Development Strategy for Greater London

3 London's people

Policy 3.5 Quality and design of housing developments
Policy 3.14 Existing housing

7 London's living places and spaces

Policy 7.4 Local character
Policy 7.6 Architecture

Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

Islington Unitary Development Plan (2002)

Environment Policies:

Env 17 (Protection of Amenity)

Conservation and Design

Policies:

D3 (Site Planning)

D4 (Designing in Context)

D11 (Alteration and Extensions)

Housing Policies:

H3 (New Housing and Changes of Use to Residential)

H7 (Standards and Guidelines)

H10 (New Development)

Designations

15. The site has no designations under the London Plan 2011 and Islington Unitary Development Plan (2002)

Supplementary Planning Guidance (SPG) / Document (SPD)

16. The following SPG's and/or SPD's are relevant:

Islington UDP

- Planning Standards Guidelines
- Urban Design Guide

EVALUATION

Permitted Development

17. Works have been carried out to the property prior to the submission of the application. It has been clarified that planning permission is required for some of these changes outside of permitted development rights that exist for single dwellinghouses.
18. The proposed conversion relies on the erected dormer roof extension. In addition windows on the property have been altered and rooflights added. These works are considered to have taken place using permitted development rights GPDO 2008. Many of the objections received stated that the previous use of the property has not been as a single dwellinghouse. Previous documentation submitted by the applicant also seems to indicate that the property may not have been in use as a single dwelling.
19. The Council's enforcement officers have considered this matter. They comment that despite indications that it may in the past have been in use as flats or some form of HMO, for these uses to have been a lawful planning use they would have had to have existed uninterrupted for a period of 4 years or 10 years respectively. We have no evidence that would suggest that either use had been established for such a period of time. The amalgamation of flats to form a dwelling house does not usually require planning permission and so could have been connected back. Flats were not in existence when the officer first visited the site.
20. Under these circumstances it is not considered that the Council can substantiate a position in which it is considered planning permission is required for the new roof extension and rooflights. This is on the basis of the works being within the limitations of the permitted development rights 2008. These elements do not form part of the following assessment.

Inaccuracies

21. Many of the responses received have identified concerns in relation to the detailing of the plans and the application form. These matters have been considered and a site visit carried out to the property to assess the proposed development.
22. In this case it is considered that the level of information provided and the site visit conducted allows the authority to assess the merits of the proposal and a decision can be made.

Design

23. In consideration of the rear extension for which planning permission is sought it is not considered that it presents a level of harm to the character and amenity of the area which would justify refusal on these grounds for the following reasons:
 - It appears subservient to the existing building;
 - Materials used match what is used on site and within the terrace;
 - The site is not located within a Conservation Area;
 - The garden of the site is not compromised;
24. The railings/wall/gate built along the curtilage of the front garden have been done in a manner to match what is existing within the surrounding area. A condition is recommended, should the application be approved, requiring the railings to be painted black.

Neighbouring Amenity

25. Given its scale and separation from neighbouring properties, the extension is not considered to unduly compromise neighbouring amenity for the following reasons:
- The extension is single storey;
 - The depth of the extension is reduced near the boundary of the adjoining building protecting the daylight/sunlight to the habitable room window located at ground floor level within this neighbours rear elevation;
 - The outlook of the extension is to the rear garden and would not cause any overlooking beyond what is currently existing on site;
 - The extension is single storey and is stepped in design. This is considered to reduce the bulk of the extension from the directly abutting properties. This design coupled with the large garden of the site and neighbouring sites ensures that the extension would not increase the sense of enclosure experienced from the rear gardens of adjoining properties.
26. In relation to the conversion of the property, while it may be a reasonable assumption this will result in additional persons occupying the property it is not considered that the occupation will be such as to cause significant and unacceptable harm to neighbouring amenity. It is noted that relevant building regulations will need to be complied with as will environmental health legislation.

Principle of Conversion/Standard of Residential Accommodation

27. The application is to convert the property from its lawful use as a single dwelling house into 3 residential units, 2 x 2 bed and 1 x 3 bed. The Council's policy position with regard to this matter is largely established in Policy CS12 of the Islington Core Strategy and policies H7, H8 and H9 of the Islington UDP.
28. The Core Strategy identifies a commitment to requiring housing of good design standard and resist the loss of existing units that are appropriate for the accommodation of families. Policies H8 and H9 of the Islington UDP provide further guidance on the conversion of existing property and the need for providing good quality accommodation and retaining accommodation suitable for families in the form of a 3 bedroom unit at ground floor level with access to the garden.
29. The proposed scheme provides a 2 bedroom unit at ground floor a separate 2 bed unit at first floor level and a 3 bed unit at third and fourth floor level. The application intends to divide the garden between the ground floor and top floor units. Whilst there is no direct access to the rear garden for the family sized unit, a garden area will be provided to the rear of the site whilst the ground floor unit will access the other half of the garden directly from the ground floor unit. This is considered to be acceptable with adequate on site amenity provided for the family sized unit.
30. Whilst the proposal falls short of guidance within the Islington Planning Standard Guidelines with regards to the size of the second bedroom of the first floor flat, given the layout of the building and providing adequately stacked rooms within the building, this is on balance considered acceptable in maintaining an acceptable level of internal amenity for future occupiers and given the remainder of the units provided meet the standards.
31. Dedicated refuse stores have been provided within the front garden.

Highways and Transportation

32. The proposed units should provide 1 cycle space per unit and be car free. Conditions and informatives to this effect should be imposed should the application be approved.

Accessibility

33. The proposal provides no accessible housing given that the ground floor unit is accessed by way of the side entrance which has a narrow alley providing the path to the front door of this unit. This alley has no manoeuvring space for a wheelchair. Whilst this situation is unfortunate, given that this is an existing situation and the proposal is a conversion scheme rather than a new build, the existing site limitations, and that the existing dwelling on site previously was not accessible thus not exacerbating the situation, on balance, the proposal is considered to be acceptable.

SUMMARY AND CONCLUSION

Summary

34. The retention of three self-contained flats and a single storey rear extension is considered acceptable in terms of their design and appearance and do not harm the appearance of the building or the surrounding area. Furthermore, the development would bolster housing stock within the Borough and provide an acceptable quality of accommodation for future occupiers. The development is considered to comply with policy 7.4 of the London Plan 2011, policies D4, D11 and D22 of the Islington Unitary Development Plan 2002, Core Strategy Policy 12: Meeting the Housing Challenge, and guidance contained within Islington's Urban Design Guide 2006.
35. The proposed development would not harm the amenities (including daylight, sunlight, privacy, outlook or increased sense of enclosure) of adjoining occupiers in accordance with policy D3 (Site planning) of the Islington Unitary Development Plan 2002.
36. Consideration has been given to the objections made, however, the objections are not considered to be of sufficient weight to outweigh the reasons for granting planning permission.
37. In reaching this decision, regard has been given to the recently published Draft National Planning Policy Framework, but as it proposes little change to the aspects of national policy that have a direct bearing on this case, it does not lead towards a different conclusion.
38. The proposal would not be subject to a Community Infrastructure Levy (CIL) given the size of the additional floor area.

Conclusion

39. It is recommended that planning permission be granted for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

SCHEDULE OF APPLICATION DETAILS	
Application reference	P112095
Proposal	Retention of ground floor rear extension, conversion to provide 3 self-contained dwellings together with retention of wall and railing to front boundary.
Drawing numbers	802-P01 Rev A; 1802-P02 Rev A; 1802-P03 Rev A; 1802-P04 Rev A; 1802-P05 Rev A; 1802-P06 Rev A; 1802-P07 Rev A; 1802-P08 Rev A; 1802-P09 Rev A; 1802-P010 Rev A; 1802-P011 Rev A; 1802-P012 Rev A; Lifetime Homes Statement; Planning.Design and Access Statement; OS Map 9AR_00_00.

Type of application	Full Planning Permission
Application received	01 September 2011
Application completed	03 April 2012
Name of applicant	Mr A S Antoniadis
Name of agent	Heather Johnson
Case officer	Anthony Traub
Area Team	North/South
Heritage information	N/A
Library (holding copy of application)	N/a
Ward	Hillrise
PS2 code description	Dwellings Minor

RECOMMENDATION A

That if members are minded to approve this proposal officers recommend that the following summary forms the **reasons for grant** to be published on the decision notice:

This proposal has been approved following consideration of all the relevant policies in the Development Plan (Islington Core Strategy, February 2011, Islington Unitary Development Plan 2002, London Plan 2011) and Government's National Planning Policy Framework and other material considerations.

- This decision was made by the Members of the Planning Sub-Committee A on the 24th April 2012.
- This proposal has been approved following consideration of all the relevant policies in the Development Plan (Islington Core Strategy, February 2011, Islington Unitary Development Plan 2002, London Plan 2011) and Government's National Planning Policy Framework and other material considerations.

- The retention of three self-contained flats and a single storey rear extension is considered acceptable in terms of their design and appearance and do not harm the appearance of the building or the surrounding area given the works are internal. Furthermore, the development would bolster housing stock within the Borough and provide an acceptable quality of accommodation for future occupiers. The development is considered to comply with policy 7.4 of the London Plan 2011, policies D4, D11 and D22 of the Islington Unitary Development Plan 2002, Core Strategy Policy 12: Meeting the Housing Challenge, and guidance contained within Islington's Urban Design Guide 2006.
- The proposed development would not harm the amenities (including daylight, sunlight, privacy, outlook or increased sense of enclosure) of adjoining occupiers in accordance with policy D3 (Site planning) of the Islington Unitary Development Plan 2002

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement</p> <p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: 1802-P01 Rev A; 1802-P02 Rev A; 1802-P03 Rev A; 1802-P04 Rev A; 1802-P05 Rev A; 1802-P06 Rev A; 1802-P07 Rev A; 1802-P08 Rev A; 1802-P09 Rev A; 1802-P010 Rev A; 1802-P011 Rev A; 1802-P012 Rev A; Lifetime Homes Statement; Planning/Design and Access Statement; OS Map 9AR_00_00.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Cycle Parking</p> <p>CONDITION: Details of the layout, design and appearance (shown in context) of secure bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 3 cycle spaces (one per residential unit hereby approved).</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and</p>

	<p>maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport in accordance with policies 6.7 and 6.9 of the London Plan 2011, policies: T34 and T52 of the Islington Unitary Development Plan 2002 and policy CS10H of the Islington Core Strategy 2011.</p>
4	No Parking within Front Garden
	<p>CONDITION: The front garden of the subject site shall not be used for car parking at any time.</p> <p>REASON: In the interest of vehicular and pedestrian safety and keeping the development 'car free' in compliance with policy: D3 of the Islington Unitary Development Plan 2002 and Policy CS10 of the Islington Core Strategy 2011.</p>
5	Railings to be Painted
	<p>CONDITION: The hereby approved railings within the front garden of the application site shall be painted black within three months from the date of this permission and maintained permanently as such thereafter.</p> <p>REASON: To ensure the works are implemented in an prompt manner and the appearance of the streetscene is enhanced in accordance with policies: D3 of the Islington Unitary Development Plan 2002</p>

List of Informatives:

1	Car Free
	<p>INFORMATIVE: All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>