



PLANNING SUB COMMITTEE B

Date: 13TH December 2012

AGENDA ITEM NO:

Application number	P122195
Application type	Full Planning Application
Listed building	N/A
Ward	Highbury East
Development Plan Context	Site of Importance for Nature Conservation (SINC)
Site Address:	12 Arvon Road, Islington, N5 1PR
Proposal	Conversion of the dwelling into 2 self contained flats (1x 2 bed and 1x 3 bed), rear lower ground and ground floor extension and associated alterations.

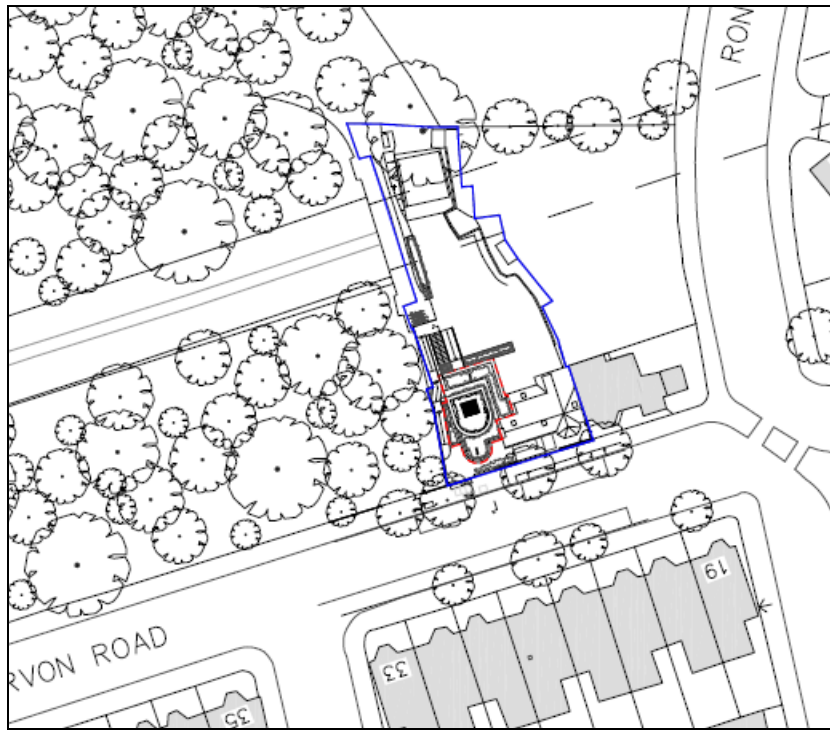
Case Officer	Paul Conboy
Applicant	Mrs Peggy Ekeledo-Smith
Agent	Bere: Architects

1. RECOMMENDATION

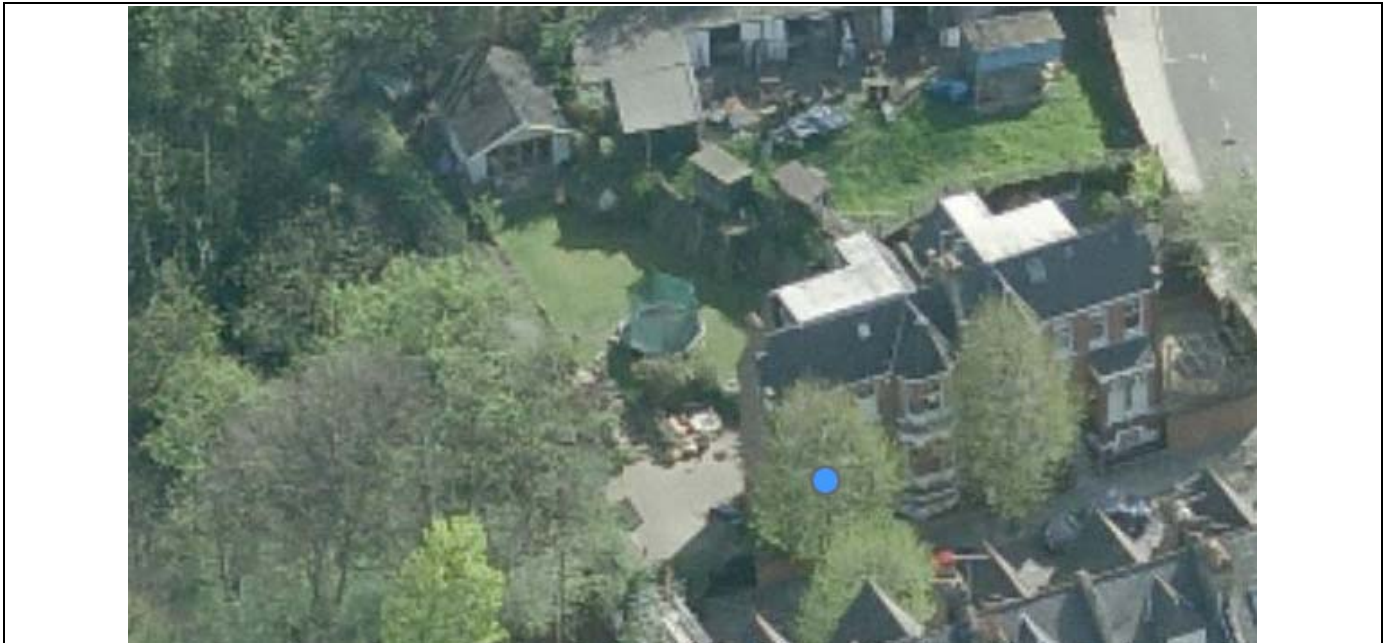
The Committee is asked to resolve to **Approve** planning permission:

1. for the reasons set out in Appendix 1.

2. SITE PLAN (SITE OUTLINED IN RED)



3. PHOTOS OF SITE/STREET





4. SUMMARY

- 4.1 The applicants originally submitted full planning permission for the conversion of the existing dwelling into 3 self contained units (1x 1 bed, 1x 2 bed and 1x 3 bed), rear lower ground and ground floor rear extension and associated alterations. During the course of the assessment of the application the proposed development has been reduced in scale to include the conversion of the existing building into 2 self contained flats (1x 2 bed & 1 x 3 bed) with a rear lower ground and ground floor rear extension and associated alterations. The physical alterations would remain as before to the building with the main

difference concerning the internal arrangements and the reduction of the number of units within the scheme from three units to two units overall. The conversion of the property to 2 flats satisfactorily complies with the adopted and emerging policies and does not have a detrimental impact on the amenities of adjoining occupiers and the surrounding area.

5. SITE AND SURROUNDING

- 5.1 The application property is a three storey semi detached building located along the eastern section along Arvon Road. 12 Arvon Road forms part of a pair of semi detached dwellings along with 10 Arvon Road. The dwelling has a large side and rear garden which backs onto the railways to the east with a wooded area located to the north of the site which is designated as a Site of Importance for Nature Conservation. This wooded area includes allotments, wooded areas and Olden Gardens. This woodland area has a large variety of tree types and natural habitats. Further eastwards from the site there is the Highbury Roundhouse buildings. The rear of the application property is visible from Ronald's Road. The surrounding area is dominated by attractive Victorian terraced dwellings. The site is not located within a designated conservation area.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal seeks to convert the existing single family dwelling to 2 self contained units (1x 3 bed & 1 x 2 bed) including partial lower ground floor excavation to facilitate the creation of lower ground floor and ground floor rear extension and landscaped rear amenity space.
- 6.2 The proposed rear extension is proposed to be at lower ground floor and upper ground floor levels. The extension would be of a contemporary design finished with wood cladding and a green flat roof. The proposed extension would measure 4 metres in depth at both levels and would rise to height of 7.8 metres from the proposed lower ground floor level and 0.8 metres above the existing boundary fence with 10 Arvon Road. A rear landscaped area would be created at lower ground floor level for use by the proposed family unit measuring 40 sq metres.
- 6.3 Revised drawings have been received within this application under consideration by members reducing the numbers of proposed units from 3 to two.

7. RELEVANT HISTORY:

- 7.1 Pre-application advice: The Council did provide formal pre –application advice in relation to this proposed development. The advice stated that the dwelling was of a suitable internal size to be considered for conversion provided any extensions were of an acceptable scale and a 3 bed unit was proposed.
- 7.2 There is a restrictive covenant registered on the application site between Islington Council and the land owners which restricts the development of built form on large parts of the application site. This is a legal matter and the planning assessment of this case should be considered separately from this matter.
- 7.3 P122040: Concurrent application on December 13th Planning Committee Agenda for the same site for the: Erection of a part two/part three storey eco residential dwelling (3 bed room) with associated landscaping. This application is recommended for refusal.

- 7.4 P091733: Withdrawn application for the Erection of a new building onto 12 Arvon Road to create 2 self contained units (1 x1 bed & 1 x 2 bed) and a single storey rear extension to the existing dwelling at 12 Arvon Road. Application withdrawn by applicant to reconsider the scheme.
- 7.5 P061245: Certificate of lawfulness granted for proposed erection of garden shed at eastern end of garden.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties along Arvon Road. However, it is the Council's practice to continue to consider representations made up until the date that the application is determined. At the time of writing this report, six letters of objection have been received from the public with regard to the application with one letter of support. Further consultations were not undertaken in relation to the revised drawings within this application the proposed alterations have resulted in a reduction in the number of units and scale of the extensions as originally submitted and consulted upon. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Development could harm the wildlife significance of Olden Gardens (See paragraph 10.10)
 - Loss of garden space should be resisted. (See paragraphs 10.3, 10.4 & 10.10)
 - Loss of light, outlook and increased overshadowing to the rear elevation of 10 Arvon Road. (See paragraphs 10.5-10.7)
 - Potential use of the proposed rear extensions flat roof as a roof terrace with resulting amenity concerns (See paragraph 10.6 & suggested condition no 6)
 - Overdevelopment of the site (See paragraph 10.4)
 - Loss of a family home (See paragraph 10.2 Land- use)
 - Increased parking pressures. (See paragraph 10.12)

Internal Consultees

- 8.2 **Access Officer:** supportive, as overall in accordance with relevant policies.
- 8.3 **Conservation and design officer:** Notes the modern yet contextual design of the proposed rear extension. Raises no objection to proposed alterations to the application property within this application while raising concerns on the amount of proposed built form on the site as proposed in both applications. (ref P122040)

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

Emerging Policy Documents

- A. Islington's Development Management Policies – June 2012 Version

Designations

- 9.3 The site has the following designations under the London Plan 2011 and Islington Unitary Development Plan (2002):
- Site adjacent to a SINC. -

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.4 The following SPG's and/or SPD's which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

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

- Land use principle
- Design merits of the proposed dwelling.
- Impact on neighbour amenity
- Quality of the accommodation itself
- Accessibility
- Trees and landscaping
- Sustainability
- Highways and parking

Land-use

- 10.2 The site is presently a single family dwelling located within a primarily residential area. The proposed conversion is still a residential C3 use. The existing building is well over the required 120 sq metres minimum floorspace required for dwellings to be considered for conversion. The proposed conversion seeks to create two good sized units, one of which is a family unit and has direct access to a good sized rear amenity space. In land use terms the development accords with the council's housing policies and is considered to be a compatible use within its immediate locality. The proposal is in accordance with policies 3.3, 3.4 and 3.8 of the London plan 2011, CS12 of the Core

Design

- 10.3 The main alteration to the existing dwelling concerns the erection of a lower ground floor and ground floor rear extension to allow additional residential space to be provided. A landscaped rear garden area would also be created at lower ground floor level. The overall design scale and massing of the proposed rear extension over two floors is considered to be acceptable. The proposed extension would be finished in a modern yet contextual design with a green roof. A significant amount of the extensions height and bulk would be below ground level. It is considered that the overall appearance, height and depth of the extension together with the proposed landscaped rear amenity space would remain subservient to the host building. The proposed depth of the extension is 4 metres. The proposed development is therefore considered to be a visually appropriate form of development in this location that would not detract from the character and appearance of the host property, nor the surrounding area generally. The proposal is considered to be in accordance with policies 7.4, 7.6 and 7.8 of the London Plan 2011, CS9 of the Core Strategy 2011, D4, D5, D11, D22 of the UDP 2002 and emerging Development Management policy (2012) DM1.
- 10.4 Concerns raised from local residents regarding overdevelopment have been considered. Within this particular application it is considered that the proposed extensions and change of use itself are of an acceptable scale and nature and do not constitute an overdevelopment of the site.

Neighbouring Amenity

- 10.5 The proposal has been developed to ensure that light, overlooking, enclosure and privacy implications for adjacent residents, have been kept to a reasonable minimum. The proposed rear extension is not considered to be excessive in terms of its overall depth, scale, height and final appearance. It is important to note that while over two floors the majority of the extension will be read from the adjoining neighbour's viewpoint of view as a single storey rear extension along the common boundary. The rear of 10 & 12 Arvon Road face eastwards. It is not considered that the additional height of the proposed rear extension along the common boundary with 10 Arvon Road will have any material adverse impact on these residents' amenity levels. Particular attention has been given to the adjoining residents rear windows and rear patio area, in both cases the proposed development is not considered to cause any material harm to these residents' amenity levels in terms of loss of light, outlook, overshadowing or an increased sense of enclosure as the sun moves from east to west during the day.
- 10.6 Concerns have also been raised regarding the use of the proposed green roof of the extension as a roof terrace. It is important to note that this area would have no proposed access via a door or window onto it. Also a condition can be secured with any grant of permission to ensure the area is not used as an area of amenity space in the future. On this basis it is not considered that the green roof area of the proposed extension will give rise to any material loss of privacy or overlooking to the adjoining neighbours rear elevations.
- 10.7 Concerns raised regarding potential noise generation from the intensification of the residential use and the room layouts have been fully considered. The creation of 2 units within the dwelling is not considered to create any material increase in terms of noise

generation from the normal activities a residential use would cause. Separate building control regulations are in place to control insulation levels between properties to ensure adequate soundproofing is achieved. The proposed development as a whole is therefore considered to safeguard the amenity levels of adjoining occupiers and is therefore considered to accord with UDP policy D3.

Quality of Resulting Residential Accommodation

- 10.8 The proposal seeks permission to create 2 self contained units. The internal layouts and room sizes of both proposed units are considered to be acceptable and would offer good internal living environments with good access to natural light, outlook and natural ventilation. The family unit would have a directly accessible rear garden area which is policy compliant. The upper 2 bed unit would not have access to a rear garden area but is of a generous overall size with a good internal layout which is considered to be acceptable. All habitable rooms meet or exceed London Housing SPG standards. The proposal is considered to be compliant with policies CS9 of the Core Strategy 2011, D3, H3 and H7 of the UDP 2002 and emerging Development Management policy (2012) DM1.
- 10.9 A separate refuse details condition has been attached to any grant of permission to ensure further details are approved by the council before the first occupation of the development.

Accessibility

- 10.10 In general, the design is in accordance with the requirements of the Lifetime Homes Standards and is acceptable. The proposal is considered to be in accordance with policy 7.2 of the London Plan 2011, policies: H3; H7 and H10 of the Islington Unitary Development Plan 2002, policy CS12H of the Islington Core Strategy 2011 and the Accessible Housing in Islington Supplementary Planning Document 2008.

Landscaping and Trees

- 10.11 There are no trees located within the immediate rear elevations of the existing building. The proposed rear landscaped garden area for use of the family unit is considered to be acceptable. The proposed rear extension is considered to be of an acceptable overall scale and far enough away from the Olden Gardens area to not cause any harm this important wildlife habitat. It is considered that the proposal is compliant with policy 7.21 of the London Plan 2011, policy Env6 of the Islington Unitary Development Plan 2002 and policy CS15A, B and F of the Islington Core Strategy 2011.

Sustainability, Energy Efficiency and Renewable Energy

- 10.12 The proposed development will significantly upgrade the thermal efficiency of the host building as the conversion will require extensive insulation and efficiency measures to be undertaken. The proposed use is considered to be a sustainable land use in its own right in this location. The proposal is considered to be compliant with policies: 5.1; 5.2; 5.3; and 5.9 of the London Plan 2011 and policy CS10B of the Islington Core Strategy 2011, and emerging Development Management policies (2012) DM41, DM43 and DM38.

Highways and Transportation

10.13 In accordance with all new additional housing developments will be a car free. It is well located in regard to public transport links. The application site is well served by public transport. The proposed additional dwelling in this proposal will not be eligible to apply for parking permits in the locality. The proposal is 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.

Planning Obligations, Community Infrastructure Levy and local finance considerations

10.14 The proposal is not subject to a S106 agreement. The development will be liable for the Major's CIL charges. The application was submitted to the council before the formal adoption of the Council's small sites affordable housing SPD, therefore these contributions do not apply in this case.

Conclusion

10.15 The proposed conversion of the existing dwelling to two self contained units is considered to create a good standard of accommodation. The proposed rear extension is not considered to have an adverse impact on the amenities of surrounding residents nor the character and appearance of the surrounding area. Subject to this it is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That if members are minded to approve this proposal (subject to conditions) 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 (London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002), the National Planning Policy Framework (2012) and other material considerations.

- This decision was made by the Members of the Planning Sub Committee A on the 13th of December 2012.
- The delivery of this scheme would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth, but also seeks to ensure social and environmental progress;
- The development proposal offers a well designed and efficient use of the existing site. The proposed development will create useable and valuable residential accommodation and is therefore considered to be acceptable in land use terms. The development complies with policies 3.4 & 7.5 of the London Plan 2011 and policies 9, 10 & 12 of Islington's Core Strategy 2011.
- The resulting residential accommodation is considered to be of good quality and standard of design. The design and appearance of the proposed rear extension subject to compliance with conditions, is considered positive and would enhance the character and appearance of the surrounding area. The scheme is in line with policies 3.5, 3.8 & 7.1 of the London Plan 2011 and policies D3, D4, D11, D22 of the Islington Unitary Development Plan 2002 and policies 9, 10 & 12 of Islington's Core Strategy 2011 which seeks to secure the appropriate overall design of buildings.
- The proposal provides inclusive and convenient access for all within the development. The development therefore complies with policies 7.2 of the London Plan 2011 and policies Env12 and D3 of the Unitary Development Plan 2002 which seek to secure appropriate and inclusive designs for developments.
- It is considered that the development would not have any adverse impacts on neighbouring residential amenity (i.e. daylight, sunlight, privacy, enclosure, overshadowing & outlook) of nearby properties, and would not be harmful to the existing surrounding area in terms of its design, scale or layout. As such, it is in line with policy D3 of the Council's Unitary Development Plan 2002 which seeks to ensure that new developments do not have an unacceptable impact on existing/future residential amenity.

RECOMMENDATION B

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

List of Conditions:

1 Commencement

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).

2 Approved plans list

CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:

Design and access statement, site location plan numbered: 397.B5.G10.P05/REV A, 397.B5.G10.P04/REV A, 397.B5.G10.P05/REV A, 397.B5.G20.P02/REV A, 397.B5.G10.P05/REV A, 397.B3.G20.P-01/REV A, 397.B5.G20.E01/REV A, 397.B5.G20.E01/REV A, 397.B3.G20.P03/REV A, 397.B3.G20.P00, 397.B3.G20.E03/REV A, 397.B5.G20.P01/REV A, 397.B5.G20.E02/REV E, 397.B3.G10.P01, 397.B5.G20.P-01/REV B, 397.B5.G20.P-00/REV B, 397.B5.G20.P01/REV B, 397.B5.G20.P02/REV B, 397.B5.G20.E04/REV C, 397.B5.G20.E03/REV B, 397.B5.G20.E02/REV B & 397.B5.G20.P03/REV A.

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.

3 Refuse facilities details

CONDITION: Notwithstanding the details hereby approved, full details, including plans and elevations of the proposed refuse and recycling storage provision shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of any of the residential units hereby approved. The development shall be carried out strictly in accordance with the details approved pursuant to this condition and maintained thereafter.

with the plans

REASON: To ensure the provisions of adequate refuse and recycling storage facilities and to protect the amenities of neighbouring properties in accordance with policies D3 (Site planning) and Env 38 (Waste and recycling) of the Islington Unitary Development Plan 2002.

4 **No rear roof terrace**

CONDITION: The hereby approved green roof area at the rear 1st floor level of the hereby approved development shall not be used or occupied other than for essential repair or maintenance, or escape in case of emergency and shall not be used as an amenity or sitting out area of any kind whatsoever.

REASON: To avoid overlooking of neighbours properties in accordance with Islington's Unitary Development Plan Policy D3.

5 **Landscaping details**

CONDITION: Notwithstanding the hereby approved plans, detailed plans of a landscaping scheme for the rear amenity space shall be submitted to and approved in writing by the Local Planning Authority prior to any further works being carried out on site and maintained to the satisfaction of the Local Planning Authority thereafter. The landscaping shall be carried out in accordance with the details approved pursuant to this condition and maintained thereafter.

REASON: In order to significantly enhance the visual appearance of the site in accordance with CS policy 9.

6 **Facing materials**

CONDITION: Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on-site. The details and samples shall include:

- A) proposed external façade materials
- D) Any new boundary treatments
- F) Green roof specification and details

The development shall be constructed using the final agreed and approved materials 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 in accordance with policies D4 of the Islington UDP 2002, policy 10 of Islington's Core Strategy 2011 and policies: 7.1, 7.4 & 7.5 of the London Plan 2011.

List of Informatives:

1 **Positive statement**

To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.

A pre-application advice service is also offered and encouraged.

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

The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.

2 Car-Free Development

INFORMATIVE: (Car-Free Development) 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.

3 CIL

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development partners must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council. This should be received by the Council within the next 21 days. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.

Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. Persistent failure to pay CIL liabilities due may result in the Council imposing surcharges, serving a CIL stop notice prohibiting further development on the site and/or taking action to recover the debt due. The above forms can be found on the [Planning Portal](#)

APPENDIX 2: RELEVANT POLICIES

This appendices list all relevant development plan polices and guidance notes pertinent to the determination of this planning application.

1 National Guidance

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

2. Development Plan

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

A) The London Plan 2011 - Spatial Development Strategy for Greater London

3 London's people

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.6 Architecture

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

8 Implementation, monitoring and review

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

C) Islington Unitary Development Plan (2002)

Environment Policies:

Env5 & 6 (Protecting Trees)
Env16 & 17 (Protection of Amenity))

Conservation and Design Policies:

D3 (Site Planning)
D4 (Designing in Context)
D5 (Townscape)
D8 (Boundary Walls, Paving and Street Furniture)
D20 (Land Use)
D22 (New Development)

Housing Policies:

H3 (New Housing and Changes of Use to Residential)
H7 (Standards and Guidelines)
H10 (New Development)

Sustainable Transport Policies:

T18 (Parking and Traffic Restraint)
T34 (Cycle Parking)

3. Emerging Policy Documents

A) Islington's Development Management Policies – Proposed Submission, October 2011

Design and Heritage

DM1 Design
DM2 Inclusive Design

DM12 Housing Standards
DM13 Private outdoor space

Energy and Environmental Standards

DM40 Sustainable design and construction statements

DM43 Sustainable design standards

Transport

DM48 Walking and cycling
DM49 Vehicle parking

5 Designations

The site has the following designations under the London Plan 2011 and Islington Unitary Development Plan (2002):

Site adjoins SINC

7. Supplementary Planning Guidance (SPG) / Document (SPD)

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

Islington UDP

- Accessible Housing in Islington
- Planning Standards Guidelines
- Urban Design Guide 2006