



## **PLANNING COMMITTEE REPORT**

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

<b>PLANNING SUB-COMMITTEE A</b>		<b>AGENDA ITEM NO:</b>	<b>1</b>
<b>Date:</b>	3 October 2013	<b>NON-EXEMPT</b>	

Application number	P122159
Application type	Full Planning Application
Ward	Tollington
Listed building	Not listed
Conservation area	Stroud Green Conservation Area
Development Plan Context	Finsbury Park Special Policy Area
Licensing Implications	None.
Site Address	Rear of 18-20 Crouch Hill, London, N4 4AU
Proposal	Demolition of existing store and erection of a two storey dwellinghouse.

Case Officer	Russell Butchers
Applicant	Snowcroft Properties Limited
Agent	Anthony Byrne Associates

### **1. RECOMMENDATION**

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1;

2. SITE PLAN (site hatched in red)



3. PHOTOS OF SITE/STREET



**Photo 1:** View of existing store



**Photo 2:** Towards rear of Mews.  
Building to end of mews is offices.



**Photo 3:** View down Mews



**Photo 4:** View from garden of 2 Japan Crescent

#### **4. SUMMARY**

- 4.1 The application is for the demolition of the existing builder's store and the erection of a two storey two bedroom dwellinghouse. The use of the land will change from B8 (Storage and distribution) to C3 (Dwellinghouses).
- 4.2 The resultant dwelling would have a gross internal floor area of 86m<sup>2</sup> which is consistent with the requirements of the London Plan and Islington's own standards.
- 4.3 The main issues regarding the proposal relate to land use, the quality of the proposed residential unit, design and conservation matters and the impact on the amenities of neighbouring properties.
- 4.4 Following assessment of the application it has been concluded that the loss of the B8 use is acceptable, that the proposed residential unit is of an acceptable design and standards and that the proposal would not result in any unacceptable harm to the amenities of neighbouring occupiers.
- 4.5 Councillor Watts and Councillor Kaseki requested that the application be heard at the planning committee.

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

- 5.1 The existing site is a single storey disused builder's store located at the end of Mount Pleasant Mews, to the rear of 18-20 Crouch Hill. The property is not listed but is within the Stroud Green Conservation Area.
- 5.2 The mews contains a mixture of residential dwellings and some storage areas associated with the shops on Crouch Hill or in B8 use. The surrounding area contains a mixture of residential dwellings and commercial uses on the ground floors of the Crouch Hill units.

#### **6. PROPOSAL (IN DETAIL)**

- 6.1 The application proposes the demolition of the existing disused store and the erection of a two storey two-bedroom dwellinghouse. The use of the land will change from B8 (Storage and distribution) to C3 (Dwellinghouses). The resultant dwelling would have a gross internal area of 86sq.m.

##### **Revision 1**

- 6.2 Following comments from the Design and Conservation Officer, revised plans were received that amended the design of the front elevation so that it appears as a more typical mews type development and using London yellow stock brick rather than the timber boarding that had previously been proposed for the first floor.

#### **7. RELEVANT HISTORY:**

##### **PLANNING APPLICATIONS:**

- 7.1 P062812 – 4 & 6 Mount Pleasant Mews - Erection of a pitched roof extension to provide new second floor accommodation and conversion to create 2 x 2 bedroom houses. Approved May 2007 for the following reason: *This proposal has been approved following consideration of all the relevant policies in the Unitary Development Plan 2002 and other material considerations; the proposal is generally considered to comply with the UDP, and in particular policies D1, D3, D4, D11, D22, D23, D24, D25, Env1, Env2, Env8, Env17, H1, H3, H7, E4, T1, T4, T18, T23, T25, Imp13, and Imp17. Other policies may have been considered, but in this instance are not considered to have such weight as to justify a refusal of permission.*

**ENFORCEMENT:**

- 7.2 None.

**PRE-APPLICATION ADVICE:**

- 7.3 None.

**8. CONSULTATION**

**Public Consultation**

- 8.1 Letters were sent to occupants of 19 adjoining and nearby properties. A site notice and press advert were displayed on 17 October 2012.
- 8.2 At the time of the writing of this report three objections had been received with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- 8.3 Objections:-
- Loss of light to garden and habitable rooms (10.8 – 10-18);
  - Daylight/sunlight report may be inaccurate (10.19);
  - Loss of privacy (10.20);
  - Increase sense of enclosure (10.21);
  - Increase in noise (10.222);
  - Poor quality of residential accommodation (10.23 – 10.25).

**External Consultees**

- 8.4 None.

**Internal Consultees**

8.5 Design and Conservation Officer: No objection following amendments to the scheme.

### **Other Consultees**

8.6 None.

## **9. RELEVANT POLICIES**

9.1 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**

9.2 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**

9.3 The Development Plan is comprised of the London Plan 2011, 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.

### **Designations**

9.4 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013:

- Stroud Green conservation area
- Finsbury Park special policy area

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

9.5 The following 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:

- Land use
- Design, conservation and heritage considerations
- Neighbouring amenity
- Quality of resulting residential accommodation
- Accessibility

- Affordable housing and financial viability
- Sustainability
- Highways and transportation
- Waste and recycling

### **Land use**

- 10.2 The application site contains a disused and dilapidated building that has previously been used as a builders store area (use class B8). The applicant advises that the store has not been in use for a period of four years. The store building itself is in a state of disrepair and it is unlikely to be economically viable to return the building to a usable condition. The loss of the builders store and the change to residential is considered to be acceptable, particularly as the new dwelling will contribute to the borough's housing stock.
- 10.3 Development Management Policy DM5.2 seeks to resist the loss of business floorspace and this includes some protection for B8 uses. However the site falls outside of the *Vale Royal/Brewery Road Locally Significant Industrial Site* and is not considered to be a particularly suitable location for a B8 use and as such the change of use to C3 (Dwellinghouses) is acceptable in principle.

### **Design, Conservation and Heritage Considerations**

- 10.4 The proposal involves the demolition of the existing store. The single storey building is of no heritage importance and its demolition is acceptable. It is noted that as of 1 October 2013, the demolition of unlisted buildings which previously required conservation area consent will now only require planning permission and not conservation area consent.
- 10.5 The building is located at the end of Mount Pleasant Mews and there would only be very limited public views of the proposed building. Following advice from the Design and Conservation Officer, the scheme has been amended so that the proposal better reflects a mews type development.
- 10.6 Vertical timber boards have been used on the ground floor to replicate a mews garage door with horizontal timber boards in between. The first floor level is constructed of London yellow stock brick with the flat and pitched roof to be in mastic asphalt.
- 10.7 Overall the design of the proposal is considered the acceptable and would preserve the character and appearance of the conservation area. A condition has been recommended to remove all permitted development rights relating to houses.

### **Neighbouring Amenity**

- 10.8 The neighbouring properties at 2 and 4 Japan Crescent (directly opposite) have objected to the application due to a perceived loss of light, increased sense of enclosure and a loss of privacy caused by the first floor extension to the building. The proposed building would have a height of 6m and there is a separation of 4m between the edge of the building and the boundary with no.



2 Japan Close. The dwelling at no. 2 Japan Close is set in from the boundary and is on an angle.

- 10.9 The applicant submitted a daylight and sunlight report prepared by a chartered surveyor. The report assessed the effects of the proposal on the immediately neighbouring properties at 18 Crouch Hill, 20 Crouch Hill, the flats to the rear of 22 Crouch Hill and the houses at numbers 2 and 4 Japan Crescent.
- 10.10 The findings of the daylight/sunlight report for each of the properties is summarised below. All figures have been taken from the submitted Schroeders Begg Daylight & Sunlight report dated May 2013.
- 10.11 18 Crouch Hill: The windows to the rear of 18 Crouch Hill have generally high levels of vertical sky component<sup>1</sup> (VSC) and any variances are <1% and would not be noticeable to an occupier. This property would be unaffected in terms of skylight penetration into the rooms.
- 10.12 20 Crouch Hill: The proposals would have only the most minor effect with a reduction of 2%, well below the threshold of 20% at which reductions become noticeable. This property would be unaffected in terms of skylight penetration.
- 10.13 2A Japan Crescent: There is a reduction in VSC of 22% at ground floor and 28% at first floor. The effect at ground floor is only just above the level of noticeability and the first floor window would still retain a VSC of 21% which is a good value within an urban environment. There are very slight reductions in the depth of penetration of skylight into the rooms and these are below the thresholds of noticeability. Please note that in the daylight/sunlight report this address is referred to as 'Flats to rear of 22 Crouch Hill'.
- 10.14 2 Japan Crescent: The ground floor windows will sustain a reduction in VSC which will be noticeable, <30% of the existing value. There is a further window on the splay wall which also serves the room and this window is completely unaffected by the proposal. There will be a slight reduction in skylight penetration to the kitchen/dining room of 13%, however this is below the noticeable threshold.
- 10.15 4 Japan Crescent: A slight reduction in VSC of 5% that is below the noticeable threshold. No effect in terms of skylight penetration.
- 10.16 A supplementary report that submitted following queries from neighbouring occupiers explained that although there would be a noticeable reduction in terms of VSC for the occupiers of no. 2 Japan Crescent, the additional Daylight Distribution and Average Daylight Factor tests showed that the proposal would still leave 84% of the affected room with direct sky visibility. This exceeds the requirements of the Code for Sustainable Homes which recommends 80%. The BRE Guide contains no recommendation other than an approximation of around 50%. The Average Daylight Factor calculations

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<sup>1</sup> The vertical sky component is the area of the dome of the sky visible from the window pane.

for the room also demonstrated that the room would comfortably comply with BRE Guidance and BS 8206 (Code of practice for daylighting).

- 10.17 Therefore the above assessments have concluded that the proposal would only have minor effects on the surrounding properties which are within the acceptable BRE limits and the proposal would provide accommodation which is generally adequately-lit as defined in the BRE guidance.
- 10.18 As the report concludes that the proposal would have only a minor effect on surrounding properties it is considered that there are no grounds relating to daylight and/or sunlight over which the application could reasonably be refused. Furthermore, given the tight urban environment a slight reduction in VSC is not uncommon and would not be so harmful as to warrant withholding planning permission.
- 10.19 The objecting neighbours have questioned the accuracy of the daylight/sunlight report but have not explained what is inaccurate about the report. The Council has raised this with the applicant and the author of the report has confirmed its accuracy and that it has been prepared against the BRE guidance. The report has been prepared by an independent qualified surveyor and that no specific details of any inaccuracy have been raised, the dispute over the accuracy of the report is considered not have any significant basis.
- 10.20 The first floor front elevation windows that look across the mews to the neighbouring property are to be conditioned as obscure glazed with the exception of the fanlights and the angled side facing windows which do not overlook any neighbouring habitable rooms. It is also proposed to condition the three rooflights that serve the lounge as being obscure glazed to prevent overlooking to the rear windows of the property on Crouch Hill. It is considered that although this measure would reduce outlook for the occupiers of the proposed dwelling it would protect the privacy of the neighbouring occupiers.
- 10.21 With regards to the building resulting in an increased sense of enclosure, it is noted that planning permission (ref P062812) was approved at 4 & 6 Mt Pleasant Mews for a second floor. Whilst the proposal would result in a greater sense of enclosure than the existing single storey structure, it is considered that this would not result in unacceptable harm, particularly given the nature of the surrounding development.
- 10.22 In terms of noise, although there may be some additional noise during the construction phase, there are not considered to be any noise concerns that would amount to a reason for withholding planning permission.

### **Quality of Resulting Residential Accommodation**

- 10.23 The proposed dwelling would have two bedrooms and would accommodate up to 4 persons. Table 3.3 of the London Plan states that a 2bed/3 person flat should have a minimum GIA of 61sq.m and a 2bed/4person flat a minimum GIA of 70m<sup>2</sup>. At 86m<sup>2</sup> this proposal satisfies the minimum space requirements

of the London Plan. The proposed building has its own access from Mount Pleasant Mews.

- 10.24 The primary living space at the first floor has been arranged with angled windows looking towards the entrance of the mews rather than looking directly across to the neighbouring properties on Japan Crescent. This balances the future occupiers outlook with existing occupiers privacy. A second daylight aspect to the flat is provided by the inclusion of rooflights within the angled rear elevation of the building and within the flat roof; these would allow the dwelling adequate natural light and outlook, albeit upwards to the sky.
- 10.25 No private outdoor amenity space is provided however due to the constraints of the site it is not practicable to do so. The site is within a 10-15 minute walk of both Finsbury Park and Elthorne Park which to some effect compensates for the lack of private amenity space. Whilst not ideal, given the tight constraints of the site on balance it is considered acceptable.

### **Accessibility**

- 10.26 The application states that access into and within the building will comply with Lifetime Homes Standards and has a level access and ground floor bathroom. Although it is accepted that the proposed unit is constrained by its specific characteristics, the Access Officer has commented that amendments to the scheme could be made so that it better complies with the Lifetime Homes Standards and Islington's 'Accessible Housing in Islington SPD'. The applicant has amended the scheme so that it allows for the future provision of a through floor lift and that the proposed stairway is capable of incorporating a stairlift.

### **Affordable Housing and Financial Viability**

- 10.27 The application was submitted prior to the adoption of the Affordable Housing Small Sites Contributions SPD. As such, the development is not subject to the provisions of this SPD.

### **Sustainability**

- 10.28 A condition requiring that the building be constructed to meet Code of Sustainable Homes rating of no less than 'Level 4' be submitted is considered appropriate.
- 10.29 It is noted that the Council's Environmental Design SPD was not adopted at the time the application was made and is thus not applicable.

### **Highways and Transportation**

- 10.30 The site has a PTAL rating of 3 and is well connected to local buses and within walking distance of Crouch Hill overground station. No car parking spaces are proposed with this development as insufficient land available. The mews itself is a private road and the Council's parking restrictions do not apply.

10.31 In line with the Council's policy of car free housing developments, a condition is recommended that prevents future occupiers from obtaining an on-street car parking permit, except in special circumstances (e.g. disabled persons).

### **Waste and recycling**

10.32 The application site does not include any outside space within the mews and therefore external bin storage is not possible. As the mews is privately owned waste is collected on Japan Crescent. Waste and recycling will be therefore be managed on site and taken for clearance on collection days.

### **Planning Obligations, Community Infrastructure Levy and local finance considerations**

10.33 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule, 2012. CIL will be payable to the London Borough of Islington after the planning consent has been implemented and will be used by the Mayor of London to pay for Crossrail in accordance with CIL Regulations 2010 (as amended).

## **11. SUMMARY AND CONCLUSION**

### **Summary**

11.1 The loss of the B8 (storage) use and the change of use to residential is acceptable in principle. The proposed residential accommodation is considered to be of an acceptable size and quality that is consistent with the policies of the London Plan and Islington's own standards. The proposal will result in an increase in the borough's housing stock and is an efficient use of currently disused land.

11.2 The applicant has demonstrated that the proposal would have a minimal impact upon the daylight and sunlight received to adjoining properties, in accordance with BRE guidelines. The proposal will provide a good level of amenity for future occupants and would not result in any unacceptable harm to the amenities of neighbouring occupiers by way of overshadowing, overlooking, loss of privacy, loss of daylight or sunlight, increased sense of enclosure or loss of outlook.

11.3 The proposal is of an acceptable design and would preserve the character and appearance of the mews and the Stroud Green Conservation Area.

11.4 The proposal is considered to accord with the policies of the London Plan, Islington's Development Plan and the National Planning Policy Framework.

### **Conclusion**

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

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

Planning permission should be granted subject to the conditions listed in recommendation B below.

## RECOMMENDATION B

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

### List of Conditions:

1	Commencement
	<p>The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>The development hereby approved shall be carried out in accordance with the following approved plans: 5578/A3/1A, 5578/A3/2, 5578/A4/7, Design &amp; Access Statement 5575AB 10 September 2012, Daylight &amp; Sunlight Report May 2013 ref 1013/F, Supplemental Daylight &amp; Sunlight Report June 2013 ref 1013/F</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country 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	Obscure glazed windows
	<p>The three first floor windows to the front elevation (not including the fanlights or the angled side facing windows) and the three roof lights serving the lounge shall be obscurely glazed prior to the first occupation of the development).</p> <p>All obscurely glazed windows shall only open to a degree which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
4	Code for Sustainable Homes (Compliance)
	<p>The development shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
5	Accessible Homes Standards (Compliance)
	<p>The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in</p>

	<p>Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
6	<p>Car free housing</p> <p>All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except :</p> <p>(1) In the case of disabled persons;</p> <p>(2) In the case of units designated in this planning permission as "non car free"; or</p> <p>(3) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: In the interests of sustainability and in accordance with the Council's policy of car free housing.</p>
7	<p>Removal of Permitted Development Rights</p> <p>Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>

**List of Informatives:**

1	<p><b>Community Infrastructure Levy (CIL) (Granting Consent)</b></p> <p>INFORMATIVE: 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 parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p>
2	<p>Positive Statement</p> <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</p>

website.

A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.

This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.



## 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 2011, Islington Core Strategy 2011, Development Management Policies 2013. 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

##### **5 London's response to climate change**

Policy 5.1 Climate change mitigation  
Policy 5.3 Sustainable design and construction

##### **7 London's living places and spaces**

Policy 7.2 An inclusive environment  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.15 Reducing noise and enhancing soundscapes

#### **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 CS11 (Waste)  
Policy CS12 (Meeting the Housing

Challenge)

### **C) Development Management Policies June 2013**

#### **Design and Heritage**

**DM2.1** Design

**DM2.2** Inclusive Design

**DM2.3** Heritage

#### **Housing**

**DM3.4** Housing standards

**DM3.5** Private outdoor space

**DM3.7** Noise and vibration (residential uses)

#### **Energy and Environmental Standards**

**DM7.1** Sustainable design and construction statements

**DM7.2** Energy efficiency and carbon reduction in minor schemes

**DM7.4** Sustainable design standards

### **5. Designations**

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013:

- Stroud Green Conservation Area
- Finsbury Park Special Policy Area

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

The following SPGs and/or SPDs are relevant:

#### **Islington UDP**

- Accessible Housing in Islington
- Conservation Area Design Guidelines
- Urban Design Guide

#### **London Plan**

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction