

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration  
 Department  
 PO Box 333  
 222 Upper Street

## PLANNING COMMITTEE REPORT

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

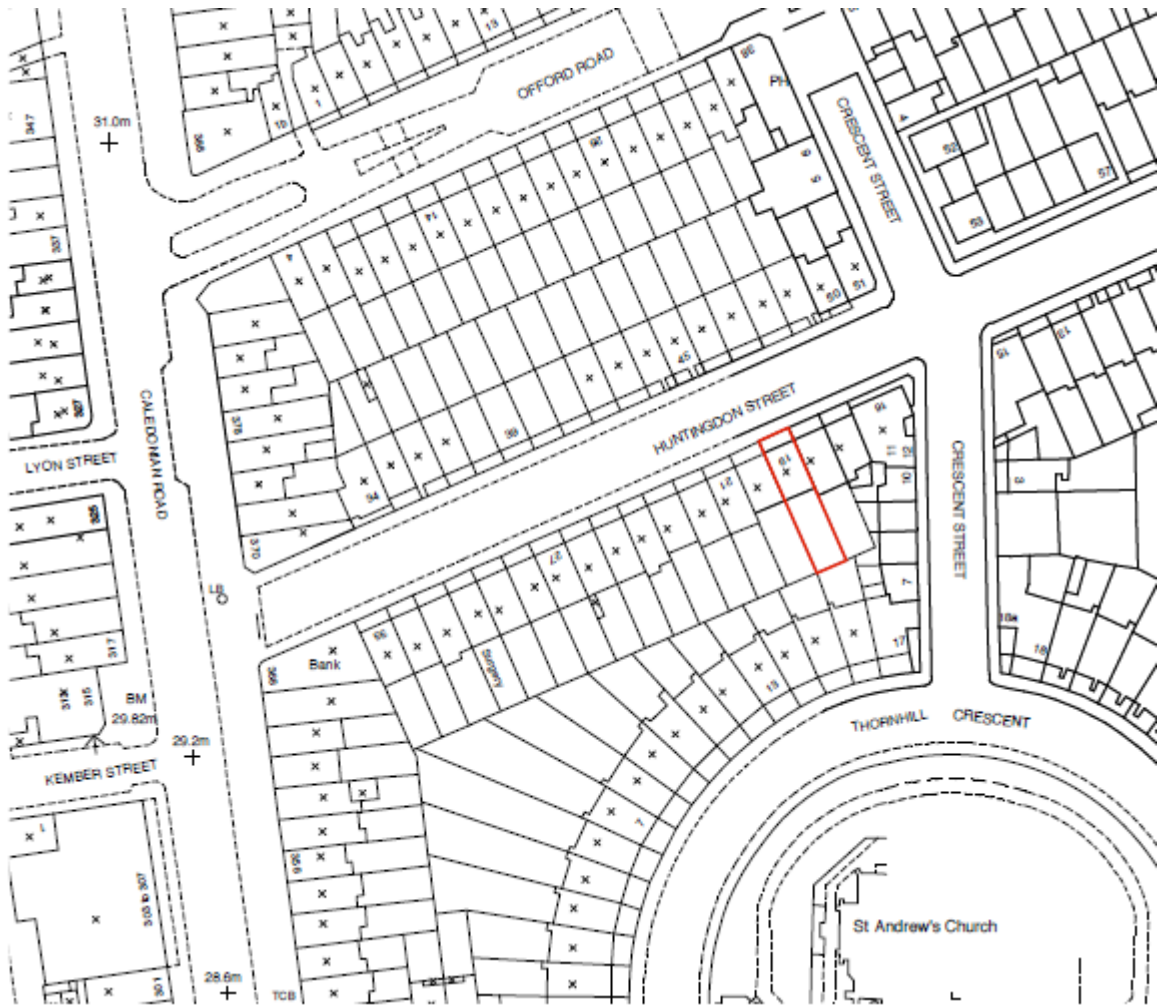
Application number	P2013/2374/FUL
Application type	Householder
Ward	Caledonian
Listed building	Locally Listed
Conservation area	Barnsbury
Development Plan Context	
Licensing Implications	None.
Site Address	19 Huntingdon Street, N1 1BS
Proposal	Erection of single storey lower ground floor extension and part width upper ground floor extension. The replacement of a second floor window to front elevation and the reinstatement of a sash window to rear elevation.

Case Officer	Russell Butchers
Applicant	Cyril Tergiman
Agent	Stephen Coleman

### RECOMMENDATION

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

### SITE PLAN (site outlined in red)



**PHOTOS OF SITE/STREET**



**Photo 1:** Rear of elevation of property. NB: Railings and decking have been removed.





**Photo 2:** Rear elevation of neighbouring property at no. 20



**Photo 3:** Rear elevation of neighbouring property at no. 18

## **1.0 SUMMARY**

- 1.1 This application is for the erection of a full width single storey ground floor extension to the rear at lower ground floor level, a part width extension at upper ground floor level, the replacement of existing front elevation second storey window with matching 6/6 patterned sash window and the reinstatement of a 6/6 patterned sash window to rear elevation.
- 1.2 The main issues relate to the principle of a rear extension, the impact upon the character and appearance of the conservation area and the locally listed host building and impact upon neighbouring amenity.
- 1.3 Overall it was considered that the principle of a rear extension is acceptable and that the reinstatement of the rear sash window would result in a substantial heritage benefit which outweighs any potential harm (which would be less than substantial) to the heritage assets. Furthermore the proposal would not result in any unacceptable harm to the amenities of neighbouring occupiers.
- 1.4 It is noted that the application was referred to committee by Councillor Perry.

## **2.0 SITE AND SURROUNDING**

- 2.1 The application property is a four storey mid-terrace single family dwelling located on the southern side of Huntingdon Street. The building is locally listed and is within the Barnsbury Conservation Area. The surrounding area is residential in character. The residential terraces on Thornhill Crescent to the rear of the site are Grade II listed buildings.

## **3.0 PROPOSAL (in Detail)**

- 3.1 Erection of a full width lower ground floor extension, part width upper ground floor extension, a replacement window to front elevation at second floor level and the reinstatement of a sash window to rear elevation at first floor window.

### **Revision 1**

Amended plans were received reducing the height and depth of the rear extension and omitting a proposal to widen the lower ground floor front elevation window.

### **Revision 2**

Proposal amended to include the reinstatement of a rear elevation sash window at first floor level.

## **4.0 RELEVANT HISTORY:**

- 4.1 None.

## **5.0 CONSULTATION**

### **Public Consultation**

- 5.1 Letters were sent to occupants of 28 adjoining and nearby properties. A site notice and press advert were displayed.

- 5.2 At the time of the writing of this report eight 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):

### **Objections**

- Harm to the character and appearance of the conservation area; (7.2 - 7.10)
- Loss of privacy; (7.14)
- Loss of light and overshadowing to garden; (7.11-7.13)
- Increase in noise/light pollution; (7.17)
- Overdevelopment of site; (7.1)
- Disruption during construction. (7.18)

- 5.1 Following amendments to the scheme a further consultation period was undertaken and this consultation period expired on 25<sup>th</sup> September 2013. At the time of writing this report one additional party had objected to the application. Any further objections received will be reported to the Committee.

### **External Consultees**

- 5.3 None.

### **Internal Consultees**

- 5.4 Design and Conservation Officer: The proposed replacement of the doorway proportioned opening to the rear elevation with a 6/6 window to match the existing above is welcomed as a substantial heritage benefit which should be weighed against any potential harm (which would be less than substantial) to the heritage assets. At 3.8m in depth the extension is greater than what would normally be supported.

## **6.0 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**

- 6.1 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**

- 6.2 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**

6.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

**Islington Local Plan**

- Locally Listed Building
- Barnsbury Conservation Area
- Article 4 Direction

**London Plan**

- Within 100m of a Strategic Road Network

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

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

**7.0 ASSESSMENT**

The main issues arising from this proposal relate to:

- Principle;
- Design, conservation and heritage considerations;
- Neighbouring amenity;
- Sustainability;
- Other matters.

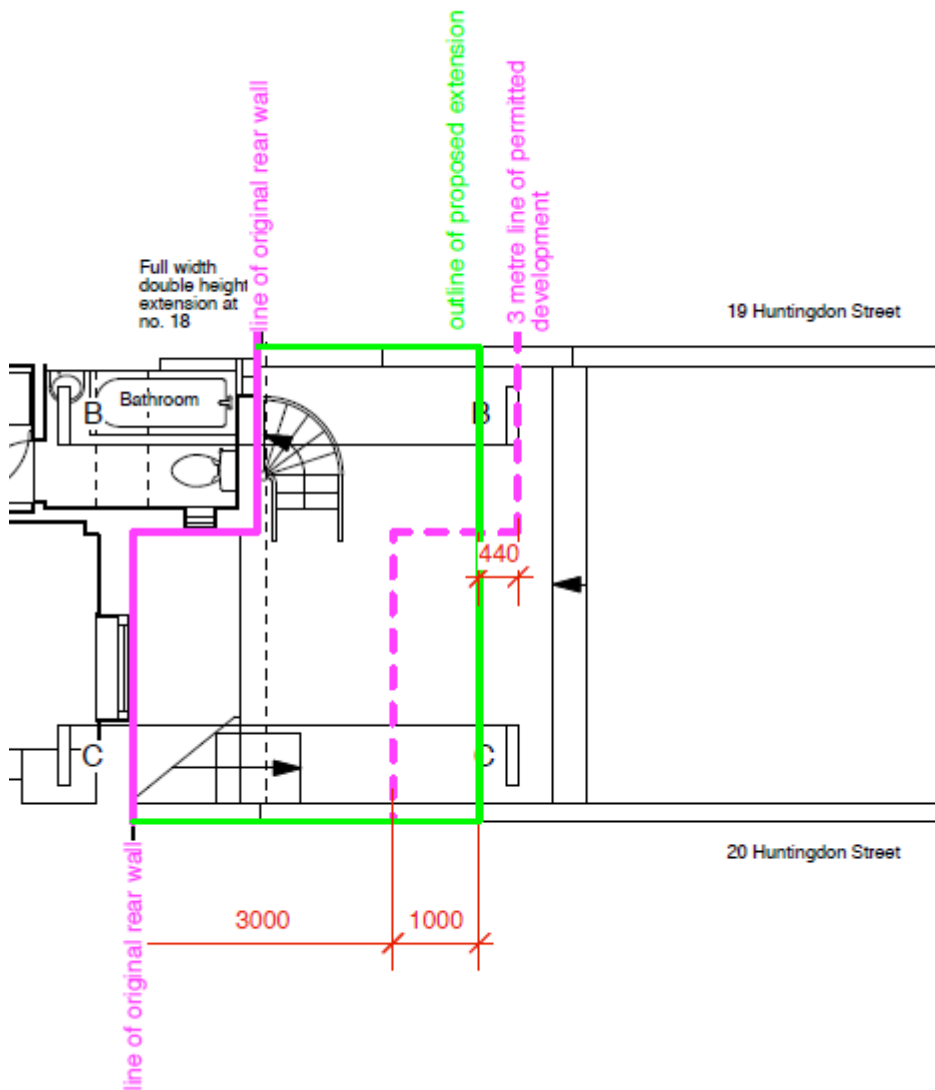
**Principle**

7.1 The principle of a rear extension is considered to be acceptable. The property is a single family dwellinghouse and a rear extension could be erected utilising the property's permitted development rights and therefore is not considered to constitute overdevelopment of the site. The replacement/reinstatement of windows is acceptable in principle.

**Design, Conservation and Heritage Considerations**

7.2 The proposed rear extension extends between 2.5m and 4m beyond the rear wall of the existing dwellinghouse. The rear extension would not be visible from the public realm but would be subject to private views.

7.3 It is noted that the property has permitted development rights that allow for a single storey rear extension of 3m in depth. Therefore the area of the proposed extension that exceeds what could be erected without the need to obtain planning permission amounts to a 1.0m deep x 3.1m width rectangular area. The applicant has demonstrated the permitted development allowance in the drawing shown as Figure 1 below.



**Figure 1:** Drawing show proposed extension depth compared to permitted development allowance.

- 7.4 The Islington Urban Design Guide states that there will be scope for ground floor extensions where they can be neatly accommodated and where sufficient garden space is retained. The distance between the back of the proposed extension and the rear boundary is approximately 10m and this is considered to be a sufficient amount of retained rear garden.
- 7.5 The lower ground floor extension is to be finished with white painted render with sliding doors opening into the garden. This is considered to be acceptable and would preserve the character and appearance of the conservation area.
- 7.6 The part width upper ground floor rear extension, measuring approximately 2.2m in width, is proposed to provide an improved landing for the internal stair case. This rear extension would sit flush with the adjoining full width rear extension at no. 18 Huntingdon Street.



- 7.7 Alongside this part width extension at upper ground floor level is a small balcony with a glazed balustrade with a depth of 1.3m. The majority of the flat roofed extension contains a sedum roof and is not to be used as a sitting out area (further assessed under Neighbouring Amenity below).
- 7.8 The Urban Design Guide states that on upper floors materials, detailing and form should be sympathetic to the terrace and the Barnsbury Conservation Area Design Guidelines state that traditional materials will normally be required. In order to overcome any potential harm to the heritage asset as a result of the proposed upper floor extension the applicant has agreed to reinstate an existing opening to the rear elevation at first floor level with a 6/6 sash window to match those above. This would result in a substantial heritage benefit which would outweigh any potential harm (which would be less than substantial) caused by the proposed upper floor extension. A condition that the window be reinstated prior to the completion of the development is considered appropriate to ensure that the heritage benefit is realised.
- 7.9 The front elevation second storey window is to be replaced by a matching unit and this would preserve the character and appearance of the conservation area.
- 7.10 Overall it is considered that the proposed rear extension and replacement windows are acceptable. The proposal is considered to be consistent with Development Management Policies DM2.1 and DM2.3, the Urban Design Guide 2006 and the Barnsbury Conservation Area Design Guidelines.

### **Neighbouring Amenity**

- 7.11 As the property has retained its permitted development rights and that a single storey rear extension could be erected with an eaves height of up to 3m. The ground floor extension has a maximum height of 3m and the extension has been partially excavated by approximately 0.4m to reduce its effect bulk from the adjoining properties.
- 7.12 The occupiers of no. 18 Huntingdon Street are potentially the most affected by the proposed extension. The side elevation wall would measure 2.7m from the garden level of that property and this is considered to be an acceptable height that would not result in any unacceptable harm to their amenities. The proposed ground floor extension would extend 2.6m beyond the full width double height extension at no. 18. The proposed upper ground floor extension is flush with the existing full width extension at no. 18 Huntingdon Street.
- 7.13 No. 20 Huntingdon Street has not been extended to the rear and an existing boundary wall and trellis separate the two properties. The ground floor extension would extend 4m beyond the rear wall of no. 20 and would have a height of 2.6m above their garden level (due to the 0.4m excavation). At the upper ground floor level the boundary wall is to be raised by 1.8m (to a depth of 1.4m) to act as a screen between the small balcony area. A spiral staircase is provided at no. 20 adjacent to the boundary with no. 19 which provides access to the garden from the upper ground and first floor levels. These are not habitable rooms and there would therefore not be any undue loss of daylight to those rooms that would harm the occupier's amenities. The proposal complies with the BRE 45 degree daylight guidance for both adjoining properties

- 7.14 Although it has now been removed, there was an existing terrace/balcony at upper ground floor level. The proposed terrace is smaller in size and would not result in any increased levels of overlooking compared to the previous situation. Due to the potential for the flat roof area above the ground floor extension to be used as an amenity space a condition restricting its use is considered appropriate.
- 7.15 Overall it is considered that the proposal would not result in any undue harm to the residential amenities of neighbouring occupiers that would warrant withholding planning permission and the proposal is considered to be consistent with policy DM2.1 of the Development Management Policies.

### **Sustainability**

- 7.16 The applicant proposes to provide a green roof on the rear extension and this is welcomed and will be conditioned as such.

### **Other Matters**

- 7.17 Neighbouring concerns that the proposal would result in increased noise and light pollution have been considered. The proposal is a reasonably sized residential extension, any increase in noise or light spill would not be to any degree whereby withholding permission could reasonably be justified.
- 7.18 Disruption during any construction period is not a material planning consideration. Contractors would be required to comply with the standard construction hours which limit any noisy activities to between 8:00am and 6:00pm Mon – Fri and between 9:00am and 1:00pm on Saturdays.

## **8.0 SUMMARY AND CONCLUSION**

### **Summary**

- 8.1 The proposal will result in a heritage benefit through the negotiated reinstatement of the rear elevation 6/6 window. This is considered to outweigh any harm caused by the rear extension, particularly as a similarly sized extension could be erected without the need to obtain planning permission. The proposal is considered to be consistent with Development Management Policies DM2.1 and DM2.3, the Urban Design Guide 2006 and the Barnsbury Conservation Area Design Guidelines.
- 8.2 The proposal would not result in any undue harm to the residential amenities of neighbouring occupiers that would warrant withholding planning permission and the proposal is considered to be consistent with policy DM2.1 of the Development Management Policies.

### **Conclusion**

- 8.3 It is recommended that planning permission be granted subject to conditions.

## 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>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>The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>469-P.03_1, 469-X.03, 469-X.05, 469-X.01, Design and Access Statement.</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>
<b>3</b>	<b>Flat roof not used as amenity space</b>
	<p>The flat roof area shown on plan no. 469-P.03_1 hereby approved shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
<b>4</b>	<b>Green roof</b>
	<p>The biodiversity roof shall be:</p> <ul style="list-style-type: none"><li>a) biodiversity based with extensive substrate base (depth 80-150mm);</li><li>b) laid out in accordance with plan 469-P.03_1 hereby approved; and</li><li>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li></ul> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p>

	<p>The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>5</b>	<b>Materials</b>
	<p>The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>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.</p>
<b>6</b>	<b>Reinstatement of sash window</b>
	<p>The reinstatement of the rear elevation sash window shall be completed prior to the substantial completion of the rear extension hereby approved.</p> <p>REASON: To ensure that the heritage benefit of the reinstated sash window is secured and to ensure that the resulting appearance of the development is of a high standard.</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. 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.</p> <p>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.</p>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **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.

### **Development Plan**

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 following policies of the Development Plan are considered relevant to this application:

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

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

Policy 5.11 Green roofs and development site environs

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

Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology

#### **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)

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

##### **Design and Heritage**

DM2.1 Design  
DM2.3 Heritage

##### **Health and open space**

DM6.5 Landscaping, trees and biodiversity

### **Designations**

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

#### **Islington Local Plan**

Locally Listed Building  
Barnsbury Conservation Area

#### **London Plan**



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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

Environmental Design

Conservation Area Design Guidelines

Urban Design Guide

### **London Plan**