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## AGENDA FOR THE PLANNING SUB COMMITTEE B

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Members of Planning Sub Committee B are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **6 November 2014 at 7.30 pm.**

**John Lynch**  
**Head of Democratic Services**

Enquiries to : Jackie Tunstall  
Tel : 020 7527 3068  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 29 October 2014

**Welcome:**

Members of the public are welcome to attend this meeting.

**Consideration of Planning Applications** – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing [enquiriesplanning@islington.gov.uk](mailto:enquiriesplanning@islington.gov.uk)**

Committee Membership

Councillor Klute (Chair)  
Councillor Nicholls (Vice-Chair)  
Councillor Kay  
Councillor Khan  
Councillor Picknell

Wards

- St Peter's;  
- Junction;  
- Mildmay;  
- Bunhill;  
- St Mary's;

Substitute Members

Councillor Chowdhury  
Councillor Convery  
Councillor Fletcher  
Councillor Gantly  
Councillor Comer-Schwartz  
Councillor O'Sullivan  
Councillor A Perry  
Councillor R Perry  
Councillor Poole  
Councillor Poyser  
Councillor Smith  
Councillor Spall  
Councillor Ward  
Councillor Wayne  
Councillor Williamson

- Barnsbury;  
- Caledonian;  
- St George's;  
- Highbury East;  
- Junction;  
- Finsbury Park;  
- St Peter's;  
- Caledonian;  
- St Mary's;  
- Hillrise;  
- Holloway;  
- Hillrise;  
- Holloway;  
- Canonbury;  
- Tollington;

Quorum: 3 councillors



## A. Formal Matters

Page

1. Introductions
2. Apologies for Absence
3. Declarations of Substitute Members
4. Declarations of Interest

If you have a **Disclosable Pecuniary Interest\*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

**\*(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

**(b) Sponsorship** - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

**(c) Contracts** - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

**(d) Land** - Any beneficial interest in land which is within the council's area.

**(e) Licences** - Any licence to occupy land in the council's area for a month or longer.

**(f) Corporate tenancies** - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

**(g) Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Order of Business
6. Minutes of Previous Meeting

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<b>B.</b>	<b>Consideration of Planning Applications</b>	<b>Page</b>
1.	10-22 Calshot Street, N1 <b>NB. This item was withdrawn from the agenda following publication.</b>	13 - 26
2.	Upper flat, 183 Offord Road, N1	27 - 40
3.	8 St Paul's Road, N1	41 - 60
4.	Flat A, 71 Lofting Road, N1	61 - 76
5.	Flat B, 51-53 St Pauls Road, N1	77 - 92
6.	Land at Bennett Court, adj 3 Axminster Road, N7	93 - 110

<b>C.</b>	<b>Consideration of other planning matters</b>	<b>Page</b>
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**D. Urgent non-exempt items**

Any non-exempt items which the Chair is of the opinion should be considered as a matter of urgency and to consider whether the special circumstances included in the report as to why it was not included on and circulated with the agenda are acceptable for recording in the minutes.

**E. Exclusion of press and public**

To consider whether, in view of the nature of the remaining items on the agenda, it is likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

<b>F.</b>	<b>Confidential/exempt items</b>	<b>Page</b>
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**G. Urgent exempt items (if any)**

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

**Date of Next Meeting:** Planning Sub Committee B, 18 December 2014

**Please note all committee agendas, reports and minutes are available on the council's website:**

[www.democracy.islington.gov.uk](http://www.democracy.islington.gov.uk)

## **PROCEDURES FOR PLANNING SUB-COMMITTEES**

### **Planning Sub-Committee Membership**

Each Planning Sub-Committee consists of five locally elected members of the council who will decide on the applications for planning permission.

### **Order of Agenda**

The Chair of the Planning Sub-Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

### **Consideration of the Application**

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Sub-Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

### **What Are Relevant Planning Objections?**

The Planning Sub-Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Sub-Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

**For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Zoe Crane/Jackie Tunstall on 020 7527 3044/3068. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing [enquiriesplanning@islington.gov.uk](mailto:enquiriesplanning@islington.gov.uk)**

# Agenda Item 6

London Borough of Islington

## Planning Sub Committee B - 18 September 2014

Minutes of the meeting of the Planning Sub Committee B held at Council Chamber, Town Hall, Upper Street, N1 2UD on 18 September 2014 at 7.30 pm.

**Present:**           **Councillors:**       Martin Klute (Chair), Tim Nicholls, Jenny Kay and Angela Picknell

### Councillor Martin Klute in the Chair

- 24**        **INTRODUCTIONS (Item 1)**  
Councillor Klute welcomed everyone to the meeting. Members of the Sub-Committee and officers introduced themselves. The Chair explained that the Sub-Committee would deal with the determination of planning applications and outlined the procedures for the meeting.
- 25**        **APOLOGIES FOR ABSENCE (Item 2)**  
Councillor Robert Khan.
- 26**        **DECLARATIONS OF SUBSTITUTE MEMBERS (Item 3)**  
None.
- 27**        **DECLARATIONS OF INTEREST (Item 4)**  
Cllr Kay informed the Sub-Committee that she would not be taking part in the discussion on agenda item B8, 8 St Paul's Road.
- 28**        **ORDER OF BUSINESS (Item 5)**  
The order of business would be B6, B8, B5, B7, B9, B1, B3, B4, B2 and B10.
- 29**        **MINUTES OF PREVIOUS MEETING (Item 6)**  
**RESOLVED:**  
That the minutes of the meeting held on the 15 July 2014 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 30**        **1-115 GAMBIER HOUSE, MORA STREET, LONDON EC1V 8EJ. (Item 1)**  
The overcladding of the external walls with a rainscreen cladding system. (Planning application number P2013/4624/FUL)

In the discussion the following points were considered:-

- Gas services would be covered with cladding panels that would be fixed with small screw fixings, powder coated to match the colour of the cladding. All other fixings would be concealed.

Councillor Klute proposed a motion that was seconded by Councillor Nicholls.

### **RESOLVED:**

That planning permission be granted subject to the conditions and informative in the report and an additional condition requiring concealed fixed panels throughout except where required for services. Wording to be delegated to officers and appended to the minutes.

- 31** **1-19 ARLINGTON HOUSE, 2 ARLINGTON WAY, LONDON EC1 1XB (Item 2)**  
The overcladding of the external walls with an insulation and render system. (Planning application number:P2013/4627/FUL)

In the discussion the following points were considered:-

- It was noted that this was a render system and not cladding.

**RESOLVED:**

That planning permission be granted subject to the conditions and informative in the report.

- 32** **1-73 HALIDAY HOUSE, 2 MILDMAY STREET, LONDON N1 4NF (Item 3)**  
The overcladding of the external walls with a rainscreen cladding system. (Planning application number P2013/4635/FUL)

In the discussion the following points were considered:-

- Gas services would be covered with cladding panels that would be fixed with small screw fixings, powder coated to match the colour of the cladding. All other fixings would be concealed.

Councillor Klute proposed a motion that was seconded by Councillor Nicholls.

**RESOLVED:**

That planning permission be granted subject to the conditions and informative in the report and an additional condition requiring concealed fixed panels throughout except where required for services. Wording to be delegated to officers and appended to the minutes.

- 33** **1-97 ILEX HOUSE, CROUCH HILL, LONDON N4 4BY (Item 4)**  
The overcladding of the external walls with a rainscreen cladding system. (Planning application number P2013/4640/FUL.

In the discussion the following points were considered:-

- Gas services would be covered with cladding panels that would be fixed with small screw fixings, powder coated to match the colour of the cladding. All other fixings would be concealed.

Councillor Klute proposed a motion that was seconded by Councillor Nicholls.

**RESOLVED:**

That planning permission be granted subject to the conditions and informative in the report and an additional condition requiring concealed fixed panels throughout except where required for services. Wording to be delegated to officers and appended to the minutes.

- 34** **114 GROSVENOR AVENUE, LONDON, N5 2NY (Item 5)**  
Change of use from residential children's home (Use Class C2) to 4 no. residential flats (Use Class C3) comprising 1 x 1 bedroom flats and 2 x 2 bedroom flats and 1 x 3 bedroom flat; new windows and staircase to rear elevation; provision of 12 no. cycle spaces and bin storage area to eastern elevation. (Planning application number: P2013/2885/FUL).

In the discussion the following points were considered:-

- That the small sites contribution had been agreed.

**RESOLVED:**

That planning permission be granted subject to the conditions, informatives and S106 agreement as detailed in the report.

**35** **18 ALWYNE PLACE, LONDON, N1 2NL (Item 6)**

Erection of a new mansard roof to form a two bedroom flat. (Planning application number P2014/1144/FUL).

The Sub-Committee noted that an additional condition regarding the pitch of the roof would be required.

In the discussion the following points were considered:-

- The applicant had agreed a daily refuse collection condition which would apply to the new flat only. The agent stated that they would engage with existing residents to extend the scheme.
- The new roof extension would not project further forwards or rearwards and was therefore not considered to reduce loss of light to the neighbouring residential properties.
- Problems to existing accommodation regarding plumbing, subsistence and the erection of scaffolding were not planning considerations, although the Chair urged the applicant to engage with objectors to resolve these issues.
- The hours of construction could be reduced where considered necessary.

Councillor Klute proposed a motion which was seconded by Councillor Nicholls.

**RESOLVED:**

That planning permission be granted subject to the conditions, informatives and Section 106 agreement as detailed in the report, an additional condition regarding the roof pitch on all elevations, an additional condition regarding hours of construction and an amendment to condition 6 to include daily collections and engagement with residents. Wording to be delegated to officers and appended to the minutes.

**36** **60 MILDWAY GROVE SOUTH LONDON N1 4PJ (Item 7)**

Replacement two-storey rear extension and new metal steps to the side of the new extension to access garden (Planning application number P2014/1750/FUL).

In the discussion the following points were considered:-

- That the two storey extension would be visible from neighbouring properties which officers considered would be amplified by the use of a white rendered arch.
- There were a number of extensions that currently existed in the area but none with the same scale and massing.
- The comment made by the Sub-Committee that the materials used were unlike those in the original building and the proportions of the extension were not considered appropriate.

**RESOLVED:**

That planning permission be refused for the reasons as detailed in the report.

**37** **8 ST. PAUL'S ROAD, LONDON N1 2QN (Item 8)**

Councillor Kay left the table for this item and took no part in the discussion or vote.

Erection of a part three storey, part single storey rear extension. Alterations to the rear façade, creation of new steps to rear garden and association landscaping. (Application number P2014/1208/FUL).

Application for listed building consent for demolition of rear projection and garden shed and the erection of a part three storey, part single storey rear extension. Alterations to the rear façade, creation of new steps to rear garden associated landscaping and internal alterations. (Application number P2014/1276/LBC).

In the discussion the following points were considered:-

- The size and height of the neighbouring extension. It was noted that the height of the proposed extension at No. 8 would be lower and not as wide as the neighbouring extension. It was also noted that the neighbouring extension had been built higher than the approved plans.
- The incorrect colour of bricks had been used for the neighbouring extension and this was now subject to an enforcement case for breach of condition.
- That the addition of this extension as applied for would add to the cumulative impact of harm to the terrace.
- The design and conservation officer advice that planning policy had evolved sufficiently to be distinguishable from the decision made regarding the neighbouring extension, although members were unsure about this point.
- The legal advice that members had a statutory duty in relation to protecting listed buildings.

Councillor Klute proposed a motion which was seconded by Councillor Nicholls.

**RESOLVED:**

That the application be deferred for the applicant to explore the possibility of modification to the scheme to reduce the impact of the extension to an acceptable level.

**38** **BRECKNOCK ESTATE, (16 BLOCKS) BRECKNOCK ROAD, ISLINGTON, LONDON, N19 5AN (Item 9)**

Installation of new boiler flues and plume management kits. (Planning application number P121391).

Following officers reporting that they were unable to confirm the exact time that plans had been placed on the website, the Chair determined that the application would not be heard. Officers reported that they would meet with the local resident who attended the meeting to respond separately to their concerns about the application.

**39** **LOWER GROUND FLOOR, THE BEAUX-ARTS BUILDING 10-18 MANOR GARDENS N7 6JT (Item 10)**

Change of use of plant area to provide 1 x 1 bedroom residential unit at lower ground floor within the western end of the Beaux Arts Building and relocation of plant equipment to lower ground storage area together with the replacement of existing vents (x 4) at lower ground with windows (x2) and glazing with metal grille.

In the discussion the following points were considered:-

- Concern was expressed regarding the possible noise from the plant room and the full retention of cycle storage.



## Planning Sub Committee B - 18 September 2014

Councillor Klute proposed a motion that was seconded by Councillor Nicholls.

### **RESOLVED:**

That planning permission be granted subject to the conditions, informatives and Section 106 agreement as detailed in the report, the amendment to condition 7 to secure additional bike spaces, amendment to condition 2 to include additional plans and an additional condition regarding noise control measures for the plant room. Wording to be delegated to officers and appended to the minutes.

The meeting ended at 10pm.

CHAIR

**WORDING DELEGATED TO OFFICERS**

Minute 30

1-115 Gambier House, Mora Street, EC1V 8EJ

Additional condition.

Detailed drawings showing the method of the secret fixings of the relevant rainscreen panels to all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site, and shall be maintained permanently thereafter.

REASON: To ensure a satisfactory level of visual amenity.

Minute 32

1-73 Haliday House, 2 Mildmay Street, N1 4NF

Additional condition.

Detailed drawings showing the method of the secret fixings of the relevant rainscreen panels to all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site, and shall be maintained permanently thereafter.

REASON: To ensure a satisfactory level of visual amenity.

Minute 33

1-97 Ilex House, Crouch Hill, N4 4BY

Additional condition.

Detailed drawings showing the method of the secret fixings of the relevant rainscreen panels to all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site, and shall be maintained permanently thereafter.

REASON: To ensure a satisfactory level of visual amenity.

Minute 35

18 Alwyne Place, N1 2NL

ADDITIONAL CONDITION: Notwithstanding the hereby approved plan section drawing number PP06, detailed drawings and plans showing a final roof mansard 72 degrees pitch on all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of the development and shall be maintained as such thereafter.

REASON: In order to safeguard the special architectural or historic interest of the heritage asset.

ADDITIONAL CONDITION. HOURS OF OPERATION (COMPLIANCE): No construction works on site shall take place outside the hours of 09:00-18:00 Monday to Friday and not at all on Saturdays, Sundays, Bank and Public Holidays.

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

AMENDMENT TO CONDITION 6.

CONDITION: Details of the dedicated refuse/recycling management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the

## Planning Sub Committee B - 18 September 2014

development and shall be maintained as such thereafter. The information submitted shall include:

- 1) Details of how many refuse collections and management processes to ensure daily collections and confirm the number of daily collections per week.
- 2) An agreement between the applicant and the Council's refuse department on refuse management facilities.
- 3) Evidence of consultation with residents within the building on the proposed refuse management facilities for the hereby approved development.

REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.

### Minute 39

#### Lower ground floor, The Beaux Arts Building, 10-18 Manor Gardens, N7 6JT

AMENDED CONDITION 2 (Approved plans): The development hereby approved shall be carried out in accordance with the following approved plans:

Planning Statement April 2014, Daylight & Sunlight Report 15th April 2014, Design & Access Statement 29th January 2014, Scheme Revisions - Planning and Design Statement Addendum, Drawing numbers: 090373-A-P-00-D 210 G, 090373-A-P-00-D 212 A, 090373-A-P-Si-D 211 B, 090373-A-P-00-D 210 E, 090373-A-E-XX-D220, 090373-A-I-VA-D 016 B, 090373-A-P-00-D 201 D, 090373-A-E-Nth-D 203 & 090373-A-E-Nth-D 204 A.

REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.

AMENDED CONDITION 7: The bicycle storage area(s) hereby identified in drawing No's: 090373-A-P-00-D210 G, 090373-A-P-00-D212 A & 090373-A-P-SI-00-D211 B shall retain storage for no less than 74 bicycle spaces ( 51 spaces within the existing basement level and 23 within the ground floor covered car park) prior to the commencement of the development hereby approved and maintained as such thereafter.

REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.

ADDITIONAL CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level  $L_{Aeq,Tf}$  arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level  $L_{AF90,T}$ .

The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997

REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.

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## Schedule of Planning Applications

PLANNING COMMITTEE - Thursday 6 November, 2014

### COMMITTEE AGENDA

1 10-22 Calshot Street, London, N1 9DA

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2 183 Offord Road, London N1 1LR

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3 8 St. Paul's Road, London N1 2QN

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4 Flat A, 71 Lofting Road, London, N1 1JA

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5 Flat B, 51 - 53 St Paul's Road, London, N1 2LT

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6 Site adjacent to 3 Axminster Road London (Bennett Court Car Park) N7 6BL

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1 10-22 Calshot Street, London, N1 9DA

Ward: Barnsbury

**Proposed Development:** Proposed vehicular crossover to provide access into the electricity depot site at Nos. 10-22 (even) Calshot Street, London, N1 9DA

**Application Number:** P2014/2842/FUL

**Application Type:** Full Planning Application

**Case Officer:** Joe Aggar

**Name of Applicant:** London Power Networks PLC

**Recommendation:**

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2 183 Offord Road, London N1 1LR

Ward: Barnsbury

**Proposed Development:** Erection of half width extension at second floor level with terrace above and new access door to terrace.

This application may affect the character and appearance of the conservation area. Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended); section 73.

A notice has been published in the Islington Gazette.

Site Notice(s) placed near property.

**Application Number:** P2014/1541/FUL

**Application Type:** Full Planning Application

**Case Officer:** Joe Aggar

**Name of Applicant:** Mr & Mrs Nick & Flo Hanson

**Recommendation:**

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### 3 8 St. Paul's Road, London N1 2QN

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**Ward:** Mildmay

**Proposed Development:** RECONSULTATION - Revised scheme: Application for Listed Building Consent for demolition of existing rear projection and garden shed and the erection of a part three storey, part single storey rear extension. Alterations to the rear façade, steps to rear garden, associated landscaping and internal alterations. [Full planning application P2014/1208 also submitted]

**Application Number:** P2014/1276/LBC

**Application Type:** Listed Building

**Case Officer:** Thomas Broomhall

**Name of Applicant:** Mrs Katrina Scior

**Recommendation:**

**Ward:** Mildmay

**Proposed Development:** RECONSULTATION - Revised scheme: Erection of a part three storey, part single storey rear extension. Alterations to the rear façade, creation of steps to rear garden and associated landscaping. [Listed Building Consent application P2014/1276/LBC also submitted]

**Application Number:** P2014/1208/FUL

**Application Type:** Full Planning (Householder)

**Case Officer:** Thomas Broomhall

**Name of Applicant:** Mrs Katrina Scior

**Recommendation:**

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### 4 Flat A, 71 Lofting Road, London, N1 1JA

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**Ward:** Barnsbury

**Proposed Development:** Erection of a single storey side and rear extension.

**Application Number:** P2014/2948/FUL

**Application Type:** Full Planning Application

**Case Officer:** Henrik Dorbeck

**Name of Applicant:** Mr Nick Tominlinson

**Recommendation:**

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### 5 Flat B, 51 - 53 St Paul's Road, London, N1 2LT

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**Ward:** Canonbury

**Proposed Development:** The demolition of the existing rear extension and the erection of a two storey rear extension at basement and ground floor levels to provide an additional bedroom and additional living room space.

**Application Number:** P2014/2837/FUL

**Application Type:** Full Planning Application

**Case Officer:** Ashley Niman

**Name of Applicant:** Mr Paul Slaymaker

**Recommendation:**

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### 6 Site adjacent to 3 Axminster Road London (Bennett Court Car Park) N7 6BL

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**Ward:** Finsbury Park

**Proposed Development:** The erection of a three storey building to provide two residential units: At ground Floor - Flat 1 (2 bed, 4 person) and at first & second Floor - Flat 2 (Maisonette) (4 bed, 6 person) together with front and rear garden layout, brick boundary wall and gate. Amended drawings showing extension of rear garden and removal of two parking spaces, amendments to the north elevation and the west elevation.

**Application Number:** P2014/2901/FUL

**Application Type:** Full Planning Application

**Case Officer:** Ashley Niman

**Name of Applicant:** Mr Mathew Carvalho

**Recommendation:**

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## PLANNING COMMITTEE REPORT

<b>PLANNING SUB-COMMITTEE B</b>		
Date:	6 <sup>th</sup> November 2014	NON-EXEMPT

Application number	P2014/2842/FUL
Application type	Full Planning Application
Ward	Barnsbury Ward
Listed building	Not listed
Conservation area	None
Development Plan Context	<ul style="list-style-type: none"> <li>- Central Activities Zone</li> <li>- Within 100m of Transport for London Road Network</li> <li>- Within 50m of Conservation Area</li> <li>- Core Strategy Key Area</li> <li>- Mayors Protected Vista</li> <li>- Core Strategy Key Area</li> </ul>
Licensing Implications	None
Site Address	10-22 Calshot Street, London, N1 9DA
Proposal	Creation of a cross over

Case Officer	Joe Aggar
Applicant	London Power Networks
Agent	Adrian Salt and Pang Limited

### 1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1;

## 2. SITE PLAN (site outlined in black)



## 3. PHOTOS OF SITE/STREET

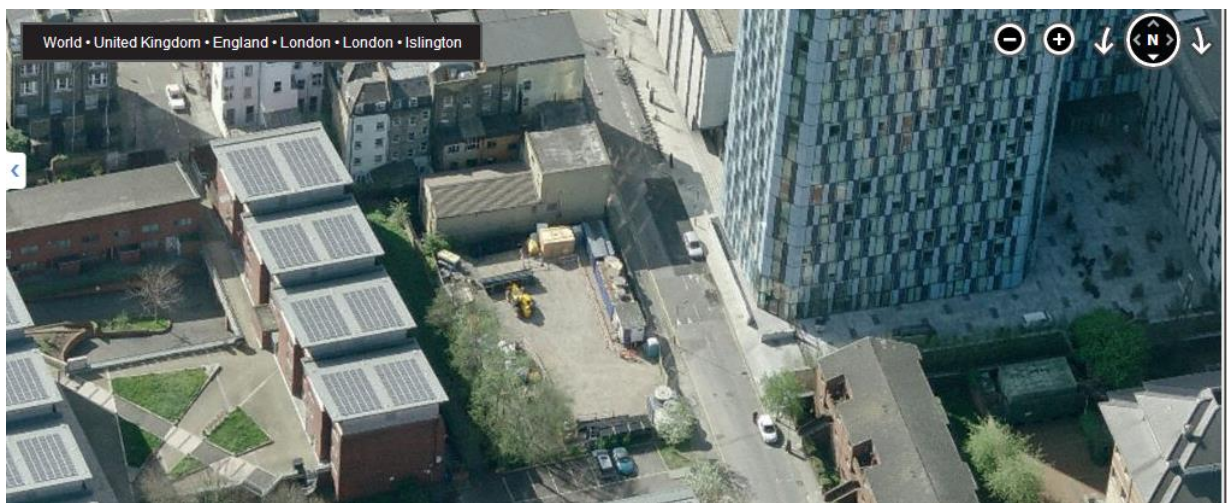


Photo 1: Aerial photo of site



Photo 2: Calshot Street elevation



Photo 3: Calshot Street elevation looking south to Pentonville Road



Photo 3: Calshot Street elevation

#### **4. SUMMARY**

- 4.1 Planning permission is sought for the creation of a new cross over. The cross over is required to serve an electricity substation which is proposed to be built under permitted development .
- 4.2 The proposed cross over would not detract from the character and appearance of the application property, surrounding street scene nor would it detrimentally impact upon neighbour amenity or the highway network.
- 4.3 The application is therefore recommended for approval subject to conditions.

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

- 5.1 The site is located on the eastern side of Calshot Street close to the junction with Pentonville Road. To the east of the site is a residential block. Directly opposite the site lies, a mixed use building which fronts Pentonville Road a main thoroughfare through the borough. To the north along Calshot Street the area is characterised by residential blocks of flats.
- 5.2 UK Power Networks currently occupies the site as an office/storage and the land contains a number of pre-fabricated buildings.
- 5.3 The site is not located within a conservation area. The boundaries of Kings Cross and Pentonville Road conservation area are located 50 metres away from the application site. There are no listed buildings on the site.

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

- 6.1 The proposal consists of the creation of a new cross over on the Calshot Street elevation. The cross over at its widest point would be 13.5m.
- 6.2 The application has been referred to the planning sub-committee due to the large number of objections received.
- petition of objection containing 90 signatures
  - petition of objection containing 75 letters
  - one individual objection
  - An objection letter from Residents of Calshot Street area
  - 8 further individual objections.

## **7. RELEVANT HISTORY**

### **PLANNING APPLICATIONS**

- 7.1 P2014/2652/COLP - Certificate of Lawfulness for 'the proposed erection of an electricity substation on operational land at 10-22 Calshot Street' is awaiting a decision.
- 7.2 P2013/4822/FUL - Redevelopment of site to create an electricity substation was withdrawn by the applicant.

### **PRE APPLICATION ADVICE**

- 7.3 Q2013/0549/MIN for the 'Proposal to build an Electric Substation' submitted on the received 22/02/2013.

### **ENFORCEMENT:**

- 7.4 No history

## **8. CONSULTATION**

### **Public Consultation**

- 8.1. Letters were sent to occupants of adjoining and nearby properties on 11<sup>th</sup> August 2014. The public consultation of the application therefore expired on 4 September 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report 13 responses had been received from the public with regard to the application at the time of writing the report.

These can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Object to substation (11.1)
- Loss of green space (10.9)
- Health concerns over proposed substation (10.10)
- Loss of light due to substation (10.10)
- Loss of privacy due to substation (10.10)
- Cross over would facilitate traffic (10.4-10.7)
- Increase costs to Islington Council in terms of crime and health (10.10)

- Cross over contravenes policy (11.1-11.2)
- Crossing is not currently required as there is no extant permission for a substation (11.1)
- Exacerbate pollution and threaten pedestrian safety (10.4-10.7)

### **External Consultees**

8.3 TfL has not objected to the proposal.

### **Internal Consultees**

8.4 Highways have not objected subject to condition.

## **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.

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

9.4 The 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:

- Character and appearance
- Neighbouring Amenity
- Highways
- Other Issues

### **Character of the Area**

10.2 Directly to the north of the site lies a small car park and to the north of that a 5 storey block known as Henleys Prior. To the east lies a road way and adjacent to that lies Hales Prior, a 5 storey residential block. Opposite the site is 200 Pentonville Road - a 16 storey glass clad building used mainly for student housing.

To facilitate the operation of this building there is a vehicular access with a dropped curb opposite the subject site at 10-22 Calshot Street.

- 10.3 In the immediate context it is recognised there is a cross over to 200 Pentonville Road and a similar arrangement for off-street car parking to the north of the site. The proposal would not involve the loss of a boundary wall. In terms of design and appearance the creation of a cross over is considered to have a negligible visual impact. The application would therefore not warrant refusal based on design grounds and considering the immediate context.

### **Neighbour Amenity**

- 10.4 Information has been provided indicating the site will be visited by a vehicle only once a month, on average. Therefore there are no issues arising here in terms of noise or disturbance that would be contrary to DM2.1 of the Development Management Policies.

### **Highways**

- 10.4 The London Borough of Islington is the Highway Authority for Calshot Street; it is neither a classified road nor a red route.
- 10.5 Whilst no permission has been granted as yet for the substation on the site that the cross over is to serve, information has been provided with this application, that it is unlikely to generate a high number of trips to the site ( by virtue of the proposed nature of the site) and therefore it will have no adverse impact on the local road network or public transportation.
- 10.6 Calshot Street is a one way road with access from Pentonville Road.
- 10.7 The vehicle access diagram supplied is based on the trajectory published in the Freight Transport Association "Designing for Deliveries Guide" for a "small rigid design vehicle full lock 90 degree simple turn". The vehicle is 7.19 m long and 2.3 m wide, with a wheelbase of 4.19 metres and is the largest vehicle that could access the delivery bay, which is 10 m long. The vehicle is proposed to reverse out using a 'banksman'. The Highways Officer has raised no objection to this, subject to condition.

### **Other Issues**

- 10.8 Issues have been raised in relation to the proposal for the substation, loss of green space, health care issues, privacy, safety, and loss of light.
- 10.9 There is not considered to be a loss of green space resulting from the proposal for a cross over. The site currently contains hardstanding and some temporary buildings, the cross over would not result in the loss of any designated green space.
- 10.10 Issues raised related to crime, health, privacy and loss of light are related to the application for the substation and are not under assessment as part of this application.
- 10.11 Based on information received, as part of the Delivery Service Plan, related to the number of traffic movements, type and management of vehicular movement, with

the use of appropriate conditions the concerns outlined above with regard to pedestrian safety would not warrant withholding the granting of planning permission. There would be no adverse impact in terms of increased pollution, traffic levels, or vehicular, pedestrian and cyclist movement.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed cross over is considered to be acceptable with regards to the design and appearance, neighbour amenity, highways. Whilst a number of objections have been received these raise objection mainly to the sub station which can be constructed under permitted development. Any relevant objections have been addressed in the assessment part of the report and do not raise issues which would warrant withholding planning permission for the cross over.
- 11.2 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

### **Conclusion**

- 11.3 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>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Fig.1 Revision 00; Fig.2 Revision 00; Fig.3 Revision 00; Fig.4 Revision 00; Fig.5 Revision 00; unnumbered photographic view points; Explanatory Statement dated July 2014 A; Fig3 3a Revision 00: London Power Networks Service Delivery Plan dated 21 October 2014; 1236/P/870 Drawing Revision P1.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Service Delivery Plan</b>
	<p>CONDITION: The development shall be carried out in accordance with the delivery and servicing plan (DSP) reference London Power Networks: Service Delivery Plan for Substation at 10 - 22 Calshot Street, Islington dated 21/10/2014.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>

#### List of Informatives:

<b>1</b>	<b>Positive Statement</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and</p>

	<p>guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>
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## **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**

##### 6: London's Transport:

6.1 Strategic Approaching effects of Development on Transport Capacity

6.3 Assessing effects of development on transport capacity

6.7 Better Streets and surface transport

6.12 Road Network capacity

#### **B) Islington Core Strategy 2011**

##### Spatial Strategy

**CS6** (Kings Cross)

**CS8** (Enhancing Islington's Character)

##### Strategic Policies

**CS10** (Sustainable Design)

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

**DM2.1** Design

**DM8.1** Movement hierarchy

**DM8.2** Managing transport impact

**DM8.6** Delivery and servicing for new development

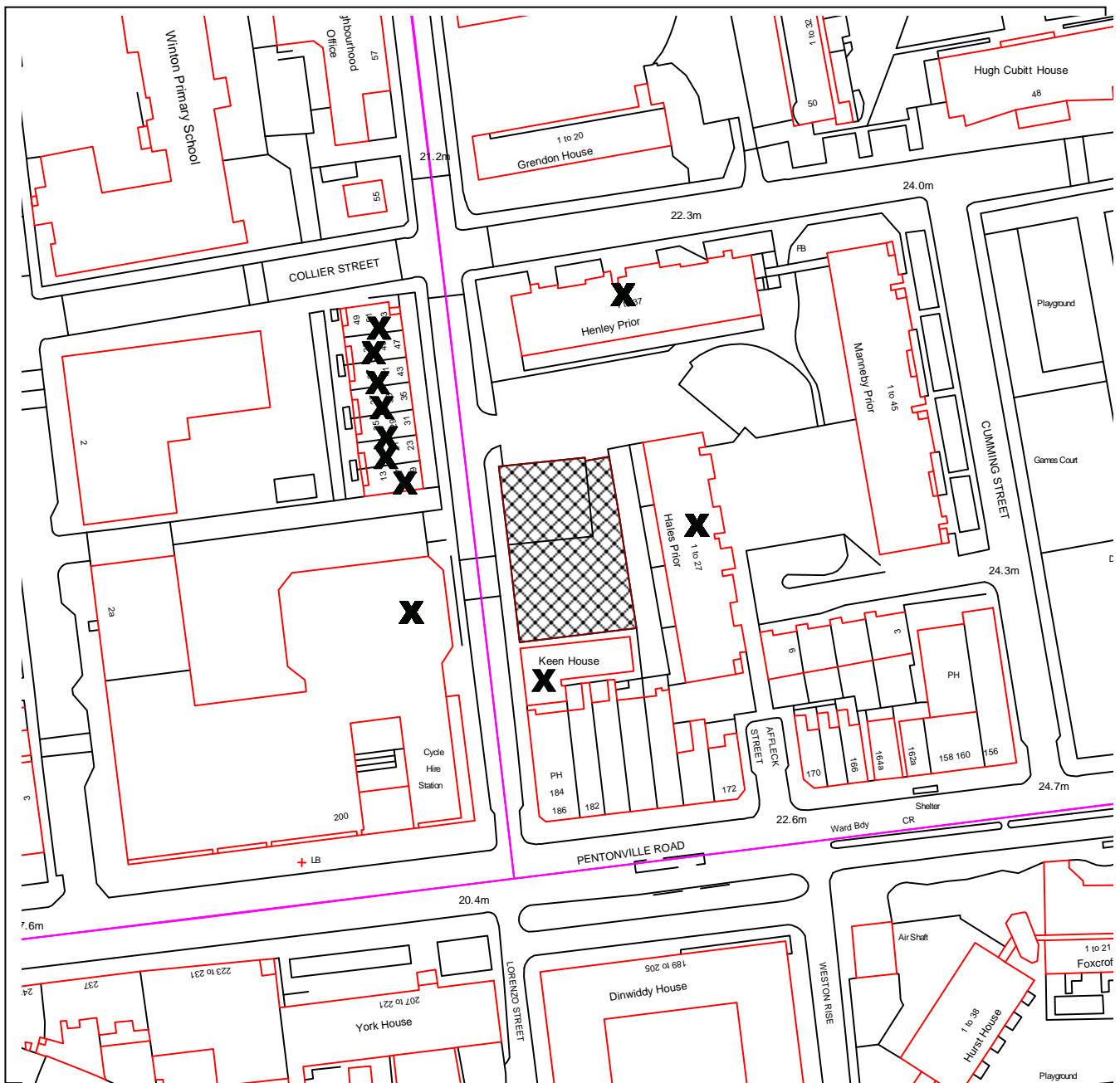
#### **Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:





# ISLINGTON



## DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/2842/FUL

LOCATION: 10-22 CALSHOT STREET, LONDON, N1 9DA

SCALE: 1:1250

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Islington Council, LA086452

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## PLANNING COMMITTEE REPORT

<b>PLANNING SUB-COMMITTEE B</b>		
Date:	6 <sup>th</sup> November 2014	NON-EXEMPT

Application number	P2014/1541/FUL
Application type	Full Planning Application
Ward	Barnsbury Ward
Listed building	Not listed
Conservation area	Barnsbury Conservation Area
Development Plan Context	- Barnsbury Conservation Area
Site Address	Upper Flat, 183 Offord Road, N1 1LR
Proposal	Erection of half width second floor rear extension, creation of third floor roof terrace and insertion of door to access the proposed terrace.

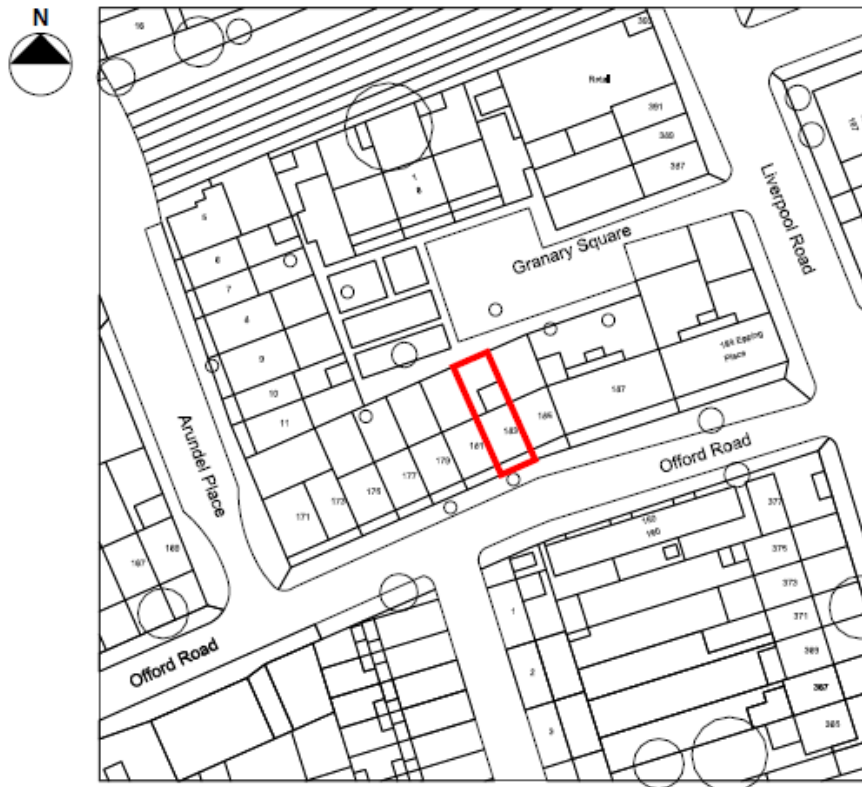
Case Officer	Joe Aggar
Applicant	Nick and Flo Hanson
Agent	Anthony Staples

### 1. RECOMMENDATION

The Committee is asked to resolve to REFUSE planning permission:

1. the reasons are set out in Appendix 1;

**2. SITE PLAN (site outlined in black)**



**3. PHOTOS OF SITE/STREET**

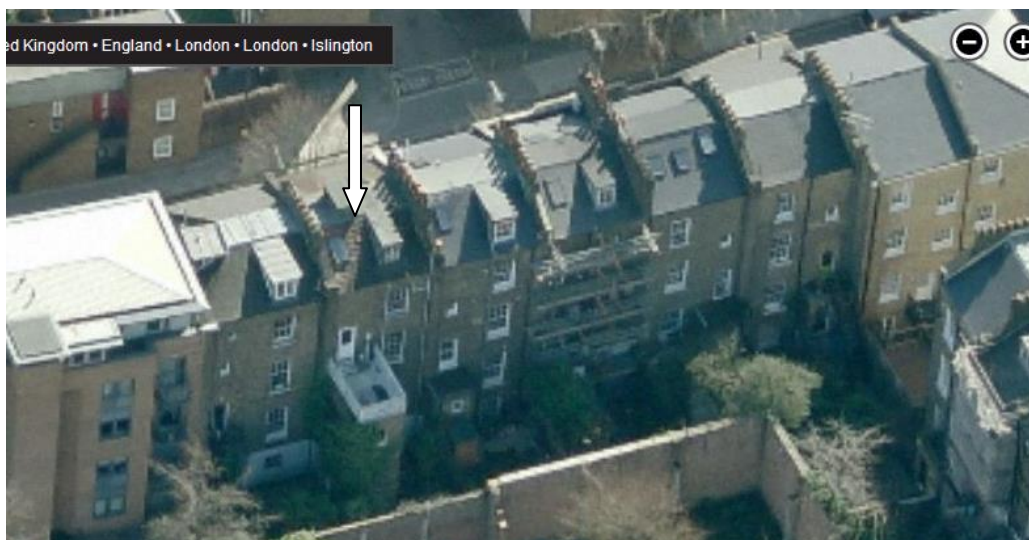


Image 1: Aerial photo of site





Image 2: Existing rear elevation



Image 3: View of existing rear elevation and relationship with No 183 Offord Road

#### **4. SUMMARY**

- 4.1 Planning permission is sought for the erection of a half width second floor rear extension with terrace above and new access door to the terrace at rear third floor level to serve the upper floor flat.
- 4.2 The proposed extension would detract from the character and appearance of the application property by virtue of its scale, massing and lack of subservience to the host property and would detrimentally impact upon neighbour amenity by virtue of loss of outlook and increased sense of enclosure.
- 4.3 The application is therefore recommended for refusal.
- 4.4 The application has been referred to the planning sub-committee by Councillor Murray.

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

- 5.1 The site is located on the northern side of Offord Road and consists of a mid-terraced property subdivided into two flats. The property is three storeys, with semi basement and pitched roof.
- 5.2 The properties surrounding the site on Offord Road comprise of a mix of modern residential developments and traditional three storey Victorian terraces with double bay windows. The immediate area is predominantly residential in character.
- 5.3 The site is located within the Barnsbury Conservation Area. The building is not statutorily or locally listed.

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

- 6.1 The proposal consists of the erection of a half width extension at second floor level with terrace above at third floor level and new access door to terrace to serve the upper floor flat.

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

##### **PLANNING APPLICATIONS**

- 7.1 P2013/1474/FUL - Removing brickwork facade and replacing to match: second storey as detailed. Replace second storey windows new to match existing. Replace roof new to match existing. Approved (25/07/2013)

##### **PRE APPLICATION ADVICE**

- 7.2 None

##### **ENFORCEMENT:**

7.3 No history

## **8. CONSULTATION**

### **Public Consultation**

8.1 Letters were sent to occupants of adjoining and nearby properties. The first public consultation of the application therefore expired on 29 May 2014. A second round of consultation ended on the 23/10/2014 to overcome omissions in the description of development. However it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report four objections had been received from the public with regard to the application. The responses can be summarised as follows (with the paragraph that provides response to each issues indicated within brackets).

- Concern over design and orientation of window (10.6)
- Reduced daylight to windows and garden (10.9-10.14)
- Loss of privacy (10.9-10.14)
- Inappropriate size, form and materials of extension (10.2-10.8)

8.3 One letter of support has been received from the public. The responses can be summarised as:

- Proposal will create larger family homes
- Proposal of a suitable design

### **Internal Consultees**

8.4 The Design and Conservation Officer objected to the application for the following reasons:

- Disrupts rhythm of the terrace
- Inappropriate in terms of bulk and massing
- Uncharacteristic of the terrace
- Views from Liverpool Road and therefore harmful

## **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.

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

- 9.4 The 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:

- Character and appearance of the area
- Neighbouring amenity

### **Character and Appearance of the Area**

- 10.2 Policy CS9 of Islington's Core Strategy (CS) 2011 and Policies DM2.1 and DM2.3 of Islington's Development Management Policies, 2013, accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance the significance of heritage assets, which include Conservation Areas, through development which makes a positive contribution to local character and distinctiveness. Taken together, they seek to ensure that heritage assets are conserved and enhanced through development which, amongst other things, respects and responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development. In particular the Islington Urban Design Guide, 2006, emphasises the importance of rhythm and uniformity of rear extensions. Islington's Conservation Area Design Guidelines (CADG), 2002, sets out specific guidance rear extensions within the Barnsbury Conservation Area.
- 10.3 The 2006 Islington Urban Design Guide Supplementary Planning Document (the IUDG) identifies scope for upper floor extensions. It encourages high quality contemporary extensions but cautions that whilst rear elevations generally have less formality than ordered front elevations, thereby resulting in some freedom to extend, proposals should avoid disrupting the rhythm of existing rear elevations.
- 10.4 The property lies within the Barnsbury Conservation Area. Overall, the area has a rare quality of consistency and completeness which requires careful and sensitive policies to protect and enhance it. In considering applications for extensions and refurbishment, the Council will normally require the use of traditional materials. It is important that new buildings, extensions and refurbishments of existing buildings, blend in with, and reinforce, this character. The IUDG states, to the upper floors, the materials, detailing and form of the extension should normally be sympathetic to the terrace.
- 10.5 At the subject property a two storey extension already exists. The other properties within the terrace maintain a 'flat back' or smaller, partial width extensions. The CADG states full width rear extensions higher than one storey or half width rear extensions higher than two storeys are acceptable, in order to preserve the scale and integrity of the existing buildings. The property would extend to effectively 3

storeys in height with additional height in the overall extension to accommodate a balustrade to the terrace behind. In elevation, the proposal appears slightly cantilevered and the proposal would appear unduly out of scale, asymmetrical and incongruous in the context of the design unity of the buildings. The rear elevations of these properties are visible from public viewpoints from Liverpool Road and Granary Square, exacerbating the visual harm.

- 10.6 The proposed extension would have a contemporary design emphasis and would be visually distinct from the host dwelling and existing extension. The proposed materials of the rear extension are not considered to be sympathetic to building. To the rear, the extension will feature zinc cladding. This would strike a discordant feature within this section of the terrace bearing no relationship to its local context. Moreover the proposed glazing pattern would adopt unusual angled window that protrudes from the rear face of the building. This is considered to be an incongruous feature and not reflect the fenestration pattern of window composition to the rear elevation.
- 10.7 Overall, the proposed setting, the design, scale, height, appearance overall visual impact of the development would be alien and intrusive to its surroundings and would significantly harm the character and appearance of the host building and its setting within the wider terrace and conservation area.
- 10.8 Support has been registered for the scheme in that it would provide extra living space. Although the scheme would lead to less than substantial harm to the significance of the Conservation Area this harm is not outweighed by the any other benefits. It is therefore concluded that the proposed development would fail to either preserve or enhance the character and appearance of the Barnsbury Conservation Area.

### **Neighbour Amenity**

- 10.9 The proposed roof terrace would be sited adjacent to the boundary with No. 185 Offord Road. The adjacent window at first floor level serves a kitchen. The window at second floor level serves a bedroom. Kitchens and bedrooms are habitable rooms and should be afforded protection.
- 10.10 Due to proximity of the proposed terrace to no. 185 Offord Road and its habitable rooms, its use would be likely to give rise to a significant loss of privacy and amenity for the occupants. Whilst any addition to the height of the balustrade to improve privacy would only make it more prominent and increase its detrimental impact on the appearance of the rear of the terrace of houses.
- 10.11 The standard method for calculating loss of light to properties is contained within the BRE Guidance 'Site Layout Planning for Daylight and Sunlight' (BRE Guidelines). The BRE Guidelines suggest a 45 degree approach to measuring whether there might be a real and noticeable loss of daylight to neighbouring properties.
- 10.12 As the proposed extension to no. 183 is at a right-angle to the potentially affected window (first floor level and to a lesser degree rear second floor window), the 'first test' in such circumstances would be the '45 degree rule' test. In short, a 45 degree angle line is drawn out from the centre point of the window on the elevation and also on the floorplan. The BRE Guidelines state that if a proposed neighbouring extension obstructs both of these 45 degree lines (i.e in height and depth) then the

extension may cause noticeable loss of light. If it obstructs one of these lines but not both then sufficient light should be maintained.

- 10.13 In terms of the proposed extension to no.183 and the impact on no. 185 first floor window, the proposal would fail the 45 degree rule on the plan (its depth) and elevation (height). The second floor window of no.185 would pass in elevation and fail on plan. Therefore, in accordance with the BRE Guidelines, the proposed extension is not expected to maintain sufficient daylight to the habitable room of the existing neighbouring property at 185 Offord Road. Therefore there is concern over loss of light to the first floor habitable room at 185 Offord Road, however due to the orientation of the site and lack of detail submitted with the application, there is not sufficient factual evidence to warrant refusal on this basis.
- 10.14 At 4.5m in height and 4m deep the proposal is considered an increased perceived sense of an unneighbourly addition resulting in the loss of outlook and enclosure to both rear windows resulting from its excessive depth and height, noticeably to the first floor window at 185 Offord Road.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 For the reasons outlined above the proposal conflicts with the principles laid out in section 2.5 of the IUDG, Policies CS8 and CS9 of Islington's Core Strategy 2011 and DM2.1 of the June 2013 Islington Development Management Policies. Amongst other things these emphasise the need to respect the character of the area and encourage high quality contemporary design. The proposal conflicts with the design expectations of Policy 7.4 of the 2011 London Plan and the National Planning Policy Framework which requires development to respond to local character.
- 11.2 The proposed rear extension and roof terrace would result in an unacceptable loss of neighbouring amenity in terms of loss of privacy, overlooking, outlook and perceived increased sense of enclosure.
- 11.3 As such, the proposed development is not considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

### **Conclusion**

- 11.4 It is recommended that planning permission be refused.

## **APPENDIX 1 – REASONS FOR REFUSAL**

**REASON:** The proposed rear extension by virtue of its excessive design, scale, height, depth and overall appearance fails to maintain an acceptable sense of subservience to the host building and causes harm to the character and appearance of the rear of the host building, wider terrace and Barnsbury Conservation Area. The proposal would fail to respect the rhythm and unity towards the rear elevations of the host terrace, creating a visually dominant and discordant development visible from both the public and private realm. The proposal is therefore contrary to policy 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2012), policy 7.8 (Sustaining and enhancing the significance of heritage assets) of the London Plan (2011), policy CS9 (Protecting and enhancing Islington's built and historic environment) of Islington's Core Strategy 2011, policy DM2.1 (Design) and policy DM2.3 (Heritage) of Islington's Development Management Policies (2013) and guidance contained within the Barnsbury Conservation Area Design Guidelines (2014) and the Islington Urban Design Guide (2006).

**REASON:** The proposed second floor rear extension and associated terrace represents an un-neighbourly development which results in unacceptable harm to the amenities of neighbouring residential occupiers at no. 185 Offord Road due to a loss of privacy, overlooking, loss of outlook and perceived increased sense of enclosure contrary to policy DM2.1 of the Development Management Policies 2013.

## **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**

##### 3 London's people:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments

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

- 7.2 An inclusive environment
- 7.4 Local character
- 7.6 Architecture

#### **B) Islington Core Strategy 2011**

##### Spatial Strategy

**CS8** (Enhancing Islington's Character)

##### Strategic Policies

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

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

- DM2.1** Design
- DM2.2** Inclusive Design

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



The following SPGs and/or SPDs are relevant:

**Islington**

- Islington's Urban Design Guide 2006
- Inclusive Design
- Barnsbury CADG

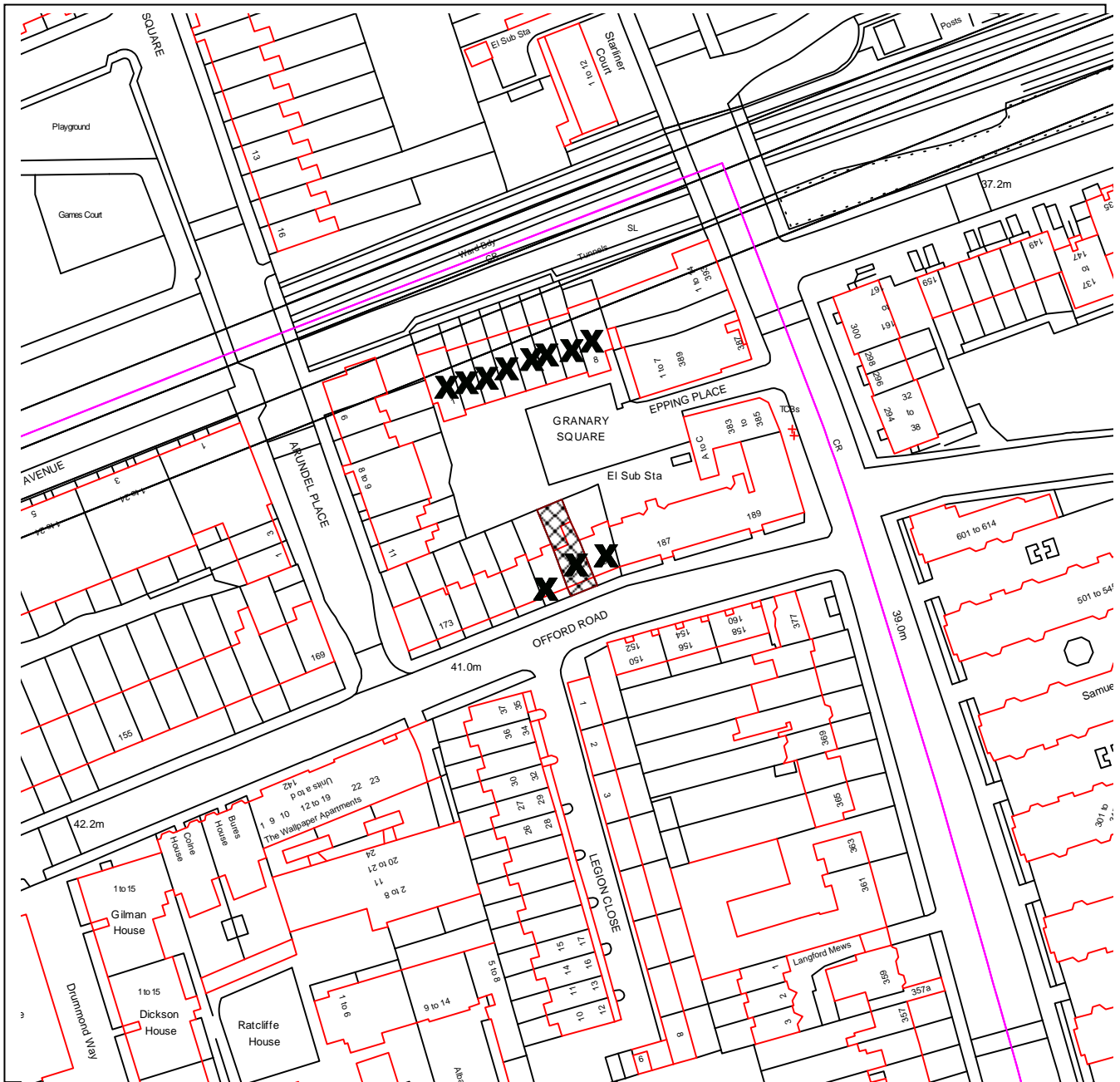
**London Plan**

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

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# ISLINGTON



## DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/1541/FUL

LOCATION: 183 OFFORD ROAD, LONDON N1 1LR

SCALE: 1:1250

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# Agenda Item 3

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

<b>PLANNING SUB-COMMITTEE B</b>		
Date:	6 <sup>th</sup> November 2014	NON-EXEMPT

Application numbers	P2014/1208/FUL & P2014/1276/LBC
Application types	Full Planning & Listed Building Consent
Ward	Mildmay Ward
Listed building	Grade II
Conservation area	Canonbury
Development Plan Context	None
Licensing Implications	None
Site Address	8 St. Paul's Road, London N1 2QN
Proposals	<p>P2014/1208/FUL - Erection of a part three storey, part single storey rear extension. Alterations to the rear façade, creation of new steps to rear garden and associated landscaping.</p> <p>P2014/1276/LBC - Application for Listed Building Consent for demolition of existing rear projection and garden shed and the erection of a part three storey, part single storey rear extension. Alterations to the rear façade, creation of new steps to rear garden, associated landscaping and internal alterations.</p>

Case Officer	Thomas Broomhall
Applicant	Mrs Katrina Scior
Agent	Ms Helene Gullaksen

## 1 RECOMMENDATION

The Committee is asked to resolve to **REFUSE** planning permission and listed building consent for the reasons set out in Appendix 1 – Recommendations.

## **2 SUMMARY**

- 2.1 The application for Full Planning Permission and an associated application for Listed Building Consent were previously considered at the Planning Sub Committee B Meeting on 18 September 2014. It was resolved by the Chair of the Committee Meeting that the item be deferred for revisions to the proposed scheme to lessen the visual impact.
- 2.2 A revised scheme was then submitted on 8 October 2014. The revised scheme proposes the erection of a part three storey, part single storey rear extension and alterations to the rear façade, creation of new steps to the rear garden and associated landscaping.
- 2.3 Within the revised scheme the height of the proposed three storey extension has been lowered by 550mm from the height of the originally submitted scheme. As part of this reduction in height the parapet wall of the three storey rear extension has been replaced with a shallow sloping roof with a rainwater gutter at the edge of the roof. The neighbouring properties were re-consulted on the revised plans for a period of 7 days due to the reduction in the size of the extension. At the time of writing this report no responses had been received. Should there be any responses received, Council members will be updated at the committee meeting.
- 2.4 A revised drawing was submitted with the revised scheme which includes the illustration of the entirety of the existing extension at no. 10.
- 2.5 As part of the submission for the revised scheme, the applicant has made reference to an existing three storey rear extension at no. 16 St Paul's Road. The presence of this extension was acknowledged and considered within the Committee Report for the original submission. This extension is within the adjacent terrace of six houses at no's 14-24 St Paul's Road, which are a storey higher than the terrace in question. There is no record of consent for this addition which is likely to be historic. As these properties are a storey higher than the application site, they should not be used as a context to inform a three storey extension to no. 8.
- 2.6 The Council's Design and Conservation Officer has been consulted on the revised scheme and maintains their objection.
- 2.7 The reduction in height presented in the revised scheme has no significant effect on the impact of the proposed three storey extension. The proposed extension is disproportionately high in relation to the listed building and is uncharacteristic of the listed terrace. As such the height of the extension has a detrimental impact on the rear elevation of the listed building and rear building line of the listed terrace, due to the loss of historic fabric and unsympathetic design which would adversely affect the character and special architectural and historic interest of the listed building.
- 2.8 The revised scheme has not overcome the objections raised by the Design and Conservation Officer over the height of the extension and the detrimental impact on the rear elevation of the listed house and the wider listed terrace and as such their objections to the scheme remain.
- 2.9 The revised applications for Full Planning Permission and Listed Building Consent are still considered unacceptable and therefore are recommended for refusal.

### **3 Conclusion**

- 3.1 It is recommended that Full Planning Permission and Listed Building Consent be refused for the reasons set out in Appendix 1 to the original report – Recommendations.



## APPENDIX 2: 18<sup>th</sup> September 2014 Committee Report

Planning Service  
 Public Protection Division  
 Environment and Regeneration  
 Department  
 PO Box 3333  
 222 Upper Street  
 London  
 N1 1YA

<b>PLANNING SUB-COMMITTEE B</b>		<b>AGENDA ITEM NO:</b>	
<b>Date:</b>	18 <sup>th</sup> September 2014	<b>NON-EXEMPT</b>	

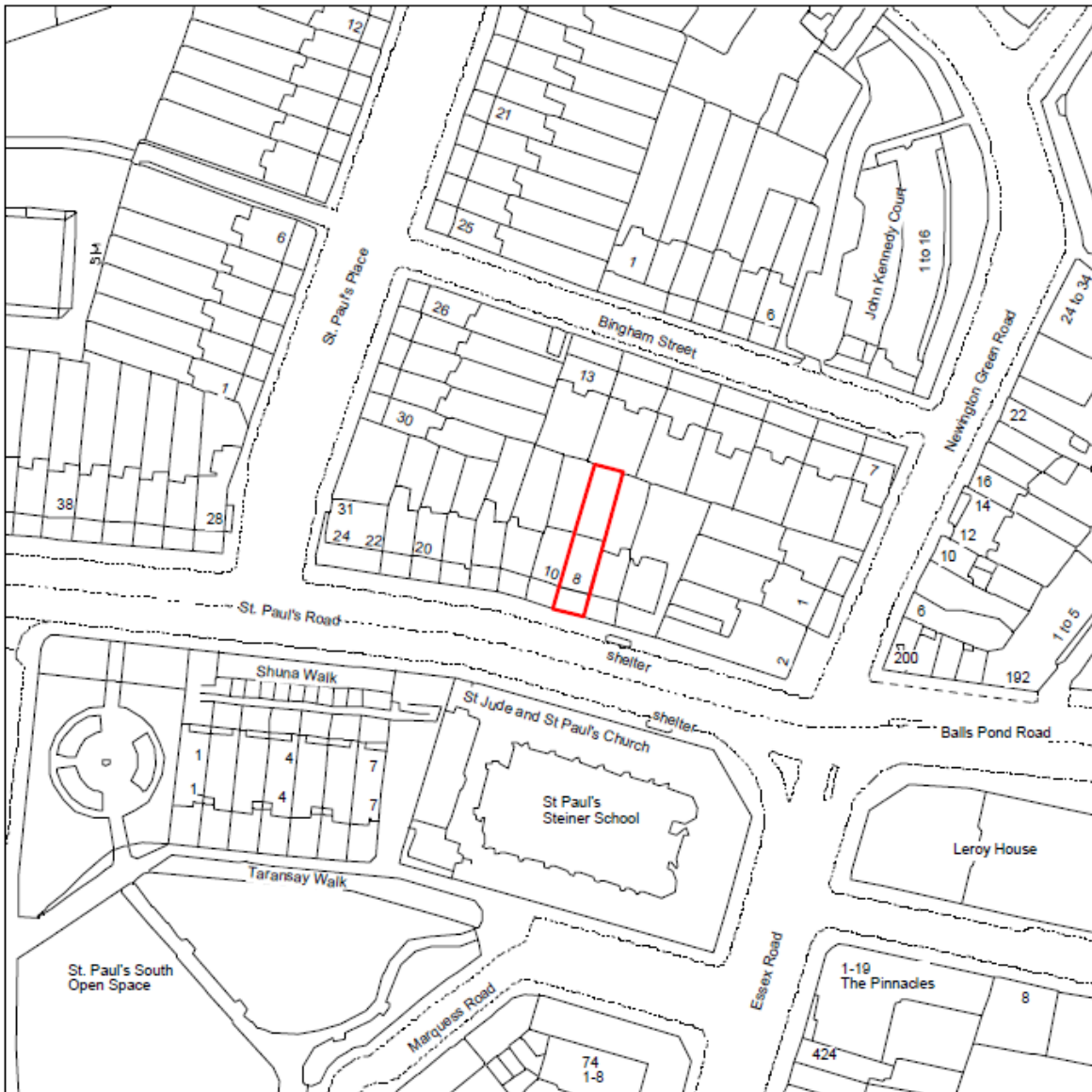
<b>APPLICATION NUMBERS</b>	P2014/1208/FUL & P2014/1276/LBC
<b>APPLICATION TYPES</b>	Full Planning & Listed Building Consent
<b>SITE ADDRESS:</b>	8 St. Paul's Road, London N1 2QN
<b>PROPOSALS</b>	<p>P2014/1208/FUL - Erection of a part three storey, part single storey rear extension. Alterations to the rear façade, creation of new steps to rear garden and associated landscaping.</p> <p>P2014/1276/LBC - Application for Listed Building Consent for demolition of existing rear projection and garden shed and the erection of a part three storey, part single storey rear extension. Alterations to the rear façade, creation of new steps to rear garden, associated landscaping and internal alterations.</p>

### 1 RECOMMENDATION

The Committee is asked to resolve to **REFUSE** planning permission and listed building consent for the reasons set out in Appendix 1 – Recommendations.



2. SITE PLAN (site outlined in black)



**3. PHOTOS OF SITE/STREET**



**Image 1 - Aerial view of the site and surroundings**



**Image 2 - View of rear elevation of the site**



**Image 3 – View of rear elevation of the adjoining property at no. 10 St Paul's Road**



**Image 4 – View of rear elevation of the adjoining property at no. 6 St Paul's Road**

## **4 SUMMARY**

- 4.1 The application is for Full Planning Permission and an associated application for Listed Building Consent and the report addresses both applications.
- 4.2 The application for Full Planning Permission (ref: P2014/1208/FUL) proposes the erection of a part three storey, part single storey rear extension and alterations to the rear façade, creation of new steps to the rear garden and associated landscaping.
- 4.3 The application for Listed Building Consent (ref: P2014/1276/LBC) proposes the demolition of the existing rear projection and garden shed and the erection of a part three storey, part single storey rear extension. The Listed Building Consent application also proposes alterations to the rear façade, creation of new steps to rear garden, associated landscaping and internal alterations.
- 4.4 The issues arising from the application for Full Planning Permission are the impact on the setting of the listed building, the impact on the character and appearance of the listed terrace and surrounding Canonbury Conservation Area; and the impact on the neighbouring amenity of the adjoining and adjacent residential properties.
- 4.5 The issues arising from the application for Listed Building Consent are the impact on the historic fabric and setting of the listed building and the impact on the character and appearance of the listed terrace.
- 4.6 The proposed works to build a three storey closet wing style rear extension by virtue of their detrimental impact on the rear elevation and rear building line of the listed terrace, loss of historic fabric and unsympathetic design would adversely affect the character and special architectural and historic interest of the listed building.
- 4.7 The impact on neighbouring amenity of the adjoining and surrounding properties is considered to be acceptable.
- 4.8 Issues were raised in respect of the concerns over the height of the proposal. The applicant was given the opportunity to amend the scheme to reduce the 3 storey extension to 2 storeys to overcome these concerns, prior to determination of both applications. The application was subsequently called in by Councillor Kay and Councillor Parker to be determined by the Council's Planning Committee. No revisions have been received to date.
- 4.9 The applications for Full Planning Permission and Listed Building Consent are unacceptable and therefore recommended for refusal.

## **5 SITE AND SURROUNDING**

- 5.1 The property is a three storey over basement mid-terrace Grade II Listed property in a row of 4 similar Grade II Listed properties adjoining a further 5 Grade II Listed terraced properties. The property is within the Canonbury Conservation Area. The site fronts the north side of St Paul's Road. The surrounding area is predominantly residential.

## 6 PROPOSAL (in Detail)

- 6.1 The proposal is for the demolition of the existing rear projection and garden shed and the erection of a full width part three storey, part single storey rear extension. The proposed three storey extension comprises London Stock Brick and 3 no. timber sash windows with brick arches. The proposed single storey extension is fully glazed and adjoins the boundary/party wall of a matching extension at no.10. The application also proposes alterations to the rear façade, steps to rear garden, associated landscaping and internal alterations.

## 7 RELEVANT HISTORY:

### PLANNING APPLICATIONS

- 7.1 The application follows a previous application for full planning permission and associated listed building consent on the application site which was refused:
- 7.2 **P090384 (Full Planning Application) and P090423 (Application for Listed Building Consent)** – Erection of a single Storey conservatory to the rear. Refused on 05/05/2009 at 8 St Paul's Road.

Both applications were refused for the following reason:

*REASON: The proposed extension by virtue of its design would have a detrimental impact on the special interest and character and appearance of the building, the integrity of the terrace and the character and appearance of the conservation area contrary to policies D11, D22 and D28 of the Islington Unitary Development Plan (2002).*

- 7.3 The applications were refused for 1 reason relating to:

- Impact upon the setting of the listed building, listed terrace and surrounding Canonbury conservation area

- 7.4 Planning application P090384 and application for listed building consent P090423 were appealed and dismissed (February 2010). Reference of appeal and inspectors conclusion.

- 7.5 **P110115 (Full Planning Application) and P110116 (Application for Listed Building Consent)** - Erection of a single storey lower ground floor rear extension and first floor half width rear addition, new rear windows and internal alterations at 10 St Paul's Road. Approved with conditions on 11/03/2011.

CONDITION: All new facing brickwork shall match the existing brickwork adjacent in respect of colour, texture, face bond and pointing, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent. The pointing shall be carried out using a lime mortar with a ratio of 1:2:9 (cement:lime:sand) and shall be flush/slightly recessed.

REASON: In order to safeguard the architectural integrity of the host Grade 2 Listed building in accordance with UDP policies D4, D11, D24 and policy 9 of Islington's Core Strategy 2011

## **ENFORCEMENT:**

7.6 None

## **PRE-APPLICATION ADVICE:**

- 7.7 The application follows desktop pre-application advice (Ref: Q2013/5133/LBC) provided in March 2014 in relation to a proposed three storey rear extension, single storey glazed rear extension and internal alterations at 8 St Paul's Road. The advice indicated that the Council's policies resist upper floor rear extensions beyond two storeys to avoid an extension that inappropriately dominates the main building. However it acknowledged that a similar scheme for a three storey half width rear extension and single storey half width glazed extension was approved at the adjoining property at no. 10 St Paul's Road in March 2011.
- 7.8 Regrettably, without a site visit to view the existing situation on site, the advice stated that the proposed three-storey extension is likely to be acceptable. This was based on the context of the approval on the adjoining property which was seen as an exceptional case to the current policies. The advice did make clear that the acceptability of a three storey rear extension would need to be confirmed by an assessment of the existing situation on site following a site visit.

## **8 CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 8 adjoining and nearby properties at St Paul's Road and Bingham Street on 2 May 2014. A site notice was displayed on 1 May 2014. A Press Notice was displayed on 1 May 2014. The initial round of public consultation of the application therefore expired on 23 May 2014.
- 8.2 At the time of the writing of this report 1 objection had been received from the public 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):
- Use of matching brickwork. (See paragraph 10.16)
  - External lighting on rear elevation (See paragraph 10.22)
  - Reasonable working hours (See paragraph 10.24)

### **External Consultees**

- 8.3 English Heritage – No objections
- 8.4 London & Middlesex Archaeological Society – Objects

### **Internal Consultees**

#### **Design and Conservation**

- 8.5 The Design and Conservation Officer raised an objection to the proposed works to build a three storey closet wing style rear extension by virtue of their detrimental impact on the rear elevation of the listed building and rear building line of the listed

terrace, loss of historic fabric and unsympathetic design which would adversely affect the character and special architectural and historic interest of the listed building.

## **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, 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 1 to this report.

### **Designations**

- 9.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013.

Canonbury Conservation Area

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

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

## **10 ASSESSMENT**

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

- The impact on the historic fabric of the building both internally and externally.
- The impact on the setting of the listed building;
- The impact on the character and appearance of the listed terrace and surrounding conservation area;
- The impact on the neighbouring amenity of the adjoining and surrounding residential properties; and
- Other matters

### **Assessment of architectural and historic significance**

- 10.2 No. 8 St Paul's Road is part of a Grade II listed terrace within the Canonbury Conservation Area. The house was built in c.1845 of yellow stock brick set in Flemish bond, with stucco detailing and a roof obscured by parapet. The house comprises three storeys over a basement.

## **External Alterations**

### **Impact on the historic fabric of the building/Setting of the Listed Building**

- 10.3 A three storey rear extension erected on the adjoining property at no. 10 St Paul's Road is noted and that extension was approved in 2011.
- 10.4 Subsequent to this decision being made, the National Planning Policy Framework (2012), Planning Practice Guidance (2014) and Islington's Development Management Policies (2013) have all been adopted. The new policy, although, similar in terms of its principles, gives further weight to the assessment of the significance of heritage assets and gives greater guidance on what may contribute to a listed building's significance and on what alterations may cause unacceptable harm.
- 10.5 The approved three-storey rear extension dominates the rear elevation of the listed building due to its disproportionate height and is uncharacteristic of the listed terrace. The extension demonstrates the harm that can be caused to the historic fabric and setting of the listed building by an inappropriate extension. It is considered therefore, that this extension cannot be used as a precedent with which to consider the proposed three storey rear extension as an exception to the current policy guidance. Consequently, a reappraisal of the significance of the listed building was required and a new assessment of the impact of the proposed extension.
- 10.6 Part A of policy DM2.3 requires the borough's heritage assets to be conserved and enhanced in a manner appropriate to their significance.
- 10.7 Part C (ii) of policy DM2.3 states that the significance of a listed building can be harmed by inappropriate repair, alteration or extension. Proposals to repair, alter or extend a listed building must be justified and appropriate. Proposals to repair alter or extend a listed building which harm its significance will not be permitted unless there is a clear and convincing justification. Substantial harm to or loss of a listed building will be strongly resisted.
- 10.8 The removal of the existing non-original rear extension and garden shed and the proposed single storey glazed extension are acceptable.
- 10.9 However the proposed three storey closet wing style extension is disproportionately high in relation to the historic fabric and setting of the listed building and is uncharacteristic of the listed terrace. The application has failed to provide justification for the harm to the significance of the listed building and as such fails to accord with policy DM2.3 and the current policy guidelines and is unacceptable.
- 10.10 The unfortunate existence of a similar extension at no. 10 only serves to enforce the reality of the harm that such a disproportionately high extension would have on the architectural integrity, character and appearance of the listed building. Furthermore, approving a further 3 storey extension may serve to weaken our ability to resist future similar extensions along the rear of this listed terrace and thus undermine the heritage asset of this terrace.



## **Impact on the Character and Appearance of the Listed Terrace and Surrounding Conservation Area**

- 10.11 Paragraph 8.21 of the Canonbury Conservation Area Design Guidelines states that 'half width rear extensions higher than two-storeys, will not normally be permitted, unless it can be shown that no harm will be caused to the character of the area'.
- 10.12 Part B (i) of DM2.3 requires alterations to existing buildings in conservation areas conserve or enhance their significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification.
- 10.13 Within the terrace of 4 properties currently only no. 10 has a three storey rear extension. The remaining three properties have part width two storey rear projections of modest height and depth at ground floor and basement level. The approved three storey rear extension at no.10 is therefore not characteristic of the rear of the immediate terrace of listed properties which form the context for the application.
- 10.14 There is an adjacent terrace of six houses at no's 14-24 St Paul's Road, which are a storey higher than the terrace in question and there are two closet wings of 3 or 4 storeys. However there is no record of consent for these additions which are likely to be historic. As these houses are a storey higher than the application site, they should not be used as a context to inform a three storey extension to no. 8.
- 10.15 The proposed three storey extension would cause unacceptable harm to the character and significance of the Grade II listed building and character of the Canonbury Conservation Area. The proposed extension therefore fails to accord with policy DM2.3 and the Canonbury Conservation Area Design Guidelines.
- 10.16 A comment was received from a neighbouring property regarding a perceived unwelcome visual impact of the yellow bricked three storey extension erected at no. 10. Condition 4 attached to Listed Building Consent P110116 at 10 St Paul's Road, requires all new facing brickwork to match the existing brickwork adjacent in respect of colour, texture, face bond and pointing. The extension which has been built appears to have failed to comply with the requirements of this condition which has exacerbated the harm caused to the listed building and listed terrace. An Enforcement Case was opened in June 2014 in relation to the breach of this condition.

### **Internal Alterations**

#### **Impact on the historic fabric of the building**

- 10.17 The proposal seeks to widen the existing opening at lower ground floor level in the original rear wall beyond the current double door opening in order to provide access into the proposed single storey glazed extension. This is considered to be an unacceptable loss of original fabric.
- 10.18 The proposed opening to provide access to the extension from the stair landing between ground and first floors will use the existing window opening in part, but will also widen the opening to create a door and a window. This is also considered to be an unacceptable loss of original fabric.

10.19 The internal proposals to level the floor levels and lower ground (front and rear rooms) and ground floor levels (towards the rear/closet wing) are acceptable. The ceiling may be replaced to what was originally the rear room at lower ground floor which would be welcomed.

### **Neighbouring Amenity**

10.20 An assessment was made of the impact of the proposed rear extension on the neighbouring amenity of the adjoining properties. Consideration was given to the impact on the habitable windows on the rear elevation of the adjoining properties at no's 6 and 10 St Paul's Road. This involved an assessment of the depth of the extension and the impact on levels of daylight/sunlight, the impact on overshadowing and outlook of the windows of the habitable rooms.

10.21 There is not considered to be a detrimental sense of enclosure on the rear elevation at no's 6 and 10 due to the modest increase in depth of the three storey extension. The proposed rear extension and alterations to the rear façade is not considered to cause unacceptable harm to the amenities of the neighbouring occupiers in terms of loss of outlook, loss of daylight, creation of undue sense of enclosure or increase in overlooking.

10.22 Comments were received regarding external lighting installed on the rear elevation of no.10 requesting a condition to prevent external lighting on the rear elevation of no. 8 although none was proposed on this application. Whilst the installation of external lighting is likely to require Listed Building Consent, as no external lighting is proposed as part of the current application it would be unreasonable to attach a condition to restrict these works.

### **National Planning Policy Framework**

10.23 The scheme fails to comply with the provisions of the NPPF as it is not considered to be sustainable development, and fails to comply with local policy, and is not in accordance with statutory and material considerations.

### **Other Matters**

10.24 Concerns were raised by a neighbour over potential disturbance during construction works from excessive working hours outside of the Council's prescribed hours of construction. However given the scale of the proposed development this is not a material planning consideration and would be more satisfactorily dealt with under separate legislation either under the Party Wall Act or by Building Regulations.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

The proposed works to build a three storey closet wing style rear extension are unacceptable by virtue of their detrimental impact on the rear elevation and rear building line of the listed terrace, loss of historic fabric and unsympathetic design adversely affect the character and special architectural and historic interest of the listed building.

## **Conclusion**

It is recommended that planning permission and listed building consent be refused for the reasons set out in Appendix 1 – Recommendations.

## **APPENDIX 1 – RECOMMENDATIONS**

### **RECOMMENDATION A - APPLICATION FOR FULL PLANNING PERMISSION - P2014/1208/FUL**

That planning permission be refused for the following reason:

REASON: The proposed works to build a three storey closet wing style rear extension by virtue of their detrimental impact on the rear elevation and rear building line of the listed terrace, loss of historic fabric and unsympathetic design would adversely affect the character and special architectural and historic interest of the listed building, listed terrace and surrounding Canonbury Conservation Area. The works would, therefore, cause harm to the significance of the heritage asset and are unacceptable, contrary to policy 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework 2012, policy 7.8 (Sustaining and enhancing the significance of heritage assets) of the London Plan 2011, policy CS9 (Protecting and enhancing Islington's built and historic environment) of Islington's Core Strategy 2011, policy DM2.1 (Design) and policy DM2.3 (Heritage) of Islington's Development Management Policies 2013 and guidance contained within the Canonbury Conservation Area Design Guidelines 2002, the Islington Urban Design Guide 2006 and London terraced Houses 1660-1860 1996.

### **RECOMMENDATION B - APPLICATION FOR LISTED BUILDING CONSENT - P2014/1276/LBC**

That Listed Building Consent be refused for the following reason:

REASON: The proposed works to build a three storey closet wing style rear extension by virtue of their detrimental impact on the rear elevation and rear building line of the listed terrace, loss of historic fabric and unsympathetic design would adversely affect the character and special architectural and historic interest of the listed building. The works would, therefore, cause harm to the significance of the heritage asset and are unacceptable, contrary to policy 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework 2012, policy 7.8 (Sustaining and enhancing the significance of heritage assets) of the London Plan 2011, policy CS9 (Protecting and enhancing Islington's built and historic environment) of Islington's Core Strategy 2011, policy DM2.1 (Design) and policy DM2.3 (Heritage) of Islington's Development Management Policies 2013, the Islington Urban Design Guide 2006 and London terraced Houses 1660-1860 1996.

## **APPENDIX 3: RELEVANT POLICIES**

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

### **1. National and Regional 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.

- NPPF - Policy 12 - Conserving and Enhancing the Historic Environment
- Planning Practice Guide (2014)
- Conservation Principles (English Heritage, 2008)
- London Terraced Houses 1660-1860 (1996)

### **2. 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**

7 London's living places and spaces  
Policy 7.4 Local character  
Policy 7.6 Architecture  
policy 7.8 Sustaining and enhancing the  
significance of heritage assets

#### **B) Islington Core Strategy 2011**

Policy CS8 (Enhancing Islington's  
Character)  
Policy CS9 (Protecting and Enhancing  
Islington's Built and Historic Environment)

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

DM2.1 (Design)  
DM2.3 (Heritage)

### **3. Designations**

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**  
Canonbury Conservation Area

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

The following SPGs and/or SPDs are relevant:

**Islington Local Plan**  
Canonbury Conservation Area Design  
Guide  
Urban Design Guide



# ISLINGTON



## DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/1208/FUL

LOCATION: 8 ST. PAUL'S ROAD, LONDON N1 2QN

SCALE: 1:1250

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Islington Council, LA086452

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## PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration Department  
 PO Box 3333  
 222 Upper Street  
 LONDON N1 1YA

<b>PLANNING SUB-COMMITTEE B</b>		
<b>Date:</b>	6 November 2014	<b>NON-EXEMPT</b>

Application number	P2014/2948/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	Not listed
Conservation area	Barnsbury conservation area
Development Plan Context	n/a
Licensing Implications	n/a
Site Address	Flat A, 71 Lofting Road, London, N1 1JA
Proposal	Erection of a single storey side and rear extension.

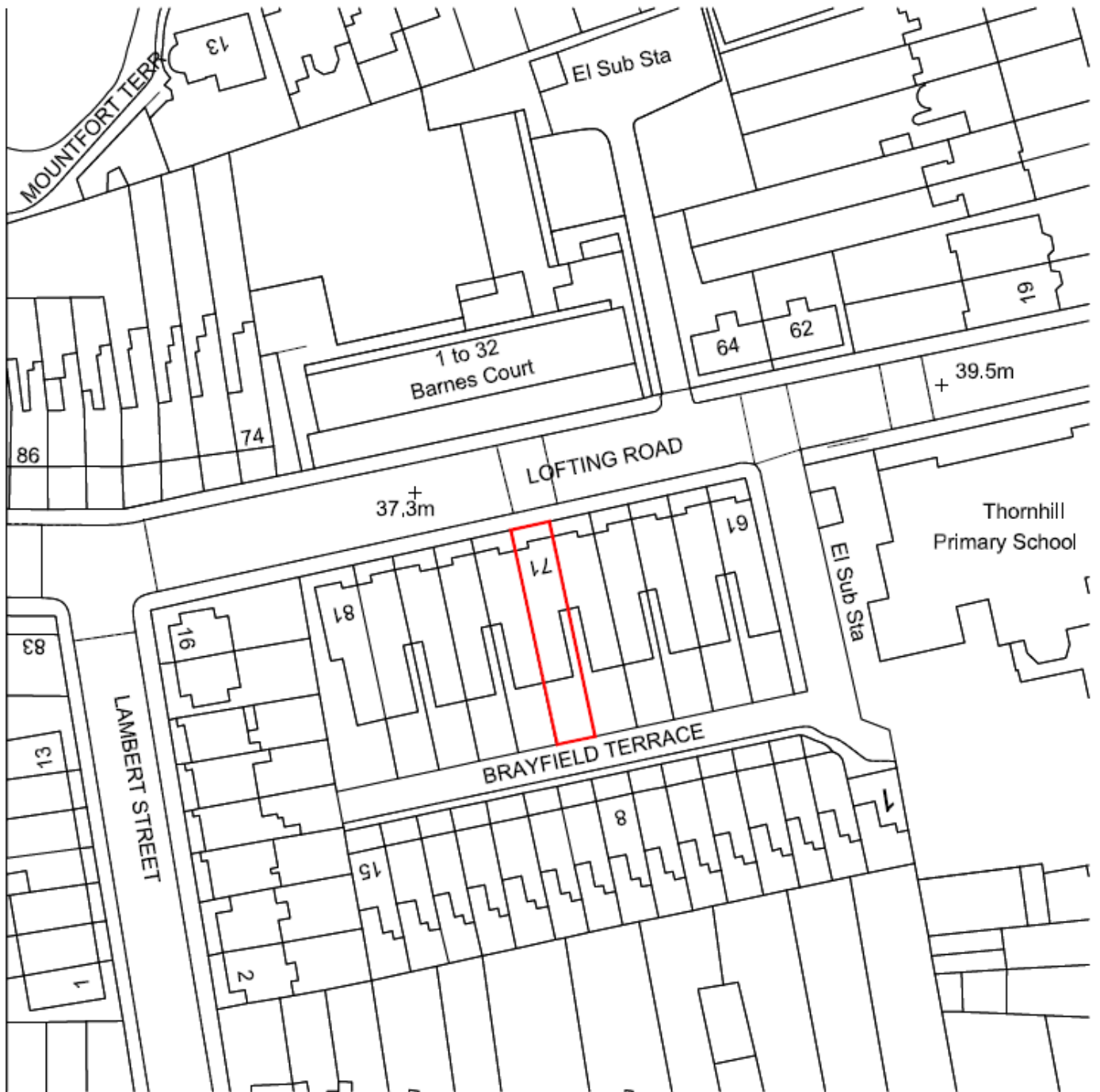
Case Officer	Henrik Dorbeck
Applicant	Mr Nick Tominlinson
Agent	Craft Architects Ltd

### 1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in black)



### 3. PHOTOS OF SITE/STREET



Photo 1: Views along Brayfield Terrace to the east.



Photo 2: View along Brayfield Terrace to the west.



Photo 3: Location of rear extension and existing staircase



Photo 4: Relationship with neighbour at 73 Lofting Road

#### **4. SUMMARY**

- 4.1 Planning permission is sought for the erection of a full width single storey rear extension and side / rear infill extension. There is an extant planning permission for this site, which was granted on 19/06/14 (ref: P2014/1282/FUL), for the erection of a side / rear infill extension to the narrow access between the boundary and the existing outrigger. This permission has not yet been implemented. The difference between this scheme and that already consented is the addition of a 2.0m rear extension from the rear elevation of the building.
- 4.2 A number of objections have been received from neighbouring property owners and /or occupiers. However, the proposed extension complies with established planning policy, the Conservation Area Design Guidelines and the Islington Urban Design Guide. Further the proposal is considered acceptable in relation to neighbour amenity and does not raise any other issues.
- 4.3 Overall, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

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

- 5.1 The subject site is located on the southern side of Lofting Road. The subject site is a mid terraced property bound by two dwellings on either side, and Lofting Road and Brayfield Terrace to the front and the rear.
- 5.2 The property is a Victorian mid terraced dwelling which is divided into three flats over three levels. The host building (and wider terrace) has a deep two storey rear outrigger / closet wing extension as original. The subject site has a generous garden and also includes a fire escape from rear elevation of the flats above which terminates in the garden below.
- 5.3 The surrounding area is entirely residential in character and appearance. It is noted that the building is not statutorily or locally listed although is located within the Barnsbury Conservation Area.

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

- 6.1 The proposal is to erect a single storey rear extension and to erect a single storey side / rear infill extension.

##### **Revision 1**

- 6.2 Amended plans were received to remove that part of the proposal which sought to relocate the access staircase to the rear elevation. This no longer forms part of the application and is considered no further in the context of this application.

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

- 7.1 The following sets out the planning history for the site:

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

7.2 P2014/1282/FUL – Erection of a single storey rear / side infill extension. Approve with conditions. 19/06/14.

## 8. CONSULTATION

### Public Consultation

8.1 Letters were sent to occupants of 14 adjoining and nearby properties at Brayfield Terrace and Lofting Road on 04/08/14. A site notice and press advert was displayed on 14/08/14. The public consultation of the application therefore expired on 04/09/14; however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report a total of six responses had been received from the public 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):

- Impact on admission sunlight and daylight (para 10.10-10.13);
- Sense of enclosure and reduction of views from windows (para 10.12);
- The existing garden area will be reduced (6.2 and 10.14);
- Existing rear elevation of Lofting Road forms a unaltered and consistent building line, alterations will have an impact on the character and appearance of the conservation area (para 10.4-10.9);
- Precedent set for extensions of similar ilk on neighbouring properties (para 10.4-10.9);
- Concern over use of flat roof as terrace (para 10.15);
- Additional noise from occupants which will impact on peaceful neighbourhood (para 10.16-10.17);
- Proposal to move the fire escape will have impacts on tenant of 73A and 73B (para 6.2 and 10.14);
- Issues selling properties in the future (para 10.17).

### External Consultees

8.3 None.

### Internal Consultees

8.4 Design and Conservation Officer – The proposed single storey rear extension is considered unacceptable. There is currently a very consistent rear building line to this terrace and this should remain, there should be no further projection into the garden beyond the existing rear building line. A light-weight, glazed infill extension which is set in slightly from the rear building line may be considered acceptable.

### Other Consultees

8.5 None

## 9. RELEVANT POLICIES

9.1 Details of 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, Finsbury Local Plan 2013 and Site Allocations 2013:

- Barnsbury Conservation Area (Article 4)

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

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

## **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

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

10.2 As noted previously, there is an extant permission (Ref: P2014/1282/FUL) for the erection of a side / rear infill extension to the narrow access between the boundary and the existing outrigger. This permission has not yet been implemented. The difference between this scheme and that already consented is the addition of a 2.0m (in depth) rear extension from the rear elevation of the building.

10.3 There have been no significant changes to planning policy since permission Ref: P2014/1282/FUL was granted which would require a fresh assessment of the side /rear infill and, although touched on briefly in this assessment, the report focuses on the rear extension element to the proposal.

### **Design, Conservation and Heritage Considerations (including Archaeology)**

10.4 It is noted that the dwelling is not statutory listed and is not locally listed. However the building does fall within the Barnsbury Conservation Area.

- 10.5 The Conservation Area Design Guidelines 2002 ('CADG') for the Barnsbury Conservation Area states that *"Full width rear extensions higher than one storey or half width rear extensions higher than two storeys, will not normally be permitted, unless it can be shown that no harm will be caused to the character of the area"*. Further, the Islington Urban Design Guide 2006 ('IUDG') further provides guidance on such extensions and states that *"Ground floor infill extensions are normally acceptable in design terms. Where there are generous gardens and they do not impede on neighbours residential amenity, there is sometimes opportunity to extend out beyond the existing back line"*.
- 10.6 The proposal is to erect a single storey side and rear extension to the aforementioned property. The rear extension will project to a depth of 2.0m, although is set in 0.5m at its eastern extent. The side projection is proposed to largely infill the existing area between the existing outrigger and the boundary with the dimensions of 8.8m long x 1.2m wide x 2.2m high (on the boundary).
- 10.7 Objections received to this application relate to the fact that the terrace which this property forms a part of currently has a consistent and unaltered rear building line and the proposal would set a precedent for others to follow.
- 10.8 In this regard it must be noted that the proposal does accord with both the CADG for the Barnsbury Conservation Area and the IUDG in general (subject to amenity considerations below) which do allow extensions to extend beyond the building line. The ground floor rear extension will be no higher than single storey and does not include any two storey elements. The rear extension is also modest in scale, projecting 2.0m in depth beyond the existing rear building line, and retains approximately 32sqm garden space in accordance with established planning policy. It is noted that if the dwelling had been a single family dwelling house, a large proportion of the extension would be permitted development, in particular the single storey rear extension (2.0m deep) which forms the difference between this and the consented scheme.
- 10.9 Further, while the site backs directly onto Brayfield Terrace, this highway is very narrow and bordered on the subject sites side by a large brick wall. The brick wall (as seen in the photos taken and visualisations provided) would preclude views from the public realm and on this basis, and the reasons set out above, is considered that the Council can not reasonably withhold planning permission as the proposal is not considered to not harm the character or appearance of the Barnsbury Conservation area.

### **Neighbouring Amenity**

- 10.10 An objection from the occupants of 69A Lofting Road (ground floor flat) has been received. The occupier of this property raises concern insofar as the potential for loss of sunlight / daylight as a result of the proposed extension and a sense of enclosure coupled with loss of views.
- 10.11 It is noted that there is an existing boundary fence at this location (to an approximate height of 1.8m). It is further noted that a fence can be erected at this location up to a maximum height of 2.0m under permitted development. While the proposal is for an extension and not a fence, it is noted that the proposed extension is 0.2m higher than that of a fence permitted under Part 2, Class A and 0.4m higher than the existing scenario. The applicant has purposefully ensured that the



extension is at the lowest point possible on this boundary to ensure impacts on this neighbour are avoided.

- 10.12 In this regard it is considered that any outlook or sense of enclosure from this window will not fundamentally change. In this regard, the two storey closet wing will continue to be the dominant feature for views from this window and this is not expected the change as a result of the extension.
- 10.13 In relation to loss of light it is noted that the proposal complies with the Council's guidance on sunlight and daylight and, given the orientation of the rear elevation (south facing), the light to this property is considered to be appropriate. In the later hours of the day, the two storey existing closet wing extension will be the dominant feature and will restrict a large amount of light (this is the existing situation).
- 10.14 An objection has also been received from the occupants of 73A Lofting Road (ground floor flat). The occupier of this property raises concern about the proposal to move the metal staircase into the garden, thereby reducing the size the garden. It is noted that this element of the proposal has been removed and the staircase will no longer shift locations.
- 10.15 Concerns have been raised by residents that the roof may be used as a roof terrace. This is not included as part of this application and a separate permission would be required (should this be sought at a later date). A condition prohibiting the use of this roof has been proposed about this issue for the avoidance of doubt.

### **Other Matters**

- 10.16 Objections received to the proposal raise issues of additional noise, antisocial behaviour, and impacts on the sale price of dwellings in the local area following an approval.
- 10.17 In relation to additional noise, the proposal is for a small extension to an existing residential dwelling and as such raises no issues with respect to noise. Concerns raised about antisocial behaviour and the impacts on sale prices are not material planning considerations and cannot be taken into account in the determination of this application.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 Part of the proposal is the same as that which has already been approved by Planning Permission Ref: P2014/1282/FUL issued on 06 July 2014 relating to the infill side and rear extension. The new application seeks to include a rear extension to a depth of 2.0m from the rear elevation.
- 11.2 For the reasons set out above, it is considered that the proposal will not have a detrimental impact on the character and appearance of the area and would not cause any adverse impacts on the amenity of neighbouring properties that would warrant withholding planning permission.

- 11.3 The proposal is considered to be consistent with the Islington Core Strategy (2011), the Islington Development Management Policies (2013), the Urban Design Guide (2006) and the Bamsbury Conservation Area Design Guidelines (2002).

**Conclusion**

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

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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

### List of Conditions:

1	Commencement
	<p>3 YEAR CONSENT PERIOD: 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 Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>1429 PA GA 1021, 1429 PA GA 1020, 1429 PA GA 2040, 1429 PA GA 2041, and Design and Access Statement Rev B dated Oct 2014.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (compliance)
	<p>MATERIALS (COMPLIANCE): 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>
4	Flat roof not to be used as amenity space
	<p>FLAT ROOF NOT TO BE USED AS AMENITY SPACE (COMPLIANCE): The flat roof area shown on plan no. 1429 PA GA 2040 (roof of single storey extension) 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 rooms windows.</p>

**List of Informatives:**

1	<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 a timely manner 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.

### **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, 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**

##### **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)

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

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

**DM2.1** Design

**DM2.3** Heritage

### **5. Designations**

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:

- Barnsbury Conservation Area

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

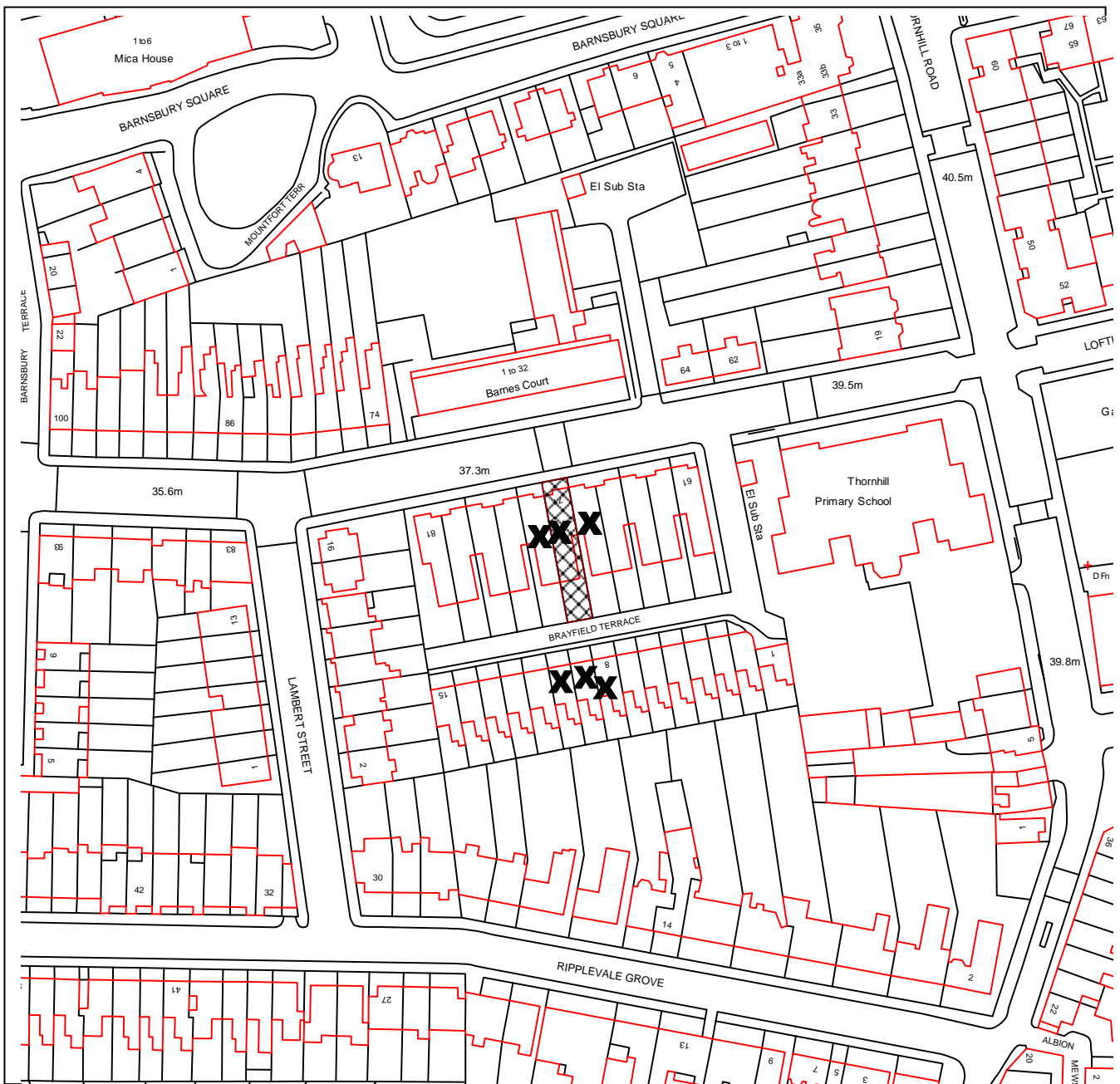
The following SPGs and/or SPDs are relevant:

**Islington Local Development Plan**

- Conservation Area Design Guidelines
- Urban Design Guide



# ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/2948/FUL

LOCATION: FLAT A, 71 LOFTING ROAD, LONDON, N1 1JA

SCALE: 1:1250

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

## PLANNING COMMITTEE REPORT

<b>PLANNING SUB- COMMITTEE B</b>		
Date:	6 <sup>th</sup> November 2014	Non exempt

Application number	P2104/2837/FUL
Application type	Full Planning Application
Ward	Canonbury
Listed building	Locally Listed grade B
Conservation area	Canonbury Conservation Area
Development Plan Context	N/A
Licensing Implications	None
Site Address	Flat B, 51-53 St Pauls Road
Proposal	Erection of a full width two storey rear extension at basement and ground floor levels.

Case Officer	Ashley Niman
Applicant	Linda Slaymaker
Agent	Chris Nickerson

### 1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1;

## 2. SITE PLAN (site outlined in red)



**3.  
PHOTO  
OF  
SITE/S  
TREET**



Photo 1: View of rear elevation and part of rear garden

#### **4.0 SUMMARY**

- 4.1 The proposal is for the erection of a full width two storey rear extension at basement and ground floor levels.
- 4.2 The proposed two storey rear extension is identical to that originally approved under ref P080369 and further approved under ref P110627, an extension of time dated 10/08/2011.
- 4.3 The rear extension responds to the character and appearance of the conservation area in terms of design and materials, but does not reflect general conservation policy. However, there are particular circumstances that would justify approval and should be afforded significant weight: the two previous approvals, the appeal decision at No. 55 St Pauls Road, and the continuity of policy since the extension of time decision. Whilst it fails to comply with the IUDG and CADG there are other relevant material planning considerations which in this instance outweigh the non-compliance with the design guidance.
- 4.4 The proposal does not materially harm the amenity of neighbouring occupiers, in terms of light, outlook or privacy, nor can it be seen from a public viewpoint.
- 4.5 The application is therefore considered to comply with policies and is recommended for approval subject to conditions.

## **5.0 SITE AND SURROUNDING**

- 5.1 The property is part of a short terrace of three four-storey, mid-Victorian properties, locally listed (Grade B) and in the Canonbury Conservation Area. The subject property, Nos. 51 and 53, have been subdivided into flats and incorporate a rear communal garden. No. 55 has also been converted into smaller units. No. 53 is accessed from the front on St Pauls Road, whilst 51 and 55 are each accessed from side entrances.

## **6.0 PROPOSAL (in Detail)**

- 6.1 The proposal consists of the demolition of the existing two storey rear extension and the erection of a full width two storey rear extension (3.8 metres deep, 5.8 metres high and 5.8 metres wide) at basement and ground floor levels to provide an additional bedroom at basement level and additional living room space at ground floor level. This would allow for a larger kitchen/diner/living room at ground floor and the two bedrooms and bathroom to the basement. The extension would be constructed in matching brickwork with timber French doors to the basement and timber sash windows to the ground floor.

## **7.0 RELEVANT HISTORY:**

### **Planning Applications**

- 7.1 P110627 51-53 St Pauls Road. Extension of time application in relation to planning permission ref P080369 dated 7th July 2008, for the erection of a full width two storey rear extension at 53 St Paul's Road. Approved 10/08/2011.
- 7.2 P080369 51-53 St Pauls Road. Erection of two storey half width rear extension. Approved 07/07/2008.

### Adjacent property planning history

- 7.3 P2013/0993, 55 St Pauls Road. Erection of a two storey rear extension to enlarge both the existing ground and first floor flats, refused and dismissed at appeal 11/02/2014 (APP/V5570/A/13/2204200).
- 7.4 P2012/0429: 55 St Pauls Road. Erection of a two storey rear extension, to enlarge both the existing ground and first floor flats. Refused 14/03/2013.

### **Enforcement:**

- 7.5 None

### **Pre-application Advice:**

- 7.6 None

## **8.0 CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 68 adjoining and nearby properties at St Paul's Road, Alwyne Square, Harecourt Road and Canonbury Park North on 22 July 2014. A site notice and a press advert were displayed on 22 July 2014. The public consultation of the application therefore expired on 21 August 2014; however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of seven responses had been received from the public with regard to the application. Four letters object to the proposal, and three are in support. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Harmful to the appearance and character of the conservation area (10.5 – 10.12, and 10.13).
  - Excessive width, height and depth (10.5 – 10.11).
  - Loss of light to adjacent flats (10.16).
  - The original decision was made in error (10.4 and 10.13).
  - Three letters of support for the proposal.

### **External Consultees**

- 8.3 None

### **Internal Consultees**

- 8.4 Design and Conservation Officer: Contrary to policy guidance but given the material considerations it may be difficult to resist.

## **9.0 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**

- 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, 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

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

### **Islington Local Plan**

Canonbury Conservation Area  
Local List Grade B  
Article 4

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

- 9.4 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.4

## 10.0 ASSESSMENT

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

- Design and Conservation.
- The appeal decision at 55 St Paul's Road.
- Landscaping and trees
- Impact on neighbour amenity.
- Quality of the resultant accommodation.

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

- 10.2 There is no objection to the proposed demolition of the existing extension.
- 10.3 Historically the property was divided into three separate houses although only No. 53 had its own entrance to the front, with 51 and 55 being accessed from the side elevations.
- 10.4 The original application (P080369) was approved on the basis that 51 and 53 St Paul's Road were treated as one planning unit, although historically built as two separate town houses within the terrace of three properties. The extension of time application confirmed the original decision. Nos. 51 and 53 St Paul's Road are interlinked laterally, consist of six flats and share a rear garden of 246sqm.
- 10.5 The broad conservation policy position considers the scheme to be contrary to the Islington Urban Design Guide and the Conservation Area Design Guide, in that these guidance documents would allow a full width single storey and a half width two storey extension.
- 10.6 The Conservation Area Design Guide for Canonbury states that *'full width rear extensions higher than one storey or half width rear extensions higher than two storeys, will not normally be permitted, unless it can be shown that no harm will be caused to the character of the area'*.
- 10.7 This interpretation of the Conservation Guidelines in regard to 51-53 in both approvals considered them as one planning unit and therefore the policy was considered to be complied with since the extension reads as only half the width of the property, if that property was read as one unit due to the lateral conversion and

garden. The guideline goes on to say that larger extensions would not normally be permitted unless it can be shown no harm is caused to the character of the area. The location of the extension ensures that it would not be visible from the street or public viewpoint, and would therefore not lead to any demonstrable harm to the conservation area.

- 10.8 The Islington Council Urban Design Guide states (in paragraph 2.5.2) that *'Rear extensions should avoid disrupting the existing rhythm of the existing rear elevations, or dominate the main building. Particular care needs to be given to rear elevations visible from the public realm because of gaps within the street frontage, and the most prominent upper part of the rear elevation that are most visible from the private realm'*.
- 10.9 The Design Guidelines make reference to the rhythm of the existing building. At present there is no rhythm to the rear and the existing rear projection in fact breaks the rhythm. The introduction of a centrally placed two storey structure within this six bay wide elevation would not disrupt any established rhythm and symmetry. The proposed two storey structure would not dominate the rear elevation. The short terrace is four storeys in height, emphasised by the shallow overhang to the pitched roof and the tall and substantial sash windows; the proposed two storey extension would not obviously detract from this and would remain subordinate.
- 10.10 Since the extension of time application was approved in 2011, there have been significant policy developments, namely the introduction of the NPPF in 2012, and the adoption of the Development Management policies 2013. However, neither introduces any new policies that would lead the decision maker to arrive at a different decision. The NPPF, at its heart, takes the presumption in favour of sustainable development. It seeks to reinforce local distinctiveness but not impose architectural or particular taste. The proposal is a better design than is represented by the existing extension. The Development Management policies build on existing Council policies (Core Strategy, IUDG) but in this instance, there is no new policy, or one that is materially different, that would support a refusal.
- 10.11 The original officer's report and the extension of time report noted that the extension was not considered to be overly dominant in its own right or harmful to the existing building or the conservation area. The present half width two storey rear extension is a poor design and presents a negative view of the overall property when viewed from the garden. The proposed two storey extension would not be visible from St Paul's Road.
- 10.12 The proposal would incorporate timber windows at ground floor to match the existing, and two sets of French doors at basement level. The proposal would 'tidy up' the rear of the property and not adversely harm its appearance or character.

### **Appeal decision at 55 St Pauls Road**

- 10.13 Consideration of the proposal must also take into account of the appeal decision at No. 55 St Pauls Road which was dismissed at appeal 11/02/2014. This was for the erection of a two storey rear extension to enlarge both the existing ground and first floor flats. Allowing this extension should not weaken the Council's ability to resist further inappropriate extensions at No. 55 in the future. In considering the two storey proposal for the rear of 55, the Inspector acknowledged that it differed in some respects from the then extant permission at No. 53. The Inspector

acknowledged that the addition at No. 53 would involve the removal of an existing extension to the property, where none currently exists at No. 55. Furthermore, the Inspector noted, while both extensions would be visible from properties to the rear, only the one to No. 55 would be visible from the public realm on St Paul's Road. The neighbouring properties to No 55 are a terrace of two-storey dwellings set further back from the road and well separated from No 55. with their front building line broadly aligned with the rear of No. 55. This results in the side elevation to No. 55 being visible from a public view. However, from these views, the extension to No. 53 would not be visible, unlike that at No. 55.

- 10.14 The Inspector went on to say '*Therefore, while I have had full regard to the points raised by the appellant, I consider that the location of the proposed extension to No 55 would have different effects to that permitted at 53 and would be unduly harmful, for the reasons given. Therefore the permitted extension at 53 cannot be considered a direct precedent for the proposal in this case.*'

### **Landscaping and Trees**

- 10.15 The communal garden currently occupies 246sqm. The proposed extension has a footprint of 23sqm, and therefore retains 223sqm of garden space. Moreover, the proposed footprint would be built on what is presently concrete standing rather than grass or planting. No trees would be affected by the proposal.

### **Neighbouring Amenity**

- 10.16 The original planning considerations covered daylight and sunlight implications for neighbouring windows. The 45' rule, a test under the Building Research Establishment (BRE) Guidelines, carried out by the case officer to ensure that there would be no significant loss of light to adjacent ground floor and basement garden windows. Although the 45' line was breached, the ground floor rooms have dual aspect, whilst the basement window to No. 51 is complemented by a glazed door. The property faces almost due south so all windows would continue to receive good levels of sunlight. All windows face into a large communal garden with no obstruction for between 17 metres and 25 metres, and then only single storey garaging.
- 10.17 The extension would not lead to any material reduction in outlook for adjacent windows.
- 10.18 A condition would be imposed to ensure that the flat roof of the new extension could not be used for amenity space to ensure no overlooking to adjacent windows.

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

- 10.19 The present ground floor and part basement one bedroom flat has limited space, and the historic conversion (of the property as a whole) has led to a convoluted lateral layout. The proposed extension would provide a larger living dining area and two bedrooms. Presently the basement bedroom adjoins the bedroom of the adjacent flat, and the redesign of the scheme would resolve this and provide a better layout and disposition of rooms.



## **11.0 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed development is acceptable. The justification for recommending a further approval of this schemes stems from the two previous approvals, the fact that there has been no material change in policy since the most recent decision, the comments relating to the appeal at No. 55 St Paul Road, and the fact that the proposal does not materially harm the character and appearance of the Canonbury Conservation Area.

### **11.2 Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b>
	<p>3 YEAR CONSENT PERIOD: 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>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:            SPR1, SPR2, SPR3, SPR4, SPR5, Design Statement (Nickerson Planning), Access Statement (Nickerson Planning) t</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<p>MATERIALS TO MATCH (COMPLIANCE): The facing materials of the extension hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
<b>4</b>	<p>SASH WINDOWS TO MATCH (COMPLIANCE): The new sash windows shall accurately replicate the surviving historic windows in terms of material, profile, reveal depth and detailing. The windows shall be painted timber, double-hung sash windows without horns, with a slim profile and narrow integral glazing bars with a putty finish.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
<b>5</b>	<p>FLAT ROOF NOT USED AS AMENITY SPACE (COMPLIANCE): The flat roof area of the approved two storey rear extension shown on plan no. SPR/3 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>

#### List of Informatives:

1	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.</p>
---	---

## **APPENDIX 2: RELEVANT POLICIES**

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

### **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**

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	Strategic Policies
Policy CS8 (Enhancing Islington's Character)	Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
	Policy CS10 (Sustainable Design)

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

Design and Heritage	Housing
DM2.1 Design	DM3.4 Housing standards
DM2.2 Inclusive Design	DM3.5 Private outdoor space
DM2.3 Heritage	

### **Designations**

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**

Canonbury Conservation Area  
Local List B

#### **London Plan**

Article 4

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

The following SPGs and/or SPDs are relevant:

**Islington Local Plan**

Conservation Area Design Guidelines  
Urban Design Guide

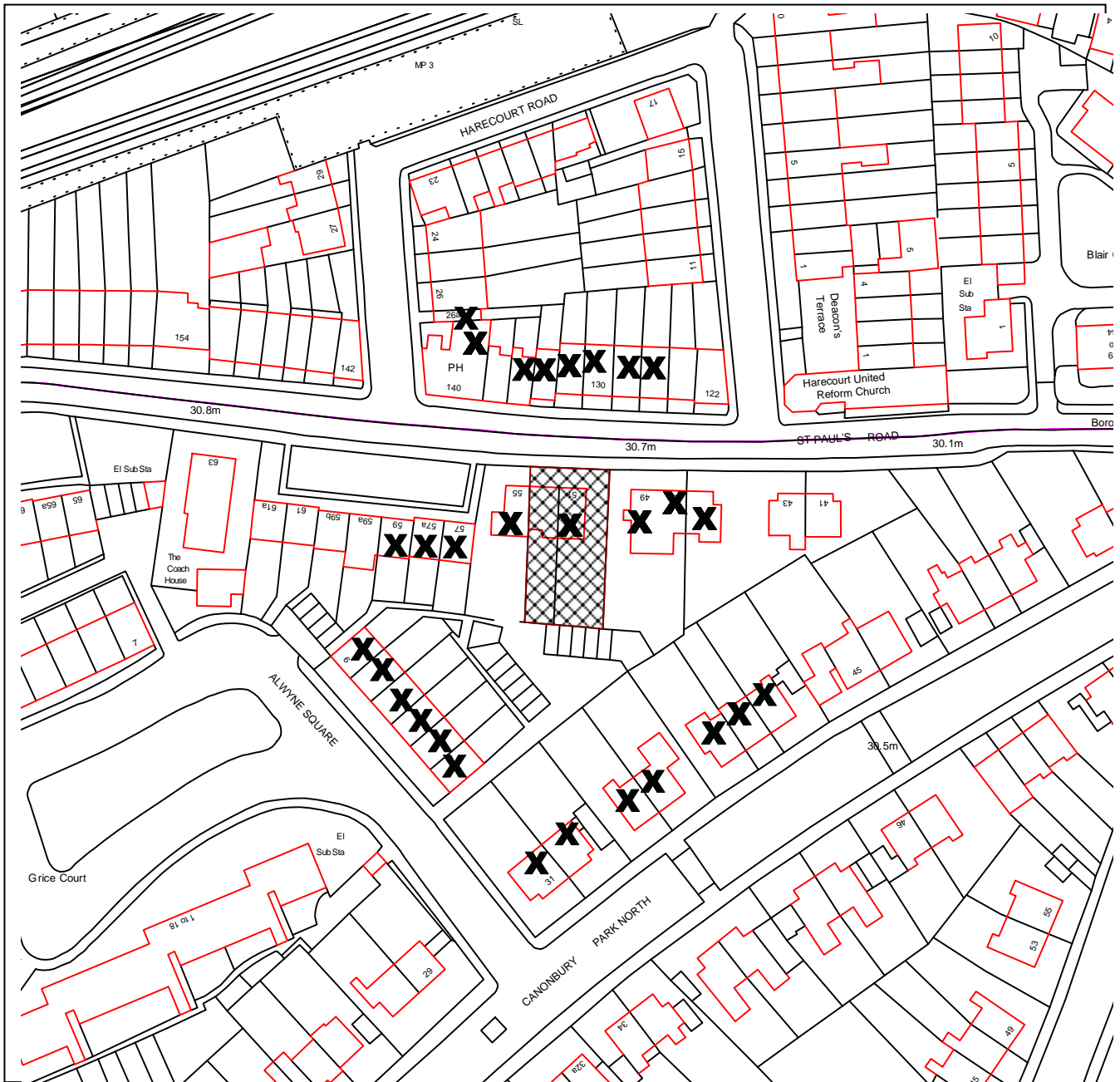
**London Plan**

Accessible London: Achieving and  
Sustainable Design & Construction

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# ISLINGTON



## DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/2837/FUL

LOCATION: FLAT B, 51 - 53 ST PAUL'S ROAD, LONDON, N1 2LT

SCALE: 1:1250

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## 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 B</b>		
Date:	6 <sup>th</sup> November 2014	Non exempt

Application number	P2014/2901/FUL
Application type	Full Planning Application
Ward	Finsbury Park
Listed building	Not listed
Conservation area	Not in a conservation area
Development Plan Context	Nags Head and Upper Holloway Road
Licensing Implications	None
Site Address	Land at Bennett Court, adjacent 3 Axminster Road, London N7
Proposal	Erection of a three storey building with rear first and second floor extensions and terraces to provide one two-bedroom ground floor flat and one four-bedroom first and second floor maisonette

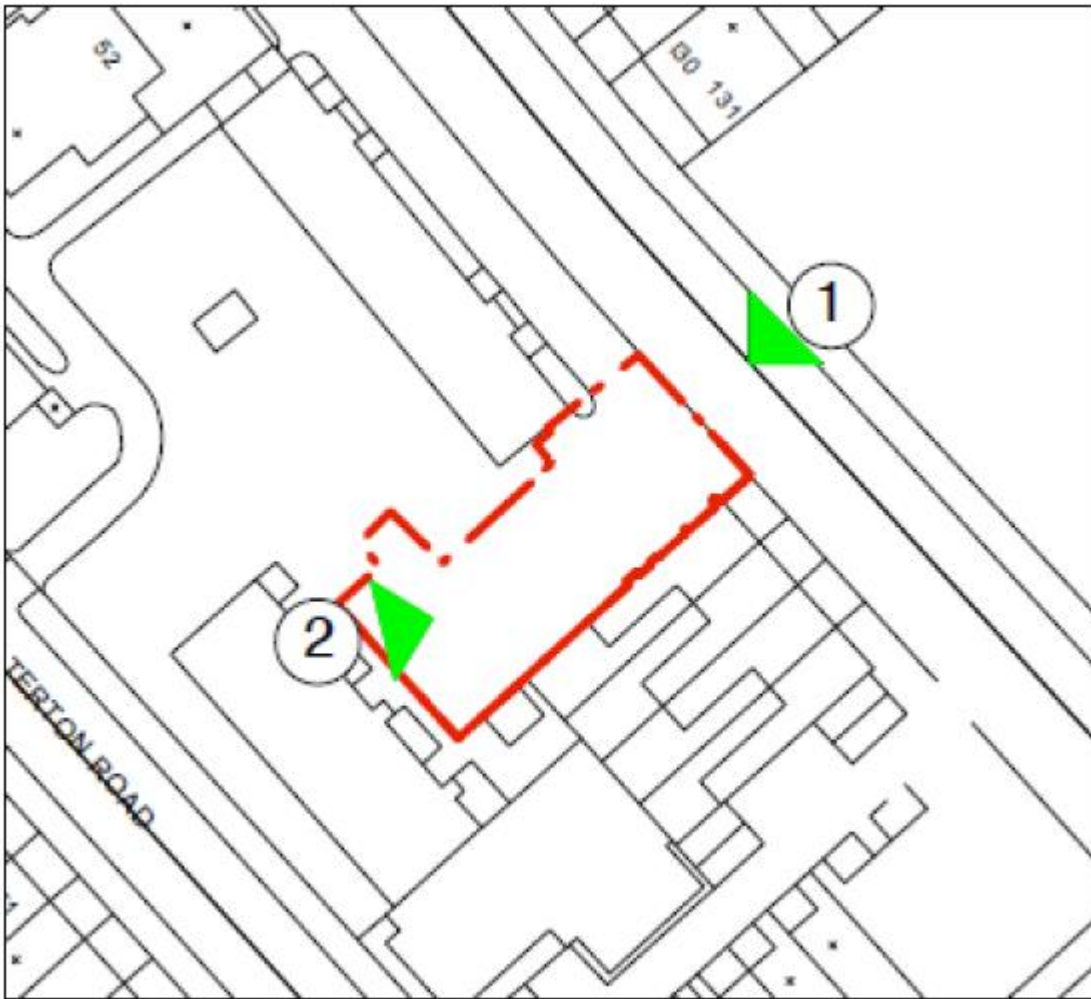
Case Officer	Ashley Niman
Applicant	London Borough of Islington
Agent	Burrell Foley Fischer Architects

### 1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. Subject to the conditions set out in Appendix 1.
2. conditional upon the prior completion of a directors agreement securing the heads of terms as set out in Appendix 1

**2. SITE PLAN (site outlined in black)**



**3. PHOTOS OF SITE/STREET**



Photo 1 The site looking north east



Photo 2 The site looking south west

## **4.0 SUMMARY**

- 4.1 The proposal seeks planning permission to erect a three storey building on an existing tarmac car parking area adjacent to an existing terrace of three storey dwellings along Axminster Road and within the Bennett Court estate itself. The development will provide one two-bedroom ground floor unit and one four-bedroom maisonette to the first and second floors, together with boundary treatment and rear garden. Both units are intended for social housing. Consideration will need to be given to the suitability of the proposed land-use, loss of car parking space, residential amenity and the quality of the subsequent accommodation. The proposal will also need to be considered in terms of the context of the surrounding built form as well as its overall design, form and scale.
- 4.2 The proposal is considered to be an acceptable design which makes a positive contribution to the street and wider townscape. It is modern in approach but reflects the context of the Victorian terrace to which it adjoins. It will provide a good standard of accommodation both internally and externally, and will not materially harm the amenity of adjacent residents.

## **5.0 SITE AND SURROUNDING**

- 5.1 The application site consists of a tarmac area with ten car parking spaces (spaces rented by Housing to local residents and businesses) located within the larger flatted Bennett Court estate which is characterised by a group of 7 x 4 storey blocks dating from the late 1950's. The wider estate has its main frontages onto Axminster Road and Salterton Road with open green spaces in between each block. To the immediate south of the site, the application site adjoins an end of terrace three storey building at 3 Axminster Road which forms part of a group of five terraced dwellings in this section of Axminster Road. The application site is well located in terms of public transport accessibility and the character of the immediate area is predominantly residential in character. The application site is not located within a designated conservation area.

## **6.0 PROPOSAL (in Detail)**

- 6.1 The proposal seeks to develop the site to create a modern three storey end of terraced building involving the loss of ten existing car parking spaces. The development will provide one two-bedroom ground floor unit and one four-bedroom maisonette to the first and second floors. The proposed building would reflect the front and rear building lines to other terraced buildings within this section of Axminster Road. There is a variety of render and brick finishes within the immediate locality. The proposed building would be finished in buff flush pointed brick with metal faced timber windows and shows a new boundary wall and entrance gate. The first and second floor side elevation of the development would have a projecting bay cantilevered over the entrance to Flat 1 and the refuse and recycling enclosure.
- 6.2 The development would also take the opportunity to create a new pavement for residents of Bennett Court along the side elevation of the dwelling with new landscaping and trees proposed.
- 6.3 **Revision 1:**  
The current scheme has undergone some minor changes during the course of the application. These changes have further modelling and alterations to the side (north) elevation and the omission of two further car parking spaces to the rear of the existing

tarmac area within this section of Bennett Court to increase the rear garden area. Adjoining neighbours have been fully consulted on the amended design.

## **7.0 RELEVANT HISTORY:**

### **Planning Applications**

7.1 P112577 The erection of a three storey dwelling on the existing car park tarmac area to provide one four bedroom dwelling with new front boundary treatment and associated landscaping. Approved 02/11/2012.

### **Enforcement:**

7.2 None

### **Pre-application Advice:**

7.3 None

## **8.0 CONSULTATION**

### **Public Consultation**

8.1 Letters were sent to occupants of 185 adjoining and nearby properties at Axminster Road and Salterton Road on 29<sup>th</sup> July. A site notice and press advert was displayed on 29 July. The public consultation of the application therefore expired on 21<sup>st</sup> August. Further consultation on the amended scheme was sent out on the 10<sup>th</sup> October, with an expiry date of 28<sup>th</sup> October. however it is the Council's practice to continue to consider representations made up until the date of a decision

8.2 At the time of the writing of this report a total of nine objection letters and one petition (signed by 91 residents) had been received from the public with regard to the application. Councillors will be updated at the committee meeting if any additional responses are received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Loss of car parking spaces (10.18 – 10.20)
- Loss of light (10.10 -10.11)
- Loss of privacy (10.9 -10.12)
- Greater density of population (10.1)
- Inadequate consultation (8.1 - 8.2)
- Impact on services and utilities (10.13)
- Disruption, noise and dust from foundation and construction work (10.13)

### **External Consultees**

8.3 Metropolitan Police (Crime Prevention): Recommends adoption of the Physical security standards as per Code for Sustainable Homes and Secure by Design.

### **Internal Consultees**

8.4 Access Officer: Overall in accordance, some minor queries.

- 8.5 Design and Conservation Officer: The scheme is well considered. Minor amendments have been made.
- 8.6 Tree Preservation / Landscape Officer: no objection subject to conditions.

## 9.0 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, Finsbury Local Plan 2013 and Site Allocations 2013:

<b>Islington Core Strategy</b>	<b>London Plan</b>
Nags Head and Upper Holloway Road	None

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

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

## 10.0 ASSESSMENT

The main issues arising from this proposal relate to:

- Land Use
- Design merits of the proposed development
- Accessibility
- Landscaping and trees
- Impact on neighbour amenity
- Quality of the accommodation
- Sustainability
- Highways and parking

## Land-use

- 10.1 The site is presently occupied by ten car parking spaces. These spaces are rented out to local residents and business users to park their cars. The council's general highways policies seek to promote less reliance on the private car especially in highly accessible areas within the borough. In this case the site is located within an easily accessible location with several different and developed public transport nodes surrounding the site. The increase in units, by two dwellings, is not unreasonable in density terms, since the scheme is appropriate in scale and location.
- 10.2 It is considered that the loss of the existing car park spaces is acceptable bearing in mind the creation of well designed and much needed social housing units in the area. The proposed building will improve the visual amenity of this section of Axminster Road while creating visually appropriate and valuable dwellings for the borough. In land use terms the loss of ten car parking spaces and the development of the site for residential purposes is acceptable in land use terms. The proposal is in accordance with policies 3.3, 3.4 and 3.8 of the London plan 2011, DM3.1 of the Development Management policies 2013 and CS12 of the Core Strategy 2011

## Design

- 10.3 This application follows an approval in 2012 for a three storey four-bedroom dwelling on the site. It is considered that the new proposal is of architectural merit, with an interesting design and would form a different yet contextually integrated building when seen within Bennett Court itself and the existing terraced dwellings along Axminster Road. The proposed building respects the front and rear building lines of these terraces and creates a building which also pays respect to its neighbours in terms of height and depth while maintaining the gap between the proposed flank elevation of the development and the existing side elevation of 50-66 Bennett Court.
- 10.4 The overall design, scale and massing of the proposed development is not considered to be excessive and relates well to its immediate context while maintaining an open space and entrance/walkways to Bennett Court itself. It has a front building line that is consistent with the adjacent Victorian terrace. Its proportions, floor to ceiling ratio and solid to void relationship on the front façade are also in keeping with its neighbour. The side projecting cantilever provides visual interest as viewed from the street and has been amended to provide more articulation by introducing additional window openings. The generous window reveals will provide depth and warmth to the elevations much the same way that they do on the adjacent Victorian terrace.
- 10.5 The Councils Urban Design Guidelines normally do not support full width rear extensions at ground and first floor levels. However, there are particular circumstances where exceptions can be supported. This is a new build property and although reflective of the adjoining Victorian houses in terms of plot width, front building line and overall height, the interpretation can differ, in particular to the rear and side elevations. Given the broader context and the variety and scale of development to the rear of the property, the design is not considered harmful to the appearance of the terrace. Secondly, the scheme has been designed to accommodate a wheelchair unit at ground floor and a family sized unit to the upper floors. To achieve this and comply with current internal and external design standards, the full width rear extension to the first floor is justified.
- 10.6 Although this building is not located in a conservation area or in proximity to any other designated heritage asset, the design of this new build is crucial as it will

occupy an important and highly visible gap site, also being the transition between the smaller scale Victorian terrace and the larger apartment block to the north. Overall it makes a positive contribution to local character and distinctiveness.

### **Accessibility**

- 10.7 In general, the design is in accordance with the requirements and standards of the Council's flexible homes SPD and is acceptable. Additional comments from the Access Officer have been taken into consideration in the amended layouts. This includes space for storage and charging of mobility scooters. The proposal is considered to be in accordance with policy 7.2 of the London Plan 2011, policy DM2.2 of the Development Management policies 2013, policy CS12H of the Islington Core Strategy 2011 and the Inclusive Design SPD 2014.

### **Landscaping and Trees**

- 10.8 There is one tree located within the immediate site itself and one tree on the public footpath in front of the site. These trees are not proposed to be removed or cut back as a result of this development and would not be at risk therefrom. The development includes plans to landscape and plant new trees in the proposed rear garden of the site and along the new pavement area adjoining the site. Subject to conditions it is considered that the proposal is compliant with policy 7.21 of the London Plan 2011, Plan 2002, policy DM6.5 of the Development Management policies 2013, and policy CS15A, B and F of the Islington Core Strategy 2011.

### **Neighbouring Amenity**

- 10.9 The side (north) elevation of the proposed development is located between 9.5 and 10 metres from the nearest side elevation of 50-66 Bennett Court which contains small secondary bedroom windows. This distance is in line with the previous approval and is considered to be adequate to ensure no material loss of privacy or increased incidence of overlooking results. The rear roof terraces are considered to be acceptable provided suitable screening is erected which can be secured by condition. Proposed windows to the upper floor side (north) elevation would serve hallways, a living area, storage and bedrooms. An opaque glazing condition, pertaining to some of the windows, is proposed to further secure the privacy levels of adjoining occupiers.
- 10.10 The proposal, taken to the closest first floor rear terrace of the proposal, is 23 metres away from the rear elevation of 95-118 Bennett Court. This property lies largely to the south west of the proposal and there would be no material loss of daylight, sunlight, privacy or outlook to the block.
- 10.11 The extensions will not lead to any material impact on light or outlook to the adjoining terrace at 3 Axminster Road.
- 10.12 The immediately adjacent property at 3 Axminster Road has a roof terrace at first floor level. The two proposed roof terraces to the rear of the subject property are acceptable in principle as they are an integrated part of the overall design and provide the required outdoor space. Although overlooking would be mutual, a condition is attached requiring details of screening to the first and second floor roof terraces within the proposed scheme.
- 10.13 Matters including noise and dust from construction, and the impact on services and utilities are not material planning considerations and are covered under other



legislation. The proposal is considered to be compliant with policy CS9 of the Core Strategy 2011 and Development Management policy 2013, DM2.1.

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

- 10.14 The two units both comply with London Plan and Development Management policies in regard to habitable room size, disposition of layout, outlook (north-east/south-west orientation), aspect and levels of daylight and sunlight.
- 10.15 Both units have outdoor areas in excess of minimum policy requirement, the ground floor unit has 54sqm, against the minimum of 25sqm, and the first and second floor maisonette has 46.4sqm, against the minimum of 10sqm.
- 10.16 The proposal is considered to be compliant with policy CS9 of the Core Strategy 2011 and Development Management policies 2013, DM2.1, DM3.4 and DM3.5.

### **Sustainability, Energy Efficiency and Renewable Energy**

- 10.17 The redevelopment of the site for a residential use is inherently sustainable. The commitment to achieve Code for Sustainable Homes Level 4 is welcome and will be secured by condition. 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 Development Management policies 2013 DM7.1, DM7.2 and DM7.4.

### **Highways and Transportation**

- 10.18 In accordance with policy and all new housing developments this is a car free scheme, secured by condition. It is well located in regard to public transport links. The application site is well served by public transport and the loss of ten car parking spaces within the estate to facilitate the development is considered to be acceptable. Provision is made for two secure bicycle stands for the ground floor unit and four internal secure stands for the upper maisonette.
- 10.19 There are no planning policies to protect private resident parking and the provision of affordable housing outweighs the loss of any spaces. There are two existing bays within Bennett Court for people with disabilities and holding a parking permit. These will be retained for the Bennett Court residents.
- 10.20 The proposal is in accordance with policies 6.7 and 6.9 of the London Plan 2011, policies DM8.4 and DM8.5 of the Development Management policies 2013 and policy CS10H of the Islington Core Strategy 2011.

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

- 10.21 The proposal is subject to a Directors' Agreement to ensure that the housing remains in social ownership and is not disposed of on the private market.

## **11.0 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposal will provide two social housing units with good space standards within a contemporary design which remains contextual to its surroundings and has only a small impact on its neighbours.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Director level agreement between the Service Director of the Council's Housing and Adult Services department and relevant officers in the local planning authority in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or in their absence the Deputy Head of Service:

1. Provision of one two-bedroom ground floor flat and one four-bedroom first and second floor maisonette.

### RECOMMENDATION B

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b>
	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).
<b>2</b>	<b>Approved plans list</b>
	AP(0)010.P7, AP(0)100.P7, AP(0)110.P7, AP(0)121.P6, AP(0)120.P6, AP(0)122.P6, AP(0)200.P8, AP(0)210.P7, AP(0)211.P7, AP(0)212.P7, AP(0)213.P7, AP(0)221.P6, AP(0)230.P7, AP(0)222.P6, AP(0)220.P6, AP(0)231.P7, Design and Access Statement (Burrell Foley Fischer, 17/07/2014)
<b>3</b>	<b>Materials</b>
	CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:  a) Samples of all facing brickwork types, including mortar and pointing. b) Window and door treatment (including sections and reveals);  The development shall be carried out strictly in accordance with the details so approved 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
<b>4</b>	<b>Landscaping</b>
	CONDITION: Notwithstanding the indicative landscaping scheme shown on the approved plans. A landscaping scheme, including trees to be retained and proposed together with details of positions of planned and existing underground services; proposed groundwork's; enclosures; drainage; hard ground surfaces and

	<p>details of all surface treatment and boundary walls, as appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby granted permission is commenced.</p> <p>No underground services shall be installed within the Root Protection Area (RPA) of the trees to be retained.</p> <p>All landscaping in accordance with the approved scheme shall be completed during the first planting season after the date on which development in accordance with this permission has been completed. This landscaping and tree planting must have a two year maintenance/ watering provision following planting. Trees or shrubs which die within five years of completion of the development shall be replaced to the satisfaction of the Local Planning Authority with the same species or an approved alternative.</p> <p>REASON: To ensure prior establishment and maturity of landscaping to enhance the visual amenity of the site</p>
<b>5</b>	<b>Tree protection</b>
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>6</b>	<b>Code 4</b>
	<p>CONDITION: The development shall achieve a Code for 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>
<b>7</b>	<b>No permitted development rights</b>
	<p>CONDITION: 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 dwelling houses 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 dwelling house(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>
<b>8</b>	<b>Screening to rear roof terraces</b>
	<p>CONDITION: Detailed drawings and samples of a scheme of screening for the first floor and second rear roof terraces of the building shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented prior to the first occupation of the residential units of the hereby approved scheme and maintained to the satisfaction of the Local Planning Authority thereafter</p> <p>REASON: In order to safeguard the amenity levels of prospective occupiers of the units and adjacent occupiers.</p>
<b>9</b>	<b>Construction Controls</b>
	<p>CONDITION: During the demolition and construction on site, the developer shall comply with Islington Council's Code of Construction Practice and the GLA's Best</p>

	<p>Practice Guidance for the control of dust and emissions from construction and demolition. The developer shall ensure that:</p> <p>1 The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site.</p> <p>2 The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08.00-18.00 Monday- Fridays, 08.00- 13.00 Saturdays and at no time during Sundays or public holidays.</p> <p>3 All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.</p> <p>REASON: In order to safeguard the amenity levels of adjoining occupiers during the construction process.</p>
<b>10</b>	<b>Accessible Housing</b>
	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Inclusive Design in Islington' SPD 2014) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To ensure flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
<b>11</b>	<b>Boundary Treatment (Details)</b>
	<p>CONDITION: Details of boundary treatment(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion of the development. The details shall include all walls, fencing, gates, footings, their design, appearance and materials, the details shall indicate whether the boundary treatments form proposed, retained or altered boundary treatments.</p> <p>The boundary treatments shall be carried out strictly in accordance with the details so approved, installed/erected/operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the resulting boundary treatment(s) is functional, attractive and secure.</p>
<b>12</b>	<b>Obscure glazing</b>
	<p>CONDITON: The landing windows to the side (north) elevation at first and second floor levels shall be constructed of obscure lazing and maintained permanently thereafter. The glazing shall be installed prior to first occupation.</p> <p>REASON: To protect amenity of adjacent residents.</p>
<b>13</b>	<b>Car Free Housing</b>
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>i) In the case of disabled persons;</p> <p>ii) In the case of units designated in this planning permission as "non car free"; or</p> <p>iii) 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: To ensure that the development remains car free.</p>

**List of Informatives:**

<b>1</b>	<b>Directors agreement</b>
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	Please note that this application is subject to a Service Level Agreement between directors to ensure that the residential units remain as social housing.
<b>2</b>	<b>Superstructure</b>
	<p><b>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</b></p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
<b>3</b>	<b>Community Infrastructure Levy (CIL) (Granting Consent)</b>
	<p>CIL 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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and 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 payable on commencement of the development.</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 and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available 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> and the Islington Council website at <a href="http://www.islington.gov.uk/cilinfo">www.islington.gov.uk/cilinfo</a>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/">http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</a>.</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

1 Context and strategy Policy 1.1 Delivering the strategic vision and objectives for London	5 London's response to climate change Policy 5.3 Sustainable design and construction
2 London's places 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 Policy 3.9 Mixed and balanced communities Policy 3.10 Definition of affordable housing Policy 3.11 Affordable housing targets Policy 3.15 Coordination of housing development and investment	7 London's living places and spaces Policy 7.1 Building London's neighbourhoods and communities Policy 7.2 An inclusive environment Policy 7.3 Designing out crime Policy 7.4 Local character Policy 7.6 Architecture
	8 Implementation, monitoring and review Policy 8.1 Implementation Policy 8.2 Planning obligations 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)
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#### C) Development Management Policies June 2013

Design and Heritage DM2.1 Design	Energy and Environmental Standards DM7.1 Sustainable design and
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DM2.2 Inclusive Design

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

Health and open space

DM6.5 Landscaping, trees and biodiversity

construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

Transport

DM8.5 Vehicle parking

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

## **E) Site Allocations June 2013**

### **Designations**

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**

Nags Head and Upper Holloway

#### **London Plan**

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

The following SPGs and/or SPDs are relevant:

#### **Islington Local Plan**

Environmental Design

Small Sites Contribution

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106

Urban Design Guide

#### **London Plan**

Accessible London: Achieving and

Inclusive Environment

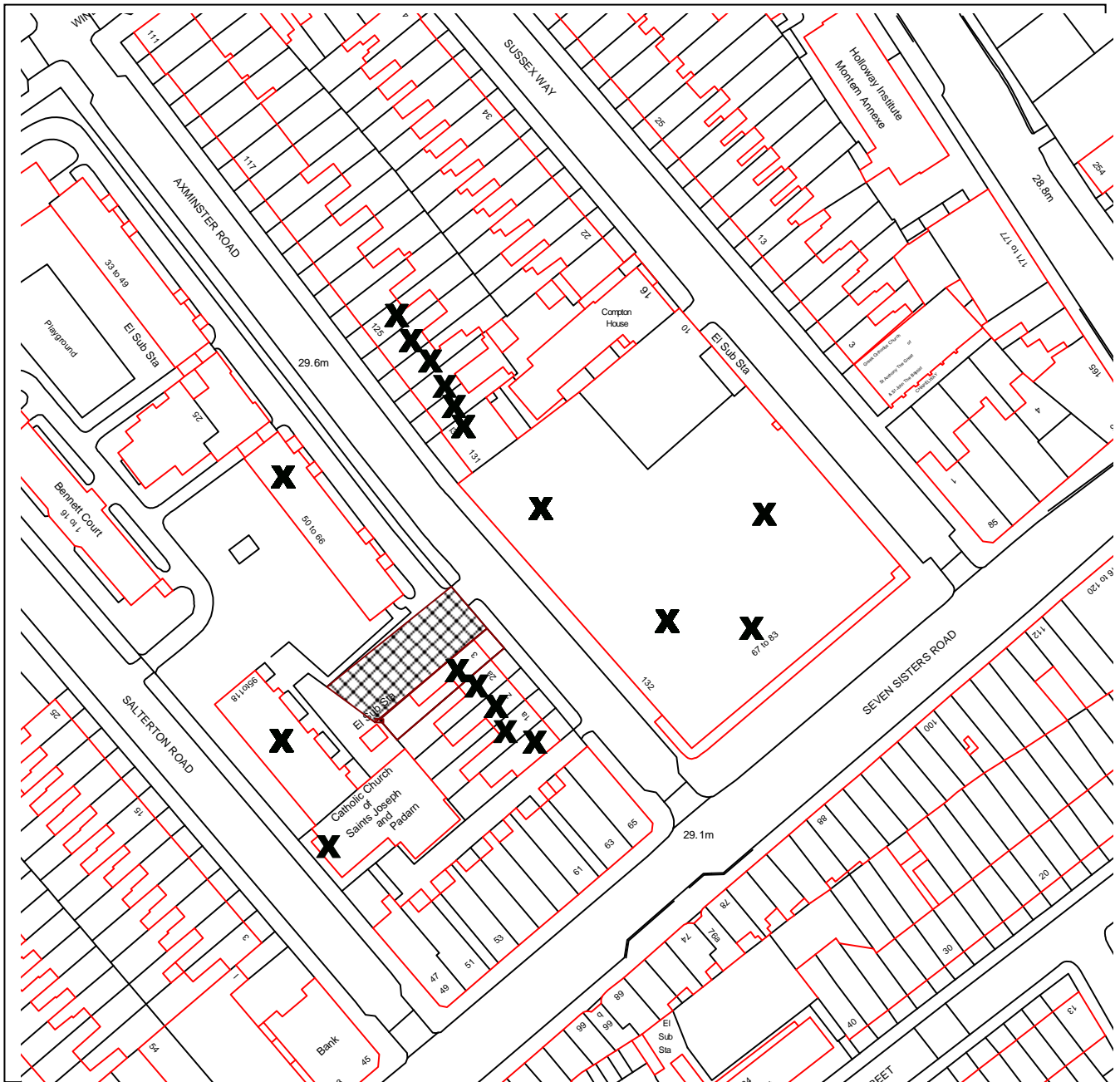
Housing

Sustainable Design & Construction





# ISLINGTON



## DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/2901/FUL

LOCATION: SITE ADJACENT TO 3 AXMINSTER ROAD LONDON  
(BENNETT COURT CAR PARK) N7 6BL

SCALE: 1:1250

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