



AGENDA FOR THE PLANNING SUB COMMITTEE A

Members of the Planning Sub Committee A are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **9 October 2014 at 7.30 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Zoe Crane
Tel : 020 7527 3044
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Despatched : 1 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.**

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>	
Councillor R Perry (Chair)	- Caledonian;	Councillor Convery	- Caledonian;
Councillor Poyser (Vice-Chair)	- Hillrise;	Councillor Kay	- Mildmay;
Councillor Chowdhury	- Barnsbury;	Councillor Khan	- Bunhill;
Councillor Gantly	- Highbury East;	Councillor Klute	- St Peter's;
Councillor Fletcher	- St George's;	Councillor Comer-Schwartz	- Junction;
		Councillor Nicholls	- Junction;
		Councillor O'Sullivan	- Finsbury Park;
		Councillor A Perry	- St Peter's;
		Councillor Picknell	- St Mary's;
		Councillor Poole	- St Mary's;
		Councillor Smith	- Holloway;
		Councillor Spall	- Hillrise;
		Councillor Ward	- Holloway;
		Councillor Wayne	- Canonbury;
		Councillor Williamson	- 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	1 - 4
B. Consideration of Planning Applications	Page
1. 48 Melgund Road, London, N5 1PT	7 - 20

2.	71 Calabria Road, London, N5 1HX	21 - 42
3.	Michael Cliffe House, Skinner Street, London, EC1	43 - 60
4.	Three Corners Centre, Northampton Road, London, EC1	61 - 76

C. Urgent non-exempt items (if any)

Any non-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.

D. Exclusion of press and public

To consider whether, in view of the nature of the remaining item 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.

E. Confidential/exempt items

F. 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 A, 2 December 2014

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

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.

London Borough of Islington

Planning Sub Committee A - 1 July 2014

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 1, Town Hall, Upper Street, N1 2UD on 1 July 2014 at 7.30 pm.

Present: **Councillors:** R Perry (Chair), Poyser (Vice-Chair), Gantly and Fletcher

Councillor Rupert Perry in the Chair

1 INTRODUCTIONS (Item A1)

Councillor Rupert Perry 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.

2 APOLOGIES FOR ABSENCE (Item A2)

There were no apologies for absence.

3 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

4 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

5 ORDER OF BUSINESS (Item A5)

The order of business would be as follows:
B2, B3 and B1.

6 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 10 June 2014 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

7 110 UPPER STREET, LONDON, N1 1QN (Item B7)

Change of use at basement and ground floor levels from retail use (A1 Use Class) to professional services (A2 Use Class) inclusive of the additional floor space to the rear ground floor extension approved in December 2013 under Ref. P2013/3074.

(Planning application number: P2014/1118/FUL)

The planning officer reported that condition three of the report and the reason for condition three should be amended to remove any reference to estate agents.

In the discussion the following points were made:

- Although the objections referred to the use of the garden area at the site, this was not part of this application.

RESOLVED:

That planning permission be granted subject to the conditions and informatives in the case officer's report and amended condition as outlined above.

8 52 DUNCAN TERRACE, LONDON, N1 8AG (Item B8)

Replacement of the existing rear basement extension and ground floor terrace with a new basement extension and ground floor 2-storey half width rear extension. Replacement of non-original front basement window with two traditional sash windows and restoration of first floor cast iron balconies. Application for Listed Building Consent for the replacement of the existing rear basement extension and ground floor terrace with a new basement extension and ground floor 2-storey half width rear extension. Alterations to internal walls at basement and ground floor level; replacement of 1950's front basement window with two traditional sash windows and restoration of first floor cast iron balconies.

Planning application number: P2014/1153/LBC

The planning officer reported that condition six of the report had been amended to read "Notwithstanding the plans hereby approved, consent is granted for the steps to the front lightwell area provided they are formed of natural stone slabs to match existing materials, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing".

In the discussion the following points were made:

- The building was listed so no development was permissible under permitted development rights.
- The existing original style windows to the rear would be retained.
- Concern was raised regarding privacy, overlooking and noise nuisance from the rear extension.
- Although an existing application had been refused on appeal to the Planning Inspectorate but many of the principles of the development had been considered acceptable by the Planning Inspector.
- Concern was raised about overlooking from a possible use of the new second floor extension as a roof terrace.
- The applicant would be expected to carry out development considerately and an informative could be added to reinforce acceptable hours of operation during the development.

Councillor Fletcher proposed a motion to add a condition prohibiting the use of the second floor extension as a roof terrace and an informative to specify hours of operation in relation to the works being carried out. This was seconded by Councillor Perry and carried.

RESOLVED:

That planning permission be granted subject to the amended conditions and informatives in the case officer's report and additional condition and informative as outlined above.

9 FLAT 8, 523, CALEDONIAN ROAD, LONDON, N7 9RH (Item B9)

Creation of roof terrace area to rear flat roof at second floor enclosed with railings and timber slats.

(Planning application number: P2014/0307/FUL)

Planning Sub Committee A - 1 July 2014

In the discussion the following points were made:

- There was a Section 52 agreement in place restricting the use of the flat roof as a roof terrace but this did not prevent the grant of planning permission and other material considerations were also relevant.
- The railing element was just to the rear of the terrace with existing brick elements to the sides.
- The Committee could not condition hours of use of a terrace but if a statutory noise nuisance was an issue there were remedies for adjoining properties.
- The height of the brick walls to the side would be slightly higher than 1.2 metres.
- Concern was raised about historic issues with the development being built not in accordance with the approved plans and it was noted that the Section 52 agreement had been created to mitigate the impacts of this.
- The two windows immediately next to the terrace area served a landing and staircase but objectors contended that a dormer window in the roof and bedroom window to the rear elevation were also in close proximity to the proposed site.
- The other roof terraces on the adjoining site were recessed and the noise from those sites was contained.
- The applicant would be happy to raise the brick elements to the site of the roof area if required.
- The Section 52 agreement was not the issue in this instance but the impact on adjoining residential amenity.

Councillor Fletcher, seconded by Councillor Poyser, proposed that the application be approved. Councillor Perry, seconded by Councillor Gantly, proposed that the application be refused. The Chair, Councillor Perry exercised his casting vote as the votes had been cast equally.

RESOLVED:

That planning permission be refused on the grounds of impact on residential amenity due to the proximity of the neighbouring property's windows (including the dormer to the roof) and noise impacts from the proposed terrace. The exact wording for the reasons for refusal be delegated to officers.

WORDING DELEGATED TO OFFICERS

FLAT 8, 523, CALEDONIAN ROAD, LONDON, N7 9RH (Item B9)

REASON FOR REFUSAL

The proposed roof terrace would result in a detrimental material impact on the amenity of the neighbouring residents at number 525, by reason of noise and overlooking from the neighbouring windows (particularly the dormer window at 525 due to its close proximity), and as such would be contrary to policy DM2.1 of the Islington Development Management policies 2013.

The meeting ended at 8.30 pm

CHAIR

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Schedule of Planning Applications

PLANNING COMMITTEE - Thursday 9 October, 2014

COMMITTEE AGENDA

1 48 Melgund Road, London N5 1PT

2 71 Calabria Road London N5 1HX

3 Michael Cliffe House, Skinner Street, London EC1

4 Three Corners Centre, Northampton Road, London EC1

1 48 Melgund Road, London N5 1PT

Ward: Highbury East

Proposed Development: Creation of new roof terrace and parapet wall

Application Number: P2014/2422/FUL

Application Type: Full Planning (Householder)

Case Officer: Emily Benedek

Name of Applicant: Ms Emma Barker

Recommendation:

2 71 Calabria Road London N5 1HX

Ward: Highbury East

Proposed Development: Excavation of basement to provide additional living space including formation of front light well and rear light well, erection of rear dormer roof extension, modifications to existing two storey rear return by raising height of roof and reducing size of first floor roof terrace, together with part single, part two storey (lower ground and ground level) rear extension with associated works (lower ground court yard and external steps from lower ground to existing garden level).

Application Number: P2014/2193/FUL

Application Type: Full Planning (Householder)

Case Officer: Eoin Concannon

Name of Applicant: Mr Nicholas Sanders

Recommendation:

3 Michael Cliffe House, Skinner Street, London EC1

Ward: Clerkenwell

Proposed Development: Erection of two 700mm [diameter] flues on the southern elevation of existing 25-storey building. 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.

Application Number: P2014/0387/FUL

Application Type: Full Planning (Council's Own)

Case Officer: Raymond Yeung

Name of Applicant: London Borough of Islington

Recommendation:

4 Three Corners Centre, Northampton Road, London EC1

Ward: Clerkenwell

Proposed Development: Construct internally located 3.0m high wooden fence with double access gate.

Application Number: P2014/1372/FUL

Application Type: Full Planning (Council's Own)

Case Officer: Henrik Dorbeck

Name of Applicant: Islington Council - Guy Lawrence

Recommendation:



PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	9 th October 2014	NON-EXEMPT

Application number	P2014/2422/FUL
Application type	Full Planning Application
Ward	Highbury East Ward
Listed building	Not listed
Conservation area	None
Development Plan Context	- Within 50m of Highbury Fields Conservation Area
Site Address	48 Melgund Road, N5 1PT
Proposal	Creation of new second floor rear roof terrace, new parapet wall and changing a second floor rear window to a door.

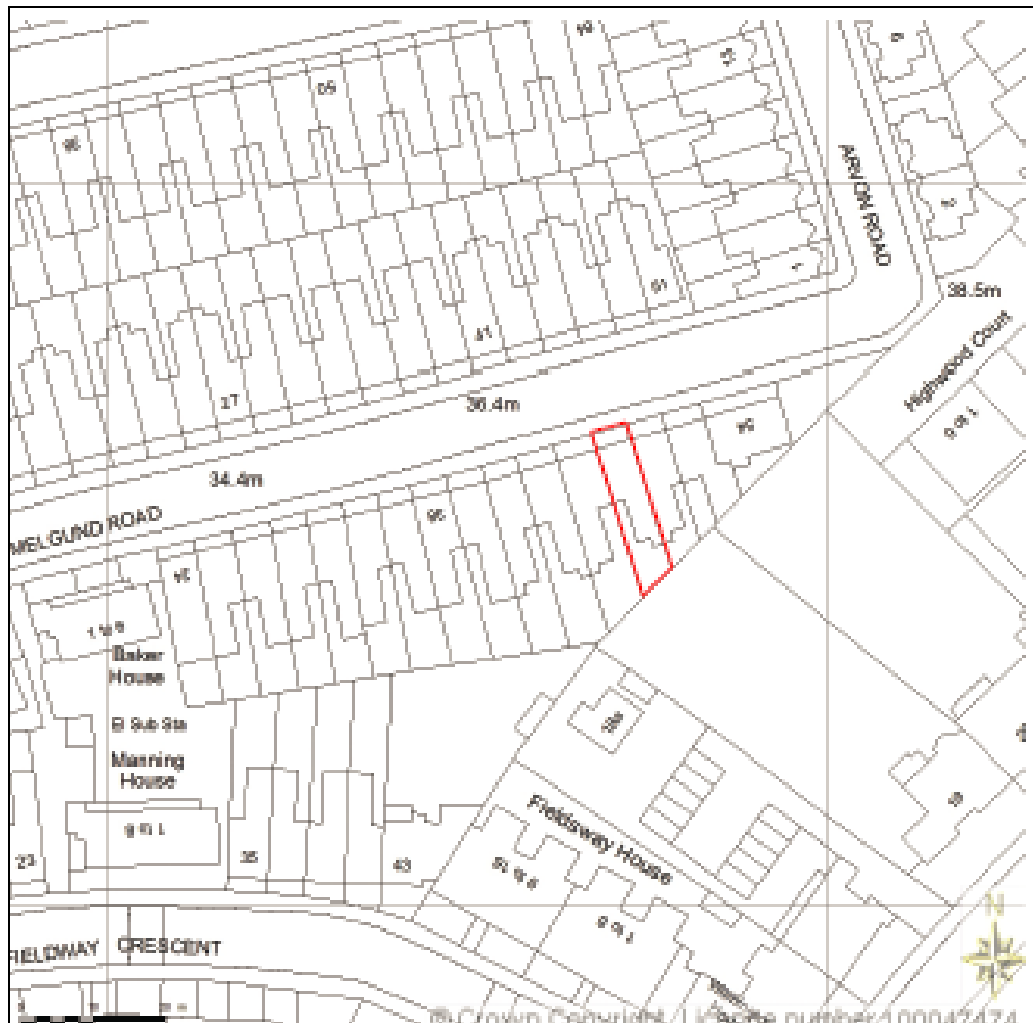
Case Officer	Emily Benedek
Applicant	Ms Emma Barker
Agent	Roman Pardon

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





Image 1: Existing front elevation



Image 2: View of existing rear elevation and relationship with No 46 Melgund Place



Image 3: View of existing rear elevation of 48 Melgund Road



Image 4: View neighbouring terraces at 50 and 52 Melgund Road.

4. SUMMARY

- 4.1 Planning permission is sought for the creation of a new roof terrace and parapet wall at the rear second floor level of the property.
- 4.2 The proposed roof terrace would not detract from the character and appearance of the application property and would not detrimentally impact upon neighbour amenity.
- 4.3 The application is therefore recommended for approval subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The site is located on the south side of Melgund Road and consists of a mid-terraced property which is used for residential purposes. The property is three storeys in height with a pitched roof.
- 5.2 The properties surrounding the site on Melgund Road comprise of traditional three storey late Victorian terraces with two storey front bay windows. The immediate area is predominantly residential in character.
- 5.3 The site is not located within a Conservation Area. The boundaries of Highbury Fields conservation area is located 50 metres away from the application site. The building is not listed. There is a variety of roof forms and rear second floor roof terraces in existence along this section of Melgund Road.

6. PROPOSAL (in Detail)

- 6.1 The proposal consists of the creation of a new roof terrace and parapet wall at rear second floor level.
- 6.2 The proposed roof terrace will be located in the existing two storey rear projection with a sloped gable roof. The new parapet wall will measure 3.35 metres in width and 1.1 metres in height. The existing window at the second floor level will be replaced with a door.
- 6.3 The proposed roof terrace will only project as far as the second floor rear projection of the neighbouring property at No 50 Melgund Road and therefore the rear section of the sloped gable roof will be maintained.
- 6.4 The application has been referred to the planning sub-committee as the applicant is an Islington councillor.

7. RELEVANT HISTORY

PLANNING APPLICATIONS

- 7.1 P022604 - Certificate of Lawfulness for proposed development, comprising erection of a single storey rear extension/ conservatory. Approved (05/11/2002)
- 7.2 981837 - Erection of a conservatory and roof terrace on existing two storey rear addition. Refused (16/03/1999)
- 7.3 44 Melgund Road: P111002 Approval of permission for the Erection of a single storey rear extension, alterations to rear first floor level and erection of second floor rear roof addition dated 06/07/2011.

PRE APPLICATION ADVICE

- 7.4 None

ENFORCEMENT:

- 7.5 No history

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 22 adjoining and nearby properties at Melgund Road and Highbury Crescent on 1st July 2014. The public consultation of the application therefore expired on 22nd July 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 no responses had been received from the public with regard to the application.

Internal Consultees

- 8.3 None

9. RELEVANT POLICIES

- 9.1 Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 9.2 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material

consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

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:

- Land Use
- Character and appearance of the Area
- Neighbouring Amenity

Land Use

- 10.2 The site is situated within a residential area and involves an extension to an existing residential property to create a roof terrace and retaining wall. The principle of development is considered to be acceptable in land use terms.

Character of the Area

- 10.3 Several properties in the area benefit from roof terraces. The adjacent property No 50 Melgund Road has a roof terrace at the second floor level, whilst No 52 Melgund Road benefits first floor terrace which overlooks the rear gardens of both neighbouring properties.
- 10.4 The proposed roof terrace will project 3.4 metres in depth and will extend no further than the end of the existing second floor rear extension at No 50 Melgund Road. The proposed retaining wall will be built of white painted bricks designed to integrate with the existing materials of the second floor rear projection. Given all of the above the proposed roof terrace is considered to be in keeping with the character and appearance of the host property as well as the immediate locality.
- 10.5 The proposed alteration involving the changing of a rear second floor window to a door to facilitate access to the proposed roof terrace is considered to be acceptable in design and visual terms.

Neighbour Amenity

- 10.6 Due to the recessed nature of the roof terrace behind the second floor rear extension of No 50 Melgund Road, the proposed roof terrace will only be visible from the immediate neighbouring properties and the applicant would have very limited views of the existing terrace at No 50. The proposed terrace will be set at a higher level than the neighbouring windows in the flank elevation at No 46 Melgund Road. The proposed side parapet boundary treatment to the terrace area is set off the edge of the existing side roof slope and adjacent to 46 Melgund Road by 0.9 metres which is considered to mitigate any material adverse ability to overlook directly into the rear habitable room windows of this property. Furthermore, the proposed roof terrace is set back 5 metres from the rear projection at No 46 affording very limited views of the neighbouring rear garden. Given all of the above it is considered that the proposal will not have a detrimental impact on neighbouring amenity surrounding the site.
- 10.7 There is a good level of natural screening between the application site and the properties to the rear in Highbury Crescent and the application site is also located at a lower level than these neighbouring properties. Accordingly, the proposal is not considered to result in any material overlooking or loss of privacy to the occupiers to the rear.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed roof terrace, retaining parapet wall and the changing of a window to a door to access the proposed terrace area is considered to be acceptable with regards to the land use, design and neighbour amenity.
- 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:

1	Commencement
	<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>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>1308MEL_1000, Design & Access Statement, Photo of Rear Elevation, 1308MEL_1005, 1308MEL_1340 Rev/A, 1308MEL_1103 Rev/A, 1308MEL_1023, 1308MEL_1034, 1308MEL_1230 Rev/A, 1308MEL_1013, Overlooking and Privacy Plan.</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
	<p>CONDITION: 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>

List of Informatives:

1	Positive Statement
	<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>
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	<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

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

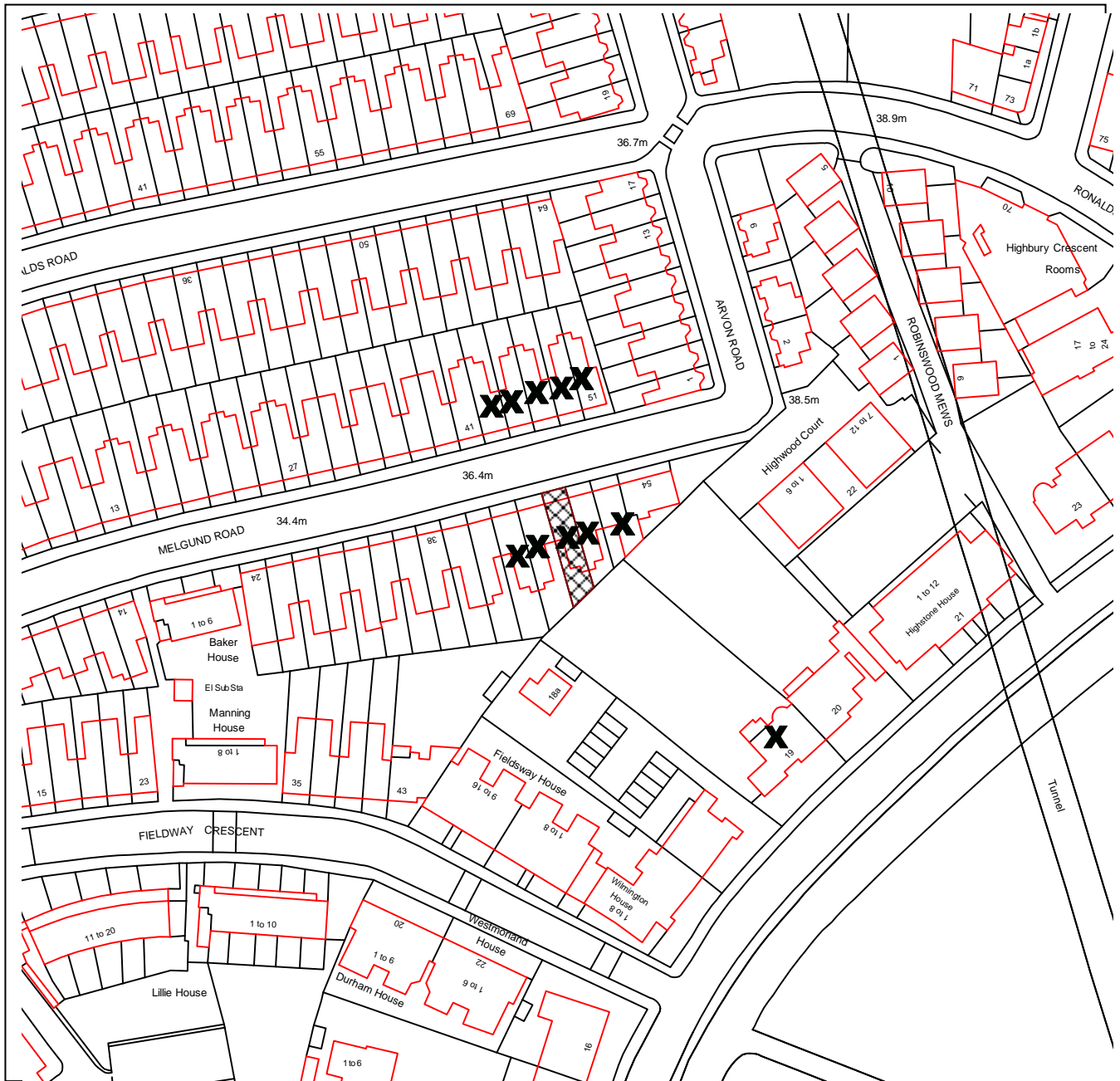
- Islington’s Urban Design Guide 2006
- Inclusive Design

London Plan

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



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/2422/FUL

LOCATION: 48 MELGUND ROAD, LONDON N5 1PT

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



PLANNING SUB- COMMITTEE A		
Date:	9 th October 2014	NON-EXEMPT

Application number	P2014/2193/FUL
Application type	Householder application
Conservation area	Calabria Road Conservation Area
Licensing Implications	None
Site Address	71 Calabria Road London N5 1HX
Proposal	Excavation of basement to provide additional living space including formation of front light well and rear light well, erection of rear dormer roof extension, modifications to existing two storey rear return by raising height of roof and reducing size of first floor roof terrace, together with part single, part two storey (lower ground and ground level) rear extension with associated works (lower ground court yard and external steps from lower ground to existing garden level).

Case Officer	Eoin Concannon
Applicant	Mr Nicholas Sanders
Agent	Ibbotson Architects

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 (OUTLINED IN RED)



3. PHOTOS OF SITE/STREET



Photo 1: Aerial view of Calabria Road



Photo 2: Aerial view to rear of Calabria Road



Photo 3: Existing front elevations along Calabria Road



Photo 4: Existing front boundary wall and tiling



Photo 5: Corner property No.55 Calabria Road which received planning permission P122193 and has constructed front lightwell with new boundary frontage.



Photo 5: Rear elevation of application site **Photo 6:** Existing dormers Calabria Road

4. SUMMARY

- 4.1 The application seeks permission for the excavation of basement to provide additional living space including formation of front light well and rear light well. It also seeks permission for rear dormer roof extension and demolition of existing ground floor extension and replacement with single storey extension together with raising of height of existing return and modifications to the first floor roof terrace.
- 4.2 The main considerations are the impact of the development on the character and appearance of the area, as well as the residential amenity of the neighbouring occupiers. Both drainage and landscaping issues are also considered as part of the assessment.
- 4.3 The proposed excavation works to form basement area is acceptable and would not cause detrimental harm to the character and appearance of the surrounding area. Presently there is no policy restrictions on lower ground basement and although there are no existing lightwells in this row of terrace, a recent construction at No.55 Calabria Road (Planning ref. P122193) shows that a lightwell can be incorporated to the front without any detrimental impact on the character and appearance of the street.
- 4.4 To the rear, the dormer extension would appear subordinate within the roofslope; while the raising of the two storey rear return by 200mm would not cause a significant impact on the symmetrical design of the terrace to merit refusal. As there is already an existing balcony and the works proposed would involve this balcony's overall size, the sole consideration on this element would involve securing acceptable materials which a condition on this matter is recommended. Both ground and lower ground lightwell given their position would not have a detrimental impact on the Conservation Area.
- 4.5 It is also considered that the proposal would not lead to a loss of amenity to any neighbouring properties. The positioning of the lightwells would not cause any planning amenity concerns. The excavation works would be subject to complying with other regulations outside the realms of the planning system including the building regulations and the Party Wall Act. At upper floor levels, there is presently a degree of overlooking between the properties along Liberia Road and Calabria Road. The reduction in size of the roof terrace would in fact reduce this overlooking given the location of planting along the roof terrace edge.
- 4.6 As such, the revised application is considered acceptable and recommended for approval.

5. SITE AND SURROUNDING

- 5.1 The application site is situated on the west side of Calabria Road and comprises a three storey mid terrace family dwelling with an original projecting two storey rear return. Calabria Road is a very long street that intersects onto Baalbeec Road to the north and bends around to Corsica Street to the south west.

- 5.2 Its prevalent character is residential in nature with the terrace style housing the predominant house type. The terrace dwellings along the southern and eastern side of the road are slightly different in design to the application site with original lower ground lightwells incorporated into finish.
- 5.3 The application property is not a listed building however it does lie with Calabria Conservation Area. This Conservation Area is noted for its highly detailed and ornate, red brick houses with good decorative details including cast iron railings, bay windows and tiled entrances.

6. Proposal (in Detail)

- 6.1 The application seeks planning permission for the excavation of basement including lightwells to the front and rear of the property. The front lightwell would be set behind a new boundary treatment comprising dwarf red brick wall with railings above (maximum height 1 metre).
- 6.2 At basement level, a bay window finish would match the design of the upper levels with a red brick finish. A side railing (1 metre high) between the front boundary wall and main entrance would segregate the front light well from the ground level forecourt with a new tiled surface in front of main entrance door.
- 6.3 It is also proposed to erect a dormer window within rear roof slope. The dormer window would be centrally positioned set in 1 metres from each sides as well as set down and up from the ridge and eaves line. It would measure approximately 2.8 metres wide, 1.5 metres height and 2.5 metres deep. It would served by a metallic window with zinc coated material to the sides and roof.
- 6.4 The two storey outrigger would be raised by 200mm with a new screening proposed (slatted cedar gardening) for the existing balcony. This balcony would be reduced in size with the inclusion of planter boxes on the outer section of the terrace and along the flank. At lower and ground floor level, the proposal would demolish the existing single storey rear lean-to and replace with single storey extension with light well providing access from basement along the boundary with No.73 Calabria Road. This extension would wrap around the outrigger extending 1.5 metre out into garden.

7 RELEVANT HISTORY

Planning Applications:

- 7.1 **P122193: 53 & 55, Calabria Road** Erection of a single storey rear infill extension, enlargement of existing 2nd floor part width rear extension, erection of rear dormer, basement excavation and extension, associated front lightwell, alteration to side boundary wall and metal railings and installation of metal railings to front boundary of both 53 and 55 Calabria Road. **(Approved 11/12/12)**
- 7.2 **P2013/2975/FUL: 89 Calabria Road** Construction of a rear dormer. **(Approved 25/11/12)**

Enforcement:

7.3 None

Pre- Application Advice:

7.4 **Q2013/4783/HH** – Pre-application in relation formation of front lightwell and the erection of single storey rear extension together with rear dormer roof conversion. **(Principle acceptable subject to details)**

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of adjoining and nearby properties on the 16th July 2014. A site notice was also displayed and advert placed in the local paper. The public consultation of the application therefore expired on 14th 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, there was 6 letters of objection and 4 letters of support for the application. The following objection issues were raised (and the paragraph numbers responding to the issues in brackets).

Lightwell/basement

- Concerns raised regarding impact the lightwell would have on the street scene and the Conservation Area which would change the character and appearance of the street scene. (10.6-10.14)
- The terrace in its present form has uniformity and the lightwell would damage this appearance. The gardens to the front are modest in size and this would go against the design guideline. (10.6-10.14)
- A basement with front lightwell would neither preserve nor enhance the appearance of the terrace and therefore permission should not be given as it would contravene. (10.6-10.14)
- Party wall/structural issues from the development of basement (10.41)
- The previous planning decision at No.55 Calabria Road should not take a precedent as different terrace and end of terrace property. The deep front lightwell and boundary treatment at No.55 is no longer in keeping with the general character. (10.9-10.11)
- Drainage issues from the deep excavation works. (10.38-10.40)
- Construction works and interference during these works. (10.41-10.43)
- Impact the extension would have on the street tree along the street. (10.35-10.36)

Roof Terrace

- Loss of privacy and loss of light (10.32-10.35)
- The existing roof is not an established terrace. The low level railing installed 3 decades ago would now require planning consent. (10.23-10.26)
- The raising of the roof and screening would impact on neighbours amenity (10.31-10.32)

Dormer Window

- Concerns raised regarding overlooking from dormer window. (10.34)

Internal consultees

- 8.3 **Design & Conservation:** The Design Officer has raised concerns over the lightwell to the front and rear dormer. The lightwell is not a common feature to the front of these properties. Materials for the balustrade should also be more traditional. The single storey element should not wrapped around but acceptable in principle. The materials of the single storey extension should also be more traditional.

9. REVELANT 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

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The relevant SPGs and/or SPDs are listed in Appendix 2.

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle of the development (basement extension);
- Impact of the development on the character and appearance of the existing dwelling and Calabria Conservation Area
- Impact of the development on the residential amenities of the neighbouring occupiers;
- Landscaping, trees and biodiversity;
- Sustainability and drainage issues
- Other issues.

Principle of the development

10.2 The site is situated within a residential area and involves an extension to an existing residential dwelling. Presently, there is no specific policy however the IDUG provides guidance on basements in para 2.4.6. Furthermore, the proposal would be assessed on the Development Management Policies.

10.3 The site is situated within a residential area and involves an extension to an existing residential dwelling. Presently, there is no specific policy however the IDUG provides guidance on basements in para 2.4.6. Furthermore, the proposal would be assessed on the Development Management Policies.

10.4 Section 2.4.6-2.6.6 (Basement Extensions) of the Islington Urban Design Guide do provide guidance and states that basements 'can potentially increase the overall floor area of a building with little impact upon the external appearance of a residential terrace' and it is considered that this has been achieved in this instance.

10.5 The UDGs also state that '*basement excavations can be unsympathetic to the original frontage if they involve the loss of a verdant front garden*', however there would be no loss of verdant front garden in this case. The existing frontage comprises modern tiling which is enclosed by concrete dwarf wall. Neither of these elements would be traditional original features of the property and as such the principle of the basement would be acceptable subject to the design not having a detrimental impact on the Conservation Area. This would be assessed within the next section.

10.6 It is acknowledged that during the construction period, particularly with regard to basement excavation, there will be some disruption. However, the Control of Pollution Act deal with noise during construction and controls the hours of construction. The Party Wall deals with civil matters between landowners and the impact on buildings adjacent to or on the Party Walls.

Impact of the development on the character and appearance of the existing dwelling and Calabria Conservation Area

- 10.7 There are several elements to the proposed application including
- The creation of lower basement including front and rear lightwells
 - Rear dormer extension
 - Single storey rear extension and raising of wall to existing outrigger
 - Modifications to existing second floor balcony.

Each of these issues will be addressed below.

The creation of lower basement including front and rear lightwells

- 10.8 The Urban Design Guide supports basement extensions where it would not involve a loss of verdant garden. The Calabria Conservation Guidance also has no specific restrictions on the creation of basement area. The guidance note does refer to demolition of front boundary walls which it would not allow unless the replacement would improve the Conservation Area. The boundary wall would be replaced with a treatment which would be more traditional to the street and this part of the scheme is considered acceptable.
- 10.9 The front lightwell would contain a bay window feature at basement level that match and aligns with the appearance of the fenestration at ground and first floor level. As such, the overall design of the lightwell would be sympathetic to the existing façade with a similar matching appearance at basement level. Although, there are no lightwells on this immediate stretch of the existing terrace, the residential properties to the south of Calabria Road (Nos 2-40) all contain lower ground lightwells. While these are of different design, it is noted that front lightwells are not an uncommon characteristic in the area.
- 10.10 Whilst the Design Officer has raised concern about the front lightwell and it not being a common feature within this row of terrace as a whole and there are no immediate examples on either side of the application property, a recent planning approval at No.55 Calabria Road (Planning reference P122193) has been implemented for a similar lightwell development. Furthermore as indicated the original lightwells exist to the south of the site.
- 10.11 As shown in photo 5, this existing front lightwell at No.55 Calabria is not immediately visible from the street due to the to the boundary treatment comprising a dwarf wall and railings. This design is similar in appearance to the application site with a lower bay window matching the upper floors. The lack of depth to the front garden contributes to reducing its overall visibility, as the front lightwell would be situated in close proximity to the boundary treatment with limited separation.

- 10.12 Given the existence of a similar style lightwell at No.55 Calabria Road (which has limited visual impact) and the fact that the proposal complies with IUDG guidance, it is considered that the proposal would not have a detrimental impact on the Conservation Area. This is due to its subterranean position and the lack of visibility along the street. In terms of accepting the design of the lower ground, it is recommended that details of the boundary treatment be secured by condition in order to ensure the treatment provide sufficient screening of the lower ground floor.
- 10.13 To the rear, the proposed excavation works along the northern flank to create a lower ground lightwell is acceptable in principle due to the overall size of the garden. It would not lead to a substantial loss of garden space in the context of the application site nor would it be visible from a public viewpoint. As this element would be situated at lower ground, it would also not detract from the overall design and appearance of the rear elevation.
- 10.14 As such, both front and rear lightwell and the excavation of the basement to create habitable accommodation are considered acceptable and would not detract from the overall character and appearance of the Conservation Area subject to condition.

Rear dormer extension

- 10.15 Following a site inspection, there are many examples of dormers along Calabria Road and also along the street facing onto the application site from Liberia Road. Furthermore, a recent planning approval at No.89 Calabria Road (P2013/2975/FUL) was approved by Committee (October 2013) following a recommendation by the Planning Officer for refusal on the basis of an unaltered roofline.
- 10.16 Notwithstanding the Design Officer's concerns in respect to unaltered rooflines, the principle of the dormer extensions has been established on this row, the argument that the dormer would sit on a unaltered roofline would not justify a reason for refusing the application on these grounds. It would therefore be important to secure a quality design to the dormer.
- 10.17 The Conservation Area Guidelines includes special roof policies and provides guidance in relation to rear roof extensions which generally relate to the size and positioning of the dormer.
- 10.18 The Conservation Area Design Guidelines state:

'...alterations to rear roofs will be allowed, including projecting dormers where:

- A. they are lower than the main ridge and do not raise the overall height of the roof;*
- B. they are set back from the rear wall by no less than 500mm;*
- C. they are not full width and are set in by an average of one metre from each party wall, retaining the original roof slope either side;*
- D. the scale of the windows and glazing pattern are sympathetic to the main rear elevation;*

E. the materials are sympathetic to the existing roof covering.'

10.19 The proposed would meet the criteria set out in the design guideline and would be situated centrally within the roof slope. Its overall size and position would appear subordinate and sympathetic within the rear roof slope. As such, this element of the proposal would be acceptable and generally conforms with the design guidelines.

Single storey rear extension and raising of wall to existing outrigger

10.20 The proposed lean-to extension to the rear is not original and its removal is acceptable in principle. The Urban Design Guide supports single storey rear extension so far as sufficient garden space is retained to the rear and there is no detrimental impact on the neighbouring properties amenity space.

10.21 The single storey extension would be situated between the flank of existing outrigger and would wrap around bringing the extension 1.5 metres into the rear garden. It would not extend further into the rear garden than the existing outhouse building. The basement level would extend under this section with a small lightwell and external steps situated along the boundary with No.73 Calabria Road.

10.22 Although the proposed extension is contemporary in style, given its lower ground position, it would not detract from the overall appearance of the building. There are many larger extensions within the vicinity including a double storey full width extension at No.20 Liberia Road and the design would appear sympathetic to the main building. Given that 30 square metres of garden area would be retained and the extension would project onto permeable paving, it would be acceptable in this instance.

10.23 In regard the 200mm height increase to the two storey outrigger, this would not cause a significant impact on the rear elevation to merit a refusal. There is no set rhythm or uniform design to the existing outriggers along the terrace row. Many have been altered with additional builds or adopted roof terraces above the existing flat roofs. A similar height increase has occurred at No. 75 Calabria Road. Given the variation along the upper floor outriggers and the lack of symmetrical design, the 200mm increase in brick height would be acceptable in this instance. It is recommended that a condition be place in regard the materials to be used to match the existing London stock brick.

Modifications to existing second floor balcony

10.24 An objection received had queried whether the balcony can be classed as existing given that it's not presently utilised for this function. Notwithstanding this, the site inspection confirmed that there is a roof terrace above the existing outrigger with access from the 2nd floor door on the main rear wall. As it has existed for over 4 years, it is now considered a lawful development and the principle of the roof terrace is therefore established.

- 10.25 The terrace includes a 1980's style balustrade with patio tiling which appears outdated in its current form. The proposed works would involve reducing the floor space of the terrace and creating a contemporary urban garden with additional planters along the sides and rear perimeter. Concerns have been raised by the Design Officer in regard to the use of cedar slatted balustrade around the boundary. This type of material would not be appropriate and it is recommended a condition be attached requiring either frameless glass balustrade or a more traditional black metal balustrade be submitted prior to commencement of the development. Either of these materials would have a reduced visual impact to that of the proposed cedar slatted.
- 10.26 The inclusion of planters and landscaping at upper floor level would improve the level landscaping contributing to the aesthetics and biodiversity of the scheme. On the basis of securing satisfactory materials through condition, the modification to the roof terrace are considered acceptable from a design perspective. Considerations on amenity will be considered further into the report.

Conclusion of the proposal impact on character & appearance of dwelling and CA.

- 10.27 Overall, the works proposed would not have a detrimental impact on the existing building or the character and appearance of Calabria Conservation Area to merit a refusal.
- 10.28 The comments raised by the objectors have been noted in regard to the basement and the lack of a precedent. However, as discussed, there are no policy restrictions on basement extension at present. Having examined the existing basement at No.55 Calabria on site, given the close proximity of the boundary to the site, the lightwell would have a neutral impact on the existing building and Conservation Area. It would not jeopardise the character and appearance of the terrace. This however, would be subject to a well designed boundary wall and railings which it is recommended to be secured by condition.
- 10.29 To the rear, the proposed works have been considered acceptable given the existing building and the surrounding developments. Each element would not detract from the overall appearance of the building and would appear sympathetic in design.
- 10.30 As such, the proposed external alterations would not cause harm to existing dwelling, the visual amenity or the setting of heritage assets (Calabria Conservation Area) and therefore complies with CS policies 8 & 9, and DM policies DM2.1, DM2.3, & Islington's Urban Design Guidance 2006.

Impact of the development on the residential amenities of the neighbouring occupiers

- 10.31 Policy DM2.1 of the Development Management Policies Plan states that 'developments are required to provide a good level of amenity including consideration of overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.'
- 10.32 Concerns have been raised regarding overlooking from the additional dormer and terrace at second floor level. With regard the roof terrace, this would involve alteration to an existing amenity space. The proposed alteration would reduce the level of overlooking than the present arrangement with the use of planters along the edge of the roof. This reduces the size of usable terrace towards the centre of the roof. It is also proposed to use screening to reduce its impact on the surrounding neighbours. As indicated earlier in the report, it is recommended that the materials be secured by condition.
- 10.33 Given, the screening measures, the reduction in the size of the terrace and the fact the current terrace has a greater level of overlooking than what is proposed, a reason for refusal could not be substantiated on the loss of amenity of surrounding residents from the terrace.
- 10.34 Further concerns have been raised in regard the dormer extension which would be set into the main rear roof slope. Currently, there is several rear dormers on the rear elevations on Liberia Road that project onto the application site. The subject dormer would be set in from the eaves and approximately 13 metres from the rear site boundary wall with a further 6/7 metres to the rear walls of the Nos. 16 & 18 to which it projects onto. This would be over 18 metres which is sufficient distance to address overlooking concerns.
- 10.35 It is considered that the remaining elements (basement, ground floor rear extension) would not infringe on the neighbours outlook, daylight or sunlight. There would be no overlooking or overbearing impact from the rear extensions. The additional basement element would be situated at subterranean level and therefore would not cause any additional amenity issues. Overall, the proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 (Design) of the Development Management Policies Plan 2013.

Landscaping & Biodiversity

- 10.36 Policy DM6.5 (Landscaping, trees and biodiversity) states that developments should minimise any impacts on trees, shrubs and other significant vegetation. There is an existing cherry tree situated to the front of the property. The Tree Officer has been consulted and following the submission of an arboricultural report, it would appear the works have minimal impact on the tree. Based on complying with the details of this report, it would not cause any impact on the existing tree.

10.37 The proposed development is acceptable with regard to landscaping and trees and is in accordance with policy 7.21 (Trees and Woodlands) of the London Plan 2011 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

Sustainability and drainage issues

10.38 The proposal would involve substantial excavation works to accommodate a new basement level. This would increase the level of hard surfacing to the rear of the site. The front lightwells would be positioned on previously concreted area and therefore would not contribute to increase surface water to the front.

10.39 The plans submitted illustrate the use of permeable paving within the rear garden. This measure would control surface water run off and contribute to sustainable urban drainage (SUDS) measures.

10.40 As such, the proposal subject to condition would comply with policy DM6.6 of the Development Management Policies 2013.

Other issues

10.41 The objections received raised other concerns related to the proposed development including

- Structural Concerns
- Other legislation

10.42 Structural considerations would fall within the realms of Building Act and Party Wall Act and are dealt with under this legislation. An informative can be attached informing the applicant of the need to comply with other legislations outside the realms of the planning legislation.

10.43 The representations received also refer to complying with other legislation such as Control of Pollution Act 1974, Environmental Protection Act 1990 and Noise Emission in the Environment by Equipment for use outdoor. These would be outside planning control. The proposed works would involve a short term construction period. Given the size and scale of the development, it would not be necessary to place a construction management condition. Any construction generated noise outside the normal working hours can be dealt with by the Council's Pollution Control team powers.

11. SUMMARY AND CONCLUSION

11.1 The proposed development is acceptable. The proposed development would cause to the existing dwelling or the surrounding street scene. It would not lead to an adverse impact on neighbours' amenity and subject to suitable sustainable urban drainage measures would not lead to drainage issues.

11.2 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATION A.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

	Commencement (Compliance)
1	<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>
	Approved Plans List: (Compliance)
2	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: (PL 101 00, PL 101 01 Rev P1, PL 101 02 Rev P1, PL 101 03 Rev P1, PL 101 04, PL 102 01, PL 102 02, PL 102 03, PL 103 01 P1, PL 103 01 P1, PL 103 02, PL 600 01, Design & Access Statement Revision A), Arboricultural Report (Ref,APA/AP/2014/163) dated 18 Sept 2014)</p>
	Materials
3	<p>CONDITION: Notwithstanding the plans hereby approved, no permission is granted for the cedar slatted material on the single storey ground floor extension and the second floor balcony.</p> <p>Detailed drawings and samples indicating</p> <ul style="list-style-type: none"> • a frameless glass balustrade or a traditional black metal balustrade to be on balustrade (second floor) • and traditional matching brick/ render on ground floor extension <p>shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
	Boundary Treatment
4	<p>CONDITION: Detailed drawings at scale 1:10 or similar in respect of the following, shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site:</p>

	<p>Front and side boundary metal railings.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	<p>Sash window to match (compliance)</p> <p>CONDITION: The new sash on first floor rear elevation 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>
6	<p>Boundary Tree</p> <p>CONDITION: The front excavation works to be undertaken in proximity to the front boundary tree shall be carried out in accordance to the detailing included within the Arboricultural Report ref. APA/AP/2014/163. If the front cherry tree is damage/removed during the construction works, a replacement tree shall be planted within twelve months. The position, size and species of the replacement tree are to be agreed in writing by the local planning authority prior to planting taking place. Details of soil preparation, staking, irrigation and maintenance of the tree are also to be agreed in writing by the local planning authority prior to planting taking place.</p> <p>REASON: To ensure the long term survival of the cherry tree and the continued amenity and environmental benefits provided by the tree.</p>

List of Informatives:

	Positive statement
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. 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>

	Other legislation
2.	You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act").
	Ancillary Use
3.	You are reminded that the basement area would need to be used as an ancillary living space to the existing residential dwelling. A conversion to a separate residential unit or commercial space would need the benefit of planning permission.
	Construction hours
4.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations as well as Environment Health Regulations.</p> <p>Any construction works should take place within normal working day. The Pollution Control department lists the normal operating times below.</p> <p>Delivery and operating times - the usual arrangements for noisy works are</p> <ol style="list-style-type: none"> 1. 8am –6pm Monday to Friday, 2. 8am – 1pm Saturdays; 3. no noisy work on Sundays or Public Holidays (unless by prior agreement in special circumstances)

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

1 Context and strategy

Policy 1.1 (Delivering the strategic vision and objectives for London)

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

Policy DM2.1 (Design)

Policy DM2.3 (Heritage)

Health and open space

Policy DM6.5 (Landscaping, trees and biodiversity)

Policy DM6.6 (Flood Prevention)

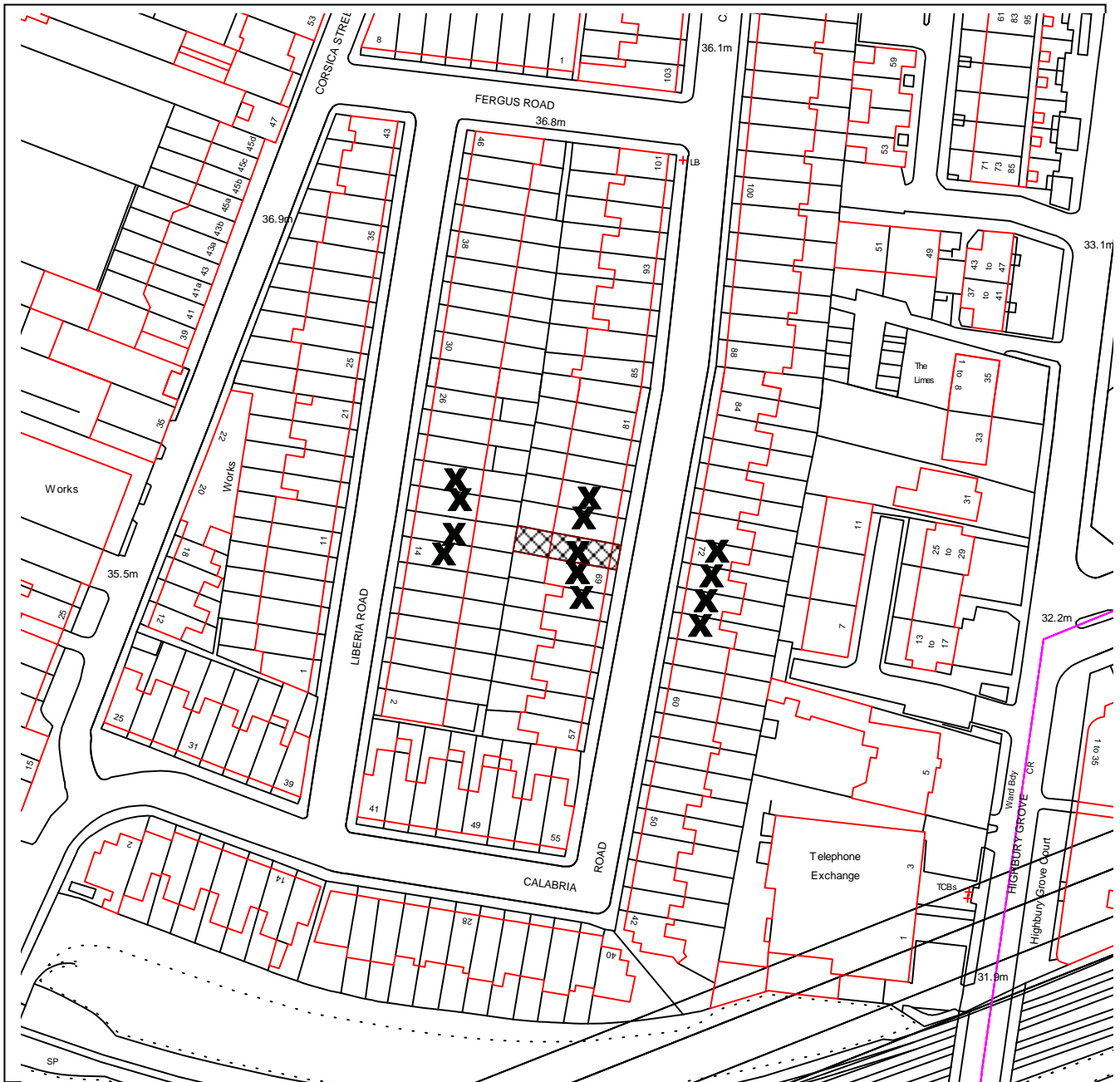
4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- Islington Urban Design Guide 2006
- Calabria Conservation Area Guidance Note
- Inclusive landscape design



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/2193/FUL

LOCATION: 71 CALABRIA ROAD LONDON N5 1HX

SCALE: 1:1250

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PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE A		
Date:	9 th October 2014	Non-exempt

Application number	P2014/0387/FUL
Application type	Full Planning (Council's Own)
Ward	Clerkenwell
Listed building	Unlisted
Conservation area	Not in conservation Area
Development Plan Context	Central Activities Zone, Site within Lv4 Local Protected Views from Archway Road to St.Paul's Cathedral, Key Area –Bunhill & Clerkenwell
Licensing Implications	
Site Address	Michael Cliffe House, Skinner Street, London EC1R
Proposal	Erection of two 700mm [diameter] flues enclosed in proposed screening on the southern elevation of existing 25-storey building.

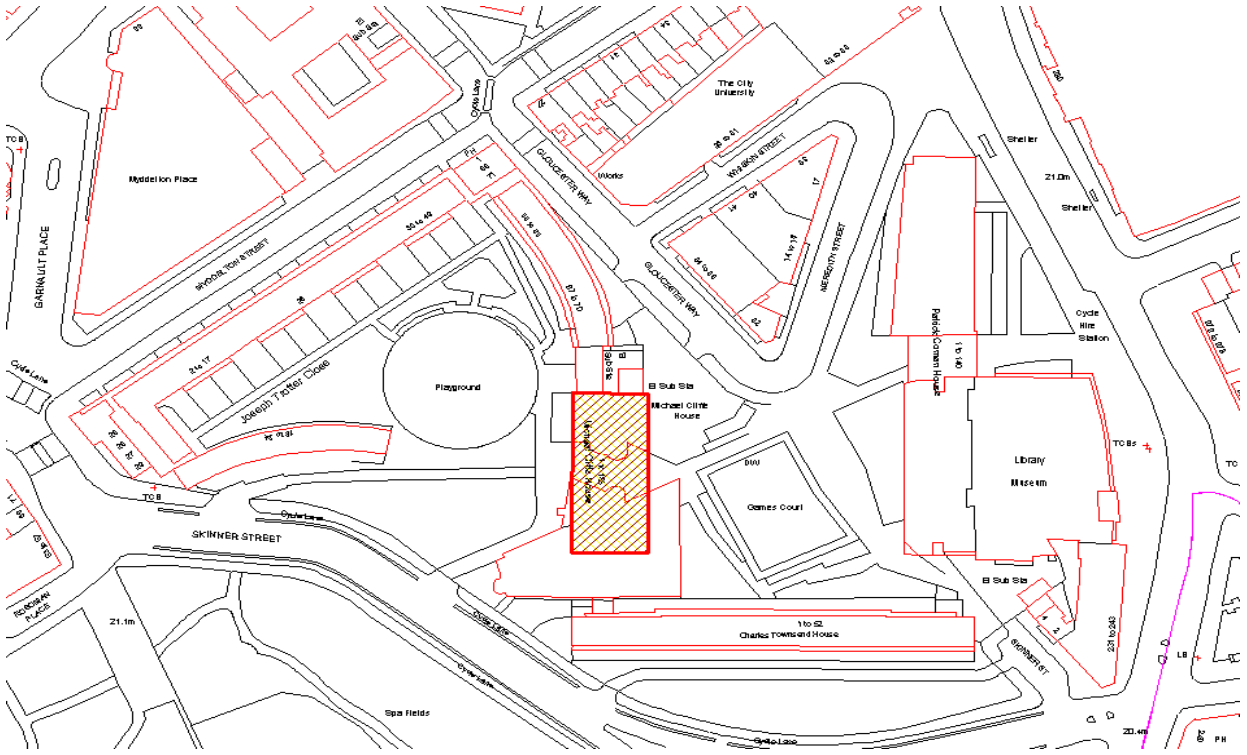
Case Officer	Raymond Yeung
Applicant	London Borough of Islington
Agent	London Borough of Islington - Mr Alan Price

1. RECOMMENDATION

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

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in red)



Plan 2: Site plan with surrounding conservation areas highlighted; Rosebery Avenue (west), New River (north), Northampton Square (north-east) and Clerkenwell Green (south).

3. PHOTOS OF SITE/STREET



Image 1: Ground floor side elevation of Michael Cliffe House facing south



Image 2: Distant view front elevation (facing west) of Michael Cliffe House from Skinner Street



Image 3: Ground floor side elevation of Michael Cliffe House facing south with Patrick Coman House in the background.

4. SUMMARY

- 4.1 The application site is Michael Cliffe House, a council owned high rise tower block in the Finsbury Estate. The council are the applicants. Islington Council has initiated a renewal project to upgrading central heating services and proposals have been developed for providing a new community central heating system to serve the estate. The applicant has stated within their submission that they plan to start installation works in 2014 and to continue for 24 months.
- 4.2 The majority of the new plant and pipe distribution installations will be contained within Council owned buildings and within individual dwellings.
- 4.3 However, exceptions to this are the new arrangements for venting boiler flue gases safely to the outside. Current proposals include for routing 2 x 700mm diameter flue ducts (externally) up the southern elevation of Michael Cliffe House.
- 4.4 The applicant's supporting statement states that there are two fundamental considerations relating to the location of a new central boiler plant installation.
- These two considerations are:
- A requirement to reduce the health and safety impacts arising from retaining a roof top central plant installation.
 - Integration of Finsbury Estate into a municipal heat and power network planned for the area in the near future.
- 4.5 It is considered that the proposed design is acceptable in that it would not materially impact upon the appearance of neither the host building nor the surrounding wider area. Although the site is between surrounding conservation areas, it is unlikely that such a proposal would affect the setting of these designated areas.
- 4.6 It is recommended that the application is approved subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application site concerns Michael Cliffe House, a 25 storey tower block located within the Finsbury Estate, the tower itself is constructed with external concrete grey walls with enclosed balconies and the west and east elevations.
- 5.2 Finsbury Estate includes the following buildings:
- Michael Cliffe House
 - Patrick Coman House
 - Charles Townsend House
 - Joseph Trotter Close
 - Library Building
 - Ground Level and Basement Car Park (disused)
- 5.3 Michael Cliffe House is not listed nor within a Conservation Area. However the height of the building and proposed works on the south-side elevation would be visible from the surrounding conservation areas towards the south (Clerkenwell Green and Rosebery Avenue) as indicated in the above plan.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal would consist of the erection of two 700mm diameter boiler flue vents on the southern elevation of Michael Cliffe House, a 25-storey residential building within the Finsbury Park. The flue vents would extend vertically for the entire elevation and would be vented above the roof level at approximately 2 metres which would comply with public protection which requires a minimum of 1 metre above.
- 6.2 The proposed flue vents are required as part of upgrades to the central heating system serving Michael Cliff House and Patrick Coman House, which accommodate a total of 328 dwellings.
- 6.3 **Revisions.** Following the original submission of the application, there has been a series of discussions and meetings between the architects and planning and design officers with recommendations made to improve the appearance of the proposal. The revised plans following officer comments include perforated panel screening to the pipes, and the removal of green wall solution at the lower level, which is considered to mitigate the visual impact of the flues which are located on the building.

7. RELEVANT HISTORY:

- 7.1 No particular relevant planning history to this proposal site.

ENFORCEMENT:

- 7.2 There is no enforcement history relevant to the proposal site.

PRE-APPLICATION ADVICE:

- 7.3 Pre-application was sought under reference Q2013/3326/MIN for the erection of two 600mm diameter boiler flue vents on the southern elevation of Michael Cliff House, which concluded that, the proposal would result in an undesirable urban design outcome and the flue vents as shown could not be recommended for planning approval. It was noted and acknowledged that alternative options, including the internal installation of the flue vents and fan dilution, had been considered, however it was considered that the reasons for any alternative options not being pursued would not outweigh the visual harm that would be caused to this prominent and architecturally significant building. It was strongly recommended that other alternatives are considered.
- 7.4 However, the response does acknowledge that it is apparent from the pre-app submission that the location of the flue vents on the southern elevation is the most cost effective and preferred solution. It is further noted that a report prepared by Council's Construction and Fire Safety Manager is supportive of the relocation of the existing plant room from the roof to the ground level, which would necessitate suitable venting of the communal heating plant elsewhere.
- 7.5 Following the pre-application advice, the current proposal has explored other alternatives, and according to their supporting statement, other flue duct treatments have been considered and rejected, which are described below.

1. Fan Dilution

Consideration has been given to the introduction of a fan dilution system whereby flue gases are mixed with air to dilute the concentration of CO₂ to acceptable levels, thus allowing the flue gases to be released at street level. With this method of treatment, flue gases produce a large and continuous plume of steam which could be deemed to be a nuisance, particularly as it would be close to street level and clearly visible from a number of perspectives. This has been rejected on the grounds that it is cost prohibitive and could create a significant visual nuisance. A fan dilution system will increase the pre-existing concentrations of NO_x at street level and the additional motor power required to drive the dilution fans will increase the carbon emission arising from the installation.

2. Flues Ducts Routed Inside the Building

An option to route the rising flue ducts to roof level inside the building has been investigated. However, no suitable locations have been identified. Existing circulation routes and landings do not have sufficient space to accommodate two large flue risers' ducts (700mm outside diameter). Routing the flue ducts horizontally to a stair well is not feasible. Accommodating the rising flue ducts inside dwellings or in spaces accessible from the dwellings is not permitted under building regulations. Building regulations Approved Document J, does not permit a common flue duct to be routed through multiple dwellings, where access for maintenance and inspection cannot be readily made.

3. The proposed external Flue Duct Risers

The preferred solution to route the flues ducts vertically up the side of Michael Cliffe House, fixed back to the concrete wall structure, is considered to offer the best technical solution.

7.6 Advantages and disadvantages have been identified below.

Advantages:

- A future flue gas leak will not present a health and safety hazard to the building occupiers
- Air pollution impacts at street level will be minimised
- Space can be allocated for a future combined heat and power flue duct.

Disadvantages:

- The flue installation will be visible from a number of perspectives
- Flue inspections will need to be carried out on a 'cherry picker' up to mid-level and by Fqualified abseil operatives for upper levels.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 486 adjoining and nearby properties and were reconsulted on the amended plans. Site notice and press adverts on the amendments were displayed on 8th September 2014. The public consultation of the application therefore expired on 25th 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 a total of no responses had been received from the public with regard to the application.

Internal Consultees

- 8.3 Design and Conservation Officer: The proposed pipe work would disrupt the considered composition of the building's elevations and would cause some degree of visual harm. Design and conservation are entirely convinced about the perforated panel. However, it is appreciated that there are public benefits involved in this proposal which need to be balanced as part of the assessment of the proposal.
- 8.4 Public Protection Division (Noise officer): No objections subject to appropriate condition and informatives. There is a new boiler plant planned here in the plant room. As an informative; anti-vibration mounts should be considered for fixings to the main building structure.
- 8.5 Energy Officer: Supports the application. The current heating system at the Finsbury Estate is old, inefficient and now in poor condition. Its replacement with the proposed new system should ensure that residents receive a more reliable source of heat and a better and more controllable level of comfort.

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 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,

Finsbury Local Plan 2013 and Site Allocations 2013, Central Activities Zone, Key Area-Bunhill & Clerkenwell and within area of Protected Local views.

Supplementary Planning Guidance (SPG) / Document (SPD)

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:

- Principle of the proposal and constraints
- The design and the impact of the proposed pipes and screening on the appearance of the building and the wider neighbourhood.
- Potential impacts to the neighbouring residents
- Energy efficiency and benefits of proposed works for residents

Design and Conservation Considerations

10.2 The Finsbury Estate is nearby heritage assets within the Borough (i.e. New River CA, Roseberry Ave CA, Clerkenwell Green CA, Grade II* Spa Green Estate, Grade I Finsbury Health Centre, and several other listed buildings). Given its height, Michael Cliffe House, prominent in the immediate surrounding area.

10.3 Despite its scale, the building does have architectural merits. It is a building of its time and its design follows an ordered and considered composition. The proposed pipe work would further exacerbate its prominence.

10.4 It is appreciated that there has been an attempt to develop a more "architectural" solution and to transform it into a feature. However, it is still considered that the proposed pipe work would disrupt the considered composition of the building's elevations and would still cause some degree of visual harm. However, they are located on the side elevation and the disruption has been minimised. Due to its prominence and visibility, it would have a visual impact on the local townscape including the heritage assets. It is appreciated that there are public benefits involved in this proposal which need to be balanced as part of the assessment of the scheme.

10.5 The submitted information satisfies the requirement to demonstrate that the installation of the pipe work is necessary and unavoidable following the applicant's details exploring other alternatives as mentioned in section 7.5 of this report and that the public benefits would outweigh the harm caused by its installation.

10.6 It is acknowledged that Michael Cliffe House is a prominent building within Islington and the proposed flue vents would be highly visible. However, it is considered that the proposed revised plans with the external panelling secured through an appropriate condition to provide additional details of design, colour, materials, samples and detailing to ensure high quality materials and that the visual harm is minimised towards the host building and the local vicinity and within the context, the proposal is considered acceptable.

10.7 Although, not ideal, the pipes would protrude out of the proposed screen at the top. The top of the building would not be as prominent within the surrounding context and on balance is considered to be acceptable taking into account health and safety constraints.

10.8 Subject to conditions, the proposed design, on balance, is considered to comply with policy CS9 which seeks high quality architecture that enhances Islington's built environment and policy DM2.1 in demonstrating architectural design quality and detailing.

Neighbouring Amenity

- 10.9 The pipes would be located close to the balcony balustrades of the flats on the southern elevation.
- 10.10 The proposal projects 1 metre from the main building and is 2 metre width (including screen panelling). It would be located approximately 1.5 metres away from these balconies and is considered that the pipes and screening would not affect the residential amenity of the nearby occupiers.
- 10.11 A condition is proposed to ensure that there will be no disruption from potential noise and vibration from the new flues.

Energy Efficiency and Renewable Energy

- 10.12 The application supporting statement states that the integration of Finsbury Estate within a municipal heat and power network is planned for area in the near future. Both considerations have had a significant influence on the adopted solution and, in particular, the establishment of a new central boiler plant installation at ground level.
- 10.13 A separate report has been produced by Islington Council (Stuart Fuller – Construction and Fire Safety Adviser) which was also submitted as part of the application. The key findings of this report relate to general access for maintenance and emergency access in the event of a fire and to a roof level boiler house installation. The report concludes by identifying that a new ground level boiler room will overcome the limitation and health and safety issues that would remain if a boiler house installation is to be retained on the roof of Michael Cliffe House.
- 10.14 The existing plant room would have to be fully decommissioned and removed before the new plant could be installed. There would be a requirement before the new plant was installed to ensure that the integrity of the existing structure is suitably made good such as ensuring the floors were adequately sealed to prevent possible water ingress.
- 10.15 The proposal would also create space for a future municipal heat and power network, which the applicant state that a municipal heat and power hub scheme, should it proceed, will impact on Finsbury Estate. This would be located in a plant centre located adjacent to the new community heating system boiler house. The CHP unit will require a flue duct and this will need to be routed to termination point above Michael Cliffe House.
- 10.16 With regards to local air quality, Islington Council has declared the whole borough to be an 'Air Quality Action Area' for Nitrogen Oxides and particulates. Domestic gas-fired central heating is thought to be responsible for about 21% of NOx pollution in Islington.
- 10.17 It concludes in this section of their report that in support of Islington's aspirations to improve air quality in the borough, this project will introduce high efficiency, low NOx, gas fired boiler plant to replace the ageing central plant installation. Current flue gas disposal proposals retain the principal of discharging the boiler flue gases above the tallest building in the vicinity, which is Michael Cliffe House.
- 10.18 It is considered that the significant efficiency gains will serve to reduce both heating charges for residents and CO2 emissions. These aims are all in line with Core Strategy policy CS10A.
- 10.19 Furthermore, the renewal of the heating system at Finsbury Estate offers a significant opportunity to future-proof the estate for connection to a district heating network, and to allow future combined heat and power installation at the estate. This would enable the

supply of heat and energy to the wider area, which also strongly matches the aims of CS10A, and so is also supported from this perspective.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposal is welcomed as part of the Islington Council renewal project to upgrade central heating services and proposals have been developed for providing a new community central heating system to serve the estate.
- 11.2 The limited visual harm of the proposal on the host building and the wider area is off-set against the benefits modernising the heating system of the estate and providing a modern and efficient communal central heating system to the Michael Cliffe House and the wider Finsbury Estate.
- 11.3 The design, materials and texture of the proposal subject to appropriate conditions would ensure that the integrity and character of the original concrete façade is retained whilst providing a modern, dignified and attractive appearance that will enhance the building.

Conclusion

- 11.4 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details 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	<p>3 Year Consent Period</p> <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>
2	<p>Approved plans list</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Planning supporting documentation RevC, 7306M(50)01,02,06,10,12 RevA, 07,09 RevB, 13.1 Rev, 13.2 RevC</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>
3	<p>Materials and design of the screen panelling</p> <p>CONDITION: Prior to any superstructure work commencing on site, details of materials of the screening panel hereby approved under drawing 7306M(50)13.2 Rev C, the following shall be submitted to and approved in writing by the Local Planning Authority, the details and samples shall include:</p> <ul style="list-style-type: none"> a) Colour of the screen panelling b) Materials of the screen panelling c) Design and detailing of the screen panelling <p>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	<p>Noise assessment and insulation</p> <p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

REASON: To secure an appropriate internal residential environment.
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List of Informatives:

1	Positive Statement
	<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 pre-application discussions were entered into, discussions were also had to secure amended plans during the course of the planning application, the applicant worked in a proactive manner with the Local Planning Authority, 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>
2	Noise
	<p>The applicants are advised that anti-vibration mounts should be considered for fixings to the main building structure.</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:

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

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.5 Quality and design of housing developments

5 London's response to climate change

Policy 5.3 Sustainable design and construction

Policy 5.9 Overheating and cooling

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.4 Local character

Policy 7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Health and open space

DM6.1 Healthy development

Energy and Environmental Standards

DM7.1 Sustainable design and construction

Housing

DM3.1 Mix of Housing Sizes

Page 57

DM3.2 Existing housing
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.7 Noise and vibration (residential uses)

DM7.2 Energy efficiency and carbon reduction in minor schemes
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

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:

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

The following SPGs and/or SPDs are relevant:

Islington UDP

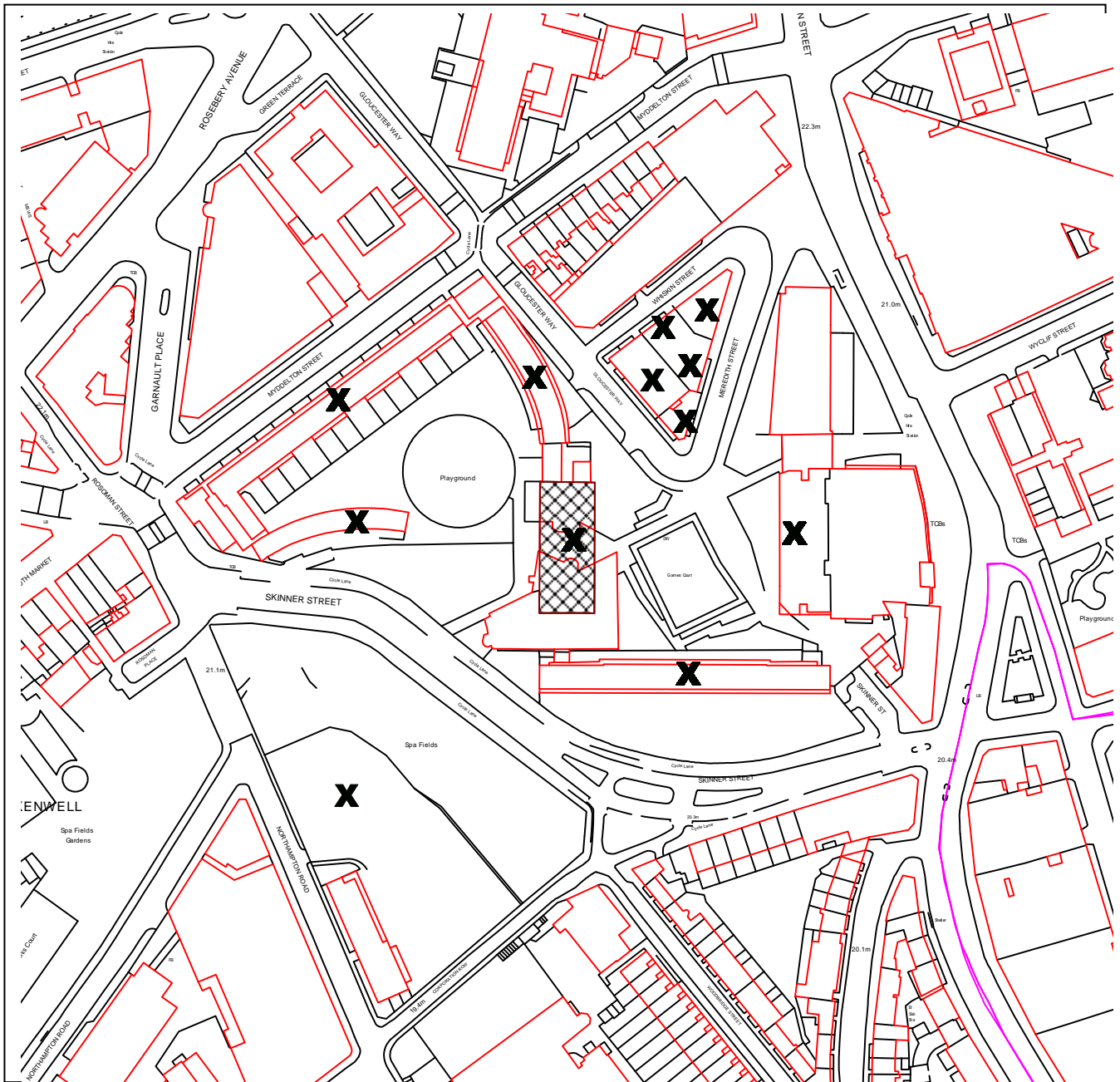
- Urban Design Guide SPD
- Inclusive Design in Islington SPD
- Affordable Housing Small Sites SPD
- Contributions SPD
- Environmental Design SPD

London Plan

- Housing
- Sustainable Design & Construction



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/0387/FUL

LOCATION: MICHAEL CLIFFE HOUSE, SKINNER STREET,
LONDON EC1

SCALE: 1:2000

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Islington Council, LA086452

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PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE A		
Date:	09 October 2014	NON-EXEMPT

Application number	P2014/1372/FUL
Application type	Full Planning (Council's Own)
Ward	Clerkenwell
Listed building	Not listed
Conservation area	Not in a Conservation Area
Development Plan Context	Central Activities Zone, Bunhill and Clerkenwell Key Area, Local Views from Archway Road and Archway Bridge.
Licensing Implications	n/a
Site Address	Three Corners Centre, Northampton Road, London EC1,
Proposal	Erect an internally located 3.0m high wooden fence with double access gate along Northampton Road boundary.

Case Officer	Henrik Dorbeck
Applicant	Islington Council - Guy Lawrence
Agent	n/a

1. RECOMMENDATION

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

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



Photo 1 – Location of proposed fence across existing entrance



Photo 2 – View of existing fence to be replicated (left side of photo) and entrance to site (right side of photo)



Photo 3 – Existing tree and interface location of fence with existing building.

4. PROPOSAL (IN DETAIL)

- 4.1 Planning Permission is sought for the erection of a maximum 3.0m high fence between the existing 'bin-stores' and the Three Corners building at the subject site. The fence will be a continuation of an existing fence and is set back from the street frontage internally within the site. The fence will follow the undulation or topography of the site to not exceed a maximum of 3.0m in height. The fence is proposed for security purposes.
- 4.2 The proposed fence, while creating a new visual barrier, will maintain visual permeability to the site through its design and will provide visual interest to parties passing the site. The fence will be a continuation of an existing fence which will provide a uniform frontage to the site and maintain uniformity. Further the proposed fence will sit internally within the site lower than the existing pavement level thereby reducing the perceived height.
- 4.3 The proposal does not raise any adverse impacts on the amenity of neighbours or adverse impacts on the safe operation of the highway.
- 4.4 Council's Tree Protection and Landscape Officer is satisfied that the existing tree on the site will not be adversely impacted. However, conditions have been added to control works and potential impacts to this tree.

5. SITE AND SURROUNDING

- 5.1 This application relates to the Three Corners Playground, Sports Area and Centre, located within Spa Fields Park which sits between Northampton Road, Skinner Street, Corporation Row. The east side of Spa Fields Park comprises a landscaped green open park area. The north part of Spa Fields Park is a children's play area. Three Corners

Playground, Sports Area and Centre (the application site) is located to the west of the park at a lower level.

- 5.2 The Three Corners comprises an adventure playground to the east side, a Multi Use Games Area (MUGA) to the south, and a two storey contemporary activity centre building to the west side. The park and the adventure playground are separated by a 1.4m high railing fence. The adventure playground was recently reconstructed due to a fire which destroyed most of the existing structure.
- 5.3 The fence is proposed for security purposes to minimise future attempts at vandalism and destructive activities which have occurred in the past.
- 5.4 The surrounding area is a mix of residential, commercial, and open space. The site is located within the Central Activities Zone and is within 50m of the Clerkenwell Green and Roseberry Avenue conservation areas. The site also has an identified play spaces in accordance with DM6.3.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal is to erect a maximum 3.0m high fence between the existing 'bin-stores' and the Three Corners building. The fence will be a continuation of an existing fence and is set back from the street frontage internally within the site. The fence will follow the undulation or topography of the site to not exceed a maximum height of 3.0m.

Revision 1

- 6.2 During the course of the application, an amended plan was received to change the location of the fence slightly. The amended fence location is supported.

7. RELEVANT HISTORY:

The relevant planning history is set out below:

Planning Applications

- 7.1 P2013/0843/FUL - Installation of 3m high replacement boundary fence to the north and east boundary of the site. Approved with conditions. 14/06/2013.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 86 adjoining and nearby properties at Northampton Road, Green Bowling Lane and Rosoman Street on 22 July 2014. The public consultation of the application therefore expired on 12 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 one 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):
 - Proposed wall and gates will interrupt views over the playground (para 9.2-9.5);

- Proposal will diminish the amenity value of the open space through loss of open aspect (para 9.2-9.5);
- Proposed wall and gates create an oppressive feature (para 9.2-9.5);
- Proposal will be ineffective in achieving extra security; (para 9.11-9.14)
- Proposal will mean that unauthorised access from youths will be more dangerous; (para 9.11-9.14)
- CGI drawings do not show trees and proposal may impact viability of trees onsite; (para 9.6-9.8)
- Alternative approaches to fencing should be sought, similar to remainder of the site (para 9.11-9.14);
- Site needs to be developed in a master planned and integrated manner (para 9.11-9.14);

External Consultees

8.3 None.

Internal Consultees

8.4 Design and Conservation – The proposed fence will relate well to the existing site and will replicate the existing treatment. It is considered acceptable.

8.5 Tree Preservation / Landscape– The proposed wooden wall will have limited impact on trees and landscaping. There are no tree or landscaping reasons to recommend refusal of the application.

Other Consultees

8.6 None.

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 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, Finsbury Local Plan 2013 and Site Allocations 2013:

- **Adventure Playground**
- **Central Activities Zone**
- **Local View from Archway Road**
- **Bunhill and Clerkenwell Core Strategy Area**
- **Local View from Archway Bridge**

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 proposal is to erect a maximum 3.0m high fence between the existing 'bin-stores' and the Three Corners building. The fence will be a continuation of an existing fence and is set back from the street frontage internally within the site. The fence will follow the undulation or topography of the site to not exceed a maximum height of 3.0m.

- Design, Conservation and Heritage
- Landscaping and Trees
- Neighbouring Amenity
- Highways and Transportation

Design, Conservation and Heritage Considerations (including Archaeology)

10.2 The host site, while not within a conservation area, is located within close proximity to the Roseberry Avenue and Clerkenwell Green Conservation Areas. Those guidelines have been considered in the assessment of this application.

10.3 The proposed fence will provide a new partial visual barrier which restricts some views across the site and affects its current open aspect. However, it is noted that the proposal is to replicate the existing fence on the site (fronting to Northampton Road) in terms of design, materials and visual permeability. Inherently, in fencing the site, the open aspect and views over the site will be impacted; however it is not considered that this is to the sites detriment.

10.4 In this regard, the existing fence on the site allows passers-by to achieve views into the site through gaps between the palings on the fence. Further, the fence includes a number of square panels which are permeable Perspex (or similar) and allow uninterrupted views into the site. The fence is also set back from the front boundary on ground that slopes away and down from the vehicle crossing. The maximum height of the fence would therefore appear lower than 3.0m, and some views may still be achieved over the site. The gaps between the palings, Perspex panels, and type of access gate proposed therefore maintain visual permeability to the site and also provide visual interest to both passers-by and users of the site. It is considered that such a fence is fitting for the intended use and users of this section of the site.

10.5 The Council's Design and Conservation officer is supportive of the proposal. As set out above, the proposed fence will provide continuity to this frontage of the site and provides some visual interest in the form of coloured permeable panels.

- 10.6 As noted previously, the Council's Tree Protection and Landscape Officer has reviewed the proposal in terms of the impact of this fence on the trees at the front of the site, and is supportive of the proposal.
- 10.7 The proposed fence is to be a maximum height of 3.0m. In this regard it is noted that where the site topography varies, the height of the fence will vary also to adapt and move with these undulations. Specifically, this is important where the fence is proposed to pass under the subject tree on site.
- 10.8 It is noted that some trimming / pruning may be required to the existing trees on site but this will be done by approved contractors.

Neighbouring Amenity

- 10.9 The proposal raises no issues with respect of neighbour amenity.

Highways and Transportation

- 10.10 The proposal raises no issues with respect of highways and transportation. In this regard it is noted that while this application relates to a fence / gate across an existing internal access, that this is set back into the site and will not adversely impact on the operation and or maintenance of the highway network.

Other Matters

- 10.11 Objections have been raised in comments received to this application relate to matters which are not material considerations and are unable to be considered in the context of this application however, some further comment is provided on these below.
- 10.12 Whilst it is noted that issues have been raised relating to the effectiveness of the proposed fence in achieving its stated purpose of 'securing' the site from unauthorised users, it is considered that the Local Planning Authority ('LPA') is not able to seek amendments, refuse or defer an application based the probability or viability of success in this regard.
- 10.13 Similarly, concerns raised as to other unauthorised access routes which may be given rise to as a result of the proposal, and / or the dangers that unauthorised users would experience when trying to access the site, are not material considerations in the determination of whether the proposal meets the Development Plan.
- 10.14 The Local Planning Authority is required to determine the application as submitted, taking into account material considerations, in accordance with the Development Management Plan. In this regard, and as demonstrated above, the proposal is considered to be in accordance with these documents and should be approved accordingly.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 For the reasons set out above, it is considered that the proposal will not have any unreasonable impact on the character and appearance of the area and would have no impacts on trees located on the site, the amenity of neighbours or on the safe operation of the highway.

- 11.2 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 adjacent Conservation Area Guidelines for the Roseberry Avenue and Clerkenwell Green Conservation Areas.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION D

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

List of Conditions:

1	Commencement
	<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>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Fence Location Plan, TC D01, Indicative CGI Images x2, Site Location Plan.</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	Maximum Height
	<p>CONDITION: Notwithstanding the approved plans, the fence shall be a maximum of 3.0m high above existing ground level and shall accurately replicate the existing fence which fronts to Northampton Road in terms of design, materials, visual permeability, and colour.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is of a high standard and provides a consistent frontage.</p>
4	Changes to fence location
	<p>CONDITION: Should minor deviations to the location of the fence be required to address issues during final design, the amended details will be submitted to and approved by the Local Planning Authority. The fence shall be constructed in accordance with the details thereby approved.</p> <p>REASON: To ensure that the revised location is acceptable in amenity and design terms and In the interest of proper planning.</p>

List of Informatives:

1	Positive Statement
	<p>A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the LPA and the applicant have worked positively and proactively in a collaborative manner through the application stage to deliver an acceptable development in accordance with the requirements of the NPPF. 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 or have been dealt with by condition.</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.</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.

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

Health and open space

DM6.1 Healthy development

DM6.2 New and improved public open space

DM6.3 Protecting open space

DM6.4 Sport and recreation

DM6.5 Landscaping, trees and biodiversity

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:

- **Adventure Playground**
- **Central Activities Zone**
- **Local View from Archway Road**
- **Bunhill and Clerkenwell Core Strategy Area**
- **Local View from Archway Bridge**

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

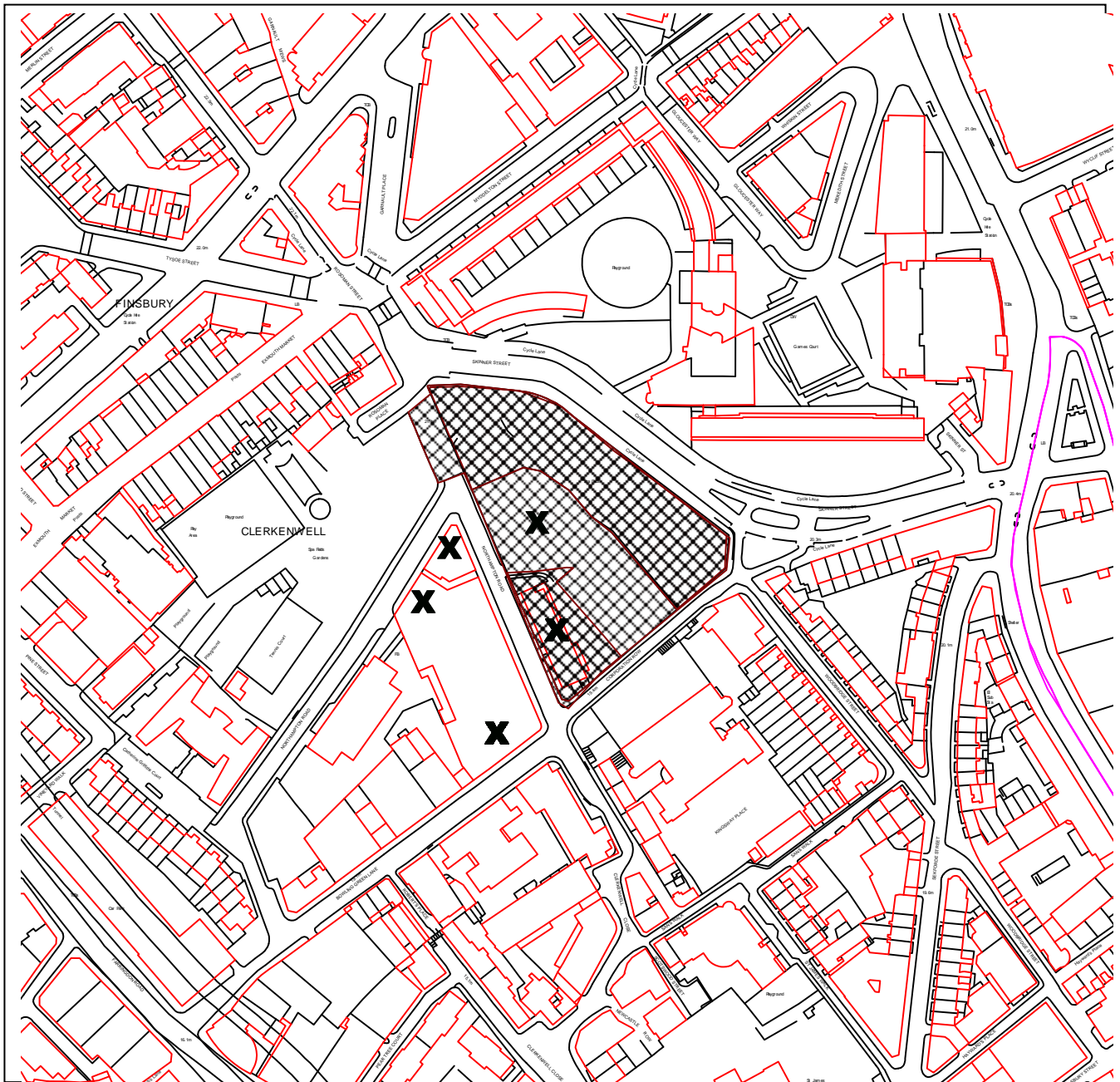
The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan**
- **Conservation Area Design Guidelines**
- **Urban Design Guide**

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/1372/FUL

LOCATION: THREE CORNERS CENTRE, NORTHAMPTON ROAD,
LONDON EC1,

SCALE: 1:2500

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