



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, **16 April 2015 at 7.30 pm.**

John Lynch Head of Democratic Services

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Tel : 020 7527 3044
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Despatched : 8 April 2015


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 Ismail	- Holloway;
Councillor Poyser (Vice-Chair)	- Hillrise;	Councillor Convery	- Caledonian;
Councillor Chowdhury	- Barnsbury;	Councillor Kay	- Mildmay;
Councillor Gantly	- Highbury East;	Councillor Khan	- Bunhill;
Councillor Fletcher	- St George's;	Councillor Klute	- St Peter'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. 1 Willow Bridge Road, Islington, London, N1 2LB	7 - 24

2.	139A and 139B Grosvenor Avenue, N5 2NH	25 - 48
3.	65 St George's Avenue, London, N7 0AJ	49 - 66
4.	Footpath through Bemerton Estate: Footpath from junction of Freeling Street/Carnoustie Drive through Bemerton Estate to junction of Pembroke Street/Bingfield Park, London	67 - 82
5.	Land at Oakdale Court, adjacent to no. 29 Fortnam Road, London, N19 3NS	83 - 104

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, 4 June 2015

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 - 3 March 2015

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 3 March 2015 at 7.30 pm.

Present: **Councillors:** Rupert Perry (Chair), Dave Poyser (Vice-Chair), Jilani Chowdhury, Osh Gantly and Kat Fletcher
Also Present: **Councillors:** Nicholls

Councillor Rupert Perry in the Chair

- 45 **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 the planning applications and outlined the procedures for the meeting.
- 46 **APOLOGIES FOR ABSENCE (Item A2)**
There were no apologies for absence.
- 47 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
There were no declarations of substitute members.
- 48 **DECLARATIONS OF INTEREST (Item A4)**
In relation to Item B1 - 798-804 Holloway Road, Councillor Rupert Perry and Poyser declared that they had attended a site visit, Councillor Poyser declared that he had objected to the previous scheme but not the current application and that he was a member of the Better Archway Forum. In relation to Item B3 - Hilldrop Community Centre, Councillor Fletcher declared that she was a non-voting member of the Hilldrop Community Centre management committee. These interests would not preclude the members from taking part in the discussion and decision making on these items.
- 49 **ORDER OF BUSINESS (Item A5)**
The order of business would be as follows:
B1, B3, B4, B2, B5 and B6. Item B7 had been withdrawn from the agenda.
- 50 **MINUTES OF PREVIOUS MEETINGS (Item A6)**
RESOLVED:
That the minutes of the meetings held on 2 December 2014 and 6 January 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 51 **798-804 HOLLOWAY ROAD, LONDON, N19 3JH (Item B1)**
Demolition of existing buildings and redevelopment of the site to provide a part three, part four storey mixed use building comprising 345sqm A1 retail floorspace at ground floor and no.9 (C3) residential units at first second and third floors (4 x 1 beds, 4 x 2 beds, 1 x 3 bed), with associated amenity space and cycle storage.

(Planning application number: P2014/3815/FUL)

In the discussion, the following points were made:

- The planning officer stated that the applicant was TPS Brighton Developments Ltd and not TBS Brighton Developments Ltd as stated in the report.
- The planning officer stated that Condition 15 should be amended to state that the proposed work was to be undertaken according to the Delivery and Servicing Plan.
- Solar panels were covered by Development Management Policy DM2.1.
- No social housing would be provided due to the small size of the site.
- The applicant confirmed he was willing for the development to only be serviced from Holloway Road.
- Concern was raised about the impact of the development on the rooflight of 2 Giesbach Road and the loss of amenity.
- A resident raised concern about overlooking of his roof terrace. The planning officer stated that there would be no overlooking or loss of privacy from the third floor and that the first and second floors were not considered to have a detrimental impact on privacy.

Councillor Poyser proposed a motion to refuse planning permission due to the loss of amenity to 2 Giesbach Road. This was seconded by Councillor Gantly and carried.

RESOLVED:

That planning permission be refused for the reason outlined above, the wording of which was delegated to officers.

52

15 CRINAN STREET, LONDON, N1 9SQ (Item B2)

Construction of a roof extension to provide an additional floor of B1 (a) office space and plant area with associated air conditioning equipment. Replacement of existing windows with double glazed timber sash windows and new entrance at ground floor.

(Planning application number: P2014/4545/FUL)

RESOLVED:

That planning permission be granted subject to the conditions and informatives in the case officer's report.

53

HILLDROP COMMUNITY CENTRE, COMMUNITY LANE, HILLDROP ROAD, LONDON, N7 0JE (Item B3)

Conversion of part of existing residential car park to a community food growing garden.

(Planning application number: P2014/2629/FUL)

In the discussion the following points were made:

- The planning officer confirmed that there would be a yellow painted box adjacent to the site boundary to allow vehicles to manoeuvre. A 2.2 metre pathway would be retained around the perimeter of the garden. This would retain access to those residents who abutted the site and allow for manoeuvring.
- An objector raised concern about who would manage the garden.

RESOLVED:

That planning permission be granted subject to the conditions in the case officer's report.

54 **267 CALEDONIAN ROAD, LONDON, N1 1EE (Item B4)**

Construction of a roof extension to form additional accommodation to existing flat, along with increasing height of existing rear flue and chimney stack.

(Planning application number: P2014/3033/FUL)

In the discussion the following points were made:

- The planning officer confirmed that the applicant had appealed against non-determination. The Sub-Committee was therefore asked to confirm what decision it would have made if it had been determining the application.
- The proposed roof extension was the same as that at 269 Caledonian Road.
- The roof extension would not be visible from the street.

RESOLVED:

That planning permission would have been granted subject to the conditions and informative in the case officer's report, had the Sub-Committee been in a position to determine the application.

55 **OAKDALE COURT, 1-24 FORTNAM ROAD, LONDON, N19 3NT (Item B5)**

The replacement of single glazed crittal windows with double glazed aluminium windows.

(Planning application number: P2014/4131/FUL)

RESOLVED:

That planning permission be granted subject to the conditions and informative in the case officer's report.

56 **BIDDESTONE ROAD OPEN SPACE, BIDDESTONE ROAD, N7 (Item B6)**

The installation of vertical bar steel boundary fencing to the Holloway Road, Biddestone Road and Pollard Close elevations and including new gates to the Holloway Road and Biddestone Road elevations, together with tree planting and landscaping.

(Planning application number: P2014/1474/FUL)

In the discussion the following points were made:

- Residents had been consulted.
- The proposal included the replacement of the wall with fencing to make the park more inviting, increase visibility through the park and increase usage of the park.

RESOLVED:

That planning permission be granted subject to the conditions and informative in the case officer's report.

57 **24 THORNHILL ROAD, LONDON, N1 1HW (Item B7)**

Erection of replacement roof extension, single storey side extension at first floor level, erection of an access stair enclosure and proposed roof terrace.

(Planning application number: P2015/0178/FUL)

RESOLVED:

That it be noted that this item had been withdrawn from the agenda.

WORDING DELEGATED TO OFFICERS

This wording has been provided by officers following the meeting and is included here for completeness.

MINUTE 51

798-804 HOLLOWAY ROAD, LONDON, N19 3JH

Reason for refusal: The proposed redevelopment of the site to provide a part three, part four storey building would have an unacceptably harmful impact on the amenities of neighbouring property No. 2 Giesbach Road. As a result of the scale, bulk and height of the proposed development in close proximity to the south west facing rooflight at No. 2 Giesbach Road, the proposal would result in an undue sense of enclosure for the present and future occupiers. The proposal is considered to fail to comply with the objectives of policy DM2.1 of the Islington Development Management Policies 2013.

The meeting ended at 8.55 pm

CHAIR

COMMITTEE AGENDA

1 1 Willow Bridge Road
Islington
London
N1 2LB

2 139A and 139B Grosvenor Avenue, London N5 2NH

3 65 St George's Avenue London N7 0AJ

4 Footpath Through Bemerton Estate: Footpath from junction of Freeling Street/Carnoustie Drive through Bemerton Estate to junction of Pembroke Street/Bingfield Park, London N1

5 Land at Oakdale Court, adjacent to no. 29 Fortnam Road, London N19 3NS

1 1 Willow Bridge Road
Islington
London
N1 2LB

Ward: Canonbury

Proposed Development: The demolition of the existing rear conservatory and construction of a new new three storey extension with link to main house. (NB: 1 1/2 storeys below existing ground level)

Associated changes to main house at ground/lower ground floor levels.

Installation of two new velux roof windows in main rear roof slope.

Application Number: P2015/0118/FUL

Application Type: Full Planning Application

Case Officer: Duncan Ayles

Name of Applicant: Mr Gerry Dunning

Recommendation:

2 139A and 139B Grosvenor Avenue, London N5 2NH

Ward: Mildmay

Proposed Development: Demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO- use class C4) and the construction of a new 5-storey (inc lower ground floor) building providing 8 residential dwellings (C3) consisting of 2 x 4bedroom units and 6 x 2bedroom units with bin storage area to the front, cycle storage area to rear and associated landscaping.

Application Number: P2014/3449/FUL

Application Type: Full Planning Application

Case Officer: Ben Phillips

Name of Applicant: Mr Carlton James

Recommendation:

3 65 St George's Avenue London N7 0AJ

Ward: St. Georges

Proposed Development: RECONSULTATION:

Replacement of existing lower ground floor single storey rear extension, erection of single storey infill rear extension along the boundary with No. 67 St George's Avenue, installation of solar panels and 3 no. rooflights on the rear roof slope. Replacement of windows on the front elevation.

Whilst the property is in the wider vicinity (200-500m) of the underground River Fleet, and whilst no trial pitting has been completed, it is considered unlikely that significant ground water movement is occurring within 300mm of the underside of the existing lower ground floor slab. If during trial pitting or the construction process ground water is encountered, the proposals will be re-assessed to account for this and not affect the water body.

Application Number: P2015/0131/FUL

Application Type: Full Planning (Householder)

Case Officer: Thomas Broomhall

Name of Applicant: Mr Emil Neumann

Recommendation:

4 Footpath Through Bemerton Estate: Footpath from junction of Freeling Street/Carnoustie Drive through Bemerton Estate to junction of Pembroke Street/Bingfield Park, London N1

Ward: Caledonian

Proposed Development: Resurfacing the footpath from the junction of Freeling Street and Carnoustie Drive, through Bemerton Estate to Bingfield Park at Pembroke Street. Replacement fence on Stranraer Way and Earlsferry Way, installation of new railings and concrete seating.

Application Number: P2014/4270/FUL

Application Type: Full Planning Application

Case Officer: Duncan Ayles

Name of Applicant: Bemerton Village Management Org. - Mr Paul Shepherd

Recommendation:

5 Land at Oakdale Court, adjacent to no. 29 Fortnam Road, London N19 3NS

Ward: Tollington

Proposed Development: Erection of a two-storey end of terrace building containing 2 one-bedroom flats, with associated boundary treatment, landscaping and car parking spaces between Oakdale Court and 29 Fortnam Road.

Application Number: P2014/3589/FUL

Application Type: Full Planning (Council's Own)

Case Officer: Stefan Sanctuary

Name of Applicant: Islington Council

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:	Thursday 16th, April 2015	NON-EXEMPT

Application number	P2015/0118/FUL
Application type	Householder Planning Application
Ward	Canonbury
Listed building	Unlisted
Conservation area	Canonbury Conservation Area
Development Plan Context	
Licensing Implications	None
Site Address	1 Willow Bridge Road, Islington, N1 2LB
Proposal	Demolition of the Existing Rear Conservatory and Construction of New Three Storey Extension with Link to Main house

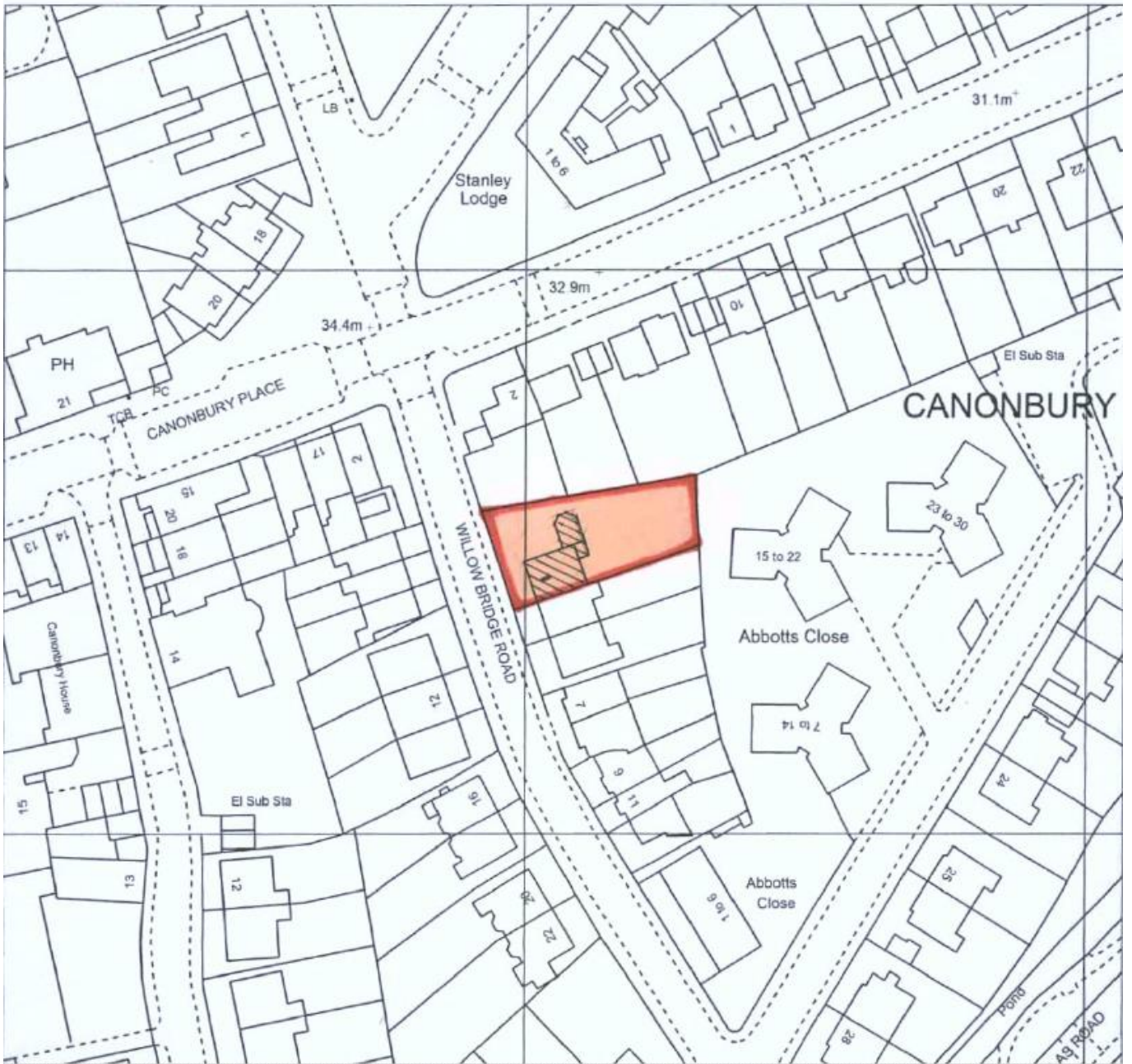
Case Officer	Duncan Ayles
Applicant	Gerry Dunning
Agent	Jon Champion Warman's Architectural

1. RECOMMENDATION

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

- subject to the conditions set out in Appendix 1.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET

Image 1: Aerial View of the Site



Image 2: View of the Site From Willowbridge Road



4 SUMMARY

- 4.1 The application seeks permission for the demolition of a single storey side conservatory that is attached to a large mid-Victorian villa within the New River Conservation area, and its replacement with a contemporary 3 storey pavilion over a basement, which will be attached to the main property by way of fully glazed link.
- 4.2 9 objections have been received from local residents, interested parties and from the Canonbury Society. The objections primarily relate to the design of the extension and its impact on the character and appearance of the Conservation Area. However, objections have also raised amenity issues and the impact on trees.
- 4.3 This application follows a previously refused application for a similar development. The previous application was refused on the basis of its design and its impact on on-site trees. Subsequently the scheme has been amended by reducing the height of the extension, and supplying additional arboricultural information. Following these changes the extension is acceptable in these regards. It is not considered that the extension would give rise to any unacceptable amenity impact, and it is noted that the previous application was not refused on amenity grounds.
- 4.4 It is recommended that the application is granted consent subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The application site is occupied by a four storey Victorian Villa within the Canonbury Conservation Area. Willow Bridge Road is comprised of similar imposing mid-Victorian Residential Properties. The front elevation of no. 1 Willow Bridge road contains ornate stucco detailing, especially at ground and first floor levels. The northern, side elevation of the property in contrast has a plainer character. This elevation does not contain stucco moulding, and includes a prominent and unattractive rainwater pipe. The property also hosts a relatively large conservatory on its north side. The conservatory is neither original nor historic.
- 5.2 The Canonbury Conservation Area has a spacious, verdant character, which is derived from the relatively generous spaces between buildings, and the mature landscaping within the area. The Conservation Area contains significant street trees, as well as mature trees in rear gardens. The application site itself contains two protected trees (LBI TPO 350+342 2207). There are also two other protected trees in the adjacent rear garden rear garden of 2 Canonbury Place in close proximity to the proposed extension. The boundary treatment at the front of the property is provided by a 2 metre high brick wall and electric vehicle gate.

6 Proposal (in Detail)

- 6.1 The application seeks planning approval for the demolition of an existing conservatory to the side of the existing property and the erection of a three storey pavillion. The proposed extension will have a height of 4.95 metres measured from ground level, a width of 4.8 metres and a depth of 9.5 metres. The plan form is an irregular polygon, which tapers toward the front and rear. The roof of the extension will be flat, and will contain a green roof. The applicant also proposes to insert two

conservation style velux roof lights into the rear roof slope of the original building. These works do not require the benefit of planning consent, as they are permitted development.

- 6.2 The proposal is clad with masonry at upper second floor, with clear glazing at lower second floor. The rear elevation will contain full height sliding windows. The front elevation will contain a single window with dimensions of 1.3 metres width by 2.8 meters height.
- 6.3 The cladding at upper second floor level is proposed to be a masonry cladding system by ROBmade. The masonry will be textured by turning some of the bricks at an angle. While the applicant has proposed for the brick to be slightly darker than the Stock Brick on the main property, he has confirmed that he is happy for it to be conditioned for determination at a later date.

7 Relevant History

Planning Applications

- 7.1 **P2014/2808/FUL:** An application for the replacement of the existing conservatory with a three storey side extension including basement was **REFUSED** (18/9/2014) due to its impact on the character and appearance of the Conservation Area and because insufficient detail was submitted in relation to the possible impact on trees.

Enforcement

- 7.2 None

Pre Application Advice

- 7.3 Q2013/1848/HH – Proposed side extension. Advice - conflicts with the Canonbury Conservation Area Guidance and policies DM 2.1 and 2.3

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 23 adjoining and nearby properties on the 13th January. A site notice was also displayed. The public consultation of the application therefore expired on the 19th of February. 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, 9 objections had been received including 8 objections from local residents and 1 from the Canonbury Society. The objections can be summarised as follows (with the relevant paragraph numbers that provide responses to those issues indicated in brackets):
- Design and Impact on the character and appearance of the Conservation Area (10.2-10.9)

- Amenity impacts including light pollution and the loss of light; and loss of privacy (10.10-10.13)
- Impact on Protected Trees(10.14-10.15)
- Impact of the Proposed Basement (10.17-10.18)

Internal Consultees

- 8.3 **Tree Preservation Officer:** The Arboricultural report has been amended to include the detail required. Greater assessment has been made of overall impacts to the surrounding area. The service link up and threat of further excavation has been dealt with by utilising existing service and drainage runs. The landscaping, drainage and subsidiary impacts have been addressed in the amended report and the level of detail is acceptable subject to arboricultural supervision. The arboricultural supervision is outlined in the report, but this needs to be secured by condition.
- 8.4 **Design and Conservation:** The proposal has been the subject of pre-application advice set out in the council letter dated 12th June 2014. The conclusion of the advice was that overall, the proposal to erect a 2/3 storey side extension above 3 metre in height above ground floor conflicts with the Canonbury Conservation Area Guidance and policies DM 2.1 and 2.3. As a result they have concerns that the size and bulk of proposed extension would dominate the host building, and unbalance the wider terrace. However, the design approach in terms of form, layered, patterned faces is considered innovative and an acceptable approach.
- 8.5 The current application is for a three storey extension with one and a half storeys above ground level. It is considered that the scheme does not address the substantive concerns set out in the pre-application advice. In that the scale of the proposed extension does not conform to the guidance set out within the conservation area appraisal. The property has a large side garden. However, we have concerns that a side extension of the height, bulk and scale of that proposed would not be sufficiently subordinate to the host dwelling, would limited views of the rear garden and would detract from the appearance of the conservation area.
- 8.6 As a way forward it is suggested that the height is reduced, and that the colour of the brick is altered. The size of the window should also be reduced to reflect the size of the upper floor window on the host property.

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.

9.2 The National Planning Practice Guidance 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 2015, 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.

9.4 Islington's design policies are set out within policies DM 2.1 and 2.3, and Core Strategy policies CS 8 and CS9. These policies provide support for contemporary, innovative design, provided that it accords with the character and appearance of the area.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Impact on the character and appearance of the Conservation Area
- Impact on the amenity of neighbouring properties
- Impact on on-site trees
- Basement Impacts

Impact of the development on the Character and Appearance of the Conservation Area

10.2 Policy CS9 G states that high quality contemporary design can protect and improve Islington's built environment, and that innovative design is welcomed. The Canonbury Conservation Area guidelines, however, generally requires the use of traditional materials such a brick and stucco to accord with the historic character of the conservation area.

10.3 The existing conservatory is not original, and is of no historic or architectural interest. Consequently the removal of this feature is not contested. In addition, the side elevation of the property has a plain character that adds little to the Conservation Area.

10.4 The bulk and scale of the proposed develop is considered to be acceptable. While it is noted that the Canonbury Conservation Area guidelines generally provides a height limit of 3 metres for side extensions, in this instance the scale of the original property justifies the construction of a slightly higher side extension. The proposal has been reduced in height by 500 mm relative to the previously refused application.

- 10.5 In addition, while it is accepted that the Conservation Area displays a spaciousness character, the separation gap between the rear of 2 Canonbury Place and the side of 1 Willow Bridge road is considerably larger than is generally found within the remainder of the Conservation Area. The proposed side extension provides the three metre gap to the side of the plot required by policy 8.19 of the Canonbury Conservation Area, which ensures that it will not appear as an uncharacteristically cramped form of development within the area, and that a sufficient separation gap between both properties is maintained.
- 10.6 The fact that the proposed extension is set back from the rear of the front elevation also goes some way to reducing the visual impact of the extension when viewed from the front of the property. The extension is located 2.7 metres to the rear of the front elevation of the property, and will be set behind a large boundary treatment to the front comprised of a brick wall and a vehicle gate. In addition, the tapered form of the extension will reduce the bulk of the proposal when viewed from the front. Consequently it is not considered that the proposal will appear bulky or out of scale to its surroundings.
- 10.7 The Council's Design and Conservation section have objected to the size of the proposed window on the front elevation, stating that it should reflect the size of the upper floor windows on the property. However, this window is located in line with the principal first floor windows on the main property. Consequently it is considered that the new window should reflect the corresponding window at first floor level, and that the size of the window is acceptable.
- 10.8 The applicant proposes to use textured brick as a primary material, which the applicant has argued creates a visually light weight pavilion. This clearly distinguishes the extension with the character of the property itself, and the wider conservation area. However, policy CS9 G confirms that high quality contemporary design can respond to the challenge of protecting and enhancing Islington's Built and Historic Environment, and that pastiche is not acceptable.
- 10.9 A number of objections have referred to the design of the extension, specifically its design concept, which has been described as faddish and abstract. However, the applicant has demonstrated through their design and access statement that the proposal has been developed from a clear set of design principles that depart from the regularity of both classical and modernist architecture. The architect has also identified seven themes informing the design, which include a departure from the orthogonality of plan, the use of obtuse angles, layering and perforation. The combination of these elements creates a soft and subtle building that sits comfortably within its context. While the design of the building is unique, similarities are drawn with the work of contemporary architects such as Rem Koolhaas and Zaha Hadid. The architect also identifies Lens House, an award winning house extension by Alison Brooks Architects, as a local precedent.
- 10.10 While it is accepted that the proposed extension is not strictly in compliance with the Canonbury Conservation Area Guidelines, due to its contemporary design and materials proposed, it is considered that the proposal represents high-quality contemporary design in accordance with policies DM 2.1, 2.3 and CS9.
- 10.11 The proposed roof lights will not be widely visible within the area, due to their location on the rear of the property. In addition, these features could be inserted

using the properties permitted development rights, without the benefit of formal planning consent. Consequently this part of the proposal is considered to be acceptable.

Impact on the Amenity of Neighbouring Properties

- 10.12 A number of objections have been received from neighbouring properties which have raised issues such as loss of light, outlook and privacy. Given the scale of the proposed development, and the separation distance provided to the nearest neighbours to the north it is not considered that the proposal will lead to any adverse overshadowing or loss of light to neighbouring properties. The development is also not considered to lead to any material loss of outlook to neighbouring properties.
- 10.13 A number of objections have also raised the possibility of light being emitted from the extension in a manner that would harm the amenity of neighbouring properties. However, the agent has confirmed that the masonry itself will be opaque. Given that the use will remain a single family dwelling house, it is not considered that the proposal will lead to any unacceptable emission of light.
- 10.14 Objections have also raised the impact on the privacy of neighbouring properties through overlooking. However, the northern, side elevation does not contain any fenestration above ground level. To the rear the extension faces a relatively deep rear garden and an area of landscaping associated with Abotts Close.

Impact on On-Site and Off-Site Trees

- 10.15 The applicant has submitted an arboricultural report in support of the application. This report has been scrutinised by the Council's Tree Preservation Officer, and additional details were supplied during the lifetime of the application. Following the receipt of these additional details, the Council's Tree Preservation Officer has confirmed that on-site trees can be adequately protected during the construction of the proposed pavilion. The proposed development will not lead to any unacceptable adverse impacts on the health or amenity value of the protected trees within or outside of the application site.
- 10.16 It is recommended that a condition is imposed to ensure that the proposed development is completed in strict accordance with the arboricultural report submitted, including in relation to arboricultural supervision. It is also recommended that a condition is imposed to require the submission of full details of the proposed green roof, to ensure that this will make an adequate contribution toward biodiversity.

Basement Impacts

- 10.17 The proposal includes a single basement level. However, this is situated below the extension itself, will not project into the remainder of the garden and nor is it located near to other property other than the application property. The Council's Tree Preservation Officer has confirmed that the extent of excavation will not lead to any impact on the protected trees within or close to the site. The proposed extension contains a sedum roof, which ensures that the proposal will not lead to an increase in surface run off contrary to policy DM 6.6

10.18 The extent of excavation proposed could lead to some impact on neighbouring properties, especially as this is a relatively constrained site with little space for storing materials and receiving deliveries. Consequently it is recommended that the applicant is required to submit a construction management plan prior to the commencement of development

11. SUMMARY AND CONCLUSION

Summary

11.1 The proposed extension is acceptable in terms of its impact on neighbour amenity, and on on-site and off-site trees. The proposal is therefore considered to be in accordance with policies DM 2.1 and DM 4.6.

11.2 While it is accepted that the proposed extension departs from the established character of the conservation area, as it is of a contemporary design, it is considered that the proposal represents high quality design in accordance with policies DM 2.1, 2.3 and CS9.

Conclusion

11.3 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:</p> <p>[345.PL.01 REV A, 345.PL.02 REV B, 345.PL.03 REV B, 345.PL.04 REV A, 345.PL.05 REV A, 345.PL.06 REV A, 345.PL.07 REV A, 345.PL.08 REV A, 345.PL.09 REV A, 345.PL.10 REV A, 345.PL.11 REV C, 345.PL.12 REV C, 345.PL.13 REV D, 345.PL.14 REV D, 345.PL.15 REV C, 345.PL.16 REV B, 345.PL.17 REV B, 345.PL.18 B, 345.PL.19 REV E, 345.PL.20 REV D, 345.PL.21 REV E, 345.PL.22 REV E, 345.PL.23 REV A]</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>
Materials	
3	<p>MATERIALS (DETAILS): Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); <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>
Trees	
4	<p>The proposed development shall be carried out in strict accordance with the submitted Arboricultural Survey (BS5837:2012) & Impact Assessment Report, including in relation to the Arboricultural Supervision Proposed.</p> <p>Reason: To protect the health and amenity value of on-site trees</p>

	Sedum Roof
5	<p>GREEN/BROWN BIODIVERSITY ROOFS (DETAILS): Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <p>d) biodiversity based with extensive substrate base (depth 80-150mm); e) laid out in accordance with plan [xxxx] hereby approved; and f) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
	Construction Management Plan
6	<p>No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <p>i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</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>
	<p>Other legislation</p>
2.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & Equalities Act</p>
	<p>Part M Compliance</p>
3.	<p>You are advised that the scheme is required to comply with -</p> <ul style="list-style-type: none"> • The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', <p>For this proposal, this may include</p> <ul style="list-style-type: none"> - colour contrast nosing to the external steps; - improvements to the handrail profile - glass marking manifestations <p>For more information, you may wish to contact Islington Council's Building Control (0207 527 5999).</p>
	<p>Construction hours</p>
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> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Delivery and operating times - the usual arrangements for noisy works are</p> <ul style="list-style-type: none"> ○ 8am –6pm Monday to Friday, ○ 8am – 1pm Saturdays; ○ no noisy work on Sundays or Public Holidays (unless by prior agreement in special circumstances) </div>
	<p>Community Infrastructure Levy</p>
5	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</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 and PPG are a material consideration and have been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2015, 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 March 2015 - 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)

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)

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

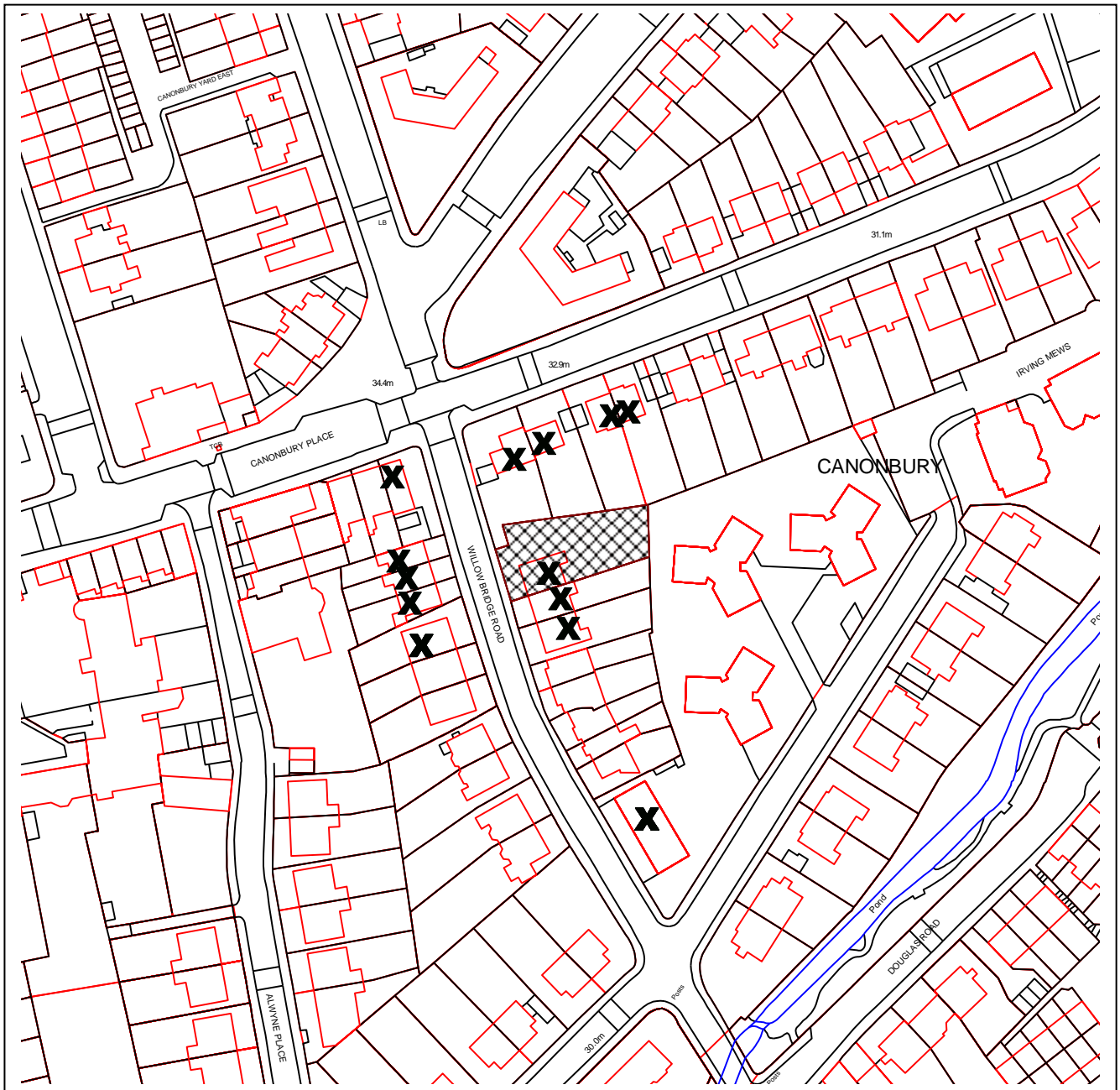
The following SPGs and/or SPDs are relevant:

- Urban Design Guide
- Canonbury Conservation Area Design Guidelines

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2015/0118/FUL

LOCATION: 1 WILLOW BRIDGE ROAD, ISLINGTON, LONDON, N1
2LB

SCALE: 1:1500

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Islington Council, LA086452

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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	16th April 2015	NON-EXEMPT

Application number	P2014/3449/FUL
Application type	Full Planning Application
Ward	Mildmay
Listed building	Not Listed
Conservation area	None
Development Plan Context	No designation
Licensing Implications	None
Site Address	139A and 139B Grosvenor Avenue N5 2NH
Proposal	Demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO- use class C4) and the construction of a new 5-storey (inc lower ground floor) building providing 8 residential dwellings (C3) consisting of 2 x 4bedroom units and 6 x 2bedroom units with bin storage area to the front, cycle storage area to rear and associated landscaping.

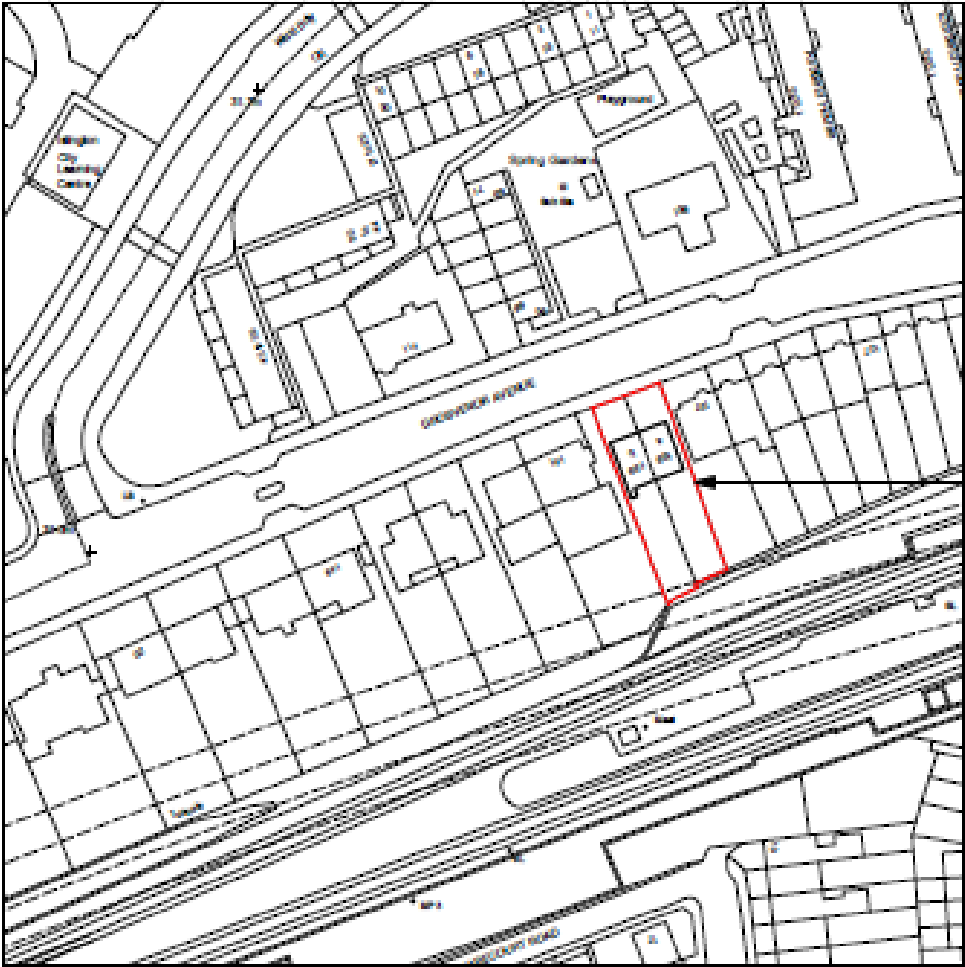
Case Officer	Ben Phillips
Applicant	Mr Carlton James
Agent	Mr Stephen Sinclair

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;
2. S106 agreement (affordable housing and carbon offsetting) as set out in Appendix 1.

2. SITE PLAN (SITE OUTLINED IN BLACK)



3. PHOTOS OF SITE/STREET

Image 1: The existing properties from Grosvenor Avenue



Image 2, the Eastern Neighbour, No 137



Image 3, The Western Neighbour, No 141



4.0 SUMMARY

- 4.1 Planning permission is sought for the demolition of a pair of two storey semi-detached dwellings and their replacement with a 5 storey building containing 8 residential units.
- 4.2 It should be noted that the plans have been amended since first submission in order to address concerns raised by the Tree Officer, the Design & Conservation Officer and the Inclusive Design Officer.
- 4.3 In addition, following concerns raised regarding the impact of the building (specifically on the daylight and sunlight) upon the basement unit of No 137, the scheme has been amended to, in effect, remove the corner of the building away from the boundary with this neighbour so that it passes all BRE standard daylight & sunlight tests.
- 4.4 The development is, on balance, considered to comply with the relevant Local Plan policies.
- 4.5 The development will not result in significant adverse impacts upon the amenities of neighbouring properties.
- 4.6 It is therefore recommended that planning permission be granted subject to conditions.

5.0 SITE AND SURROUNDING

- 5.1 The site is located on the south side of Grosvenor Avenue and consists of a two storey semi-detached pair of dwellings currently in HMO use. The properties date back to the

1950s and have two storey front bay projections, half hipped roofs and large rear gardens. To the rear the site backs onto a railway line and at the front Grosvenor Avenue is a wide street with mature tree lined pavements.

- 5.2 The 1950's semi-detached pair of dwellings form the only such pair within the mostly Victorian streetscene. To the east the properties consist of three-storey over basement terraced dwellings, with those to the west consisting of three/four storey over basement townhouses. To the front of the site, on the opposite side of the road, are a number of more modern four storey residential buildings.
- 5.3 Most of the dwellings nearby have been converted to flats and there are a number of HMOs in the vicinity.
- 5.4 The site is not located within a conservation area and the building is not listed. However, the western boundary of the site forms the eastern most extent of the Highbury New Park Conservation Area.

6.0 PROPOSAL (in Detail)

- 6.1 The application consists of the demolition of a pair of two storey semi-detached dwellings and their replacement with a 5 storey building containing 8 residential units.
- 6.2 The existing 1950's semi-detached dwellings are currently in use as Houses of Multiple Occupants (C4), and were converted in 2007 (P070499 & P070589).
- 6.3 The proposed 5 storey building will consist of 2 four bed duplex units set over the lower ground and ground floors and 6 two bed units set above.
- 6.4 Each unit will have external outdoor space, private garden space for the larger 4 bed units and private balconies on the rear for the remaining units, which are also served by communal garden space to the rear. Also to the rear will be cycle storage (20 spaces) and bin storage is proposed to the front of the building.

7.0 RELEVANT HISTORY:

Planning Applications

139 A Grosvenor Road:

- 7.1 **P070598** - Change of use from single family residence to house in multiple occupation – **(Granted Conditional Permission 13/11/2007)**.
- 7.2 **P062091** - Change of use from single family residence to house in multiple occupation – **(Refused Permission 08/11/2006)**.
- 7.3 **P061040** - Change of use from single family residence to house in multiple occupation – **(Refused Permission 11/07/2006)**.

139 B Grosvenor Road:

- 7.4 **P070499** - Change of use from single family residence to house in multiple occupation – **(Granted Conditional Permission 09/07/2007)**.
- 7.5 **P062142** - Change of use from single family dwelling to house in multiple occupation – **(Refused Permission 14/11/2006)**.

7.6 **P061041** - Change of use from single family residence to house in multiple occupation – **(Refused Permission 10/07/2006)**.

Enforcement

7.5 None relevant

Pre Application Advice

7.6. Q2014/2304/LM Advice was sought on the principle of the scheme and policy requirements. The advice provided resulted in design and scale amendments, as well as internal alterations to the size of the units (to comply with adopted floor space standards).

8.0 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 132 neighbouring properties on the 15/9/14. A site notice was also erected on the 18/9/14. The consultation period expired on the 9/10/14.

8.2 At the time of the writing of this report 44 letters of objection have been received, which are summarised as follows (with paragraph numbers stated in brackets stating where the issue is addressed).

- The footprint is too large (10.12-10.16)
- The structure is too large and out of keeping with the surroundings and nearby Conservation Area (10.12-10.16)
- The building has no merit architecturally nor is it providing any social housing (10.18-10.21 and 10.76-10.83)
- There will be issues of noise during construction and possible subsidence (10.87)
- The development will reduce light levels to the neighbours (10.40-10.55)
- The development will lead to a loss of view for No 137 (not a material planning consideration)
- The development will overshadow and overlook my property (10.40-10.56)
- The materials are inappropriate (10.9-20)
- The development will have an impact on the surrounding green space and trees (10.58-10.69)
- There will be more cars on the road (10.71)
- The development will impact biodiversity (10.58-10.70)
- To demolish the existing buildings will be a loss to the street scene (10.15-10.16)

The submitted plans make inaccurate assumptions regarding the layout of the neighbouring property. It is considered that the submitted plans are sufficiently accurate to allow proper consideration of the application and site.

8.3 In addition, a petition including 45 signatures objecting to the scheme has been submitted (which states that 'we the undersigned object').

8.4 One letter of support has been received.

External Consultees

8.5 Network Rail: - The developer must ensure that the development does not encroach onto Network Rail land or affect its infrastructure etc.

Internal Consultees

- 8.6 **Design and Conservation Officer:** Concerns were raised initially regarding the design. Specifically the fenestration size and siting, the size of the dormers and the detailing of the entrance.
- 8.7 These issues have been addressed (through the submission of amended plans) and the Design & Conservation Officer is now satisfied that detailing and materials are appropriate.
- 8.8 **Policy Officer:** Concerns were raised regarding loss of the existing HMO's, loss of garden space, subterranean development, residential provision and affordable housing.
- 8.9 With regards to the existing HMO, Policy DM3.9 part C states that the council will resist the loss of good quality HMOs with paragraph 3.9 clarifying it will not apply to change of use between HMOs in C4 use class shared by 3 to 6 people (as opposed to sui generis HMOs with a larger number of occupants) and C3 housing due to the existence of permitted development rights allowing for this.
- 8.10 Part D of Policy DM3.9 states that where the loss of an HMO is acceptable, development should provide accommodation to meet an acute need identified by the council's Housing Department, which may include social rented housing.
- 8.11 **Inclusive Design Officer:** Concerns were initially raised regarding the future installation of a lift, upper ground/lower ground configuration and that the units meet Lifetime Homes and Islington's flexible homes standards. These issues have been addressed through the submission of amended plans.
- 8.12 **Tree Officer** Concern was initially raised regarding the incursion of the development into the root protection area of the street tree and the service connection detail. Additional information has been submitted and the Tree Officer is satisfied that the issues can be dealt with within a conditioned Arboricultural Method Statement (AMS).

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.
- 9.2 The National Planning Practice Guidance 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 comprises of the London Plan 2015, 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.

9.4 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:

Sited within 50m of a Conservation Area
(Highbury New Park)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Loss of existing HMO dwellings
- Design and visual impact on the street scene and conservation area
- Mix and standard of accommodation
- Inclusive design
- Impact on neighbouring amenity
- Impact on trees
- Cycle and bin storage
- Affordable housing
- Sustainability

Loss of existing HMO dwellings

10.2 The two existing properties are each in use as a HMO and policy DM3.9 of the Development Management Policies states that the Council will resist the loss of good quality HMOs. The properties were granted permission for use as HMOs in 2007 and were considered at the time to provide good quality accommodation of this type.

10.3 It has been established that each of the two properties are occupied by five individuals through the submission of copies of licences issued by the councils' Environmental Health department. The dwellings therefore fall within the C4 use class.

10.4 This means that a change of use to C3 could be undertaken under permitted development rights and therefore policy DM3.2 is relevant, which permits the redevelopment of housing resulting in no net loss of residential floorspace in principle.

10.5 In this instance clearly the development will provide additional residential floor space (778m² set over 8 units compared to the existing 350m² approx) and therefore it is considered that the policy is satisfied.

10.6 In addition, as stated below, it is considered that the provisions of Core Strategy CS12 requiring an affordable housing contribution has been satisfied. This meets the requirements of Part D of Policy DM3.9, which seeks to ensure that development that replaces HMOs meet an acute need identified by the Council's housing department.

10.7 The Policy Officer also raises concern regarding the loss of garden space, the housing mix and affordable housing. The issues of affordable housing and housing mix is discussed below. With regards to the loss of garden space, there remains a significant garden space (255m²) and it is not considered that the limited loss of space caused by the large

footprint of the building (and the extension to the rear by 3.5m) is significant in terms of openness or biodiversity (which is discussed below), and the Tree Officer does not object to the proposal (again discussed in details below).

10.8 The Policy Officer also raises issue with the proposed subterranean development proposed. The scheme proposes a similar lower ground/basement level to that prevalent along the existing Victorian streetscene. In terms of access, this is discussed further below.

10.9 As such, in principle, it is considered that the redevelopment of this site for residential units is acceptable.

Design and visual impact on the street scene and conservation area

10.10 Paragraph 63 of the National Planning Policy Framework states that "in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area".

10.11 Policy DM2.1 states that 'all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

10.12 The proposal would demolish an existing two storey semi-detached pair of houses and introduce a new modern 5 storey (including lower ground floor and basement) residential building. The existing dwellings have little architectural merit and represent an incongruous break in the predominantly three and four storey height of the neighbouring buildings.

10.13 The existing semi-detached buildings are set away from both side boundaries, providing clear separation from each of the neighbouring properties, which in turn are also set away from both boundaries, leading to views through to the trees to the rear of the site and a sense of space around the property, particularly on the west side.

10.14 Furthermore, this side of Grosvenor Avenue, particularly to the west is in part characterised by open space to the side of semi-detached properties and the termination of terraced rows.

10.15 The proposed building retains a 1m approx gap to both boundaries which is similar to the existing properties. As such there should not be a loss of openness at the site which is characteristic of the existing pattern of development. The proposed building retains the same approximate ridge and eaves height of the neighbouring dwellings, and therefore in terms of scale and massing the building is considered appropriate.

10.16 Whilst set some 3m in front of the existing properties, the building line of the building is consistent with both neighbours, with only the lightwells and bin storage areas set in front.

10.17 The development provides a sunken private rear amenity space for the lower/ground floor duplex units, with steps up to the retained existing garden space at the rear.

10.18 The detailing of the front elevation has been amended from the original design to address the concerns raised by the Design & Conservation Officer, namely in terms of the scale and consistency of the fenestration. In addition the dormer window have been reduced slightly in scale to be more in keeping with the surrounding properties. The vertical emphasis of the façade replicates the traditional Victorian dwellings on either side.

- 10.19 The materials proposed (predominantly facing brick front elevation and timber framed windows) will ensure that the development is in keeping with the traditional Victorian street scene. A condition is proposed to ensure the exact brick used is appropriate to the surroundings.
- 10.20 The building is set back from the front boundary in line with the existing dwellings and incorporates landscaping and a low rendered masonry wall which will match the existing front boundary treatment along this part of Grosvenor Avenue. The large tree to the front of the building, which contributes to the character and appearance of the street scene will be retained (this is discussed further below).
- 10.21 As such, the design is now considered to be acceptable and will appear as a contemporary addition to the street scene which sits comfortably within the historic surroundings.
- 10.22 It is not considered that the amendment to the rear (south east) corner (the removal of this corner of the building) has a detrimental impact upon the character and appearance of the rear elevation.
- 10.23 It is therefore considered that the proposed development will preserve the character of the adjoining Conservation Area.

Mix and Standard of Accommodation for Future Occupiers

- 10.24 Policy DM3.4 of the Islington's Development Management Policies (June 2013) sets out the standards expected of accommodation in the borough.
- 10.25 The following table shows the proposed unit sizes.

<i>Unit</i>	<i>Rooms</i>	<i>Required Floor Space (m2)</i>	<i>Provided Floor Space (m2)</i>
Unit 1	4	99	158
Unit 2	4	99	164
Unit 3	2	70	74
Unit 4	2	70	81
Unit 5	2	70	76
Unit 6	2	70	81
Unit 7	2 (1 single)	61	74
Unit 8	2 (1 single)	61	70

- 10.26 The units therefore comply with Policy DM3.4 in this regard.
- 10.27 In terms of amenity space, DMP policy DM3.5 states that all new residential development and conversions are required to provide good quality private outdoor space.

<i>Unit</i>	<i>required amenity space (m2)</i>	<i>amenity space (m2)</i>
Unit 1	30	121
Unit 2	30	144
Unit 3	7	10
Unit 4	7	7
Unit 5	7	7
Unit 6	7	9
Unit 7	7	8
Unit 8	7	8

- 10.28 The proposed units therefore comply with the amenity space guidelines outlined in Policy DM3.5.
- 10.29 Notwithstanding the above, Policy DM3.4 states that all new housing developments are required to provide dual aspect accommodation, adequate daylight and sunlight provision, legible, logical and level entrances, and acceptable shared circulation space.
- 10.30 The proposed units are all dual aspect and provide a good level of sunlight and daylight from both aspects. The two duplex units provide bedroom accommodation on both lower and ground floors. The front lower ground floor bedrooms (one in each unit) are served only by a lightwell. This is not ideal, but given that these duplex units provide three other bedrooms on the ground floor (all served with windows), on balance, it is not considered that this is unacceptable in this instance.
- 10.31 As such, it is considered that all 8 units will provide a satisfactory standard of living accommodation.

Inclusive design

- 10.32 The Inclusive Design Officer requested some alterations to the original scheme, namely the provision of a space for future installation of a lift and the changes to layout of the upper/lower ground floor units (units 1&2).
- 10.33 These issues have been addressed through the resubmission of amended plans illustrating a space for future lift provision. The development will have level access as will each unit, save for the 2 duplex apartments, and will meet design standards in terms of wheelchair accessibility and corridor widths etc, and, on balance it is considered to be sufficiently visitable and adaptable to meet the Lifetime Homes and Islington's flexible homes standards.
- 10.34 Concern is raised regarding the configuration of the duplex units, with the living space set on the lower ground floor. However whilst this is not ideal from an inclusive design perspective, the properties on this side of Grosvenor Avenue have a lower ground and upper ground floor, and this living space is served by the external excavated garden space. To replace this with bedrooms and to have the living space on the ground floor would not work as well and on balance therefore, it is considered that this arrangement is acceptable.

Impact on neighbouring amenity

- 10.35 Policy DM2.1 states that the design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing.
- 10.36 It goes on to state that development must not unduly prejudice the satisfactory development or operation of adjoining land and/or the development of the surrounding area as a whole. It also states that the impacts on amenity such as privacy, direct sunlight or daylight must be considered.
- 10.37 The proposed building is clearly greater in scale and massing than the existing pair of two storey semis. It extends to the rear by 3m more, to the front by 3m more and is (at its highest point) approximately 4m taller.
- 10.38 The eastern neighbour No 137, a five storey semi-detached property, includes a separate basement flat. The applicants state that the second floor of this building is not in use as residential but rather is a therapy and health/well being business.

- 10.39 The eastern neighbour No 141, a four storey semi-detached property has been converted into flats.
- 10.40 A daylight/sunlight assessment has been submitted (by MES Building Solutions, amended 28th Oct 2014 which was amended/updated following an internal inspection of no 137, and an addendum added following the redesign of the south east corner). This assesses the scheme against the standards of the BRE Site Layout Planning for Daylight & Sunlight (as suggested by Policy DM2.1).
- 10.41 The report assesses the impact of the development upon Vertical Sky Component (VSC) of the windows of the neighbouring properties.
- 10.42 Beginning with No 141, this property has 4 windows on its side elevation including a bay window. The bay serves a room that is also served by front elevation fenestration. The lower ground floor window serves a bathroom (non-habitable room). The first floor side elevation window serves a room that is also served by front elevation fenestration. The report makes it clear that these rooms pass the VSC Test in accordance with the BRE standards. It should also be noted that the BRE standards state that side elevation windows close to a boundary 'should not be considered in the same way as windows built a reasonable distance from their boundary'. As such, the impact of the development on this side elevation is considered to be acceptable.
- 10.43 With regards the rear fenestration, no window fails the VSC & Daylight Distribution Test nor the Available Sunlight Hours Test.
- 10.44 This is also the case with the front elevation fenestration. As such, it is considered that the proposed building will not have a detrimental overbearing or overshadowing impact on this neighbour.
- 10.45 Turning to No 137, this neighbour has a door and a small window on the second storey (opening onto a small terrace) and a side facing dormer.
- 10.46 The two second storey openings will experience a reduction in sunlight and daylight. However this room is also served by front and rear windows and these side windows are secondary. The room also passes the Daylight Distribution test and as such, it is not considered that the impact of the development on this room is sufficient to warrant a recommendation of refusal.
- 10.47 The side dormer windows pass all the tests, and the development will not have a detrimental impact upon this room.
- 10.48 Turning to the rear elevation, the ground and first floor fenestration pass all tests.
- 10.49 As noted above, the basement/lower ground floor is in use as an independent flat.
- 10.50 Following the amended design of this corner of the building, so that it is angled away from this property, the addendum to the Daylight & Sunlight statement shows that the scheme now passes all tests with specific regard to the basement unit windows, one of which serves a bedroom and one of which serves a kitchen.
- 10.51 As such, it is not considered that the impact of the development upon these windows is sufficient to warrant a recommendation of refusal.
- 10.52 It is not therefore considered that the development will have a detrimental impact on the rear facing windows of No. 137.

- 10.53 The submitted Daylight and Sunlight report also measures the impact of the development on the two properties on the opposite side of Grosvenor Avenue, No. 114 Grosvenor Avenue and Park Church House. The assessment shows that the development will not have an unacceptable impact on these properties.
- 10.54 Finally, it should also be noted that the assessment shows that the development will also comply with BRE standards with regards to the impact on neighbouring amenity space.
- 10.55 This amenity space assessment does not include the side terrace located on top of the side projection of No 137. However it is not considered that it would be reasonable to expect this space to be protected in any way given its siting on the side boundary.
- 10.56 Turning to overlooking, the building has no side elevation fenestration, and all rear balconies face directly down the site. In addition, the balconies are set behind the side walls and therefore it is not considered that the building will offer any unacceptable overlooking to either adjacent neighbour.
- 10.57 As such and on balance, it is not considered that the proposed development will have an unacceptable impact on the amenity of neighbouring properties.

Impact on trees

- 10.58 Policy DM6.5 states that developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats.
- 10.59 As stated above, the Tree Officer initially identified two major areas of concern, namely the impact of the development at the front of the site on the large London Plane tree sited directly in front of the building facing Grosvenor Avenue, and the propose service connection detail.
- 10.60 Of less concern is the loss of trees to the rear of the site (x 9), which (as the site is not within a Conservation Area) does not require permission.
- 10.61 The tree to the front of the site is an important amenity tree and part of an historically importing avenue. The details submitted initially were considered insufficient to protect this tree.
- 10.62 Further information from a tree consultant (Arbtech Consulting Ltd) was submitted, along with a short method statement from a structural engineer (David Dexter Associates) detailing the construction method.
- 10.63 In addition, minor amendments were undertaken to the front boundary treatment, with the introduction of semi-porous resin bound service to the front of the building, along with a semi-porous service at the base of the low front masonry boundary wall and some soft landscaping (raised planter bed) directly in front of the entrance.
- 10.64 The Tree Officer is now satisfied that, subject to a condition regarding the submission of an arboricultural method statement, the development could preserve this tree in accordance with the Policy DM6.5.
- 10.65 The development is clearly of a greater foot print than the existing pair of semis, and will extend to the rear some 3.5m further than the existing. There does remain however a substantial rear garden (255sqm) for the use of Units 1 and 2 as stated above, 9 trees in total will be removed from the rea garden, but these are not protected and the site is not within a Conservation Area.

- 10.66 The development incorporates a green wall and a living roof (with solar panels). The living wall sits on the rear elevation and extends over to the ground floor.
- 10.67 The landscaping at the front and rear is limited to improving the existing gardens. The trees at the rear boundary of the site will be retained and a semi porous decked sunken area adjacent to the building will provide irrigation for the garden.
- 10.68 In addition, the submitted Sustainable Design and Construction Statement (Ingleton Wood) makes it clear that the development will meet Code Level 4. The sustainability and biodiversity credentials of the building far exceeds the existing building therefore.
- 10.69 Policy DM 6.3 (E) states that ' development of private open space is not permitted where there would be a significant individual or cumulative loss of open space... or where there would be a significant impact on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and or flood alleviation affect'.
- 10.70 On balance, and subject to the condition requested by the Tree Officer it is considered that a sufficient amount of garden space is being retained and development will not have a detrimental impact upon the biodiversity or ecological connectivity of the site in compliance with the above condition.

Cycle and Bin Storage

- 10.71 The development will be car free in accordance with the Core Strategy, and will therefore not add any additional parking pressure to Grosvenor Avenue and the nearby streets. The exceptions to this are blue badge holders and Islington residents who have already held a permit for the specified period of one year.
- 10.72 Policy DM8.4 states that minor developments creating new residential are required to provide cycle parking in accordance with the minimum standards set out in Appendix 6. Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible.
- 10.73 In this instance, 1 cycle space per bedroom (20) should be provided. A cycle parking area (for 20 cycles) is provided at the rear of the site within an enclosed timber structure (with a green roof). This is accessible through a secured access along the eastern side of the building.
- 10.74 With regards to bin storage, as stated above, this is provided at the front of the site adjacent to the new front boundary wall. The brick bin storage area will match that of the front elevation of the building and will incorporate a boundary planter to soften its appearance.
- 10.75 It is therefore considered that the proposed development provides acceptable cycle and bin storage.

Affordable Housing

- 10.76 The Core Strategy Policy CS 12 – 'Meeting the Housing Challenge' requires (part G) "... all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough."
- 10.77 The SPD 'Affordable Housing Small Sites' states that in line with the evidence base, the council will expect developers to be able to pay a commuted sum of £50,000 per unit for sites delivering fewer than 10 residential units in the north and middle parts of the borough.

- 10.78 The SPD states, in accordance with the NPPF, that in instances where the applicants consider that this level of contribution would leave the development unviable, that the council will accept viability assessments where the applicants should provide a statement with their application with a justification for not providing the full financial contribution.
- 10.79 The applicants initially stated that no contribution was possible. In this instance the applicants originally provided information relating to viability and suggested any contribution would lead the scheme to be unviable.
- 10.80 The SPD states that 'a viability appraisal must include sufficient information to enable the council and/or an independent viability expert to review the appraisal without having to seek further information from the applicant'.
- 10.81 The viability statement was independently assessed and it was concluded by the assessors that a contribution of £144,000 is reasonable.
- 10.82 Following this request, the applicants have agreed to pay this figure, and a legal agreement has been agreed to secure this.
- 10.83 As such, it is considered that this policy requirement has been satisfied and therefore the proposal is acceptable in this regard.

Sustainability

- 10.84 Policy DM7.2 requires developments to achieve best practice energy efficiency standards, in terms of design and specification.
- 10.85 Minor new-build residential developments of one unit or more are required to achieve an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with Building Regulations Part L 2010 (equivalent to Code for Sustainable Homes level 4), unless it can be demonstrated that such provision is not feasible.
- 10.86 An Energy and Sustainability statement has been submitted. As stated above, the document illustrates that the scheme will achieve Code for Sustainable Homes level 4. A condition will ensure this (Condition 5)

Construction

- 10.87 A condition requiring a construction method statement will ensure that any construction is undertaken in an appropriate manner (Condition 8)

11 SUMMARY AND CONCLUSION

Summary

- 11.1 In accordance with the above assessment, it is considered that the proposed demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO- use class C4) and the construction of a new 5-storey (inc lower ground floor) building providing 8 residential dwellings would have an acceptable impact upon the character and appearance of the terrace and street scene and will preserve the character and appearance of the adjoining conservation area.
- 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 Framework and is recommended for approval subject to appropriate conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION

That planning permission be granted subject to the completion of a section 106 agreement to secure

- a) A financial contribution of £144,000 towards the provision of off site affordable housing.
- b) A financial contribution of £8000 towards CO2 off setting.

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>304.PP.00.01, 304.PP.00.02, 304.PP.00.03, 304.PP.01.01 A, 304.PP.01.02 C, 304.PP.02.02 C, 304.PP.02.03 D, 304.PP.02.05 C, 304.PP.02.06 B, 304.PP.02.07 B, 304.PP.02.10 B, 304.PP.02.12 A, 304.PP.02.13 A, 304.PP.02.14 A, 304.PP.02.15 A</p> <p>Aboricultural Impact Assessment , Aboricultural Development Report, Tree Survey (Arbtech), Planning Statement (AZ Urban Studio 19/8/14), Daylight & Sunlight Report (MES building Solutions) & Addendum 16/3/15, Design & Access Statement (Fourthspace Aug 2014), Sustainable Design & Construction Statement (Ingleton Wood 15/8/14)</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	Materials
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) window treatment (including sections and reveals); c) roofing materials; d) balustrading treatment (including sections); e) garden fences; f) bin store; and e) divisions between gardens. <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	Accessible Homes

	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
5	BREEAM
	<p>CONDITION: The development shall achieve a BREEAM [Office/Retail/Schools/Bespoke/multi-residential rating (2008)/BREEAM New Construction rating (2011)] of no less than 'Excellent' and Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
6	Cycle parking
	<p>CONDITION The bicycle storage area hereby approved, which shall be covered, secure and provide for no less than 20 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
7	Car Free Housing
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents parking permit except:</p> <ul style="list-style-type: none"> (2) In the case of disabled persons (3) In the case of units designated in this planning permission as 'non car free';or (4) In the case of the resident who is an existing holder of residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least a year. <p>REASON: To ensure that the development remains car free.</p>
8	Construction Method Statement
	<p>No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities

	<p>vi. measures to control the emission of dust and dirt during construction</p> <p>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</p> <p>viii mitigation measures of controlling noise from construction machinery during business hours</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
9	Green Roof
	<p>Details of the biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm); and</p> <p>b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
10	Arboricultural Method Statement
	<p>No development (including demolition works) shall take place on site unless and until an arboricultural method statement (AMS) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities</p>

List of Informatives:

1	Positive Statement
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	<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. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>
<p>2</p>	<p>Construction hours</p> <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> <ul style="list-style-type: none"> • 8am –6pm Monday to Friday, • 8am – 1pm Saturdays; • no noisy work on Sundays or Public Holidays (unless by prior agreement in special circumstances)
<p>3</p>	<p>CIL</p> <p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>

APPENDIX 2: RELEVANT POLICIES

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

National Guidance

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

Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

7 London's living places and spaces
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.8 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	Transport
DM2.1 Design	DM8.4 Walking & Cycling
DM2.2 Inclusive Design	DM8.6 Delivery & Servicing
DM2.3 Heritage	
DM3.1 Housing Mix	
DM3.4 Housing Standards	
Dm3.5 Private Amenity Space	

Designations

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

Islington Local Plan

none

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

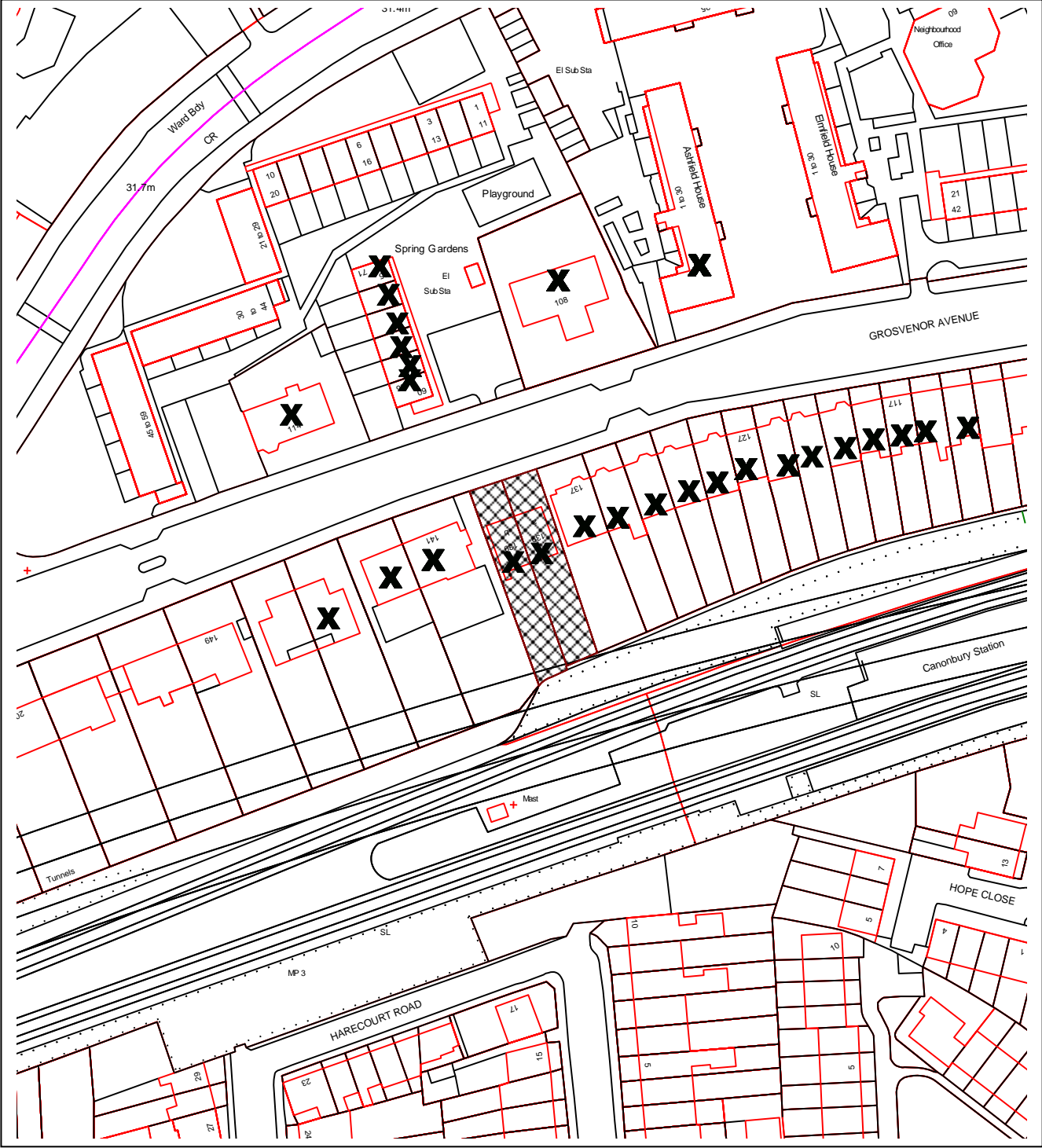
Islington Local Plan

Environmental Design
Urban Design Guide
Accessibility SPD

London Plan

Accessible London: Achieving and Inclusive
Environment
Planning for Equality and Diversity in London

NORTHGATE SE GIS Print Template



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PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE A		
Date:	16 th April 2015	NON-EXEMPT

Application number	P2015/0131/FUL
Application type	Full Planning Application
Ward	St. George's ward
Listed building	None
Conservation area	Tufnell Park Conservation Area
Development Plan Context	None
Licensing Implications	None
Site Address	65 St George's Avenue London N7 0AJ
Proposal	Replacement of existing lower ground floor single storey rear extension, erection of single storey infill rear extension along the boundary with No. 67 St George's Avenue, installation of solar panels and 3 no. rooflights on the rear roof slope. Replacement of windows on the front elevation.

Case Officer	Thomas Broomhall
Applicant	Zoe Korsner, Claire Hungate
Agent	Mr Emil Neumann - Paul Archer Design

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 - Aerial view of the site and surroundings



Image 2 - View of front elevation



Image 3 – View of Rear Elevation



Image 4 – View of existing extension on neighbouring property



Image 5 – View of rear projection



4 SUMMARY

- 4.1 The application proposes the replacement of the existing lower ground floor single storey rear extension and the erection of a single storey infill rear extension. The application also includes the installation of solar panels and 3 no. roof lights on the rear roof slope and the replacement of windows on the front elevation. Excavation of the existing basement, lowering the floor by 300mm to the rear and 800mm to the front is also indicated on the plans. Given that the proposed excavation is wholly within the footprint of the existing single family dwellinghouse planning permission is not required.
- 4.2 The issues arising from the application are the impact on the character and appearance of the host building, the impact on the character and appearance of the adjoining terrace and surrounding Tufnell Park Conservation Area, and impact on the neighbouring amenity of the adjoining and adjacent residential properties.
- 4.3 The proposed replacement of the existing rear extension and the erection of a single storey infill rear extension and external alterations are considered to be acceptable. The impact of the proposals on the character and appearance of the host building, adjoining terrace and surrounding Tufnell Park Conservation Area is considered to be acceptable. The impact on the amenities of the adjoining and adjacent residential properties is also considered to be acceptable. The application is therefore recommended for approval with conditions.

5 SITE AND SURROUNDING

- 5.1 The site is a four storey over basement mid terrace single dwelling house in a row of 8 adjoining properties. Each property has an original half width two-storey rear projection. The row of terraced properties forms part of a wider terrace of similar properties on the southern side of St George's Avenue. The property is within the Tufnell Park Conservation Area. The property is not listed.

6 PROPOSAL (in Detail)

- 6.1 The application proposes the replacement of the existing lower ground floor single storey rear extension to the existing rear projection with a glazed extension. The application also proposes the erection of a single storey glazed infill rear extension along the boundary with no. 67 St George's Avenue incorporating a sloping glazed roof. The infill extension aligns with the depth of the existing extension at no. 67 and the height closely follows the height of the existing boundary wall. The application also includes the installation of solar panels and 3 no. rooflights on the rear roof slope, the replacement of windows on the front elevation, the enlargement of the existing first floor sash window on the rear projection and a replacement obscure glazed window on the side elevation.
- 6.2 The proposal follows pre-application advice provided in December 2014. The advice indicated that the depth and height of the rear infill extension should be reduced to align with the existing rear extension on the adjoining property at no. 67.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS

7.1 **P051527** - *Single storey extension to rear mid-terrace building* at 67 St George's Avenue. Granted December 2005.

ENFORCEMENT:

7.2 None

PRE-APPLICATION ADVICE:

7.3 December 2014 Pre-application (ref:Q2014/4740/HH) at 65 St George's Avenue, advised that the depth and height of the rear infill extension should be reduced to align with the existing rear extension on the adjoining property at no. 67, a second rear dormer roof extension would be unacceptable and front roof lights would be contrary to Conservation Area Design Guidelines.

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 26 adjoining and nearby properties on St George's Avenue and Archibald Road on 28 January 2014. A site notice was displayed on 5 February 2015. A Press Notice was displayed on 5 February 2015. The initial round of public consultation of the application therefore expired on 26 February 2015.

8.2 At the time of the writing of this report a total of 7 objections 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):

- Harm to the character, appearance and architectural integrity of the property and conservation area (See paragraphs 10.4, 10.7-10.8)
- Glazed roof line of rear extension will create light pollution harming amenity and tranquillity of rear gardens (See paragraph 10.11)
- Conversion of cellar into a habitable space will increase flood risk and subterranean water run off (See paragraph 10.12)
- Hydrological survey is required to ensure basement excavation does not cause water damage to neighbouring properties (See paragraph 10.12)
- Boundary wall with no. 63 is not shown in correct position (See paragraph 10.14)
- Noisy building work taking place outside of regulated hours (See paragraph 10.14)

External Consultees

8.3 No comments received.

Internal Consultees

8.4 **Design and Conservation Team** - the proposal is considered to be acceptable subject to conditions

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.
- 9.3 The National Planning Practice Guidance 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 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.4 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011 and Development Management Policies 2013.

Tufnell Park Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

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

- Impact on the character and appearance of the host building, adjoining terrace and surrounding Tufnell Park Conservation Area,
- Impact on neighbouring amenity.

Impact on the character and appearance of the host building, adjoining terrace and surrounding Tufnell Park Conservation Area

- 10.2 Policy DM2.1 of the Development Management Policies requires development to be of high quality, make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Part vii) of DM2.1 requires design to respect and respond positively to existing buildings, the streetscape and the wider context, including local architectural language and character, surrounding heritage assets, and locally distinctive patterns of development and landscape. Policy DM2.3 requires that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance.
- 10.3 The Tufnell Park Conservation Area Design Guidelines require rear extensions to remain subordinate to the mass and height of the main building, be permitted on their

merits and only where the scale, design and materials to be used are in keeping with the existing property. The CADG resist rooflights on the front or side slopes of properties with exposed pitched roofs.

- 10.4 Objections were received concerning the impact of the proposed front rooflights on the appearance on the host building and conservation area. This element of the proposal was removed on the advice of the case officer following consultation with the Design and Conservation team.
- 10.5 The Design and Conservation Officer expressed concerns over the proposed replacement of sash windows on the front elevation and requested a condition controlling the material, profile and detailing.
- 10.6 The design, scale and proportions of the proposed rear extensions respect the character and appearance of the existing building and accord with those on adjacent properties within the conservation area. The design and use of materials of the extensions and external alterations respect and maintain the original character of the host building and conservation area and are therefore acceptable. It is recommended that a condition is attached controlling the appearance of the proposed rooflights on the rear roof slope.
- 10.7 Objections were received concerning the impact of the works on the appearance of the rear of the property, adjoining terrace and surrounding conservation area. Reference was made to the enlargement of the sash window on the rear of the rear projection, the loss of original windows on the side elevation of the rear projection and the proposed additional roof lights and solar panels on the rear roof slope. Consideration is given to the position, nature and extent of these elements of the works and existing alterations elsewhere in the terrace. On balance, there is not considered to be sufficient harm caused by these minor works as to sustain a refusal on this basis and therefore these works are acceptable in accordance with policies DM2.1 and DM2.3.
- 10.8 A further objection referred to the height of the proposed infill extension. Consideration is given to the height and proportions of the existing extension at no. 67 approved in 2005 and the relationship with the proposed extension. Whilst the scheme presents a partial increase in height above this extension, given the modest difference in height, the extent and the discrete position, there is not considered to be a harmful impact on the host building and conservation area as to sustain a refusal on this basis. Therefore the extension is acceptable in accordance with policies DM2.1 and DM2.3 and the Tufnell Park Conservation Area Design Guidelines.
- 10.9 The design, appearance and use of materials of the proposed works respect the character and appearance of the host building and surrounding conservation area. The proposals accord with policies DM2.1 and DM2.3 and the Tufnell Park Conservation Area Design Guidelines and are therefore acceptable.

Impact on neighbouring amenity

- 10.10 The proposed infill rear extension closely matches the proportions and position of the extension at no.67. The replacement rear extension matches the existing footprint and proportions. Consideration is given to the position and proximity of the proposed works to the windows of habitable rooms of adjoining and neighbouring properties. The proposals are assessed against the council's policies on the protection of neighbouring amenity in terms of its impact on daylight and sunlight, increase in

overlooking, loss of outlook, or creation of undue sense of enclosure. The proposed additions and external alterations accord with the Council's policies on the protection of neighbouring amenity and are therefore acceptable in accordance with policy DM2.1.

- 10.11 Objections were received concerning an increase in light pollution from the proposed glazed roof on the infill extension. However given the scale and position of the glazing, the use of internal domestic lighting will not present an unacceptable increase in light pollution and is therefore acceptable.

Other Matters

- 10.12 Objections were received concerned that the works to the basement level will increase flood risk and subterranean water run-off and a request for a Hydrological survey. The proposed excavation works lower the floor by approximately 300mm in the rear of the basement, and 800mm in the front of the basement and remain within the existing footprint of the building without any new openings or related external works.
- 10.13 Whilst the property is in the wider vicinity (200-500m) of the underground River Fleet, and whilst no trial pitting has been completed, it is considered unlikely that significant ground water movement is occurring within 300mm of the underside of the existing lower ground floor slab. If during trial pitting or the construction process ground water is encountered, the proposals will be re-assessed to account for this and not affect the water body. Therefore given the entirely internal and modest nature of these works, it would be unreasonable to refuse the application on this basis or to require further details or surveys. The concerns which were raised are more likely to be a matter for Building Regulations legislation.
- 10.14 Further objections were raised regarding the angle of the party wall shown on the plans and noisy building works taking place outside of regulated hours. However these are not material planning considerations and therefore it would be unreasonable to refuse the application on this basis. These matters are more likely to be covered by other legislation.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The impact of the proposal on the character and appearance of the host building, the impact on the character and appearance of the adjoining terrace and surrounding Tufnell Park Conservation Area is considered to be acceptable. The impact on the amenities of the adjoining and adjacent residential properties is also considered to be acceptable.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to conditions:

List of Conditions:

1	<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>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>657.00B, 657.010B, 657.011B, 657.012B, 657.013B, 657.014B, 657.015B, 657.016B, 657.017B, 657.201B, 657.202B, 657.203C, 657.204C, 657.205B, 657.206B, 657.207B, 657.208B, Design and access and Heritage Statement January 2015</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 TO MATCH (COMPLIANCE): The facing materials of the extensions hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
4	<p>CONSERVATION ROOFLIGHTS (COMPLIANCE): The rooflights shall be 'conservation rooflights' in metal painted black to sit flush with the roof and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	<p>CONDITION: Notwithstanding the plans hereby approved all new sash windows shall accurately replicate, in terms of material, profile and detailing, the original windows surviving to the property. They shall be painted timber, double-hung 1/1 sash windows with a slim profile and narrow integral (not applied) glazing bars with a putty finish (not timber bead) and horns. The glazing shall be no greater than 12mm (4mm: 4mm gas: 4mm glass) in total thickness. No trickle vents or metallic/perforated spacer bars are permitted.</p> <p>REASON: To ensure that the appearance of the building is acceptable and to preserve the special character and appearance of the conservation area.</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>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	<p>The applicant is to be made aware that construction works are restricted to take place between the hours of 8am and 6pm Monday to Friday, and 8am and 1pm on Saturdays and at no other time.</p>

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

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

7 London's living places and spaces
Policy 7.4 Local character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Policy CS8 (Enhancing Islington's Character)

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

C) Development Management Policies June 2013

DM2.1 Design
DM2.3 Heritage

3. Designations

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

Islington Local Plan

Tufnell Park Conservation Area

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

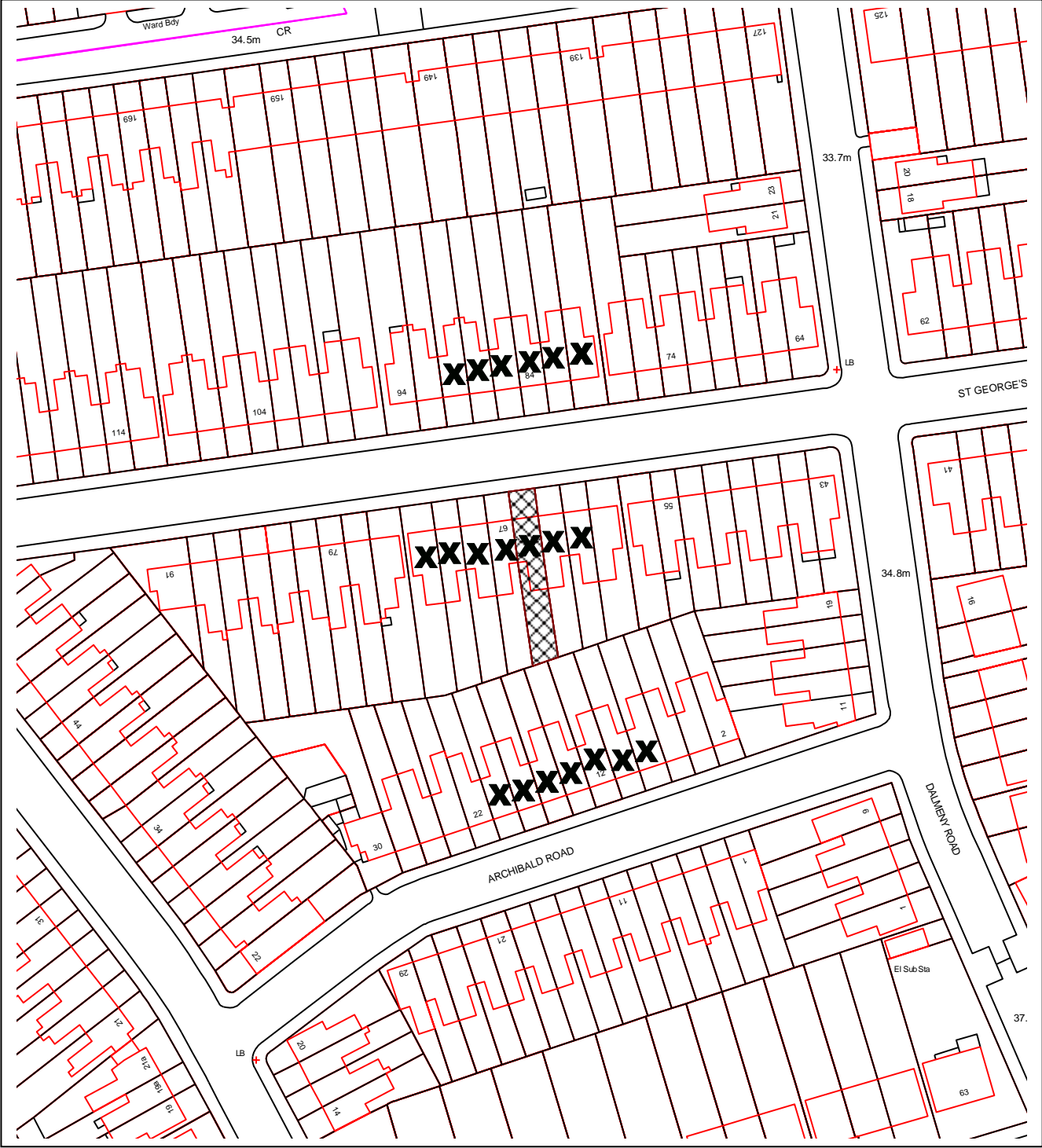
The following SPGs and/or SPDs are relevant:

Islington Local Plan

Urban Design Guide
Conservation Area Design Guidelines

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NORTHGATE SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	Thursday, 16 April 2015	NON-EXEMPT

Application number	P2014/4270/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	Unlisted
Conservation area	Not in Conservation Area
Development Plan Context	Policy DM 2.4 Local View
Licensing Implications	None
Site Address	Footpath Through Bemerton Estate: Footpath from junction of Freeling Street/Carnoustie Drive through Bemerton Estate to junction of Pembroke Street/Bingfield Park, London N1
Proposal	Resurfacing the footpath from the junction of Freeling Street and Carnoustie Drive, through Bemerton Estate to Bingfield Park at Pembroke Street. Replacement fence on Stranraer Way and Earlsferry Way, installation of new railings and concrete seating.

Case Officer	Duncan Ayles
Applicant	Bemerton Village Management Org. - Mr Paul Shepherd
Agent	None

1. RECOMMENDATION

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

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

3 PHOTOS OF SITE/STREET

Image 1: Aerial View of the Application Site



Image 2: View of the site from the west.



Image 3: View of the Site From the east.



4 SUMMARY

- 4.1 The application seeks planning permission for public realm improvement works within the Bemerton Estate including the resurfacing of Stanraer Way, the replacement of boundary treatments within the estate, the introduction of additional street furniture, the alteration of a number of staircases within the estate, and the erection of larch arches on the eastern and western entrance to the estate. The proposed design is considered to be acceptable, and the scheme has been developed by the Bemerton Village Management Organisation.
- 4.2 One objection has been received from a resident, objecting to the proposed benches. The resident has argued that this street furniture will lead to additional anti-social behaviour. However, it is considered that the proposal will lead to an increase in pedestrian activity, which will increase activity and hopefully reduce anti-social behaviour within the estate.
- 4.3 Concerns have also been raised by the Council officers in relation to inclusive design and the potential impact on trees within the site. It is considered that these issues can be addressed through the imposition of appropriate conditions.

5 SITE AND SURROUNDING

- 5.1 The application site forms part of the Bemerton Estate, a post-war residential housing estate located to the east of the Caledonian Road. The land use is predominantly residential, although the estate also includes a Children's and Community Centre.
- 5.2 The Bemerton Estate is comprised of a number of mid-rise residential blocks that surround areas of public space. Access into the estate is provided by separate pedestrian thoroughfares and vehicle access routes. The estate displays a number of the difficulties associated with post-war residential housing set out within the Islington Urban Design Guide, including poor legibility and natural surveillance. This has contributed to instances of anti-social behavior within the estate.

6 Proposal (in Detail)

- 6.1 The application seeks planning approval for public realm improvement works within the estate. The proposal has been developed as part of a joint project between the Bemerton Estate Tenant Management Organisation and architecture students at Central St Martin's College. The works seek to articulate Stanraer Way as the key east-west thoroughfare within the estate.
- 6.2 The application proposes to erect 6 timber arches on the eastern portion of Stanraer Way, underneath and to the west of Coatbridge House. 3 smaller arches will be erected on the western side, close to 1-12 Stanraer Way. The applicant also proposes to erect a total of 7 benches close to Stanraer Way; 3 within Stanraer Green, 2 to the south of Pert House and 2 close to the Bemerton Childrens Centre.
- 6.3 The application also proposes to resurface the length of Stanraer Way with Green York Stone, replacing the existing mixture of Tarmac and Concrete Paving Slabs

with stone paving. Works are proposed to form two new sets of Stairs at Stanraer Green and Pert House.

- 6.4 The application proposes to replace the boundary fences to the rear of 1 to 12 Stanrear Way, the front gardens of the ground floor maisonettes at 13 to 48 Stanrear Way, 49 to 72 Stanrear Way. The fencing to the rear of 1 to 12 will be formed of 2.1 metre timber fencing, with a 1.5 metre high panel fence and a 60 cm high hit and miss section. The fencing at ground level at 49 to 72 and 13 to 8 will be 60 cm hit and miss fencing.

7 Relevant History

Planning Applications

- 7.1 **P2014/0515/FUL:** Creation of secondary stair entrance to Jean Stokes Community Hall in place of existing window opening fronting Carnoustie Drive. Main entrance to remain as existing: Granted
- 7.2 **P110461:** Formation of a new path across the open space and associated landscaping works: Granted

Enforcement History

- 7.3 **E/2014/0390:** Untidy Land at form Choudray Mansions site.

Pre Application Advice

- 7.4 None

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 247 adjoining and nearby properties on the 6th January. A site notice was also displayed. The public consultation of the application therefore expired on the 29th of January. 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, 1 objection had been received. The objections can be summarised as follows (with the relevant paragraph numbers that provide responses to those issues indicated in brackets):
- Concerns raised in relation to the impact of the proposal in terms of encouraging anti-social behaviour (para. 107.-10.9)

Internal Consultees

- 8.3 **Inclusive Design-**Routes should be level or suitably ramped-there is not detail provided regarding gradients of any proposed ramps. Handrails should also be provided to all ramps and steps. Tactile warnings should be provided at the top and

bottom of all external steps and there should be colour contrasts nosings which are visible on both rise and tread. Ramps that cut through steps can be extremely visually confusing. Route widths should be a minimum of 1500 but preferably 1800 mm which allows wheelchair to pass one another. I am pleased to note that it is proposed to use resin bound gravel.

- 8.4 Tactile paving should be provided where appropriate and in line with nationally approved guidance. Seating and rest points should be provided at 50 mm intervals. Good practice recommends a variety of seat heights, ranging from 380 mm to 580 mm. Some seating should have backs and some should have arms. Is it proposed to have planting or water features to assist way find and orientation?
- 8.5 **Transport Planning**-The application proposes to resurface the footpath through the Bemerton Estate, from Bingfield Park to Carnoustie Drive. This is part of a wider aspiration to improve the east-west pedestrian link between the King's Cross Central Redevelopment Site and Caledonian Road, which is currently poor.
- 8.6 The drawings show the installation of lighting along parts of the route, such as the uplighters placed on the side of buildings at the footpath's eastern end. Further information is required to demonstrate that the footpath is adequately lit along its entire length. We welcome the development of designs through consultation with the local community, which will hopefully lead to this becoming a better used east-west route. The management arrangements of the space should be developed alongside the design, to ensure that the space remains well presented and welcoming.
- 8.7 The drawings show some cycle parking and new paving to be placed on Carnoustie Drive. It appears that this is located on the public highway. Therefore, this work should be carried out by the Council's highway service at the applicant's expense.
- 8.8 **Tree Preservation Officer**-The details in the report appears to be sufficient to recommend that there is no arboricultural reason to recommend refusal.

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.
- 9.2 The National Planning Practice Guidance 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.

- 9.5 Section 2.7 of the Core Strategy provides a policies map for Kings Cross. This supports the improvement of pedestrian links from Caledonian Road to York Way through the Bemerton Estate.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.4 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
- Impact of the development on the character and appearance of the existing building and surrounding area.
- The impact of the proposed development on anti-social behaviour within the area.
- Impact on trees
- Inclusive Design and transport

Principle of the development

10.2 Core Strategy Policy CS6 part C supports the improvements to east-west pedestrian links through the Bemerton Estate, as part of the Strategy's wider spatial strategy for Kings Cross. The upgrading of this route is also a key policy contained within the Cally Plan Supplementary Planning Document, adopted in 2014. Consequently the principle of the development is strongly supported.

Impact of the development on the Character and Appearance of the Area

- 10.3 The proposed public realm improvements are based on a program of public consultation developed jointly between the Bemerton Estate Tenant Management Organisation and Architecture Students at Central St Martins. The proposal seeks to both articulate Stanrear Way as the key east-west thoroughfare within the estate, and to improve a series of public spaces along the route.
- 10.4 The proposed materials are considered to be of a high quality, and a clear improvement on the existing situation. The proposed York green stone paving replaces a combination of concrete paving, tiles and tarmac. The proposed larch boundary treatments are also of a higher quality than the existing timber fencing, which is currently in a poor state of repair.
- 10.5 It is noted that the timber fencing proposed to the rear of 1 to 12 Stanrear Way is slightly taller than would usually be expected of boundary fencing. However, as a significant portion of this will be comprised of hit and miss fencing posts, it is not considered that this boundary will appear overly bulky, or lead to an excessive degree of enclosure to the streetscene.

10.6 The proposed timber arches are the most significant development proposed within this application. The arches will add interest to the eastern and western entrances to the thoroughfare, and will articulate the new pedestrian thoroughfare as a key route through the Bemerton Estate, ensuring that the thoroughfare delivers the route required by policy CS6. While it is considered that the materials do not correspond to the existing buildings within the estate, this is justified by the need to redefine the route as a key thoroughfare.

Impact on Anti-Social Behaviour

10.7 A comment has been received from a resident within the estate, objecting to the location of the proposed street furniture to the north-east of 13 to 48 Stanrear Way, stating that this will attract anti-social youths to the area. The impact of development on crime and anti-social behaviour is a material planning consideration.

10.8 It is accepted that the proposed street furniture is likely to increase the amount of pedestrian activity within the estate. However, as this will increase the extent of natural surveillance in the estate, it is considered that the provision of additional street furniture will reduce anti-social behaviour. The location of the proposed benching is considered to be acceptable; the three benches are sited within an area of public space and are not unacceptably close to any residential properties such that they would lead to an adverse impact on neighbour amenity.

10.9 The proposed improvements to the public realm are also likely to attract additional pedestrian activity through the estate, which will similarly contribute to a reduction in anti-social behaviour within the estate. Given these considerations it would be unreasonable to withhold Planning Permission on these grounds.

Impact on Trees

10.10 Following comments raised by the Council's Tree Preservation Officer, the applicant has supplied an Arboricultural Report which addresses the potential impacts on trees within the site. The Council's Tree Preservation Officer has assessed the report, and has confirmed that it contains sufficient detail to demonstrate that the trees can be adequately protected within the construction of the link. It is recommended that a condition is imposed to secure compliance with the arboricultural report.

Inclusive Design and Transport

10.11 Concerns have been raised by the Council's Inclusive Design officer and Transport Section in relation to some elements of the proposal. Specifically comments were raised in relation to the width of particular sections, the use of ramps that cut through steps and the requirement for tactile paving. The link complies with the width specified by the Inclusive Design Office, which ensures that wheelchair users will be able to pass one another across the whole of the route. The proposed surfaces are also firm and slip resistant. Seating is also proposed at 50 metres intervals.

10.12 A number of the outstanding issues raised can be addressed through the imposition of conditions, such as requiring the erection of handrails adjacent to the ramp on the western end of the footpath. Similarly it is considered that a condition can be

imposed requiring the addition of tactile paving at the top and bottom of the steps proposed. These works ensure that the proposed thoroughfare will accord with the Council's inclusive design policies.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development delivers an improved east-west link through the Bemerton Estate required by core strategy policy CS 6 and the Cally Plan SPD. The proposal uses high quality material that will contribute to the character and appearance of the area in accordance with policy DM 2.3.
- 11.2 The proposal will contribute to an increase in pedestrian activity within the estate, which will lead to a reduction in anti-social behaviour. The potential impact on inclusive design and on-site trees can be adequately controlled by way of planning conditions, in accordance with policies DM 2.2 and 6.5.

Conclusion

- 11.3 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:</p> <p>[Graphical Renderings, 1094/18/11, 1020/03/09, 1096/18/11, 1027/03/09, 1033/03/09, 1031/03/09, 1025/03/09, 1093/18/11, 1092/18/11, 1035/03/09, 1091/18/11, 1095/18/11, 1095/18/11, 1097/18/11, 1029/03/09, 1099/18/11, 1098/18/11, 1090/18/11, Arboricultural Report]</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>
	Materials
3	<p>MATERIALS (COMPLIANCE): The development shall be constructed in accordance with the schedule of materials noted on the plans and within the application form. 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>
	Trees
4	<p>The proposed development shall be carried out in strict accordance with the submitted Arboricultural Survey (BS5837:2012) & Impact Assessment Report</p> <p>Reason: To protect the health and amenity value of on-site trees</p>
	Inclusive Design
6	<p>Prior to the commencement of development details of tactile paving at the top and bottom of the stairs shown on DWG no. 1090/18/11 shall be submitted for approval. The development shall be completed in accordance with the approved details.</p> <p>REASON: To secure inclusive design</p>
	Inclusive Design

7	<p>Prior to the first use of the development hereby approved the handrails shown on the approved plans shall be installed, and retained as such thereafter.</p> <p>REASON: To secure inclusive design</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.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & Equalities Act</p>
Part M Compliance	
3.	<p>You are advised that the scheme is required to comply with -</p> <ul style="list-style-type: none"> • The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', <p>For this proposal, this may include</p> <ul style="list-style-type: none"> - colour contrast nosing to the external steps; - improvements to the handrail profile - glass marking manifestations <p>For more information, you may wish to contact Islington Council's Building Control (0207 527 5999).</p>
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> <ul style="list-style-type: none"> • 8am –6pm Monday to Friday, • 8am – 1pm Saturdays; • no noisy work on Sundays or Public Holidays (unless by prior agreement in

	special circumstances
	Highways
5	Part of the proposal appears to be on highway land. It is recommended that you contact the highway authority to ascertain what consents are required to resurface highway land.

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 and PPG are a material consideration and have 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)

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS6 Kings Cross

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 DM 2.2 (Inclusive Design)

Policy DM2.3 (Heritage)

Policy DM 6.5 Landscaping, Trees and Biodiversity

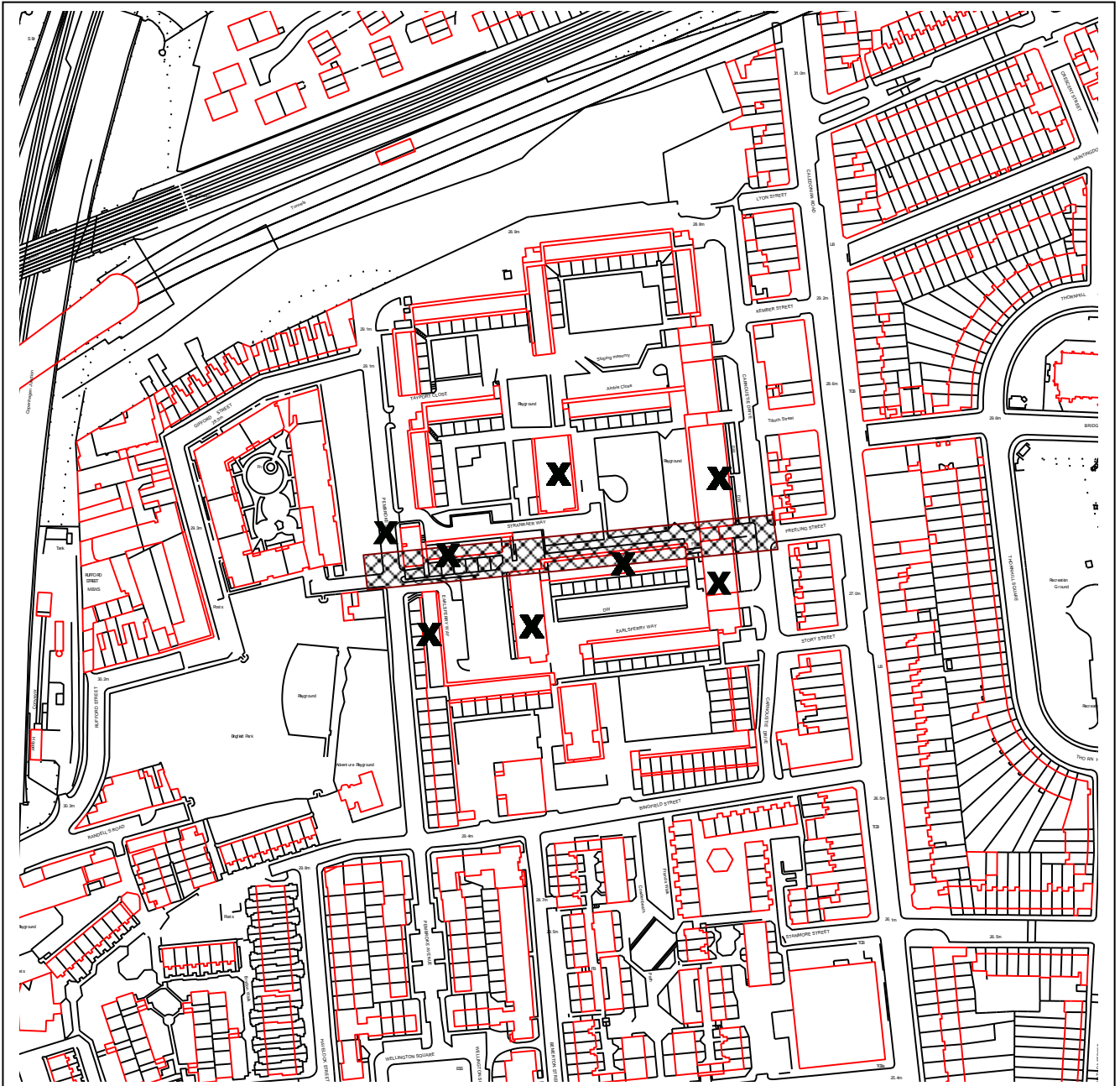
4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- Islington Urban Design Guide SPD
- Cally Plan SPD



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/4270/FUL

LOCATION: FOOTPATH THROUGH BEMERTON ESTATE:
FOOTPATH FROM JUNCTION OF FREELING STREET/CARNOUSTIE
DRIVE THROUGH BEMERTON ESTATE TO JUNCTION OF
PEMBROKE STREET...

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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:	16 th April 2015	NON-EXEMPT

Application number	P2014/3589/FUL
Application type	Full Planning (Council's Own)
Ward	Tollington Ward
Listed Building	No
Conservation Area	No
Licensing Implications Proposal	None
Site Address	Land at Oakdale Court, adjacent to no. 29 Fortnam Road, London N19 3NS
Proposal	Erection of a two-storey end-of-terrace building containing 2 one-bed flats, with associated boundary treatment and landscaping on existing car parking spaces between Oakdale Court and 29 Fortnam Road.

Case Officer	Stefan Sanctuary
Applicant	Islington Council
Agent	Mr Roger Stong

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;
2. conditional upon the prior completion of a Directors' Agreement securing the heads of terms as set out in Appendix 1.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET

Image 1: Birdseye View of the site



Image 2: Subject site looking east



Image 3: Subject site looking south



Image 4: Rear of site



4 SUMMARY

- 4.1 The application seeks permission for the erection of a two-storey end of terrace building containing 2 one-bedroom flats, associated boundary treatment and landscaping on car parking spaces between Oakdale Court and 29 Fortnam Road.
- 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 and the quality of residential accommodation provided for future residents. The impact of the loss of an existing car parking space will also need to be considered.
- 4.3 The subsequent sections of the report assesses the impact on neighbours and concludes that the development would not have a significant impact on the adjoining neighbouring properties' amenity in terms of loss of light, overlooking or overbearing effect. Moreover, the internal layout of the proposed flats meets modern standards and the ground floor flat is provided with outdoor amenity space in accordance with Council objectives and planning policies.
- 4.4 The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. The site also has sufficient space for cycle storage in accordance with Council's policies.
- 4.5 Finally, the residential units will be solely used for social housing secured by Directors' Agreement. The proposal is thus considered to be acceptable and broadly in accordance with the Development Plan policies.

5 SITE AND SURROUNDING

- 5.1 The application site is located on the south-eastern side of Fortnam Road at the end of a terrace of late-Victorian properties. The site is bordered by a four-storey Council-owned apartment block known as Oakdale Court to the south-west and a terrace of Victorian properties on the opposite side of Fortnam Road to the north-west.
- 5.2 To the south and east of the application site are a group of more contemporary residential properties within a cul-de-sac. The area is characterised by mainly low-rise residential buildings and Victorian terraced houses are the predominant building typology.
- 5.4 The application property is not a listed building, nor does it lie within a Conservation Area.

6 PROPOSAL (in Detail)

- 6.1 The application involves the erection of a two-storey end of terrace building containing 2 one-bedroom flats, with associated boundary treatment and landscaping on existing car parking spaces between Oakdale Court and 29 Fortnam Road. The proposal would result in the demolition of the existing pram shed which forms part of the neighbouring estate (*note: an existing pram shed, which serves the needs of residents, would be retained*).
- 6.2 The proposed two-storey building would match the height of the existing terrace and the fenestration on the front elevation would match the pattern and rhythm of the existing fenestration on the terrace. The entrance to the first floor flat would be from the building's front elevation adjacent to the neighbouring property's front entrance.
- 6.3 The entrance to the ground floor flat would be on the building's side elevation behind a low boundary wall. The side elevation would have a number of openings to provide natural light to both ground and first floor flats. The ground floor flat would be some 51sqm in size and would have access to an area of outdoor amenity space to the rear. The first floor would be 51.5sqm in size with a Juliette balcony on the rear elevation.

7 RELEVANT HISTORY

Planning Applications

- 7.1 An application (P2013/2928/FUL) for a the erection of 2-storey two-bed dwelling house on the existing car parking spaces between Oakdale Court and 29 Fortnam Road with a roof terrace, associated boundary treatment and landscaping was withdrawn in April 2014.

Enforcement

- 7.2 None

Pre- Application Advice

- 7.3 None relevant

8 CONSULTATION

Public Consultation

- 8.1 A total of 106 letters were sent to occupants of adjoining and nearby properties on Fortnam Road, Kiver Road and Holloway Road as well as Sylvan and Oakdale Court on the 8th December 2014. A site notice was also displayed. A further 106 letters were sent out following amendments to the scheme on the 19th February 2015 The public consultation of the application

therefore expired on 5th March 2015 however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 A total of 4 letters of objection and 1 in support were received in response to the initial consultation. A further 4 letters were received with similar objections following the second consultation and a petition of 18 residents was sent in objection to the application. The following issues were raised (and the paragraph numbers responding to the issues in brackets).

- (i) the proposal would constitute an incongruous building design [paragraph 10.6-10.8];
- (ii) the development would result in a loss of privacy [paragraph 10.13];
- (iii) The proposed would result in a loss of daylight / sunlight [paragraph 10.12];
- (iv) The construction of the new building would result in structural damage to neighbouring properties [paragraph 10.29];
- (v) That the proposal does not include enough family housing [10.17-10.18];
- (vi) The development would further exacerbate parking issues in the street [paragraph 10.21]
- (vii) That this end-of-terrace development should be refused because others were previously refused roof extensions.

Internal consultees

8.3 **Access Officer:** The following comments were made:

- There is no provision for the installation of a lift to serve the first floor (an area has now been identified where a lift could be installed in the future);
- There is no specified location for bike storage and mobility scooters (this has now been shown on plan);
- The bathroom and bedrooms in the first floor flat do not meet Lifetime Homes criteria (these have now been rearranged to ensure compliance);

8.4 **Design & Conservation:** Objections were initially raised to the proposal. However, amendments have now been made that address the concerns raised and the proposal is now considered to be acceptable in terms of design.

8.5 **Tree Preservation Officer:** No objections were raised by the tree preservation officer

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 and PPG are material considerations and have 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 2015, 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:

- Land use;
- Design and appearance
- Neighbouring amenity impacts;
- Quality of resulting accommodation and dwelling mix;
- Transport and highways;
- Accessibility;
- Section 106.

Land use

10.2 The site is within a residential area with a mixture of terraced houses and apartment buildings characterising the immediate vicinity. The 4-storey Oakdale Court adjoining the site contains residential dwellings and ancillary uses associated with the residential use. The new dwellings would be created

in car parking spaces currently associated with Oakdale Court and thus the existing residential use would be maintained.

- 10.3 The principle of the proposal is considered acceptable subject to complying with the remaining issues dealt with in this report. The principle of the proposal would thus comply with Policies 3.3 (Increasing housing supply) 3.4 (Optimising housing potential) of the London Plan 2015, Policy CS12 (Meeting the housing challenge) of Islington's Core Strategy 2011 and Development Management Policy DM3.1 (Mix of housing sizes).

Design and Appearance

- 10.4 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, Policy DM2.1 of Islington's adopted Development Planning Policies requires all forms of development to be of high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.
- 10.5 The site is situated within a predominately residential area outside of designated Conservation Areas. Fortnam Road is mainly characterised by low-rise residential development with Victorian terraced houses the most predominant building typology. Though the application site forms part of the existing car park within the curtilage of the post-war apartment building known as Oakdale Court, the most relevant urban context for any development at this location would be the adjoining residential terrace, which the proposed development would form a part of.
- 10.6 The proposed building would form an end-of-terrace house, which would follow the height of the existing terrace. The front elevation would consist of a front door set within an entrance porch and a squared bay window at ground floor level. On the first floor, the two proposed windows would match the pattern and size of fenestration along the terrace. It should be noted that the architect's intention is not to create an identical match to the existing terrace. Rather, it is intended that the proposal would provide a modern building, which responds to and reflects existing features along the terrace. As such the building's front elevation creates a modern interpretation of neighbouring buildings introducing new materials and detail while maintaining the overall shape, massing and characteristics of the existing terrace.
- 10.7 The side elevation introduces a sequence and pattern of windows that is alien to the Victorian terrace but picks up on the narrower rectangular shapes that are prevalent on the adjoining Oakdale Court. This elevation also contains the front door to the ground floor flat behind a low brick wall. The length and height of the side elevation matches that of the Victorian terrace and includes a back addition that narrows at first floor level.
- 10.8 While the height at the rear of the proposed building matches that of the existing parapet which forms the side boundary with the neighbouring

property, the back addition has a flat roof and is considerably wider than those within the terrace. As a result, the mass and bulk of the back addition of the proposed building is somewhat greater than the neighbouring Victorian properties. The rear elevation includes a door and window at ground floor level as well as a Juliette balcony at first floor level, which is not a feature typical of neighbouring buildings. That being said, these features would not be visible from the street and are not considered to disrupt the symmetry and overall character of the neighbouring terrace.

- 10.9 The success of this development will be dependent on the quality of materials proposed. Details of materials would be required by condition in the event that planning permission is granted. The proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character), 7.6 (Architecture) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 as well as Development Management Policy DM2.1.

Neighbouring Amenity

- 10.10 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.11 Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 10.12 An accepted method for assessing the development's likely impact on daylight to neighbouring properties is the 45 degree rule of thumb. In essence, a significant amount of light is likely to be blocked if the centre of a potentially affected window lies within the 45 degree lines of both plan and elevation as drawn from the proposed building or extension. This is clearly not the case in this instance as the proposed building does not even come forward of the existing rear building line. A further assessment, referred to as the 25 degree rule of thumb, is applied when new development directly faces affected windows. The nearest window facing directly onto the proposed development is a significant distance away from this window and as such the development is not considered to result in a significant loss of daylight / sunlight to neighbouring properties. While the garden of the neighbouring property is likely to suffer an increase in overshadowing, the level of overshadowing is

not considered to be any more than would normally be expected on a row of terrace houses.

- 10.13 In terms of privacy, consideration should be given to the potential for overlooking between windows within the proposed development and the neighbouring properties of 29 Fortnam Road and Oakdale Court. No new windows are proposed that would allow for overlooking into any of the internal spaces of the neighbouring 29 Fortnam Road. However, a Juliette balcony would overlook the gardens along the terrace. The opportunities for overlooking provided by this feature are not considered to be any greater than already exists from the neighbouring windows along the terrace. A number of windows are proposed in the side elevation of the proposed dwelling, which would face onto the neighbouring Oakdale Court. However, the elevation of this block that faces the proposed development is essentially blank with no openings or windows.
- 10.14 Overall, the proposal is not considered to result in any significant impacts on residential amenity in terms of loss of daylight, sunlight, privacy or an increased sense of enclosure. 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.

Quality of resulting accommodation and dwelling mix

- 10.15 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2015) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.
- 10.16 Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes and favours the provision of larger family-sized social rented units.
- 10.17 The proposed development consists of two 1-bed units and does not provide any 'family housing'. The dwelling mix proposed clearly constitutes an overprovision of 1-bed units and an underprovision of family accommodation. However, the dwelling mix has been based on actual current demand rather than long-term Council aspirations and the application has been accompanied by information on housing waiting lists which shows that by far the most sought-after housing type are one bed dwellings.
- 10.18 The supporting text of policy DM3.1 within Development Management Policies relates to this objective, stating '(t)here may be proposals for affordable housing schemes that are being developed to address short term changes in

need/demand as a result of specific interventions (for example, efforts to reduce under-occupation). In these situations deviation from the required policy housing size mix may be acceptable. In such cases registered providers will need to satisfy the council that the proposed housing size mix will address a specific affordable housing need/demand and result in an overall improvement in the utilisation of affordable housing units in Islington'. Under these circumstances no objection is raised to the proposed dwelling mix.

- 10.19 The proposed units are well laid out and would form attractive and high quality internal living environments with private amenity space provided to the ground floor unit. Both units would have good access to sunlight/daylight and would result in spacious internal layouts. Both units are some 51 sqm with rooms that exceed the internal space standards set within Islington's Development Management Policies. The dwellings also have generous storage areas and dedicated refuse stores. Sufficient space exists on site for both units to have space for cycle parking. In the event of planning permission being granted, the permission would be subject to appropriately-worded conditions to ensure that safe, convenient and secure cycle parking is provided.
- 10.20 The proposal would comply with policy DM3.5 of the Development Management Policies. Given the generous sizes of the units, including dual aspect design and inclusively-designed layouts, the proposal would provide a satisfactory living environment for future occupiers of the units and would therefore comply with Development Management Policy DM3.4 (Housing Standards).

Highways and Transportation

- 10.21 The development would be car free, as required by Core Strategy Policy CS10 and as per proposed condition 8 of recommendation B, which restricts future of occupiers of residential units from obtaining a residents permit. This would protect the provision of spaces for existing users.
- 10.22 The development would also involve removing one of the existing car parking spaces currently associated with Oakdale Court. However, it has been confirmed by the applicant that a sufficient number of car parking spaces will be retained to meet the demand and needs of existing residents.
- 10.23 New residential units are required to provide 1 cycle space per bedroom. As per policy DM8.4 of the Development Management Policies, the proposal provides cycle parking in accordance with the minimum standards set out in Appendix 6. A condition can be attached requesting further details prior to the commencement of the development.

Accessibility

- 10.24 Proposals for residential development need to respond to London Plan Policy 3.8 and 7.2 which require for all new housing to be built to 'The Lifetime Homes' standard and to achieve the highest standards of accessible and

inclusive design. Islington's Core Strategy Policy CS12 requires for all housing to comply with 'flexible homes' standards as set out within the Accessible Housing SPD.

- 10.25 The applicants have worked together closely with LBI access officers to achieve an accessible and inclusive layout. The application proposes level access to both of the proposed new units and the ground floor flat fully meets both Islington's Flexible Homes standard and the national Lifetime Homes standards. The first floor flat has been amended since the original application was submitted and now has an inclusively designed layout that meets the standards.
- 10.26 The widths of corridor and doors proposed comply with our minimum standards and would ensure ease of movement within the dwellings. The internal arrangements meet flexible homes standards and the bathrooms would be wheelchair adaptable. The proposal is in accordance with policy and meets inclusive design standards, in accordance with Core Strategy Policy CS12.

Landscaping

- 10.27 Given that the site currently contains no trees and is predominately hard landscaping, the inclusion of garden area and landscaping is a considerable benefit. While the garden areas shown on the proposed plans indicates mainly hard landscaping, further details on landscaping would be required by condition in the event of planning permission being granted in order to ensure good quality outdoor amenity for future residents.
- 10.28 As such, 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 2015 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

Section 106

- 10.29 The proposal is a minor application for two residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy).
- 10.30 Any permission would be subject to a Directors' Agreement to ensure that the housing remains in social ownership (subject to Council's nomination rights) and is not disposed of on the private market (Appendix 1). The development is also subject to a contribution of £2,000 towards off-setting carbon emissions, which has also been secured by Directors' agreement.

Other matters

- 10.31 Neighbouring occupiers have objected on the basis that the street suffers from subsidence and that the development proposed would affect the structural

integrity of neighbouring houses. It should be noted that this is not a planning consideration and should be picked up by building regulations and party wall agreements.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks permission for the erection of a two-storey end of terrace building containing 2 one-bedroom flats, with associated boundary treatment and landscaping. The new dwellings would be created on car parking spaces currently associated with the neighbouring apartment building and thus the principle of residential development on this land is considered acceptable.
- 11.2 The impact on neighbours has been assessed and it is not considered that the development would have an impact on the adjoining neighbouring properties amenity in terms of loss of light, overlooking or overbearing effect. Moreover, the internal layout of the proposed flats meets modern standards and the ground floor flat is provided with outdoor amenity space in accordance with Council objectives and planning policies.
- 11.3 The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. The site also has sufficient space for cycle storage in accordance to the Council's policies.
- 4.5 These residential units will be solely used for social housing secured by Directors' Agreement. The proposal is considered to be acceptable and to be broadly in accordance with the Development Plan policies.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. Securing the Provision of two residential units for social housing
2. Contribution of £2,000 towards carbon off-setting

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (Compliance)</p> <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>
2	<p>Approved Plans List: (Compliance)</p> <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Numbers FR-01; FR-02; FR-03 Rev C; FR-04 Rev B; FR-05; FR-07; Design & Access Statement March 2015.</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 Samples</p> <p>CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. These shall include:</p> <p>a) Samples of all facing brickwork types, including mortar and pointing; b) Window and door treatment (including sections and reveals); c) details and sample of roofing materials; d) any other materials to be used.</p>

	<p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
	Boundary Treatment
4	<p>CONDITION: Detailed drawings at scale 1:20 or similar in respect of side and rear boundary walls 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 the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	Cycle Parking Provision (Compliance)
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 2 cycle spaces.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
6	Accessible Homes Standards (Compliance)
	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
7.	Waste Management
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no.FR 003 Rev B shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

8.	Car free development
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>
9.	Removal of Permitted Development Rights (Compliance)
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
10.	Noise Control Measures
	<p>A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p style="padding-left: 40px;">Bedrooms (23.00-07.00 hrs) 30 dB L_{Aeq,8 hour} and 45 dB L_{max (fast)} Living Rooms (07.00-23.00 hrs) 35 dB L_{Aeq, 16 hour} Dining rooms (07.00 –23.00 hrs) 40 dB L_{Aeq, 16 hour}</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: To secure an appropriate internal residential environment for future residents.</p>
11.	Landscaping
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The landscaping scheme shall include the following details:</p> <p>a) soft plantings: including grass and turf areas, shrub and herbaceous areas;</p>

	<p>b) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>c) hard landscaping; and</p> <p>d) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>REASON: In the interests of residential amenity and ecological value.</p>
12.	Construction Controls
	<p>CONDITION: During the demolition and construction on site, the developer shall comply with Islington Council's Code of Construction Practice and the GLA's Best Practice Guidance for the control of dust and emissions from construction and demolition. The developer shall ensure that:</p> <p>1 The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site.</p> <p>2 The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08.00-18.00 Monday- Fridays, 08.00- 13.00 Saturdays and at no time during Sundays or public holidays.</p> <p>3 All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.</p> <p>REASON: In order to safeguard the amenity levels of adjoining occupiers during the construction process.</p>

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. 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>
2	<p>Community Infrastructure Levy (CIL)</p> <p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
3	<p>Directors' Agreement</p> <p>Please note that this application is subject to a Service Level Agreement between directors to ensure that the residential units remain as social housing.</p>
4	<p>Other legislation</p> <p>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").</p>
5	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>

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 and PPG are a material consideration and have been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2015, 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 2015 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.15 Coordination of housing development and investment

5 London's response to climate change

Policy 5.3 Sustainable design and construction

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

Health and open space

DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

Transport

DM8.5 Vehicle parking

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design

Small Sites Contribution

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106

Urban Design Guide

London Plan

Accessible London: Achieving and

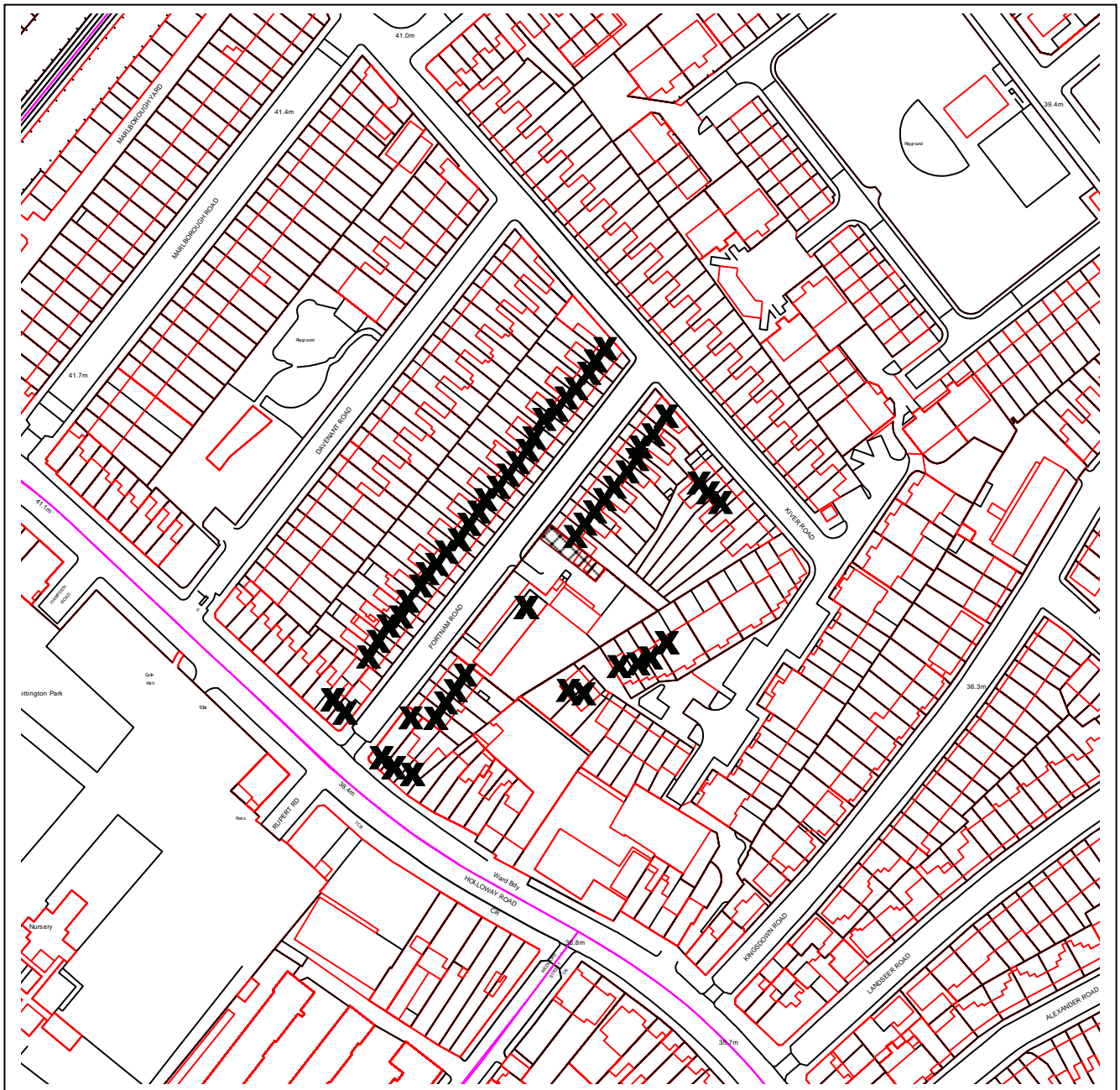
Inclusive Environment

Housing

Sustainable Design & Construction



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3589/FUL

LOCATION: LAND AT OAKDALE COURT, ADJACENT TO NO. 29
FORTNAM ROAD, LONDON N19 3NS

SCALE: 1:2000

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Islington Council, LA086452

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