



Governance and Human Resources
Town Hall, Upper Street, London, N1 2UD

AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **28 June 2016 at 7.30 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
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Despatched : 20 June 2016

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**

Committee Membership

Councillor Donovan (Chair)
Councillor Picknell (Vice-Chair)
Councillor Chowdhury
Councillor Khan
Councillor Ward

Wards


- Clerkenwell;
- St Mary's;
- Barnsbury;
- Bunhill;
- St George's;

Substitute Members

Councillor Convery
Councillor Klute
Councillor Nicholls
Councillor Fletcher
Councillor A Perry
Councillor Poyser
Councillor Wayne
Councillor Caluori
Councillor Gantly
Councillor O'Halloran
Councillor Webbe

- Caledonian;
- St Peter's;
- Junction;
- St George's;
- St Peter's;
- Hillrise;
- Canonbury;
- Mildmay;
-Highbury East;
- Caledonian;
- Bunhill;

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.

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|----|-----------------------------|-------|
| 5. | Order of Business | |
| 6. | Minutes of Previous Meeting | 1 - 6 |

B. Consideration of Planning Applications	Page
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- | | | |
|----|-------------------------------------|--------|
| 1. | 35-53 Britannia Row, London, N1 8QH | 9 - 38 |
|----|-------------------------------------|--------|

2.	98A Seven Sisters Road, London, N7 6AE	39 - 58
3.	Junction Road (Land opposite 12 Junction Road), Junction Road, London, N19 5QT	59 - 72
4.	Land at intersection of Caledonian Road, Hilmarton Road and North Road, 42 North Road, London, N7	73 - 86
5.	Unit 10, Roman Way Industrial Estate, 149 Roman Way, London, N7 8XH	87 - 104

C. Consideration of other planning matters

D. Urgent non-exempt items

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

E. Exclusion of press and public

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

F. Confidential/exempt items

G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee B, 15 August 2016

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 Lewis/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 B - 10 May 2016

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 10 May 2016 at 7.30 pm.

Present: **Councillors:** Martin Klute (Chair), Tim Nicholls (Vice-Chair), Paul Convery and Angela Picknell

Councillor Martin Klute in the Chair

210 INTRODUCTIONS (Item A1)

Councillor Klute welcomed everyone to the meeting. Members of the Sub-Committee and officers introduced themselves. The Chair explained that the Sub-Committee would deal with the determination of planning applications and outlined the procedures for the meeting.

211 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillor Alice Donovan..

212 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no substitute members.

213 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

214 ORDER OF BUSINESS (Item A5)

The order of business was B4, B5, B2, B1 and B3.

215 MINUTES OF PREVIOUS MEETING (Item A6)
RESOLVED

That the minutes of the meeting held on the 14 March 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

216 30 RICHMOND CRESCENT, N1 0LY (Item B1)

Demolition of the existing lower and upper ground floor extension and replace with a two-storey rear extension to the upper and lower ground floors of the property.

(P2015/5076/FUL)

In the discussion the following points were made:-

- Due to the south facing rear elevations and the boundary treatment, it was not considered that the upper ground floor extension of 0.7m would lead to an unacceptable sense of enclosure to the neighbouring property.
- The half width extension at 0.7m was considered modest and would break down the visual prominence of an existing four storey extension.

RESOLVED

That planning permission be granted subject to the conditions and informatives as set out in the report.

217 4 COLONY MEWS, N1 4RB (Item B2)

Erection of a roof extension over existing first floor flat roof to form an additional living space at second floor level.
(P2016/1206/FUL)

In the discussion the following points were made:-

- The Sub-Committee noted the verbal report of the legal officer that planning permission had been granted in January 2016 and that following this a pre-action protocol letter had been received threatening challenge of the planning permission. On review of the letter the officers had considered that it would be appropriate to concede the challenge on one of the grounds only, that being that the report before the Sub-Committee in January 2016 had not adequately set out for consideration the provisions of Islington's Urban Design Guide and the Newington Green Conservation Area Statement.
- It was further noted that the court's decision to agree to quash the permission was not on the basis of the planning merits of the decision to grant the planning permission but on the basis that the planning officer should have set those policies out more clearly in the report.
- The legal officer advised that generally the planning court would not review the planning merits of a decision to grant planning permission, but would consider matters such as whether the Sub-Committee had taken into account all relevant considerations.
- It was considered that, whilst there was a strong presumption against alterations and extensions of existing unbroken rooflines, this application could be considered an exception due to the fact that the development was on a backland site, with limited or no public views.
- In considering the design, the extension was considered to preserve and enhance the host building and the character and appearance of the conservation area.
- Concern was expressed that the extension was the first addition in the residential development and would therefore establish the principle of a similar roof extension on other properties in the Mews, however, it was acknowledged that this was a consideration but noted that any future application would be assessed on its own merits.
- Whilst there would be a marginal increase in overlooking, it was not considered to be such a significant increase as to sustain a refusal.

Following the use of the Chair's casting vote the following decision was agreed.

RESOLVED

That planning permission be granted subject to the conditions and informatives as set out in the report.

218 7 LOXFORD GARDENS, N5 1FW (Item B3)

Erection of ground floor rear extension. (P2016/0010/FUL).

RESOLVED

That planning permission be granted subject to the conditions and informatives as set out in the report.

219 CENTRAL CLOCK TOWER, CALEDONIAN PARK, MARKET ROAD, N7 9DY (Item B4)

Restoration of the Grade II listed Clocktower, parts of the Grade II listed historic market railings and provision of a heritage centre in Caledonian Park and associated listed building consent (P2016/0730/FUL and P2016/0736LBC).

In the discussion the following points were made:-

- Noted that some references to the numbering of paragraphs in the report were incorrect but all paragraphs were contained within the original report.
- Noted that delivery and servicing would be restricted to times to minimise impact and that the applicant stated that a trolley delivery was a possibility.
- Historic England had advised at an early stage that the location of the heritage centre at the South Gates would adversely impact on the view of the Clocktower and its setting and would not be acceptable.
- The Sub-Committee noted that it was obliged to consider the application before it and that opinions about possible alternative sites for the heritage building and café were not a material consideration in relation to the application being considered.
- Regarding concerns about anti-social behaviour and that sight lines for residents would be closed off, it was noted that there would be a regular staff presence at the centre and 24 hour CCTV would be installed to replace lost sight lines and enhance security.
- Seating could be removed if it was later found to be encouraging anti-social behaviour.
- The proposal to repair and restore the grade II listed clock tower and the grade II railings to Market Road and entrance gates, the provision of a heritage building and café was considered to outweigh the harm caused by the loss of a small amount of open space.

Councillor Convery proposed a motion, an amendment to the service and delivery condition to require the use of trolleys for deliveries which was seconded by Councillor Picknell and agreed.

RESOLVED

That planning permission and listed building consent be granted subject to the conditions and informatives as set out in the report and an additional condition regarding the use of trolleys for deliveries from the corner of Clock View Crescent and New Clocktower Place.

220

REAR OF 121, 121A MILDMAY ROAD, N1 4PT (Item B5)

Demolition of existing derelict outbuildings and erection of a new four-bedroom single family dwelling house including excavation of the site with associated landscaping and provision of wall hung cycle racks and refuse storage. (P2015/2213/FUL).

In the discussion the following points were made:-

- The application had been submitted prior to the adoption of a Planning Document for Basement Extensions, however, the Sub-Committee noted the legal advice that the policy would be a material consideration on the date of determination.
- Noted the officer advice that the application complied with the newly adopted policy for basements.
- The prohibition of use of the roof terrace as an amenity area had been conditioned.
- An updated structural method statement was required by condition.
- The windows at the rear of the premises were not considered to create more than usual overlooking.
- Concern was raised regarding the proposed materials.

Councillor Klute proposed a motion regarding the amendment of condition 3 regarding the materials used which was seconded by Councillor Convery and agreed.

RESOLVED

That planning permission be granted subject to the conditions and informatives as set out in the report and conditional upon the prior completion of a Deed of Planning Obligation made

Planning Sub Committee B - 10 May 2016

under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 and the amendment of condition 3 to require the submission of materials and for materials to be agreed in consultation with the Chair.

The meeting ended at 10.15 pm

CHAIR

221

WORDING DELEGATED TO OFFICERS

Minute 220 – Rear of 120, 121A Mildmay Road, N1 4PT

Condition 3

MATERIALS (DETAILS): Notwithstanding the approved drawings, planning permission is not granted for metal cladding to the roof of the new building. Details and samples of alternative roof materials and all facing materials shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Chair of the Planning Sub-Committee prior to any superstructure work commencing on site. The details and samples shall include:

- a) roofing materials;
- b) elevational treatment;
- c) render (including colour, texture and method of application);
- d) window treatment (including sections and reveals)
- e) balustrading treatment (including sections);
- f) green procurement plan; and
- g) any other materials to be used.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.

Condition 5

CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate/install:

- a) A gently ramped approach (not exceeding 1:12 over 2m and terminating in a level threshold);
- b) A space for a temporary entrance-level bed within the living room
- c) A 900mm wide stair for provision of future stair lift;
- d) An entrance-level WC with adequate drainage provided for a future flush-threshold shower;
- e) Adequate wheelchair turning circles within the main living spaces;
- f) Additional space for the provision of a through floor platform lift;
- g) An accessible family bathroom;
- h) Additional room for a hoist between the master bedroom and main family bathroom; and
- i) Sufficient built in storage areas.

Detailed drawings showing these requirements shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the works hereby approved. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority

REASON: In order to facilitate and promote inclusive and sustainable communities.

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COMMITTEE AGENDA

1 35 - 53 Britannia Row, London, N1 8QH

2 98A Seven Sisters Road, London, N7 6AE

3 Junction Road (Land opposite 12 Junction Road), Junction Road, London, N19 5QT

4 Land at intersection of Caledonian Road, Hilmarton Road and North Road, 42 North Road London N7

5 Unit 10 Roman Way Industrial Estate, 149 Roman Way, London N7 8XH

1 35 - 53 Britannia Row, London, N1 8QH

Ward: St. Peters

Proposed Development: Creation of eight new residential units (3x3bed, 5 x2 bed) comprising of new third and fourth floors including roof terraces at fourth floor and the addition of 440m2 (B1) office floor space in a part 2, part 3 storey extension over the existing yard area and the excavation of a basement for service facilities for the building and associated external alterations.

Application Number: P2015/3451/FUL

Application Type: Full Planning Application

Case Officer: Daniel Power

Name of Applicant: Britannia Row Ltd

Recommendation:

2 98A Seven Sisters Road, London, N7 6AE

Ward: Finsbury Park

Proposed Development: Erection of a first floor single storey rear extension and formation of roof terrace at first floor level

Application Number: P2016/0336/FUL

Application Type: Full Planning Application

Case Officer: Duncan Ayles

Name of Applicant: Mr Harun Murtezaoglu

Recommendation:

3 Junction Road (Land opposite 12 Junction Road), Junction Road, London, N19 5QT

Ward: Junction

Proposed Development: Installation of Free Standing internally illuminated advertisement display panel (6 sheet) on pavement opposite 12 Junction Road.

Application Number: P2015/5098/ADV

Application Type: Advertisement Consent

Case Officer: Daniel Power

Name of Applicant: Islington Public Realm, Mr M. Holland

Recommendation:

4 Land at intersection of Caledonian Road, Hilmarton Road and North Road, 42 North Road London N7

Ward: Holloway

Proposed Development: Installation of freestanding internally illuminated advertisement display panel (6 sheet) on the pavement at the corner of Caledonian Road, Hillmarton Road and North Road

Application Number: P2015/4852/ADV

Application Type: Advertisement Consent

Case Officer: Daniel Power

Name of Applicant: J Foster Architects

Recommendation:

5 Unit 10 Roman Way Industrial Estate, 149 Roman Way, London N7 8XH

Ward: Caledonian

Proposed Development: Erection of four boiler flues and seven silencers to roof

Application Number: P2015/3131/FUL

Application Type: Full Planning Application

Case Officer: Duncan Ayles

Name of Applicant: Mr William Ray

Recommendation:

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 B		
Date:	28 June 2016	NON-EXEMPT

Application number	P2015/3451/FUL
Application type	Full Planning Application
Ward	St. Peters
Listed building	Not statutory listed, Mission Hall is locally listed
Conservation area	None
Development Plan Context	<ul style="list-style-type: none"> - Article 4 Direction – Office to Residential - Islington Village and Manor House Archaeological Priority Area - Angel & Upper Street Core Strategy Key Area - 35 Britannia Row – Locally listed building - Within 100m of Strategic Road Network - Major Cycle Route - Angel Town Centre - Within 50m of Cross Street Conservation Area
Licensing Implications	None
Site Address	35-53 Britannia Row, London, N1 8QH
Proposal	Creation of eight new residential units (3x3 bed, 5 x2 bed) comprising of new third and fourth floors including roof terraces at fourth floor and the addition of 440m2 (B1) office floor space in a part 2, part 3 storey extension over the existing yard area and the excavation of a basement for service facilities for the building and associated external alterations.

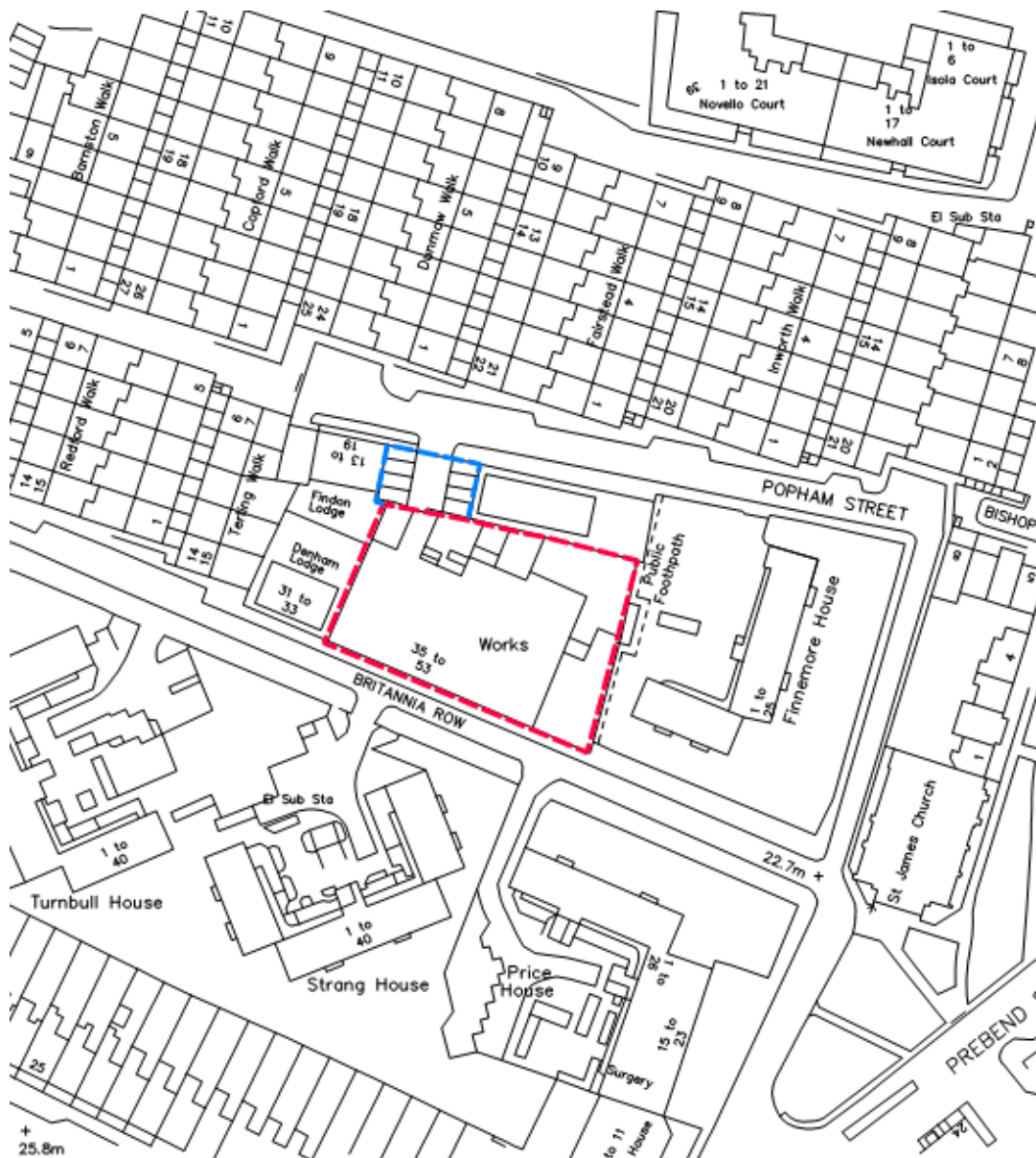
Case Officer	Daniel Power
Applicant	Britannia Row Ltd
Agent	Mr James Fosbrook – BLA Architects

1 RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1;
2. subject to the completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 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: Aerial view of the site towards front elevation

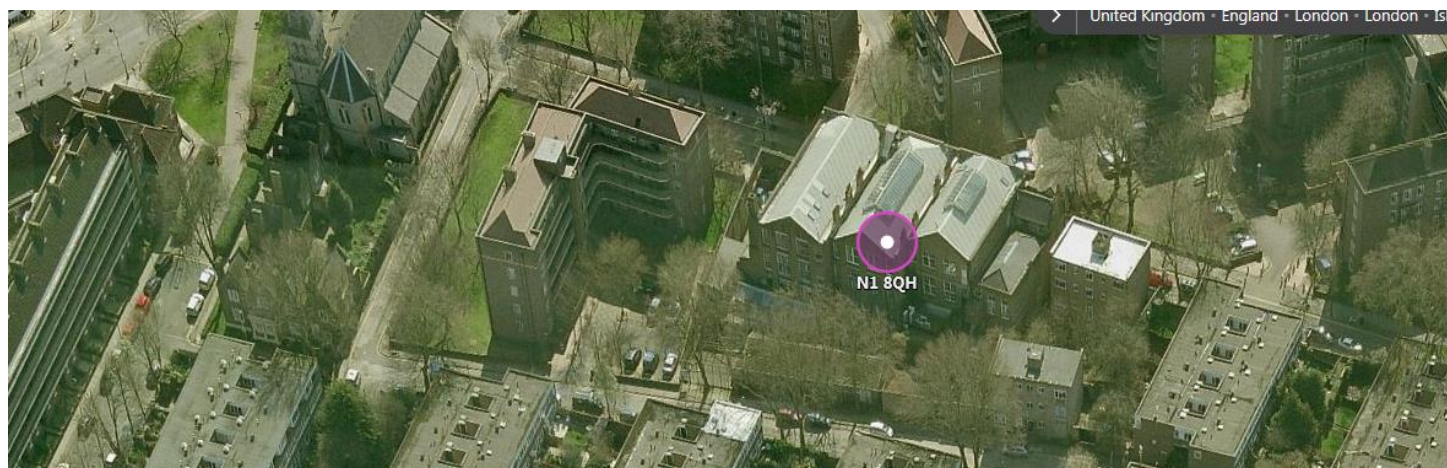


Image 2: Aerial view of the site towards rear elevation



Image 3: Existing front elevation looking east



Image 4: Existing front elevation looking west



Image 5: View to the rear of the site



Image 6: View of the outbuilding at the rear of the site

4. SUMMARY

- 4.1 Planning permission is sought for alterations and extensions to the existing building involving the creation of eight new residential units (3x3bed, 5 x2 bed) comprising of new third and fourth floors including roof terraces at fourth floor and the addition of 440m² (B1) office floor space in a part 2, part 3 storey extension over the existing yard area and the excavation of a basement for service facilities for the building and associated external alterations.
- 4.2 The proposal seeks to improve the internal layout and floor space of the existing B1 office space and proposes a side extension providing a further 440m² of office space. The internal alterations and extension would provide an improved functional office space with the servicing, being incorporated as part of the new service area within the basement.
- 4.3 The application proposes a two storey roof extension (third and fourth floor) for the eight new residential units (5 x 2 bed, 3 x 3 bed), which would be accessed via the new side extension. It is considered that the residential units would provide a good level of amenity for future occupiers, given the constraints of the site. The mixtures of units are also considered to be acceptable and the number of units is also considered to be appropriate given the constraints of the building and the site.
- 4.4 While the building is not located within a Conservation Area, 35 Britannia Row is Locally Listed and the building stands prominently in the street setting. A previous planning application granted permission for a two storey roof extension of a similar scale and massing to what is now proposed but with pitched roofs. This application proposes a contemporary design for both the side and roof extension, while following a similar form to the existing building. Therefore the extensions are considered to be of a high standard of design and would not detract from the character and appearance of the host building or the street scene.
- 4.5 Given the orientation of the application site, as well as the positioning and separation distances of the adjoining residential buildings, it is considered that the development would not result in the loss of daylight or sunlight to the occupiers of the adjoining residential properties or have a significant detrimental impact upon their amenity.
- 4.6 The application is therefore recommended for approval subject to conditions and completion of a S106 Agreement.

5 SITE AND SURROUNDING

- 5.1 The application relates to a three storey industrial style building located on the north side of Britannia Row, close to the junction with Popham Street. The application site is formed by two buildings, the main former industrial building and No 35 Britannia Row, a locally listed former mission hall, both of which are now used for commercial purposes (use class B1). The three-storey stone fronted former mission hall building is characterised by its Gothic/Tudor style and provides some visual interest in a street without much architectural merit. The existing buildings are currently used for B1 purposes, although the buildings are in a poor state of repair and the units are currently vacant.

- 5.2 The properties surrounding the site on Britannia Row comprise of 1960s style residential buildings ranging from three to five storeys in height. To the rear of the site is a single storey building used as the Popham and Cumming Community Centre. The immediate area is predominantly residential in character. Opposite the application site is Strang House which is a six storey residential building. To the east of the site there is a five storey residential blocks of flat known as Finnemore House which has frontages to Britannia Row and Popham Street. To the west of the site and along its boundary are two separate residential blocks known as Denham and Findon Lodge. The site is not located in a conservation area, but is within an Archaeological Priority Area.

6. PROPOSAL (in Detail)

- 6.1 The application seeks full planning permission for the creation of eight new residential units (3x3bed, 5 x2 bed) comprising of new third and fourth floors including roof terraces at fourth floor and the addition of 440m² (B1) office floor space in a part 2, part 3 storey extension over the existing yard area and the excavation of a basement for service facilities for the building and associated external alterations.
- 6.2 The proposed roof extension at its maximum points will measure 32.6 metres in width, 18.4 metres in depth and 5 metres in height with a flat roof. The proposal will therefore increase the overall height of the existing building from 13.2 metres to 17.4 metres. The proposed roof extension will be stepped back 4 metres from the front building line and 11 metres from the rear. All the residential units would be located at the 3rd and 4th levels. Whilst it is acknowledged that seven of the proposed units will not be dual aspect, these units will all be duplex apartments which benefit from floor to ceiling windows and the principal elevations will be predominantly glazed. All units will benefit from private amenity spaces of terrace areas, ranging from 11sqm to 27sqm in size.
- 6.3 The proposed part two storey, part three storey side extension, will measure 11.2 metres in width, 24.6 metres in depth and 15.4 metres in height and will include a partial basement, under what is currently the outside servicing area and partly under the existing building. The proposed extension will be used for refuse and recycling facilities as well as cycle storage space on the ground floor level and additional B1 office accommodation on the upper floors.
- 6.4 The proposed basement extension will measure a maximum of 22.4 metres in width, 23.2 metres in depth and 3.4 metres in height. It will be located under the new side extension and part of the existing building, located on the eastern most part of the site. The basement will be used as a plant and servicing area in conjunction with the commercial and residential units. The basement also proposed waiting areas for the servicing vehicles, which would be accessed via a vehicles lift from road level and one disabled parking space for the commercial element of the proposal.
- 6.5 A small extension is also proposed at the second floor level on top of the former mission hall building. This extension will include a glazed link connecting the new and the old parts of the building at this level and will measure a maximum of 11.4 metres in width, 5.2 metres in depth and 3 metres in height. This glazed extension will be set back by 6 metres from the front building line.
- 6.6 Separate refuse and recycling facilities for the commercial and residential units will be located at the proposed basement level, although a refuse drop off point will be located at the ground floor level. Cycle parking storage facilities will be provided at the front of the building at the ground floor level.

6.7 There are some minor alterations to the front elevation of the building removing shutters and reinstating original and new windows.

6.8 In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies.

7. RELEVANT HISTORY

PLANNING APPLICATIONS

7.1 P2015/0279/FUL – Alteration and extension to the existing building involving an additional fourth storey with mezzanine accommodation of fifth floor to form nine new residential units (6 x 3 bed, 3 x 2 bed), extension to B1 space over the existing yard area and new ancillary service facilities to the rear. Withdrawn (06/07/2015)

7.2 P2013/3350/FUL – Construction of roof extension and creation of five new residential units comprising 1 x 1 bed, 1 x 2 bed and 3 x 3 bed. Installation of new lift and stair access tower and ground level walkway. Approved (17/12/2013)



Image of extant permission from front elevation

- 7.3 P061912 – Roof top extension: 5 no. apartments at roof level and an independent new lift and stair access tower and ground floor access walkway. Approved (22/11/2006)
- 7.4 P060321 - Erection of roof extension and alterations to existing second floor ceiling height to provide new third floor and third floor / mezzanine floor office accommodation; single storey yard infill at ground floor providing reception, conference room and related services. Also the erection of a new lift/stair access tower. Approved (18/07/2006)
- 7.5 P060320 - Erection of roof extension and alterations to existing second floor ceiling height to provide new third floor and third floor mezzanine floor, to provide three maisonettes (1 x 2 bed and 2 x 3 bed) with roof terrace areas. Erection of independent lift and stair access tower. Approved (31/05/1990)
- 7.6 900250 - Construction of ground floor rear extensions to provide rest rooms kitchen and recreation area (109 sq.m.) ancillary to the use of the premises as recording studio. Approved (29/05/1990)

ENFORCEMENT:

- 7.7 None

PRE APPLICATION ADVICE:

- 7.8 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 219 adjoining and nearby properties at Britannia Row and Popham Street on 30 September 2015. A site notice was placed at the site and the application advertised in the Islington Gazette on 8 October 2015. The public consultation of the application therefore expired on 29 October 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision. Neighbours were re-consulted on amended plans on 22 December 2015 and the consultation period expired on 05 January 2016.
- 8.2 At the time of the writing of this report eleven (11) 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):
- Object to additional height of the development (para 10.6-10.08)
 - Loss of daylight, sunlight and overshadowing (paras 10.17-10.21)
 - Loss of views (paras 8.3)
 - Increase in population to the street making it very noisy (para 10.22)
 - Noise and disturbance from construction works (para 8.3)

- Historical building should be maintained in its original and aesthetically pleasing state (para 10.04-10.07)
- Commercial unit more appropriate (paras 10.2-10.3)
- Scale and massing (paras 10.06-10.10)
- Overlooking and loss of privacy especially from the terraces (paras 10.16-10.21)
- Impact on on-street parking congestion (para 10.23)
- Proposal will change the character of the street (para 10.09-10.10)
- New extension will block visual connection between Strang House and Popham Street Community Hall (para 10.6)
- Use of glass materials out of character (paras 10.6-10.9)
- Existing yard should be used as additional parking for residents (no policy basis to retain off street parking)
- Impact on property values (para 8.3)

8.3 It must be noted that matters relating to noise and disturbance from the building works and loss of views are not material considerations in the planning assessment of this application. These are matters that are covered by separate legislation including the Building Regulations and the Environment Protection Act. Matters relating to loss of property values and loss of views are not material planning considerations that can be taken into account when assessing the application.

Internal Consultees

8.4 **Design and Conservation Officer:** Had concerns with the original plans submitted as they considered the proposal was over-dominant within the street scene and the host building, and the scale of the proposal was excessive in comparison to the host building and its context. Following the submission of amended plans to address the concerns raised they now confirm they have no objections.

8.5 **Sustainability Officer:** No objections subject to condition

8.6 **Planning Policy Officer:** No comments received

8.7 **Inclusive Design Officer:** Concerns that unit 8 is not fully accessible. The proposal will need to fully comply with Category 2 of the National Standards for Housing as well as the Equalitys Act 2010

8.8 **Highways:** No objection subject to car free condition and satisfied basement servicing area is to be used for commercial activities on the site.

8.9 **Historic England (GLASS):** No objection- The proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

External Consultees

8.10 None

9. RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance seek 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 SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

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

- Land use
- Design and Impact on Surrounding Area
- Amenity for Future Occupiers
- Neighbouring Amenity
- Basements
- Highways, Transport and car parking
- Noise and Vibration
- Access
- Refuse
- Affordable Housing

Land use

- 10.2 The proposal will provide 440sqm of new B1 additional floor space in the proposed extension as well as introduce residential units to the site and an excavation of a basement for servicing. Historically, the existing building has been used for B1 purposes since at least 1990, when it was last recorded as being used as a recording studio and therefore the provision of additional commercial B1 floorspace in this location is considered acceptable in land use terms.
- 10.3 With regards to the introduction of residential units on this site, historical planning records show that the principle of residential units in this location was first established in 2006 and the most recent consent was obtained in 2013. As there have been no material changes to planning policy since 2013, it is considered that the introduction of residential units on this site, to create a mixed use scheme, would be in accordance with planning policy. Furthermore, given the large number of flatted

developments in the locality and the application site not being located with the CAZ, the introduction of residential units is considered to be an appropriate in land use terms.

Design and impact upon the surrounding area

- 10.4 The application site consists of two adjoining three storey buildings which have been fused together to create a larger unit, although from the outside they appear as two separate buildings. No 35 Britannia Row, the smaller of the two properties, is locally listed with a Gothic/Tudor style appearance to the building contrasting against the more traditional appearance of the main building. The site is not located in a conservation area however, given the historic significance of the application site it is important to ensure the proposal does not detract from the character and appearance of the existing buildings and continues to preserve and enhance the elements of the building that are considered to have historic merit.
- 10.5 The Council's Urban Design Guide (UDG, paragraph 2.3.3) states that: *the scale of a frontage can be further reduced by articulating the top floor as a recessive element and employing materials such as glass and steel with a lightweight appearance.*
- 10.6 The proposal would introduce an additional two storey's over the main part of the building to create a new third and fourth floor. The proposed flat roofed extension would be recessed 2.8 metres from the front building line and would have an overall height of 5 metres; the modern roof extension would continue over the new side extension, albeit at a slightly lower level. The extension would be predominantly glazed with a small amount of grey metal cladding distinguishing the new extension from the existing building. The plans were amended from the originally submitted proposal with regards to the level of glazing/fenestration pattern at the roof top level. As amended, the spacing bars and cladding will be kept to a minimum on all elevations and the glazing detailing will be continued on the flank elevation. This will ensure that the scale of the third/fourth floor roof extension will appear lightweight against the existing building and will not overly dominate the existing roof form. Whilst the height of the building will be increased it will be 0.5 metres lower than the previously approved scheme (P2013/3350/FUL) and is also not considered to be uncharacteristic within the street scene given the large number of five storey buildings opposite the application site. Furthermore, it should be noted that the site at present currently restricts views between Strang House and Popham Community Centre and the proposal is not considered to exacerbate the existing situation.
- 10.7 The proposed part two, part three storey side extension and basement will be located over the existing service yard and will be stepped to minimise the impact of the proposal in terms of its scale and massing. Whilst the proposed windows will be of a more modern design than the existing windows, their size and proportion of windows will be the same as the main building. It is proposed that this section of the building will be built from grey engineered bricks which are considered to integrate well with the more modern roof extension, as well as the materials used in the existing building. The use of different materials for the various extensions to the building is also considered important as it will reduce the bulk and massing of the proposal as well as ensure the proposal integrates well within the existing street scene. It is therefore not considered that the proposal has a harmful impact on the character and appearance of the existing building and therefore does not disrupt the existing building form.

- 10.8 A small recessed extension is proposed at the second floor level to the former Mission Building (35 Britannia Row) measuring 11.4 metres in width and 5.2 metres in depth, with an overall height of 3 metres, including the small glazed link to the existing building. This glazed extension will be set back by 6 metres from the front building line and will be located behind the existing parapet wall in order to ensure that the extension will be minimally visible from the street scene. It should also be noted that the originally submitted plans proposed a third floor extension over this section of the building. However, Design and Conservation officers were concerned that this aspect of the scheme would appear to be too visually dominant and at odds with the existing building and was therefore removed from the plans, with this amendment the proposal is considered to complement the existing locally listed building.
- 10.9 It should also be noted that as the application site is located on a narrow street and given the size of the existing buildings as well as the recessed nature of the upper floor extensions, the proposed development will never be viewed as a continuous form. As such the proposal is not considered to have a detrimental impact on the character and appearance of the street scene. The images below demonstrate the views from the street level looking east and west across the site.



Image 1: Proposed Street view looking west



Image 2: Proposed Street view looking east

- 10.10 Give the above and as amended, it is considered that the proposed extensions would integrate with the application property. The proposed extensions are not considered to result in harm to the locally listed property and are in accordance with adopted guidance and policies CS9 of the Core Strategy and DM2.3 of the Development Management Policies.

Amenity for Future Occupiers

- 10.11 Table 3.2 of policy DM3.4 of the Development Management document stipulates the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. Details of each unit are set out in the table below against the minimum floor space standards.

Unit	No. Bedrooms/ Expected Occupancy	Floor Space	Minimum Required Floor Space	Garden Space	Minimum Required Garden Space	Storage	Minimum Storage Required
1	2/4	94	70	21	7	2.5	2.5
2	2/4	120	70	27	7	2.5	2.5
3	3/6	126	95	27	30	5.9	3.5
4	3/6	137	95	27	30	4.3	3.5
5	2/4	101	70	11	7	3.5	2.5
6	2/4	82	70	14	7	2.7	2.5
7	3/6	119	95	27	30	5.5	3.5
8	2/4	92	70	29	7	3.4	2.5

- 10.12 The proposed residential units would exceed the minimum required floor space as set out in the London Plan and the Development Management Policies and are therefore acceptable in terms of size. It is acknowledged that these units will be generously

sized and exceed the minimum space standards as set out in the above table. 7 of the 8 units will also be single aspect which the council does not encourage for new residential units. However there are considered to be mitigating circumstances in this case which weigh in favour of allowing this proposed arrangement notably the generous sizes of the units, their proposed two floor levels, large expanses of glazing and good provision of outside amenity space for each of the units. Furthermore, four out of eight of the units will be south facing and would benefit from maximum sunlight.

- 10.13 The provision of smaller or a different number of units would compromise the quality of the proposed units in amenity terms and it is considered that in this case the proposed layout and mix of units addresses the constraints of the site adequately without undermining the main B1 use on the lower floors of the application site which is welcomed. It should also be noted that the proposal is for a mixed use scheme and it would not be appropriate to have residential units at the lower levels without compromising on the provision/quality of the B1 floorspace.
- 10.14 With regard to private amenity space, policy DM3.5 of Islington Development Management Policies details that all new residential development should provide good quality, private outdoor space in accordance with the minimum required figures. This policy requires a minimum of 5 square metres on upper floors and 15 square metres on ground floors for a 1-2 person dwelling and for each additional occupant, an extra 1 square metre, 3 bedroom family sized units should provide 30 square metres of amenity space. The larger family units have satisfactory amenity space bearing in mind their proposed top floor location and the overall units sizes are generous and well laid out which is considered to be acceptable.
- 10.15 The proposed units would exceed the minimum floor space requirements for the proposed 2 bedroom 4 person residential units providing generous outdoor amenity space in the form of balconies, although would fall short by 3 square metres for the 3 bedroom 6 person units. However, given the dense urban location and the size of the amenity space currently being provided the proposal is acceptable.

Neighbour Amenity

- 10.16 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, safety and an increased sense of enclosure. A development's likely impact in terms of light pollution, safety, security, noise and disturbance is also assessed. London Plan Policies 7.14 and 7.15 as well as Development Management Policies DM 2.1 and DM6.1 require all developments to be safe and inclusive and maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.17 The proposal would introduce a third and fourth floor level on top of the existing building as well as a part two storey, part three storey side extension that would include a large number of windows on the front and rear elevations, as well as sections of obscurely glazed windows on either flank elevations of the proposed extension. The application was not submitted with a sunlight/daylight report, as given the scale of development and distances to adjoin properties, together with the orientation of the building, it was considered that a report was not required.
- 10.18 The proposed windows at the front will overlook Britannia Row and will face Strang House. It is noted that these block of flats are angled away from the application site and there is a separation distance of at least 15 metres between the nearest points of the two buildings. The proposal would therefore not result in direct overlooking between the residential units. Furthermore, the properties in Strang House are

located across the street from the application site and given the dense urban context of the site and the borough as a whole it is not untypical of a situation throughout the borough to justify refusal on the basis of overlooking.

- 10.19 The windows to the rear will overlook the single storey Popham and Cumming Community Centre building. The proposed windows on the roof extension of the main building will be located a minimum distance of 30 metres from the flank wall of the nearest neighbouring residential properties in Fairstead Walk. Given the vast separation distances to the rear of the site between the residential properties, it is not considered that the proposal would result in any overlooking or loss of privacy.
- 10.20 The building to the east of the site is Finnemore House, which is an “L” shaped block of flats. The proposed bulk of the building steps down at the east and western ends, which reduces the potential for an overbearing impact on the flats of Finnemore house. The application also proposes obscurely glazed sections on the side elevation, which it is recommended to secure this detail by condition. The proposed obscurely glazed side elevation, whilst this would provide some additional light into the internal amenity space, it would also restrict against overlooking to neighbouring occupiers and it is therefore considered that the proposal would result in detrimental impact in terms of overlooking or loss of privacy to Finnemore House. The separation distances and overall acceptable bulk of the proposed extensions adjacent to the side windows of Finnemore House are considered to be acceptable and will ensure that enclosure levels and any potential loss of daylight/sunlight to these windows will not lead to any material loss in this case.
- 10.21 To the east of the application site are two blocks of residential flats, Denham Lodge and Findon Lodge. The proposed bulk of the building steps down at the east and western ends on the main building, the application also proposes obscurely glazed sections on this side elevation, which is recommended to be secured by condition. The proposed terraces would be set back from the edge of the building and a sufficient distance away not to cause overlooking. While the application proposes a flat roofed extension behind the locally listed former mission hall, there would be no windows on the western elevation. In addition this extension would be the same height as ridge of the locally listed former mission hall. The bulk and massing of the proposal two storey roof extension to the main building is similar to what was previously approved. It is therefore considered that the height and scale of the proposal would not have a significant impact on the amenity of Denham Lodge and Findon Lodge in terms of overlooking, loss of privacy or loss of daylight/sunlight.
- 10.22 It is not considered that the creation of 8 good sized residential units in this very central and established residential area would give rise to any material increase in noise pollution from the increase in population and residents in this dense urban location.

Highways and Transportation

- 10.23 The site has a PTAL of 5, which is ‘Very Good’, and is located in close proximity to the public transport provisions on Essex Road. The application site currently has a servicing yard to the east of the building, which this application proposed a side extension. Following comments from Highways on the previous withdrawn application that servicing should be provided on site, this application proposes a basement. The basement would have vehicle access via a lift and provide two parking spaces for the servicing vehicles in addition one disabled parking space for the commercial element

of the development. The garages to the rear of the application building do not form part of this application red site plan and are let out separately.

- 10.24 A total of 24no. cycle storage spaces will be provided on site for the residential units (at least 1 cycle per bedroom) and 47no. cycle storage spaces will be provided for the commercial units in accordance with the requirements stated in Development Management policy DM8.4. These spaces will be located at the ground floor level. A condition is attached to ensure these are provided in accordance with the proposed plans.
- 10.25 All new dwellings are required to be car-free in accordance with Development Management policy DM8.5. A condition has been attached restricting the occupiers from applying for a parking permit in accordance with the Council's Car Free Housing policy, in addition the applicants have agreed to enter into a section 106 to prevent the proposed spaces in the basement being used as parking spaces for the residential or the offices. Therefore, it is not considered that the proposal will give rise to increase on-street parking congestion. It would therefore also be contrary to Council policy to use the service yard as additional parking for neighbouring residential properties.

Basements

- 10.26 The proposal will also include the provision of a partial basement under the footprint of the proposed side extension and a small section of the existing building. The basement would have vehicle access via a lift and provide two parking spaces for the servicing vehicles in addition one disabled parking space for the commercial element of the development. The basement would also house storage for refuse and recycling facilities and a plant room. Two lifts would be provided to gain access to the commercial and residential elements of the building. The Council's Basement SPD was adopted after the submission of this application therefore a Structural Method Statement (SMS) was not required prior to validation.
- 10.27 As the basement will only be used as a service basement no lightwells are required to provide external light sources. Furthermore, the basement would not extend to the whole footprint of the existing building, and would partly be under the proposed side extension and cover less than 50% of the site. It is recommended that a condition is imposed requiring a Structural Method Statement to be submitted prior to basement works commencing. As such, the proposal is considered to comply with the Council's Adopted Basement SPD.

Inclusive Design

- 10.28 Seven out of the eight units are in accordance with the Council's Inclusive Design SPD, would comply with Category 2 Housing, all units would have step-free access to entry level and would be suitable for wheelchair housing/future adaptability. However, it is noted that unit 8 has internal stairs which prevents it being step free internally. However, given that the majority of accommodation will be provided on one level, and the internal layout of Unit 8 may have to be adapted to comply with the Category 2 Housing condition, on balance it is considered acceptable.
- 10.29 With regards to the commercial space, the proposed accommodation is considered acceptable and would be fully accessible. It is proposed that 1no. disabled parking space would be provided at the basement level to be used in conjunction with the commercial units only and this is supported by the Council's Inclusive Design officer.

Refuse facilities

- 10.30 It is proposed that new refuse storage containers for the residential and commercial units will be located at the basement level with a refuse drop off and collection point at the ground floor level adjacent to the service lift. These arrangements are in accordance with Council policy. A condition has been proposed to ensure the refuse and recycling facilities (as well as the cycle storage spaces) are provided prior to the first occupation of the development and permanently maintained on site in accordance with the proposed plans.

Affordable Housing and Carbon Offsetting

- 10.31 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (SPD) together with Core Strategy policy CS12 Part G states that development proposals below a threshold of 10 residential units (gross) will be required to provide a financial contribution towards affordable housing provision elsewhere in the borough.
- 10.32 The applicant has agreed to pay the full amount of £400,000 towards affordable housing in the borough and £8,000 towards carbon offsetting. These contributions have been secured in a Unilateral Undertaking which has been signed by the applicant.

Community Infrastructure Levy (CIL)

- 10.33 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. The payments would be chargeable on implementation of the private housing.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposal seeks to improve the internal layout and floor space of the existing B1 office space and proposing a side extension providing a further 440m² of office space. The internal alterations and extension would provide an improved functional office space with the servicing and residential core being incorporated as part of the new service area within the basement. The improvements and additional floor space is considered acceptable.

- 11.2 In addition the application proposes a two storey roof extension for the eight new residential units (5 x 2 bed, 3 x 3 bed), which would be accessed via a new side extension. It is considered that the residential units would provide a good level of amenity for future occupiers, given the constraints of the site. The mixtures of units are also considered to be acceptable and the number of units is also considered to be appropriate given the constraints of the building and the site.
- 11.3 While the building is not located within a Conservation Area, the former Mission hall which forms part of 35 Britannia Row is Locally Listed and the building stands prominent in the street setting. This application proposes a contemporary design for both the side and roof extension, while following a similar form to the existing building and a similar scale to the previously approved application. Therefore the extensions are considered to be of a high standard of design and would not detract from the character and appearance of the host building or the street scene.
- 11.4 Given the orientation of the application site, as well as the positioning and separation distances of the adjoining residential buildings, it is considered that the development would not result in the loss of daylight, sunlight to the occupiers of the adjoining residential properties, undue increase in enclosure levels, loss of outlook or have a significant detrimental impact upon their amenity levels taken as a whole.
- 11.5 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions and completion of a S106 agreement.

Conclusion

- 11.6 It is recommended that planning permission be granted subject to conditions and S106 agreement as set out in Appendix 1 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) 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:

1. A contribution of £400,000 towards affordable housing within the Borough.
2. A contribution of £8,000 towards carbon offsetting

All payments are due on practical completion of the development and are to be index-linked from the date of committee. Index linking is calculated in accordance with the Retail Price Index. Further obligations necessary to address other issues may arise following consultation processes undertaken by the allocated S106 officer.

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>100 rev C, 001, 002, 003, 004, 005, 007, 008, 009, 009, 010, 011 & 012, 014, 015, 317/A100 rev C, 317/A101 rev G, 317/A102 rev E, 317/A103 rev G, 317/A104 rev G, 317/A105 rev G, 317/A106 rev G, 317/A107 rev G, 317/A108 rev G, 317/A109 rev G, 317/A110 rev G, 317/A111 rev F, 317/A112 rev F, 317/A114 rev F, 317/A115 rev F, Front Elevation Design Principles, 3rd Floor and Street Level Plans, 317/A117 rev D, 317/A118 rev C, 317/A119 rev D, 317/A120 rev D, 317/A121 rev D, 317/A122 rev A, 317/A123 rev A, Design and Access Statement Rev E, Sustainability Statement, Draft Workplace Travel Plan – August 2015, Transport Assessment A – August 2015</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>

3	Materials Details
	<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> <ul style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) glazing details; c) window treatment (including sections and reveals); d) roof materials for the approved third and fourth floor levels, e) any other materials to be used. f) Terrace treatments and balustrade details <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	Cycle Parking Provision Compliance
	<p>CONDITION: Prior to the first occupation of any of the dwellings hereby permitted at least 24 secure bicycle storage spaces shall be provided within the site. These spaces shall be used solely for the benefit of the occupants of the development and their visitors and for no other purpose and shall be permanently retained as such thereafter.</p> <p>Reason: To ensure adequate cycle parking is available and easily accessible on site and promote sustainable modes of transport.</p>
5	Sustainable Design and Construction Statement
	<p>CONDITION: A Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail how the dwellings hereby permitted achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwellings will achieve a 25% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2010, and not exceed water use targets of 95L/person/day.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>
6	Noise
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be implemented to achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq, 8 \text{ hour}}$ and 45 dB $L_{max (fast)}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16 \text{ hour}}$ Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16 \text{ hour}}$</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 there from shall take place without the prior written consent of the Local Planning Authority</p>

	<p>Reason:</p> <p>To protect the amenities of future occupiers of the residential units.</p>
7	<p>Accessible Homes Standards (Compliance)</p>
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, the dwelling shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p> <p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with LPP 3.8</p>
8	<p>Car Permits (Compliance)</p>
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> 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>REASON: To ensure that the development remains car free in accordance with policies 6.3 and 6.13 of the London Plan 2011, policy CS18 of the Islington Core Strategy 2011 and policy DM8.5 of the Development Management Policies.</p>
9	<p>Construction Management Plan</p>
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Management Plan 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 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>The development shall be carried out strictly in accordance with the details so</p>

	<p>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>
10	Windows Obscured and Fixed Shut
	<p>CONDITION: Notwithstanding the details hereby approved (plan no's 317/A107 REV G, 317/A108 REV G, 317/A109 REV G, 317/A110 REV G) the details of the glazed elements of the two storey roof extension shall be agreed in writing prior to the first occupation of the development.</p> <p>These details shall include which the exact number, amount, location, extent and level of opaqueness for the hereby approved windows. All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
11	Structural Method Statement Details
	<p>CONDITION: No development shall be commenced on site unless and until an updated structural engineers report and excavation strategy including methodology for excavation and its effect on all neighbouring boundaries and neighbouring listed buildings has been submitted to and agreed in writing by the Local Planning Authority.</p> <p>This strategy shall be fully implemented in accordance with the approved details.</p> <p>REASON: to ensure that the proposed development would have no undue impact on the structural integrity of the neighbouring listed buildings.</p>
12	Construction Environmental Management Plan (Details)
	<p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. 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: In order to mitigate the impact of the development to nearby residents.</p>

13	Final refuse details and provision
	<p>CONDITION: Details of the dedicated refuse / recycling storage shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved. The approved refuse / recycling stores shall be completed prior to the first occupation of the new flats 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>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	Unilateral undertaking
	<p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
3	Community infrastructure Levy (CIL)
	<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>

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 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

3 London's people:

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

6 London's transport:

- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking

7 London's living places and spaces:

- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.15 Reducing noise and enhancing soundscapes

8 Implementation, monitoring and review:

- 8.2 Planning obligations
- 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

CS8 (Enhancing Islington's Character)

Strategic Policies

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

CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM3.3 Residential Conversions and Extensions

DM3.4 Housing standards

DM3.5 Private Outdoor Space

DM3.7 Noise and Vibration

DM7.1 Sustainable Design and Construction

DM7.2 Energy Efficiency and Carbon Reduction in Minor Schemes

DM8.2 Managing Transport Impacts

DM8.4 Walking and Cycling

DM8.5 Vehicle Parking

DM9.2 Planning Obligations

Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Article 4 Direction – Office to Residential
- Islington Village and Manor House Archaeological Priority Area
- Angel & Upper Street Core Strategy Key Area
- 35 Britannia Row – Locally listed building
- Within 100m of Strategic Road Network
- Major Cycle Route
- Angel Town Centre
- Within 50m of Cross Street Conservation Area
-

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington

- Accessible Housing in Islington
- Car Free Housing
- Planning Obligations and S106
- Urban Design Guide
- Affordable Housing Small Sites SPD
- Conservation Area Design Guidelines
- Inclusive Design
- Basements

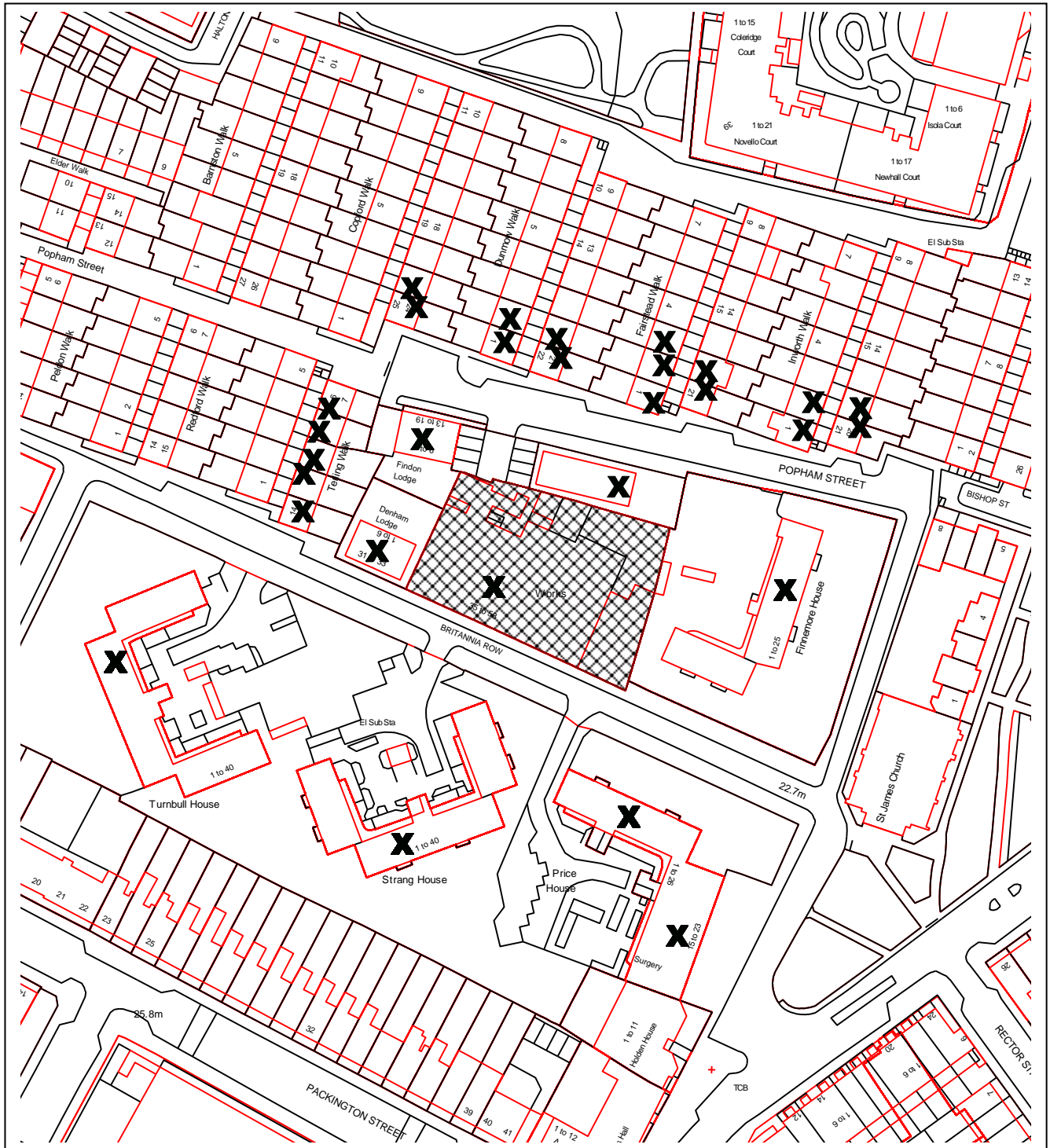
London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Planning for Equality and Diversity in London

-

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Islington SE GIS Print Template



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P2015/3451/FUL

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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 B		
Date:	28 th June 2016	NON-EXEMPT

Application number	P2016/0336/FUL
Application type	All others Minor
Ward	Finsbury Park
Listed Building	No
Conservation Area	Not in Conservation Area
Licensing Implications Proposal	None
Site Address	98A Seven Sisters Road, London, N7 6AE
Proposal	Erection of a first floor full width rear extension and formation of roof terrace at rear first floor level with associated aluminium ballustrades.

Case Officer	Duncan Ayles
Applicant	Mr Harun Murtzeaoglu
Agent	Mr Ali Hassan Pinnacle Architecture

1. RECOMMENDATION

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

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

2. SITE PLAN (SITE OUTLINED IN RED)



3 PHOTOS OF SITE/STREET



Image 1: Aerial Photograph of the rear of the application site



Image 2: Site Photograph of 100-102 Seven Sisters Road adjoining the application site.



Image 3: Site Photograph showing relationship between 100 Seven Sisters Road and Residential Properties along Mayton Street



Image 4: Site Photograph of the Rear of 96 Seven Sisters Road



Image 5: Photograph of the Rear of Mayton Street



Image 6: Site Photograph of properties at Mayton Street from site.

4. SUMMARY

- 4.1 The application seeks approval for the erection of a first floor full width rear extension to a mixed-used property situated at 98A Seven Sisters Road. The property is comprised of a ground floor retail unit with a residential unit at first and second floor levels, which includes an existing terrace at first floor level on top of a ground floor rear extension to the retail unit.
- 4.2 The proposal seeks consent for the erection of a first floor rear extension to the upper floor residential unit and the formation of a residential terrace to the rear of the extension at first floor level with associated aluminium ballustrades. The proposed extension sits in between first floor extension on both

neighbouring extensions, and is adjacent to a neighbouring property which contains a rear terrace at first floor level at 100 to 102 Seven Sisters Road. Objections have been received from residents of the properties on Mayton Street, raising design and amenity considerations. The proposed extension is considered to be acceptable in design, visual and amenity grounds, and it is recommended that the application is approved with conditions.

5. Site and Surrounding

- 5.1 The application site is located at 98a Seven Sisters Road. This is a mixed use terraced property dating from the Victorian period. The building is comprised of a ground floor retail unit with a single residential unit situated on the first and second floors. The majority of the properties within the terrace have a similar layout, with a retail use at ground floor level with residential flats at first and second floor levels.
- 5.2 The application site, like many of the properties within this part of Seven Sisters Road, has been extended at ground floor level. The roof of the ground floor extension is currently in use as an amenity space to the upper floor flat, with the property containing a door at first floor level and a safety balustrade. There is no record of any relevant planning permission for the existing terrace use at the application property. The neighbouring property at 100-102 Seven Sisters Road is also has a rear first floor roof terrace areas at rear first and second floor levels.
- 5.3 Both neighbouring properties have substantial first floor rear extensions. The first floor extension at 96a Seven Sisters Road is not full width, but covers the majority of the rear elevation and is constructed from brick a high level window on its rear elevation The neighbouring property at 100-102 Seven Sisters Road contains a first floor extension that extends across two original properties with a shallower second floor extension.
- 5.4 The rear of 98a Seven Sisters Road faces toward a residential gardens of rear elevations of terraces dwellings located along at Mayton Street. The rear of boundary of the application site is located 15 metres away from the rear elevations of 22 and 24 Mayton street directly behind the site and 22 metres in distance from the existing upper floor levels of the application site to the rear of these properties.

6. Proposal (in Detail)

- 6.1 The application seeks approval for the erection of a first floor rear extension above the existing ground floor rear projection. The proposed rear extension will have a height of 3.4 metres greater than the existing extension and a width of 4.6 metres, and would therefore extend across the full width of the original property. The proposed extension will project 3.3 metres beyond the rear façade of the original property, and will incorporate and enlarged kitchen to the residential unit. The proposed extension will be constructed from matching brickwork and will incorporate glazed bi-fold doors on the rear elevation providing access onto the roof terrace. The application also seeks approval for the formation of a roof terrace in front of the proposed first floor

extension to a proposed depth of 2.5 metres, width of 4.6 metres and a recess off the rear boundary of the site of 1 metre with proposed aluminium balustrading to the rear elevation of the terrace.

Amendments

- 6.2 Amended plans were received on the 16th May 2016 showing a reduction in the depth of the proposed rear extension and the depth of the proposed roof terrace, giving the terrace a setback of 1 metre from the rear of the ground floor projection. The amended plans were subject to an updated neighbour consultation.

Planning Applications:

- 7.1 **P2016/0340/FUL:** An application for the erection of a Mansard roof extension to the property was refused due to the impact on the character and appearance of the area.
- 7.2 P882055: Approval of planning permission granted on the 14/04/1989 for the Conversion of upper floors to provide 2 x one bedroom flats and ground floor rear extension.

48 Seven Sisters Road

- 7.3 **P2015/4069/FUL:** First floor rear extension, replacement of rear windows and rooflights, creation of a roof terrace and replacement shopfront: Withdrawn prior to determination.

100 to 102 Seven Sisters Road:

- 7.4 **P090931:** Approval of permission on the 17/07/2009 for the Conversion of 1st & 2nd floors to create a 7 bedsit HMO
- 7.5 **P080760:** Refusal of planning permission on the 11/07/2008 for the Erection of a rear extension, formation of a first floor level roof terrace and conversion of first and second floors to form eight bed-sit rooms sharing bathrooms and WCs.

REASON: The proposed rear elevation drawings and cross-sections submitted with this application show a full width two storey rear extension and this is considered to be unacceptable in design terms and would also have a detrimental effect on the amenity of neighbours by virtue of loss of light and outlook and is contrary to policies D3, D4 and D11 of the Islington Unitary Development Plan 2002 and the provisions of the Planning Standards Guidelines 2002.

REASON: The proposal fails to provide adequate refuse storage provision and is contrary to policy D3 of the Islington Unitary Development Plan 2002.

REASON: The proximity of new windows and the proposed roof terrace to neighbouring properties would lead to an unacceptable loss of privacy for neighbours and would be contrary to policy D3 of the Islington Unitary

Development Plan 2002 and the provisions of the Planning Standards Guidelines 2002.

Enforcement

- 7.6 **E2015/0554:** An enforcement case was created regarding the presence of roof terraces at first and second floor level at 100-102 Seven Sisters Road. The Planning Enforcement team determined that the terraces have been present for a significant number of years, as it was shown on the existing plans of an application submitted in 2009 and was also referred to with the delegated report to an application approved in 2005. On this basis, the enforcement team concluded that the terrace was immune from enforcement action under the four year rule and the case was closed.

96 Seven Sisters Road

- 7.7 **P981595:** Approval of planning permission on the 17/02/1999 for the Alterations to shopfront; first floor rear extension; conversion of the first and second floors to provide two self-contained flats.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 22 nearby and neighbouring properties at Seven Sisters Road and Mayton Street. A reconsultation was undertaken on the 18th May following the submission of amended plans. Two objection letters and one petition was received, signed by 24 residents, in objection to the scheme. The objections raised the following issues:

-Impact on the amenity of neighbouring properties, specifically in respect of the loss of privacy (paragraph's 10.14-10.16)

-Impact of the proposed extension on the character and appearance of the area (paragraph's 10.4-10.6)

-Possible inconsistencies in the approval of this application and the refusal of other planning applications. (paragraph 10.20)

-Possible precedent created by the approval of this application.

(paragraph 10.21)

-Possible noise created through the use of the roof terrace paragraph 10.18-10.19)

External Consultees

- 8.2 **Crime Reduction and Community Safety Officer:** No comment or objection.

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.

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:

- Design and Impact on the Character and Appearance of the Area
- Impact on the Amenity of Neighbouring Properties

Design and Impact on the Conservation Area

- 10.2 Policy DM 2.1 of Development Management Policies 2013 requires all new development to be high quality and to contribute to local distinctiveness and character. Specific guidance with respect to rear extensions and roof terraces is set out within the Islington Urban Design Guide (2006).
- 10.3 The application site forms part of mixed-use terraced properties of predominantly three storey properties fronting onto Seven Sisters Road. These properties comprise of a retail unit at ground floor units and residential unit at first and second floor levels. The majority of the properties are Victorian, but have been heavily altered at the rear. Almost all of the properties within the terrace have been extended at ground floor level,

including a large number of very deep rear extensions that cover the whole of the building plot. A significant number have also been extended at first floor level, and a smaller number at second floor level. As a result the rear elevation of the terrace displays a marked lack of uniformity or rhythm. The extensions that have been constructed are generally of little architectural merit, having been constructed from a range of poor quality materials including unmatching brick. Furthermore, both direct neighbours to the application property have been extended at first floor level, including an extension that projects across 100-102 Seven Sisters Road and a part width extension at 96 Seven Sisters Road.

- 10.4 Section 2.5 of the Islington Urban Design Guide deals with extensions to the rear elevation. The guidance confirms that the rear elevation of a Victorian terrace generally displays a lesser degree of uniformity than the front elevation, which can justify a greater degree of freedom when considering alterations to this façade. The guidance does state, however, that extensions to upper floor level should be sympathetic to the character of the terrace and should also provide a clear punctuating gap to the top of the terrace.
- 10.5 The proposed extension is at first floor level and provides a clear punctuating gap of a storey to the roofline of the property, and matches the height and massing of the adjacent extensions on both sides. As such, it is not considered to be of an excessive addition in terms of its scale and massing. While the extension would cover a large portion of the original rear façade, the original depth of the property would remain legible to some extent, as would the characteristic valley roof profile.
- 10.6 The proposed extension will be constructed from matching brickwork and includes bi-folding doors to provide access onto the proposed roof terrace. While it is noted that the use of bi-fold doors would not accord with the original window treatment on the rear façade of the terrace, which would have been characterised by relatively narrow openings containing sash windows, the window openings on many neighbouring properties have been heavily altered, with many of the original openings removed. Given this context it is not considered that the use of bifold doors at first floor level would give to an unacceptable impact on the uniformity or rhythm of the rear elevation.
- 10.7 Section 2.5 of the Islington Urban Design Guide recognises that in many instances the rear façade of a terrace will be subject to fewer public views than the front elevation, which can justify a greater degree of freedom relative to the front façade. While it is considered that the proposed extension and roof terrace would be visible from a range of private views from the houses and gardens at Mayton Street, it would not be visible from any public views from side streets or through gaps in the building line.
- 10.8 Section 2.5 of the IUDG provides guidance on rear roof terraces, confirming that the impact of the design and massing of the balustrading should be considered. In this instance the proposed balustrading would match the form and scale of the balustrading present on the neighbouring property at 100-102

Seven Sisters Road. Accordingly this element is also considered to be acceptable in terms of its impact on the character of the rear façade.

- 10.9 The final design, height and choice of balustrade materials for the rear face of the terrace are proposed to be secured via condition to ensure a high quality finish is achieved.
- 10.10 As such, bearing in mind the immediate and adjoining built form around the application site it is considered that the proposal is considered to be acceptable on design grounds. Therefore, the proposal is considered to accord with policies 7.4 (Local character), 7.6 (Architecture) of the London Plan 2015, policy CS8 (Enhancing Islington's character) of the Islington Core Strategy 2011, and policy DM2.1 (Design) of the Islington Development Management Policies 2013.

Impact on the Amenity of Neighbouring Properties

- 10.11 Policy DM 2.1 requires all new development to safeguard the amenity of neighbouring properties, including in terms of the loss of daylight, sunlight, outlook and privacy.
- 10.12 The proposed rear extension is situated in between two adjacent first floor extensions, and would have a lesser depth than both extensions. As a result the proposed extension would not lead to any material loss of daylight, sunlight or outlook to these neighbouring properties. The separation distance provided between the proposed extension and the residential properties at Mayton Street is also considered to be sufficient to ensure no adverse loss of daylight, sunlight, undue enclosure levels or loss of outlook to the rear windows of these properties along Mayton Street from the proposed extension.

Privacy and overlooking

- 10.13 The proposed roof terrace is situated immediately adjacent to a first floor roof terrace at 100-102 Seven Sisters, a property that also contains a second floor roof terrace on the roof of the first floor rear extension. The lawfulness of this roof terrace was investigated by the planning enforcement team under reference: E2015/0554. Their conclusion was that the roof terrace was lawful under the four year rule in section 171 of the 1990 Planning Act. The presence of this structure is therefore a material consideration in the determination of this application.
- 10.14 Concerns have been raised by neighbouring properties at Mayton Street regarding the possibility of overlooking from the new roof terrace to the houses and gardens at Mayton Street. The proposed roof terrace is set back 1 metre away from the rear of the ground floor rear projection at the application property. Therefore the proposed front railings of the proposed rear terrace would be located 16 metres away from the nearest rear façade of the residential properties along 20 to 22 Mayton Street which is located directly opposite the site with other properties along Mayton Street having slightly

larger distances (towards 17 to 18 metres) and at more angled views overall. It is noted that the distance in this case is less than 18 metres as required by guidance to avoid unacceptable overlooking. However consideration must be made to the specifics of the site in this case. The site is located within a densely urban location with other existing terraces in existence which overlook properties at a shorter distance.

- 10.15 It is considered that the maintaining a distance of 16 metres in a dense urban location, coupled with the existing terraces in the locality which are lawful would make it difficult to substantiate reason for refusal of the application on this basis in terms of overlooking and privacy concerns by virtue of harm caused to adjoining residents amenity levels in this case.
- 10.16 A number of objectors to the scheme have made specific reference to the possibility of the scheme leading to overlooking from the new roof terrace toward the rear gardens of properties at Mayton Street. While it is accepted that the roof terrace would allow views toward these gardens, policy DM 2.1 and DM 3.5 primarily seek to protect the privacy of residential units rather than gardens or amenity spaces. The gardens of the properties at Mayton Street are currently overlooked from a range of viewpoints from the upper floors of residential properties at Seven Sisters Road, both from windows and existing amenity spaces.
- 10.17 The proposed roof terrace and extensions would give rise to mutual overlooking between the new roof terrace and the existing roof terrace at 100-102 Seven Sisters Road, as well as the roof terraces and the flats themselves. It is recommended that a condition is imposed requiring details of a privacy screen with a height of 1.7 metres to be installed prior to the first use of the terrace hereby approved on both sides of the proposed terrace. Such a roof terrace would not give rise to any unacceptable loss of outlook bearing in mind the separation distance to the neighbouring window at 100 Seven Sisters Road. Similarly the impact on 96 Seven Sisters Road would be acceptable give that this property contains high level windows on its rear elevation only.

Noise

- 10.18 An objector to the scheme has raised the possible impact of the proposed terrace in terms of noise pollution. Given that the proposed roof terrace is relatively small in scale, it is not considered that it would provide opportunities for large parties or gatherings. As a result it is not considered that any unreasonable increase in noise would occur from the use of the property, especially given that the upper floors will remain in residential use. Any unacceptable noise pollution could also be controlled through noise and anti-social behaviour legislation.

- 10.19 The impact of the proposed terrace on the amenity of neighbouring properties, including those at Seven Sisters Road and Mayton Street is therefore considered to be acceptable, and in accordance with policies DM 2.1 and DM 3.5.

Other Matters

- 10.20 An objector to the scheme has raised the possibility of an inconsistency in the determination of applications between this proposal and an application for a rear extension at 66 Mayton Street. As the context of the applications is very different, it is not considered that the two cases are at all comparable. 66 Mayton Street is located among a different terrace setting with has a more unified and rhythmic existing rear elevation treatment which forms a different context in which to assess the merits of each particular planning case which was clearly a material consideration in that case.
- 10.21 Objectors have also raised concerns that the proposal would give rise to a precedent that would justify future roof extensions on the rear of Seven Sisters Road. However, each planning application would need to be considered on its individual merits against relevant planning policies so therefore it is not considered that any approval would form a precedent for future cases to be considered by the council in this locality in this case.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development is considered to be acceptable on the grounds of the impact on the character and appearance of the Area, and is in accordance with policies DM 2.1 of the Development Management Policies 2013, and the Islington Urban Design Guide guidance on rear extensions and roof terraces.
- 11.2 The proposed development is also considered to be acceptable on the grounds of the impact on the amenity of neighbouring properties, including in respect of the loss of daylight, sunlight, outlook and privacy. The proposal is therefore considered to be in accordance with policy DM 2.1 and DM 3.5 of the Development Management Policies 2013.

12. Conclusion

- 12.1 It is recommended that planning permission be granted subject to conditions as set out within 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:

1	Commencement (Compliance)
	<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	Approved Plans List: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Site Location Plan, 20150734-PL02, 2015-0734-PL03, 20150734-PL01, 20150734-PL04 rev C, 20150734-PL05 rev C, 20150734-PL 06 rev C.</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	Matching Materials
	<p>CONDITION: The facing materials of the extension hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
4	Privacy Screen details
	<p>CONDITION: Details and samples of visual screen(s) separating the roof terrace hereby approved from neighbouring properties along the side boundaries to a height 1.7 metres shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the hereby approved rear first floor terrace.</p> <p>The screens shall be installed prior to the first use of the roof terrace hereby approved and the development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To prevent undue overlooking (oblique, backwards or otherwise) of neighbouring habitable room windows and also to ensure that the resulting visual screen is acceptable in terms of its appearance.</p>

List of Informatives:

1	<p>Positive statement</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's 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>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> <div style="border: 1px solid black; padding: 10px; 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>
3	<p>Part M Compliance</p> <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>

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 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 7.4 (Local character)

Policy 7.6 (Architecture)

Policy 7.8 (Heritage Assets and archaeology)

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS17 (Sports and recreation provision)

C) Development Management Policies June 2013

Design and Heritage

Policy DM2.1 (Design)

Policy DM 2.3 (Heritage)

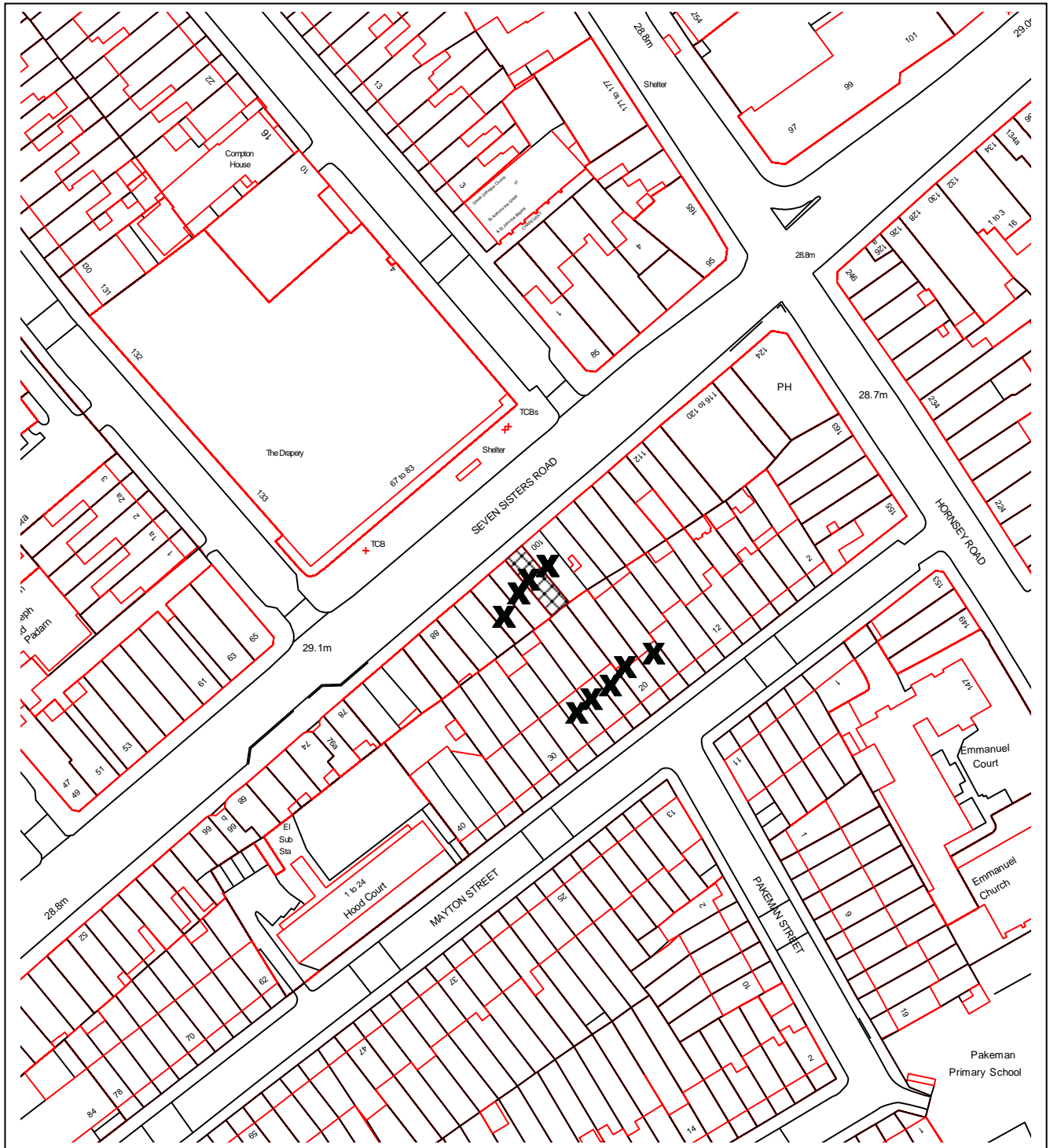
4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- Urban Design Guide
- Arlington Square Conservation Area Design Guidelines

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Islington SE GIS Print Template



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P2016/0336/FUL

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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 B		
Date:	28 June 2015	NON-EXEMPT

Application number	P2015/5098/ADV
Application type	Advertisement Consent (Council's own)
Ward	Junction
Listed building	Not Listed
Conservation area	St John's Grove
Development Plan Context	Archway Core Strategy Key Area Strategic Cycle Route Local view from Archway Bridge Archway Town Centre Within 100m of Transport for London Road Network Road Within 100m of a Strategic Road Network Road Primary Retail Frontage
Licensing Implications	None
Site Address	Junction Road, (Land opposite 12 Junction Road) London, N19 5QT
5QTProposal	Installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the pavement opposite 12 Junction Road

Case Officer	Daniel Power
Applicant	Islington Council
Agent	Jeremy Foster

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent - subject to the conditions set out in Appendix 1.

2. SITE PLAN (site outlined in Red)



3. PHOTOS OF SITE/STREET

Location of sign

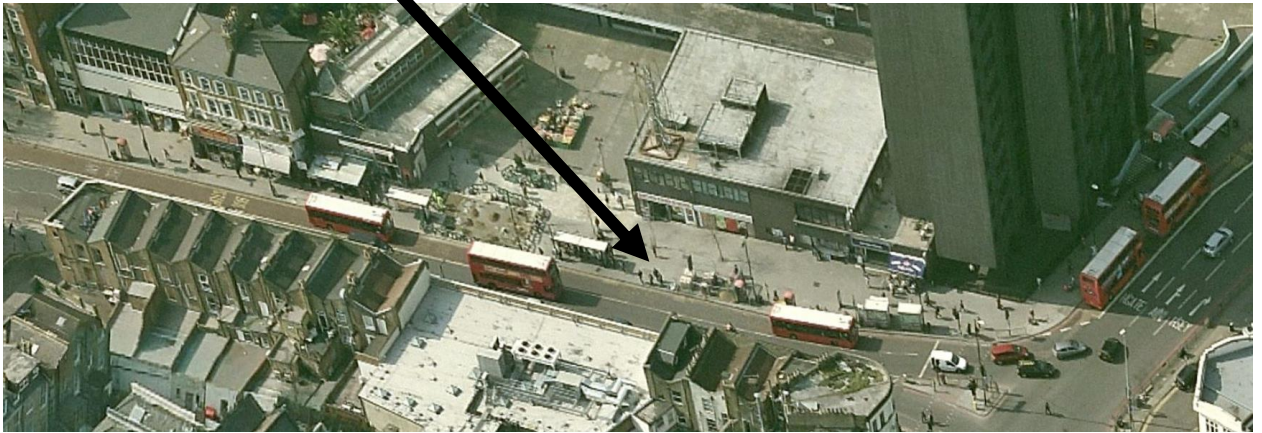


Image 1: Aerial Photo of the Front of the Site



Image 2: Street View of the Site

4. SUMMARY

- 4.1 Advertisement consent is sought for the installation of a free standing self-illuminated advertisement display panel (6 sheet) on the pavement opposite 12 Junction Road.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The proposed advertisement display panel will neither harm the character or appearance of the adjacent buildings nor the wider street scene, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.

- 4.4 It is recommended that advertisement consent be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The proposed advert is to be sited on the land opposite 12 Junction Road. The immediate area is characterised by commercial properties and the application site is located in very close proximity to Archway Station. To the rear of the site is Archway Tower,
- 5.2 The building adjacent to the site is not listed however the site is located in the St John's Grove conservation area. The surrounding area is of mixed character.

6. PROPOSAL (IN DETAIL)

- 6.1 Advertisement consent is sought for the installation of a freestanding self-illuminated advertisement display panel (6 sheet) on the pavement opposite 12 Junction Road.
- 6.2 The proposed sign will measure a maximum of 2.695 metres in height, 1.37 metres in width and 0.24 metres in depth. The visible area of the digital screen display will measure 1.15 metres in width and 1.76 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 None

ENFORCEMENT:

- 7.2 None

PRE-APPLICATION ADVICE:

- 7.3 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 22 occupants of adjoining and nearby properties at Junction Road on the 24/12/15. A site notice was placed outside the site and the application was advertised in the Islington Gazette on 24/12/15. Therefore the public consultation expired on 14/01/16.

- 8.2 At the time of the writing of this report one (1) objection had been received from the public with regard to the application. This response was received by **the Better Archway Forum**. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Hoardings should be installed for a specific period only (3-5 years) to not set a precedent across the borough (paragraph 10.6)
 - There should be an ethical advertising policy applied to these hoardings (paragraph 8.3)
 - Other advertisements around N19 have been refused (8.3)
- 8.3 It is proposed that the advertisements will be installed for 10 years, after this time the advertisements will be reconsidered. Whilst the contents of the signs is not something that can be controlled under advertisement legislation, it will be written into the contracts that only appropriate advertising is displayed on this sign.

Internal Consultees

- 8.4 **Design and Conservation Officer:** Objects to the proposal. It would be very prominent on the edge of the pavement and therefore undesirable.
- 8.5 **Highways:** No objection.

External Consultees

- 8.5 **Transport for London:** No objection to the principle of development subject to the inclusion of conditions.

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 and Planning Policy Guidance seek 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 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

- Archway Core Strategy Key Area
- Strategic Cycle Route
- Local view from Archway Bridge
- Archway Town Centre
- Within 100m of Transport for London Road Network Road
- Within 100m of a Strategic Road Network Road
- Primary Retail Frontage

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Amenity
- Highways Safety

Amenity

10.2 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 Management Policies requires all forms of development to be 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. Furthermore, Development Management Policy DM2.6 requires all advertisements to be of a high standard and contribute to a safe and attractive environment. Any new sign should not cause a public safety hazard or contribute to a loss of amenity and should be appropriate to the building,

10.3 The application site is located in the St John's Conservation Area, and therefore it is important to ensure the proposal would not have a detrimental impact on the character of the area. Whilst the buildings surrounding the application site itself are of varying designs, it is important to ensure that any new signage would not have a detrimental impact on amenity.

10.4 The proposed advertisement sign will be positioned on the pavement opposite 12 Junction Road. Whilst the sign will be located on the pavement, it will be seen against the backdrop of the existing street furniture including the public telephone box and other street clutter as well as Archway Tower to the rear.

- 10.5 The proposed sign will measure 2.695 metres in height and 1.37 metres in width and will be set on the existing pavement. It is considered that when viewed against the back drop of the large property to the rear the proposed advertisement sign will not create an overly dominant feature that would have a detrimental impact on amenity. Immediately adjacent to the site there are several examples of existing street signage. It is therefore considered that the proposal will not result in unnecessary and additional clutter to the detriment of the existing landscape. Furthermore, as the sign is not located immediately adjacent to any neighbouring residential windows, it is not considered that the signs, by reason of their illumination, would have a detrimental impact on residential amenity.
- 10.6 It should also be noted that each application is considered on its own merits and if Members are minded to approve this application, it would not set a precedent for allowing other advertisements in this location. Whilst other advertisements in the vicinity may have been considered unacceptable, given the size and siting of the proposed advertisement it is considered acceptable in this location.
- 10.7 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

Highways Safety

- 10.8 It should be ensured that all new advertisement signs do not cause a hazard to pedestrians or road users, as a result of their visual dominance and method of illumination, in accordance with policy DM2.6 of the Islington Development Management Policies 2013.
- 10.9 The proposed sign will be internally illuminated, will not have flashing illumination and will have an LED backlit display brightness which can be adjusted to suit the day/night ambient levels. The sign will be set on the grass immediately adjacent to the pavement to ensure there are no public safety hazards and maintain the free flow of pedestrian traffic. The plans have been reviewed by both the Council's Highways team and Transport for London who, subject to attached conditions, raised no objections to the proposal in terms of its size, siting or method of illumination and did not consider the proposed sign would have a detrimental impact on highways safety. The proposal is therefore not considered to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent be subject to conditions to secure the following:

List of Conditions

1	Standard advertisement conditions CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority. No advertisement is to be displayed without permission of the owner of the site or any other people with an interest in the site entitled to grant permission. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).
2	Luminance CONDITION: The advertisement display(s) shall be statically illuminated and the illumination shall not exceed a maximum steady brightness of 300 candelas per square metre during the hours of darkness consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements" (PLG05, January 2015). The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. REASON: In the interests of visual amenity and highway safety.
3	Display time CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed. REASON: In the interests of visual amenity and highway safety.

4	Special effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
5	Display functions
	<p>CONDITION: The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction.</p>
6	Installation and maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and SRN must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic.</p> <p>REASON: In the interests of highway safety.</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>

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 2015, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 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

3 London's people

7 London's living places and spaces
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

DM2.1 Design

DM2.6 Advertisements

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Archway Core Strategy Key Area
- Strategic Cycle Route
- Local view from Archway Bridge
- Archway Town Centre
- Within 100m of Transport for London Road Network Road
- Within 100m of a Strategic Road Network Road
- Primary Retail Frontage

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

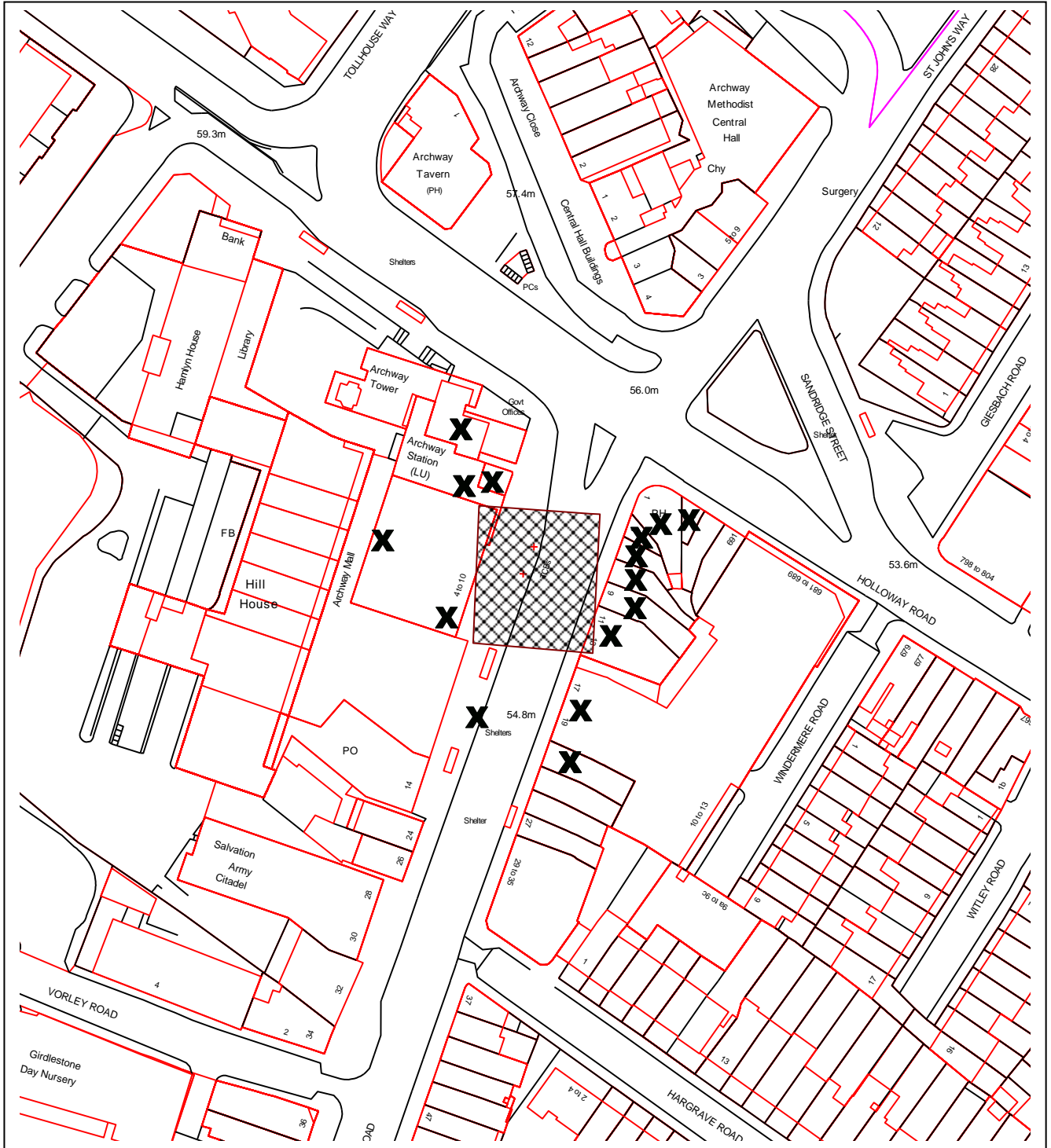
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

London Plan

Urban Design Guide (2006)

Islington SE GIS Print Template



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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 B		
Date:	28 June 2016	NON-EXEMPT

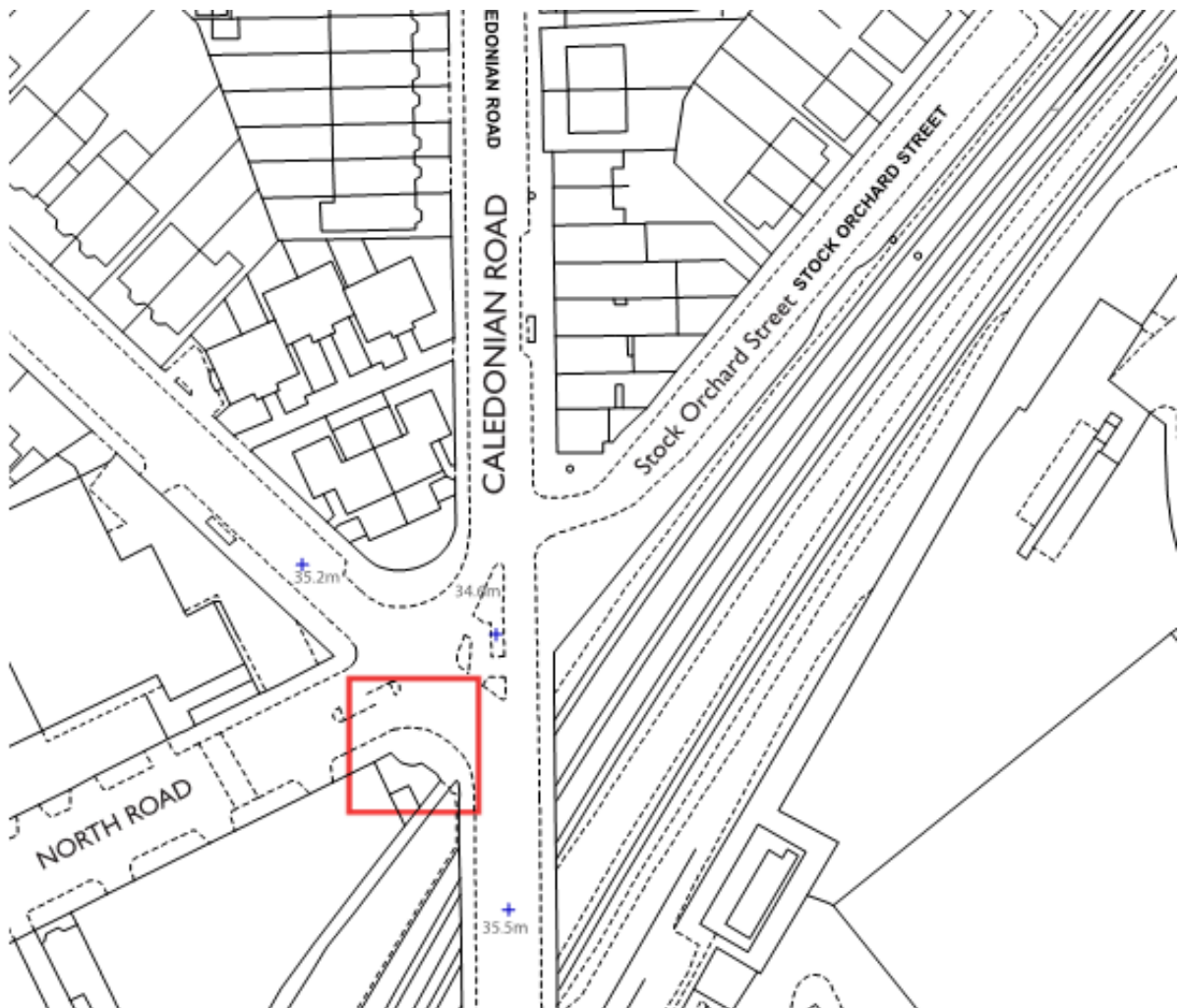
Application number	P2015/4852/ADV
Application type	Advertisement Consent (Council's own)
Ward	Holloway
Listed building	Not Listed
Conservation area	N/A
Development Plan Context	Employment Growth Area Site of Importance for Nature Conservation Within 100m of Strategic Road Network Road Within 50m of Hillmarton Conservation Area
Licensing Implications	None
Site Address	Land at intersection of Caledonian Road, Hillmarton Road and North Road, outside 42 North Road, London, N7.
Proposal	Installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the pavement at the corner of Caledonian Road, Hillmarton Road and North Road

Case Officer	Daniel Power
Applicant	Islington Council
Agent	Jeremy Foster

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent - subject to the conditions set out in Appendix 1.

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET

Location of sign



Image 1: Aerial Photo of the Front of the Site



Image 2: Street View of the Site

Location of sign

4. SUMMARY

- 4.1 Advertisement consent is sought for the installation of a free standing self-illuminated advertisement display panel (6 sheet) on the pavement at the junction of Caledonian Road, Hillmarton Road and North Road.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The proposed advertisement display panel will neither harm the character or appearance of the adjacent buildings nor the wider street scene, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.

- 4.4 It is recommended that advertisement consent be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The proposed advert is to be sited on the pavement at the junction of Caledonian Road, Hillmarton Road and North Road. The immediate area is characterised by single storey commercial buildings and immediately to the rear of the site is a railway line.
- 5.2 The building adjacent to the site is not listed however the site is not located in a conservation area. The surrounding area is predominantly commercial in character.

6. PROPOSAL (IN DETAIL)

- 6.1 Advertisement consent is sought for the installation of a freestanding self-illuminated advertisement display panel (6 sheet) on the pavement at the corner of Caledonian Road, Hillmarton Road and North Road.
- 6.2 The proposed sign will measure a maximum of 2.695 metres in height, 1.37 metres in width and 0.24 metres in depth. The visible area of the digital screen display will measure 1.15 metres in width and 1.76 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 None

ENFORCEMENT:

- 7.2 None

PRE-APPLICATION ADVICE:

- 7.3 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 81 occupants of adjoining and nearby properties at Hillmarton Road, Cottage Road and Caledonian Road on the 27/11/15. Therefore the public consultation expired on 18/12/15.
- 8.2 At the time of the writing of this report one (1) objection had been received from the public with regard to the application. The issues raised can be

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

- The proposal will be a distraction to motorists (paragraph 10.9)
- Crime risk and could disturb tree roots (paragraph 10.5)

Internal Consultees

- 8.3 **Design and Conservation Officer:** Objects to the proposal. Whilst the sign is not within a conservation area it is important to note the listed station is nearby as well as the Hillmarton Conservation Area. This advertisement would be unfortunate.
- 8.5 **Highways:** No objection.

External Consultees

- 8.5 **Transport for London:** No objection to the principle of development subject to the inclusion of conditions.
- 8.6 **Network Rail:** No objections

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 and Planning Policy Guidance seek 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 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Employment Growth Area
 - Site of Importance for Nature Conservation
 - Within 100m of a Strategic Road Network Road

- Within 50m of Hillmarton Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Amenity
- Highways Safety

Amenity

- 10.2 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 Management Policies requires all forms of development to be 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. Furthermore, Development Management Policy DM2.6 requires all advertisements to be of a high standard and contribute to a safe and attractive environment. Any new sign should not cause a public safety hazard or contribute to a loss of amenity and should be appropriate to the building,
- 10.3 The application site is not located in a conservation area, although it is located in close proximity to the Hillmarton Conservation Area. Whilst the buildings surrounding the application site itself are of varying design, it is important to ensure that any new signage would not have a detrimental impact on amenity.
- 10.4 The proposed advertisement sign will be positioned on the back edge of the pavement against an existing blue painted brick wall at the junction with Hillmarton Road and North Road. Whilst the sign will be located on the pavement, it will be seen against the backdrop of a single storey building to the rear and will be located adjacent to existing street signage.
- 10.5 The proposed sign will measure 2.695 metres in height and 1.37 metres in width and will be set on the existing pavement. It is considered that when viewed against the back drop of the large property to the rear the proposed advertisement sign will not create an overly dominant feature that would have a detrimental impact on amenity. Immediately adjacent to the site is existing street signage. It is therefore considered that the proposal will not result in unnecessary and additional clutter to the detriment of the existing landscape. Furthermore, as the sign is not located immediately adjacent to any neighbouring residential windows, it is not considered that the signs, by reason of their illumination, would have a detrimental impact on residential amenity. Furthermore, given the size and siting of the sign immediately in front of an existing brick wall, it is not considered to have an impact on crime. The

proposed sign will be located on an existing hard surfaced area and will therefore not impact on the health of any existing trees.

- 10.6 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

Highways Safety

- 10.8 It should be ensured that all new advertisement signs do not cause a hazard to pedestrians or road users, as a result of their visual dominance and method of illumination, in accordance with policy DM2.6 of the Islington Development Management Policies 2013.
- 10.9 The proposed sign will be internally illuminated, will not have flashing illumination and will have an LED backlit display brightness which can be adjusted to suit the day/night ambient levels. The sign will be set immediately adjacent to the pavement to ensure there are no public safety hazards and maintain the free flow of pedestrian traffic. The plans have been reviewed by both the Council's Highways team and Transport for London who, subject to attached conditions, raised no objections to the proposal in terms of its size, siting or method of illumination and did not consider the proposed sign would have a detrimental impact on highways safety. The proposal is therefore not considered to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

11.0 SUMMARY AND CONCLUSION

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent be subject to conditions to secure the following:

List of Conditions

1	Standard advertisement conditions
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>No advertisement is to be displayed without permission of the owner of the site or any other people with an interest in the site entitled to grant permission.</p> <p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</p>
2	Luminance
	<p>CONDITION: The advertisement display(s) shall be statically illuminated and the illumination shall not exceed a maximum steady brightness of 300 candelas per square metre during the hours of darkness consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements" (PLG05, January 2015).</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
3	Display time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
4	Special effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p>

	REASON: In the interests of visual amenity and highway safety.
5	Display functions
	CONDITION: The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction.
6	Installation and maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and SRN must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic.</p> <p>REASON: In the interests of highway safety.</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>

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 2015, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 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

3 London's people

7 London's living places and spaces

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

DM2.1 Design

DM2.6 Advertisements

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Employment Growth Area
- Site of Importance for Nature Conservation
- Within 100m of a Strategic Road Network Road
- Within 50m of Hillmarton Conservation Area

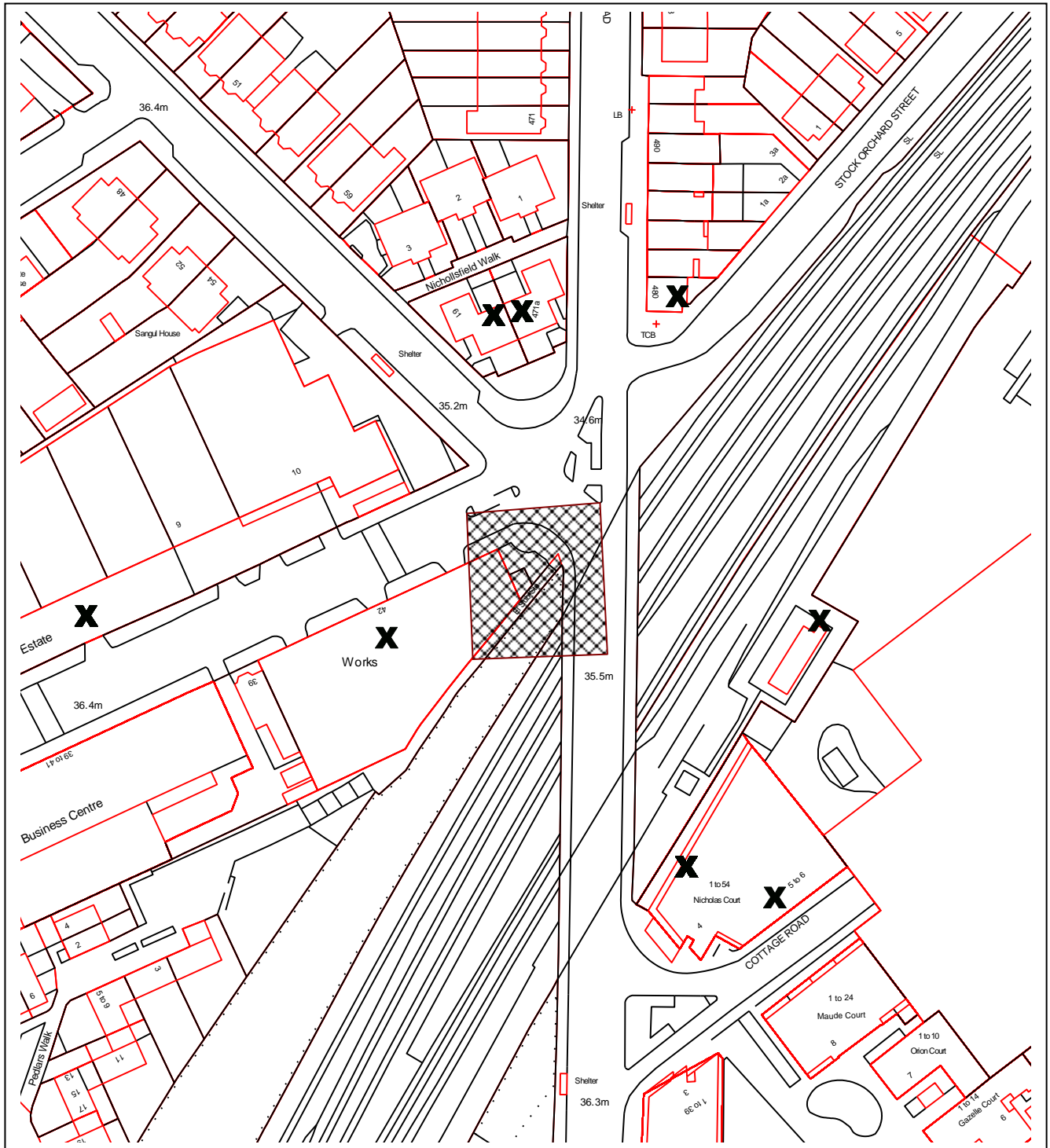
4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan London Plan
Urban Design Guide (2006)

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Islington SE GIS Print Template



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P2015/4852/ADV

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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 B		
Date:	28 th June 2016	NON-EXEMPT

Application number	P2015/3131/FUL
Application type	Full Application
Ward	Barnsbury
Listed Building	Not Listed
Development Plan Context	Employment Growth Area
Conservation Area	N/A
Licensing Implications Proposal	None
Site Address	Unit 10, Roman Way Industrial Estate, 149 Roman Way, London N7 8XH
Proposal	Retention of four boiler flues and seven silencers to the roof of the commercial unit.

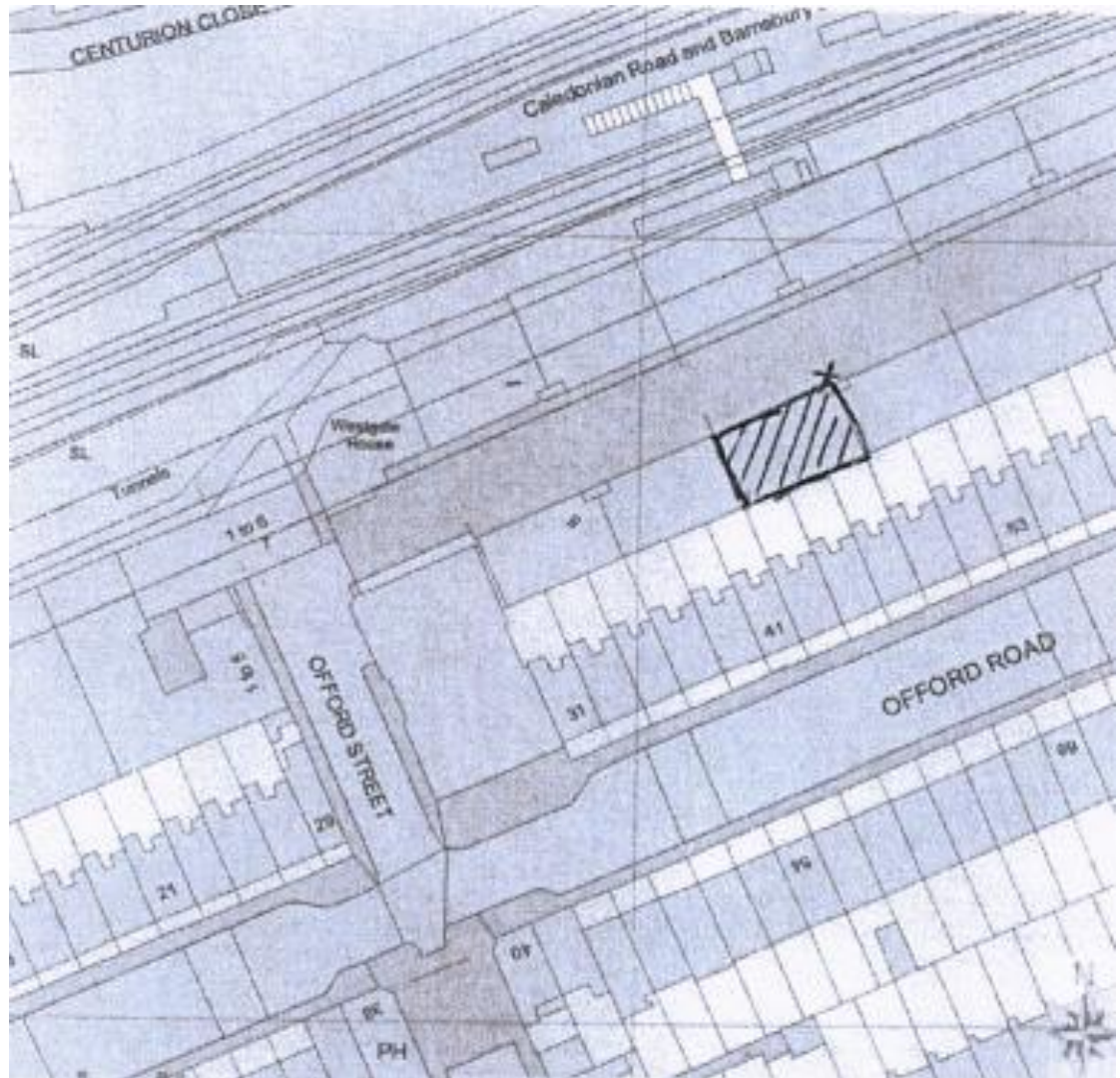
Case Officer	Duncan Ayles
Applicant	Mr William Ray
Agent	N/A

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: Photograph of the site from the entrance to the roman way industrial estate to the east



Image 2: Photograph of the Silencers from the inside of the Roman Way Industrial Estate



IMAGE 3: Close up view of the silencers

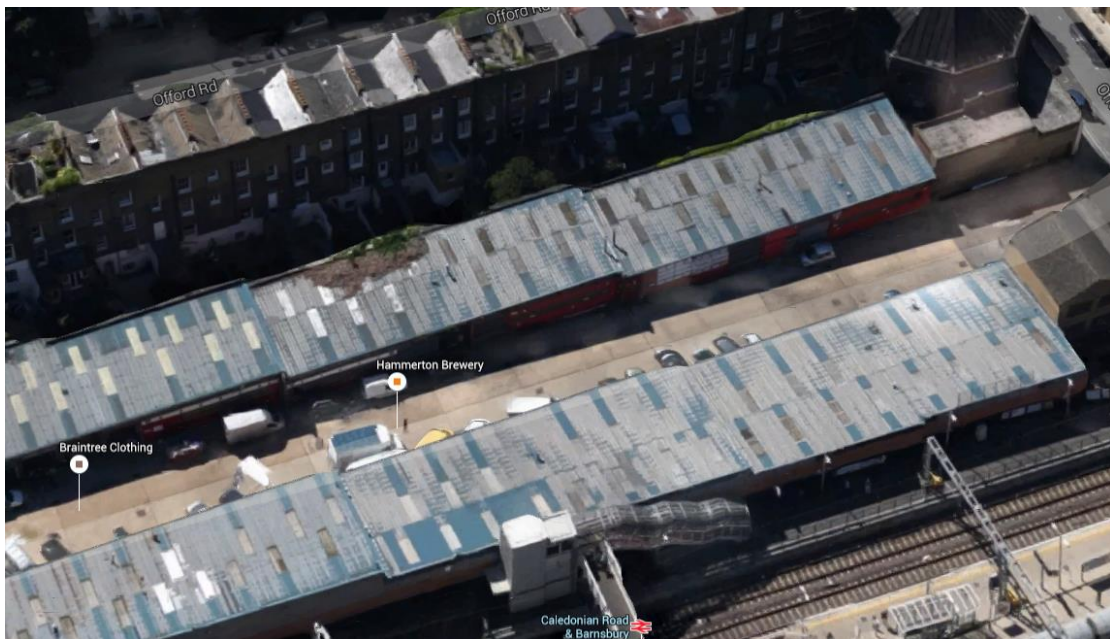


Image 4: Aerial View of the site.

4. SUMMARY

- 4.1 The application seeks approval for the retention of unauthorised roof silencers and boiler extract flues erected on the roof of a light industrial unit within the Roman Way Industrial Estate. The silencers have been erected as a means to mitigate against noise emissions from washing machine and tumble dryer equipment situated within the unit. The occupant of the unit is a commercial laundry business, and the unit has been the subject of several complaints from neighbours regarding noise pollution, particularly to residential properties immediately to the south of the application site.
- 4.2 The silencers are considered to be of an acceptable design given the character of the Roman Way Industrial Estate, and are not considered to give rise to any material impact on the character and appearance of the area. The silencers are also considered to be acceptable in terms of their impact on the amenity of neighbouring properties in terms of the loss of outlook, daylight and sunlight. Furthermore, as the silencers have reduced the amount of noise emitted from the unit, the application is considered to be beneficial on the grounds of noise emissions.
- 4.3 The proposed development is therefore considered to be acceptable and it is recommended that the application is approved subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is situated within unit ten of the Roman Way Industrial Estate, which is an industrial estate situated immediately to the west of Roman Way and to the south of the Caledonian Road and Barnsbury London Overground Station. The Roman Way Industrial Estate is comprised of single storey light industrial units which are accessed from a private access Road that connects Roman Way to the east with Offord Street to the west. The units within the estate incorporate large roller shutters, curtain walls and corrugated plastic roof. The units therefore have a utilitarian, industrial character, and are occupied by a range of light industrial and similar uses such including a garage and brewery.
- 5.2 The application site is located immediately to the north of a residential terrace at 31-79 Offord Road. The separation distance from the industrial units and the original rear elevation of the properties at Offord Road is 10 metres. The properties within this terrace are locally listed and date from the 1850s. The predominant land use to the south of the site is residential, comprising of a combination of residential flats and dwelling houses.

6. Proposal (in Detail)

- 6.1 The application seeks planning approval for the retention of seven silencers on the roof of a single storey industrial unit within the Roman Way Industrial Estate. The silencers comprise five units grouped within the centre of the roof, with a length of 315 mm, and two smaller units with a length of 250 mm grouped on the eastern side of the roof. The silencers are located directly on the roof of the unit, and are lower in height than the apex of the mono-pitched

roof on the southern side of the unit. Planning permission is also sought retrospectively for the retention of four black plastic boiler flues.

- 6.2 The application is being made retrospectively as works to install the silencers have started but have not been completed. The silencers have been installed to reduce the noise emissions from the ventilation extracts associated with washing and tumble drying equipment within the laundry operation use contained within the application unit.
- 6.3 For the avoidance of doubt the application does not seek permission either for the use of the premises as a laundry cleaning place, nor the noise-generating washing, cleaning and tumble dryer equipment within the unit. The lawful use of the premises is as B1 light industrial, and the Council's enforcement team have recently investigated the use and confirmed that the use existing use a B1 c use. The noise generating equipment including the washing machines and tumble dryers do not require the benefit of planning permission as they are internal equipment forming part of the lawful use of the unit.

7. **RELEVANT HISTORY**

- 7.1 **Enforcement:** E/2015/0121 and E/2014/0548: Two enforcement investigations were undertaken following complaints received in relation to noise pollution from the 'Super Laundry' business operating from unit 10, Roman Way. In both instances the enforcement investigation was closed with no action taken, as enforcement officers concluded that a material change of use had not occurred from the lawful B1 use, and that the business was not in breach of any planning conditions. The enforcement team confirmed that the silencers required planning permission and therefore advised that a retrospective application was submitted.

Pre-application Advice: None

8 **CONSULTATION**

Public Consultation

- 8.1 Letters were sent to occupants on 66 nearby and neighbouring properties on the 18th November 2015. The public consultation therefore expired on the 11th December 2016. Reconsultations were undertaken on the 8th February and 4th April 2016 following the submission of amended plans, and on the 10th May following the receipt of an amended form with a new description of development.
- 8.2 At the time of the writing of this report, two objection letter and one petition was received signed by 11 neighbours (with the relevant paragraph numbers that provide responses to those issues indicated in brackets):
- Noise emissions from laundry use, especially given the nature of the adjacent properties at Roman Way which contain single glazing and the tonal/alternating of the noise emissions (paragraphs 10.16-10.20)

- Impact that the silencers would have by facilitating longer opening hours (paragraph 10.21)
- Design of the flues and impact on the character of the area (paragraphs 10.6-10.10)
- Impact on Air Quality and odours (paragraph 10.23)
- Lawful Use of the Property (paragraphs 10.2-10.3)

Internal Consultees

- 8.3 **Noise Officer:** There is a history of noise complains relating to the laundry use at the site, and the silencers were added to deal with noise pollution. Our Anti-Social Behaviour out of hours service visited the site in March of 2015, and judged that the noise was not a nuisance. Although the silencers have not been completely effective in reducing noise emissions from the unit, the removal of the silencers would increase overall noise emissions from the unit and the tonal element of the noise.
- 8.4 **Commercial Environmental Health Officer;** Noted one odour complaint in 2014 but no correspondence since. Officer satisfied with details subject to additional condition to control odours.

External Consultees:

- 8.5 **High Speed 1:** High speed one have no comment to make as our infrastructure is in a tunnel at this location.

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 2014 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 Consolidated with Alterations Since 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations

2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

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
- Design and Impact on the Character and Appearance of the Area
- Impact on the Amenity of Neighbouring Properties

Land Use

10.2 The application site is situated within an industrial estate immediately to the south of Caledonian Road and Barnsbury Overground station. The site is designated as an employment growth area under the adopted Policies Map. The Council have not adopted any specific policies that deal with minor alterations such as external flues to existing buildings within Employment Growth Areas. However, policy DM 5.1 confirms that the Council will encourage the intensification, renewal and modernisation of existing business floorspace within Employment Growth Area. Policy DM 2.1, which requires all new development to be of a high quality, is also relevant.

10.3 The lawful use of the premises is as a light industrial unit (B1 (c)), and the planning enforcement department consider the existing laundry use to fall under this use after two separate visits and investigations into the operation and use of the site for the commercial laundry use. The laundry use does not lead to any significant environmental or amenity impacts on neighbouring properties in terms of the emission of noise or emissions. It is noted that objections have been received from neighbours, alleging that a material change of use has occurred from the lawful use. For the avoidance of doubt, the application does not seek permission for the existing use at the site, and instead relates only to the silencers and boilers at roof level. Therefore, the acceptability of the existing is not an issue for determination within this application.

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

10.4 The application seeks permission for the retention of the external extract and silencing equipment situated on the roof of the building. These comprise seven separate extract silencers, including five larger units and two smaller units, and 4 smaller boiler flue extracts. Policy DM 2.1 requires all new development to be of a high quality and respond to its context. The Islington

Urban Design Guide also provides guidance on roof top structures and confirms that external plan should usually be avoided.

- 10.5 The application site is situated within the Roman Way Industrial Estate, which is comprised of two large mono-pitched buildings comprising separate industrial units which front an access road that connects to Offord Street to the west and Roman Way to the west. To the north of the site is the Caledonian Road and Barnsbury Railway Station, and to the south is a residential area incorporating the Barnsbury Conservation Area. The Roman Way Industrial Estate has a utilitarian, industrial character derived from the functional appearance of the units within the estate and also the land uses within the area which are predominantly light industrial.
- 10.6 A number of the units within the estate incorporate a variety of different flues and extracts that project above the mono-pitched roofs including extracts and flues, alongside other external accretions such as air conditioning units and alarms. While it is considered that the extracts proposed within this application are slightly larger and more numerous than other flues in the estate, the flues are considered to be subordinate in scale to the unit. The detailed design and materials are also considered to accord with the industrial character of the Roman Way estate.
- 10.7 Furthermore, due to their modest size and position within the centre of the Industrial Estate, the existing silencers are not easily visible from public views either Offord Road on the western side of the industrial estate, or from Roman Way on the eastern side of the industrial estate. The visual impact of the flues as seen from public viewpoints is therefore limited to the Roman Way Industrial Estate, and will not impact on the character of the wider area, including the Barnsbury Conservation Area to the south. The flues will be visible from private viewpoints from the upper floor windows of the residential properties at Offord Road. However, as this is a private viewpoint it is not considered that the flues would be harmful to the character of the area.
- 10.8 Detailed guidance on the design of roof top development such as plant is set out within the Islington Urban Design Guide, within section 2.6.4. The Guidance confirms that roof structures that are not an integral part of the building should be avoided, and that this type of equipment should usually be integrated into the building itself. In this instance, however, the flues are situated on the roof of an industrial unit with an industrial estate and consequently are not out of context.
- 10.9 The proposed flues are constructed from stainless steel, which give the flues a shiny, reflective appearance. It is considered that the visual impact of the flues could be reduced by painting the exterior of the flues a dark, matt colour. A condition can be imposed on this permission to secure this.
- 10.10 Provided this condition is imposed, the design of the silencers is considered to be acceptable given the industrial character of the site and surroundings. The proposal is therefore considered to be in accordance with policies 7.4 (Local character), 7.6 (Architecture) of the London Plan 2015, policy CS8 (Enhancing

Islington's character) of the Islington Core Strategy 2011, and policy DM2.1 (Design) of the Islington Development Management Policies 2013.

Impact of the Proposed Development on the Amenity of Neighbouring Properties

- 10.11 Policy DM 2.1 aims to protect the amenity of residential properties from overlooking, loss of daylight and sunlight, over dominance, sense of enclosure and outlook. This policy is full in compliance with the NPPF, which seeks to provide a good standard of amenity for all current and future occupiers of the land.

Loss of Outlook

- 10.12 The application site and building abuts the rear gardens of the residential properties at Offord Road to the south. These terraced properties contain relatively shallow rear gardens, and therefore the distance between the rearmost part of these properties, and unit 10 Roman Way, is relatively small at approximately 7 metres.
- 10.13 The application site is comprised of a mono-pitched roof with a shallow pitch of approximately 10 degrees. The proposed silencers situated on the roof are situated on the northern side of this roof, and the top of the silencers are approximately in line with the roof ridge of the unit itself. Consequently, while the silencers will be visible from the upper floor windows of the properties at Offord Road, they will not lead to any material loss of outlook, as the silencers would only be visible from views down from upper floor windows. In this context the flues are not considered to be visually dominant or intrusive when viewed from properties at the rear.
- 10.14 The proposed silencers are similarly not considered to lead to any adverse impact in the daylight and sunlight received by the properties to the south at Offord Road. The silencers are due north of these properties, and do not project above the highest part of the roof, which is closest to the residential terrace. Therefore, the silencers will not lead to the loss of any sunlight or daylight to habitable room windows.
- 10.15 The amenity impact of the roof silencers is therefore considered to be acceptable and in accordance with policy DM 2.1 in terms of the impact on the outlook, daylight and sunlight received by neighbouring properties.

Noise and Odour

- 10.16 The existing noise silencers on the roof were erected by the occupants of the premises as a noise mitigation measure following an investigation by the Council's Noise department in respect of noise emitted from the laundry use. Policy DM 6.1 of the Development Management Policies 2013 requires all new development to contribute to healthy environments, reduce environmental stresses and to ensure that noisy development does not give rise to a noise nuisance.

- 10.17 The Council's Acoustic Officer has been consulted with respect to the application. He has confirmed that, while the roof silencers have not completely mitigated against noise emissions from the unit to the residential properties at Offord Road, they have significantly reduced the amount of noise received by these properties and have also reduced the tonal element of the noise emissions from the unit.
- 10.18 The objectors to the application have provided an acoustic report to substantiate their objection to the scheme. The Council's acoustic officer has assessed this report and has reiterated his comment that the silencers have reduced both the overall sound level and the tonal element of the sound, and has also raised some queries in respect of the methodology used within the report, which uses the lowest background noise reading as the baseline for the assessment of the noise impact.
- 10.19 The council acoustic officer notes the resident's noise report measures one background noise level at potentially the quietest period of the 24 hour day as a representative background sound level. The new version of noise guidance contained within BS4142 does attempt to clarify the typical background sound level to be used and states "*For this purpose, the objective is not to simply to ascertain a lowest measured background sound level, but rather to quantify what is typical during particular time periods*"
- 10.20 The Acoustic officer considers this report to assess the lowest background noise constraint being overly conservatively when applied in this case. It is considered that the applicant's noise report is an accurate and reasonable account of the potential noise impacts of the development in which to assess the case against. It is noted that using differing background noise levels (higher or lower baselines) can significantly impact the noise results and levels in both a positive and negative way. The council must take a reasonable approach in assessing noise details against a reasonable and realistic background level. The current application seeks permission for the silencers only. The existing extract system located within the unit itself produces noise which has been subject of complaints by adjoining residents/users. The proposed silencers are designed to minimise the noise from the existing units located within the unit. The acoustic officer is satisfied that subject to conditions and ongoing monitoring by the noise team that the development can function without a material adverse impact on the amenity levels in terms of noise pollution on adjoining residents/users in this case. The Acoustic officer will be present at the committee meeting on the 28th June to answer any noise enquiries in relation to this application.
- 10.21 Objectors to the scheme have accepted that the silencers have reduced noise emissions from the unit, but have argued that this has facilitated longer opening hours. The fact that the silencers would reduce noise emissions and complaints is considered to be a positive outcome of the development which can be given weight in favour of the application rather than against. The council will investigate the previous opening hours of the unit from historical

records and update members as to what control the council can realistically enact on operating hrs in this case and update committee accordingly.

- 10.22 The proposed roof silencers are therefore considered to be beneficial in terms of their impact on the amount of noise received by neighbouring properties, although it is acknowledged that noise emissions have not been completely reduced. The proposal is therefore considered to be in accordance with policy DM 6.1 of the Development Management Policies 2013.
- 10.23 Respondents to the public consultation have raised the impact of the proposed works on air quality and odour pollution within the area. However, the application seeks consent for the physical silencers and boiler flues on the roof flue, and not the machinery within the unit itself. It is considered that the proposed boiler flues and silencers will significantly improve the odour controls and air quality issues over what may arise if the lawful use still operated without these mitigating features not being in place. A further odour control condition is also suggested by the environmental health officer which has been attached to the suggested conditions number 3. As a further fail safe there remain separate noise and odour controls available to the council under environmental health legislation to control any unacceptable noise or odour nuisances into the future as the use continues to operate.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The existing silencers and boiler flues are considered to be acceptable in terms of their design and impact on the amenity of neighbouring properties in respect of the impact of outlook, sunlight and daylight. Furthermore, while it is acknowledged that the silencers have not completely mitigated the noise emissions from the unit, they have significantly reduced the amount of noise received by neighbouring properties to acceptable overall levels and this can be further secured through detailed conditions.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions and 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:

	Approved Plans List: (Compliance)
1	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[Roof and Ducting Detail (Received 31/03/2016), Site location Plans, Proposed Unit Layout, Pre-Existing Arrangement, Planning Statement]</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>
2	<p>Painting of Silencers</p> <p>A scheme for the painting of the silencers hereby approved shall be submitted to the Local Planning Authority for approval within 2 months of the date of this notice. The scheme shall be carried out in accordance with the details approved within 2 months of the date of the Local Planning Authority's written approval.</p> <p>The approved details shall be maintained thereafter to the satisfaction of the local planning authority.</p> <p>REASON: In order to protect the character and appearance of the area.</p>
3	<p>Odour controls</p> <p>Notwithstanding the plans hereby approved, the flue/stack shall discharge the extracted air no less than 1.0m above the roof eaves of the building to which it is affixed. The flue shall be fitted with fine filtration or Electrostatic Precipitation followed by carbon filtration (carbon filters rated with 0.1 second resistance time) or alternatively fine filtration followed by counteractant/neutralising system to achieve the same level as above.</p> <p>The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned; and any filters and parts requiring cleaning or replacement shall be easily accessible.</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>

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.

The NPPG is also a material consideration in the determination of this application.

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

7 London's living places and spaces

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and
archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS13 Employment Space

C) Development Management Policies June 2013

DM2.1 Design

DM 6.1 Healthy Development

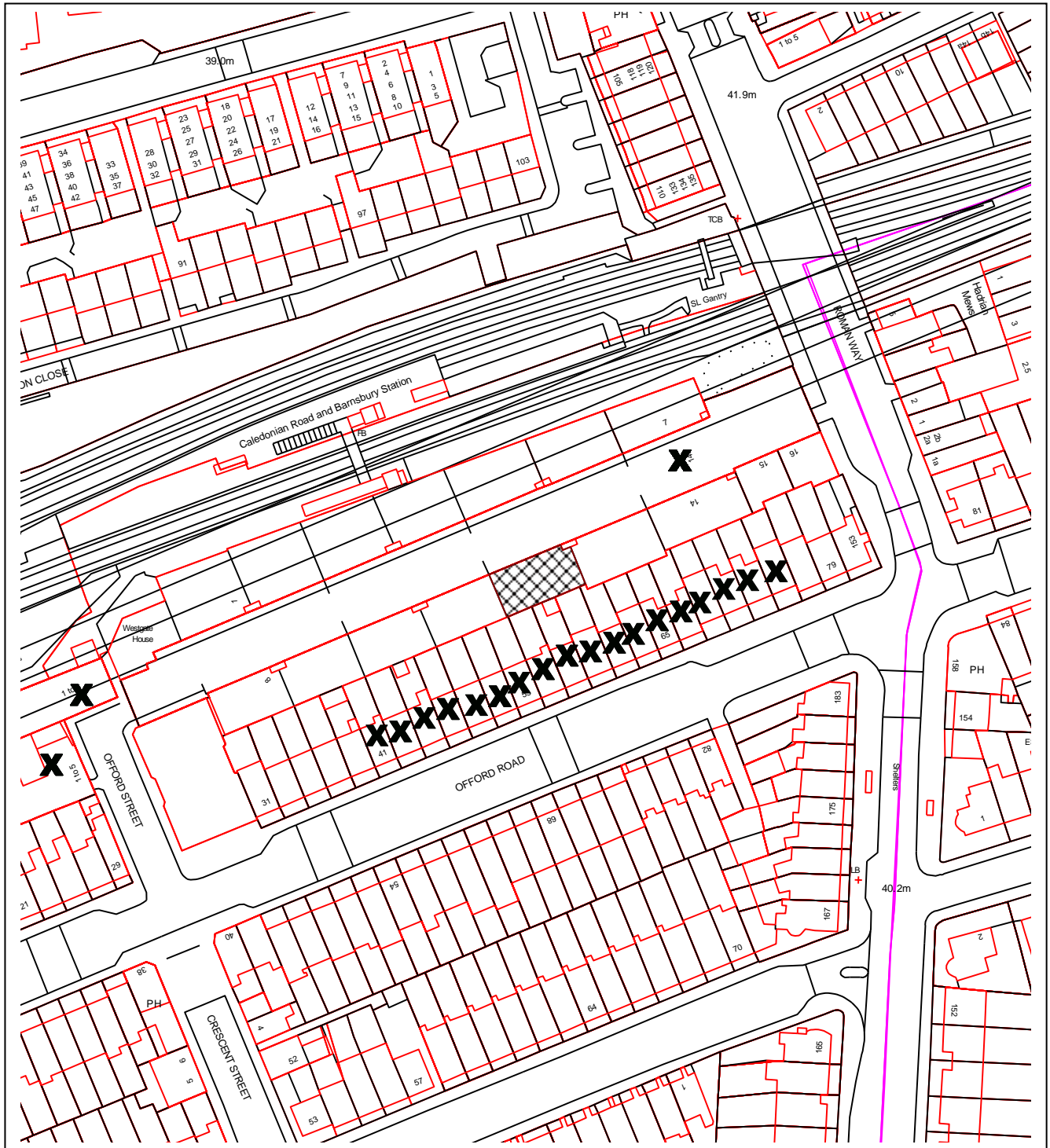
4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Islington Urban Design Guide

Islington SE GIS Print Template



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