

PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	1 st July 2014	NON-EXEMPT

Application number	P2014/1048/FUL
Application type	Full Planning Application
Ward	St Peter's Ward
Listed building	Grade II
Conservation area	Duncan Terrace/Colebrooke Row
Development Plan Context	Angel & Upper Street Key Area, Archaeological Priority Area – Islington Village and Manor House
Licensing Implications	None
Site Address	52 Duncan Terrace, London N1 8AG
Proposal	Replacement of the existing rear basement extension and ground floor terrace with a full width basement level extension and ground floor 2-storey half width rear extension. Replacement of non-original front basement window with 2 no. traditional sash windows and restoration of first floor cast iron balconies [Listed Building Consent application P2014/1153/LBC also submitted]

Case Officer	Thomas Broomhall
Applicant	Mr Paul Doust
Agent	Mr Robert Sterry - Paul Archer Design

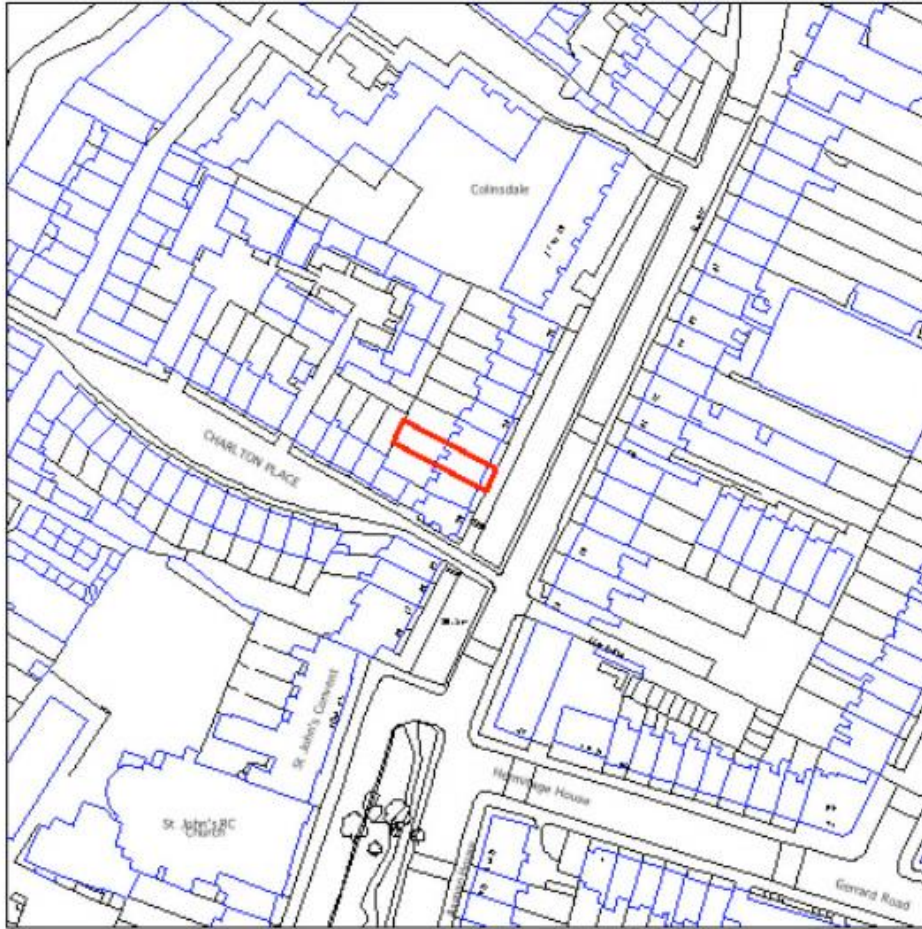
1 RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)

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3. PHOTOS OF SITE/STREET



Image 1 - Aerial view of the site and surroundings



Image 2 - View of front elevation of site



Image 3 – View of rear elevation



Image 4 - View of the rear of the terrace facing north from rear garden



Image 5 – View of rear elevation at basement level



Image 6 – view towards rear elevation of no. 51 from rear garden



Image 7 - View towards rear elevation of no. 51 from rear garden

4 SUMMARY

- 4.1 The application proposes the replacement of the existing rear basement extension and ground floor terrace with a single storey full width basement level extension and 2-storey half width rear extension at ground and first floor level. Replacement of the non-original front basement windows with 2 no. traditional sash windows and restoration of first floor cast iron balconies.
- 4.2 An application for Listed Building Consent ref: P2014/1153/LBC has also been submitted.
- 4.3 The issues arising from the application are the impact on the setting of the listed building, the impact on the character and appearance of the listed terrace and surrounding Duncan Terrace/Colebrooke Row Conservation Area and the impact on the neighbouring amenity of the adjoining and adjacent residential properties.
- 4.4 The proposed basement extension and ground floor 2-storey half width rear extension is considered to be acceptable. The impact of the proposal on the setting of the listed building and on the character and appearance of the listed terrace and surrounding conservation area is considered to be acceptable. The impact on neighbouring amenity of the adjoining and surrounding properties is considered to be acceptable. The application is therefore recommended for approval with conditions.

5 SITE AND SURROUNDING

- 5.1 The property is a three storey over basement mid-terrace Grade II Listed property in a row of 9 similar Listed properties. The property is within the Duncan Terrace/Colebrooke Row Conservation Area. The site is situated fronting onto Duncan Terrace, adjoining the side elevation of Charlton Place to the rear. Duncan Terrace is a predominantly residential street running parallel to Upper Street.

6 PROPOSAL (in Detail)

- 6.1 The proposal is for the replacement of the existing rear basement extension and ground floor terrace with a new full width basement level extension and ground floor 2-storey half width rear extension. Replacement of non-original front basement window with 2 no. traditional sash windows and restoration of first floor cast iron balconies.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 The application follows two previous applications for full planning permission and associated listed building consent which were refused.
- 7.2 **P120441**- *Demolition of existing half width single storey basement level extension and ground floor terrace with external spiral staircase; erection of part two storey full width, part four storey half width rear extension with creation of new window above; excavation to lower floor height of basement and garden; reinstatement of front steel balconies at first floor level; replacement of large front metal casement window at basement level with two timber sash window; together with internal alterations –*

Refused 07/09/2012 [Application for Listed Building Consent (Ref: P120442) also refused]

7.3 The applications were refused for 2 reasons relating to:

1. Impact upon the listed building and conservation area
2. Impact upon amenity of 51 Duncan Terrace

7.4 Planning application P120441 and application for listed building consent P120442 were appealed and dismissed (May 2013).

7.5 **P2013/4093/FUL** - *Replacement of existing rear basement extension and ground floor terrace with new basement extension and ground floor 2 storey closet wing; minor alterations to internal walls at basement and ground floor level; replacement of 1950's front basement window with 2 no. traditional sash windows; restoration of first floor cast iron balconies. Refused 21/01/2014 [application for listed building consent P2013/4163/LBC also refused]*

7.6 These applications were refused for one reason relating to:

1. Impact upon listed building and conservation area

ENFORCEMENT:

7.7 None

PRE-APPLICATION ADVICE:

7.8 A pre-application meeting took place between the Case Officer, Design and Conservation Officers and the agent prior to the submission of the latest application to discuss the reasons for refusal of the previous application and the amendments required to comply with the Council's policies with regards to protecting and enhancing the historic fabric of the listed building and adjoining listed terrace.

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 19 adjoining and nearby properties at Duncan Terrace and Charlton Place on 8 April 2014. A site notice was displayed on 10 April 2014. A Press Notice was displayed on 10 April 2014. The initial round of public consultation of the application therefore expired on 1 May 2014.

8.2 At the time of the writing of this report a total of 6 objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Harm to the appearance of the rear of the listed building (See paragraph 10.2)
- Rear extensions are a Victorian innovation and therefore out of keeping with the existing Georgian property. (See paragraph 10.8)
- Proposed rear window lacks astragal bard and is the wrong position for a modern element (See paragraph 10.9)

- No other houses in terrace have steps in front lightwell and no evidence that the original house had steps. (See paragraph 10.10)
- Proposed balconies to match those at no. 54 have no historical relevance (See paragraph 10.5)
- Increase in direct overlooking, loss of privacy and loss of light to the rear gardens of no's 19, 23 and 25 Charlton Place. (See paragraphs 10.12-10.16)
- Increase in noise disturbance to on rear garden and rear bedroom of 25 Charlton Place. (See paragraph 10.17)
- Loss of privacy and light to the rear of no. 51 Duncan Terrace. (See paragraphs 10.12-10.16)
- Loss of privacy to garden of 53 Duncan Terrace (See paragraphs 10.12-10.16)
- Use of flat roof of rear basement extension as a roof terrace. (See paragraph 10.15)
- Loss of open space and loss of green space and impact on ecology and habitat in rear garden and surrounding properties (See paragraph 10.19)
- Structural damage to the 51 Duncan Terrace and 23 and 25 Charlton Place. (See paragraph 10.20)
- Impact on party wall and drainage pipes under basement (See paragraph 10.20)
- Impact of dirt, pollution and noise from building works. (See paragraph 10.20)

External Consultees

8.3 No comments received.

Internal Consultees

8.4 **Design and Conservation** - the proposal is considered to be acceptable subject to 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 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

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

Designations

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

Archaeological Priority Area - Islington Village and Manor House
Duncan Terrace/Colebrooke Row Conservation Area
Angel & Upper Street - Key Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

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

Impact on the Setting of the Listed Building

- 10.2 The removal of the existing non-original single storey rear extension is considered to be acceptable. The principle of the rear extension is acceptable and is subordinate to the mass and height of the main building. The proposal accords with section 2.5 of the Islington Urban Design Guide and paragraphs 3.20 and 3.21 of the Duncan Terrace/Colebrooke Row Conservation Area Design Guidelines. Following the previously refused scheme (References: P2013/4163/LBC and P2013/4093/FUL) amendments were made to the design of the rear extension and this is now considered to be acceptable and is supported by the Council's Design and Conservation Team.
- 10.3 Externally the two sided glazed window at ground floor level on the corner of the proposed rear extension which was considered unacceptable on the previous scheme, has been removed from the latest application. Instead the proposed window at ground floor level on the proposed two storey rear extension follows the traditional pattern of fenestration on the rear elevation on the upper floors in terms of position and proportions and uses a slate window reveal. The proposed window is now considered to be sympathetic to the character of the building and the conservation area and is acceptable.
- 10.4 The proposed glazed balustrade at ground floor level and planting on the flat roof of the proposed extension which were unacceptable on the previous scheme, have also been removed from the latest application. The existing metal balustrade on the rear elevation at ground floor level will be replaced with a steel balustrade. The Design and Conservation Officers have requested a condition requiring further details to be submitted in order to ensure its acceptability.
- 10.5 The proposed reinstatement of the balconettes to the front elevation at first floor level would match those at no. 54 Duncan Terrace. This is welcomed by the Council's Design and Conservation Team as an improvement to the existing appearance of the front elevation of the property due to the design and use of materials. It is recommended that a condition is attached requiring the proposed ironwork at first floor level to match those to no. 54 Duncan Terrace.

- 10.6 The replacement of the metal casement window to the front elevation at lower ground floor level with two sash windows to match the existing sash windows to the second floor is considered to be acceptable.
- 10.7 The proposed security grilles proposed to be installed to the front windows at lower ground floor level are considered to be unacceptable as they are harmful to the setting of the listed building and surrounding conservation area. If additional security is required at this level then internal security grilles may be installed. It is recommended that a condition is attached to the grant of consent stating this.
- 10.8 An objection was received stating that rear extensions are a Victorian innovation and therefore the proposed extension is out of keeping with the existing Georgian property. The principle of the rear extension is acceptable and accords with the Islington Urban Design Guide and Conservation Design Guidelines as referred to in paragraph 6.3 of this report. A number of rear extensions have been approved on the rear elevation of the properties which form the listed terrace from no's 50 to 58 Duncan Terrace. Therefore as it would be unreasonable to refuse the application on this basis and the principle of the proposed rear extension is acceptable in policy terms.
- 10.9 An objection was received stating that the proposed rear window lacks astragal bard and is the wrong position for a modern element. Paragraph 3.11 of the Duncan Terrace Conservation Area Design Guidelines states that: 'In considering applications for extensions and refurbishment in conservation areas, the Council will normally require the use of traditional materials. For new development, materials should be sympathetic to the character of the area in terms of form, colour and texture.' The proposed window at ground floor level on the proposed two storey rear extension follows the traditional pattern of fenestration on the rear elevation on the upper floors in terms of position and proportions and uses a slate window reveal. With this in mind the proposed window is considered to be sympathetic to the character of the building and the conservation area and is acceptable.
- 10.10 The proposed steps to the front lightwell are uncharacteristic of the listed terrace are considered unacceptable unless sufficient justification can be provided to support this proposal. It is recommended that a condition is attached to the grant of consent requiring sufficient justification to be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing.

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

- 10.11 The principle of the proposed extension is established and is accepted as discussed in paragraphs 10.2 and 10.8. The proposed extension preserves the special architectural and historic interest of the building and adjoining listed terrace. The design and appropriate use of materials for the proposed rear extension ensures it does not have a harmful impact upon the wider conservation area.

Neighbouring Amenity

- 10.12 The Planning Inspector dismissed the appeals against the refusal of applications P120442 and P120441 on 20th May 2013.

10.13 The Inspector's decision letter considered the impact on levels of daylight and outlook at the rear of no. 51 and concluded that:

'The development would not unreasonably harm the living conditions of adjacent residents.'

- 10.14 The latest revised scheme maintains the same depth and height on the proposed rear extension as the previously appealed scheme, and retains the balcony at ground floor level where a glazed structure was proposed on the original scheme. The balcony will occupy the same depth and position as the existing balcony, recessed from the existing extension at no. 53 with a steel balustrade in place of the existing metal railing. Therefore in response to the objections over neighbouring amenity, as there will be no increase in levels of overlooking from the existing balcony from the existing situation on site, it would be unreasonable to consider there to be an adverse impact on neighbouring amenity and therefore this element of the application is acceptable.
- 10.15 The concerns over the use of the roof of the proposed basement extension as a roof terrace are not sustainable given the position of the steel balustrade. The use of planting on the flat roof of the extension has been removed from the latest application.
- 10.16 In summary, given the inspector's decision found that the original development would not unreasonably harm the living conditions of adjacent residents, the objections received concerning loss of privacy, overlooking and loss of daylight are not considered substantial.
- 10.17 An objection was raised over a potential increase in noise disturbance to the rear garden and rear bedroom of 25 Charlton Place. As discussed in paragraphs 10.14 and 10.15, the extent of the existing rear balcony at ground floor level will be maintained. There is not proposed to be an increase in the intensity of the use of the residential property as a single dwelling house as a result of the proposed works, and therefore there is no justification to suggest an increase in disturbance from noise would occur. The concerns over increase in noise disturbance would not be sustainable at appeal and therefore the impact on neighbouring amenity from the proposal is acceptable in accordance with part (x) of Policy DM2.1.

National Planning Policy Framework

10.18 The scheme complies with the provisions of the NPPF and local policy, and is in accordance with statutory and material considerations.

Other Matters

10.19 An objection was received regarding a loss of open space and loss of green space and impact on ecology and habitat in rear gardens of surrounding properties. Consideration was given to the increase in the footprint from the proposed extension, the extent of the garden which would be excavated and the extent of the planting and green space within the existing rear garden. The proposal is considered to accord with the requirements of policies DM2.3 with regards to the protecting of garden space, DM6.3 with regards to the protecting of open space and DM6.6 with regards to run-off and flood prevention. There is not considered to be a harmful impact in terms of loss of garden space or green space as to sustain a refusal on this basis and therefore this element of the proposal is acceptable.

10.20 Objections were raised concerning potential structural damage to 51 Duncan Terrace and 23 and 25 Charlton Place as well as the impact on the party wall and drainage pipes under basement. However, this is not a material planning consideration and would be dealt with under other legislation. Concerns were also raised over potential damage during construction works however this is also not a material planning consideration and would be dealt with under other legislation.

11 SUMMARY AND CONCLUSION

Summary

11.1 The impact of the proposal on the setting of the listed building and adjoining listed terrace is considered to be acceptable, as is the impact on the character and appearance of the surrounding conservation area. The impact of the proposal on the neighbouring amenity of the adjoining and adjacent properties is considered to be acceptable.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to conditions:

List of Conditions:

1	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>535.001, 535.101, 535.102, 535.103, 535.104, 535.105, 535.106, 535.201/3A, 535.202/3, 535.203/3, 535.211/3, 535.212/3, 535.221/3, 535.222/3, Design and Access Statement Job Ref: 535 March 2014 Rev: A, Heritage Statement Job Ref: 535 March 2014 Rev: A</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	<p>CONDITION: Notwithstanding the plans hereby approved the proposed ironwork to the first floor shall accurately replicate in terms of material, profile and detail those surviving to no. 54 Duncan Terrace.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	<p>CONDITION: Notwithstanding the plans hereby approved the new sash windows to the front elevation at lower ground floor level shall accurately replicate, in terms of material, profile and detailing, the original late-Georgian windows surviving to the property. They shall be painted timber, double-hung 6/6 sash windows with a slim profile and narrow integral (not applied) glazing bars with a putty finish (not timber bead). The glazing shall be 'crown glass' and no greater than 11mm (3mm outer glass : 4mm gas : 4mm inner glass) in total thickness. No horns, trickle vents or metallic/perforated spacer bars are permitted.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
6	<p>CONDITION: Notwithstanding the plans hereby approved and the provisions of condition 2, no consent is granted for the steps to the front lightwell area unless</p>

	<p>sufficient justification is submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset</p>
7	<p>CONDITION: Notwithstanding the plans hereby approved no consent is granted for the security grilles to the front windows as basement level.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset</p>
8	<p>CONDITION: Notwithstanding the plans hereby approved and the provisions of condition 2, no consent is granted for the proposed balustrade for the balcony to the rear elevation at first floor level. The balustrade shall either be a metal balustrade which replicates the design of the proposed balconettes to the front or alternatively a glazed balustrade. Details of an alternative design shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset</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 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

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

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

B) Islington Core Strategy 2011

Policy CS8 (Enhancing Islington's Character)

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

C) Development Management Policies June 2013

DM2.1 Design
DM2.3 Heritage
DM6.6 Flood Prevention

3. Designations

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

Islington Local Plan

Angel & Upper Street Key Area,
Archaeological Priority Area – Islington Village and Manor House

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Urban Design Guide

Duncan Terrace/Colebrooke Row

Conservation Area Design Guide