

## PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department

<b>PLANNING SUB COMMITTEE B</b>		<b>Agenda Item: B3</b>
<b>Date:</b>	2 October 2018	<b>NON-EXEMPT</b>

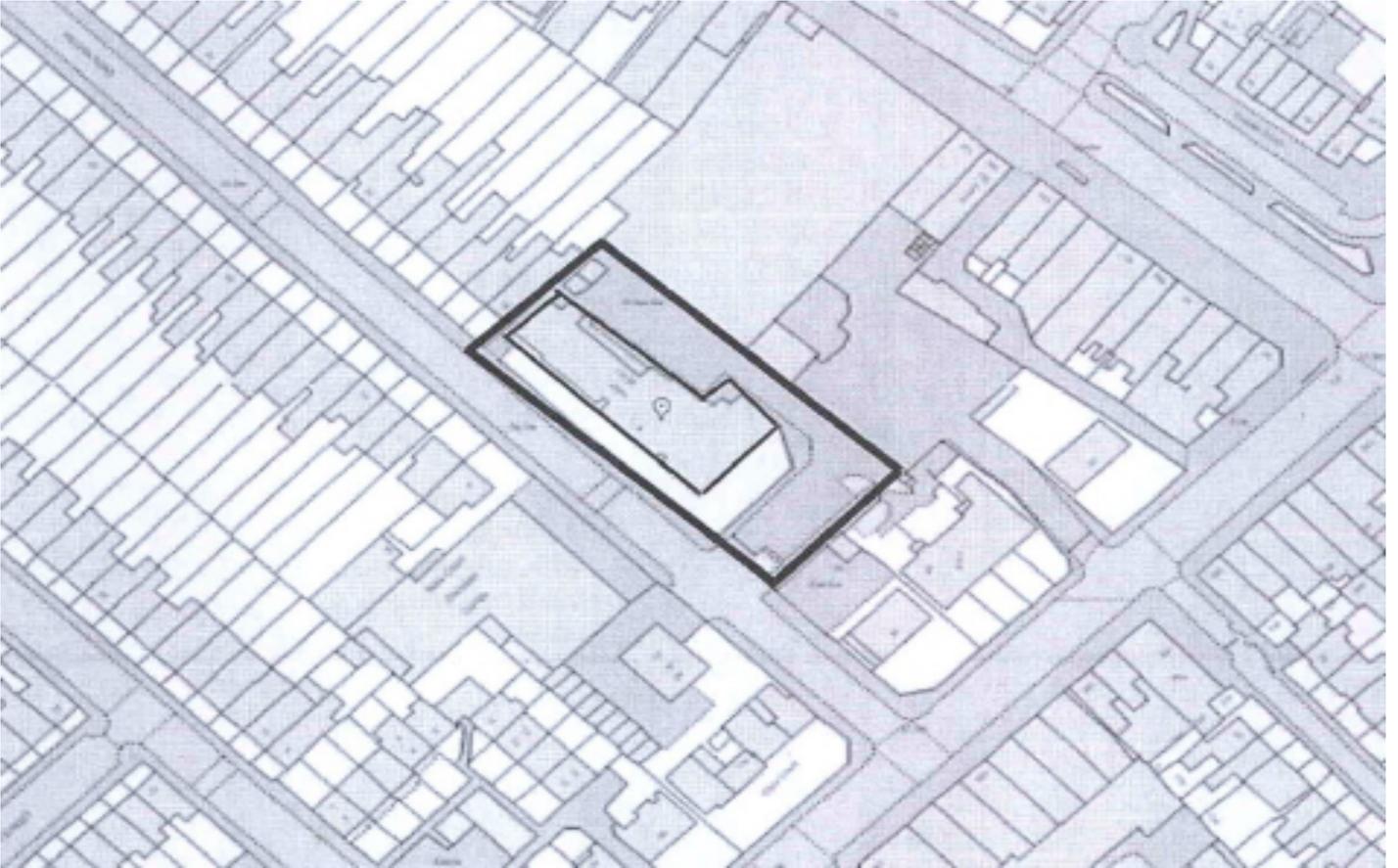
Application number	P2016/4705/FUL (Council's own)
Application type	Full Planning Application
Ward	Tollington
Listed building	Not Listed
Conservation Area	Within 50m of Conservation Area (Stroud Green and Tollington Park)
Development Plan	Local Cycle Route
Licensing Implications	None
Site Address	1-42 Saltdene, 2 Regina Road, London, N4 3PR
Proposal	Replacement of existing single glazed timber windows with uPVC double glazing.

Case Officer	Yusif Yusifzada
Applicant	Islington Council
Agent	Mears Group

### 1. RECOMMENDATION

- 1.1 The Committee is asked to resolve to **GRANT** planning permission - subject to the conditions set out in Appendix 1.

**2. SITE PLAN**



**3. PHOTO OF SITE/STREET**



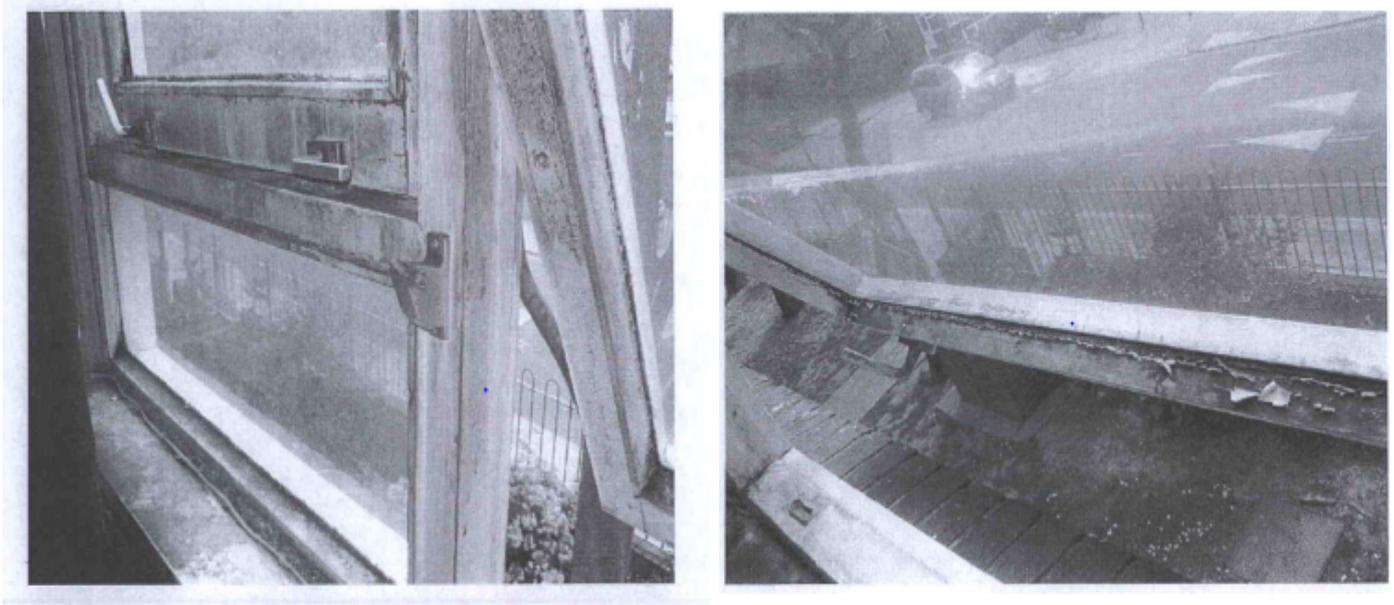
**Image 2:** Aerial View of the Application Site (Saltdene Estate).



**Image 3:** Existing East Elevation of Saltdene Estate.



**Image 4:** Existing West Elevation of Saltdene Estate.



**Image 5:** Current Condition of windows No.11 and No.13 Saltdene

#### **4. SUMMARY**

- 4.1 Planning permission is sought for the replacement of existing single glazed timber windows with double glazed UPVC windows. The key considerations in determining the application relate to the impact on the appearance of the existing buildings and on the character and appearance of the surrounding area, as well as sustainability.
- 4.2 The application is brought to committee because estate owned by the London Borough of Islington.
- 4.3 The application site relates to a residential block, which is situated within the Regina Road; namely No.s 1– 42 Satdene. The building elevation, which fronts the Regina Road, feature single glazed timber windows. The application site is not listed and site is not located within a conservation area.
- 4.4 It is also considered that the proposed UPVC windows and the provision of double glazing would improve the sustainability and thermal efficiency of the residential units. As such, the proposal is considered acceptable and is recommended for approval subject to conditions, in accordance with policies DM2.1, DM7.2 and DM7.4 of the Development Management Policies.

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

- 5.1 The application site is located on the north side of Regina Road, close to the junction with Tollington Park. The host building is six storey purpose build block of flats which was constructed in the 1970s and are used for residential purposes.
- 5.2 The application site is not listed and is not within conservation area. However, the host building sits in between two conservation area, Stroud Green Conservation Area lies to the west and Tollington Park lies to the east. The immediate surrounding area is predominantly residential with exhibit differing architectural qualities and styles, including some late Victorian properties.
- 5.3 A total of 42 flats are situated within this host building.

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

6.1 Planning consent sought for the replacement of the existing single glazed timber windows with double glazed UPVC windows including trickle vents. The proposed replacement windows are similar in appearance and colour, however, would differ in terms of materials. The materials proposed would be UPVC double glazing.

## **7. RELEVANT HISTORY**

7.1 **991491:** Installation of safety guardrails to roof (Approved 12/10/1999)

7.2 **P080722:** To erect thin wall flue on the outside of Saltdene Adjacent to boiler house. The flue is fitted vertically from ground to approximately 1 metre above roof line (Approved 26/06/2008)

### **ENFORCEMENT:**

7.3 None Relevant.

### **PRE-APPLICATION ADVICE:**

7.4 None.

## **8. CONSULTATION**

### **Public Consultation**

8.1 Letters were sent to occupants of 137 adjoining and nearby properties on 14 December 2016. As a result, the public consultation of the application therefore expired on 06 January 2017, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report, 1 letter of support had been received from the public with regard to the application. The comments are summarised as followed:

8.3 The current windows are poor with draught leaking out from each and every window, therefore, the current windows in need of replacement.

### **Internal Consultees**

8.4 None

### **External Consultees**

8.5 None.

## **9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES**

9.1 Islington Council (Planning Sub-Committee B), in determining the planning application has the following main statutory duties to perform:

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- As the development affects the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any

features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;

- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

9.2 National Planning Policy Framework (NPPF): Paragraph 14 states: “at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay...”

9.3 At paragraph 7 the NPPF states: “that sustainable development has an economic, social and environmental role”.

9.4 The National Planning Policy Framework 2018 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.

9.5 Since March 2014 Planning Practice Guidance for England has been published online.

9.6 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

9.7 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

9.8 Members of the Planning Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.

9.9 The Quality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

## **National Guidance**

- 9.10 The National Planning Policy Framework 2018 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.
- 9.11 The National Planning Practice Guidance is a material consideration and has been taken into account as part of the assessment of the proposal.

## **Development Plan**

- 9.12 The Development Plan is comprised of the London Plan 2016, 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.
- 9.13 Some weight is attributable to the Draft London Plan.
- 9.14 This report considers the proposal against the following development plan policies and documents

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

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

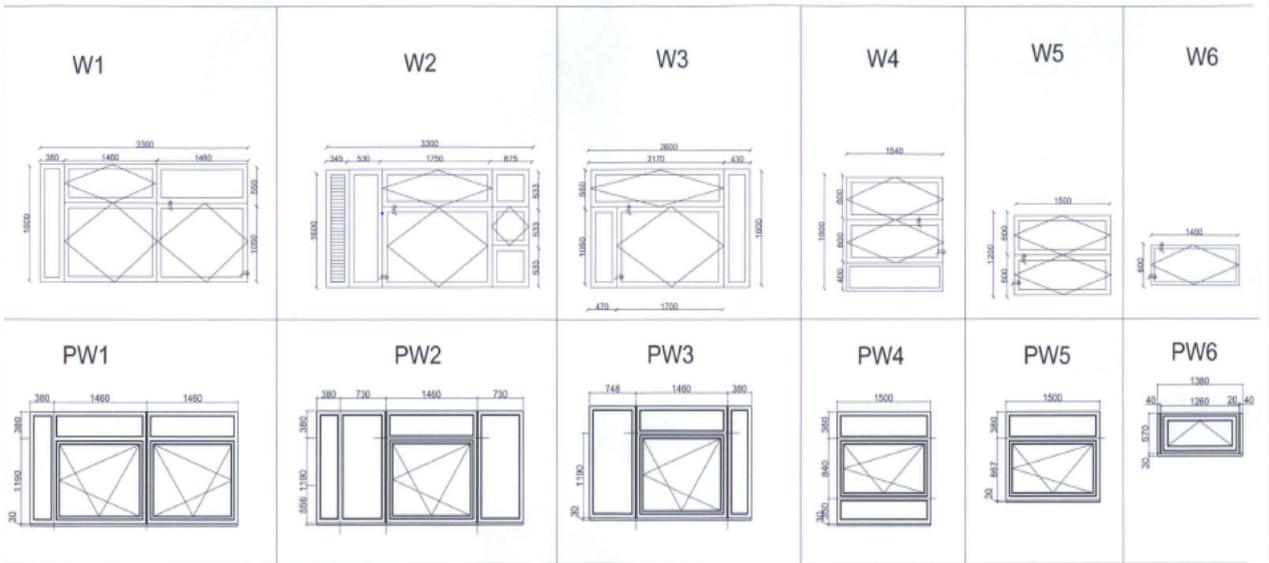
## **10. ASSESSMENT**

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

- Design
- Neighbouring Amenity
- Sustainability

### **Design**

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which serves to compliment the character of the area. In particular, 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.
- 10.3 The host building is six storey purpose build block of flats which was structured in the 1970s and are used for residential purposes. The properties adjoining and adjacent to the western side of Regina Road are mainly late Victorian terrace style development with traditional timber sash windows. Furthermore, the double glazed frames often need to be thicker to compensate for the increased weight of the additional glazing, which can impact on the external appearance of the building. The existing building contains single glazed timber framed windows, which are currently in a poor state of repair, therefore, require replacement. The change of materials would not result in an unacceptable degree of visual harm to the appearance of the building or to the character and appearance of the area, particularly having regard to the significant variation in building style, age and materials immediately in the vicinity.
- 10.4 A sample has been provided to Council officers. Should planning permission be granted, a condition outlining that the materials be consistent with the details provided in this application would be imposed (Condition 3). Image 6 show a comparison between the existing and proposed window frames. As shown below, the window frames would be similar in appearance and thickness to the existing windows. Officers have noted the overall thickness of the existing timber frame (see image 7) and also note the current disrepair of some windows as highlighted in image 5 above.



**Image 6:** Examples of the proposed window design



**Image 7:** Timber window Thickness

10.5 The proposed replacement works would achieve a more consistent and uniform fenestration design. Given the overall thickness of the existing frames and the general condition, Officers are satisfied that the replacement UPVC would not significant harm to the character of the existing building. Furthermore, the building is located sufficient distance outside the conservation areas to harm their overall setting. Therefore, it is considered that the replacement windows would improve

the appearance of the post-war flat development with its uniform design approach and would not have undue harm to the character and appearance of the surrounding area.

- 10.6 Given the above, the proposal is considered to be consistent with the aims of the Council's policies on design and to accord with policies 7.6 (Character) of the London Plan 2016, policy CS8 (Enhancing Islington's character) of the Core Strategy 2011 and policy DM2.1 of the Development Management Policies 2013.

### **Neighbouring Amenity**

- 10.7 Policy DM2.1 of the Development Management Plan states that development should not have an adverse impact on neighbouring amenity in terms of overshadowing, overlooking, privacy, direct sunlight and daylight, over dominance and sense of enclosure.
- 10.8 The application proposes the replacement of the existing windows, which will be within the same openings. As no additional windows or doors will be installed, it is not considered that the proposal will have a detrimental impact on the amenity of any adjoining occupiers by way of overlooking or loss of privacy. As such, it would comply with policy DM2.1 of the Development Management Policies 2013.

### **Sustainability**

- 10.9 The proposed double glazed uPVC windows would serve to improve the thermal efficiency of each individual residential unit, thereby contributing to reductions in carbon emissions, energy usage and would assist in combatting fuel poverty.
- 10.10 In light of the above, the proposal is compliant with Policy DM7.2, which requires developments to be energy efficient in design and specification.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed replacement windows would improve the appearance and provide more consistent fenestration for the elevations subject to this application. Due to the specific details of units proposed and variety of building styles, age and materials extant, the proposal is considered to be acceptable in this instance. It is considered that the proposed frames would not be substantially different to those existing in the building.
- 11.2 The proposed development is considered to accord with the policies of the National Planning Policy Framework 2018, the London Plan 2016, the Islington Core Strategy 2011, the Development Management Policies 2013 and Supplementary Planning Documents and as such is recommended for approval subject to appropriate conditions.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That the Sub Committee resolve to GRANT planning permission subject to conditions to secure the following:

#### List of Conditions:

<b>1</b>	<b>Commencement</b> CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
<b>2</b>	<b>Approved plans list</b> CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  Design and Access Statement (September 2016); Existing Elevation (No-001), Existing Elevation (No-002), Existing Elevation (No-003), Existing Elevation (No-004), Proposed Elevation (No-011), Proposed Elevation (No-012), Proposed Elevation (No-013), Proposed Elevation (No-014), Existing Window Schedule (No-WDS 001), Section Detail (No – 000), Existing & Proposed windows Schedule (No-000), Proposed Window Schedule (No- WDS 011), Site Location Plan:  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.
<b>3</b>	<b>Materials</b> CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans. 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.

#### List of Informatives:

<b>1</b>	It is recommended that you obtain technical advice regarding building control matters during the early stages of project design, and Islington Building Control has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant building control regulations, please contact Andrew Marx on 0207 527 5999 or by email at <a href="mailto:building.control@islington.gov.uk">building.control@islington.gov.uk</a> .
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## **APPENDIX 2: RELEVANT POLICIES**

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

### **1 National Guidance**

The National Planning Policy Framework 2018 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 2016, 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 2016 - Spatial Development Strategy for Greater London**

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)

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

**Design and Heritage**  
Policy DM2.1 Design

**Energy and Environmental Standards**  
Policy DM7.1 Sustainable design and construction  
Policy DM7.2 Energy efficiency and carbon reduction in minor schemes  
Policy DM7.4 Sustainable Design Standards

### **3. Designations**

Local Cycle Route

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

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan**
- Urban Design Guide (2017)
- London Plan**
- Sustainable Design and Construction