

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB COMMITTEE A	Agenda Item; B3
Date: 30 October 2018	NON-EXEMPT

Application number	P2018/1955/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	2A Regina Road, London, N4 3QH
Proposal	Replacement of all the buildings main elevations single glazed timber windows with uPVC double glazed casement windows.

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



2A REGINA ROAD SHOWN OUTLINED IN RED, WITH NEIGHBOURING BLOCK 1-42 SALTDENE (2 REGINA ROAD) OUTLINED IN BLUE, SUBJECT OF IDENTICAL PROPOSED UPVC WINDOW RENEWAL GRANTED CONSENT UNDER APPLICATION P2016/4705/FUL.

3. PHOTO OF SITE/STREET

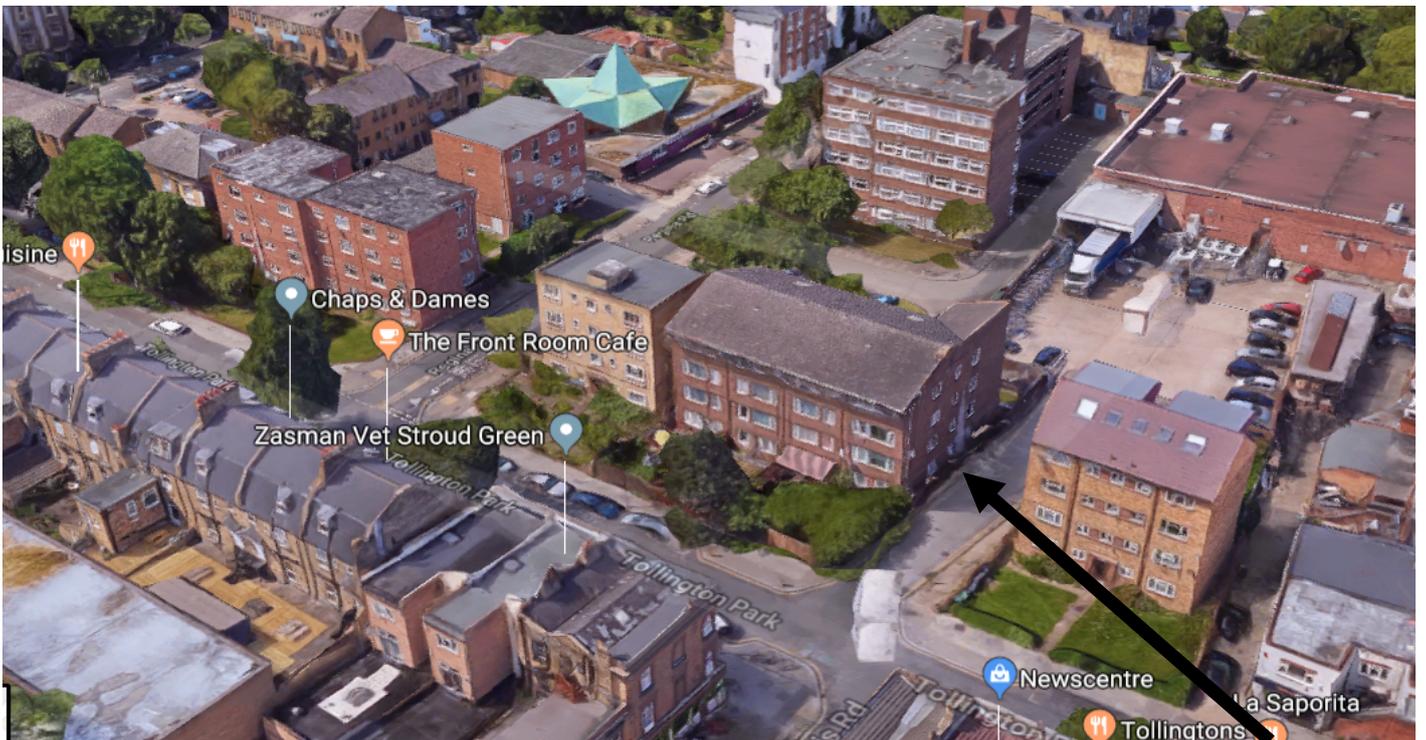


Image 2: Aerial View of the Application Site (2A Regina Road).

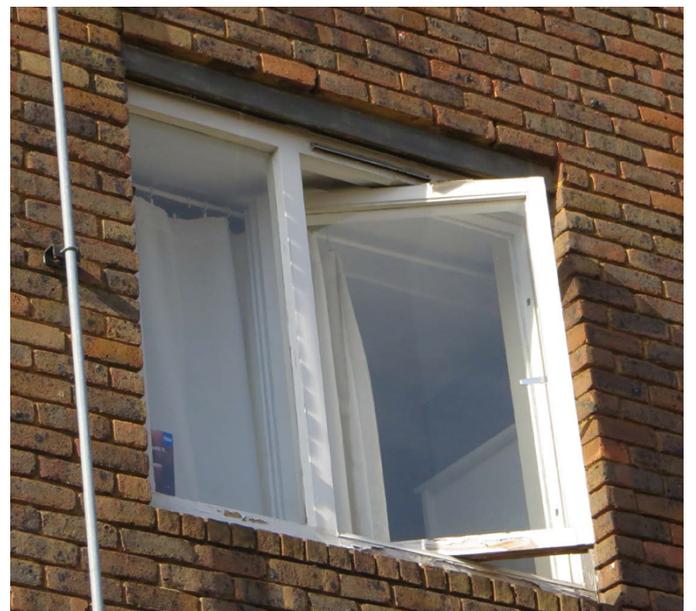
Application site



Image 3: Existing West Elevation of 2A Regina Road



Image 4: Existing East Elevation of 2A Regina Road.



4. SUMMARY

- 4.1 Planning permission is sought for the replacement all elevation of existing single glazed timber windows with white double glazed casement 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 as it is Council's own property.
- 4.3 The application site relates to a residential block, which is situated within the Regina Road The building elevation, which fronts the Tollington Park 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.

5. SITE AND SURROUNDING

- 5.1 The host building is located on Regina Road, close to the junction with Tollington Park. The host building is four storey purpose build block of flats which was constructed in the 1970 and is used for residential purposes. The block is set within its own grounds with a grassed area and railings to the frontage overlooking an access roadway and car parking area shared with Saltdene, with its entrance on Regina Road and with the rear elevation overlooking Tollington Park with rear gardens bounded by close boarded timber fencing. The surrounding area is predominantly residential, with a mixture of purpose-built, social housing blocks as well as, late Victorian terraced housing. There is a large number of commercial premises nearby on Tollington Park and the very busy main shopping and traffic thoroughfare of the A1201 Stroud Green Road to the east of the subject property.
- 5.2 The host building is not listed and is not within conservation area. However, host building sits in between two conservation area, Stroud Green lies to the west and Tollington Park lies to the east.
- 5.3 A total of 16 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. As a new double glazed unit will be used.
- 6.2 The table below outlines the applicants design process sin evaluating and choosing the current windows design and final materials for the proposal.

The following table gives an at-a-glance overview of the considerations – contextual, aesthetic, material and performance – which have contributed to the design proposals which form the subject of this application:

CONSIDERATION	RELEVANT ISSUES	COMMENT
Local Environment	<ul style="list-style-type: none"> • Building type / year - • Conservation Area / Article 4 • Listed Building – 	Low rise block / 1979 No/No No
Current design / material	<ul style="list-style-type: none"> • Material – • Glazing - • Fenestration pattern – • Window profile thickness - 	Softwood timber / aluminium Single Pivot casement/sliding sash 110-125mm
Proposed design / material	<ul style="list-style-type: none"> • Material – • Glazing – • Fenestration pattern – • Sash profile thickness - 	UPVC Double Casement 105-122mm
Security	<ul style="list-style-type: none"> • Existing – • Proposed - 	Aluminium stays Secured by design (SBD)
Thermal Performance	<ul style="list-style-type: none"> • Existing – • Proposed - 	Extremely poor Current L1B standard
Ventilation	<ul style="list-style-type: none"> • Existing - • Proposed - 	Opening lights/trickle vents Opening lights/trickle vents
Maintenance	<ul style="list-style-type: none"> • Existing - • Proposed - 	Cyclical repair & decoration Lubricate/ease & adjust

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)

7.3 **P2016/4705/FUL (Saltdene Estate)** - Replacement of existing single glazed timber windows with uPVC double glazing. (Approved with condition 18/10/2018).

ENFORCEMENT:

7.4 None Relevant.

PRE-APPLICATION ADVICE:

7.5 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 49 adjoining and nearby properties on 21 June 2018. As a result, the public consultation of the application therefore expired on 16 July 2018, 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 two objections have been received from the public with regard to the application. The comments are summarised as followed:
- 8.3 Objection has been raised regarding sustainability of the proposed windows. Officers comment: *"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. Furthermore, the proposal is compliant with Policy DM7.2, which requires developments to be energy efficient in design and specification."*
- 8.4 Objection has been raised regarding how uPVC disposed when it comes to an end of life span. Officers comment *"The chosen UPVC window high-quality, high-performance product which contains a large percentage of recycled materials The life-expired windows will – after 40+ years of average life expectancy – also be almost 100% recyclable"*.

Internal Consultees

- 8.5 None

External Consultees

- 8.6 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 2018, 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 block is of traditional cavity wall construction with an L-shaped plan form featuring two shallow bays containing the communal front entrances and staircases to the upper units, with the ground floor units accessed from dedicated front entrance doors. The block is finished in dark brown and yellow stock brickwork beneath a concrete-tile covered pitched roof featuring a deep T&G varnished box soffit and fascia. The windows are a combination of single glazed painted timber pivot casements and composite timber framed sliding sash windows with aluminium sliding openers to upper floors to the rear (Tollington Park) elevation. Windows have trickle vents and all are recessed back with brick reveals and set beneath concrete lintels that have been dressed with lead.
- 10.4 The host building is four storey purpose build block of flats which was structured in the 1970's and are used for residential purposes. 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.

- 10.5 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: Timber window Thickness

- 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 The chosen UPVC window product is a high-quality, high-performance, which contains a large percentage of recycled materials in the manufacturing process. The life –expired windows will - after 40+ years of average life expectancy –also be almost 100% recyclable. Other material improvements offered by this proposal will include vastly improved weather tightness and thermal efficiency leading to increased comfort and reduced financial hardship for residents. It is noted that extensive insulation works have been carried out to other building elements such as cavity walls and roof spaces which are likely to exacerbate problems with the original windows and doors as these now constitute the only significant remaining cold bridges within these properties, leading to condensation and mould. Finally, the new windows and doors will offer a substantial improvement in sound insulation – important given the high traffic volumes on Tollington Park and the nearby busy A1201 Stroud Green Road, which features several main bus routes.
- 10.11 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 not considered that the proposed frames would 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:

1	Commencement 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).
2	Approved plans list CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: Design and Access Statement (October 2018); Existing Elevation (REG001), Existing Elevation (REG002), Existing Elevation (REG003), Existing Elevation (REG004), Proposed Elevation (REG-011), Proposed Elevation (REG-012), Proposed Elevation (REG-013), Proposed Elevation (REG-014), Existing Window Schedule (EX-SCH), Proposed Section (PRO SECS) 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.
3	Materials 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:

1	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 building.control@islington.gov.uk .
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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