

ADDENDUM TO PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE A		AGENDA ITEM : B2
Date:	30 th October 2018	NON-EXEMPT

Application number	P2017/4766/FUL
Application type	Full Planning Application
Ward	Finsbury Park Ward
Listed building	N/A
Conservation area	N/A
Development Plan Context	Nags Head an Upper Holloway Core Strategy Key Area Within 100m of TLRN Within 50m of Mercers Road/Tavistock Conservation Area Article Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	29 Windsor Road, Islington N7 6JG
Proposal	Conversion of single family dwelling house into 3 self-contained residential units (1x3 bed, 1x studio and 1x 2 bed) plus the excavation of basement, front lightwell and rear courtyard erection of basement, ground and first floor rear extensions and roof extension, proposed bin and bicycle storage to the garden and associated alterations.

Case Officer	Jessica Robinson
Applicant	Mr S Dabasia
Agent	Mr Sean Zhiying Xu

RECOMMENDATION

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

- i) Updated and additional conditions set out within this addendum report and Recommendations contained within in Appendix 1; and
- ii) Prior 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. REASONS FOR DEFERRAL

2.1 This application was previously discussed at the Planning Sub-Committee A meeting on 19th June 2018 where objectors were given the opportunity to speak.

2.2 In the discussion the following points were made:

- The Planning Officer advised that since publication of the agenda two letters of objection had been received no additional updates had been received.
- Members were advised that the intensification of residential use resulting in 2 residential units was acceptable in principle at this location and conducive with the existing surrounding residential character. In addition the Planning Officer informed Members that the proposal would not prejudice the residential amenity of neighbouring properties in so far as loss of light, outlook or increased sense of enclosure.
- Members were informed that the applicants has agreed in principle to a small sites affordable housing contribution of £100,000.
- Concerns were raised by residents objecting to the proposal regarding the impact of a basement excavation was expressed especially as it was considered to possibly result in structural damage to adjacent properties and granting permission would be setting a precedent for an increase in planning applications for basement excavations. The objector informed Members that no other dwelling in the neighbourhood has a front lightwell.
- Members asked what Annual Daylight Factor the proposed basement level windows achieved, however officers did not have the information and the applicants were not in attendance to respond. Members also raised concerns regarding the limited outlook and increased enclosure to the proposed front bedroom window for the proposed basement and ground floor unit and its adverse impacts on the quality of the proposed accommodation.
- Councillor Picknell proposed a motion to defer as the applicant was not available at the meeting to respond to objectors concerns, nor to respond to the question on ADF levels to the proposed basement rooms which is a fundamental requirement to ascertain the quality of the resulting accommodation. This was seconded by Cllr Graham and carried.

3. UPDATES FOLLOWING COMMITTEE 19th June 2017

3.1 Following the conclusion of the Planning Sub-Committee the following amendments have been made to the proposal:

- Enlargement with a widening of the proposed front lightwell over the previously considered front lightwell to create a larger outlook and open space for the proposed basement bedroom unit.
- Submission of a daylight and sunlight study including ADF calculations for the main habitable spaces of the development.

4. Consultation

4.1 A further round of reconsultation of adjoining neighbours being carried out on the 16th of August and ending on the 30th of August 2018. A further three letters of objection were received restating concerns previously identified within the attached committee report while raising further concerns to the amended plans regarding:

- Object even more to the enlargement of the proposed front lightwell in design and visual terms. **(see evaluation below and within attached original committee report.)**
- Consider the quality of the proposed units to be still poor. **(see evaluation below and within attached original committee report.)**
- Concerns over the council facilitating the development unfairly. **(the planning department are encouraged by the NPPF 2018 to work in a collaborative way with all parties in the planning process.)**

5. Evaluation

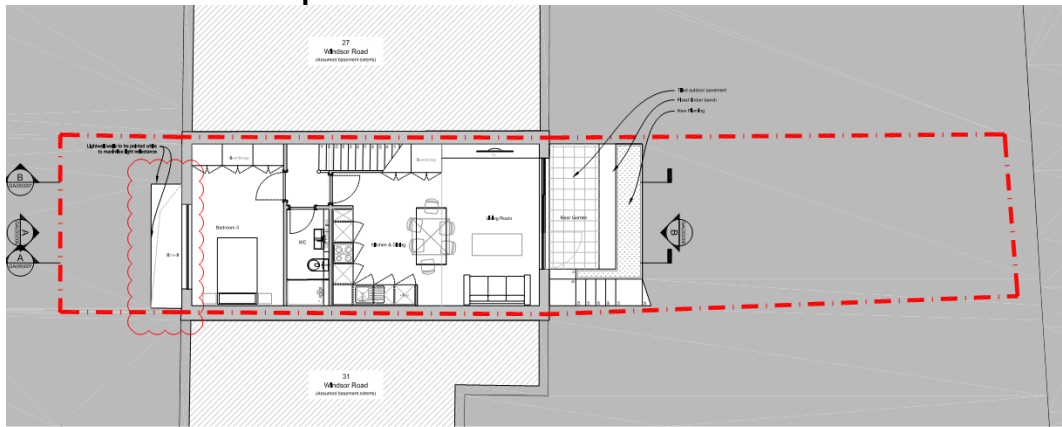
Enlarged front lightwell and design and appearance.

5.1 The amended details have proposed a wider front lightwell than previously considered by members in June at the last committee meeting. The diagrams below clearly show the creation of a larger front lightwell to improve the overall outlook and enclosure levels to the proposed front bedroom which members raised a concern about. It is noted that the lightwell has increased in size but not to an excessively large amount with a slight increase in overall width.

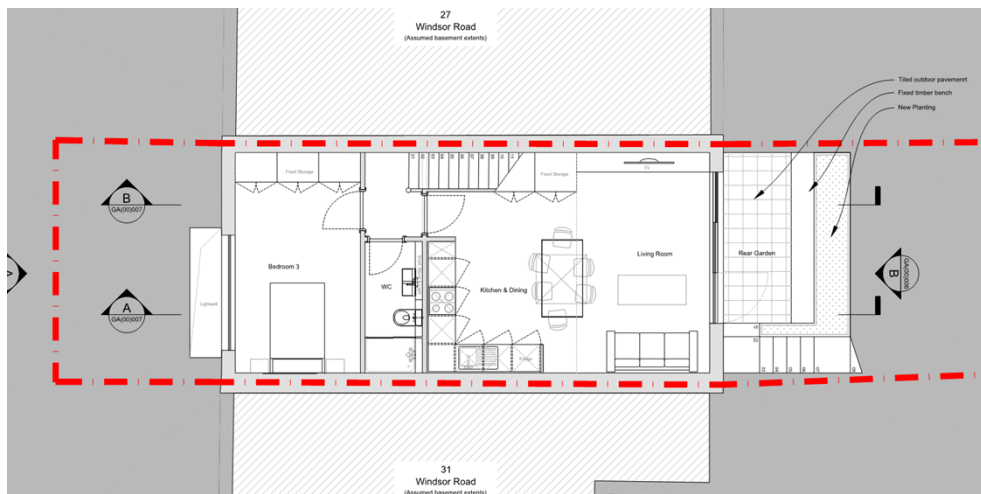
5.2 Concerns regarding the visual dominance and precedent for a front lightwell along Windsor Road have been duly considered by officers. The overall scale, depth and coverage of the front lightwell is not considered to be excessive and would not read as a dominant visual feature when seen behind the existing front boundary wall from the surrounding streetscene. It would be covered with a low scale and minimal grille which would further lessen its visual impact from the street. It is noted that there are very few front lightwells in the surrounding locality. However the council cannot refuse an application on the lack of other examples without being able to justify material detrimental visual harm would result. In this case, it is considered that the extent and size of the front lightwell is not excessive and will not cause any discernible visual harm when seen from the surrounding public realm to justify refusal on this basis.



Proposed front view from Windsor Road.



Amended proposed lower ground floor plan showing a larger and deeper front lightwell.



Previously considered proposed lower ground floor plan

ADF levels and the quality of the proposed living unit at ground and basement levels.

- 5.4 An ADF study has been submitted by the applicants following the deferral from committee to address members concerns regarding lack of detail within the application previously in relation to Annual Daylight Factor levels for the main habitable spaces for the proposed ground and basement level 3 bedroom unit. The report shows results on the originally submitted plans for the front lightwell and show a test result of 2.5% for this front bedroom space and the pass standard is 1%. Under the current amended wider front lightwell this result would be marginally higher and therefore pass by more overall. The main living space towards the rear at basement level likewise achieves a pass mark of 2.75% well above the pass mark of 1.5%. The upper floor flats easily pass the minimum standards in terms of daylight allowances. Therefore it is considered that adequate evidence has been provided to state that all the proposed units of the development will have satisfactory access to daylight and light overall.
- 5.5 It is acknowledged by officers that even with the proposed enlarged front lightwell that the proposed bedroom would have a limited outlook and would be a reasonably enclosed space overall. However, consideration is given to the fact that the space is a bedroom area and not a more heavily used family living space. The flat itself is located over two floors with dual aspects, two further bedrooms at ground floor level and a well laid out main living space at basement level opening out and having access to, a generous rear garden. All these attributes taken together lead officers to consider that the quality of the proposed 3 bed unit over ground and basement levels and the proposal as a whole will create good overall internal living environments for all of the proposed 3 residential units.

6. CONCLUSION

- 6.1 The proposed development is considered to be acceptable in land use, design and visual terms, would offer good quality living accommodation for prospective occupiers without adversely affecting the amenity levels of adjoining occupiers. It is therefore recommended that planning permission be granted subject to conditions contained within the original committee report and completion of UU and the following updated and additional conditions

Updated CONDITION 02: The development hereby approved shall be carried out in accordance with the following approved plans:

Daylight and Sunlight Study Report by Right of Light Consulting dated 7th August 2018, EX (00)001 Revision P1; Design and Access Statement Revision P1; EX (00) 002 Revision P1; EX (00) 003 Revision P1; EX (00) 004 Revision P1; EX (00) 006 Revision P1; EX (00) 007 Revision P1; DM(00)002 Revision P1; DM(00)003 Revision P1; DM(00)004 Revision P1; DM(00)005 Revision P1; DM(00)006 Revision P1; GA(00)001 Revision P2; GA(00)002 Revision P3; GA(00)003 Revision P1; GA(00)004 Revision P1; GA(00)005 Revision P1; GA(00)006 Revision P2; GA(00)007 Revision P1, Structural Engineering Report dated November 2017 project number 1657 by Constructure.

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.

Updated Condition 4: Notwithstanding the details shown on the approved plans, no permission is granted for the front bin enclosure, no occupation of the dwellings hereby permitted shall take place until detailed drawings/location and details of the bin and bicycle store to serve the residential properties located in the rear garden area of the property have been submitted to and approved in writing by the local planning authority and these facilities have been provided and made available for use in accordance with the details as approved and maintained as such thereafter into perpetuity.

REASON: In the interest of securing sustainable development.

New SMS COMPLIANCE CONDITION: The Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) certifying the Structural Method Statement (SMS) dated 29/11/2017 submitted to support the hereby approved development shall be retained (or a replacement person holding equivalent qualifications shall be appointed and retained) for the duration of the development to monitor the safety of the construction stages and to ensure that the long term structural stability of the existing buildings and other nearby buildings are safeguarded, in line with the supporting Structural Method Statement. At no time shall any construction work take place unless a qualified engineer is appointed and retained in accordance with this condition.

REASON: To ensure that the construction work carried out is in accordance to the submitted Structural Method Statement for the duration of the construction and maintain compliance with the Islington Basement Development SPD (2016).

Appendix 2: Minutes from previous Sub-Committee A 19th June 2018.

London Borough of Islington

Planning Sub Committee A - 19 June 2018

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 19 June 2018 at 7.30 pm.

Present: **Councillors:** Picknell (Chair), Nathan and Graham

Councillor Angela Picknell in the Chair

1 **INTRODUCTIONS (Item A1)**

Councillor Picknell welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.

2 **APOLOGIES FOR ABSENCE (Item A2)**

Apologies were received from Councillors Cutler and Convery.

3 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

Councillor Woolf substituted for Councillor Convery.

4 **DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

5 **ORDER OF BUSINESS (Item A5)**

The order of business would be B1, B4, B5, B2 & B3.

6 **MINUTES OF PREVIOUS MEETING (Item A6)**

RESOLVED:

That the minutes of the meeting held on 27 March 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

7 **151 ENGLEFIELD ROAD, ISLINGTON, LONDON, N1 3LH (Item B1)**

Change of use from class B1 (532m²) to a *sui generis* mixed use comprising offices, flexible community space, theatre space/community room, counselling and psychotherapy space and associated external alterations.

(Planning application number: P2018/0135/FUL)

In the discussion the following points were made:

- Members noted that marketing was less than 2 years due to a legal complication but that efforts had gone a long way towards satisfying the policy requirement. The Planning Officer advised Members that the application seeks to bring a dilapidated building into productive use especially as it had been vacant for over 10 years.
- Members were informed that external alterations being proposed include replacing windows and doors with new aluminium frames and inserting a new door on the west elevation. In addition, the Planning Officer advised that refuse storage will be

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provided along the access way to the site along with 14 cycle parking spaces.

- Members were advised that the proposal was acceptable in land use terms, its design, sustainability, waste and recycling and landscaping and that the only main issue was the impact of noise being generated from the use of the building especially as it is surrounded by residential properties. Members were informed that condition 5, 6 and 7 would address noise levels, hours of operation and deliveries and services onto the site. Members were informed that the Noise Management Plan which is to be submitted prior to occupation, would include measures such as dispersal policy, signage, a close down policy, delivery and servicing times.
- The applicant informed Members that the proposal would result in bringing the building back into use and should be regarded as an investment in Islington. The meeting was informed that the building would provide communal flexible office space to be rented to external parties and an office space to be occupied by Big House, a charity which supports young people leaving the care system. In addition, the building would provide a theatre/performance space which will be of communal benefit to the young and vulnerable young people.
- Members welcomed the proposal in principle especially with regard to its communal use and agreed that concerns about the amenity of residents had been sufficiently addressed.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report.

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29 WINDSOR ROAD, LONDON, N7 6JG (Item B2)

Conversion of single family dwelling house into 3 self-contained residential units (1x3bed, 1xstudio and 1x 2 bed) plus the excavation of basement, front lightwell and rear courtyard erection of basement, ground and first floor rear extensions and roof extension. Proposed bin and bicycle storage to front garden.

(Planning application number: P2017/4766/FUL)

In the discussion the following points were made:

- The Planning Officer advised that since publication of the agenda no additional updates had been received.
- Members were advised that the intensification of residential use resulting in 2 no. residential units was acceptable in principle at this location and conducive with the existing surrounding residential character. In addition the Planning Officer informed Members that the proposal would not prejudice the residential amenity of neighbouring properties insofar of loss of light, outlook or increased sense of enclosure.
- Members were informed that the applicant has agreed in principle to a small site affordable housing contribution of £100,000.
- Concerns raised by residents objecting to the proposal regarding the impact of a basement excavation was expressed especially as it was considered to possibly result in structural damage to adjacent properties and granting permission would be

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setting a precedent for an increase in planning applications for basement excavations. The objector informed Members that no other dwelling in the neighbourhood has a lightwell.

- Members asked what ADF levels the basement rooms achieved, however officers did not have that information and the applicant was not present to respond. Members also raised concern regarding the limited outlook and increased enclosure to the proposed front basement bedroom for the basement and ground floor residential units and its adverse impacts on the quality of the accommodation.
- Councillor Picknell proposed a motion to defer as the applicant was not available at the meeting to respond to objectors concerns, nor to respond to the question on daylight receipt (ADF) of the basement rooms which is a fundamental requirement to ascertain the quality of the resulting accommodation. This was seconded by Councillor Graham and carried.

RESOLVED:

That consideration of the application be deferred for the reasons outlined above.

48 ESSEX ROAD, ISLINGTON LONDON, N1 8LR (Item B3)