

ADDENDUM TO PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		
Date:	12 th March 2019	NON-EXEMPT
Application number	P2017/1670/FUL	
Application type	Full Planning Application	
Ward	Highbury West Ward	
Listed building	Not listed	
Conservation area	N/A	
Development Plan Context	None	
Licensing Implications	None	
Site Address	23 Romilly Road, London, N4 2QY	
Proposal	Creation of a basement extension under the footprint of the existing house including the formation of light wells to the front and rear of the property. Conversion of the existing single-family dwelling house into 2no. self-contained flats (1no. 3-bedroom unit and 1no. 2 bedroom unit).	
Case Officer	Rebecca Neil	
Applicant	Jamie Majid	
Agent	AA Studio Architecture Ltd	

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 Appendix 1 of the original Committee Report (Attached as Appendix A);

2. REASONS FOR DEFERRAL

- 2.1 This application was previously discussed at the Planning Sub-Committee B meeting on 2nd October 2018 where objectors were given the opportunity to speak.
- 2.2 In the discussion the following points were made:
- A member asked the planning officer whether policy resisted the splitting up of family homes. The planning officer stated that Policy DM3.3 protected homes of less than 125sqm but this home was larger than 125sqm. The member raised concern that the original home was less than 125sqm but had been extended to over 125sqm through permitted development.
 - The planning officer stated that a flooding and groundwater investigation report had been completed and it would be appropriate to defer the application to update the structural method statement accordingly. Changes to the basement design could be required.
- 2.3 The Chair proposed a motion to defer the application to enable to structural method statement to be updated. This was seconded by Councillor Klute and carried. (Attached Committee minutes 2nd October as Appendix B)

3. UPDATES FOLLOWING COMMITTEE (2nd October 2018)

- 3.1 Following the conclusion of the Planning Sub-Committee the following amendments have been made to the proposal:
- Revised Structural Method Statement for the Basement Extension works which include reference to the recommendation within the flooding and groundwater investigation report, prepared by PGCS Partnerships
 - Revised Design and Access Statement which include reference to a precedent for a similar basement extension at 19 Ambler Road granted in June 2007.
 - Construction Method Statement (including structural plans, groundwater investigation report) prepared by Structural Engineering Ltd
- 3.2 Officers would point out to Members that the follow-up Construction Method Statement produced by STS Structural Engineering Ltd is read in conjunction with the initial Structural Method Statement that was submitted by PGCS Partnerships. This latter report provides a more comprehensive method as to how the basement would be completed.

4. Consultation

- 4.1 A further round of reconsultation of adjoining neighbours took place on the 16th January 2019 and ended on the 30th January 2019. A further 7 objections were received restating concerns previously identified within the attached committee report while raising further concerns to the amended plans regarding:
- Object to replace family unit with multiple rental units (**see within attached original committee report para 10.5**)
 - No precedent for basements on Romilly Road (**see within attached original committee report para 10.7-10.9**)

- Concerns that the basement will have an impact on the groundwater and the adjoining properties were not reviewed as part of the report (**see evaluation below paras. 5.7-5.11 and within attached original committee report para 10.8.**)
- Concerns regarding the structural integrity of the building and adjoining buildings due to the basement and the potential for subsistence (**see evaluation below 5.13-5.17 and within attached original committee report.**)
- Disruption from the construction of the basement (**see within attached original committee report para. 10.19**)
- Poor daylight/sunlight to the basement rooms (**see within attached original committee report para 10.16**)
- Development would impact on the overall character of the area (**see within attached original committee report para 10.10-10.12**)

ASSESSMENT OF UPDATED INFORMATION, REASON FOR DEFERRAL: FURTHER CONSIDERATION OF STRUCTURAL METHOD STATEMENTS FROM THE APPLICANT AND FROM THE OBJECTORS

Basement Development – Construction (Structural) Method Statement

- 5.1 The application was deferred at Sub-Committee on the 2nd October 2018 as the Structural Method Statement had not been updated to include the additional investigations that were carried out. A ground water investigation was carried out on the 6th August 2018 which produced a preliminary Ground Investigation Report (Report reference GWPR2735).
- 5.2 As part of this investigation, site works were undertaken by an engineer which involved sample Boreholes to the front and rear of the property (BH1 & BH2). The findings of this investigation have now been incorporated into the Construction Method Statement (CMS) prepared by STS Structural Engineering Ltd (please see Appendix 3 of the report Ref 1810-1155-CMS). The accompanying details includes structural plans, sectional drawings, underpinning drawings as well as details of the proposed construction sequence.
- 5.3 Officers would note that STS Structural Engineering Ltd who produced the follow-up Construction Method Statement state in paragraph 1.3 of the report that the statement follows on from the initial Basement Statement prepared by PGCS Partnership building up on the outline proposals set therein and takes into account the recommendations of the Soil Investigation report prepared by Ground & Water Limited in August 2018. The Construction Method Statement presents the outcome of their investigations and a proposed methodology for forming the basement space. It combines both the structural method and sequence of construction into one document taking account the findings from site investigations to date.
- 5.4 Appendix B of the Islington Basement Development SPD (2016) states that for a planning application submission the engineering design should be advanced to Developed Design Stage (RIBA Stage 3). The SMS should convey a clear design process that demonstrates how the proposed design responds to findings of the site-specific survey and investigations undertaken and specifically how designers have addressed:
- ground conditions and ground water
 - existing trees and infrastructure

- drainage
- flooding
- vertical and lateral loads
- movements
- integrity of existing structures (including adjoining buildings and wider where relevant)

5.5 Also the Appendix B states that a SMS should include an outline of the proposed structural engineering general arrangement and details such as drawings of underpinning, piled wall etc. The statement should include an assessment of both short and long term effects of movement expected to the property, the adjoining properties and adjacent properties. Damage should be limited to a maximum of Category 2 as set out in the Construction Industry Research and Information Association (CIRIA) Report 580 'Embedded Retaining Walls' (or as updated).

5.6 The revised information submitted provides a comprehensive method/construction statement of how the proposed basement would be implemented The statement has been prepared and signed by a suitably qualified Structural Engineer as per Appendix B of the Basement SPD and the findings are summarised below.

Construction (Structural) Method Statement (findings)

5.7 The statement includes a desk study which examines the site history and survey of the health of the existing building.

Ground conditions and Groundwater

5.8 The Engineer's external survey found no notable cracking to the external walls indicating that the walls of the property are structurally sound and well constructed. The internal survey of the existing layout confirmed that the property was in good state of repair and is well maintained. The engineer also examined public drains records and a search of these records suggests that no public drains run underneath the property.

5.9 It also noted that the site lies within a flood risk Zone 1 by the Enviromental Agency which is recognised as an area where there is a Low Probability of flooding. Appendix 3 of the Statement also shows that the site is situated away from major rivers, watercourses and given that Romilly Road is elevated, it further minimises potential flooding risks. The CMS also includes a desktop study on potential risks of flooding from rivers and other surface water courses including a selection of maps from the Strategic Flood Risk Assessment (SFRA) taken in May 2010. From this information gathered, the author of the report states no surface flooding incidents have been noted in the vicinity of Romilly Road.

5.10 A full ground investigation report on the basis of site works undertaken by an engineer which involved sample Boreholes to the front and rear of the property (BH1 & BH2) which was based on the Ground Investigation Report carried out by Ground and Water Limited in August 2018. The boreholes were taken to a depth of 5.1m and 4.4m and confirmed that the site is characterised by London Clay overlaid by up to 0.9m of topsoil. The CMS indicates that the ground water level was monitored during the drilling operation and within deep clay deposits no ground water table was surveyed. It does however highlight that some perched groundwater is likely to be encountered during the construction. The author indicates that extensive dewatering measures is unlikely during the construction of the new basement. Submersible pumps can deal with small quantities of perched groundwater if necessary during the construction phase.

- 5.11 The author of the CMS report concludes that due to the modest size of the basement and the well-drained granular soil deposits, the proposal is unlikely to affect the ground water flow patterns and hydrogeological conditions of the area. Concerns have been raised by the objections received that adjoining properties were not reviewed as part of the investigation report undertaken. It is noted that the desktop research had taken consideration of local circumstances and past surveys of flooding incidents in the area as well as data from Thames Water and the Environment Agency. The trial hole data taken onsite found no ground water within deep clay deposits.
- 5.12 Officers have also reviewed the Environmental Agency website and can confirm that currently the site lies in an area that has a very low risk of flooding from rivers/sea and low risk of flooding from surface water. Based on the Environmental Agency zoning of the site and the accompanying SFRA data and the Ground Investigation Report, Officers do not consider that the basement and lightwells would lead to any additional surface water concerns. This is also based on the fact the basement will largely sit below the footprint of the existing dwelling house, thereby reducing any effects on drainage and surface water flooding. The lightwells to the front and rear are already paved with gullies in place to collect rainwater. The basement would therefore not lead to any additional hardstanding that could increase surface flood water over that what already exists. As such, Officers are satisfied that the statement adequately addresses anticipated ground conditions given the scale and nature of the development. Notwithstanding the above, condition 7 as recommended in the original report shall be revised to ensure that a Chartered Civil Engineer who signed off the additional Construction Method Statement 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.

Construction Method/Underpinning Works

- 5.13 Appendix B of the SPD states that the SMS should include an outline of the proposed structural engineering general arrangement and details such as drawings of underpinning and piled walls. The revised information submitted by STS Structural Engineering has appendix drawings that includes both a Proposed Structural General Arrangement Plan and cross-sectional drawings and typical underpinning arrangements including along the party wall. These details are supported by the supporting text within the statement.
- 5.14 Underpinning will be required to lower floor - these will need to support party walls and the loads they support. Party Wall approval would be required with both adjoining neighbouring properties. The statement states that new pins/retaining walls will be constructed to accommodate the existing party wall(s) and the loads they support. All construction would also require to be carried out inside the land of 23 Romilly Road and subject to party wall approval with adjoining properties. The statement also confirms that underpinning will be carried out in a way that may enable adjoining owners to construct a similar basement in the future. The Construction Method Statement indicates that traditional underpinning methods will be adopted in completing the basement. The pins (1m in length) will be constructed in a "hit & miss" technique which preserves the stability of the building above and adjoining properties. Structural plans have been included within the Construction Method Statement appendix. The statement states that the new sections of basement wall will be designed to carry the horizontal retaining pressure from the retained soil, as well as vertical loading of the basement and walls/floors above. In dealing with variations in ground water level the basement slab will be designed to resist hydrostatic uplift pressures as well as heave from excavation.
- 5.15 Further investigations are required to determine the formation of the footings and the extent of the underpinning particularly the party wall. Typical underpinning details have been included in the structural drawings and the adequacy of these has been justified by structural

calculations. The Structural Engineer report has however indicated that the provision of transition underpinning to the front and rear walls of the adjoining properties would expect negligible or no movement or settlements to the adjoining and adjacent properties. Appendix 7 and appendix 8 of the Construction Method Statement also provides sketches, party wall calculations and preliminary structural drawings. The calculations include earth and water pressures on the basement wall which takes account of the findings from the Geohydrology report (water table below the level of the proposed basement). Vertical and lateral loads data have also been addressed in both temporary and permanent conditions. Party wall underpinning stability calculations have been provided from construction and permanent case (Appendix 7 of CMS).

- 5.16 The structural sketches/plans are indicative at this stage and the proposals will need to be finalised during design stage however for the purposes of the SMS they appear sufficient. The author of the Method Statement concludes that the formation of the basement can be best achieved using traditional underpinning methods; careful planning is required to ensure all temporary props are in place. Permanent and temporary props must provide both adequate lateral restraint to the pins during underpinning works and also provide temporary support to the existing above-ground structure. It concludes that if the proposed construction methodology and sequencing of works are carried out adequately, there is minimal risk to the stability of the adjacent properties and party wall. The author of the Method Statement concludes that the proposed works are not likely to generate any notable movement in the structure of 21 and 25 Romilly Road if the works are done by a competent groundworks contractor and taking into account the constraints listed in the Method Statement.
- 5.17 Officers would point out that any damage should be limited to maximum of Category 2 as set out in the Construction Industry Research and Association (CIRIA) Report C580 "Embedded Retaining Walls and as set out in Appendix B. In order to ensure that this is achieved, above, condition 7 as recommended in the original report shall be revised to ensure that a Chartered Civil Engineer who signed off the additional Construction Method Statement 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.

Conclusion (Basement)

- 5.18 The Method Statement confirms that there are no records available of any significant flooding in the area, and based upon the desk study research and physical investigations carried out by Ground and Water Limited the risk of significant groundwater is low. Appropriate waterproofing measures have been incorporated in the design. The information concludes that the requested plans/sections/construction sequence drawings have been included and are satisfactory. On the basis of the information provided, Officers are satisfied that the revised information complies with the requirements of Appendix B of the Basement Development SPD. Conditions have been recommended to ensure the basement works shall be monitored by the Chartered Civil Engineer who completed the Construction/Structural Method Statement or a replacement person holding equivalent qualifications shall be appointed and retained during the duration of the development.

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 (see Appendix A) 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:

23-PP-200

23-PP-201

23-PP-202

23-PP-203

23-PP-204 Rev A

23-PP-205 Rev A

23-PP-206 Rev A

23-PP-207 Rev B (proposed **rear** elevation)

23-PP-207 Rev B (proposed **side** elevations)

Design and Access Statement Rev B prepared by AA Studio Architecture Limited

Ground Investigation Report prepared by Ground and Water Limited (August 2018)

Method Statement prepared by PGCS Partnership Job No 17069 (Oct 2018)

Construction Method Statement prepared by STS Structural Engineering Ltd

Ref:1810-1155-CMS (Oct 2018)

Construction Method Statement Appendix (Structural Drawings (preliminary)by STS

Structural Engineering Ltd Drawing Nos. 1810-1155-S01 Rev P1, 1810-1155-S02

Rev P1, 1810-1155-S03 Rev P1

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.

New SMS COMPLIANCE CONDITION 07: The Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) certifying the Construction Method Statement Ref:1810-1155-CMS (Oct 2018) including structural drawings (1810-1155-S01 Rev P1, 1810-1155-S02 Rev P1, 1810-1155-S03 Rev P1) 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 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 with the submitted Structural Method Statement for the duration of the construction and maintain compliance with the Islington Basement Development SPD (2016).

Appendix A – Original Committee Report

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB-COMMITTEE B		
Date:	02 October 2018	NON-EXEMPT

Application number	P2017/1670/FUL
Application type	Full Planning Application
Ward	Highbury West Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	None
Licensing Implications	None
Site Address	23 Romilly Road, London, N4 2QY
Proposal	Creation of a basement extension under the footprint of the existing house including the formation of light wells to the front and rear of the property. Conversion of the existing single-family dwelling house into 2no. self-contained flats (1no. 3 bedroom unit and 1no. 2 bedroom unit).

Case Officer	Rebecca Neil
Applicant	Jamie Majid
Agent	AA Studio Architecture Ltd

1.0 RECOMMENDATION

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

2.0 SITE PLAN (site outlined in red)

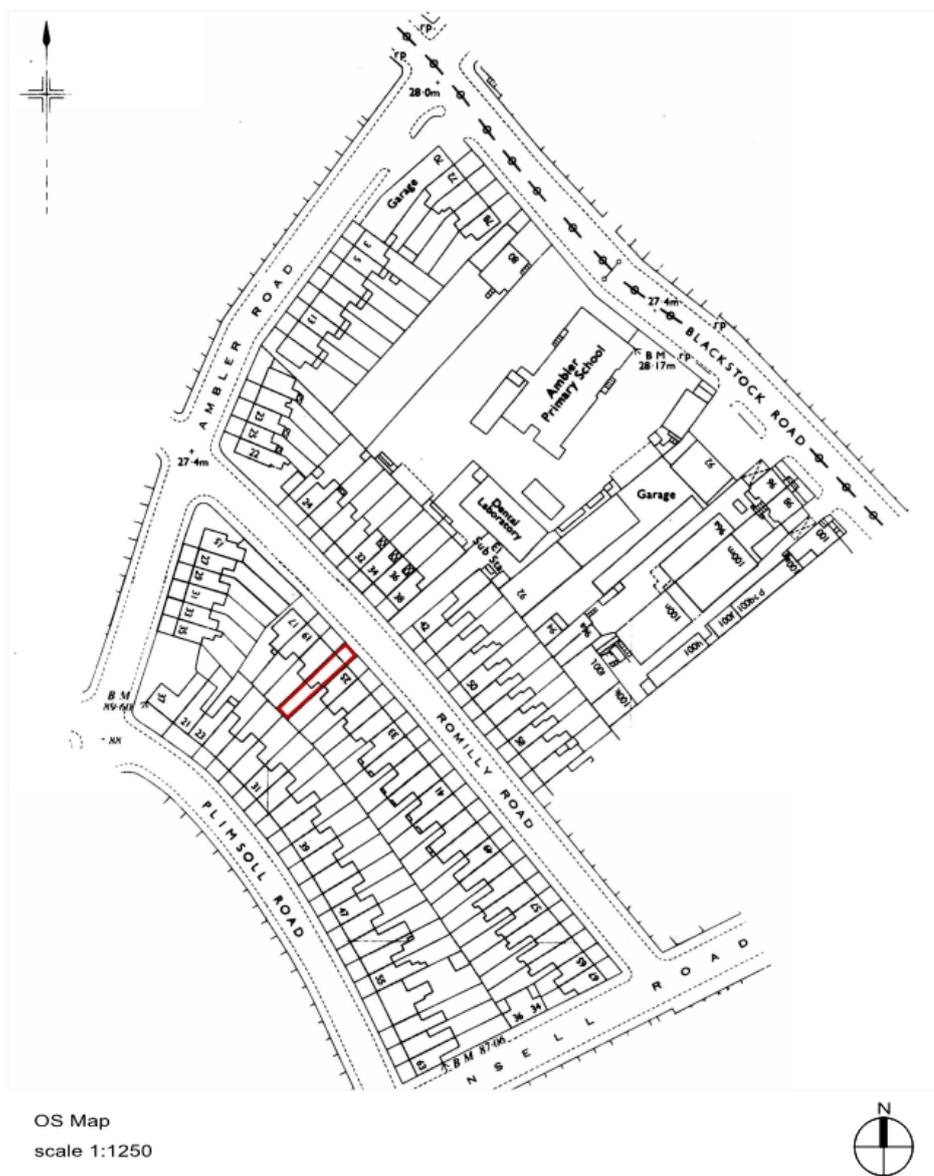


Fig. 1 Site plan

3.0 PHOTOS OF SITE/STREET



Fig. 2 View of street (23 Romilly Road outlined in red)



Fig. 3 Existing front elevation



Fig. 4 Existing rear elevation

4.0 SUMMARY

- 4.1 Planning permission is sought for the creation of a basement extension under the footprint of the existing house, including the formation of light wells to the front and rear of the property. Permission is also sought for the conversion of the existing single family dwelling house into two self-contained flats (a 3-bed unit and a 2-bed unit).
- 4.2 The application is brought to committee because 9 objections have been received from members of the public and, in the opinion of the Head of Service, it would be best considered by committee.
- 4.3 The depth and extent of the proposed basement is considered acceptable and would comply with the design specifications listed within the Islington Basement SPD (2016). Whilst the application site is the first property in the street to create a basement, it would not detract from the character and appearance of the property or wider street scene. A Structural Method Statement (SMS) has been provided as required and complies with the criteria set out in Appendix B of the Basement SPD.
- 4.4 The proposal complies with the policy requirements of Policy DM3.3 (Residential Conversions and Extensions) in that there would be no loss of a small residential unit. The conversion is therefore acceptable in principle. The new residential units would provide a good standard of living space for future occupiers. The applicant has submitted a viability assessment to demonstrate that payment of the small sites contribution would render the project unviable, and this has been scrutinised by an independent assessor. No small sites contribution will therefore be sought.
- 4.5 Given the above, the proposal is considered acceptable subject to suitable conditions as set out in **Appendix 1**, and it is recommended that the application be approved.

5.0 SITE AND SURROUNDINGS

- 5.1 The application site is a 3-storey, 4-bedroom dwelling located on the western side of Romilly Road. The building is constructed in London stock brick with timber sash windows on the upper floors, and a decorative bay window at ground floor level. To the rear, the property has previously been extended to full width at ground floor level, and to half width at first floor level.
- 5.2 The property forms part of a row of Victorian terraced houses, all of which have shallow front garden areas. The area is predominantly residential in character, with a mix of single family dwellings and flat conversions. The site is neither listed nor located within a conservation area.

6.0 PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for a basement extension underneath the footprint of the dwelling, plus the addition of two light wells at the front and rear of the property. At the rear, the light well would be 1.5 metres deep and would extend across the full-width of the property. At the front it would protrude approximately 1 metre into the front garden, in line with the existing bay window. The basement would be approximately 2.75 metres in depth, with an internal floor-to-ceiling height of 2.6 metres.

6.2 The basement extension is proposed in connection with the conversion of the existing single family dwelling into two self-contained flats - a 3-bed, 5-person (3b5p) flat at basement and ground floor level (Flat A), and a 2-bed, 3-person (2b3p) flat at first and second floor level (Flat B). Flat A measures 105m² in area and Flat B is 80m². Both flats would be accessed via the existing front door, with the entrances to each flat off a communal hallway at ground floor level. Flat A has a rear garden area, accessed from a walkway over the basement lightwell. Two cycle parking spaces are proposed, one for Flat A (located in the rear garden) and one for Flat B (located in the front garden).

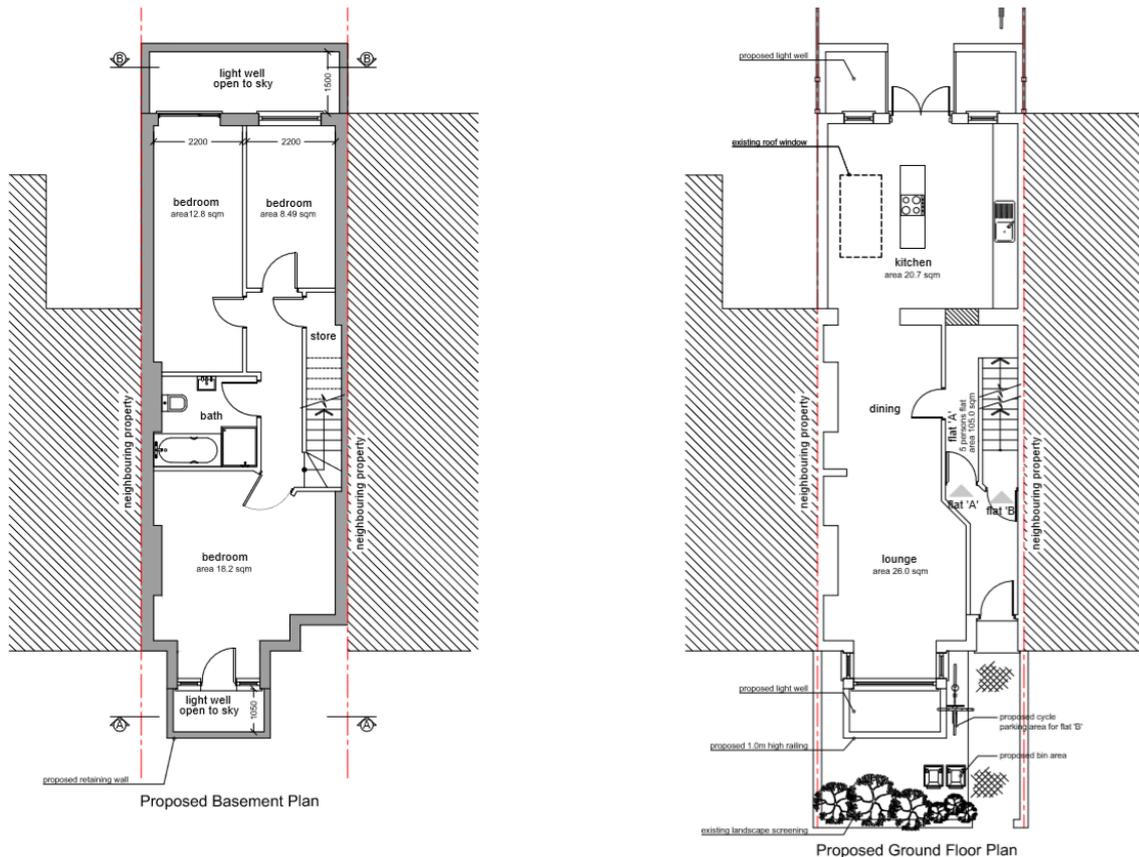


Fig. 5 Proposed basement and ground floor plans

Scheme revisions

- 6.3 The application initially involved a second floor rear extension which has been removed from this proposal (revised drawings are Rev. B).
- 6.4 A revised Structural Method Statement (SMS) was provided in November 2017 and another on 15 August 2018 following concerns that it did not provide sufficient detail as to how groundwater, drainage and flooding had been addressed (as required by the Basement Development SPD).

7.0 RELEVANT HISTORY

Planning applications

- 7.1 P2017/0446/FUL – Creation of a new basement including the installation of new light wells and staircases to the front and rear. Erection of a ground floor and second floor rear extension. Conversion of the existing dwelling into 3no. self-contained flats (withdrawn on 30/03/2017).

Enforcement

- 7.2 None.

Pre-application advice

- 7.3 None.

8.0 CONSULTATION

Public consultation

- 8.1 Letters were sent to occupants of 18 adjoining and nearby properties on Romilly Road and Plimsoll Road on 10 May 2017. A site notice was displayed outside the site on the same date. The initial public consultation period expired on 01 June 2017. Since that date, there have been two further consultations – one in November 2017 and one in August 2018 – following the submission of the two revised Structural Method Statements. The most recent consultation period expired on 30 August 2018, however it is the Council's practice to consider representations made up until the date of a decision.
- 8.2 A total of 8 objections were received following the consultation in May 2017; a further 4 objections were received following re-consultation, and at the time of writing this report, 1 further objection had been received to the proposal. Overall, a total of 10 residents have objected to the proposal and have raised the following issues:
- The basement extension would constitute overdevelopment of the site (objection addressed in para. 10.7 below);
 - The basement extension would affect the structural integrity of the neighbouring houses and cause problems in relation to drainage and water ingress into neighbouring properties (objection addressed in para. 10.8 below);
 - The proposal would result in the loss of a good-sized family home (objection addressed in para. 10.5 below);
 - The second floor extension would result in a loss of light to neighbouring properties (second floor extension now removed from the application – para 6.3 above)
 - The basement would receive inadequate levels of daylight and sunlight (objection addressed in para. 10.16 below);
 - The development would result in increased congestion and impact upon resident parking, particularly at school drop-off and collection times (objection addressed in para. 10.22 below);
 - The construction of a basement light well at the rear will reduce the size of the garden at 23 Romilly Road, whilst increasing the number of people living at the property (objection addressed in paras. 10.9 and 10.17 below); and
 - The construction work will cause noise and disturbance for neighbouring residents (objection addressed in para. 10.19 below).

Internal consultees

- 8.3 Access and Inclusive Design – have objected to the proposal as neither of the new dwellings are visitable or adaptable (there is no step-free access to the third floor and no WCs on the ground floor or principal floor of the upper floor flat).
- 8.4 Highways – No objection subject to the stipulations of section 179 of Highways Act (explanatory note forwarded to the applicant).
- 8.5 Public Protection – No comments received.

External Consultees

8.6 None.

9.0 RELEVANT STATUTORY DUTIES, DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

9.1 Islington Council (Sub Committee B), in determining this 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).

9.2 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.

9.3 Members of the Committee must be aware of the rights contained in the Convention (particularly those set out above) when making 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.

9.4 The Equality 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.

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

1. National Policy

9.6 The National Planning Policy Framework 2018 ('NPPF') contains a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with the development plan without delay. The NPPF is a material consideration in the determination of this application and has been taken into account during the assessment of these proposals.

2.

3. Development Plan

9.7 The Development Plan is comprised of the London Plan 2016, the Islington Core Strategy 2011, the Islington Development Management Policies 2013, the Finsbury Local Plan 2013 and the 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) / Documents (SPDs)

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

10.0 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle of development (residential conversion)
- Principle of development (basement)
- Design, character and context
- Inclusive design
- Quality of residential accommodation
- Impact on neighbouring amenity
- Affordable housing (small sites contributions)

4. Principle of development (residential conversion)

10.2 Policies in Chapter 3 of the London Plan and Policy CS12 of the Islington Core Strategy 2011 encourage the provision of additional housing in suitable locations to assist in meeting and exceeding the borough's housing targets. The conversion of larger properties into flats contributes to Islington's housing supply, accounting for a small but important portion of additional homes, and within this context the modest uplift in housing at this site is supported.

10.3 Policy DM3.3 of the Islington Development Management Policies 2013 provides that the conversion of residential units into a larger number of self-contained units will normally only be permitted where the total floor area is in excess of 125m² (GIA). It also provides that proposed conversions must meet several criteria, including that the dwelling mix does not include 1-person units and at least one unit of 2+ bedrooms is provided. In this case, the

existing floor space is more than 125m², there are no 1-person (or indeed 1-bedroom) units, and both units provided have 2+ bedrooms. All criteria are therefore met.

10.4 Policy DM3.3 goes on to explain that the council will assess the acceptability of proposed conversions which meet the above criteria with regard to:

- The extent to which the proposal contributes to meeting housing size priorities set out in Table 3.1 (considered acceptable, and discussed in para. 10.6 below);
- The effect on the amenity of adjacent properties (considered acceptable, and discussed in para. 10.19 below);
- the physical characteristics of the property, including internal layout and the relationship of rooms on different floors within the scheme (considered acceptable);
- the amenity of future occupants (considered acceptable, and discussed in paras. 10.16-10.17 below); and
- the effect of any changes to the external appearance of the building (considered acceptable, and discussed in para. 10.10-10.12 below).

10.5 Objections have been received to the proposal on the grounds that it would result in the loss of a family-sized dwelling. However, the proposed basement and ground floor unit is *also* a family-sized dwelling, having three good-sized bedrooms and access to a private rear garden area. The scheme therefore provides a new family-sized unit which is not significantly smaller than the existing dwelling (105m² proposed size of new lower floor unit), whilst also providing the benefit of an additional 2-bed unit. Consequently, in planning terms there is no objection to the loss of the original home, whilst also adding an additional residential unit to the borough's housing stock.

10.6 Policy DM3.1 of the Islington Development Management Policies provides that all sites should provide a good mix of housing sizes and, in terms of market housing, requires 10% of residential schemes to consist of 1-bed units, 75% to consist of 2-bed units and 15% to consist of 3-bed+ units (Table 3.1 on page 31). Whilst it is not possible to mechanically apply Table 3.1 in the context of such a small site, this scheme provides a broadly policy-compliant mix of unit sizes in that it features one of each of the two preferred sizes. Consequently, there is no objection to the housing mix in this instance.

5. Principle of development (basement)

10.7 There is no principle objection to basement development in Islington subject to compliance with the Basement Development Supplementary Planning Document (hereafter 'the Basement SPD'). This SPD, adopted in January 2016, provides that basement development should be appropriate and proportionate to its context, should not cover more than 50% of the remaining garden area or exceed the area of the original footprint (whichever is the lesser), should be only a single storey deep, and should not exceed a floor to ceiling height of 3 metres. The proposed basement at 23 Romilly Road is of an appropriate design (see paras. 10.10-10.12 below), is a single storey, and has a floor-to-ceiling height of 2.6 metres. It therefore meets the design criteria as set out in the Basement SPD and would not constitute overdevelopment of the site.

10.8 The Basement SPD also requires basements to be designed to safeguard the structural stability of the existing building, nearby buildings, trees and any infrastructure. It requires applicants to submit a Structural Method Statement (SMS) and a Construction Management Plan (CMP) with any planning application for basement development (with the CMP being secured by condition; see Condition 4). These documents must be endorsed by a suitably

qualified person. The applicant has submitted a method statement prepared by a structural engineering firm (PGCS Partnership) and signed off by a chartered Civil Engineer. Following a request for further detail in respect of groundwater, drainage and flooding, a further Ground Investigation Report (prepared by Ground & Water Limited) was submitted on 15 August 2018. This report details the findings of a site investigation carried out on 06 August 2018. Groundwater was encountered at Borehole 1 (located in the front garden), and the report concludes that it is '*possible that perched groundwater could be encountered during basement excavation*' (page 2). The report recommends dewatering during construction and suggests particular methods to aid basement construction below the perched water table. The report also indicates that, according to Environment Agency records, Romilly Road is at low risk of surface water flooding. It is now considered that the information submitted satisfies the requirements of the Basement SPD. The proposal would also be subject to an application under the Building Regulations. A condition is also recommended in Appendix 1 (Condition 7) requiring the Chartered Structural Engineer certifying the Structural Method Statement shall monitor the safety of the construction stages during the development to ensure that the long term structural stability of the existing buildings and other nearby buildings are safeguarded.

- 10.9 The proposal, due to the creation of light wells to the front and rear of the property, results in the loss of a small amount of private garden space. However, due to the modest nature of the light wells, a sufficient amount of garden space (in excess of 30m²) is retained for the ground floor dwelling.

Design, character and context

- 10.10 The National Planning Policy Framework (NPPF) provides that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. London-wide planning policies relevant to design and conservation are set out in Chapter 7 of the London Plan, and the Mayor of London's Character and Context SPG is also relevant. At the local level, Policy CS9 of the Islington Core Strategy requires new buildings to be sympathetic in scale and appearance and complementary to local identity, and Policy DM2.1 of Islington's Development Management Policies requires new development, *inter alia*, to respect and respond positively to existing buildings, the streetscape and wider context, and to be sustainable, durable, adaptable, safe and inclusive.
- 10.11 The Basement Development SPD provides that the design of basements and associated structures must be of a high quality and should respect and respond positively to existing buildings, the streetscape and the wider context, surrounding heritage assets and locally distinctive patterns of development and landscape. It goes on to state that light wells should be modest in size, discreetly located, and designed to protect and enhance the character and appearance of the area.
- 10.12 The rear light well is discreetly located in the existing rear garden of 23 Romilly Road and cannot be seen from the street. It is of a simple design, left open to the sky, and would have no adverse impact upon the appearance of the existing rear elevation. The light well to the front of the property sits below the existing bay window and is 1 metre in depth and 2.5 metres in width. It therefore results in the removal of very little functional space, with the majority of front garden area being retained. However, the drawings show a wall/railing of approximately 0.8 metres in height surrounding the front light well, which it is considered would be visually harmful in the street scene (given that most front gardens in the area have low boundary walls and no structures in their front gardens). It is considered that a flush metal grille would be a more appropriate solution and a condition will be attached requiring details of an alternative means of enclosure for this light well (Condition 5). Subject to this,

the basement light wells are suitably designed to be sympathetic to their context and comply with the design guidance set out in the Basement SPD (2016).

Inclusive design

- 10.13 Policies 3.5 and 7.2 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies, which requires developments to demonstrate, inter alia, that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of a development from the outset and over its lifetime. Policy DM3.3 provides that all residential conversions must be designed to meet the standards set out in Islington's Accessible Housing SPD (now incorporated within the Inclusive Design in Islington SPD), unless exceptional circumstances can be demonstrated.
- 10.14 However, on 01 October 2015, a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, to be enforced by an Approved Inspector. As a result of the changes, Islington is no longer able to insist that developers meet its own SPD standards for accessible housing. The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to Islington's present wheelchair accessible housing standard. However, these standards can only be enforced in relation to new build housing, rather than residential conversions.
- 10.15 The council's Inclusive Design officer has objected to this scheme on the grounds that the first floor flat is not 'visitable or adaptable', with the primary concerns being that there is no step-free access to the first floor, and there is no WC on the principal floor of Flat B. However, it is not possible to convert this property into two or more units and achieve the desired level of step-free access without installing a platform lift, which is not practical or viable for a scheme of this scale. Therefore, realistically, accessible standards as requested by our Inclusive Design Team can only occur by leaving the property exactly as it is. It is the opinion of officers that refusing the application on these grounds, given the fact that this is a small scale conversion of an existing terraced house which is supported in principle, would be unreasonable and would leave the local authority vulnerable to challenge on appeal.

Quality of residential accommodation

- 10.16 The Mayor's Housing SPG and Development Management Policy DM3.4 set out detailed requirements for new residential accommodation to ensure that it provides a high level of residential amenity and quality of living accommodation for prospective occupiers. The proposed residential units are both dual aspect with good cross-ventilation and have adequate access to daylight and sunlight in all rooms. The lower floor flat has been configured so that the bedrooms are located at basement level, with the primary living spaces – which should benefit from greater levels of daylight and sunlight – located at ground floor. The units measure 105m² (Flat A) and 80m² (Flat B), far in excess of the minimums stipulated in Table 3.2 of the Islington Development Management Policies. It is therefore considered that the two residential units provide a good standard of residential accommodation.
- 10.17 Policy DM3.5 (Part C) of the Islington Development Management Policies provides that all new residential development will be required to provide good quality, private outdoor space. The minimum requirement is 5m² on upper floors and 15m² on ground floors for 1- and 2-person dwellings, and a minimum of 30m² for family housing (3-bed units and above). The

ground floor, 3-bed dwelling has access to a good-sized private garden which exceeds 30m². The flat on the upper floors does not have any private amenity space; however providing a balcony or terrace is not possible on this site without comprising the privacy of neighbours. As the lack of private amenity space is the only real deficiency in what is generally a spacious, well laid-out 2-bed flat over two floors, it is considered that this should not warrant refusal of this application. Both units would provide a satisfactory living environment for future occupiers, thereby complying with Policy DM3.5 (and Table 3.2) of the Islington Development Management Policies 2013.

Amenity of neighbouring occupiers

- 10.18 Policy 7.6 of the London Plan provides that development should not cause unacceptable harm to the amenity of surrounding properties, particularly residential buildings. This is reflected at local level in Policy DM2.1 of the Islington Development Management Policies, which requires developments to provide a good level of amenity, including consideration of noise, disturbance, hours of operation, vibration, pollution, overshadowing, overlooking, privacy, sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.19 The basement extension, by virtue of its location below ground, has no impact on the amenity of neighbouring properties by virtue of loss of light, outlook or privacy. Several objectors have expressed concerns over the impact of the construction process on the amenity of nearby residents. It has long been established that the impact of construction is not a material planning consideration and should not be taken into account by a local planning authority when deciding whether to grant planning permission for a particular development. However, it has become common practice to seek to control and/or mitigate construction impacts through the submission of a Construction Management Plan (CMP), an approach which is also encouraged by the Islington Basement Development SPD. If members see fit to grant permission for this extension, then a condition shall be attached requiring the submission of a full CMP covering the specific matters set out in the Basement SPD (see Condition 4). As part of a full CMP, the applicant would be expected to comply with Islington's Public Protection Noise Service Code of Practice. Within the guidance, the Council allows building works that generate noise to be carried out between the hours
- 8am – 6pm (Monday to Friday)
 - 8am – 1pm (Saturday)
 - No audible building works on Sunday or Public Holidays

Affordable housing

- 10.20 Policy CS12 (Part G) of the Islington Core Strategy 2011 provides that all sites capable of delivering 10 or more units must provide affordable homes on-site, and that schemes below this threshold will be required to provide a financial contribution towards affordable housing provision elsewhere in the borough. The Affordable Housing Small Sites SPD (adopted in 2012) states that in line with the local plan evidence base, the council will expect developers to be able to pay a commuted sum for sites delivering fewer than 10 residential units. In the north and middle parts of the borough, this sum is of £50,000 per unit. Notwithstanding the above, the SPD provides, that in instances where the applicants consider that this level of contribution would leave the development unviable, the council will accept the submission of a viability assessments to justify failure to provide the full financial contribution.
- 10.21 In this instance, the applicant has claimed that it would not be viable to provide a payment of £50,000. A viability assessment has been submitted and has been scrutinised by the council's independent viability assessors, Adams Integra. They consider the applicant's estimated build costs of £300,000 to be a fair and reasonable reflection of the proposed works, and concur that when the total costs of achieving the development are subtracted from the likely revenue generated by the completed scheme, it yields a deficit of £174,000.

Consequently, the scheme is not viable at a profit level of 15%, and the scheme cannot support any affordable housing contribution. The council's Viability Team agree with the findings of Adams Integra that the scheme cannot viably provide the £50,000 commuted sum, or indeed any contribution at all. Consequently, an affordable housing small sites contribution will not be sought from the applicant.

Other material considerations

- 10.22 In line with Policy DM8.5, no additional on-site vehicle parking will be permitted as part of this proposal and no additional parking permits will be issued to any occupiers of additional housing units created through conversions. This is secured by condition (Condition 6).

11.0 SUMMARY AND CONCLUSION

6. Summary

- 11.1 The proposed development is considered acceptable in principle, and would comply with the provisions of Islington's Basement SPD. The benefits of the scheme, including the modest uplift in housing, have been weighed against the shortcomings of the proposal, including the lack of private amenity space for the upper floor flat and the lack of step-free access. Objections from residents have also been considered in the final balance of planning considerations, and it is recommended that permission is granted subject to appropriate conditions relating to materials, a Construction Management Plan, details of the light well enclosure and car-free development.

7. Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

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

1	<p>Commencement</p> <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.</p>
2	<p>Approved plans</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>23-PP-200 23-PP-201 23-PP-202 23-PP-203 23-PP-204 Rev A 23-PP-205 Rev A 23-PP-206 Rev A 23-PP-207 Rev B (proposed rear elevation) 23-PP-207 Rev B (proposed side elevations)</p> <p>Design and Access Statement prepared by AA Studio Architecture Limited Method Statement prepared by PGCS Partnership (November 2017) Ground Investigation Report prepared by Ground and Water Limited (August 2018)</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant; for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials to match (compliance)</p> <p>CONDITION: The facing materials of the basement extensions 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	<p>Construction Management Plan (details)</p> <p>CONDITION: No development shall take place on site unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall be prepared in accordance with Islington Council's Basement Development SPD (2016). The CMP shall provide details in relation to:</p> <p>(a) proposed programme of works (b) site manager/liaison officer details (c) proposed programme of works</p>

	<p>(d) hours of work (e) access arrangements for vehicles and material storage (f) noise, air quality and vibration control</p> <p>The development shall be carried out strictly in accordance with the CMP so 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>
5	Details of basement light well (details)
	<p>CONDITION: Notwithstanding the plans hereby approved, no permission is granted for the railing to the front light well. Plans showing an alternative method of enclosure to the front basement light well (such as a flush metal grille) shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing.</p> <p>The development shall be carried out in accordance with the amended plans so approved and shall be maintained as such thereafter.</p> <p>REASON: To maintain the character and appearance of the street scene.</p>
6	Car free development (compliance)
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>(1) In the case of disabled persons; (2) In the case of units designated in this planning permission as "non car free"; or (3) 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> <p>REASON: In the interests of sustainability and in accordance with the Council's policy of car free housing.</p>
7	Structural Method Statement (compliance)
	<p>CONDITION: The Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) certifying the Structural Method Statement (SMS) dated November 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.</p> <p>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).</p>

APPENDIX 2: RELEVANT POLICIES

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

8. 1. National Guidance

The National Planning Policy Framework 2018 contains a presumption in favour of sustainable development and seeks to secure positive growth in a way that 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. Development Plan

The Development Plan is comprised of the London Plan 2016, the Islington Core Strategy 2011, the Islington Development Management Policies 2013, the Finsbury Local Plan 2013 and the Site Allocations 2013.

A. The London Plan 2016 - Spatial Development Strategy for Greater London

Chapter 3: London's People

Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.8	Housing choice
Policy 3.12	Negotiating affordable housing on individual schemes
Policy 3.13	Affordable housing thresholds
Policy 3.14	Existing housing

Chapter 5: London's response to climate change

Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.10	Urban greening
Policy 5.13	Sustainable drainage
Policy 5.15	Water use and supplies
Policy 5.18	Construction, excavation and demolition waste

Chapter 6: London's Transport

Policy 6.3	Assessing effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.13	Parking

Chapter 7: London's Living Spaces and Places

Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.5	Public realm
Policy 7.6	Architecture
Policy 7.8	Heritage assets and archaeology
Policy 7.18	Protecting open space and addressing deficiency

B. Islington Core Strategy 2011

- Policy CS8 Enhancing Islington's character
- Policy CS9 Protecting and enhancing Islington's built and historic environment
- Policy CS10 Sustainable design
- Policy CS11 Waste
- Policy CS12 Meeting the housing challenge
- Policy CS15 Open space and green infrastructure

C. Islington Development Management Policies 2013

- Policy DM2.1 Design
- Policy DM2.2 Inclusive Design
- Policy DM2.3 Heritage
- Policy DM3.1 Mix of housing sizes
- Policy DM3.2 Existing housing
- Policy DM3.3 Residential conversions and extensions
- Policy DM3.4 Housing standards
- Policy DM3.5 Private outdoor space
- Policy DM3.7 Noise and vibration (residential uses)
- Policy DM6.3 Protecting open space
- Policy DM6.5 Landscaping, trees and biodiversity
- Policy DM7.1 Sustainable design and construction
- Policy DM7.2 Energy efficiency and carbon reduction in minor schemes
- Policy DM7.4 Sustainable design standards
- Policy DM7.5 Heating and cooling
- Policy DM8.1 Movement hierarchy
- Policy DM8.2 Managing transport impacts
- Policy DM8.4 Walking and cycling
- Policy DM8.5 Vehicle parking
- Policy DM8.6 Delivery and servicing for new developments
- Policy DM9.2 Planning obligations

10. 3. Designations

None relevant.

4. Supplementary Planning Guidance (SPGs) / Documents (SPDs)

The London Plan

Housing (2016)
Character and Context (2014)
Sustainable Design and Construction (2014)

Islington Development Plan

Islington Urban Design Guide (2017)
Basement Development (2016)
Inclusive Design in Islington (2014)
Environmental Design (2012)
Affordable Housing Small Sites Contributions (2012)

Appendix B: Minutes from previous Sub-Committee B 2nd October 2018

London Borough of Islington

Planning Sub Committee B - 2 October 2018

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

Present: **Councillors:** Kay (Chair), Chapman (Vice-Chair), Khondoker, Klute and Convery (Substitute) (In place of Woolf)

Councillor Jenny Kay in the Chair

- 11 **INTRODUCTIONS (Item A1)**
Councillor Kay welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.
- 12 **APOLOGIES FOR ABSENCE (Item A2)**
Apologies were received from Councillor Woolf.
- 13 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillor Convery substituted for Councillor Woolf.
- 14 **DECLARATIONS OF INTEREST (Item A4)**
Councillor Klute declared that in relation to Item B5, the applicant was a constituent he had done casework for regarding noise from the nearby pub.
- 15 **ORDER OF BUSINESS (Item A5)**
The order of business would be B7, B1 and B2, B8, B5, B6, B3, B9 and B4.
- 16 **MINUTES OF PREVIOUS MEETING (Item A6)**
RESOLVED:
That the minutes of the meeting held on 17 July 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 17 **1 BERRY PLACE, ISLINGTON, LONDON EC1V 0JD (Item B1)**
Installation of proposed plant equipment (2 no. air conditioning units) above existing flat roof at second floor level (first floor roof) including associated screening and other works.

(Planning application number: P2018/1799/FUL)

In the discussion the following points were made:
- Concern was raised about the air conditioning units being turned on at 6.30am. The noise officer stated that mitigation measures would be put in place. An enclosure would be placed around the units and they would only be permitted to operate at 85% capacity which would limit noise.

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- Concern was raised that details of the screening had not been provided. The planning officer advised that there was a condition relating to materials, the air conditioning units were set back by 1.7m and would be partially visible but obscured.
- The applicant stated that the units were turned on at 6.30am as workers were in the building at that time due to it being an international advertising agency.
- Concern was raised about this being a retrospective planning application and about the lack of communication with residents. The applicant stated that the units had been installed and had been in operation for several months but there was currently no screening.
- In response to a question as to why air conditioning units were required, the applicant stated that they were heat pumps that provided hot water and heating but they could cool too.

Councillor Klute proposed a motion to defer the consideration of this item to enable a site visit and the applicants to provide more details on the screening. This was seconded by Councillor Convery and carried.

RESOLVED:

That consideration of this item be deferred for the reasons outlined above.

18 1 BERRY PLACE, ISLINGTON, LONDON EC1V 0JD (Item B2)

Installation of two air conditioning units within an enclosure, located on the first floor flat roof on the eastern side of the property.

(Planning application number: P2016/4705/FUL)

In the discussion the following points were made:

- Concern was raised about the air conditioning units operating 24 hours a day, 7 days a week. The noise officer stated that an enclosure would be placed around the units.
- Concern was raised that details of the screening had not been provided. The planning officer advised that there was a condition relating to materials, the air conditioning units were set back by 1.7m, would be partially visible but obscured.
- Concern was raised about this being a retrospective planning application and about the lack of communication with residents. The applicant stated that the units had been installed and had been in operation for several months but there was currently no screening.
- In response to a question as to why air conditioning units were required, the applicant stated that they were heat pumps that provided hot water and heating but they could cool too. There was a server room which had to be kept cool. A member suggested that server rooms were no longer required with modern technology.

Councillor Klute proposed a motion to defer the consideration of this item to enable a site visit and the applicants to provide more details on the screening. This was seconded by Councillor Convery and carried.

RESOLVED:

That consideration of this item be deferred for the reasons outlined above.

19 1-42 SALTDENE, 2 REGINA ROAD, LONDON, N4 3PR (Item B3)

Replacement of existing single glazed timber windows with UPVC double glazing.

(Planning application number: P2016/4705/FUL)

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In the discussion the following points were made:

- Concern was raised that the sizes of the new window frames had not been included in the application. The applicant stated this would be done for future applications.
- The application was policy compliant.

RESOLVED:

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

20 147 GROSVENOR AVENUE, LONDON N5 2NH (Item B4)

Erection of a full width lower ground floor extension, part width ground floor rear infill extension and a part width first floor rear extension. Conversion of the extended property into 6 residential units (1x2 bed unit, 3x2 bed units and 2x3 bed units).

(Planning application number: P2015/3543/FUL)

In the discussion the following points were made:

- In response to a member's concern that the viability report was completed a number of years ago and following a review in 2017 and 2018 had remained the same, the planning officer advised that the internal viability officer was satisfied with the independent viability report.
- The approved plans list referred to some drawings which were no longer relevant so these would be removed.

RESOLVED:

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

21 186A NEW NORTH ROAD, LONDON, N1 7BJ (Item B5)

Alteration to the existing 1 bedroom dwelling house located at the rear of 186 New North Road including internal alterations, construction of a new roof, provision of an internal courtyard and alterations to the façade.

(Planning application number: P2018/0246/FUL)

In the discussion the following points were made:

- The planning officer stated that an additional objection had been received. The only new point raised in this was that granting permission would affect the nearby pub but this was not a planning consideration.
- In response to a member's question about why the prohibition order had been included with the papers, the planning officer advised this was for background information.
- In response to a member's question about implications if, after granting permission, the building was demolished and rebuilt, the planning officer advised that the land use had been established and related to the volume of the building rather than the building. The quality of the accommodation had never been assessed and the application was seeking to improve the living conditions.

RESOLVED:

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

22 **23 ROMILLY ROAD, LONDON, N4 2QY (Item B6)**

Creation of a basement extension under the footprint of the existing house including the formation of light wells to the front and rear of the property. Conversion of the existing single-family dwelling house into two self-contained flats (1 x 3 bedroom unit and 1 x 2 bedroom unit).

(Planning application number: P2017/1670/FUL)

In the discussion the following points were made:

- A member asked the planning officer whether policy resisted the splitting up of family homes. The planning officer stated that Policy DM3.3 protected homes of less than 125sqm but this home was larger than 125sqm. The member raised concern that the original home was less than 125sqm but had been extended to over 125sqm through permitted development.
- The planning officer stated that a flooding and groundwater investigation report had been completed and it would be appropriate to defer the application to update the structural method statement accordingly. Changes to the basement design could be required.

Councillor Kay proposed a motion to defer the application to enable to structural method statement to be updated. This was seconded by Councillor Klute and carried.

RESOLVED:

That consideration of this item be deferred for the reason outlined above.

23 **440 A HORNSEY ROAD, LONDON, N19 4EB (Item B7)**

Demolition of existing warehouse buildings and erection of a mixed use development comprising 490m² of commercial floorspace (Use Class B1) contained within a two storey building with basement level and a further two storey building (no basement level) to create 3 x two storey residential dwellings comprising 2 x 2 bed and 1 x 3 bed (Use Class C3), access gate, landscaping, pv panels, refuse and bike facilities and associated alterations.

(Planning application number: P2017/5001/FUL)

In the discussion the following points were made:

- The planning officer stated that Paragraph 4.6 of the officer report should state that Unit 1 would be 44sqm, Unit 2 would be 30sqm and Unit 3 would be 30sqm.
- A member raised concern that the eastern wall that would be lowered was a party wall and the adjoining owners might not agree. The planning officer confirmed that if the wall was not lowered, there would be a greater sense of enclosure.
- The daylight and sunlight implications were discussed and the planning officer stated that the neighbours' windows comfortably passed the daylight and sunlight tests.
- In response to a member's question, the planning officer advised that the refuse collectors were satisfied with the refuse storage and collection arrangements.
- A construction management plan and an environmental plan were required.
- The appeal decision had focussed on poor quality residential accommodation. This had now been improved.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing

the contributions for affordable housing, carbon offsetting contributions and securing a car free development as set out in Appendix 1 of the officer report.

24 **18 ½ SEKFORDE STREET, LONDON, EC1R 0HL (Item B8)**

Partial demolition of the rear courtyard wall and the insertion of a new gate to access the communal garden space and associated landscaping.

(Planning application number: P2017/4174/FUL and P2017/4227/LBC)

In the discussion the following points were made:

- In response to a member's question as to why the application was recommended for approval when a similar application had been refused in 2003 and confirmed by the inspector in 2005, the planning officer advised that local and national policy had been changed and removing the 1970s part of the wall would have a heritage benefit.
- The building which had been a previous bank, was now a family home and had C3 residential use.
- The legal advisor stated that if granted permission, there was a condition that a relevant agreement about the access rights would be agreed between the landowner, who happened to be the Council and the residents of 18½ Sekforde Street. If no agreement was reached, the planning permission could not be implemented.
- In response to a question from a member, the legal advisor stated that if the planning permission was restricted to individuals, there would have to be a reason.
- The planning officer considered that the heritage benefits outweighed the creation of a door in the wall.
- A member stated that if every residential property backing on to the garden had access to it, it would be unfair not to grant access to one more residential property.

RESOLVED:

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

25 **EASYHOTEL HOUSE, 80 OLD STREET, LONDON, EC1V 9AZ (Item B9)**

Change of use of the existing ground floor Use Class A1/A3 retail/café/restaurant unit (163 square metres GIA) to Use Class C3 (hotel) to accommodate 7 additional hotel rooms and separate hotel reception area along with the creation of a new external entrance to the ground floor façade, as well as a change of use of existing ground floor façade, as well as a change of use of existing ground floor hotel and office reception (Use Class B1(a)/C3) to a separate office reception area (Use Class B1(a)).

(Planning application number: P2018/1744/FUL)

In the discussion the following points were made:

- The applicant requested that the 4 months referred to in Condition 2 be extended to 7 months to enable all the works to be completed at the same time. He stated that use of the unauthorised hotel rooms had stopped.
- The planning officer stated that work should start sooner on the unauthorised rooms to ensure that they would not be used.
- The planning officer suggested that the wording of Condition 2 could be amended regarding the decommissioning of rooms and this could be delegated to officers.
- The application sought to improve the building by separating the office and hotel.

RESOLVED:

Planning Sub Committee B - 2 October 2018

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report with the wording of Condition 2 being amended regarding the decommissioning of rooms and the wording of this to be delegated to officers.

The meeting ended at 10.35 pm

CHAIR

