

# PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 3333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB-COMMITTEE B</b>		<b>AGENDA ITEM</b>	<b>B2</b>
<b>Date:</b>	16 <sup>th</sup> July 2019	<b>NON-EXEMPT</b>	

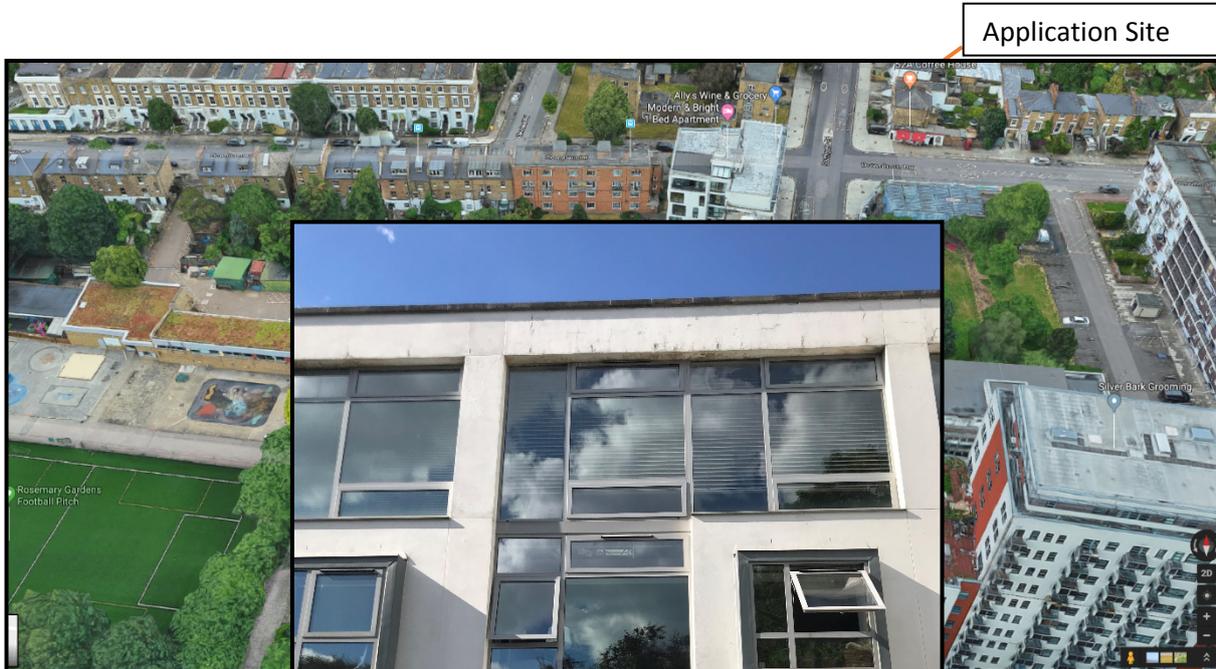
Application number	P2019/0526/FUL
Application type	Full Planning Application
Ward	Canonbury
Listed building	No
Conservation area	Within 50m of Conservation Area (East Canonbury)
Development Plan Context	Article 4 Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	4, 5, 6 & 7 Park Place, London, N1 3JU
Proposal	Proposed erection of a continuous roof extension across 4-7 Park Place to form roof terrace and habitable space for each unit, comprising zinc cladding, opaque screening between units, double glazed fenestration and bi-fold doors facing south towards Rosemary Gardens.

Case Officer	Jake Shiels
Applicant	Redacted
Agent	Ian Silversides

**2. SITE PLAN (site outlined in black)**



**3. PHOTOS OF SITE/STREET**



**Image 1: Aerial**

**view of the site**

**Image 2:** View of No.5 Park Place (Front Elevation)



**Image 3:** View of application building and 8-14 Park Place within courtyard.



**Image 4:** Roof and full front elevation view from Rosemary Gardens to to the south



**Image 5:** Rear elevation view from inbetween Downham Road and Trafalgar Point



**Image 6:** View west from roof terrace at No.5



**Image 7:** View east from roof terrace at No.5

#### **4. SUMMARY**

- 4.1 The application proposes the erection of a continuous roof extension across 4-7 Park Place to form roof terrace and habitable space for each unit, comprising zinc cladding, opaque screening between units, double glazed fenestration and bi-fold doors facing south towards Rosemary Gardens.
- 4.2 The proposed extension would span 24.95m across the existing roof of the building, measuring approximately 2.6m in maximum height and 4.1m in depth providing additional living space for each residential unit. The roof extension would comprise of zinc cladding, and would feature bi-folding doors 6 casement wide for each unit, 4.8m wide.
- 4.3 The design, layout, scale and massing of the proposed development is considered acceptable. The Design and Conservation Team have been consulted during the application process and are satisfied that the proposed external alterations would preserve the character and appearance of the host building and the adjacent Conservation Area.
- 4.4 The proposed extensions and newly formed terrace area are considered to be of an appropriate scale, and the proposal is not considered to prejudice the residential amenity of neighbouring properties insofar of loss of sunlight and daylight, increased sense of enclosure, overlooking, overshadowing or loss of privacy. The proposal therefore accords with policy DM2.1 of the Development Management Policies 2013.
- 4.8 The application is referred to committee given the number of objections received (12).
- 4.9 The proposal is considered to cause no harm to the character and appearance of the surrounding area, and to accord with the Development Plan.

#### **5. SITE AND SURROUNDINGS**

- 5.1 The site is located on the west side of Southgate Road, in close proximity to the junction with Downham Road. Accessed from underneath 41-43 Southgate Road, the application building is a mews development consisting of 4 no. 3 storey residential properties with roof terrace gardens/access. The application site is not listed and not within a Conservation Area however, it is in close proximity to East Canonbury Conservation Area (CS23) which is located to the north and west of the site.
- 5.2 The mews development is a contemporary white rendered flat roof building which overlooks Rosemary Gardens to the south and the communal area of Downham Court to the north. Property no. 8-14 Park Place (4 storeys) is located to the west and attached to the application building, whilst 1 to 3 Park Place (3 storeys) is located and attached to the eastern part of the application building. 8-14 has an existing timber terrace similar to the application building, and has a zinc clad 4<sup>th</sup> floor whilst 1-3 has a semi curved zinc clad roof. These properties are all accessed from the private gated access off Southgate Road.
- 5.3 This area is characterised as dense urban and residential with a range of architectural styles. 41-43 which is directly adjacent to the site to the east is a 5 storey brick built building with zinc 5<sup>th</sup> floor, 45 Southgate Road is a 4 storey building with a stone exterior, 137 Downham Road is attached to No.45 and is of the same architectural detail consisting of a part 5 storey, part 6 storey (including lower ground floor level) building that extends around the junction of Southgate Road and Downham Road and

is located to the north east of the site and built as one development. No.s 1 to 12 Downham Court is a post war red brick Council owned building located directly north of the site and is a 4 storey building with an outdoor communal area to the rear.

- 5.4 The site is in close proximity with the De Beauvoir Estate to the east (Hackney), and high rise contemporary development on Benyon and Balmes Road including Textrye House, south east of the site.

## 6. PROPOSAL (in Detail)

- 6.1 The application seeks permission for the erection of a continuous roof extension across 4-7 Park Place to form roof terraces and habitable space for each unit (4 units), comprising zinc cladding, opaque screening between units, double glazed fenestration and bi-fold doors facing south towards Rosemary Gardens.
- 6.2 The proposed extension would span 24.95m across the existing timber terrace roof of the development, measuring approximately 2.6m in height (2.4m internally) and 4.1m in depth, set flush with the rear elevation of the four storey building providing additional living space for each residential unit. The roof of the extension would have a 1m overhang to the frontage with a terraced area for each property measuring approximately 26.50sqm. There are existing roof top terraces which will be reduced in area as a result of the proposal.
- 6.3 The proposal would include obscure glazing upon the east flank of the terrace above No.4 Park Place, whilst the handrail is to be re-positioned to the outer edge of the roof as permitted under application P061282.
- 6.4 The roof extension would comprise of zinc cladding, and would feature bi-folding doors 6 casement wide for each unit, 4.8m wide.
- 6.5 The application has been referred to the planning sub-committee due to the number of objections received.

## 7. RELEVANT HISTORY

- 7.3 881335: Redevelopment to provide seven business/residential units in two 3-storey buildings. **Approved** with conditions on 13/09/1989.
- 7.4 P001271: Demolition of existing warehouse and erection of four houses and five flats together with parking spaces. **Approved** with conditions on 16/11/2000.
- 7.4 P010407: Demolition of existing warehouse and erection of five 2-bed houses and seven 2-bed flats. **Approved** with conditions at Committee on 23/05/2001.
- 7.5 P020530: Addition of roof terraces and sliding glass rooflights to 4 No. houses proposed under planning consent reference P01040 dated 23rd May 2001. Alterations to rear windows. **Approved** with conditions on 28/05/2002.
- 7.6 P061282: Re-alignment of existing roof balustrade by one metre to perimeter of existing roof. **Approved** with conditions on 18/09/2006.
- 7.7 P2018/1407/FUL: Erection of a continuous roof extension across 4-7 Park Place comprising zinc clad, double glazed fenestration and bi-fold doors facing south towards Rosemary Gardens. **Withdrawn** on 05/11/2018.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of adjoining and nearby properties at Park Place, Southgate Road, Downham Road, Downham Court on 8 March 2019.
- 8.2 At the time of the writing of this report a total of 12 objections have been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).

### **Use**

- Houses already have ample floorspace and terrace, further alterations not understood.
- Terraces infrequently used.

(paragraph 10.2)

### ***Design and character***

- Increase in development density
- Overbearing
- Roofline would be at odds with neighbouring properties on Park Place
- View from street level would have adverse impact
- Out of scale and character with immediate neighbours
- Imbalance of heights
- Large blank flank wall would be created
- Materials not reflecting or sympathetic of area
- Loss of view to park and its greenery
- Visual impact on neighbourhood
- Visual impact of roof design not inkeeping
- Change in character of area
- Overdevelopment
- Loss of sky contour and sky view
- Impact on character of Rosemary gardens
- Expansion of property furthermore would impact the distinctive historical character of the street

(paragraphs 10.3-10.19)

### ***Neighbouring amenity***

#### ***Loss of daylight/sunlight***

- Loss of light to adjacent apartments
- Loss of natural sunlight from balcony and flats
- Loss of sunlight to garden
- Overshadowing
- Impacts of loss of light during mid winter
- Reduction in APSH
- BRE criteria not met

(paragraphs 10.20-10.37).

## Noise

- Noise and impact of use of terrace area
- Works should take place at reasonable hours

(paragraphs 10.38-10.40).

## **Internal Consultees**

### 8.3 **Design and Conservation officer:** No objection.

*'The proposed roof extension is considered acceptable.*

*It would not be visible in any long views that could result in harm to the East Canonbury Conservation Area to the north, and it is substantially set back from the boundary to the south resulting in minimal impact on Rosemary Gardens. The proposed building height is also already established by the adjacent building; although the proposed extension would result in a slightly taller height it would not be perceived as such from street level.*

*The modern, predominantly glazed design is considered appropriate and in accordance with the guidance contained within the IUDG.*

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

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

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

### 9.2 National Planning Policy Framework 2019 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.

### 9.3 The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### 9.4 Since March 2014 Planning Practice Guidance for England has been published online

### 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.

- 9.6 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.
- 9.7 Members of the Planning Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 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.
- 9.9 In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.

### **Development Plan**

- 9.10 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 9.11 Some weight is attributable to the Draft London Plan.

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

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

## **10. ASSESSMENT**

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

- Design and assessment of any heritage impacts
- Impact on the amenity of neighbouring residents.

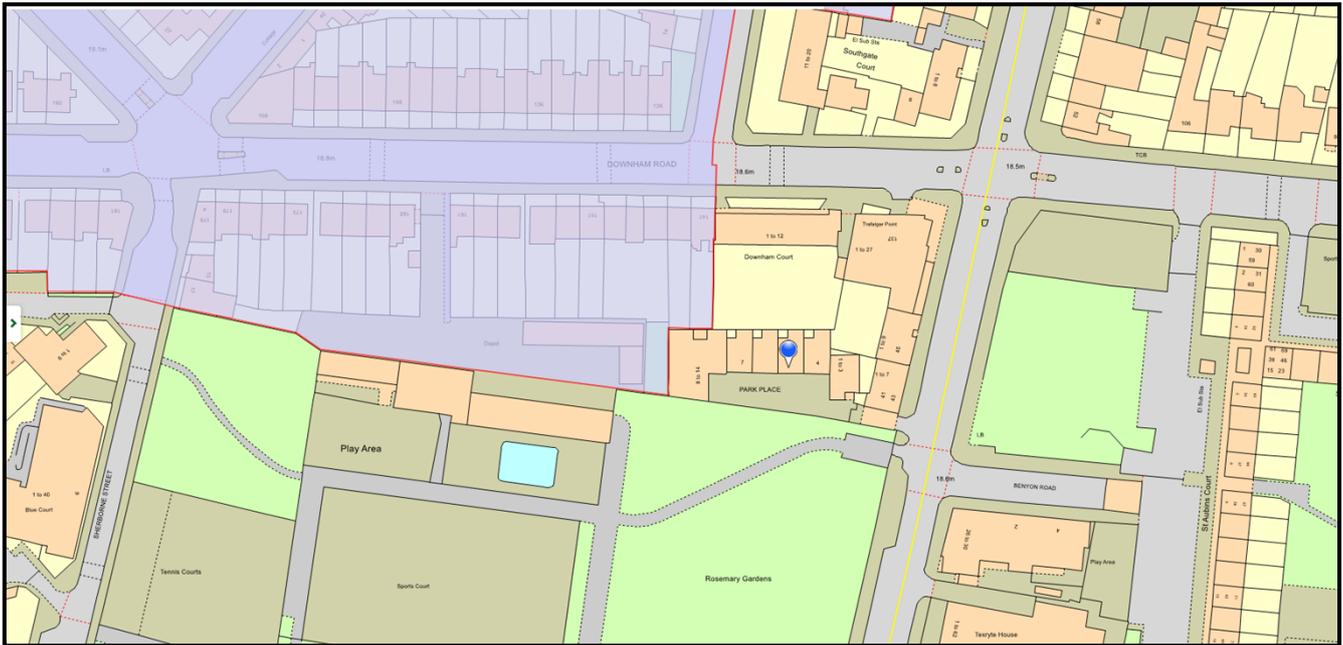
### **Land Use**

- 10.2 It is proposed to erect a continuous roof extension across the flat roof terraces area of No.s of 4,5,6 and 7 Park Place. The roof extension would be for additional habitable floor space for each unit in C3 use (residential). No change of use would occur, nor would the proposal result in additional residential units, there is therefore no land use matters to consider.

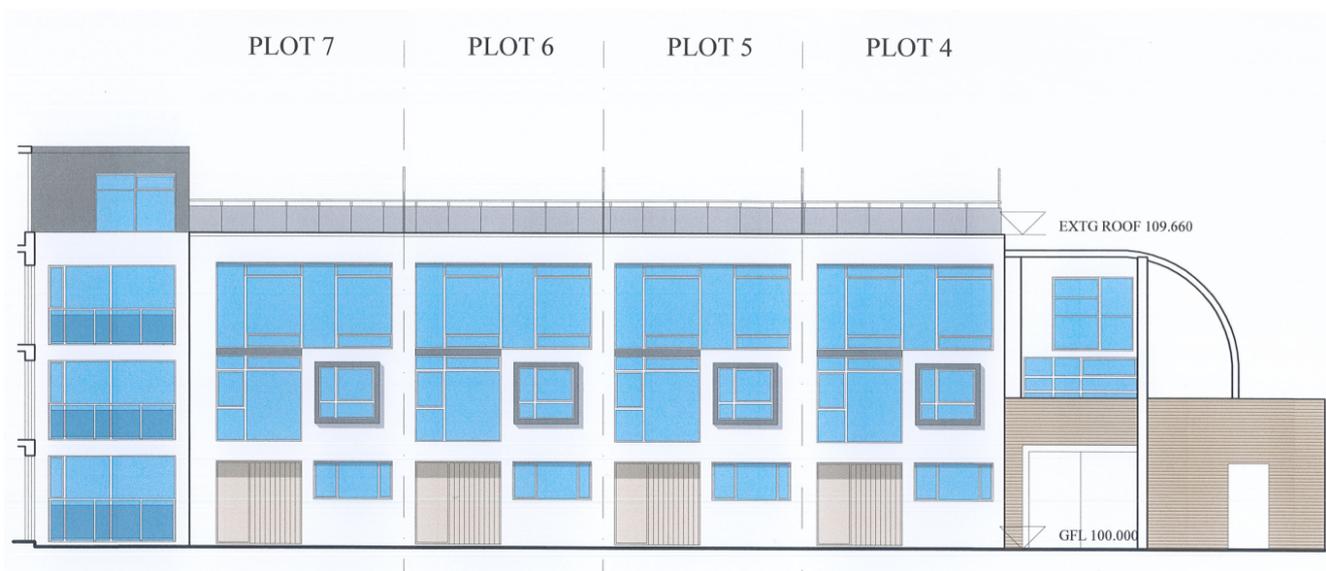
### **Design**

- 10.3 The National Planning Policy Framework (NPPF) confirms 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 and should contribute positively to making places better for people.
- 10.4 Policy CS 8 and 9 of Islington's Core Strategy (CS) 2011 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.5 Policy DM2.3 states that Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance.
- 10.6 The Islington Urban Design Guide states that residential extensions should respect the integrity, rhythm and visual amenity of the street.
- 10.7 The IUDG, Para. 5.153 states that outside conservation areas, there is more scope to introduce roof extensions where these are of a high quality design. Where a street frontage benefits from a consistent and unbroken roofline, alterations which would disrupt this consistent roofline and be visible from the public realm need to be designed in a style appropriate to the host building.
- 10.8 However, paragraph 5.148 In all cases, states that applications for roof extensions, dormers and roof lights will be assessed on merit, giving due consideration to:
- The quality of design.
  - Materials and construction proposed.
  - The cumulative effect on visual amenity, unity and coherence of the street scene.
- 10.9 The application building is a modern mews development flat roof building which overlooks Rosemary Gardens to the south and the outdoor communal area of

Downham Court to the north and is in close proximity to the East Canonbury Conservation Area (located due north and west of the site).



**Image 8:** Application site (blue marker) in context of East Canonbury Conservation Area (blue shading).



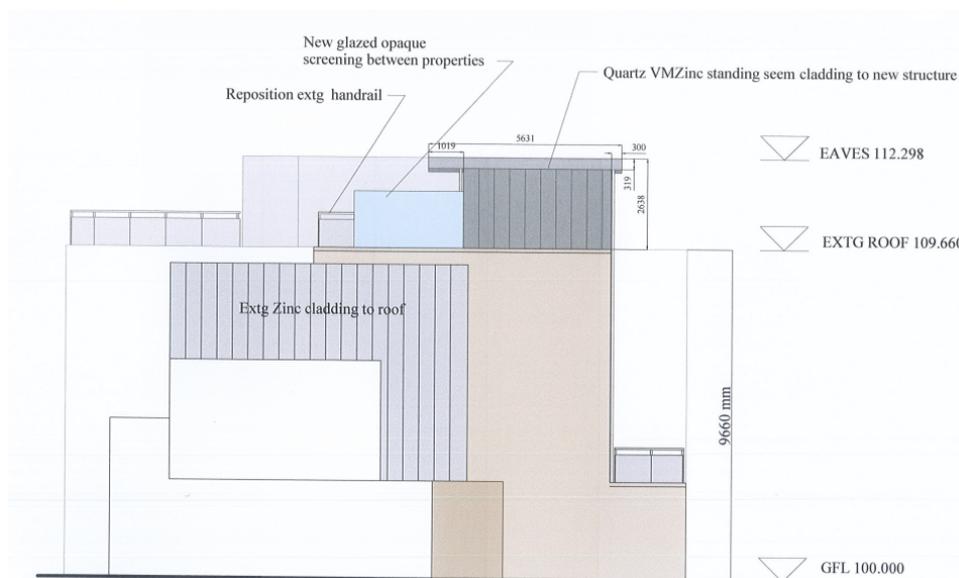
**Drawing 1:** Existing elevation facing south.



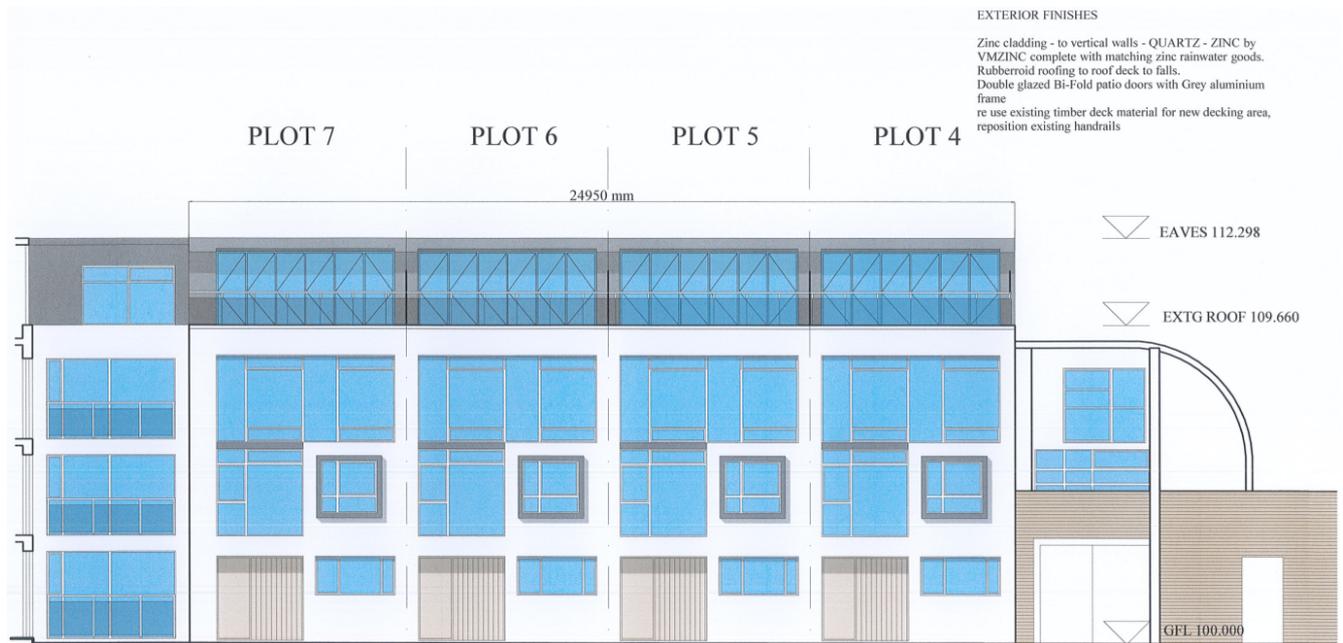
Drawing 2: Existing west elevation

10.10 The immediate and surrounding area is characterised as dense urban and residential with a range of architectural styles. No.s 41-43 Southgate Road which is directly adjacent to the site to the east is a 5 storey brick built building with zinc 5<sup>th</sup> floor, 45 Southgate Road is a 4 storey building with a stone exterior, 137 Downham Road is attached to No.45 and is of the same architectural detail consisting part 5 storey, part 6 storey (including lower ground floor level) building that extends around the junction of Southgate Road and Downham Road and is located north east of the site and built as one development. No.s 1 to 12 Downham Court is a post war red brick Council owned building located directly north of the site and is a 4 storey building with an outdoor communal area to the rear.

10.11 The application proposes the erection of a single storey roof extension that would span 24.95m across the existing terraced and roof of the development in total, measuring approximately 2.6m in height and 4.1m in depth set flush with the rear elevation of the four storey building, the development would result in a total height of 12.3m.



Drawing 3: Proposed east elevation



Drawing 4: Proposed south elevation



Drawing 5: Proposed north elevation

10.12 The extension when considering the surrounding buildings to the east and north east which consist of 4-6 storeys, would not be prominent when considered in the context of the the established height and form of adjacent buildings. The extension would meet with the zinc roof of 8-14 Park Place to the west and would form a consistent roofline with this property. Officers consider in line with the assessment from the Design and Conservation Officer, that the extension would result in a slightly taller height when viewed within the immediate context of Downham Court and Trafalger Point adjacent, however the extension would not be prominent from street level, by reason of it's height of 2.6m. Additionally, the extension would have a setback from the boundary adjacent Rosemary Gardens to the south by 11m, therefore minimising it's view from the gardens and from further views south-west and south-east. Officers also consider, that the greater height proposed overlooking the park would add greater natural surveillance which is welcomed in urban design terms and crime prevention.

10.13 In regards to the addition of the extension upon the roof of the main building, the proposed height and scale and materials that will be discussed further within the next section would not appear prominent and when read within the context of the existing design of the mews development would therefore not appear out of character, or at odds with the character of the area. Officers do not consider that the roof extension would cause any harm to the character and appearance of the East Canonbury Conservation Area that is located directly north and west of the site and the addition overall is therefore considered acceptable.

#### *Appearance and Materials*

10.14 Paragraph 131 of the NPPF (2019) states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

10.15 Paragraph 5.156 of the Urban Design Guide states that “Contemporary roof extensions, with a lightweight appearance such as glass and steel, comprise a vertical frontage and flat roof that is usually well set back behind the front parapet. They are most appropriate on relatively modern buildings.”

10.16 Nos 8-14 Park Place is located west and attached to the application building, and has an existing timber terrace similar to the application building, and a zinc clad 4<sup>th</sup> floor whilst 1-3 has a semi curved zinc clad roof.

10.17 In line with the comments from the Design and Conservation Officer, it is considered that the modern, predominantly glazed design is appropriate and in accordance with the guidance contained within the IUDG. The obscure screening would also not appear prominent within the street scene and would only be visible from the east and south. Officers also consider the zinc roof material to be reflective of the immediate site context. The existing streetscape is varied, and therefore there is no objection to the materiality of the extension in the view of mixed architecture locally.

10.18 Officers note that specific details regarding materials are limited. Therefore, a condition has been recommended requiring the applicant provide details of all facing materials for the approval of the Local Planning Authority prior to the commencement of construction.

#### *Simultaneous construction*

10.19 The proposal as described would be a continuous extension over the four properties. However, in order to ensure that this takes place to ensure the development is not piecemeal which would have an adverse impact on the appearance of the building and the character and appearance of the area a condition has been advised to ensure the development is constructed concurrently.

#### **Neighbouring Amenity**

10.20 All new development is subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy

7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.

#### *Overlooking and Loss of Privacy*

- 10.21 Paragraph 2.14 of the Development Management Policies 2013 states that '*there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.*'
- 10.22 In this instance, glazing is proposed within the south elevation of the proposed development, which is setback from the outer edge of the roof by 4.4m. No overlooking issues have been identified, whilst it should be acknowledged that the roof as existing is being used as a terrace amenity area and therefore there is an existing degree of authorised overlooking. The proposed extension would also inevitably reduce overlooking towards Downham Court and Trafalgar Point and it is not considered that the glazing would cause an unacceptable overlooking towards neighbouring properties given it faces towards Rosemary Gardens.
- 10.23 The proposed balustrade would be slightly re-positioned to the edge of the roof to the south, which would bring the balustrade closer to the communal courtyard and 8-14 Park Place. This balustrade is consistent with the terrace balustrade at 8-14 and has been authorised under planning application P061282 without compromising overlooking.
- 10.24 The proposed obscure screening to the east flank of no.7 Park Place at a height of 1.8m would screen views towards the properties within the upper levels of 45 Southgate Road and 137 Downham Road, which as detailed above would result in no overlooking to the north and east. The terrace would be enclosed with views only south towards Rosemary Gardens. The 1.8m screening between individual units would also mitigate overlooking between the units and is considered acceptable.

#### *Outlook and enclosure*

- 10.25 The proposed extension would be adjacent to the rear facing walls and upper floor windows of 45 Southgate Road, located to the east of the site, whilst the screening would be directly adjacent to 41-43 Southgate Road. Whilst this is noted, there is approximately 11m-12m spacing between the proposed extension and these properties, whilst the screening would be approximately 10m-11m from the rear elevations. When considering the angled siting of the application property to the adjacent buildings, greater heights and separation distances, it is not considered to cause demonstrable harm to neighbouring amenity by virtue of loss of outlook or enclosure. Additionally, officers note that the length of the extension at 5.6m (including overhang) would not be significant and at a height of 2.6m over the roof level would not be considered overbearing to the neighbouring properties.
- 10.26 To the opposing flank, the extension would meet with the fourth floor zinc roof of 8-14 Park Place and would therefore not impact on this neighbour and would be set back

from the south edge of the roof. When considering the separation distances to the properties at Downham Court (Approx. 23m) and Trafalgar Point (Approx. 15m-16m) no harm has been identified in this regard.

- 10.27 Overall, the proposal would not have a detrimental impact, outlook, privacy and overlooking and would therefore be in compliance with policies DM2.1 of the Development Management Policies 2013 and the guidance set out in the Urban Design Guide 2017.

#### *Daylight and Sunlight*

- 10.28 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours. A number of objections have been raised with regard to the impact of the proposed structure upon the levels of sunlight and daylight provided to neighbouring properties. The applicant has provided a Sunlight and Daylight analysis, which has assessed the impact of the proposal on the windows that could potentially be affected of the adjoining properties on:

- 1-12 Downham Court (north),
- 137 Downham Road, Trafalgar Point (north-north east),
- 41-43 Southgate Road (east),
- 8-14 Park Place (west-south-west).

- 10.29 **Daylight:** the BRE Guidelines stipulate that there should be no noticeable loss of daylight provided that either:

- the Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value (Skylight); or
- the daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of working plane area receiving light is measured, is not reduced by greater than 20% of its original value.

- 10.30 The results from both the VSC test and daylight distribution show that all windows tested are not reduced by greater than 20% of its original value (Skylight) nor are they reduced by greater than 20% of their original value in regards to daylight distribution. Therefore, the impact of the proposal upon access to daylight at the neighbouring properties on Southgate Road and Downham Road is considered to be acceptable in line with BRE Guidelines and recommended target values. Neither test is failed by any window or room.

- 10.31 **Sunlight:** the criteria within the BRE Guidelines advise that calculation of the annual probable sunlight hours (the amount of sun available in both the summer and winter for each given window) should be calculated for all windows which face within 90° of due south. In existing buildings, the BRE guide suggests that; *'If a living room or an existing dwelling has a main window facing 90° of due south, and any part of a new development subtends an angle of more than 25° to the horizontal measured from the centre of the window in a vertical section perpendicular to the window., then the*

*sunlighting to the existing dwelling may be adversely affected. This will be the case if the centre of the window;*

- *receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21<sup>st</sup> September and 21<sup>st</sup> March and;*
- *receives less than 0.8 times its former sunlight hours during either period and;*
- *has a reduction in sunlight received over the whole year greater than 4% or annual probable sunlight hours.*

- 10.32 All windows within Downham Court have been tested and would meet the BRE guidelines, the windows of the properties at 41-43 Southgate Road and 8-14 Park Place do not face within 90° of due south, and therefore these have not been analysed, as per the BRE guidance.
- 10.33 Windows that also face within 90° due south are windows R1-R3 from ground floor to fifth floor at 137 Downham Road (Trafalgar Point). All windows pass annual probable sunlight for the year, meaning the windows would not receive less than 25% of annual probable sunlight hours, would not receive less than 0.8 times their former sunlight hours during either period and; would not have a reduction in sunlight received over the whole year greater than 4% or annual probable sunlight hours.
- 10.34 There are three windows that have been identified as not meeting the winter month requirements, these are W1/F01, W2/F01 and W3/F01 at first floor. The criteria for winter sunlight is a minimum of 5% APSH as set out within the Methodology section of the submitted report.
- 10.35 Window W1/F01 serves a Living Room and will go from 6% APSH to 4% APSH in the winter months, window W2/F01 serves a bedroom and will go from 5% APSH to 2% APSH in the winter months. The third window, W3/F01 serves a living room, the window will go from 4% APSH to 3% APSH. It would appear that window W1/F01 and window W2/F01 serve one flat, whilst W3/F01 would serve a living room for another residential unit.
- 10.36 Table 1 and 2 below highlights the daylight and sunlight impacts to accommodate the analysis for W1/F01, W2/F01 and W3/F01.

Table 1: Daylight Assessment

<b>Daylight Assessment</b>	F01 - W1	F01 - W2	F01 - W3
VSC – Existing	19.33	17.01	11.68
VSC – Proposed	18.20	16.14	11.05
PR/EX	0.94	0.94	0.94
Meets BRE Guidance	YES	YES	YES

Table 2: Sunlight assessment

<b>Sunlight Assessment</b>	F01 - W1	F01 - W2	F01 - W3
ANNUAL – Existing	45	40	25
ANNUAL – Proposed	43	37	24
PR/EX	0.95	0.92	0.96

Meets BRE Guidance	YES	YES	YES
WINTER – Existing	6	5	4
WINTER – Proposed	4	2	3
PR/EX	0.66	0.40	0.75
Meets BRE Guidance	NO	NO	NO

10.37 None of the windows (W1/F01, W2/F01 and W3/F01) have a reduction in sunlight received over the whole year greater than 4% of APSH from existing to proposed APSH, which is also considered acceptable under BRE guidance. When considering compliance with annual sunlight and compliance with BRE guidance in regards to VSC and daylight distribution, it is not considered that the proposal would cause unacceptable harm to the level of daylight and sunlight received by the windows of the existing properties on 137 Downham Road that are due south of the development in line with BRE Guidance.

*Construction Noise*

10.38 In order to ensure that management practices are implemented to ensure that the impact of construction on neighbouring residents is minimised, a condition has been recommended requiring the applicant to provide a Construction and Environmental Management Plan for the approval of the Local Planning Authority prior to the commencement of construction. The applicant has agreed to this requirement for a pre-commencement condition.

10.39 For the reasons above, and subject to the conditions recommended, it is considered that the proposed development would not unacceptably harm the living conditions of the occupiers of adjoining and adjacent properties. Accordingly, the proposal does not conflict with policy DM2.1 of the Development Management Policies 2013 or policy 7.6 of the London Plan 2016 insofar as they aim to safeguard residential amenity. The scheme would also adhere to the core principle of the National Planning Policy Framework, which is to always ensure a good standard of amenity for all occupants of land and buildings.

10.40 Officers are not of the opinion that the new terrace area would cause more or less noise in regards to the use of the terrace, when considering the existing use and the fact that the terrace size would be reduced in scale.

*Amenity for existing units*

10.41 It is acknowledged that the existing units at 4, 5, 6 and 7 are two and 3 bed units from the applicant's surveys. The proposal would result in the loss of amenity space by virtue of the loss of terrace area. In line with policy DM3.5, the properties would require between 7m<sup>2</sup> and 9m<sup>2</sup> maximum, the proposed terrace area left would comprise at least 26.50sqm complying with the requirements.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The principle of the development is considered acceptable and would provide an additional floor area for each residential property and its design would not appear out of character within the streetscene, nor would the development harm the adjacent East Canonbury Conservation Area and is considered conducive to the surrounding residential character and use which is varied in character. The extension is conditioned to be built out as one continuous extension to prevent unsightly gap-tooth development.
- 11.2 Overall, subject to conditions the proposal would not harm the character or appearance of the host building nor that of the surrounding area. The proposal accords with policies DM2.1 of the Development Management Policies 2013, policies CS8 and CS9 of the Core Strategy 2011 and the Urban Design Guide 2017.
- 11.3 It is considered that the development would not result in unacceptable loss of daylight or sunlight to the occupiers of adjoining residential properties having regard to the daylight and sunlight assessment against BRE guidelines. The proposal would not cause an unacceptable increase in enclosure levels, loss of outlook nor direct overlooking and would not regard have a detrimental impact upon nearby amenity levels taken as a whole and accords with Policy DM2.1.
- 11.4 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

- 11.5 It is recommended that planning permission is granted subject to conditions.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

<b>1</b>	<b>Commencement</b>
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan, 100/100, 100/101, 100/102, 100/103, 100/104, 100/105, 100/106, 100/107, 100/108, 100/109, 100/110, 100/111, 100/112, Context document (undated; pages 1-7 4-7 Park Place) and Daylight &amp; Sunlight Assessment (04/02/19).</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials (Details)</b>
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"><li>a) zinc cladding;</li><li>b) window and door treatment (including sections and reveals);</li><li>c) balustrading</li><li>d) any other materials to be used.</li></ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the Newington Green Conservation Area.</p>
<b>4</b>	<b>Schedule of works</b>

	<p>CONDITION: Notwithstanding the details submitted with the application, a 'schedule or works' outlining how the development will be built concurrently across no's 4-7 shall be submitted to the Local Planning Authority for approval prior to the commencement of development. The development shall then be carried out in accordance with an approved 'schedule of works'.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the adjacent Conservation Area and surrounding area.</p>
<b>5</b>	<b>Construction and Environmental Management Plan</b>
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP shall include details and arrangements regarding:</p> <ul style="list-style-type: none"> <li>a) The notification of neighbours with regard to specific works;</li> <li>b) Advance notification of any access way, pavement, or road closures;</li> <li>c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;</li> <li>d) Details regarding the planned demolition and construction vehicle routes and access to the site;</li> <li>e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;</li> <li>f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)</li> <li>h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;</li> <li>i) Details of measures taken to prevent noise disturbance to surrounding residents;</li> <li>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</li> <li>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</li> </ul>

	<p>l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;</p> <p>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
<b>6</b>	<b>Flat roof not used as amenity space (Compliance)</b>
	<p>CONDITION: The flat roof area of the roof extension's hereby approved shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
<b>7</b>	<b>Terrace screening (Compliance)</b>
	<p>The proposed obscure glazed screening proposed to the roof edge to the east of the development and proposed in between each unit (4-7) in accordance with the details noted on the plans shall be carried out prior to occupation of the terrace areas.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>

**List of Informatives:**

<b>1</b>	<b>Construction works</b>
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	Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a> ) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
<b>2</b>	<b>Highways Requirements</b>
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a>.</p>

## **APPENDIX 2: RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE**

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

### **1. National and Regional Guidance**

The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- NPPF (2019)

## **2. Development Plan**

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

### **A) The London Plan 2016 - Spatial Development Strategy for Greater London**

#### **7 London's living places and spaces**

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.14 Improving Air Quality

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

### **B) Islington Core Strategy 2011**

Policy CS8 (Enhancing Islington's Character)

Policy CS9 (Protecting and Enhancing Islington's Character)

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

Policy CS15 Open space and green infrastructure

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

#### Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM3.3 Residential conversion and extensions

DM3.5 Private Amenity Space

#### Health and Open Space

DM6.3 Protecting open space

DM6.5 Landscaping, trees and biodiversity

#### Energy and Environmental Standards

DM7.2 Sustainable Design and Construction

## **3. Designations**

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

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

The following SPGs and/or SPDs are relevant:

**Islington Local Plan**

Urban Design Guide (2017)

East Canonbury Conservation Area  
Guidelines (2002)