



## PLANNING COMMITTEE REPORT

<b>PLANNING SUB-COMMITTEE B</b>		<b>AGENDA ITEM NO:</b>
Date:	18 <sup>th</sup> September 2014	NON-EXEMPT

Application numbers	P2014/1208/FUL & P2014/1276/LBC
Application types	Full Planning & Listed Building Consent
Ward	Mildmay Ward
Listed building	Grade II
Conservation area	Canonbury
Development Plan Context	None
Licensing Implications	None
Site Address	8 St. Paul's Road, London N1 2QN
Proposals	<p>P2014/1208/FUL - Erection of a part three storey, part single storey rear extension. Alterations to the rear façade, creation of new steps to rear garden and associated landscaping.</p> <p>P2014/1276/LBC - Application for Listed Building Consent for demolition of existing rear projection and garden shed and the erection of a part three storey, part single storey rear extension. Alterations to the rear façade, creation of new steps to rear garden, associated landscaping and internal alterations.</p>

Case Officer	Thomas Broomhall
Applicant	Mrs Katrina Scior
Agent	Ms Helene Gullaksen

### 1 RECOMMENDATION

The Committee is asked to resolve to **REFUSE** planning permission and listed building consent for the reasons set out in Appendix 1 – Recommendations.

2. SITE PLAN (site outlined in black)



**3. PHOTOS OF SITE/STREET**



**Image 1 - Aerial view of the site and surroundings**



**Image 2 - View of rear elevation of the site**





**Image 3 – View of rear elevation of the adjoining property at no. 10 St Paul's Road**



**Image 4 – View of rear elevation of the adjoining property at no. 6 St Paul's Road**

## **4 SUMMARY**

- 4.1 The application is for Full Planning Permission and an associated application for Listed Building Consent and the report addresses both applications.
- 4.2 The application for Full Planning Permission (ref: P2014/1208/FUL) proposes the erection of a part three storey, part single storey rear extension and alterations to the rear façade, creation of new steps to the rear garden and associated landscaping.
- 4.3 The application for Listed Building Consent (ref: P2014/1276/LBC) proposes the demolition of the existing rear projection and garden shed and the erection of a part three storey, part single storey rear extension. The Listed Building Consent application also proposes alterations to the rear façade, creation of new steps to rear garden, associated landscaping and internal alterations.
- 4.4 The issues arising from the application for Full Planning Permission are the impact on the setting of the listed building, the impact on the character and appearance of the listed terrace and surrounding Canonbury Conservation Area; and the impact on the neighbouring amenity of the adjoining and adjacent residential properties.
- 4.5 The issues arising from the application for Listed Building Consent are the impact on the historic fabric and setting of the listed building and the impact on the character and appearance of the listed terrace.
- 4.6 The proposed works to build a three storey closet wing style rear extension by virtue of their detrimental impact on the rear elevation and rear building line of the listed terrace, loss of historic fabric and unsympathetic design would adversely affect the character and special architectural and historic interest of the listed building.
- 4.7 The impact on neighbouring amenity of the adjoining and surrounding properties is considered to be acceptable.
- 4.8 Issues were raised in respect of the concerns over the height of the proposal. The applicant was given the opportunity to amend the scheme to reduce the 3 storey extension to 2 storeys to overcome these concerns, prior to determination of both applications. The application was subsequently called in by Councillor Kay and Councillor Parker to be determined by the Council's Planning Committee. No revisions have been received to date.
- 4.9 The applications for Full Planning Permission and Listed Building Consent are unacceptable and therefore recommended for refusal.

## **5 SITE AND SURROUNDING**

- 5.1 The property is a three storey over basement mid-terrace Grade II Listed property in a row of 4 similar Grade II Listed properties adjoining a further 5 Grade II Listed terraced properties. The property is within the Canonbury Conservation Area. The site fronts the north side of St Paul's Road. The surrounding area is predominantly residential.

## **6 PROPOSAL (in Detail)**

- 6.1 The proposal is for the demolition of the existing rear projection and garden shed and the erection of a full width part three storey, part single storey rear extension. The proposed three storey extension comprises London Stock Brick and 3 no. timber sash windows with brick arches. The proposed single storey extension is fully glazed and adjoins the boundary/party wall of a matching extension at no.10. The application also proposes alterations to the rear façade, steps to rear garden, associated landscaping and internal alterations.

## 7 RELEVANT HISTORY:

### PLANNING APPLICATIONS

- 7.1 The application follows a previous application for full planning permission and associated listed building consent on the application site which was refused:
- 7.2 **P090384 (Full Planning Application) and P090423 (Application for Listed Building Consent)** – Erection of a single Storey conservatory to the rear. Refused on 05/05/2009 at 8 St Paul's Road.

Both applications were refused for the following reason:

*REASON: The proposed extension by virtue of its design would have a detrimental impact on the special interest and character and appearance of the building, the integrity of the terrace and the character and appearance of the conservation area contrary to policies D11, D22 and D28 of the Islington Unitary Development Plan (2002).*

- 7.3 The applications were refused for 1 reason relating to:

- Impact upon the setting of the listed building, listed terrace and surrounding Canonbury conservation area

- 7.4 Planning application P090384 and application for listed building consent P090423 were appealed and dismissed (February 2010). Reference of appeal and inspectors conclusion.

- 7.5 **P110115 (Full Planning Application) and P110116 (Application for Listed Building Consent)** - Erection of a single storey lower ground floor rear extension and first floor half width rear addition, new rear windows and internal alterations at 10 St Paul's Road. Approved with conditions on 11/03/2011.

CONDITION: All new facing brickwork shall match the existing brickwork adjacent in respect of colour, texture, face bond and pointing, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent. The pointing shall be carried out using a lime mortar with a ratio of 1:2:9 (cement:lime:sand) and shall be flush/slightly recessed.

REASON: In order to safeguard the architectural integrity of the host Grade 2 Listed building in accordance with UDP policies D4, D11, D24 and policy 9 of Islington's Core Strategy 2011

### ENFORCEMENT:

7.6 None

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

7.7 The application follows desktop pre-application advice (Ref: Q2013/5133/LBC) provided in March 2014 in relation to a proposed three storey rear extension, single storey glazed rear extension and internal alterations at 8 St Paul's Road. The advice indicated that the Council's policies resist upper floor rear extensions beyond two storeys to avoid an extension that inappropriately dominates the main building. However it acknowledged that a similar scheme for a three storey half width rear extension and single storey half width glazed extension was approved at the adjoining property at no. 10 St Paul's Road in March 2011.

7.8 Regrettably, without a site visit to view the existing situation on site, the advice stated that the proposed three-storey extension is likely to be acceptable. This was based on the context of the approval on the adjoining property which was seen as an exceptional case to the current policies. The advice did make clear that the acceptability of a three storey rear extension would need to be confirmed by an assessment of the existing situation on site following a site visit.

### **8 CONSULTATION**

#### **Public Consultation**

8.1 Letters were sent to occupants of 8 adjoining and nearby properties at St Paul's Road and Bingham Street on 2 May 2014. A site notice was displayed on 1 May 2014. A Press Notice was displayed on 1 May 2014. The initial round of public consultation of the application therefore expired on 23 May 2014.

8.2 At the time of the writing of this report 1 objection had 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 of matching brickwork. (See paragraph 10.16)
- External lighting on rear elevation (See paragraph 10.22)
- Reasonable working hours (See paragraph 10.24)

#### **External Consultees**

8.3 English Heritage – No objections

8.4 London & Middlesex Archaeological Society – Objects

#### **Internal Consultees**

##### **Design and Conservation**

8.5 The Design and Conservation Officer raised an objection to the proposed works to build a three storey closet wing style rear extension by virtue of their detrimental impact on the rear elevation of the listed building and rear building line of the listed terrace, loss of historic fabric and unsympathetic design which would adversely

affect the character and special architectural and historic interest of the listed building.

## **9 RELEVANT POLICIES**

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

### **National Guidance**

- 9.1 The National Planning Policy Framework 2012 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.

### **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 1 to this report.

### **Designations**

- 9.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013.

Canonbury Conservation Area

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

- 9.4 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:

- The impact on the historic fabric of the building both internally and externally.
- The impact on the setting of the listed building;
- The impact on the character and appearance of the listed terrace and surrounding conservation area;
- The impact on the neighbouring amenity of the adjoining and surrounding residential properties; and
- Other matters

### **Assessment of architectural and historic significance**

- 10.2 No. 8 St Paul's Road is part of a Grade II listed terrace within the Canonbury Conservation Area. The house was built in c.1845 of yellow stock brick set in Flemish bond, with stucco detailing and a roof obscured by parapet. The house comprises three storeys over a basement.

### **External Alterations**



### **Impact on the historic fabric of the building/Setting of the Listed Building**

- 10.3 A three storey rear extension erected on the adjoining property at no. 10 St Paul's Road is noted and that extension was approved in 2011.
- 10.4 Subsequent to this decision being made, the National Planning Policy Framework (2012), Planning Practice Guidance (2014) and Islington's Development Management Policies (2013) have all been adopted. The new policy, although, similar in terms of its principles, gives further weight to the assessment of the significance of heritage assets and gives greater guidance on what may contribute to a listed building's significance and on what alterations may cause unacceptable harm.
- 10.5 The approved three-storey rear extension dominates the rear elevation of the listed building due to its disproportionate height and is uncharacteristic of the listed terrace. The extension demonstrates the harm that can be caused to the historic fabric and setting of the listed building by an inappropriate extension. It is considered therefore, that this extension cannot be used as a precedent with which to consider the proposed three storey rear extension as an exception to the current policy guidance. Consequently, a reappraisal of the significance of the listed building was required and a new assessment of the impact of the proposed extension.
- 10.6 Part A of policy DM2.3 requires the borough's heritage assets to be conserved and enhanced in a manner appropriate to their significance.
- 10.7 Part C (ii) of policy DM2.3 states that the significance of a listed building can be harmed by inappropriate repair, alteration or extension. Proposals to repair, alter or extend a listed building must be justified and appropriate. Proposals to repair alter or extend a listed building which harm its significance will not be permitted unless there is a clear and convincing justification. Substantial harm to or loss of a listed building will be strongly resisted.
- 10.8 The removal of the existing non-original rear extension and garden shed and the proposed single storey glazed extension are acceptable.
- 10.9 However the proposed three storey closet wing style extension is disproportionately high in relation to the historic fabric and setting of the listed building and is uncharacteristic of the listed terrace. The application has failed to provide justification for the harm to the significance of the listed building and as such fails to accord with policy DM2.3 and the current policy guidelines and is unacceptable.
- 10.10 The unfortunate existence of a similar extension at no. 10 only serves to enforce the reality of the harm that such a disproportionately high extension would have on the architectural integrity, character and appearance of the listed building. Furthermore, approving a further 3 storey extension may serve to weaken our ability to resist future similar extensions along the rear of this listed terrace and thus undermine the heritage asset of this terrace.

### **Impact on the Character and Appearance of the Listed Terrace and Surrounding Conservation Area**

- 10.11 Paragraph 8.21 of the Canonbury Conservation Area Design Guidelines states that 'half width rear extensions higher than two-storeys, will not normally be permitted, unless it can be shown that no harm will be caused to the character of the area'.
- 10.12 Part B (i) of DM2.3 requires alterations to existing buildings in conservation areas conserve or enhance their significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification.
- 10.13 Within the terrace of 4 properties currently only no. 10 has a three storey rear extension. The remaining three properties have part width two storey rear projections of modest height and depth at ground floor and basement level. The approved three storey rear extension at no.10 is therefore not characteristic of the rear of the immediate terrace of listed properties which form the context for the application.
- 10.14 There is an adjacent terrace of six houses at no's 14-24 St Paul's Road, which are a storey higher than the terrace in question and there are two closet wings of 3 or 4 storeys. However there is no record of consent for these additions which are likely to be historic. As these houses are a storey higher than the application site, they should not be used as a context to inform a three storey extension to no. 8.
- 10.15 The proposed three storey extension would cause unacceptable harm to the character and significance of the Grade II listed building and character of the Canonbury Conservation Area. The proposed extension therefore fails to accord with policy DM2.3 and the Canonbury Conservation Area Design Guidelines.
- 10.16 A comment was received from a neighbouring property regarding a perceived unwelcome visual impact of the yellow bricked three storey extension erected at no. 10. Condition 4 attached to Listed Building Consent P110116 at 10 St Paul's Road, requires all new facing brickwork to match the existing brickwork adjacent in respect of colour, texture, face bond and pointing. The extension which has been built appears to have failed to comply with the requirements of this condition which has exacerbated the harm caused to the listed building and listed terrace. An Enforcement Case was opened in June 2014 in relation to the breach of this condition.

### **Internal Alterations**

#### **Impact on the historic fabric of the building**

- 10.17 The proposal seeks to widen the existing opening at lower ground floor level in the original rear wall beyond the current double door opening in order to provide access into the proposed single storey glazed extension. This is considered to be an unacceptable loss of original fabric.
- 10.18 The proposed opening to provide access to the extension from the stair landing between ground and first floors will use the existing window opening in part, but will also widen the opening to create a door and a window. This is also considered to be an unacceptable loss of original fabric.
- 10.19 The internal proposals to level the floor levels and lower ground (front and rear rooms) and ground floor levels (towards the rear/closet wing) are acceptable. The

ceiling may be replaced to what was originally the rear room at lower ground floor which would be welcomed.

### **Neighbouring Amenity**

- 10.20 An assessment was made of the impact of the proposed rear extension on the neighbouring amenity of the adjoining properties. Consideration was given to the impact on the habitable windows on the rear elevation of the adjoining properties at no's 6 and 10 St Paul's Road. This involved an assessment of the depth of the extension and the impact on levels of daylight/sunlight, the impact on overshadowing and outlook of the windows of the habitable rooms.
- 10.21 There is not considered to be a detrimental sense of enclosure on the rear elevation at no's 6 and 10 due to the modest increase in depth of the three storey extension. The proposed rear extension and alterations to the rear façade is not considered to cause unacceptable harm to the amenities of the neighbouring occupiers in terms of loss of outlook, loss of daylight, creation of undue sense of enclosure or increase in overlooking.
- 10.22 Comments were received regarding external lighting installed on the rear elevation of no.10 requesting a condition to prevent external lighting on the rear elevation of no. 8 although none was proposed on this application. Whilst the installation of external lighting is likely to require Listed Building Consent, as no external lighting is proposed as part of the current application it would be unreasonable to attach a condition to restrict these works.

### **National Planning Policy Framework**

- 10.23 The scheme fails to comply with the provisions of the NPPF as it is not considered to be sustainable development, and fails to comply with local policy, and is not in accordance with statutory and material considerations.

### **Other Matters**

- 10.24 Concerns were raised by a neighbour over potential disturbance during construction works from excessive working hours outside of the Council's prescribed hours of construction. However given the scale of the proposed development this is not a material planning consideration and would be more satisfactorily dealt with under separate legislation either under the Party Wall Act or by Building Regulations.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed works to build a three storey closet wing style rear extension are unacceptable by virtue of their detrimental impact on the rear elevation and rear building line of the listed terrace, loss of historic fabric and unsympathetic design adversely affect the character and special architectural and historic interest of the listed building.

### **Conclusion**

11.2 It is recommended that planning permission and listed building consent be refused for the reasons set out in Appendix 1 – Recommendations.



## **APPENDIX 1 – RECOMMENDATIONS**

### **RECOMMENDATION A - APPLICATION FOR FULL PLANNING PERMISSION - P2014/1208/FUL**

That planning permission be refused for the following reason:

REASON: The proposed works to build a three storey closet wing style rear extension by virtue of their detrimental impact on the rear elevation and rear building line of the listed terrace, loss of historic fabric and unsympathetic design would adversely affect the character and special architectural and historic interest of the listed building, listed terrace and surrounding Canonbury Conservation Area. The works would, therefore, cause harm to the significance of the heritage asset and are unacceptable, contrary to policy 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework 2012, policy 7.8 (Sustaining and enhancing the significance of heritage assets) of the London Plan 2011, policy CS9 (Protecting and enhancing Islington's built and historic environment) of Islington's Core Strategy 2011, policy DM2.1 (Design) and policy DM2.3 (Heritage) of Islington's Development Management Policies 2013 and guidance contained within the Canonbury Conservation Area Design Guidelines 2002, the Islington Urban Design Guide 2006 and London terraced Houses 1660-1860 1996.

### **RECOMMENDATION B - APPLICATION FOR LISTED BUILDING CONSENT - P2014/1276/LBC**

That Listed Building Consent be refused for the following reason:

REASON: The proposed works to build a three storey closet wing style rear extension by virtue of their detrimental impact on the rear elevation and rear building line of the listed terrace, loss of historic fabric and unsympathetic design would adversely affect the character and special architectural and historic interest of the listed building. The works would, therefore, cause harm to the significance of the heritage asset and are unacceptable, contrary to policy 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework 2012, policy 7.8 (Sustaining and enhancing the significance of heritage assets) of the London Plan 2011, policy CS9 (Protecting and enhancing Islington's built and historic environment) of Islington's Core Strategy 2011, policy DM2.1 (Design) and policy DM2.3 (Heritage) of Islington's Development Management Policies 2013, the Islington Urban Design Guide 2006 and London terraced Houses 1660-1860 1996.

## **APPENDIX 2: RELEVANT POLICIES**

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

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

The National Planning Policy Framework 2012 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 - Policy 12 - Conserving and Enhancing the Historic Environment
- Planning Practice Guide (2014)
- Conservation Principles (English Heritage, 2008)
- London Terraced Houses 1660-1860 (1996)

### **2. Development Plan**

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

#### **A) The London Plan 2011 - Spatial Development Strategy for Greater London**

7 London's living places and spaces  
Policy 7.4 Local character  
Policy 7.6 Architecture  
policy 7.8 Sustaining and enhancing the significance of heritage assets

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

Policy CS8 (Enhancing Islington's Character)  
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

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

DM2.1 (Design)  
DM2.3 (Heritage)

### **3. Designations**

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

**Islington Local Plan**  
Canonbury Conservation Area

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

The following SPGs and/or SPDs are relevant:

**Islington Local Plan**  
Canonbury Conservation Area Design  
Guide  
Urban Design Guide