



## PLANNING COMMITTEE REPORT

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

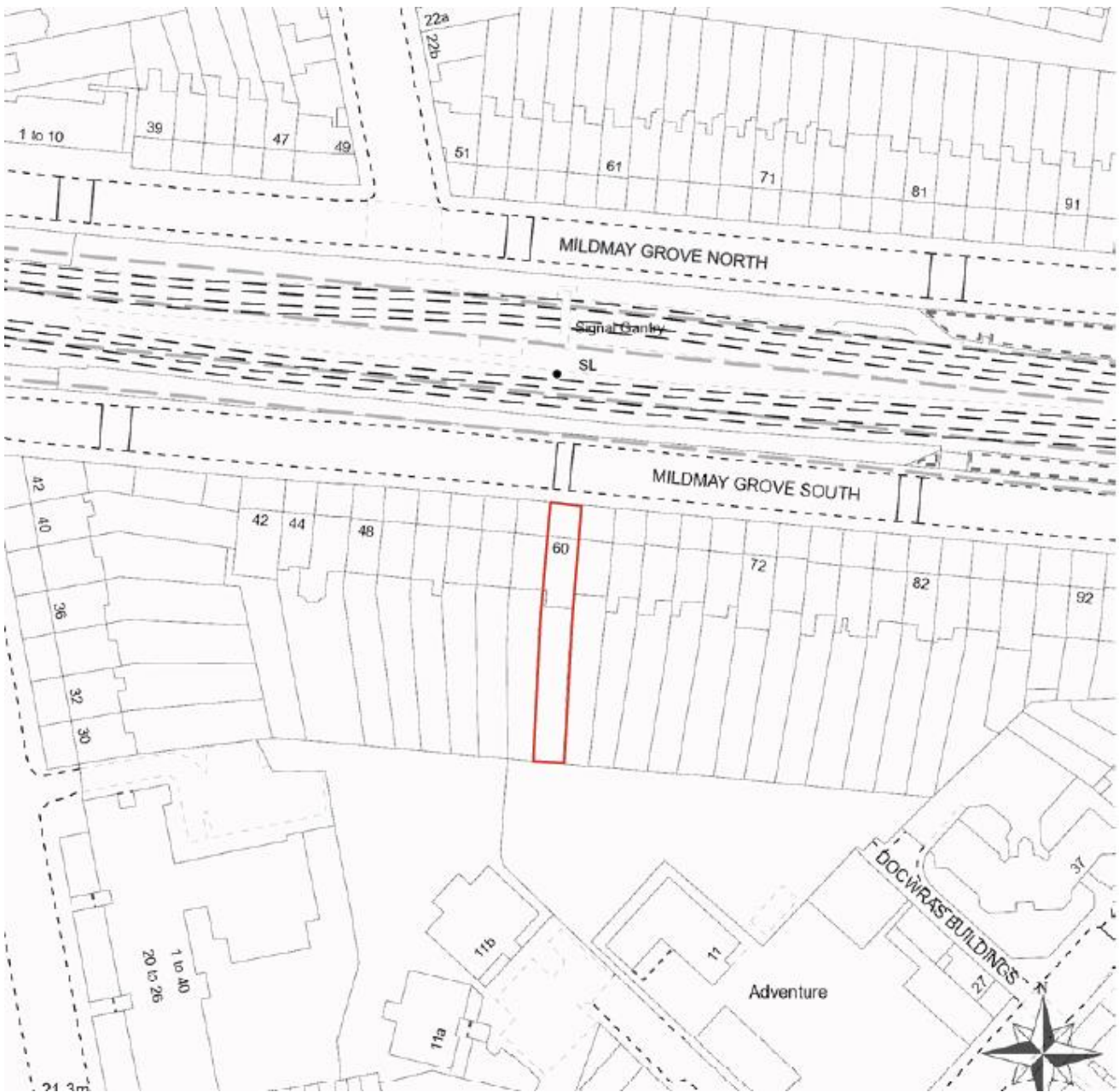
Application number	P2014/1750/FUL
Application type	Full Planning
Ward	Mildmay Ward
Listed building	N/A
Conservation area	Newington Green
Development Plan Context	Rail Safeguarding Area
Licensing Implications	None
Site Address	60 Mildmay Grove South London N1 4PJ
Proposal	Replacement two-storey rear extension and new metal steps to the side of the new extension to access garden.

Case Officer	Thomas Broomhall
Applicant	Ms Donna Walker
Agent	N/A

### 1 RECOMMENDATION

The Committee is asked to resolve to **REFUSE** planning permission for the reason set out in Appendix 1 – Recommendation.

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 site**





**Image 3 – View of rear elevation of terrace to the west of the site**



**Image 4 - View of rear elevation of terrace to the east of the site**

## **4 SUMMARY**

- 4.1 The application proposes the demolition of the existing two-storey timber and glass rear extension and its replacement with a two-storey rear extension and metal steps to the side of the proposed extension providing access to the garden.
- 4.2 The issues arising from the application are the impact on the character and appearance of the host building, adjoining terrace and surrounding Newington Green Conservation Area; and the impact on the neighbouring amenity of the adjoining and adjacent residential properties.
- 4.3 The proposed replacement two-storey rear extension by virtue of its scale and massing and unsympathetic design fails to maintain an acceptable sense of subservience to the host building and causes harm to the character and appearance of the rear of the terrace and wider Newington Green Conservation Area and is therefore unacceptable.
- 4.4 During the 8 week process, the Council's Design and Conservation Team raised concerns over the design and scale of the proposal. The applicant was given the opportunity to amend the scheme to overcome these concerns, prior to determination. The application was subsequently called in by Councillor Kay and Councillor Parker to be determined by the Council's Planning Committee. No revised drawings have been received to date.
- 4.5 The impact on neighbouring amenity of the adjoining and surrounding properties is acceptable.
- 4.6 The application is recommended for refusal.

## **5 SITE AND SURROUNDING**

- 5.1 The property is a three storey over basement mid-terrace single dwelling house in a row of 29 terraced properties. The property is within the Newington Green Conservation Area however it is not listed. The site is situated fronting onto the south side of Mildmay Grove South. The surrounding area is predominantly residential.

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

- 6.1 The proposal is for the demolition of the existing two-storey timber and glass rear extension and its replacement with a two-storey rear extension and metal steps to the side of the new extension to provide access to the garden. The proposed extension comprises a white rendered arch over three panels of fixed glazing with a curved zinc roof. The design incorporates a roof light on either side of the arch and a strip of glazing on both side elevations which will otherwise use white render.

## **7 RELEVANT HISTORY:**

- 7.1 None.

## **PLANNING APPLICATIONS**

- 7.2 None.

## **ENFORCEMENT:**

7.3 None

## **PRE-APPLICATION ADVICE:**

7.4 None.

## **8 CONSULTATION**

### **Public Consultation**

8.1 Letters were sent to the occupants of 14 adjoining and nearby properties at Mildmay Grove South and King Henry's Walk on 6 June 2014. A site notice was displayed on 6 June 2014. A Press Notice was displayed on 12 June 2014. The initial round of public consultation of the application therefore expired on 3 July 2014.

8.2 At the time of the writing of this report a total of 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):

- Size of replacement extension. (See paragraph 10.10)
- Design and use of materials. (See paragraph 10.10)
- Impact of construction on party wall and foundations. (See paragraph 10.13)

### **External Consultees**

8.3 Council for British Archaeology – no comments

### **Internal Consultees**

#### **Design and Conservation**

8.4 The Design and Conservation officer raised an objection to the replacement extension which fails to be in keeping with the host building and rear of adjoining terrace by virtue of the scale and massing which would be created and fails to preserve or enhance the surrounding Newington Green Conservation Area.

## **9 RELEVANT POLICIES**

Details of all relevant policies and guidance notes are attached in Appendix 1. 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.

Newington Green 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 character and appearance of the host building, adjoining terrace and surrounding conservation area;
- The impact on the neighbouring amenity of the adjoining and surrounding residential properties; and
- Other matters

### **Impact on the character and appearance of the host building, adjoining terrace and surrounding conservation area**

- 10.2 The site is located within the extended Newington Green Conservation Area under the amended Newington Green Conservation Area Design Guidelines, adopted in March 2014. It is likely that the rear elevation of the terrace was originally built with a consistent arrangement along its length with a flat rear face without rear extensions or projections. There is one recent approval for a rear extension in the terrace under the current policy guidelines, for a basement level rear extension at no. 50 Mildmay Grove South approved in April 2014.
- 10.3 Prior to the adoption of the extended conservation area and guidelines, permission was granted for rear extensions on the rear of the terrace at no. 50 for a full width rear extension at basement level in 2003 and a part width rear extension at ground floor level in 2011. Records indicate approvals at no's 72 and 76 although this was prior to the current policy guidelines. The existence of other existing rear extensions at no's 56, 66 and 70 without any record of consent, is noted in addition to the existing four storey rear projection at no. 46. As a result the rear elevation of the terrace has seen a number of rear additions although almost entirely prior to the adoption of the current conservation area guidelines. With the exception of no. 46, the additions are single storey and not widely visible across the rear of the terrace.
- 10.4 Paragraph 207 of the Newington Green Conservation Area Design Guidelines requires extensions to be adequately subordinate to the mass and height of the

building. Full width rear extensions higher than one storey or 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 building and the wider area.

- 10.5 Section 2.52 of the Islington Urban Design Guide requires rear extensions to avoid disrupting the existing rhythm of the existing rear elevations, or dominating the main building. On upper floor extensions the materials, detailing and form of the extension should normally be sympathetic to the terrace.
- 10.6 The application represents the replacement of an existing two storey part width rear extension which currently exceeds half the width of the rear elevation. It should be noted that the existing extension does not accord with the Conservation Area Design Guidance and would not ordinarily be approved under the current policy guidelines. The replacement extension adds a marginal increase to the volume of the existing extension as well as alteration to the shape and a greater maximum height.
- 10.7 Consideration was given to the proportions of the four storey rear elevation of the host building, the long expanse of rear terrace within which the site is located and the history and nature of additions to the rear of the terrace.
- 10.8 Given its mid-terrace position and height, the proposal forms a highly visible and prominent addition to the rear of the terrace and surrounding Newington Green Conservation Area. The visibility of the extension above other rear additions would be amplified by the use of a white rendered vaulted arch reaching a maximum height of 5.3 metres. The curved design and materials of the proposed extension do not relate, nor respect the original character of the flat backed bricked rear elevation of the property and adjoining terrace. The use of a painted white finish on the four storey addition to no. 46 is noted but this individual historic addition does not alter the overall character of the rear elevation of the terrace.
- 10.9 The scale and massing of the proposed two storey rear extension fails to maintain an acceptable sense of subservience to the host building and causes harm to the character and appearance of the rear of the terrace and wider Newington Green Conservation Area. The proposed scheme therefore fails to accord with the Newington Green Conservation Area Design Guide and the Islington Urban Design Guide.

### **Neighbouring Amenity**

- 10.10 Concerns were received regarding impact on daylight of the adjoining property at no. 58 due to the size and materials of the proposed extension. An assessment was made of the impact of the extension on the neighbouring amenity of the adjoining properties. Consideration was given to the modest increase in volume and the alterations to the design and use of solid materials on the roof and side elevation. The proximity of the extension to the habitable windows and glazed door on the rear elevation of the adjoining properties at no's 58 and 62 Mildmay Grove South was also noted. The proposal was assessed against the BRE Guidelines and passes the 45 degree rule in plan in relation to the habitable windows at basement and ground floor on the rear elevation of no's 58 and 62. There is not considered to be a significantly harmful impact on neighbouring amenity in terms of loss of daylight,



overshadowing, outlook or creation of undue sense of enclosure as to sustain a refusal of the application on this basis.

- 10.11 The proposed metal stair case is not considered to create an increase in overlooking due to its position, height, limited length, height of the boundary fence, and proximity to windows of habitable rooms of the rear of no. 58.

### **National Planning Policy Framework**

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

### **Other Matters**

- 10.13 Concerns were raised by a neighbour over impact of construction works on party walls and foundations. However this is not a material planning consideration and would be dealt with under separate legislation. Therefore it would be unreasonable to refuse the application on this basis 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 replacement two-storey rear extension by virtue of its scale and massing and unsympathetic design fails to maintain an acceptable sense of subservience to the host building and causes harm to the character and appearance of the rear of the terrace and wider Newington Green Conservation Area and is therefore unacceptable.

### **Conclusion**

- 11.2 It is recommended that planning permission be refused for the reason set out in Appendix 1 – Recommendation.

## **APPENDIX 1 – RECOMMENDATION**

### **RECOMMENDATION A - APPLICATION FOR FULL PLANNING PERMISSION – P2014/1750/FUL**

That planning permission be refused for the following reason:

The proposed replacement two-storey rear extension by virtue of its scale and massing and unsympathetic design fails to maintain an acceptable sense of subservience to the host building and causes harm to the character and appearance of the rear of the terrace and wider Newington Green Conservation Area and is therefore unacceptable. The proposal is therefore 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 Newington Green Conservation Area Design Guidelines (2014) and the Islington Urban Design Guide (2006).

## **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.

### **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**

Newington Green Conservation Area



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

The following SPGs and/or SPDs are relevant:

##### **Islington Local Plan**

Newington Green Conservation Area

Design Guidance

Islington's Urban Design Guide