



PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	9 th October 2014	NON-EXEMPT

Application number	P2014/2422/FUL
Application type	Full Planning Application
Ward	Highbury East Ward
Listed building	Not listed
Conservation area	None
Development Plan Context	- Within 50m of Highbury Fields Conservation Area
Site Address	48 Melgund Road, N5 1PT
Proposal	Creation of new second floor rear roof terrace, new parapet wall and changing a second floor rear window to a door.

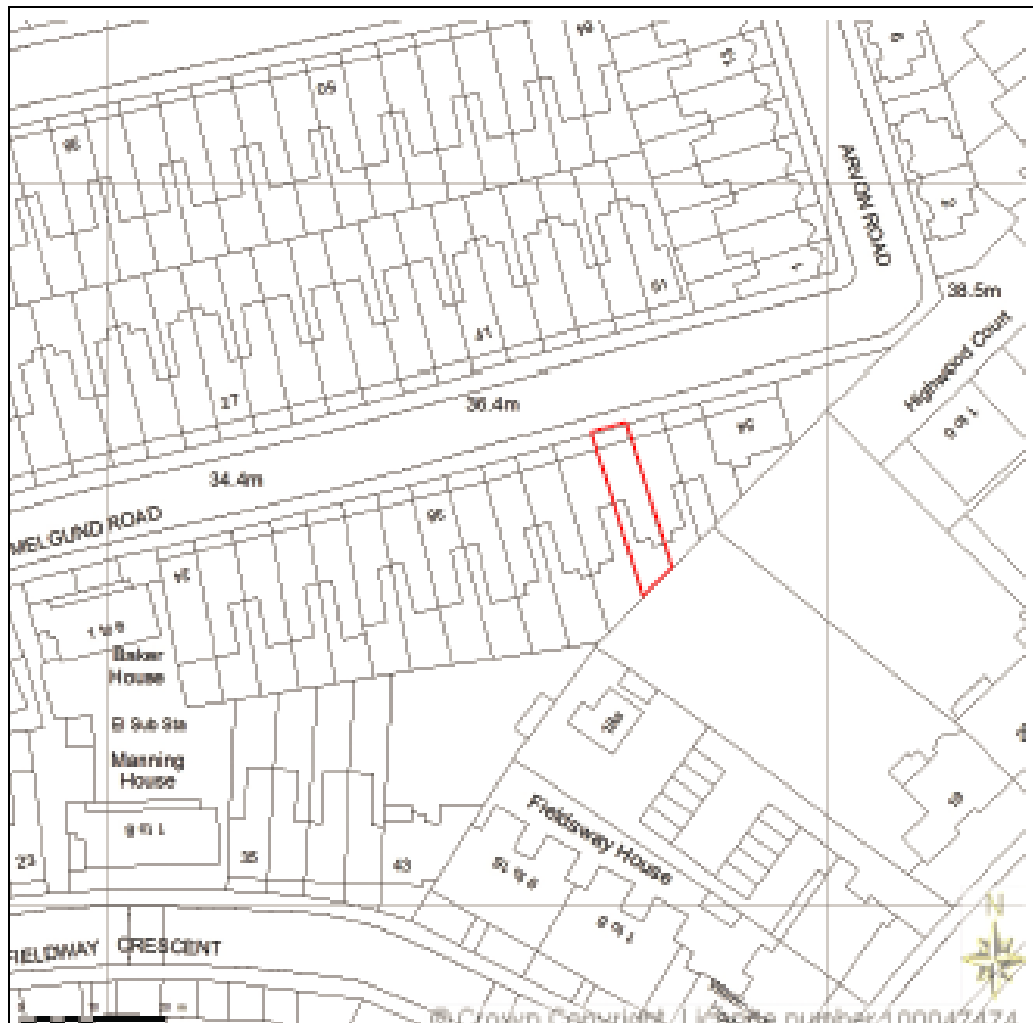
Case Officer	Emily Benedek
Applicant	Ms Emma Barker
Agent	Roman Pardon

1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET





Image 1: Existing front elevation



Image 2: View of existing rear elevation and relationship with No 46 Melgund Place



Image 3: View of existing rear elevation of 48 Melgund Road



Image 4: View neighbouring terraces at 50 and 52 Melgund Road.

4. SUMMARY

- 4.1 Planning permission is sought for the creation of a new roof terrace and parapet wall at the rear second floor level of the property.
- 4.2 The proposed roof terrace would not detract from the character and appearance of the application property and would not detrimentally impact upon neighbour amenity.
- 4.3 The application is therefore recommended for approval subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The site is located on the south side of Melgund Road and consists of a mid-terraced property which is used for residential purposes. The property is three storeys in height with a pitched roof.
- 5.2 The properties surrounding the site on Melgund Road comprise of traditional three storey late Victorian terraces with two storey front bay windows. The immediate area is predominantly residential in character.
- 5.3 The site is not located within a Conservation Area. The boundaries of Highbury Fields conservation area is located 50 metres away from the application site. The building is not listed. There is a variety of roof forms and rear second floor roof terraces in existence along this section of Melgund Road.

6. PROPOSAL (in Detail)

- 6.1 The proposal consists of the creation of a new roof terrace and parapet wall at rear second floor level.
- 6.2 The proposed roof terrace will be located in the existing two storey rear projection with a sloped gable roof. The new parapet wall will measure 3.35 metres in width and 1.1 metres in height. The existing window at the second floor level will be replaced with a door.
- 6.3 The proposed roof terrace will only project as far as the second floor rear projection of the neighbouring property at No 50 Melgund Road and therefore the rear section of the sloped gable roof will be maintained.
- 6.4 The application has been referred to the planning sub-committee as the applicant is an Islington councillor.

7. RELEVANT HISTORY

PLANNING APPLICATIONS

- 7.1 P022604 - Certificate of Lawfulness for proposed development, comprising erection of a single storey rear extension/ conservatory. Approved (05/11/2002)
- 7.2 981837 - Erection of a conservatory and roof terrace on existing two storey rear addition. Refused (16/03/1999)
- 7.3 44 Melgund Road: P111002 Approval of permission for the Erection of a single storey rear extension, alterations to rear first floor level and erection of second floor rear roof addition dated 06/07/2011.

PRE APPLICATION ADVICE

- 7.4 None

ENFORCEMENT:

- 7.5 No history

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 22 adjoining and nearby properties at Melgund Road and Highbury Crescent on 1st July 2014. The public consultation of the application therefore expired on 22nd July 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

Internal Consultees

- 8.3 None

9. RELEVANT POLICIES

- 9.1 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

- 9.2 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

- 9.3 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 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.4 The SPG's and/or SPD's which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

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

- Land Use
- Character and appearance of the Area
- Neighbouring Amenity

Land Use

- 10.2 The site is situated within a residential area and involves an extension to an existing residential property to create a roof terrace and retaining wall. The principle of development is considered to be acceptable in land use terms.

Character of the Area

- 10.3 Several properties in the area benefit from roof terraces. The adjacent property No 50 Melgund Road has a roof terrace at the second floor level, whilst No 52 Melgund Road benefits first floor terrace which overlooks the rear gardens of both neighbouring properties.
- 10.4 The proposed roof terrace will project 3.4 metres in depth and will extend no further than the end of the existing second floor rear extension at No 50 Melgund Road. The proposed retaining wall will be built of white painted bricks designed to integrate with the existing materials of the second floor rear projection. Given all of the above the proposed roof terrace is considered to be in keeping with the character and appearance of the host property as well as the immediate locality.
- 10.5 The proposed alteration involving the changing of a rear second floor window to a door to facilitate access to the proposed roof terrace is considered to be acceptable in design and visual terms.

Neighbour Amenity

- 10.6 Due to the recessed nature of the roof terrace behind the second floor rear extension of No 50 Melgund Road, the proposed roof terrace will only be visible from the immediate neighbouring properties and the applicant would have very limited views of the existing terrace at No 50. The proposed terrace will be set at a higher level than the neighbouring windows in the flank elevation at No 46 Melgund Road. The proposed side parapet boundary treatment to the terrace area is set off the edge of the existing side roof slope and adjacent to 46 Melgund Road by 0.9 metres which is considered to mitigate any material adverse ability to overlook directly into the rear habitable room windows of this property. Furthermore, the proposed roof terrace is set back 5 metres from the rear projection at No 46 affording very limited views of the neighbouring rear garden. Given all of the above it is considered that the proposal will not have a detrimental impact on neighbouring amenity surrounding the site.
- 10.7 There is a good level of natural screening between the application site and the properties to the rear in Highbury Crescent and the application site is also located at a lower level than these neighbouring properties. Accordingly, the proposal is not considered to result in any material overlooking or loss of privacy to the occupiers to the rear.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed roof terrace, retaining parapet wall and the changing of a window to a door to access the proposed terrace area is considered to be acceptable with regards to the land use, design and neighbour amenity.
- 11.2 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement
	<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>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>1308MEL_1000, Design & Access Statement, Photo of Rear Elevation, 1308MEL_1005, 1308MEL_1340 Rev/A, 1308MEL_1103 Rev/A, 1308MEL_1023, 1308MEL_1034, 1308MEL_1230 Rev/A, 1308MEL_1013, Overlooking and Privacy Plan.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</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.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p>

Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.

The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.

APPENDIX 2: RELEVANT POLICIES

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

National 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.

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

3 London's people:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments

7 London's living places and spaces:

- 7.2 An inclusive environment
- 7.4 Local character
- 7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

DM2.1 Design

DM2.2 Inclusive Design

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington

- Islington’s Urban Design Guide 2006
- Inclusive Design

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction