

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 B		
Date:	6 November 2014	NON-EXEMPT

Application number	P2014/2948/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	Not listed
Conservation area	Barnsbury conservation area
Development Plan Context	n/a
Licensing Implications	n/a
Site Address	Flat A, 71 Lofting Road, London, N1 1JA
Proposal	Erection of a single storey side and rear extension.

Case Officer	Henrik Dorbeck
Applicant	Mr Nick Tominlinson
Agent	Craft Architects Ltd

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



Photo 1: Views along Brayfield Terrace to the east.



Photo 2: View along Brayfield Terrace to the west.



Photo 3: Location of rear extension and existing staircase



Photo 4: Relationship with neighbour at 73 Lofting Road

4. SUMMARY

- 4.1 Planning permission is sought for the erection of a full width single storey rear extension and side / rear infill extension. There is an extant planning permission for this site, which was granted on 19/06/14 (ref: P2014/1282/FUL), for the erection of a side / rear infill extension to the narrow access between the boundary and the existing outrigger. This permission has not yet been implemented. The difference between this scheme and that already consented is the addition of a 2.0m rear extension from the rear elevation of the building.
- 4.2 A number of objections have been received from neighbouring property owners and /or occupiers. However, the proposed extension complies with established planning policy, the Conservation Area Design Guidelines and the Islington Urban Design Guide. Further the proposal is considered acceptable in relation to neighbour amenity and does not raise any other issues.
- 4.3 Overall, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The subject site is located on the southern side of Lofting Road. The subject site is a mid terraced property bound by two dwellings on either side, and Lofting Road and Brayfield Terrace to the front and the rear.
- 5.2 The property is a Victorian mid terraced dwelling which is divided into three flats over three levels. The host building (and wider terrace) has a deep two storey rear outrigger / closet wing extension as original. The subject site has a generous garden and also includes a fire escape from rear elevation of the flats above which terminates in the garden below.
- 5.3 The surrounding area is entirely residential in character and appearance. It is noted that the building is not statutorily or locally listed although is located within the Barnsbury Conservation Area.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal is to erect a single storey rear extension and to erect a single storey side / rear infill extension.

Revision 1

- 6.2 Amended plans were received to remove that part of the proposal which sought to relocate the access staircase to the rear elevation. This no longer forms part of the application and is considered no further in the context of this application.

7. RELEVANT HISTORY:

- 7.1 The following sets out the planning history for the site:

PLANNING APPLICATIONS:

7.2 P2014/1282/FUL – Erection of a single storey rear / side infill extension. Approve with conditions. 19/06/14.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 14 adjoining and nearby properties at Brayfield Terrace and Lofting Road on 04/08/14. A site notice and press advert was displayed on 14/08/14. The public consultation of the application therefore expired on 04/09/14; 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 a total of six responses 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):

- Impact on admission sunlight and daylight (para 10.10-10.13);
- Sense of enclosure and reduction of views from windows (para 10.12);
- The existing garden area will be reduced (6.2 and 10.14);
- Existing rear elevation of Lofting Road forms a unaltered and consistent building line, alterations will have an impact on the character and appearance of the conservation area (para 10.4-10.9);
- Precedent set for extensions of similar ilk on neighbouring properties (para 10.4-10.9);
- Concern over use of flat roof as terrace (para 10.15);
- Additional noise from occupants which will impact on peaceful neighbourhood (para 10.16-10.17);
- Proposal to move the fire escape will have impacts on tenant of 73A and 73B (para 6.2 and 10.14);
- Issues selling properties in the future (para 10.17).

External Consultees

8.3 None.

Internal Consultees

8.4 Design and Conservation Officer – The proposed single storey rear extension is considered unacceptable. There is currently a very consistent rear building line to this terrace and this should remain, there should be no further projection into the garden beyond the existing rear building line. A light-weight, glazed infill extension which is set in slightly from the rear building line may be considered acceptable.

Other Consultees

8.5 None

9. RELEVANT POLICIES

- 9.1 Details of 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.

Designations

- 9.4 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:
- Barnsbury Conservation Area (Article 4)

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.5 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, conservation and heritage considerations;
- Neighbouring amenity;
- Other matters.

- 10.2 As noted previously, there is an extant permission (Ref: P2014/1282/FUL) for the erection of a side / rear infill extension to the narrow access between the boundary and the existing outrigger. This permission has not yet been implemented. The difference between this scheme and that already consented is the addition of a 2.0m (in depth) rear extension from the rear elevation of the building.

- 10.3 There have been no significant changes to planning policy since permission Ref: P2014/1282/FUL was granted which would require a fresh assessment of the side /rear infill and, although touched on briefly in this assessment, the report focuses on the rear extension element to the proposal.

Design, Conservation and Heritage Considerations (including Archaeology)

- 10.4 It is noted that the dwelling is not statutory listed and is not locally listed. However the building does fall within the Barnsbury Conservation Area.

- 10.5 The Conservation Area Design Guidelines 2002 ('CADG') for the Barnsbury Conservation Area states that *"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 area"*. Further, the Islington Urban Design Guide 2006 ('IUDG') further provides guidance on such extensions and states that *"Ground floor infill extensions are normally acceptable in design terms. Where there are generous gardens and they do not impede on neighbours residential amenity, there is sometimes opportunity to extend out beyond the existing back line"*.
- 10.6 The proposal is to erect a single storey side and rear extension to the aforementioned property. The rear extension will project to a depth of 2.0m, although is set in 0.5m at its eastern extent. The side projection is proposed to largely infill the existing area between the existing outrigger and the boundary with the dimensions of 8.8m long x 1.2m wide x 2.2m high (on the boundary).
- 10.7 Objections received to this application relate to the fact that the terrace which this property forms a part of currently has a consistent and unaltered rear building line and the proposal would set a precedent for others to follow.
- 10.8 In this regard it must be noted that the proposal does accord with both the CADG for the Barnsbury Conservation Area and the IUDG in general (subject to amenity considerations below) which do allow extensions to extend beyond the building line. The ground floor rear extension will be no higher than single storey and does not include any two storey elements. The rear extension is also modest in scale, projecting 2.0m in depth beyond the existing rear building line, and retains approximately 32sqm garden space in accordance with established planning policy. It is noted that if the dwelling had been a single family dwelling house, a large proportion of the extension would be permitted development, in particular the single storey rear extension (2.0m deep) which forms the difference between this and the consented scheme.
- 10.9 Further, while the site backs directly onto Brayfield Terrace, this highway is very narrow and bordered on the subject sites side by a large brick wall. The brick wall (as seen in the photos taken and visualisations provided) would preclude views from the public realm and on this basis, and the reasons set out above, is considered that the Council can not reasonably withhold planning permission as the proposal is not considered to not harm the character or appearance of the Barnsbury Conservation area.

Neighbouring Amenity

- 10.10 An objection from the occupants of 69A Lofting Road (ground floor flat) has been received. The occupier of this property raises concern insofar as the potential for loss of sunlight / daylight as a result of the proposed extension and a sense of enclosure coupled with loss of views.
- 10.11 It is noted that there is an existing boundary fence at this location (to an approximate height of 1.8m). It is further noted that a fence can be erected at this location up to a maximum height of 2.0m under permitted development. While the proposal is for an extension and not a fence, it is noted that the proposed extension is 0.2m higher than that of a fence permitted under Part 2, Class A and 0.4m higher than the existing scenario. The applicant has purposefully ensured that the

extension is at the lowest point possible on this boundary to ensure impacts on this neighbour are avoided.

- 10.12 In this regard it is considered that any outlook or sense of enclosure from this window will not fundamentally change. In this regard, the two storey closet wing will continue to be the dominant feature for views from this window and this is not expected the change as a result of the extension.
- 10.13 In relation to loss of light it is noted that the proposal complies with the Council's guidance on sunlight and daylight and, given the orientation of the rear elevation (south facing), the light to this property is considered to be appropriate. In the later hours of the day, the two storey existing closet wing extension will be the dominant feature and will restrict a large amount of light (this is the existing situation).
- 10.14 An objection has also been received from the occupants of 73A Lofting Road (ground floor flat). The occupier of this property raises concern about the proposal to move the metal staircase into the garden, thereby reducing the size the garden. It is noted that this element of the proposal has been removed and the staircase will no longer shift locations.
- 10.15 Concerns have been raised by residents that the roof may be used as a roof terrace. This is not included as part of this application and a separate permission would be required (should this be sought at a later date). A condition prohibiting the use of this roof has been proposed about this issue for the avoidance of doubt.

Other Matters

- 10.16 Objections received to the proposal raise issues of additional noise, antisocial behaviour, and impacts on the sale price of dwellings in the local area following an approval.
- 10.17 In relation to additional noise, the proposal is for a small extension to an existing residential dwelling and as such raises no issues with respect to noise. Concerns raised about antisocial behaviour and the impacts on sale prices are not material planning considerations and cannot be taken into account in the determination of this application.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 Part of the proposal is the same as that which has already been approved by Planning Permission Ref: P2014/1282/FUL issued on 06 July 2014 relating to the infill side and rear extension. The new application seeks to include a rear extension to a depth of 2.0m from the rear elevation.
- 11.2 For the reasons set out above, it is considered that the proposal will not have a detrimental impact on the character and appearance of the area and would not cause any adverse impacts on the amenity of neighbouring properties that would warrant withholding planning permission.

11.3 The proposal is considered to be consistent with the Islington Core Strategy (2011), the Islington Development Management Policies (2013), the Urban Design Guide (2006) and the Bamsbury Conservation Area Design Guidelines (2002).

Conclusion

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

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>3 YEAR CONSENT PERIOD: 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 Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>1429 PA GA 1021, 1429 PA GA 1020, 1429 PA GA 2040, 1429 PA GA 2041, and Design and Access Statement Rev B dated Oct 2014.</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 (compliance)
	<p>MATERIALS (COMPLIANCE): 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>
4	Flat roof not to be used as amenity space
	<p>FLAT ROOF NOT TO BE USED AS AMENITY SPACE (COMPLIANCE): The flat roof area shown on plan no. 1429 PA GA 2040 (roof of single storey extension) 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, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable rooms windows.</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. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>

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 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 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.3 Heritage

5. 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:

- Barnsbury Conservation Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Conservation Area Design Guidelines
- Urban Design Guide