

## PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Community Wealth Building

<b>PLANNING SUB-COMMITTEE A</b>		<b>AGENDA ITEM NO:</b>	
<b>Date:</b>	4 <sup>th</sup> May 2021	<b>NON-EXEMPT</b>	

Application number	P2021/0335/FUL & P2021/0353/LBC
Application type	Full Planning Application and Listed Building Consent
Ward	St. Marys
Listed building	Grade II Listed
Conservation area	Cross Street
Development Plan Context	Archaeological Priority Areas (Islington Village and Manor House) Core Strategy Key Area (Angel and Upper Street) Cycle Routes (Local) / (Strategic) Rail Safeguarding (Crossrail) Town Centre (Angel)
Licensing Implications	None
Site Address	South Library, 115-117 Essex Road, N1 2SL
Proposal	Proposed works, including repairs and alterations to the existing external roofs of the South Library to prevent further water ingress and to provide permanent safe access for future repair and maintenance by inclusion of a fall restraint system (Council Own Application)

Case Officer	Mr Jake Shiels
Applicant	Mr Adam Feeney (Islington Council)
Agent	Mr Graham Epking-Crane

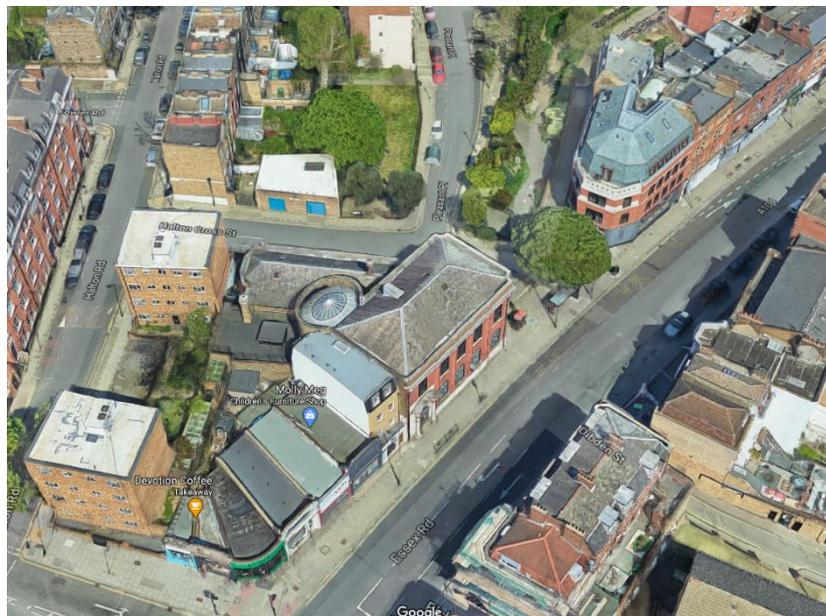
### 1. RECCOMENDATION

The Committee is asked to resolve to **GRANT** planning permission and listed building consent subject to the conditions set out in Appendix 1.



Image 1: Location Plan

**2. SITE PLAN (site highlighted in red)**



### 3. PHOTOS OF SITE



**Image 3:** Front elevation

### 4. SUMMARY

- 4.1 The proposal seeks planning permission and listed building consent for works, including repairs and alterations to the existing external roofs of the South Library to prevent further water ingress and to provide permanent safe access for future repair and maintenance by inclusion of a fall restraint system.
- 4.2 The external alterations and repairs are considered to be acceptable in design terms and would not harm the character and appearance of the Conservation Area or the significance of the Grade II listed building.
- 4.3 Given the size and scale of the external alterations, the proposal would not have any detrimental impact on the amenity of neighbouring properties.
- 4.4 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character of the Conservation Area, the significance of the listed building, or adversely impact on neighbour amenity. The proposal accords with policies D4 and HC1 of the London Plan 2021, policies DM2.1 and DM2.3 of the Development Management Policies 2013 and policies CS8 and CS9 of the Core Strategy 2011.
- 4.5 The application is referred to committee as it is a Council Own Application.

## 5. SITE AND SURROUNDING

- 5.1 The application site contains the land and the building at South Library on the west side of Essex Road.
- 5.2 The building dates from 1915-1916 and is designed by Mervyn Macartney.
- 5.3 It is listed at grade II and is within the Cross Street Conservation Area. It is one of the former Metropolitan Borough of Islington's Carnegie-funded libraries and consists of red brick with stone dressings and is an accomplished design with high quality materials.
- 5.4 Externally, the building is in red brick with stone dressings and an elaborate door case surrounding the principal entrance on Essex Road. The Essex Road building is two storeys beneath a pitched Welsh slate roof behind a stone parapet. To the rear there is a single storey element facing Halton Cross Street in the same red brick, again with a pitched slate roof. At the rear there is also a stock brick stair tower and an additional rear room with a flat roof.
- 5.5 The building has high architectural, historical, evidential and communal heritage values and the building, with its fine and distinctive architecture and civic presence, makes a positive contribution to the character and appearance of the Cross Street Conservation Area.

## 6. PROPOSAL (IN DETAIL)

- 6.1 The proposal seeks full planning permission and listed building consent for works, including repairs and alterations to the existing external roofs of the South Library to prevent further water ingress and to provide permanent safe access for future repair and maintenance by inclusion of a fall restraint system.
- 6.2 The following repair and maintenance works have been identified:
  - Repairs to the various roofs: slate, gutters, lead flashings, dormer and lantern repair;
  - The repair of the lead downpipes and hopper heads and maintenance of rainwater outlets
  - Localised brickwork cleaning and repointing;
  - Provision of a safe access to the upper pitched roof with the introduction of a fall restraint system

## 7. RELEVANT HISTORY:

### *Recent applications*

- 7.1 P2013/1765/LBC: Listed Building Consent application in connection with removal of three modern stairs which lead from the staff office area down to the public counter area. Original set of double doors to be reinstated. New stairs and balustrade to be fitted in front of original single door.

**Approved** with conditions on 21/01/2014.

### *Pre-application*

- 7.2 Q2020/3322/MIN: Pre-application: General roof repairs & installation of fall-restraint system to enable safe access & maintenance.

**Completed** on 27/01/2021.

### **Public Consultation**

- 7.3 Letters were sent to occupants of **168** adjoining and nearby properties on Essex Road, Astey's Row, Halton Road, Pleasant Place, Fowler Road, Pickering Street, Cross Street and Dibden Street on 16/02/21. A site and press notice also advertised the proposed development.

- 7.4 **No comments** were received from consultation.

### **Internal Consultees**

- 7.5 **Design and Conservation**: No objection, subject to conditions.

### **External Consultees**

- 7.6 **Crossrail 2**: No comments to make on application.

- 7.7 **Historic England**: No comments to make stating the following: On the basis of the information available to date, we do not wish to offer any comments. We suggest that this application should be determined in accordance with national and local policy guidance and that you seek the views of your specialist conservation adviser.

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

- 8.1 The National Planning Islington Council (Sub-Planning Committee A), 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).

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

- 8.3 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.

- 8.4 Since March 2014 Planning Practice Guidance for England has been published online.

- 8.5 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.

- 8.6 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.
- 8.7 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.
- 8.8 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 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.
- 8.9 The Development Plan is comprised of the London Plan 2021, 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.
- 8.10 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

### **Emerging Policies**

#### **Draft Islington Local Plan 2019**

- 8.11 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress. As part of the examination, consultation on pre-hearing modifications is taking place from 19 March to 9 May.
- 8.12 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

8.14 Emerging policies relevant to this application are set out below:

Policy DH1 Fostering innovation and conserving and enhancing the historic environment

Policy DH2 Heritage assets

## 9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Design, Conservation and impacts on heritage assets
- Impact on the amenity of neighbouring residents.

### **Design, Conservation and Heritage Impacts**

9.2 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. 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.

9.3 Policy CS8 of Islington's Core Strategy sets out the general principles to be followed by new development in the Borough. Policy CS9 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.

9.4 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. The proposal is located within the Cross Street Conservation Area.

9.5 The proposal principally includes external alterations and repairs to the roof of the Central Library. They include:

- Repairs to the various roofs: slate, gutters, lead flashings, dormer and lantern repair;
- The repair of the lead downpipes and hopper heads and maintenance of rainwater outlets
- Provision of a safe access to the upper pitched roof with the introduction of a fall restraint system



**Image 4:** Lower slate roof



**Image 5:** Lead Gutter

- 9.6 The Design and Conservation Officer has been consulted as part of the application process, and their comments are included within this assessment.
- 9.7 The library has been experiencing water ingress which is damaging the building and inspection has shown that there are problems with some of the slates and that the gutters and downpipes, particularly on the front elevation, are blocked or have deteriorated and leadwork and other detailing is no longer performing in places. There is currently no safe access to the main roof and the timber access hatch from the dormer is no longer safe and has rotted. Some of this damage is shown within images 4-7.

- 9.8 The proposed works are intended to remedy the problem areas and to put in place measures to prevent blockages and in addition to provide a safe access system to the main roof to allow sensible periodic inspection and maintenance of the main roof, gutters and downpipes.
- 9.9 The slate roof is generally in a good condition, but there are a few sections of missing or damaged slates. Any missing slates are to be reinstated with welsh blue slates to match the existing roof. The lead lined valley gutter will be unblocked and cleared the entire length of the gutter, wire balloon leaf guards will be inserted in order to avoid future blockages and these elements will not be visible from street level. Lead flashings will be replaced where damaged and re-pointed with remedial lime mortars. The dormer door and frame are showing signs of decay and an allowance has been made for complete replacement of the painted hardwood timber access door and frame and associated ironmongery. The existing wooden access platform is deteriorated and is to be removed and replaced with a more permanent access.
- 9.10 In terms of the proposed access system, this would be a restraint system with posts secured to the rafters. From the plans and details provided it would be a bespoke lightweight access platform with non slip surface and appropriate guarding to be installed. The drawings are provided to represent design intent only at this stage. Full surveys are to be undertaken once safe access is available.
- 9.11 The restraint system and the metal access point on the rear roof would be visible in the public realm. The restraint system would be located upon the front and side roof slopes and although visible, would be relatively discreet against the roof. The metal access structure would be on the rear roof slope and therefore not on the more architecturally prominent roof slopes. It would also be read as a structure related to roof maintenance which would therefore not be uncharacteristic in nature. However, it would be a visible modern intrusion which requires assessment against the heritage asset. Great weight should be given to the conservation of a designated heritage asset and special regard paid to preserving the listed building and its setting. Public benefit sufficient to outweigh the less than substantial harm to significance would be required and is considered to be present in this case as assessed by the Conservation Officer as the works here are to allow safe access to the roof to maintain the building and prevent repeated water ingress from previously hard to maintain aspects of the roof.
- 9.12 Repair and cleaning works separate to the roof include remedial work to the facades of the building including brickwork and stone at the lower foot of the facade. Staining to those parts of the facades caused by the leaks are proposed for localised cleaning and repointing. These repair measures would benefit the condition of the property.
- 9.13 Overall, the repairs and remedial work to the roof for upkeep and maintenance would not be prominent and would not have an adverse impact on the Conservation Area or significance of the host building. The Design and Conservation Officer advises there is less than substantial harm, however the works proposed are to allow safe access to the roof to maintain the building and prevent repeated water ingress and staining to the interior spaces from previously hard to maintain aspects of the roof. This is considered a public benefit in the upkeep and physical maintenance of the South Library and is considered to outweigh the harm in this case in terms of securing the long term maintenance of the host Grade 11 Listed building.



**Image 6: Stone staining**

- 9.14 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area. Given the above, the proposal is considered to enhance the character and appearance of the host building and the wider Conservation Area. The application therefore complies with the NPPF 2019, policies D4 and HC1 of the London Plan 2021, policies CS8 and CS9 of the Islington Core Strategy 2011, policies DM2.1 and DM2.3 of the Islington Development Management Policies 2013, and the guidance contained within the Urban Design Guide 2017 and the Conservation Area Design Guidelines.
- 9.15 In line with Sections 16(2) and 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 setting of adjoining listed buildings and the character and appearance of the Cross Street Conservation Area.
- 9.16 Given the above, the proposal is considered to cause less than substantial harm to the significance of the listed building, but the public benefits to allow safe access to the roof to maintain the building over the short to medium term and prevent repeated water ingress and staining to the interior space is considered to outweigh this harm in this case. The application therefore complies with the NPPF 2019, policies D4 and HC1 of the London Plan 2021, policies CS8 and CS9 of the Islington Core Strategy 2011 and policies DM2.1 and DM2.3 of the Islington Development Management Policies 2013.

## **Neighbouring Amenity**

- 9.17 All new developments are 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 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.
- 9.18 Given the small size and scale of the external alterations, these would not have any detrimental impact on the amenity of neighbouring properties.
- 9.19 The roof access structure is proposed purely for access to enable safe maintenance of the library roof and would not have an adverse impact on overlooking and privacy.
- 9.20 The application is therefore considered to be compliant with DM2.1 of the Development Management Policies (2013) in regards to impacts on neighbouring amenity.

## **10. SUMMARY AND CONCLUSION**

### **Summary**

- 10.1 The proposal is considered to be acceptable, subject to conditions, and is considered to cause less than substantial harm to the significance of the listed building, but the public benefits to allow safe access to the roof to maintain the building and prevent repeated water ingress and staining to the interior space is considered to outweigh this. The proposal accords policies D4 and HC1 of the London Plan 2021, Policy CS8 and CS9 of the Islington Core Strategy 2011 and policies DM2.1 and DM2.3 of the Islington Development Management Policies 2013.
- 10.2 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, and the Islington Development Management Policies and should be approved accordingly.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

That the grant of planning permission & Listed Building Consent be approved subject to conditions to secure the following:

### List of Conditions for planning application P2021/0335/FUL:

<b>1</b>	<b>COMMENCEMENT (3 YEAR CONSENT PERIOD)</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>240941-PUR-00-XX-DR-A-1100, 240941-PUR-00-XX-DR-A-2000, 240941-PUR-00-XX-DR-A5000, 240941-PUR-00-XX-DR-A-5010240941-PUR-00-XX-DR-A-5021, 240941 (Repair works schedule and Roof repair description of works by Purcell), Islington South Library- Roof Repairs (Work in Progress Document) by Purcell (10th December 2020), Design &amp; Access Statement by Purcell (February 2021), Heritage Impact Assessment by Purcell Issue 02 (December 2020), Planning Statement by Purcell (January 2021).</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 (COMPLIANCE)</b>
	<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 Conditions for listed building consent application P2021/0353/LBC:

<b>1</b>	<b>COMMENCEMENT (3 YEAR CONSENT PERIOD)</b>
	<p>YEAR CONSENT PERIOD FOR LBC and CAC: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>

<b>2</b>	<b>ALL NEW WORKS AND WORKS TO MAKING GOOD (COMPLIANCE)</b>
	<p>CONDITION: All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent work with regard to the methods used and to colour, material, texture and profile.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
<b>3</b>	<b>MATERIALS (COMPLIANCE)</b>
	<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>
<b>4</b>	<b>METAL ACCESS PLATFORM (DETAILS)</b>
	<p>CONDITION: Notwithstanding the approved drawings, detailed drawings in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:</p> <p style="padding-left: 40px;">a) The metal access platform and guard rails to the rear dormer.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>

## INFORMATIVE

<b>1</b>	<b>BUILDING CONTROL</b>
	<p>This consent relates solely to listed building matters. Should it become necessary to make alterations to the consented scheme in order to comply with other legislation, such as Building Regulations, a further consent may be required. Such a consent should be sought and obtained prior to the relevant works being undertaken.</p>

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

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 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 2021, 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 2021 - Spatial Development Strategy for Greater London**

**Policy D4** Delivering good design  
**Policy HC1** Heritage conservation and growth

#### **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**

**Policy DM2.1** Design  
**Policy DM2.3** Heritage

### **3. Designations**

The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Archaeological Priority Areas (Islington Village and Manor House)
- Core Strategy Key Area (Angel and Upper Street)
- Town Centre (Angel)

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

The following SPGs and/or SPDs are relevant:

London Plan – Character and Context (2014).

### **5. Emerging Policies**

Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

**Policy DH1** Fostering innovation and conserving and enhancing the historic environment

**Policy DH2** Heritage assets