



## PLANNING COMMITTEE REPORT

<b>PLANNING SUB COMMITTEE B</b>		
<b>Date:</b>	22 <sup>nd</sup> March 2022	

Application number	P2021/1387/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	Unlisted (but adjoins a Grade II listed building at No, 20 Hornsey Lane)
Conservation area	Highgate Hill/Hornsey Lane
Development Plan Context	Conservation Area (Highgate Hill/Hornsey Lane) Cycle Routes (Local) Article 4 Direction restricting A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	Flat 1B, 16 - 18 Hornsey Lane, London, N6 5LX
Proposal	Construction of single storey rear extension to garden flat.

Case Officer	Eoin Concannon
Applicant	Mr Nick Saffrin
Agent	Mr Andy Down – Archplan

### 1. RECOMMENDATION

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

**2. SITE PLAN (SITE OUTLINED IN RED)**



**Aerial showing application site**

3. PHOTOS OF SITE/STREET



**Image 1:** Photo showing existing building (junction of Hornsey Lane and Thornbury Square)



**Image 2:** Photo showing existing side wall/fence from Thornbury Square



**Image 3:** Photo showing existing rear of property from Thornbury Square



**Image 4:** Photo showing existing rear elevation of property



**Image 5:** Photo showing existing rear elevation of property

#### **4. SUMMARY**

- 4.1 The application seeks planning permission for the construction of single storey rear extension to the garden flat. It is a resubmission on a recently refused scheme (P2021/0054/FUL) which was considered inappropriate in design, scale, siting, depth and materials. The scheme is brought forward to committee given the number of objections received.
- 4.2 Revised drawings have been received correcting errors on previously submitted drawings and the most recent revisions show an accurate site survey of the existing building including dimensions from the street and the changes in levels within the rear garden. The latest amendments also include some further details within the construction logistic plan and the removal of a roof light within the extension. A final period of consultation was carried out to neighbours and those who submitted a representation and this consultation period ended on the 8<sup>th</sup> March.
- 4.3 Officers are satisfied that the current scheme overcomes the previous refusal reason and is considered to be more modest in overall scale with the host building. It would be finished with a mixture of traditional and lightweight contemporary materials that would be well designed ensuring it appears subordinate to the existing building whilst also maintaining the open appearance of the rear garden. The overall depth, height and scale would sit comfortably on the rear elevation with limited public and private views. The Conservation and Design Officer has been consulted and is satisfied that the scheme would not cause harm to the setting of the adjacent listed building nor would it cause harm to the character and appearance of the wider conservation area that the site forms a part of.
- 4.4 The proposal would not impact the amenity of the occupiers of neighbouring properties given its overall scale and positioning. There would be no loss of daylight sunlight, sense of enclosure, overlooking or additional noise over and above what would be expected from a modest rear extension.

- 4.5 The Highways Officer has raised no objections to the proposal and is generally satisfied with the details submitted to date within the Construction Logistic plan. A condition is recommended to ensure the final detailing of the construction management arrangements are secured prior to commencement on site. This would ensure that disturbances from the construction phase are kept to a minimum to adjoining and nearby neighbours whilst also limiting disturbance to the wider public highway network.
- 4.6 The Tree Officer has reviewed the Arboricultural report and is satisfied that the trees to be removed are a U category tree, low in overall value to the amenity of the area. They do not merit a TPO designation. The U category trees are in such poor condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years. Their removal is considered acceptable. A condition has been recommended that the Arboricultural Method Statement is fully complied with during the construction phase.
- 4.7 The proposal also includes a green roof which would contribute to both sustainability and biodiversity and conditions are recommended ensuring its standards.
- 4.8 Overall the proposal is considered to be acceptable and it is recommended that the application be approved subject to conditions.

## **5. SITE AND SURROUNDINGS**

- 5.1 The application site is situated on the southern side of Hornsey Lane and comprises a pair of semi-detached properties no's 16 and 18 Hornsey Lane. The properties were originally built as a pair and accommodation is arranged over four storeys (including lower ground floor). Numbers 16 and 18 have since been laterally converted to accommodate 9 self-contained flats. To the rear, there is a large sloping rear garden (separated along the original demarcation between 16 and 18, by a low boundary wall). Flat 1B, the application site, is located to the rear of the ground floor with access to both rear gardens via 2 sets of double doors accessed from the existing bay features which are a part of the original design of 16 and 18 Hornsey Lane. No. 16 is also located on the corner of Thornbury Square and Hornsey Lane.
- 5.2 The surrounding area consists largely of residential properties, with large rear gardens. St Aloysius College is located to the rear of the application site with Thornbury Square providing an access route to the College, to the car park of Highgate Care Home and also to the residents within Thornbury Square which is a gated development to the south of the site.
- 5.3 The property is not locally listed or statutory listed however it is located within the Highgate Hill/Hornsey Lane Conservation Area. Highgate Hill/Hornsey Lane Conservation Area is an area of special architectural and historic interest with the architecture varying from the Romanesque style St Joseph's Church to the late Victorian red brick terraced houses with their traditional timber sash windows. The conservation area guideline highlights the small groups of properties along Hornsey Lane for their notable facades.
- 5.4 The application building is a Victorian period building and unique in its architectural detail with a projecting two storey element to the front of the main façade which serves as the main entrance to the residential flats. A large front lightwell is enclosed by railings to the front. The main façade design has a twin gable roof, London stock brick and timber framed windows with deep reveals and surrounded by a decorative moulding feature. To the rear elevation, the symmetrical design and architectural detailing continues with a three storey projecting bay feature that extends from ground floor up to second floor level. The building is finished in white render at rear ground level with London stock brick and timber framed windows maintained at upper floors.
- 5.5 The neighbouring property (to the north) at No, 20 Hornsey Lane is a Grade II listed building. This dwelling which was built in the early to mid-17<sup>th</sup> Century (with 18<sup>th</sup> and 19<sup>th</sup> century alterations) is three storey over basement with a central two storey porch with flat arched windows (6/6 sashes of original design) and small casement windows with cornices in twin gables. The façade is finished in render with rough cast roof of slates now largely turnerised. To the rear, the application building

has a different building line and projects significantly beyond the adjacent listed building as can be seen in image 4 (above).

## 6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks planning permission for the construction of a ground floor single storey extension to the rear of the property. The existing rear ground floor flat extends laterally across both no.'s 16 and 18 and the extension will allow for additional floor space to this flat. As part of the proposal, the existing flat would be modified with the living space in the form of living/dining/kitchen along the eastern side (originally ground floor No. 18) and the formation of 2 bedrooms along the western side projecting onto the garden of No 16.
- 6.2 The extension will be full width across the rear of No. 16 and 18 Hornsey Lane but is stepped so there will not be a resultant uniform building line. The depth of the extension will be 3.5m from the rear of No. 16 along the western flank which abuts the junction with Thornbury Square and 3m from the rear of No. 18. A further set back on the boundary to no.20 Hornsey Lane means that the depth on this boundary will be 2.4m deep whilst also set in from the listed wall. It would be finished with a flat roof with the height varying given the level changes within the site. The height along street level would be approximately 2.4m and approximately 3.1 m along the eastern flank with No 20 Hornsey Lane).
- 6.3 The extension would be finished in stock brick to match the existing building along the street boundary and reclaimed facing brick along the flank with the adjacent listed building. Along the rear elevation, it would have a glazed wall of slim line aluminium glazed panels and sliding doors. As part of this material, it would include grey aluminium panels to break up the level of glazing along this elevation. A green roof is also proposed above the proposed flat roof and just below the eills of the first floor flats.
- 6.4 During the course of the application, the drawings have been revised to include a green roof and to correct errors in the elevation drawings of the existing building and land levels. As already noted, the extension is set off the boundary with No. 20 Hornsey Lane and as such no application for listed building consent is required.

## 7. RELEVANT HISTORY:

### *PLANNING APPLICATIONS*

**P070434:** Flat 1B 16-18 Hornsey Lane Erection of single storey rear extension and internal alterations.

**Refused 10.05.2007**

#### **Reason for refusal:**

*The proposed single storey rear extension by reason of its unsympathetic design, including inappropriate window design and arrangement and non-traditional materials would not respect the architectural character and detail of the existing building to the detriment of the buildings appearance and the character and appearance of the Conservation Area.*

**P072552:** Flat 1b 16-18 Hornsey Lane Erection of single storey rear extension.

**Officers recommended approval at Planning Committee 18 March 2008 subject to conditions; Committee Resolved to Refuse.**

#### **Reason for refusal:**

*The design and overall appearance of the single storey rear extension is not in keeping with the character and appearance of the subject property and the Highgate Hill/Hornsey Lane Conservation Area.*

**P2021/0054/FUL:** Construction of single storey rear extension to garden flat and alterations to boundary including installation of gate.

### **Refused 03.03.21**

#### **Reason for refusal:**

*The proposed extension by reason of its inappropriate design, scale, siting, depth and inappropriate materials would adversely affect the character and appearance of the building and the character and appearance of the Highgate Hill/Hornsey Lane Conservation Area. The works would therefore cause 'less than substantial' harm to the significance of the heritage asset, with no public benefit which outweighs this harm, contrary to Chapter 16 of the National Planning Policy Framework 2019, Policies D3 and HC1 of the London Plan 2021, Policies CS8 and CS9 of Islington's Core Strategy 2011; Policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013, Islington's Urban Design Guidance 2017, the Highgate Hill/Hornsey Lane Conservation Area Design Guide 2002 and The NPPF 2019.*

## **8. CONSULTATION**

### **Public Consultation**

8.1 Letters were sent to occupants of 180 no. adjoining and nearby properties on 24<sup>th</sup> May 2021. A site notice and press release was also displayed. The initial consultation period ended on 17<sup>th</sup> June 2021. Forty objections were initially received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

8.2 The objections concern:

- Ownership of land and Notices (Please see para 10.85)
- Inaccuracies with submitted drawings - (Please see para 10.86)
- Highway safety during construction, including school drop off and pickup, and after work repairs; construction logistics plan cannot be accepted and access of larger vehicles would be at risk – Please see Highways section below (Paras 10.65-10.70)
- Design and conservation – Please see Conservation and Design section below (Paras 10.2 – 10.46)
  - The development is too large
  - loss of open space to the rear
  - non-traditional design or materials – use of metal windows; horizontal emphasis at odds with upper windows and excessive glazing
  - Development would be out of character with the building, cause harm to the unaltered building, the adjacent listed building and conservation area
  - Encroachment of green space set precedent for future redevelopment of rear gardens
  - Development visible from public realm
- Loss of light to neighbouring properties – Please see Neighbouring Amenity section below (Paras 10.52-10.54)
- Sustainability using glazing and the climate emergency; Increase in pollution due to loss of green space– Please see Sustainability section below (Paras 10.81-10.84)
- Harm to existing trees / plants; flora and fauna impact; Arboricultural survey with no reference to neighbours plants and their safety – Please see Landscaping, Trees and Biodiversity section below (Paras 10.71-10.80) & Sustainability section (10.81-10.84)
- Ecology (bats and birds) – Please see Landscaping, Trees and Biodiversity section below (Para 10.80)
- Noise, odours and construction noise and disturbance – Please see Neighbouring Amenity section below (Paras 10.55-10.57)
- Structural concerns – See Other Matters section below (Para 10.87)

- Damage to drains and impact on sewerage system – Please see Other Matters section below (Para 10.88)
- Security – See Other Matters section below (Para 10.90)
- Harm to property prices – See Other Matters section below (Paras 10.91)

8.3 Further re-consultations took place on 8<sup>th</sup> August 2021 with 21 representations received and again on the 8<sup>th</sup> December 2021 with 20 representations received and a final consultation on the 22<sup>nd</sup> February 2022 following the submission of revised drawings with the consultation period ending on 8th March 2022. A further 16 representations were received from the public raising the same matters as above and further matters concerning the following:

- Design: Loss of rear porch feature original neo-Romanesque style arches and stepped brickwork– Conservation guideline highlights the property as one of historic interest that should be protected; visibly of the extension from public realm; See Conservation and Design Section (Paras 10.2 – 10.31)
- Stability of the building with the removal of the porch feature Please see Other Matters section Para 10.87
- Further concerns regarding the construction and impact on highways and safe movement of vehicles See Highways Section (Paras 10.65-10.70)
- Increased sense of enclosure to adjoining residents Please see neighbours amenity section (Para 10.53)
- The extent of the glass facade which covers the breadth of the building would lead to light pollution onto the extended garden and have a considerable impact on the vast and varied biodiversity identified in the arboricultural report. Please see sustainability section (Paras 10.81-10.84)
- Potential of flat to be used as House of Multiple Occupancy Please see Other Matters section Para.10.89).
- All development to demonstrate that it is designed to be adapted to climate change, particularly through design which minimises overheating and incorporates sustainable drainage systems (SUDS); Additional patio to be installed in garden and its impact Please see sustainability section (Paras 10.81-1084)
- Planning history – planning has been assessed on this site several times and the revised scheme still does not overcome the previous reasons for refusal (Please see Conservation and design paras 10.35-10.44)
- Amenity of the occupiers of the flat – Please see Amenity of Occupiers of the Flat section below (Paras 10.59-10.64)
- Oppose the removal of trees Please see Landscaping, Trees and Biodiversity section below (Paras 10.71-10.80)
- Future rear maintenance access to the upper storeys may be compromised – Please see Other Matters section below (Paras 10.92)
- Cause issues with local infrastructure, the school, local wildlife and our shared garden – Please see Highways (10.65-1070) (Landscaping, Trees and Biodiversity section below (Paras 10.71-80 & Sustainability 10.81-10.84

### **Internal Consultees**

8.4 **Design and Conservation Officer:** No objection following revision of proposed drawings

8.5 **Highways Officer:** No objection subject to conditions

8.6 **Tree Officer:** No objection subject to condition

8.7 **Nature Conservation Manager:** No objection

8.8 **Public Protection:** No objection subject to conditions

## 9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

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

### National Guidance

- 9.1 Islington Council (Planning Sub-Committee B), in determining the planning application has the main following 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).
  - To determine the application in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paying special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area. –
  - To determine the application in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paying special attention to the desirability of preserving the Grade II Listed Building.
- 9.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: “at the heart of the NPPF is a presumption in favour of sustainable development.
- 9.3 The National Planning Policy Framework 2021 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.
- 9.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.5 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.
- 9.6 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.
- 9.7 Members of the Planning Sub-Committee B 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.

- 9.8 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 equality in the exercise of its powers including planning powers. The Committee must be 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.

### **Development Plan**

- 9.9 The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011 and the Islington Development Management Policies 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

### **Designations**

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

Highgate Hill/Hornsey Lane Conservation Area  
Local cycle routes  
Article 4 Direction A1-A2 (Rest of Borough)

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

- 9.11 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

### **Emerging Policies**

#### Draft Islington Local Plan 2019

- 9.12 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 2021.

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).

- 9.13 Emerging policies relevant to this application are set out below:

- Policy S1- Delivering sustainable design –
- Policy S2- Sustainable design and construction
- Policy S4- Minimising greenhouse gas emissions
- Policy G4: Biodiversity, landscape design and trees
- Policy DH1: Fostering innovation and conserving and enhancing the historic environment
- Policy DH2: Heritage assets

## 10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Design and Conservation
- Neighbouring Amenity
- Amenity of Occupiers of the Flat
- Highways
- Landscaping, Trees and Biodiversity
- Sustainability
- Other Matters

### **Design and Conservation**

- 10.2 Policies CS8 and CS9 of Islington's Core Strategy (CS) 2011 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. 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.
- 10.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving the Grade II Listed Building.
- 10.4 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas within their area.
- 10.5 The Islington Urban Design Guide 2017, in respect of rear extensions, states that rear extensions must be subordinate to the original building; extensions should be no higher than one full storey below eaves to ensure they are sufficiently subordinate to the main building. For this reason and also in order to respect the rhythm of the terrace, full width rear extensions higher than one storey, or half width rear extensions higher than two storeys, will normally be resisted, unless it can be shown that no harm will be caused to the character of the building and the wider area.
- 10.6 The Urban Design Guide also states that residential extensions should respect the integrity, rhythm and visual amenity of the street. Where they can be neatly accommodated, there will normally be scope for lower ground or ground floor extensions within a lightwell or beyond the line of the existing back addition providing sufficient garden space is retained to provide high quality and useable amenity space for day to day uses. High quality contemporary extensions are encouraged on lower floors except where conservation guidelines require extensions to conform to the design of the existing building.
- 10.7 The Urban Design Guide also states that proposals for residential extensions and alterations should take into account bulk, height, massing, materials and proportion and how they relate to adjacent heritage assets, uses, building alignment and general treatment of setting. Where the proposal is within a Conservation Area, applicants should have reference to the guidance within the applicable Conservation Area Statement.

- 10.8 The application site is located within the Highgate Hill/Hornsey Lane Conservation Area. The Conservation Area guideline describes the character of the architecture within this area varying from the Romanesque style St Joseph’s Church to the late Victorian red brick terraced houses with their traditional timber sash windows. The small groups of properties along Hornsey Lane have notably fine facades. The area also has a number of large mature trees.
- 10.9 The Highgate Hill/Hornsey Lane Conservation Area Design Guidelines (2002) states that “New development should confirm to the height, scale and proportions of existing building and should use traditional materials... 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. The Council wishes to preserve the scale and integrity of the existing buildings by ensuring that extensions are subordinate to the mass and height of the main building.” On the basis of the guidance within both the Urban Design Guide and the Highgate Hill/Hornsey Lane Conservation Area Design Guidelines, there is scope in principle to erect a single storey full width extension subject to its overall scale, design and appearance being satisfactory.

### **Site Context**



**Image 6: Aerial photo with site identified**

- 10.10 The site is situated on the southern side of Hornsey Lane and comprises a pair of semi-detached properties as identified on the aerial image above. No. 16 and 18 Hornsey Lane are Victorian period buildings and are an almost mirrored pair. Built of stock brick under a steep pitched slate clad roof, they are fine examples of traditional Victorian housing and make a positive contribution to the character and appearance of the Highgate Hill/Hornsey Lane Conservation area. The CADG states that the small groups of properties along Hornsey Lane have notably fine facades (para. 30.1) and notes that the Council wishes to keep them (para. 30.5). No’s 16 and 18 Hornsey Lane are considered as part of this group.



**Image 7 showing the neighbouring Grade II Listed Building (left) and application property to the front**

- 10.11 The application property also adjoins the early-mid 17th century 20 Hornsey Lane (grade II listed) which projects forward the building line to the front of Hornsey Lane as shown above. The listing description for No. 20 Hornsey Lane describes this building as a single house three storeys over basement, now part of a terrace of early to mid-C17 construction with C18 and C19 alterations. It has a roughcast finish with roof of slates largely turnerised. The entrance is positioned forward of the main twin gabled façade in a central two-storey porch. The building is largely finished with a mixture of original decorative features including flat-arched moulded architrave, modillion cornices, decorative bargeboards to the gables and a mixture of sash and casement windows.
- 10.12 Generally, the properties within the immediate area are a range of different architecture styles including late Victorian three storey red brick dwellings on the opposite side of Hornsey Lane which have ornate features to the façade which contribute to the character of the street. Older Victorian period properties of London stock design ranging from three to four stories in height are situated along the application side of the Hornsey Lane. Further south west along Hornsey Lane, there appears to be a mixture of mansion house flat developments and/or later flat developments which are also finished in London stock brick work and variation of window styles and balconies to the front. Officers would note that the variation of architectural styles to the buildings contribute to the conservation areas' character as each building or terrace has its unique architectural merit and features which enhance the overall character. Directly to the south-east of the site lies St. Aloysius College with Thornbury Square to the south. Both these developments lie just outside the Conservation Area.
- 10.13 The application site has a generous rear garden with shrub and tree cover. The visibility of the tree cover and green space when viewed from Thornbury Square helps to contribute to the character of the conservation area. Officers acknowledge that the rear garden remain largely undeveloped and is an attractive leafy site with a mixture of hedging, planting and mature trees which also contribute positively to the character and appearance of the Hornsey Lane Conservation Area.

***Proposed single storey extension***

- 10.14 The proposal seeks to erect a single storey rear extension at lower ground level to increase the overall size of the garden flat. The proposal is a resubmission of a previous planning application which was refused in 2021 (P2021/0054/FUL). The previous application was refused due to inappropriate design, scale, depth and materials. The revised scheme seeks to overcome this refusal with the scale and depth significantly reduced as well as the use of brick material to match the existing building.
- 10.14 As shown in image 8 below, the extension would be single storey full width across both Nos. 16 and 18 Hornsey Lane with a footprint stepped and set in from the curtilage of the listed building. Along the western flank of No 16 (adjacent to the side street leading onto Thornbury Square), the

extension would project 3.5m from this rear wall. This depth is reduced to 3m from the rear garden of No. 18. Along the eastern boundary with no.20 Hornsey, the depth is reduced further to approximately 2.45m whilst also set in off the listed wall.



**Image 8: Proposed ground floor plan**

10.15 The site topography varies with a notable level difference from the adjoining street level and the existing ground level within the immediate garden of No 16 and a further fall in the garden level at No 18 Hornsey Lane. During the course of the application, the plans have been amended to accurately reflect these levels. The plans also show the existing dimensions (see image 9 below) of the existing boundary brick wall and fencing and ground levels to the top of the first floor window cill for clarity.



**Image 9: Showing the dimensions and changes in levels from street level**

- 10.16 As is calculated through the amended drawings received, the existing garden level of No 16 Hornsey Lane would be 0.65m below the adjoining street level. The garden levels fall by approximately 0.2m further (or 0.85m below street level) within the garden of No 18 Hornsey Lane. This creates a variance in height levels of the proposed extension depending on where the measurement is taken within the site. Along the street level, the proposed height of the flank wall above the pavement level would be approximately 2.4m in height.
- 10.17 Measurements taken by Officers from the plans submitted show the height to the top of the roof of approximately 2.74m within the rear garden of No 16, and approximately within the garden of No 18 with a maximum height along the eastern flank wall of approximately 3.13m. From the image below (see image 10), it also shows that a punctuating visual gap (200mm) is maintained between the top of the roof and the existing window cill serving the first floor flats. This has been achieved by the removal of the roof light which was previously proposed. The materials will be matching London stock brick for the walls with slim aluminium framed windows/doors within the rear elevation and a flat roof constructed of fibreglass with a green roof.



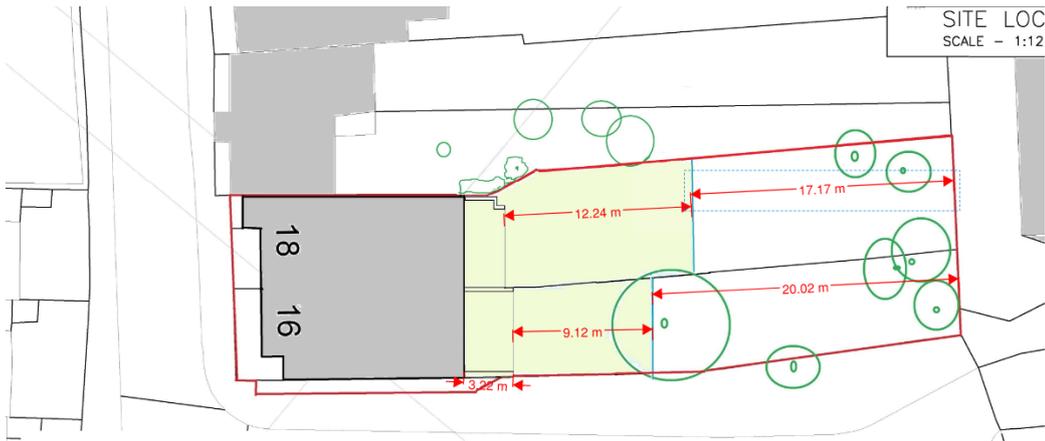
**Image 10: Shows rear elevation and a punctuating gap between the top of the roof and first floor cill**

***Impact on the existing building in terms of size scale, height and depth***

- 10.18 Officers acknowledge the strong local interest through the consultation responses received on the existing architectural composition of the building and its heritage benefit to the conservation area. This is largely due to the fact that the external appearance of the building remains relatively unaltered in its original design thereby maintaining strong symmetrical appearance of both semi-detached properties. This includes the prominent features such as the centrally positioned original bay window profile that extends from ground floor to the second floor on both 16-18 Hornsey Lane.
- 10.19 Notwithstanding the existing unaltered rear elevation, the building is not a statutory or locally listed building and paragraph 12 of the National Planning Policy Framework does have a presumption in favour of sustainable development. Whilst the unaltered building is admired, there is general scope for development to take place at lower ground floors as per the guidance within

Urban Design Guide and the Hornsey Lane Conservation Area guidelines (see 10.5-10.8). Both DM2.1 and DM2.3 of the Development Management Policies also supports development proposals that are of a high quality contextual design and make a positive contribution to Islington’s local character.

10.20 Officers are satisfied that the current proposed scheme is of a modest scale, proportionate to both the site curtilage and the building as a whole. The maximum depth of the extension would be 3.5m out from the western side which reduces to 2.4m in depth along the listed building curtilage. This is considerably modest in overall depth and proportionate to the garden it occupies. The site plan shows that approximately 9m-12m depth of garden is demised to Flat 1b and would remain undeveloped, with a further 17m to 20m depth of garden assigned to the freehold of the site. Proportionately, the footprint of the extension is modest in relation to the overall garden size and given the overall height of the existing building (approximately 15m in height), it would appear subordinate when viewed from the back of the rear gardens.



**Image 11: site plan showing the footprint of extension and area of garden that would remain undeveloped**

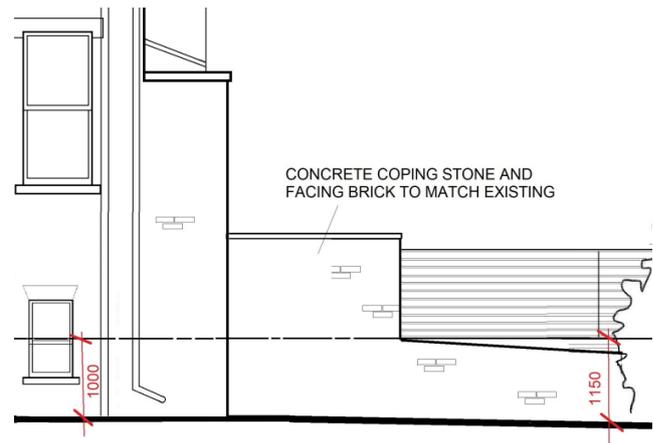
10.21 The height of the extension varies from a maximum height of 3.1m to 2.4m at its lowest. This again would appear proportionate and subordinate to the scale of the existing building with approximately 9m of a visual gap between the roof of the extension and eaves line of the main roof as can be seen in image 12 below. As such, Officers are satisfied that the scale, depth and height of the extension would retain subordinate in appearance and proportionate to the scale of the existing building.



**Image 12: extension in proportion to the existing building**

### ***Impact on Conservation Area***

- 10.22 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas within their area.
- 10.23 The existing building is four storeys in height plus attic space within a steep pitched slate clad roof. The proposed extension will be single storey at a minimum depth of 3m to the rear of No. 18 and 3.5m to the rear of No. 16 to take into account its relationship with the conservation area and 2.4m deep along the boundary with No 20 to reduce the impact on the setting of the neighbouring listed building. The scale of the development is acceptable and the extension will be located at ground floor level sitting comfortably below the existing upper floor windows and the upper bay features. By extending the full width across both properties, the extension would retain the symmetrical appearance of the lower floor and not imbalance one side of the semi-detached property over the other.
- 10.24 The upper floors of the building are the most visible and prominent parts of the property from the public domain and will be preserved. The proposed development would lead to the loss of the two porch features at rear ground floor level. However, this feature will be removed from a lower floor level on a non-listed building, which has limited visibility from the public domain due to screening along the side boundary. The Conservation and Design Officer has raised no objections to the loss of this feature given its lower ground position. The more prominent upper bay features will remain in situ where they are more visible from the public domain and Officers do not consider that the loss of lower bay features would cause harm to the character and appearance of the conservation area given their location. As the upper floors would remain unaltered, these original features above the extension would be preserved and continue to be read from the public views without any harm from the proposed works. Whilst the extension would be visible in private views as well as from the adjoining street and some oblique views of the glazing/roof, this is not considered to cause harm to the overall character and appearance of the conservation area.
- 10.25 Furthermore, the existing London stock brick wall facing Thornbury Square, together with an existing timber fence is in poor condition (see Image 13). A new London stock brick wall will be extended 2.25m rearward on the street boundary at a height of approximately 2.4m in matching brick to serve the extension and partially replacing the timber fence. Officers view the existing timber fence to have a neutral if not negative impact on the conservation area. Its replacement in part with a traditional matching brick wall is considered to improve the overall relationship from public views by reducing the amount of timber fencing and replacing it with a subservient traditional wall that visually would enhance this flank elevation. The boundary wall comprising of London stock brick would match the existing brickwork and enhance the building's relationship in the context of the wider conservation area. Given the overall prominence of this flank elevation from both short and longer views, having a matching proportionate wall rather than a dilapidated fence, would be a benefit to the wider conservation area and in keeping with the established character of the area.



**13: Existing view from Side Elevation (Streetview) and proposed new brick wall**

- 10.26 There is an existing brick dividing wall separating the rear gardens of the site and a section of this wall is to be removed to accommodate the proposed extension. It is proposed to retain a section of the sloped wall from the rear elevation of the building and the majority of the wall within the garden, thereby retaining the historic separation of the two gardens and for this planform to continue to be read.
- 10.27 The extension will largely be concealed from public view by the existing boundary walls and fences and also as the existing rear garden is set at a lower level to Thornbury Square. Some partial views of the extension would be possible from the public domain. However, visibility will be largely limited to glimpses of the roof of the extension, which will feature a green roof, contributing to sustainability whilst also adding vegetation to the roof blending with the leafy environs.
- 10.28 With regards to private views, given the modest height and projection of the extension, and the existing building lines of neighbouring properties, the extension will only be visible from neighbouring gardens and visible from some neighbouring windows. The elevations directly facing neighbouring gardens will be constructed of London stock brick to match the existing building and the green roof will again contribute to sustainability and blend in with the leafy environs. The works would result in an extension that would not over-dominate the rear elevation of the building and would be subservient to it.
- 10.29 The Council's Design and Conservation Team have been consulted on the proposal and raised no objections to the extensions overall scale, size, design and use of materials. The Design and Conservation Officer considered the proposal to be in scale with the host building and would be largely consistent with the advice contained within the Urban Design Guide and the Conservation Area Guidelines. The extension is considered to be lightweight, well designed and open in appearance. Therefore the proposed design, scale and massing is considered acceptable and will preserve the character and appearance of the Highgate Hill/Hornsey Lane Conservation Area.
- 10.30 The use of London Stock brickwork for the flank elevations facing the public domain and neighbouring properties is considered acceptable and consistent with the Urban Design Guide and Conservation Area Guidelines. Whilst traditional materials are not proposed for the roof and rear elevation, the use of lightweight contemporary materials in a less prominent location at ground floor level is also considered acceptable and consistent with the Urban Design Guide which allows for high quality contemporary extensions on lower floors.
- 10.31 Concern has been raised over the loss of open garden space to the rear of the building. However, these particular properties benefit from large rear gardens and approximately 75% of existing garden space will remain undeveloped. Therefore only a small proportion of the existing garden space will be developed. The limited depth of the extension would ensure that the overall openness and leafy nature of the garden would be retained. The proposal will introduce a third bedroom to the existing flat and planning policy requires a minimum of 30sqm of private outdoor amenity space

for flats containing three bedrooms or more. This is therefore consistent with planning policy and there will therefore be sufficient useable outdoor amenity space within the rear garden. The extension is considered to be appropriate and proportionate to the garden that it will form a part of.

**Impact on setting of Grade II listed building**

- 10.32 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 listed building, its setting and any of its features of special architectural or historic interest.
- 10.33 The neighbouring property No. 20 Hornsey Lane is a Grade II listed building and is located to the northeast of the host property. The listing description for the property shows that the significance of the building is its external features and some internal features of interest. The rear building line of No. 20 is 8m rear ward of the existing rear building line at the application site. The proposed extension will be at a height of approximately 3.1m adjacent to the boundary with No. 20 at a depth of 3m. A further set back on the boundary to no.20 Hornsey Lane means that the depth on this boundary will be approximately 2.4m. The footprints of the properties are on different building lines and the existing flank wall of the application site already projects significantly beyond the rear elevation of the listed building. In its current setting, the flank wall of the application site screens the listed building from the rear.



**Image 14 showing adjacent the site in the context of Grade II Listed Building**

- 10.34 The proposed extension will be set in off the neighbouring wall in order to protect the setting and integrity of the adjacent Listed Building. There are no alterations proposed to the listed wall and as such no requirement for Listed Building Consent. The Conservation and Design Officer has been

consulted regarding the proposal and is satisfied that the proposal would not cause harm to the setting of this listed building given the modest depth and height of the extension and its distance away from the listed building itself. The Conservation and Design Officer has recommended a condition requiring protection and retention of the wall during construction. An informative is also recommended advising the applicant that listed building consent will be required for any alterations carried out to the wall.

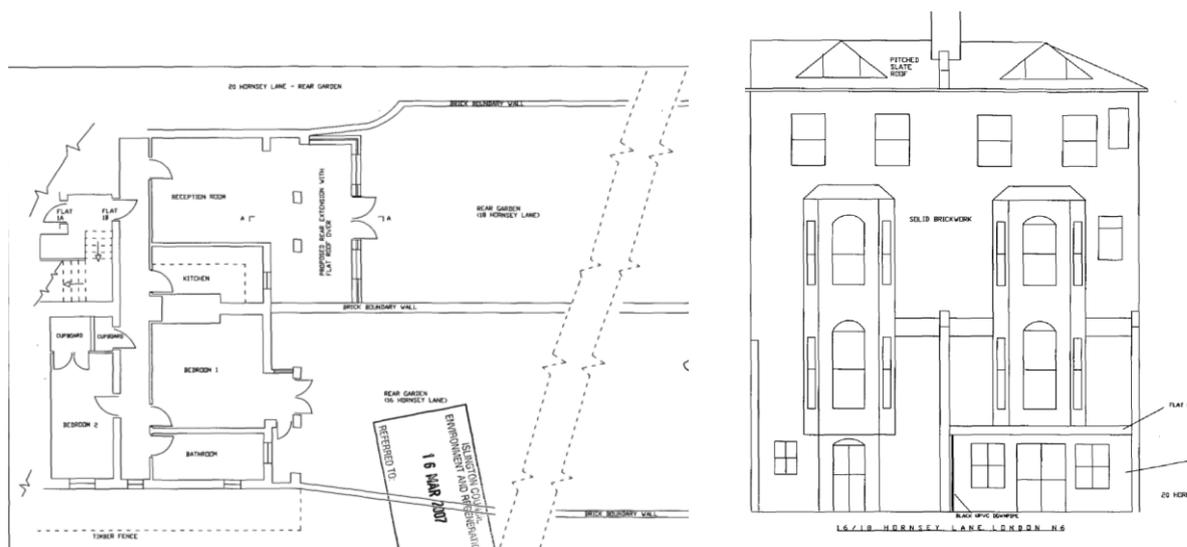
### **Previously refused proposals**

10.35 As highlighted within section 7 of this report, there have been previous applications on this site for different extension which have previously been refused both historically and recently. Officers would point out that each application is assessed on its merits in terms of the policies at the time. From review of these historic applications and recent refusal, the design, scale and proportions of all these refusals are different from the current scheme.

10.36 Two planning applications were refused in 2007 (P070434) and 2008 (P072552): for single storey rear extensions. However, the extensions were proposed to the rear of No. 18 Hornsey Lane only and created an unacceptable imbalance to the rear of the property, together with the inappropriate use of materials and fenestration detail.

### **P070434 – Refused 10/05/2007**

10.37 In regards the 2007 decision (P070434), this was refused on the grounds of its unsympathetic design in particular the inappropriate window design and arrangement and specific materials.



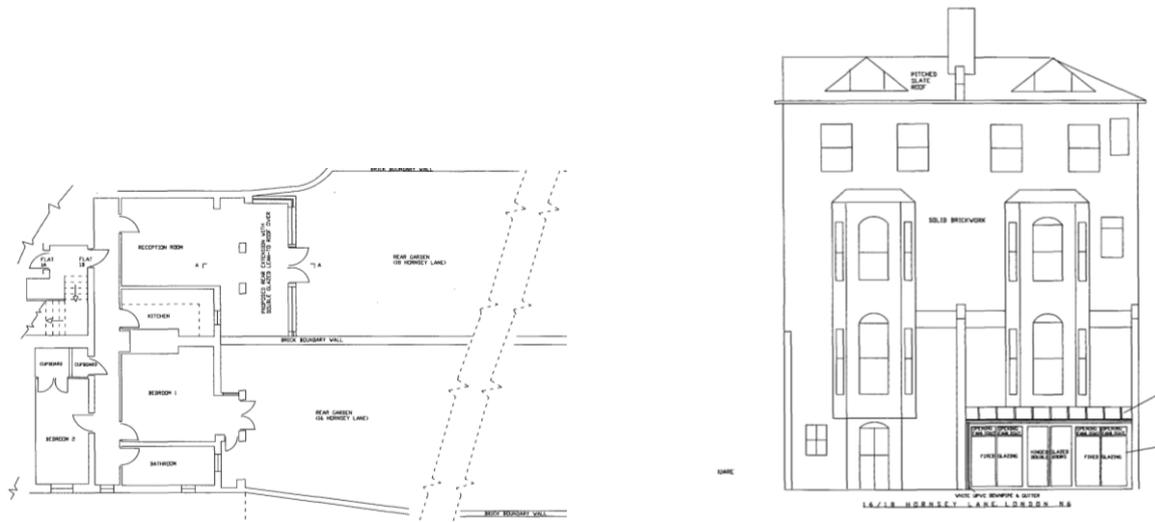
**Image 15: Refused plans for P070434**

10.38 The delegated report of this decision shows that the Conservation Officer objected to the scheme. The design was considered unsympathetic being “box like” leading to the loss of the symmetry and balance of the rear elevation of 16 and 18 Hornsey Road. The proposed windows were considered not to relate to the design of the fenestration on the original building to the detriment of its appearance. The Officer concluded the report by stating a sympathetically designed light-weight glazed structure may be an acceptable method for extending this property.

### **P072552 – Refused 18/03/2008**

10.39 A resubmitted planning application was submitted following this decision (**P072552**) which reflected the concluding comments of the previous decision. An officer’s committee report recommended approval subject to conditions. This report also highlighted that the Conservation Officer at the time accepted the principle of a rear single storey extension. The Officer welcomed the light weight

character of the proposal over the previous scheme. The principle and proposed materials were considered acceptable.



**Image 16: Refused plans for P072552**

10.40 The Planning Officer report also mentioned that the lightweight nature of the extension is considered preferable to the construction of a heavy brick and slate extension that would detract from the appearance of the building and the notable central bay. Notwithstanding the above recommendation, the application was subsequently refused by Committee.

***P2021/0054/FUL - Refused 03/03/2021***

10.41 In addition to the above, planning permission (ref: P2021/0054/FUL) was refused on 3rd March 2021 for the construction of a single storey rear extension to the garden flat and alterations to boundary including installation of gate. The refused proposal was for a rear extension mainly constructed of glass with a sedum roof. It entailed the complete removal of the brick boundary wall between No. 16 and 18, building a glass link to the flat and positioning the glass extension across the width of the garden to No. 16. There would have been a gap between the rear elevation of No. 16 and the proposed extension, which would then project deep into the garden by approximately 11m. The side elevation to the street would have been burnt timber larch cladding above the retained wall. The proposed drawings from the refused scheme are provided below.



**Image 17: Previously Refused Scheme Ref: P2021/0054/FUL**

10.42 It was considered that the previously proposed extension was excessively large and would have dominated the host building given its excessive depth on a very prominent corner. It would have occupied a large part of the garden and involved the complete loss of the brick wall that divides the gardens and which contributes to the architectural character of the buildings. The link element and

the gap from the rear elevation of 16 was considered to create a discordant relationship with the host building and the form and positioning detrimentally increased the presence of the extension. The glass elevations and the burnt timber larch cladding were considered to be modern materials at odds with the character of the host building and formed a discordant addition.

### ***Current scheme P2021/1387/FUL***

- 10.43 Officers consider that the amendments brought forward in the current proposal takes accounts of the previous reasons for refusal as well as the consultation responses that were recommended by the previous officers at that time. The extension now mirrors both rear elevations Nos 16 and 18, thereby maintaining a symmetrical appearance at ground floor elevation. The overall depth and height is of a modest scale to the building it would be situated upon. The combination of both traditional (brick along the flank walls) and modern contemporary lightweight materials provides both visual interest to the lower ground rear elevation whilst also ensuring the upper floor features retain their prominence. The use of a green roof above the extension would contribute towards sustainability and visibly read as an extension to the rear garden that contributes towards biodiversity when viewed from a height.
- 10.44 Both the Conservation Officer and Planning Officers are satisfied that the amended design overcomes the previous reasons for refusal. It is full width across the lower level of the building which both the Urban Design Guide and the Conservation Area Design Guidelines accept. Its modest scale, depth, full width design and use of traditional and complementary materials allows the extension to sit comfortably to the rear of the building.

### **Conclusion on Design**

- 10.45 In line with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposal hereby under consideration, special regard has been given to the desirability of preserving the character and appearance of the conservation area and the setting of the neighbouring listed building.
- 10.46 The proposal is considered to be in keeping with the visual appearance of the building within the application site and wider streetscene and is considered acceptable in design and conservation terms which will preserve the character and appearance of the Highgate Hill / Hornsey Lane Conservation Area and not impact upon the setting of the neighbouring listed building. The proposal is considered compliant with policies CS8 and CS9 of the Islington Core Strategy (2011), DM2.1 and DM2.3 of Development Management Policies (2013) and D4 and HC1 of the London Plan (2021), and the guidance contained within the Urban Design Guide (2017) and the Highgate Hill / Hornsey Lane Conservation Area Design Guidelines (2002).

### **Neighbouring Amenity**

- 10.47 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.
- 10.48 The Development Plan contains policies that seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy D14 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy D14 (part A) of the London Plan 2021 states that development proposals should seek to manage noise by mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development; separating new noise sensitive development from major noise sources through the use of distance, screening or internal layout in preference to sole reliance on sound insulation; controlling and mitigating potential adverse effects through the application of good acoustic design principles; and promoting new technologies and improved practices to reduce noise at source and on the transmission path from source to receiver.
- 10.49 Development Management Policy DM2.1 (part Ax) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the

impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

- 10.50 The property is located on the corner of Hornsey Lane and Thornbury Square and therefore there are no adjacent neighbour or residential windows to the west that will be impacted by this development. The brick wall of the extension facing Thornbury Square will have a height of approximately 2.4m, slightly higher than the existing timber fence. The proposal is therefore not considered to harm neighbouring amenity to the west.
- 10.51 No. 20 Hornsey Lane is located to the northeast of the host property and the rear building line of No. 20 and their residential windows are 8m rear ward of the existing rear building line at the application site. The proposed extension will be at a height of approximately 3.1m adjacent to the boundary with No. 20 at a depth of 2.4m on the immediate boundary at the deepest point.
- 10.52 The BRE guidance for daylight includes the use of the 45 degree 'rule of thumb' approach. It advises that a significant amount of light to a neighbouring window is likely to be blocked if the centre of the window lies within the 45-degree angle of the new extension on both plan and elevation. In short, a 45-degree angle line is drawn out from the centre point of the window on the elevation and also on the floorplan. The BRE Guidelines state that if a proposed neighbouring extension obstructs both of these 45 degree lines (i.e. in height and depth) then the extension may cause noticeable loss of light and a more detailed BRE compliant daylight/sunlight assessment should be carried out. If it obstructs one of these lines but not both then sufficient light should be retained.
- 10.53 In this instance, the extension would not breach 45 degree line of the nearest window serving No 20 given the positioning of the footprints of both properties. The neighbouring property at No. 20 footprint is already compromised by the existing four storey flank wall serving No 18 Hornsey Lane which projects a further 8m (approximately) beyond the rear elevation of its neighbour. The additional projection from the extension would be set in from this existing flank wall and slightly off the common boundary listed wall of its neighbour. There would be no additional impact on daylight sunlight of this neighbour given the extension positioning. Furthermore, the additional depth would not infringe on the neighbouring properties outlook or lead to a sense of enclosure. It must also be added that the neighbouring wall curves slightly away from the extension progressively widening the gap between the site boundary and the extension the further out it extends to its deepest point. This further reduces its visibility from neighbours windows and its immediate garden. As such, Officers are satisfied the proposal would not impact on this residential property's amenity.
- 10.54 With regard the neighbouring flats on the upper floors of No.16-18 Hornsey Lane, the maximum projection 3.6m is considered acceptable and would not negatively impact on these neighbours' outlook. Given their location on the upper floors, there would be no loss of daylight or sunlight or sense of enclosure to these neighbours. Furthermore, the green roof above the extension would provide visual relief and biodiversity to the upper floor neighbours. This contributes to the sustainability of the site but also is a more appropriate form of design that is likely to be visually more acceptable to the upper floor neighbours than a traditional slate roof.
- 10.55 With regards to noise and odours, as the extension will serve an existing residential flat, it is considered that the current levels of noise or odours would not be exacerbated by this development. Officers are satisfied that the extension is of a modest size and would not lead to any significant increase in noise levels over and above what would be expected from a domestic property. Noise from domestic properties is also regulated under separate legislation by the Council's Public Protection Team.
- 10.56 In terms of the impact during the construction period, the relatively minor scale of the proposed development would not ordinarily require the submission of a Construction and Environmental Management Plan, which would be more appropriate for larger or more extensive forms of development. However, Islington Council has a Code of Practice for small-scale construction work and home improvements which developers need to abide by. The Code of Practice confirms that the hours of working that sites will be allowed to carry out noisy work are between 8am and 6pm, Monday to Friday and 8am and 1pm, Saturdays. It recommends that noisy works must not take

place outside of these hours including Sundays and public and bank holidays. In the event that the noisy works were to be carried out outside of the recommended hours the Council's website has details of how to inform the Council's Environmental Health Team to investigate the complaint. An informative has been recommended to remind the applicant of the Council's Code of Practice.

- 10.57 A Construction Logistics Plan has been submitted with the application in order to address and explain, any issues that may arise due to construction vehicles accessing the site. The Council's Public Protection Team have been consulted on these details. The Public Protection Team have raised no objection to the proposed details but have requested a condition requiring the submission of an updated detailed Construction Management Plan given the nature of the road, including a requirement for the developer to follow the guidance of Islington's Code of Practice for Construction Sites and use best practice measures to minimise noise, vibration and dust/air quality impacts, any Non Road Mobile Machinery used on site shall be at emissions Stage IIIB minimum and no deliveries during St Aloysius school opening/closing times. A revised CMP has been conditioned in order to protect the adjoining residents and school during construction. Highways concerns are discussed below in the 'Highways' Section.
- 10.58 The proposed extension is therefore not considered to cause harm to the amenity of neighbouring properties. However, conditions are recommended restricting the use of the flat roof as a roof terrace. The proposal is therefore compliant with the National Planning Policy Framework, London Plan Policy D14 and Development Management Policy DM2.1.

### **Amenity of Occupiers of the Flat**

- 10.59 Concerns have been raised over the amenity of the occupiers of the flat with regards to the unit size, room sizes and storage. Floor space standards only concern new residential development and do not relate to extensions to existing building/units.
- 10.60 However, from the submitted drawings the existing flat is a 2x bed/4 person flat with a total area of approximately 63.46sqm. Policy DM3.4 of Islington's Development Management Policies 2013 requires a minimum of 70sqm of gross internal floor space. Therefore, the existing flat is currently below size standards.
- 10.61 The proposed flat will be a 3x bed/6 person flat with a total area of approximately 96sqm. Policy DM3.4 of Islington's Development Management Policies 2013 requires a minimum of 95sqm of gross internal floor space. Therefore, the extended flat will be above the minimum standards and will provide a family sized unit (3 bed or more).
- 10.62 With regards to bedroom sizes, the proposed bedrooms will be 13.2sqm and 14.1sqm in size and will therefore exceed the minimum space standards for double bedrooms (the minimum size being 12sqm).
- 10.63 With regard to internal storage, the drawings show storage present within all three bedrooms totalling approximately 3 sqm of storage space. In addition, the kitchen will contain units and cupboard which further add to the internal storage space. The minimum internal storage space for a 3 bed flat is 3.5sqm. Therefore, the extended flat will meet/exceed this requirement.
- 10.64 In light of the above, the extended flat meets the internal space standards and it should be reiterated that the internal space standards are for new residential development only.

### **Highways**

- 10.65 Concern has been raised with regards to the impact of the construction works on the narrow Thornbury Square, including the loading and unloading of construction vehicles, deliveries, safety emergency vehicles and the school drop off and pickup times. Thornbury Square is the only vehicle entrance to the school to the rear, the car park of Highbury Care Home and the gated development of Thornbury Square. It contains double yellow lines and bollards stopping parking on the pavement.



**Image 18 shows loading area (shaded grey) and storage area (shaded green)**

- 10.66 A Construction Logistics Plan (produced by Icen Projects) has been submitted with the application. It should be noted for a householder development of this minor nature, the method of construction and the control of and management of construction vehicles is not normally required by Officers as part of the planning application, being more usually associated with larger scale minor or major development that has the potential to cause disruption to surrounding neighbours and to traffic flow if not controlled. It is not considered that this applies in this instance, however the applicants have supplied further information in order to respond to residents' concerns. The Logistics Plan highlights the timescales, working hours, routing of vehicles and provides a swept path analysis. The time scale given for the works would be approximately 6-8 months from start to finish. The CLP indicates that local residents will be notified in advance of the proposed construction works by letter. It confirms that the working hours would comply with the Code of Practice between 8am and 6pm, Monday to Friday and 8am and 1pm, Saturdays.
- 10.67 Construction vehicles will set down in Thornbury Square as highlighted in grey in image 18 above. The report estimates that timeframes in which an individual construction vehicles is likely to stopping for would be no longer than 10-20 minutes. Given the modest scale of the works, it is not envisaged that the works would involve a large numbers of vehicles with the CLP highlighting between 5-10 larger vehicles during the build programme. During times where larger deliveries proposed, the footway alongside the loading area would be temporarily barriered off and pedestrians redirected to cross the road on the opposite footway. However the CLP indicates that these larger vehicles will be limited and also expected to be for a short period of time (10-20 mins). It is expected that vehicle may have to reverse out onto Hornsey Lane once unloaded. However, a banksman would be used in these manoeuvres. The bankspeople would also be responsible for checking the loading area prior to departure to ensure the no debris taken onto the highway. The report also includes a swept path analysis demonstrating how other vehicles would be able to pass whilst a construction vehicle is parked up.
- 10.68 Deliveries would be coordinated by the Site Management with no deliveries before 08:00 or after 17:00 daily. A list of typical vehicles likely to be involved in the construction include concrete lorry, concrete delivery vehicles, 4-wheel drive; 2-wheel drive rigid flat-bed Lorries with crane loading arms and 2-wheel drive rigid fbox vans with specialist equipment for service and decoration. The storage area will be within the rear garden of the site as highlighted in green above.
- 10.69 The Council's Highways Team have been consulted on this scheme. The Highways Officer has commented that proposed development is relatively small in scale and Construction Logistic Plan is considered reasonable at this stage in the planning process and the inclusion of swept paths is welcomed. The Highway carriageway is however narrow and the need to agree details with the Council's Street Works team is likely to be required. This agreement will consider carriageway widths and any temporary arrangements. In principle, difficulties in achieving temporary arrangements should be part of a balanced decision and for this proposal, the Highway's team have raised no objection to the development. The development team will however note that it is for the applicant to overcome any difficulties in a manner satisfactory to the Highway office whose

priorities are with the rights and safety of the travelling public in any details application brought forward.

- 10.70 At this stage of the process, the Highways Team have raised no objection to the proposed application but have requested a condition requiring the submission of an updated detailed Construction Management Plan detailing a swept path analysis, hoarding arrangements (with consultation with the Street Works Team), storage of materials and any temporary arrangements for deliveries. A revised CMP has been conditioned in order to protect road users, the adjoining residents and school during construction. Based on final details to be submitted and agreed by the Highways Officer, Planning Officers are satisfied that the development can take place whilst also limiting the impact on the surrounding highways during the construction phase.

### **Landscaping, Trees and Biodiversity**

- 10.71 Policy DM6.5A seeks to ensure developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Policy DM6.5B (i) and (ii) state that (i) developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits. Developments within proximity of existing trees are required to provide protection from any damage during development. (ii) The Council will refuse permission or consent for proposals that would have a detrimental impact on the health of protected trees.
- 10.72 The proposed extensions would be situated approximately 10m away from the nearest retained tree which is a mature sycamore T1. The new extension is positioned to the northwest of the retained sycamore tree. As part of the scheme, the applicant has highlighted a number of trees to be removed and provided an Arboricultural Impact Assessment and Method Statement as part of the application. The site was surveyed by Arbor Cultural Ltd in August 2020 and a total of 10 trees surveyed. This comprised of a large sycamore (B1 category – moderate quality), a holly, a cabbage palm, a Lawson cypress and an elder, (all C1's category – Trees of low quality), three declining elder and one declining crab apple trees, (all U categories – unsuitable for retention for arboricultural reasons) and a C1 category cherry tree in the highway verge.



**Image 19: shows trees in south west corner to be removed**

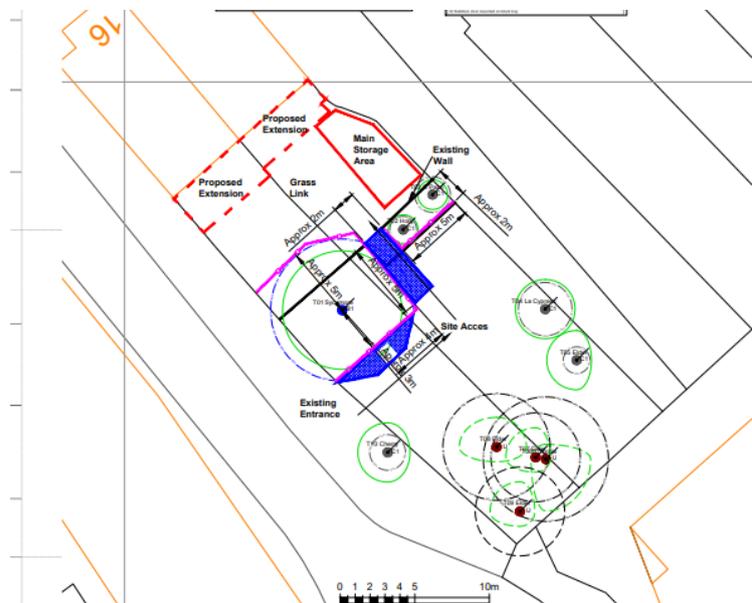
- 10.73 The survey identifies four trees proposed for removal as part of this application. These are T06-09 in the south-western corner of the site. The report provides photographic evidence of the poor quality of this vegetation which are all swamped with ivy with limited leaf area. The survey suggests

that each of these trees would have limited safe useful life expectancy and are categorised under U category trees. Consequently, there will be a minimal effect to their amenity value of the area.

10.74 The Council's Tree Officer has been consulted on the proposal and has no objections to the proposal or the tree protection plan. The Officer also agrees with the categorisation of the trees and the removal of the U category trees that add no value to the amenity of the area due to their condition.

10.75 No works will be undertaken within any Construction Exclusion Zone (CEZ). The CEZs are to be afforded protection at all times and will be protected by fencing. A protective fence shall be erected prior to the commencement of any site works. The drawing below (image 20) shows the protective fencing dividing the CEZ area from the construction site area which would ensure that damage would be minimal to any of the remaining retained trees during the construction phase. The fence would also have signs attached to it stating that this is a Construction Exclusion Zone and that NO WORKS are Permitted within the fence. The tree protection fencing would only be removed following completion of all construction works.

10.76 The Tree Officer has raised no objections to the proposal or the tree protection plan. However, a condition is included requiring the development to be carried out in accordance with the submitted details.



**Image 20: Protective tree measures to be installed prior to commencement**

10.77 Whilst there are 4 trees to be removed towards the rear of the site, given the overall poor quality of the trees being removed, as well as the lack of space for replanting to ensure the long term future of any tree, Officers are satisfied that a replanting scheme would not be appropriate or expected in this instance.

10.78 Concern has been raised over the accuracy of the drawings with regards to neighbouring bushes and shrubs and the harm and/or loss of the existing bushes and shrubs within the rear garden of No. 20 Hornsey Lane. Neighbouring bushes and shrubs have been identified on the final revised drawings where possible by the applicant and new vegetation has also been shown within the site's garden area. The vegetation shown within the site is proposed and is not the vegetation present within the neighbouring garden.

10.79 The bushes and shrubs within the neighbouring garden are not located directly within the footprint of the proposed extension and are separated by the existing boundary wall, which is to be protected by way of condition. In addition, bushes and shrubs do not share the same level of protection as trees receive within the planning system or within the conservation area. This has been confirmed by the Council's Tree Officer who has reviewed the adjacent vegetation. However as it stands,

Officers are satisfied that the works is unlikely to cause harm to the neighbours landscaping. Protection of the adjacent bushes and shrubs, and any damage or removal during the construction phase would be private civil matter between the applicant and the owners of No. 20.

- 10.80 Concern has also been raised over bird and bat nesting. The Council's Nature Conservation Manager has been consulted on the application and has raised no objections. A bat survey would only be required if a large building is to be demolished or a large tree is to be felled and there are no known specific bird or bat issues in this area.

### **Sustainability**

- 10.81 Policy DM7.1 (A) states that development proposals are required to integrate best practice sustainable design standards during design, construction and operation of the development. Part (D) states that applications for those types of development not covered by Part C of this policy shall include details of sustainable design and construction considerations to a level of detail appropriate to the development. Policy DM7.2 (A) states that developments are required to achieve best practice energy efficiency standards, in terms of design and specification. Part (D) states that proposals for householder extensions will be encouraged to apply cost-effective energy efficiency measures to the existing property, where practical, in addition to requirements applicable to the extension itself.
- 10.82 The overall floor area of the proposed extension is 37.45sqm and therefore a Sustainable Design and Construction Statement, including an Energy Statement, is not required in this case (threshold of 100sqm or greater). However, the development will need to comply with Building Regulations with regards to sustainability. Officers have noted concerns raised by objectors of the loss of open garden space. However, the extension would be situated next to the main building and its overall depth would be limited to 3.5m out from the main rear wall of No. 16. It must also be noted that the extension would be situated on an area currently occupied by hard surfaced paving (see image 6). Concerns have been raised that the plans show the installation of a patio outside the extension within the rear garden. Whilst additional patio space would be added directly out from the extension, this would remain modest in the context of the overall garden. There would remain over 100 square metres of garden space undeveloped thereby maintaining the biodiversity and ecology of the private garden.
- 10.83 Further concerns have been raised in regard the level of glazing which could increase light pollution onto the extended garden. Any light spillage from the extension would project immediately onto the patio area and is unlikely to cause significant light spill to the wider garden. The Pollution Control Officer did not raise light spillage as a concern, nor has the Nature Conservation Officer.
- 10.84 Objections have also raised concerns that the development would contribute negatively towards climate change. Officer would argue that the development is modest in scale and contributes towards sustainable development with the use of double glazed windows and brick. The proposal also shows a green roof which would contribute in a small way towards biodiversity, sustainability and ecology whilst also adding vegetation to the roof blending with the leafy environs. In addition to the above, a condition is included requiring the green roof to be of an acceptable quality and maintained in order to improve outlook and sustainability at the site. Another issues raised by the representations received related to Sustainable Urban Drainage. Any extension would need to comply with Building Regulations and this includes drainage. In terms of planning, the requirement of SUDs is not needed for a development of this size. Notwithstanding this, indicated earlier, the level of development remains modest to the overall garden size and it would be expected that any water run-off would soak away within the green areas of the site. Officers are satisfied that the development is sustainable and complies with current sustainability policies.

### **Other Matters**

- 10.85 Ownership issues and the correct completion of the application was raised in some objections received in the initial consultation. A revised application form was submitted clarifying the applicant details and ownership of the land. The requisite 21-day notices have been served on all leaseholders and freeholders.

- 10.86 Concerns have also been raised regarding inaccuracies in the drawings that were initially submitted by the applicant. During the course of the application, Officers assessment inaccuracies were noted by Officers and corrected by the applicant. A further survey by the applicant on the site was carried out and dimensioned drawings were provided showing existing height measurements in the context of the street and the existing site features (such as neighbour listed wall) were included. These drawings were received on the 17<sup>th</sup> February and re-consulted on the 22<sup>nd</sup> February 2022. Other revisions during the course of the application included correcting of the errors in the details, inclusion of green roof and omission of roof light. Four rounds of consultation have taken place to ensure residents were made aware of any amendments received.
- 10.87 Structural concerns have been raised with the proposal such as the removal of walls and the installation of steel beams to support the extension and upper floors of the building. There is no significant excavation works proposed under the existing building that would require a structural method statement to be submitted. The extension is a standard domestic addition with foundations that would be subject to building regulations controls. Concerns have been raised regarding the structural integrity of the building once the porch feature has been altered. The architect has confirmed that temporary propping up structures can support the bays whilst support steelwork is inserted below and dry-packed. A party wall agreement which is outside the realms of the planning regulations would also be required with owners who share a party wall with the applicant. Under the Party Wall legislation, adjoining owners would have the right to scrutinise the design and method statement. Structural issues and method of construction are regulated under separate legislation under the Building Regulations. Such works will need to be assessed during construction by the relevant Building Control bodies. Officers have attached an informative informing the applicant of the need to comply with other regulations outside the realms of the planning legislation including building regulations and environmental legislation.
- 10.88 Potential damage to existing drains is not a material planning consideration as drains are regulated by the local water authority. Such works will need to be assessed by the relevant water authority. Furthermore, a building control application would also deal with any drains or other infrastructure that may need to be altered or relocated. It must also be noted as highlighted within the sustainability section of the report, sufficient garden space would remain undeveloped. This would ensure that the garden continues to play a role in draining any excess water from the site.
- 10.89 Concerns were raised that the inclusion of additional bedrooms could lead to a change of use to a House of Multiple Occupancy. The property would have 3 bedrooms and the planning permission sought is for a domestic extension to an existing flat. The layout of the proposed flat does not suggest a HMO and Officers are satisfied that no change of use is proposed under the current scheme.
- 10.90 Security concerns have been raised with regards to the proposed extension. The proposal is for a modest domestic extension to the rear of the property. The upper floor levels are visible from the public domain and a 2.4m high brick wall will be constructed adjacent to Thornbury Square. Given the location and height of the flank wall it is considered that there are no significant security risks over and above the current situation.
- 10.91 Harm to property prices is not a material planning consideration and cannot be assessed or taken into consideration by the local planning authority.
- 10.92 Concern has also been raised with regards to maintenance issues of the upper floors and access. However, this would be a private civil matter between the owners/occupiers of the relevant flats. Access for maintenance would need to be agreed between the relevant owners.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 Overall, the proposed single storey rear extension is considered to be in keeping with the visual appearance of the host building and streetscene, and is considered acceptable in design and conservation terms. The proposal would not cause harm to the setting of the adjacent listed building

nor would it cause harm to the character and appearance of the conservation area. Therefore the proposed design, scale and massing is considered acceptable.

- 11.2 The proposal is considered not to result in any significant loss of amenity to occupiers of neighbouring properties, in terms of loss of daylight/sunlight including light pollution, outlook, or noise and disruption. 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 associated Supplementary Planning Documents and should be approved accordingly.

**Conclusion**

- 11.3 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 be subject to conditions to secure the following:

**List of Conditions:**

<b>1</b>	<b>Commencement</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>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>HL/20G (Site Plan as Proposed), HL/21 Rev G (Ground Floor Plan As Proposed), HL/22 Rev G (Roof Plan As Proposed), HL/23 Rev G (Section A-A As Proposed), HL/24 Rev G (Rear Elevation As Proposed), HL/25 Rev G (Side Elevation As Proposed), Arboricultural Impact Assessment &amp; Method Statement by Arbor Cultural Ltd dated 23<sup>rd</sup> December 2021, Tree Constraints Plan TPP-01 Rev B, Construction Logistics Plan by Icenl Project Ltd dated February 2022</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 approved plans and within the application form. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>The side elevations of the rear extension shall match the existing brickwork adjacent with regard to colour, texture, face bond and pointing and the brickwork 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>Construction Management Plan (Details)</b>
	<p>CONDITION: No development shall take place on site unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall provide details in relation to:</p>

	<p>(a) proposed programme of works  (b) site manager/liaison officer details  (c) hours of work  (d) access arrangements for vehicles and material storage  (e) noise, air quality and vibration control  (f) detailed swept path analysis with dimensions shown  (g) hoarding arrangements (with consultation with the Street Works Team)</p> <p>The development shall be carried out strictly in accordance with the CMP so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity, traffic and highway safety due to its construction and operation.</p>
<b>5</b>	<b>Tree Protection (Compliance)</b>
	<p>CONDITION: The development, tree retention and protection shall be carried out strictly in accordance with the approved Arboricultural Impact Assessment &amp; Method Statement Ref AC.2021.642 dated 23<sup>rd</sup> December 2021 and the Tree Constraints / Tree Protection Plan No. TPP-01 Rev A by Arbor Cultural Ltd, installed/carried out prior to works commencing on site, and shall be maintained for the duration of the works.</p> <p>REASON: To protect the health and stability of trees to be retained on the site and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>6</b>	<b>Flat roof not used as amenity space (Compliance):</b>
	<p>FLAT ROOF NOT USED AS AMENITY SPACE (COMPLIANCE): The flat roof area shown on plan no. HL/22 Rev G 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 room windows.</p>
<b>7</b>	<b>Green/Brown Biodiversity Roofs (Details)</b>
	<p>CONDITION: The biodiversity (green/brown) roof as shown on plan no. HL/22 Rev G shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm);</p> <p>b) laid out in accordance with plan no. HL/22 Rev G hereby approved; and</p> <p>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>8</b>	<b>Protection of Listed Wall</b>

	<p>CONDITION: No development shall take place to the Grade II listed wall on the boundary with No. 20 Hornsey Lane and precautions must be put in place to secure and protect the wall during construction.</p> <p>The wall shall not be disturbed or removed temporarily or permanently without written approval from the Local Planning Authority.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
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**List of Informatives:**

<b>1</b>	<p><b>Public Protection Code of Practice</b></p> <p>The applicant would be expected to comply with Islington's Public Protection Noise Service Code of Practice. Within the guidance, the Council allows building works that generate noise to be carried out between the hours:</p> <ul style="list-style-type: none"> <li>• 8am – 6pm (Monday to Friday)</li> <li>• 8am – 1pm (Saturday)</li> <li>• No audible building works on Sunday or Public Holidays</li> </ul>
<b>2</b>	<p><b>The Building Acts and Building Regulations</b></p> <p>BUILDING ACTS AND BUILDING REGULATIONS: The applicant is reminded that this permission relates solely to planning matters and the development will need to comply with other legislation, such as Building Regulations.</p> <p>To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works. <b>T</b> 020 7527 5999 <b>E</b> <a href="mailto:building.control@islington.gov.uk">building.control@islington.gov.uk</a></p>
<b>3</b>	<p><b>Works to Listed Wall</b></p> <p>The applicant is reminded that any works to the Grade II listed wall along the boundary with No. 20 Hornsey Lane will require planning permission and listed building consent, prior to any works commencing to the wall.</p>
<b>4.</b>	<p><b>Highways Informative</b></p> <p>The following comments may be helpful, should Permission be granted, in the preparation of a final version of the Construction Management Statement.</p> <p>It is noted that it is proposed that hoarding will be placed within the development site. Whilst this may be desirable, this may not be achievable. The hoarding arrangements should be agreed, whether on or off the Highway, with the Council's Street Works team (<a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>) and the agreed arrangements shown within the final Construction Management Statement by an engineering style drawing that shows the proposed hoarding and any access gates. Access gates should open inwards and not swing over the Highway Footway, which is expressly prohibited by the Highways Act 1980.</p> <p>The storage of materials on the Highway is generally unwelcomed and expressly prohibited unless licenced under the Highways Act 1980. There are likely to be difficulties in achieving a licence at this location and the development team should plan accordingly.</p> <p>It is noted that construction will include concrete pours and other ad-hoc deliveries. The development team should agree temporary arrangements with the Council's Street Works team and include those arrangements within the final Construction Management Statement by means of an engineering style drawing and supporting text.</p> <p>The submitted Construction Management Plan largely provides the following information however this should be reiterated within the final Construction Management Statement.</p>

Precautions to be taken in doing certain works in or near streets or highways

Sections 168 to 175A of the Highways Act 1980 lists “Precautions to be taken in doing certain works in or near streets or highways” and the development team should address each of those sections with a statement on each of the following:

- How the building operations will be managed so as not to affect public safety.
- Scaffolding and hoarding
- Prevention of materials on Highway including mixing.
- Duty to have regard to needs of disabled and blind in executing works.

## **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 2021 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.

- National Planning Policy Framework 2021

### **2. Development Plan**

The new London Plan was adopted on the 2nd March 2021. The adopted London plan has now full weight and is it is considered a material consideration. The adopted London Plan policies have been fully taken into account.

Therefore the Development Plan is comprised of the London Plan 2021, 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 2021 - Spatial Development Strategy for Greater London**

- Policy D1 London's form, character and capacity for growth
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D14 Noise
- 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
- Policy CS10 Sustainable Design

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

- Policy DM2.1 Design
- Policy DM2.3 Heritage
- Policy DM6.3 Protecting Open Space
- Policy DM6.5 Landscaping, Trees and Biodiversity
- Policy DM7.1 Sustainable Design and Construction

### **3. Designations**

- iConservation Areas 170914 CA30 Highgate Hill/Hornsey Lane
- iCycle Routes (Local) 170914 Development Management Po Local cycle routes
- iArticle 4 Direction A1-A2 (Rest of Borough) 45 23623111

