

## PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration  
Department  
PO Box 333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB-COMMITTEE A</b>		
Date:	3 <sup>rd</sup> March 2015	NON-EXEMPT

Application number	P2014/3033/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	Not Listed
Conservation area	Barnsbury Conservation Area
Development Plan Context	None
Licensing Implications	None
Site Address	267 Caledonian Road, London N1 1EE
Proposal	Construction of a roof extension to form additional accommodation to existing flat, along with increasing height of existing rear flue and chimney stack.

Case Officer	Ben Phillips
Applicant	Mr Andrew Panayi
Agent	Colin Bargioni

### 1. RECOMMENDATION

The applicant has appealed against non-determination. The Committee is therefore asked to confirm what the decision would have been, had the committee been in a position to determine the application. The officer recommendation is that permission should have been granted (subject to condition set out Appendix 1), and therefore the Committee is asked to resolve to not contend the appeal.

## 2. SITE PLAN (site outlined in black)



## 3. PHOTOS OF SITE/STREET



Image 1: The front of the building from Caledonian Road



Image 2: the rear of the site from Carnoustie Drive

#### **4.0 SUMMARY**

- 4.1 The applicants have appealed the non-determination of this application.
- 4.2 The application is therefore represented to Members of the Planning Sub-Committee in order to confirm what the decision would have been had the committee been in a position to determine the application, and accordingly the council's case at the appeal.
- 4.3 Planning permission is sought for the erection of a mansard roof extension to the existing second floor flat.
- 4.4 The application is brought to committee at the request of Councillors Perry and Convery.
- 4.2 It should be noted that the plans have been slightly amended since the original submission in order to address concerns over the proposal's design and appearance.
- 4.3 The development in design terms is considered to comply with the relevant Local Plan policies and the Barnsbury Conservation Area Design Guidelines.
- 4.4 The development will not result in significant adverse impacts upon the amenities of neighbouring properties.

4.8 It is therefore recommended that, subject to the imposition of conditions, the appeal is not contended.

## **5.0 SITE AND SURROUNDING**

5.1 The application site is situated on the western side of Caledonian Road and comprises a three storey mid terrace building (with lower ground floor) in mixed use as commercial with residential units above. The property is located within the Barnsbury Conservation Area.

5.2 Although the property at No. 271 has been extended with a large roof extension and planning permission has been granted for a similar roof extension at the adjoining neighbour, No 269, the existing roof profile of the existing five terraces to the south side of the site remains unaltered.

## **6.0 PROPOSAL (in Detail)**

6.1 The proposal seeks planning permission for the erection of a mansard roof extension to the existing second floor flat. This flat was granted planning permission in 1995 (941195) as a one bed flat. The living space now seems to be used as a second bedroom. The application proposes 2 bedrooms in the new third storey, with the existing bedroom space on the second floor converted to living space.

6.2 The mansard would have a 0.50 metres setback from the front parapet wall and would measure 2.50 metres in height (being approximately 1m higher than the front parapet wall).

6.3 The mansard would also have the 75 degrees angle to the front and rear and would have a small setback of 20 centimetres from the rear butterfly element, which would be re-instated to the rear elevation of the terrace.

6.4 The proposal also involves the extending (in height ) of the existing flue to the rear by 3.1m, so that it extends 800mm above the ridge of the roof extension. In addition, the chimney stacks at either side will be slightly raised in height, again so that they extend 600mm above the ridge of the roof extension.

6.5 The application has been slightly amended since first submission, the front of the roof extension was originally 90 degrees, and two of the proposed chimney pots were to be shortened.

## **7.0 RELEVANT HISTORY:**

### **PLANNING APPLICATIONS**

7.1 P2014/1548/FUL Erection of roof extension. Withdrawn

7.2 P2014/1505/COL Certificate of lawfulness for existing use as a self contained flat (Class C3 use) (Ground floor front flat). Granted.

7.3 P2014/1106/COL Certificate of lawfulness for existing use as a self contained flat (Class C3 use) (Ground floor rear flat). Granted.

7.4 941195 Conversion of upper floors to provide two 1-bedroom flats. Granted

## **ENFORCEMENT**

7.5 none relevant

## **PRE APPLICATION ADVICE**

7.6. none

## **8.0 CONSULTATION**

### **Public Consultation**

8.1 Letters were sent to occupants of 16 adjoining and nearby properties on Caledonian Road on the 13<sup>th</sup> of August and the 23<sup>rd</sup> of September. In addition, the application was advertised in the local press and a site notice was displayed on the 2<sup>nd</sup> October. The public consultation of the application therefore expired on the 23<sup>rd</sup> October 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report 2 letters of objection have been received, which are summarised as follows (with paragraph numbers stated in brackets stating where the issue is addressed)

- There is inadequate documentation to assess the scheme (see para 10.13)
- The chimney pots do not belong to the applicant (para 10.13)
- The proposal is contrary to policy (10.2-10.7)

### **External Consultees**

8.3 none

### **Internal Consultees**

#### **Design and Conservation Officer:**

8.4 Concerns were raised regarding the raising of the flue at the rear, and the front elevation being traditionally 'mansarded'. These issues have been addressed through the submission of amended plans.

8.5 Conditions are suggested relating to materials.

## **9 RELEVANT**

## **POLICIES**

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

## **National Guidance**

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and the supporting NPPG are material considerations and have been taken into account as part of the assessment of these proposals.

## **Development Plan**

- 9.2 The Development Plan comprises of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

## **9.3 Designations**

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

Barnsbury Conservation Area

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

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

## **10. ASSESSMENT**

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

- Design and visual impact on the terrace building and conservation area.
- Impact on neighbouring amenity
- Standard of accommodation for future occupiers

### **Design**

- 10.2 Barnsbury Conservation Area Design Guidelines do not recognise any of the properties along Caledonian Road as having the potential for a roof extension (Schedule 10.2). It states that "*The Council may permit appropriate traditional roof extensions on the properties listed in Schedule 10.2, otherwise no roof extension visible from any street level position will be permitted. This includes long views from side streets and across open spaces.*"
- 10.3 The previous application at this site (P2014/1548/FUL) was withdrawn as the proposed roof extension would be visible from the street and would not reinstate the rear valley in brick.
- 10.4 Given that the roof extension would now have a 0.50 metres setback from the front parapet wall and would only be approximately 1m higher than the front parapet wall, the development would have very limited visual impact on the Caledonian Road's

streetscene, Drawing 1708/06/B shows that the roof extension will not be visible from street level, but that the raised chimney stocks and pot will be.

- 10.5 The amended scheme follows the previous comments given by Conservation Officers. The development is in accordance with the Barnsbury Conservation Area Design Guidelines, in so far as it seeks to reinstate the rear butterfly valley parapet as an architectural detailing of the buildings which was previously lost. The proposed butterfly element would be consistent with the character and appearance of the terraces and would reinforce the visual unity when viewed from the rear. This is particularly apparent given that a similar roof extension has recently been approved next door at No. 269 (Ref. P2014/2723/FUL) in which the rear butterfly profile of the roof would also be re-instated.
- 10.6 Whilst no mansard roof extensions have been built on the terraces at the south side of the property, it is noted that the roof profile of the terraces has already been compromised, as a prominent roof extension has been built on No. 271, which already breaks the visual unity of the group of seven terraces when viewed from the rear. The mansard roof extension, by virtue of its setback and traditional design, would therefore be considered acceptable.
- 10.7 Additionally, whilst the original chimney pots will be raised in height by 600mm, this is not specifically contrary to the requirements of the Barnsbury Conservation Area Design Guidelines, (which resists the loss of original chimney pots and stacks) and the visual impact of the 600mm height above the roof is considered to be minimal. The Design & Conservation Officer has no objection to this.
- 10.8 Although the property is not on the list of properties where roof extensions would be allowed under the Conservation Area's Design Guidelines, it is considered that an exception to the guidance would be appropriate given that the extension itself would not be visible from the front and considering that the traditional roof form of the terrace at the rear would be re-instated.
- 10.9 The existing flue (which serves the ground floor A5 takeaway) which is sited at the rear of the building will be extended as part of this application, but will not be visible from Caledonian Road. There are a number of large flues at the rear of these properties and the additional height, when viewed from Carnoustie Drive will not have a sufficiently detrimental visual impact to warrant a recommendation of refusal.

### **Neighbouring Amenity**

- 10.10 The Council seeks to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, sense of enclosure or noise.
- 10.11 Given the siting and nature of the development at roof level, the development would not overbear or overshadow any neighbour.
- 10.12 The proposed window at the rear will not have an increased overlooking impact over the properties along Carnoustie Drive above the existing rear fenestration.

10.13 Finally, all relevant elevational drawings have been submitted in order to fully assess the proposal. In addition, a Certificate B has been signed and notice served on the adjoining neighbour regarding the chimney pots and works on the boundary.

### **Standard of Accommodation for Future Occupiers**

10.14 As stated above, the existing unit is a two bed unit, but only has planning permission for 1 bedroom (application ref no. 941195). It appears that the living space for this unit has been converted into a second bedroom. The scale of the unit is significantly below what would be acceptable in terms of floor space for a 2 bed unit, in addition to having unacceptable lack of shared living space.

10.15 This proposal will retain two bedrooms (now located on the third floor in the roof space) but will convert the existing two bedrooms into one lounge area.

10.16 The extended 61m<sup>2</sup> approximately unit complies with Policy DM3.4 in terms of acceptable floorspace for a one double bed one single bed unit, as the rear facing bedroom is too small to be a double (under 12m<sup>2</sup>).

10.17 The proposal therefore improves the standard of living accommodation from the existing unacceptable standard to a policy compliant level in this respect.

10.18 As such it is considered that it is acceptable in this regard.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

11.1 In accordance with the above assessment, it is considered that the proposed roof extension would have an acceptable impact upon the character and appearance of the terrace and streetscene and will enhance the character and appearance of the conservation area.

11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions.

### **Conclusion**

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



## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION

That the grant of planning permission be subject to conditions:

#### 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>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>1708/101, 1708/02/D, 1708/04/F, 1708/05/D, 1708/06/B, 1708/07/B, 1708/11, 1708/12.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials</b>
	<p>CONDITION: Details and samples of materials shall be submitted to and approved in writing by the Local Planning Authority prior to any work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"><li>a) solid brickwork in reformed rear valley profile.</li><li>b) details of coping stone to valley profile.</li><li>c) window treatment for proposed dormer windows.</li><li>d) roofing materials for mansard roof extension.</li></ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>3</b>	<b>Rear Valley Profile</b>
	<p>CONDITION: The solid brick work rear valley profile (as approved) shall be implemented prior to the first occupation of the hereby approved mansard roof extension.</p> <p>REASON: To ensure that the development delivers the necessary positive enhancement to the Conservation Area</p>

**List of Informatives:**

<b>1</b>	<b>Positive Statement</b>
<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>	

## **APPENDIX 2: RELEVANT POLICIES**

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

### **National Guidance**

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and the supporting NPPG are material considerations and have been taken into account as part of the assessment of these proposals

### **Development Plan**

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

#### **A) The London Plan 2011 - Spatial Development Strategy for Greater London**

Policy 7.4 Local character

Policy 7.8 Heritage assets and archaeology

#### **B) Islington Core Strategy 2011**

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

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

Design and Heritage

DM2.1 Design

Housing

DM3.4 Housing Standards

### **Designations**

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

Barnsbury Conservation Area

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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

Urban Design Guide

Barnsbury Conservation Area Design  
Guidelines