PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	4 th June 2015	NON-EXEMPT

Application number	P2014/5121/FUL
Application type	Full Planning Application
Ward	Hillrise
Listed building	Not Listed
Conservation area	Not in a Conservation Area
Development Plan Context	Adjoining Metropolitan Open Land (MOL)
Licensing Implications	None
Site Address	15 Blythwood Road London N4 4EU
Proposal	Demolition of the existing building and erection of a building containing 9 residential units (flats) with associated access, refuse and cycle storage

Case Officer	Ben Phillips
Applicant	Self Sustaining Property Ltd
Agent	WS Planning & Architecture

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions and S106 agreement (affordable housing and carbon offsetting) as set out in Appendix 1.

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: The existing building from Blythwood Road



Image 2: Application site (and retained garage building) from Blythwood Road

4.0 SUMMARY

- 4.1 Planning permission is sought for the demolition of an existing two storey property and the erection of a five storey apartment building consisting of 9 residential units, with associated access refuse, cycle storage and landscaping.
- 4.2 Numerous permissions have been granted on the site, most recently for a 5 storey building providing 9 residential units (P120768 and P2013/1879/S73 both approved at appeal). Both these permissions are extant.
- 4.2 This application proposed alterations to the approved scheme. It is not considered that the alterations proposed will result in significant increased adverse impacts upon the amenities of neighbouring properties, nor have a detrimental impact upon the character and appearance of the street scene.
- 4.8 It is therefore recommended that planning permission be granted subject to conditions and a signed legal agreement (UU).

5.0 SITE AND SURROUNDING

- 5.1 The application relates to 15 Blythwood Road, an existing detached Victorian two storey property (split into 2 flats) sited adjacent to a railway line on the north side of Blythwood Road. The plot stretches to the east and abuts Parkland Walk, which extends to the rear, and is designated as Metropolitan Open Space. It is not a listed building and is not sited within a conservation area
- 5.2 Blythwood Road is predominantly characterised by a row of traditional terraced three storey properties. A more modern property has been added to the eastern end of the terrace opposite the application site. There is also a large four storey apartment block to the south of the site. A previous Planning Inspector for

application P120768 (4th March 2013) described the street scene as varied in terms of character and appearance.

6.0 PROPOSAL (in Detail)

- 6.1 The application proposes the demolition of the existing two storey building and the erection of a 5 storey building containing 9 (2 x 3 bed, 6 x 2 bed and 1 x 1 bed) flats, reaching a height of 13.7m.
- 6.2 The contemporary designed building will be located centrally within the site, with the bin area and cycle storage area adjacent to the existing garage on the
- 6.3 Numerous approvals have been granted for residential development on the site. This application proposes the following amendments to the last application approved (P2013/1879/S73, approved 7/2/14):
 - The width of the building is increased by 1m
 - Siting and shape of building slightly altered
 - Height of building increased by 0.25m, and the ground level reduced by an additional 0.25m
 - Size and shape of balconies slightly amended
 - Proportions of the fenestration altered slightly
 - Internal arrangement altered unit 1 is now a 2 bed unit (rather than 3) and unit 2 is a 2 bed (rather than 1).
 - Amalgamation of the cycle and bin storage areas to the eastern send of the site (previously sited separately on the front elevation).
 - Alteration to the garden layouts.

7.0 RELEVANT HISTORY:

Planning applications

- 7.1 **P090131**. The construction of a three storey residential block in the side garden of 15 Blythwood Road to provide five residential units (one x 3 bedroom, two x 2 bedroom, two x 1 bedroom); demolition of conservatory of 15 Blythwood Road; communal and private gardens and landscaping. This application has been amended further in regard to landscaping and design. **Granted 26/03/2012**
- 7.2 **P100139** Conversion of the existing house into 2 self-contained units. One 3 bedroom family unit with private garden on the ground floor and one 1 bedroom flat on the first floor. Erection of roof terrace, demolition of both the existing side extension and the free standing brick garage. **Appeal withdrawn 08/09/2010.**
- 7.3 **P102526** Proposed demolition of existing building and construction of new building of four storeys to provide four residential units. **Appeal Allowed.** 12/01/2011
- 7.4 **P120768** Proposed demolition of existing building and erection of a 5 storey building to accommodate 4 x 2 bedroom, 3 x 3 bedroom flats, 2 x1 bedroom with

associated landscaping, boundary treatments and roof terraces. Appeal Allowed 04/03/2013

7.5 **P2013/1879/S73** Application to vary condition 2 (Development in accordance with approved plans) of planning permission ref: P120768 for 'Proposed demolition of existing building and erection of a 5 storey building to accommodate 4 x 2 bedroom, 3 x 3 bedroom flats, 2 x1 bedroom with associated landscaping, boundary treatments and roof terraces.' **Appeal Allowed 07/02/2014**

Enforcement

7.6 None relevant

Pre-application advice

7.7. None.

8.0 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 17 adjacent properties on 15thJanuary and the 31st March 2015. In addition a site notice was erected and the application advertised in the local press on the 22nd January. The consultation period therefore expired on the 21/4/15 however it is the Councils policy to accept representations up until the date of determination.
- 8.2 At the time of writing this report 2 letters objecting to the proposal have been received, which are summarised as follows (with paragraph numbers stated in brackets stating where the issue is addressed)
 - The development will place a strain on parking demand on this road (as with previous schemes the development will be car free)
 - The building is totally out of scale and character with the surrounding dwellings (para 10.2-10.7)

External Consultees

8.4 None.

Internal Consultees

8.5 **Tree Officer** This application has limited additional impact on the existing trees on Parkland walk in comparison to the previously permitted schemes. There is an impact to the trees but it is broadly acceptable if these impacts can be controlled subject to a condition to secure a measure of control over the tree pruning.

9 RELEVANT POLICIES

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

National Guidance

9.1 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 is a material consideration and has been taken into account as part of the assessment of these proposals. The National Planning Practice Guidance 2014 document provides further guidance in this respect.

Development Plan

9.2 The Development Plan comprises of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

Adjacent to Metropolitan Open Space

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

- 10.1 As stated above, the principle of the development has been established, and this application proposes amendments to a previously approved (and extant) scheme. Therefore the contemporary design of the scheme (subject to amendments detailed below), the number of units, the standard of accommodation (subject to amendments detailed below) the accessibility of the development and transport issues are as previously approved and are not considered in detail.
- 10.2 The main issues arising from this proposal therefore relate to:
 - Impact of the amendments on the character and appearance of the proposed streetscene
 - Impact of the proposed amendments on the amenities of neighbouring properties
 - Landscaping and impact upon trees
 - Affordable housing

Character and Appearance of Streetscene

Increase in width and alteration to siting

- 10.2 Policy DM2.1 states that development should respect and respond positively to existing buildings. The additional width of 1m is added to the eastern side of the building., which is sited 1.3m further from the western boundary and 2-3.7m nearer to the eastern boundary. The additional width alters the footprint slightly so that the eastern side elevation is now on a square angle rather than being slightly angled towards the rear boundary in the previously approved scheme.
- 10.3 The visual impact of this additional width, the angle of the eastern elevation and the slight alteration in siting is considered to be minor and will not have a significant or detrimental impact on the character and appearance of the approved scheme.
- 10.4 Similarly, the alteration to the landscaping, so that there is a hard standing path to the cycle/bin area, will not have a detrimental impact on the setting of the building or street scene.

Additional height

10.5 The building will increase in height by 0.25m over that previously approved. This additional height (along with a 0.25m reduction in slab level) will have a minimal impact on the appearance of the building, and would have a negligible impact on the street scene compared to the previously approved scheme.

Size and shape of balconies/proportions of the fenestration

- 10.6 The balconies to the front and rear were previously approved as an angled triangular design. In order to comply better with building control and inclusive design regulations the balconies have been amended in design to a more usable squared design, and therefore slightly larger.
- 10.7 This alteration will not have a significant impact on the character and appearance of the building. Similarly, the alteration to the fenestration, namely the addition of a third pane to the third floor front double windows, and the increase in depth of a fourth floor window, the slight reduction in width of the larger balcony French doors to the rear elevation (and the swapping of the door and window on the ground floor), the addition of additional fenestration to the ground floor on the eastern side elevation and the removal of the three windows, one each on the first second and third floors on this same elevation, will not individually or cumulatively have a detrimental impact upon the character or appearance of the building as a whole.

Internal alterations

- 10.8 The internal alterations are mainly focused on the ground floor, and unit 1 is now a 2 bed unit one single bedroom (rather than 3) and unit 2 is a 2 bed (rather than 1), again with one bedroom a single. This reflects the demand for 2 bed units identified in Table 3.1 of the Development Management Policies document.
- 10.9 Policy DM3.4 of the Islington's Development Management Policies (June 2013) sets out the standards expected of accommodation in the borough. The two units retain

- sufficient floor space to comply with these standards (a minimum of 61m2) flat 2 is approx 64m2 and flat 1 approx 72m2.
- 10.10 The internal alterations to the upper floors involve the opening up of the kitchen living rear to one large space for units 6 and 3, and slight movement of the internal bedroom windows to unit 4 and 5 will not have an impact upon the standard of accommodation and all units will remain compliant with all criteria of the above policy.

Cycle and bin storage areas

10.11 The cycle and bin storage areas were previously sited (separately) on the front elevation. The two are now proposed to be amalgamated into an area adjacent to the eastern boundary. It is considered that this is an appropriate siting, set next to the existing garage building and is an improvement visually over the previously approved prominent siting. The structure will have no detrimental impact upon the trees to the rear of the site.

Amenity of neighbouring properties.

- 10.12 In terms of the impact of the additional width and alteration to the siting of the building on the neighbouring property, no 13, as stated above, the proposed development is moved approximately 1.3m from the boundary with this dwelling so the scheme will have less of an impact in this respect.
- 10.13 In terms of the impact of the additional height upon No 13, the 0.25m of additional height will have a minimal impact, which is more than offset by the 1.3m set back of the building from this western boundary.
- 10.14 It is also not considered that the limited additional height will have a detrimental impact on the amenities of the neighbours opposite the site, 32-38 Blythwood Road.
- 10.15 The alternative balcony design will not increase overlooking or any other impact upon No 13 or any other neighbour.

Landscaping and impact on trees

- 10.16 The application proposes an alteration to the amenity space arrangement, so that the garden arrangement is altered. The communal area is now sited on the western side of the building, with the private garden to flat 1 on the west, rather than the other way around. The private amenity space for unit 2 has been reduced to a space of 31.1m2 (from the previous 66.3m2,) however this still complies with the standards as set out in Policy DM3.5 which requires 20m2. As such, it is not considered these alterative garden arrangements result in unacceptable amenity areas for the units.
- 10.17 The building is re-sited approx 1m nearer to the rear boundary than previously approved. The Tree Officer raises concern regarding the possible impact of the construction process over the trees at the rear of the site (and the designated Metropolitan Open Space), and suggests a condition requiring further detail in this respect. Subject to this condition, it is considered that the development will not have

an unacceptable increased impact upon the trees to the rear over that of the schemes previously approved.

Affordable Housing

- 10.18 The Core Strategy Policy CS 12 'Meeting the Housing Challenge' requires (part G) ".... all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough." The SPD 'Affordable Housing Small Sites' states that line with the evidence base, the council will expect developers to be able to pay a commuted sum of £50,000 per unit for sites delivering fewer than 10 residential units in the north and middle parts of the borough. The SPD does state, in accordance with the NPPF, that in instances where the applicants consider that this level of contribution would leave the development unviable, that the council will accept viability assessments where the applicants should provide a statement with their application with a justification for not providing the full financial contribution.
- 10.19 In this instance, given that two units are existing on site (flats) the policy requirement is for a contribution of £350,000. The applicants have agreed to pay this figure, and a legal agreement has been agreed to ensure this. As such, it is considered that this policy requirement has been satisfied and therefore the proposal is acceptable in this regard.

Sustainability

10.20 A code for sustainable homes assessment (by SRS Partnership Dec 2014) has been submitted which shows that the development will achieve a score of 69.24, therefore meeting the standards set in Code Level 4. A contribution of £1000 per unit towards carbon offsetting has also been secured through a legal agreement.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 In accordance with the above assessment, it is considered that the proposed demolition of an existing two storey property and the erection of a five storey apartment building consisting of 9 residential units, with associated access, refuse, cycle storage and landscaping, is acceptable in land use terms; would have an acceptable impact upon the character and appearance of the street scene and will not have a detrimental impact upon the amenities of neighbouring properties.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Policy Framework and is recommended for approval subject to appropriate conditions.

Conclusion

11.3 It is recommended that planning permission be granted subject to a s106 agreement and conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the completion of a section 106 agreement to secure

- a) A financial contribution of £3500,000 towards the provision of off site affordable housing.
- b) A financial contribution of £9000 towards CO2 off setting.

RECOMMENDATION B

That the grant of planning permission be subject to conditions:

List of Conditions:

1	Commencement	
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.	
	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).	
2	Approved plans list	
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:	
	Planning, Design & Access statement (WS Planning & Architecture Dec 2014), Code for Sustainable Homes Planning Statement (SRS Partnership Dec 2014), BLR DEV4-001, BLR DEV4-11-001, BLR DEV4-11-002, BLR DEV4-11-003, BLR DEV4-11-004, BLR DEV4-20-002, BLR DEV4-10-002, BLR DEV4-10-003, BLR DEV4-10-004, BLR DEV4-10-005, BLR DEV4-10-006, BLR DEV4-10-007, BLR DEV4-10-010, BLR DEV4-10-0022.	
	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.	
3	Materials	
	Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include: a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections);	
	The development shall be carried out strictly in accordance with the details so approve and shall be maintained as such thereafter.	
	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. Landscaping 4 No development shall take place until a landscaping scheme has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include the following details: a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) Details of how the landscaping scheme maximises biodiversity; c) Details of soft landscaping, including grassed areas, shrub and herbaceous planting as well as the location, species and size of proposed trees; d) A topographical survey and details of proposed earthworks, ground levels and drainage; e) Details of hard landscaping, including surface finishes; f) Details of means of enclosure, within and around the site, both constructed and planted; and, g) Details of any other landscaping features forming part of the scheme. All landscaping shall be carried out in accordance with the approved scheme in the first planting season following first occupation of the first of the residential units hereby approved. The soft landscaping and tree planting shall be subject to maintenance for a minimum period of two years following planting. Any tree or soft landscaping planted as part of the approved scheme which is removed, dies, becomes severely damaged or diseased within two years of the completion of the development shall be replaced with the same species or an alternative approved in writing by the local planning authority within the next planting season. REASON: To ensure that a satisfactory standard of visual amenity is provided and maintained. Cycle parking 5 CONDITION The bicycle storage area(s) hereby approved, which shall be covered, secure and provide for no less than 16 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter. REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport. Car Free Housing 6 CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents parking permit except: 1) In the case of disabled persons 2) In the case of units designated in this planning permission as 'non car 3) In the case of the resident who is an existing holder of residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least a year. REASON: To ensure that the development remains car free. Construction Method Statement

7

No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii mitigation measures of controlling noise from construction machinery during business hours

The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.

8 Tree Pruning

Notwithstanding any other plans or documents hereby approved no pruning of trees beyond the boundary of the site (including branches or roots) are permitted without obtaining written approval of the local planning authority.

Tree pruning shall be carried out strictly in accordance with the details yet to be approved and no change shall take place without prior written approval of the Local Planning Authority.

REASON: To ensure that the development does not prejudice the life, health and stability of trees to be retained adjacent to the site.

9 Obscure glazing

All windows shown on the plans hereby approved as being angled or obscurely glazed shall be provided as such prior to the first occupation of the development.

All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

	REASON: To prevent the undue overlooking of neighbouring habitable room windows.		
10	Sustainability		
	The development shall achieve a BREEAM [Office/Retail/Schools/Bespoke/multi-residential rating (2008)/BREEAM New Construction rating (2011)] of no less than 'Excellent' and Code of Sustainable Homes rating of no less than 'Level 4'.		
	REASON: In the interest of addressing climate change and to secure sustainable development.		

List of Informatives:

1 Positive Statement

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.

A pre-application advice service is also offered and encouraged. 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

The LPA delivered the decision in accordance with the requirements of the NPPF.

2 CIL

CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.

Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.

Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at

http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.

3 Car Free

All new developments are car free. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.

4 | Section 106 Agreement

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

5 Definitions

(Definition of 'Superstructure' and 'Practical Completion') A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.

APPENDIX 2: RELEVANT POLICIES

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

National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. The National Planning Practice Guidance 2014 is material consideration in the assessment of and has been taken into account as part of the assessment of these proposals.

Development Plan

The Development Plan is comprised of the London Plan 2015, 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 2015 - Spatial Development Strategy for Greater London

7 London's living places and spaces Policy 7.1 Building London's neighbourhoods and communities Policy 7.2 An inclusive environment Policy 7.3 Designing out crime 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
DM2.2 Inclusive Design
DM3.1 Housing Mix
DM3.4 Housing Standards
DM3.5 Private Amenity Space

Transport
DM8.4 Walking & Cycling
DM8.6 Delivery & Servicing

Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

Islington Local Plan

Adjacent to Metropolitan Open Land

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design Urban Design Guide Accessibility SPD **London Plan**

Accessible London: Achieving and Inclusive Environment
Planning for Equality and Diversity in London