

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration
Department
PO Box 333
222 Inner Street

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| PLANNING SUB COMMITTEE B | | |
| Date: | 08 October 2015 | NON-EXEMPT |

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| Application number | P2015/2452/FUL |
| Application type | Full Planning Application (Council's Own) |
| Ward | Hillrise |
| Listed building | Building not Listed |
| Conservation area | Building not located within a conservation area |
| Development Plan Context | - Major Cycle Route - Site of Importance for Nature Conservation |
| Licensing Implications | None |
| Site Address | Margaret McMillan Nursery School, 31 Hornsey Rise, London N19 3SF |
| Proposal | Conversion of the loft space and erection of a dormer roof extension to the rear (western) roof slope of the nursery school and Children's Centre buildings for use as a meeting/ training room in association with the nursery and children's centre. |

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| Case Officer | Sandra Chivero |
| Applicant | Ms Mary Hart - Head Teacher |
| Agent | Mr Michael Hempstead |

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 black)



3. PHOTOS OF SITE/STREET



Image: 1 Aerial view of the site.



Image 2: Rear roof slope where the new dormer will located



Image 3. View from the rear driveway entrance and footpath to the Nursery School and Children's centre off Beaumont Rise.

4. SUMMARY

- 4.1 The proposed dormer roof extension is considered to be an acceptable way to extend the nursery and to provide additional meeting/training space for their staff.. Overall, given the size and scale of the proposed dormer it is considered not to significantly harm the architectural character of the host building.
- 4.2 The proposed dormer roof extension would not be located adjacent to any habitable room windows of neighbouring residential properties which are located 70m away and thus would not cause any adverse impact through overlooking. . The dormer window would not result in any overshadowing, overlooking, loss of privacy, loss of light, over-dominance, increase sense of enclosure, nor loss of outlook to neighbouring residential properties.
- 4.3 The use of the proposed dormer roof extension as a meeting/ training room is considered not to result in any harmful noise disturbance to neighbours. A condition has also been attached to the permission restricting the use of the meeting/ training room to operate during school hours.
- 4.4 The application is brought to committee because it is a council own application.

5. SITE AND SURROUNDING

- 5.1 The application site is occupied by a single storey nursery school and children's day centre buildings fronting on to Hornsey Rise. The building is not listed and it is not located within a conservation area. The health centre is located to the south. The immediate surrounding area is predominantly residential in character.

6. PROPOSAL (IN DETAIL)

- 6.1 The conversion of the loft space and erection of a dormer roof extension to the rear (western) roof slope for use as a meeting/ training room for the nursery school and community.
- 6.2 The tile clad dormer would incorporate a felt covered timber roof and PVC casement windows. The dormer would be 2.3m high x 8m wide x 5.9m deep and would not be higher than the ridge line.
- 6.3 The resulting floor space would be 67.32 sqm.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 August 2013: Certificate of Lawfulness (proposed) (Ref.P2013/2524/COL) in connection with the erection of a single storey extension to main school building.
- 7.2 June 2008: Planning permission (Ref. P080113) - Granted for the erection of a white PVCU conservatory to rear of property.
- 7.3 April 2006: Planning permission (Ref. P060332) - Granted for the extension and upgrade of two buildings to create a children's centre, involving construction of a single storey extension to the front of the upper building together with the erection of a new two storey connecting lift and stair, and refurbishment of the existing buildings.
- 7.4 July 2005: Planning permission (Ref. P050602) - Granted for the extension and upgrade to create a Children's Centre incorporating family and outreach services. Demolition of laundry room and of the section providing a stair link between the lower and upper buildings and the erection of new two storey section, to house the new main entrance plus the connecting stair and the lift linking the two buildings. Construction of single storey extension to front of upper building and refurbishment of all existing buildings, involving minor external alterations.
- 7.5 June 2003: Planning permission (Ref. P030810) - Granted for the erection of a single storey extension to form a laundry room.

ENFORCEMENT:

7.6

None

PRE-APPLICATION ADVICE

7.7 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 92 occupants of Cromatie Road, Marie Lloyd Gardens, Hillrise Road, Hornsey Rise, Beaumont Rise and Sunnyside Road 21 July 2015. A site notice and a press advert were displayed on 30 July 2015. The public consultation of the application therefore expired on 20 August 2015; 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 writing this report one letter of objection had been received from the public with regard to the application. The issues raised are summarised as follows:

- Dormer extension would obscure views (**Paragraph 10.15**)
- Disturbance during building works (**Paragraph 10.14**)
- On-going noise disturbance from vacuuming the rear garden (**Paragraph 10.14**)

Internal Consultees

- 8.3 **The Design and Conservation Officer** Following a site visit the Design and Conservation Officer was satisfied with the proposed dormer roof extension and agreed that this is the most appropriate way to extend the nursery. They do not object to the use of uPVC windows and materials to the dormer roof extension as all other windows to the school are uPVC.

9. RELEVANT POLICIES

- 9.1 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

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

Development Plan

- 9.4 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.5 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:
- Major Cycle Route
 - Site of Importance for Nature Conservation

Supplementary Planning Guidance (SPG) / Document (SPD)

9.6 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:

- Land Use
- Design
- Neighbouring Amenity
- Access
- Sustainability
- Transport

Land-use

10.2 The proposed roof extension would be used as a meeting/ training room for the nursery therefore remaining as D1 Use Class. The resulting additional floor space of 67.32sqm is considered acceptable in principle at this location which is already in D1 use. This would be in line with Policy DM4.12, part C of the Development Management policies which promotes provision of new social infrastructure.

Design

10.3 It is proposed to erect a rear dormer positioned to the rear (western) roof slope of the main building to the rear roof slope. The dormer roof extension which would be 2.3m high x 8m wide x 5.9m deep. Whilst the dormer is of a significant size a significant amount of the original roof slope is still visible. The new tile clad dormer would incorporate felt covered timber roof and uPVC casement windows. The proposed materials are in keeping with the nursery building and do not detract from its character and appearance or the wider surrounding views.

10.4 A resident from The Triangle, 1 Cromarte Road raised concerns regarding the position of the rear dormer being inappropriate due to loss of views. It was suggested that a ground floor extension should be erected instead of a rear dormer extension. The architect has stated that a ground floor level extension cannot be erected as it would provide small and difficult space to access .

10.5 It is considered that the proposed dormer is the most appropriate way to extend the building in terms of design. In addition, a ground floor extension would be inappropriate as it would also potentially take up 67.32sqm existing external play space for the children to the rear. Furthermore, the dormer extension does not appear dominant or incongruous when viewed from surrounding properties, in particularly no. 1 Cromarte Road which is located Xm away.

10.6 Due to its modest size and scale the proposed dormer extension is considered not to significantly harm the architectural character of the host

building. The use of uPVC windows to the proposed dormer extension is acceptable as the other windows to the school are uPVC and the nursery is not located within a conservation area. The use of uPVC is therefore considered acceptable in principle at this location.

10.7

10.8 The proposed dormer would be positioned to the rear and would only be visible from the driveway entrance and footpath to the Health Centre and the Nursery off Beaumont Rise. The proposal is therefore considered not to harm the visual amenity of the surrounding area as it would not be prominent from the public highway and neighbouring residential properties. Overall, the proposal is considered to accord with policy DM2.1 of the Development Management Policies.

Neighbouring Amenity

10.9 The proposed dormer would sit within the envelope of the existing building and would be positioned below the ridge-line of the main building to the rear. In addition, the proposed dormer would not be located adjacent to habitable room windows of neighbouring properties. The proposal is therefore considered not to result in overshadowing, overlooking, loss of privacy, loss of light, over-dominance, and increased sense of enclosure nor loss outlook to neighbouring residential properties.

10.10 In addition, the dormer would be for used as a meeting and training space for the nursery and local community. It is therefore not considered to result in unreasonable noise disturbance to the nearby residential properties.

10.11 Overall, the proposal is considered to accord with policy DM2.1 which requires development to safeguard the residential amenity to neighbouring properties.

Inclusive Design

10.12 No details were provided regarding inclusive design and regrettably the meeting/ training can only be accessed by steps. It is however, accepted that this is additional floor space to an existing building and given these circumstances is acceptable.

Highway and Transport

10.13 The proposal is not considered to have transport implications.

Sustainability

10.14 The proposal is for a modest roof extension which less than 100sqm and is therefore considered not to significantly impact on the environmental quality of the building that would require mitigation.

Other Matters

10.15 Concerns were raised regarding disturbances during building works and ongoing noise disturbance from vacuuming the rear garden every week are not material planning considerations in respect of this proposed development. The application therefore could not be refused for these reasons. Noise disturbance and nuisance from demolition and construction works is subject to control under the Control of Pollution Act. The normal approved working hours are:

- 08:00 to 18:00 Monday to Friday
- 08:00 to 13:00 Saturday
- No work on Sundays and Public Holidays

10.16 Concerns have also been raised regarding loss of views from the neighbouring property at no. 20 The Triangle, 1 Cromartie Road. There are no policies protecting views from private properties. As highlighted above, the proposed extension would sit within the envelope of the existing building and would not be higher than the ridge line.

11. SUMMARY AND CONCLUSION

11.1 The resulting additional D1 education floor space is considered acceptable at this location which is already in D1 use for a nursery and children’s centre. Due to the size and scale of the proposed dormer it is not considered to significantly harm the architectural character of the host building and would not be harmful to the visual amenity of the surrounding area. Overall, the proposal is considered to accord with relevant policies.

Conclusion

11.2 It is recommended that planning permission be granted subject to conditions for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to **conditions** to secure the following:

List of Conditions:

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| 1 | Commencement |
| | 3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. |
| | REASON: To comply with the provisions of Section 91(1)(a) of the Town and |

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| | Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5) |
| 2 | Approved plans list |
| | <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Site Plan; MM/MH/21, MM/MH/22, MM/MH/Loft/One, MM/MH/Loft/Two, MM/MH/Loft/Three, MM/MH/Loft/Four, MM/MH/Loft/Five; Email 12 August from Michael Hempstead – School Building Surveyor; Response to query re. planning application – 11th August 2015.</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> |
| 4 | Materials to Match (Compliance) |
| | <p>CONDITION: The facing materials of the extension hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p> |
| 5 | Hours of operation |
| | <p>CONDITION: The meeting/ training room hereby approved shall not operate outside the hours of: 08:00 and 18:00 Monday to Saturday and shall not operate on Sundays</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p> |

List of Informatives:

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| 1 | Positive Statement |
| | <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p> |

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| 2 | The Building Acts and Building Regulations |
| | <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.</p> <p>T: 020 7527 5999 E: building.control@islington.gov.uk</p> |
| 3 | Nuisance from Construction Work |
| | <p>Nuisance from demolition and construction works is subject to control under the Control of Pollution Act. The normal approved noisy working hours are:</p> <ul style="list-style-type: none"> ▪ 08:00 to 18:00 Monday to Friday ▪ 08:00 to 13:00 Saturday ▪ No work on Sundays and Public Holidays <p>If you anticipate any difficulty in carrying out construction works other than within normal working hours (above) and by means that would minimise disturbance to adjoining properties then you should contact the Pollution Project Team.</p> <p>T: 020 7527 7272 E: pollution@islington.gov.uk</p> |

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

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

2. 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, Consolidated with Alterations since 2011

3. London's people

Policy 3.18 Education facilities

7 London's living places and spaces

Policy 7.4 Local character

Policy 7.6 Architecture

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

Shops, Culture and Service

DM.12 Social and Strategic infrastructure and cultural facilities

7. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Urban Design Guide

London Plan

- Sustainable Design & Construction