



## PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration  
 Department  
 PO Box 3333  
 222 Upper Street  
 LONDON N1 1YA

<b>PLANNING SUB COMMITTEE B</b>		<b>AGENDA ITEM NO:</b>
<b>Date:</b>	10 May 2016	<b>NON-EXEMPT</b>

Application number	P2015/5076/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	Not listed
Conservation area	Barnsbury
Licensing Implications	N/A
Site Address	30 Richmond Crescent, London, N1 0LY
Proposal	Demolition of the existing lower and upper ground floor extension and replace with a two-storey rear extension to the upper and lower ground floors of the property.

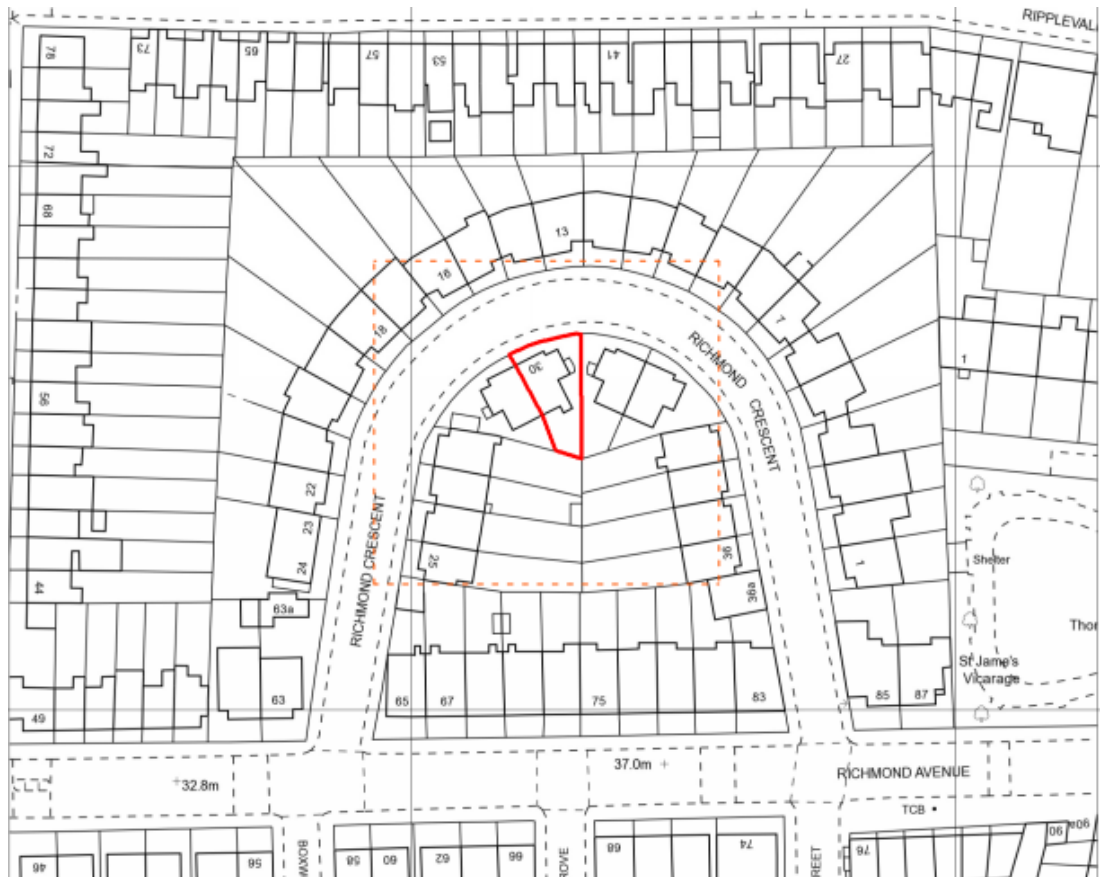
Case Officer	David Nip
Applicant	Mr James Kirkman
Agent	Alexander Martin Architects Limited, Mr A. Martin

### 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1.

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



**3. PHOTOS OF SITE/STREET**



Image 1. The rear elevation of the property and No.31 Richmond Crescent.



Image 2. The rear elevation of the site and No.29 Richmond Crescent.



Image 3. View from the existing balcony at the site towards the existing rear balcony of No.29 Richmond Crescent.



Image 4. View from No.31 Richmond Crescent of rear elevation of the site including the existing four storey outrigger.

#### **4. SUMMARY**

- 4.1 Planning permission is sought for a replacement two storey rear extension to the lower maisonette on lower and upper ground floor level. The existing balcony would be replaced by a terrace with access stairs to the rear garden.
- 4.2 It is considered that the proposed development, due to its modest scale, massing and design, would be in keeping with the appearance of the host dwelling and would not detract from the character and appearance of the conservation area.
- 4.3 The depth of the proposal at upper ground floor level is limited; with a sufficient set back to the terrace, ensuring that the proposal would not cause significant harm to the living conditions of the adjoining neighbouring occupiers, particularly towards 29 and 31 Richmond Crescent in terms of outlook, privacy, sense of enclosure and access to daylight /sunlight.
- 4.4 Overall, it is considered that the proposal is acceptable and planning permission is recommended to be granted.

#### **5. SITE AND SURROUNDING**

- 5.1 The site comprises a four storey semi-detached property located on the south side of Richmond Crescent. The application site relates only to the maisonette across the lower and upper ground floor level. The existing property has a part two storey, part four storey projection to the rear.
- 5.2 The site is located in the Barnsbury Conservation Area. The surrounding area is predominately residential, characterised by mainly semi-detached and terraced properties. The street and building layout of this crescent means that the rear

gardens for the two semi-detached pairs (29-30 and 31-32) are relatively short compared to other properties within the locality.

## 6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks permission for a two storey rear extension, alteration to the existing outrigger and a replacement terrace. On the lower ground floor, a small section of the garden would be excavated to facilitate the extension. On the upper ground floor, the existing balcony would be removed and replaced by a roof terrace projecting over the lower ground floor extension.
- 6.2 The lower ground floor extension measures 1.6m in depth. The half width extension on the upper ground floor measures 0.7m in depth. The proposed terrace is set back from the side boundary with 29 by 0.67m, and the depth of the terrace measures 0.6m.

### Revisions

- 6.3 The proposal plans have been amended a number of times during the life of the application to address both officer and neighbour concerns. The amendments have comprised a reduction in depth of the upper ground floor, the relocation of the terrace and stairs, an elevation change to the outrigger window and clarification of boundary treatment.

## 7. RELEVANT HISTORY:

- 7.1 The following applications are considered relevant to the site and the proposal:

### PLANNING APPLICATIONS:

- 7.2 30 Richmond Crescent

971935 - Replacement windows to rear of lower maisonette. **Approved 13/01/1998**

It is worth noting that there is no planning or enforcement history in relation to the existing four storey outrigger and roof development.

- 7.3 33 Richmond Crescent

**P092072:** Erection of a lower ground floor single storey extension with green roof and insertion of French doors at ground floor accessing a new small roof terrace: **Approved 11/12/2009**

- 7.4 22 Richmond Crescent

**P2013/4434/FUL:** Demolition of existing two storey rear extension and proposed construction of a new two-storey (Lower and Upper Ground Floor) rear extension as well as reconfiguration of existing 5 residential units with new external stairway in front lightwell providing access to flat 1 and 3 at lower ground floor: **Approved 13/01/2014**

### ENFORCEMENT:

- 7.5 None.

## **PRE-APPLICATION ADVICE:**

- 7.6 Pre-application advice ref: Q2015/4273/LBC. Concerns were raised particularly to the design and scale of the upper ground floor extension. The proposal has been revised to reduce the depth and alter the roof terrace.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 17 adjoining and nearby properties at Richmond Crescent on 05/01/2016. A site notice and press advert were displayed on 14/01/2016. The public consultation of the application therefore expired on 04/02/2016, 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 a total of 5 objections had been received from the public with regard to the application. The issues raised in the first consultation can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- The development would result in unacceptable loss of privacy and would allow the occupiers to overlook neighbours' garden. (Paras 10.9 – 10.12)
  - The proposed work would lead to an unacceptable sense of enclosure and reduced access to daylight/sunlight, particularly towards 29 and 31 Richmond Crescent. (Paras 10.9 - 10.12)
  - The proposal would break the symmetry of the semi-detached property and is out of character with the surrounding conservation area, it would set precedent to future developments. (Paras 10.2 and 10.5)
  - The proposal would impact on the outlook of the neighbouring property, particularly 29 and 31 Richmond Crescent. (Paras 10.9 to 10.12)
- 8.3 Further consultation was carried out on 24/02/2016 following the receipt of amended plans. Two additional comments raising the following points:
- Having reviewed the amended plans, it is considered that the application can be approved subject to 2 conditions: 1) The roof of the pitched roof extension should be made of slate. 2) The railings and balustrades for the new terrace and stairwell shall be agreed as suitable for the area and painted black. (Para 10.6)
  - The latest revision to the proposal takes into account several of the previous objections. It appears that the significant loss of privacy to the neighbouring property has been addressed (Paras 10.9 - 10.12).
  - The revision still retains a projection to the property at the upper ground floor level and is unchanged in this respect from the previous plans, resulting in increased sense of enclosure, loss of light and the break in symmetry between the two buildings (Paras 10.5 and 10.9-10.12).
  - Not sure of the purpose of the "brick nib" that extends over the existing wall as it appears largely visible from one side and we question changes to the wall that might be required to achieve this. (Para 10.3)

### **External Consultees**

8.4 None

### **Internal Consultees**

8.5 **Design and Conservation Officer:** The lower ground floor element is considered acceptable. The revision shows that the upper floor extension is half width with alteration to the existing outrigger. Although it is considered that the existing pitched roof rear extension should be retained, the overall reduction of scale and width of the upper ground floor extension is welcomed.

## **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.

### **Development Plan**

9.3 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 policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

### **Designations**

9.4 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:

- Barnsbury Conservation Area

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

9.5 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 Conservation
- Neighbouring amenity

## **DESIGN AND CONSERVATION**

- 10.2 The proposal consists of a two storey rear extension, alterations to the existing outrigger and a replacement terrace at upper ground floor level. It is noted that consent has been granted for a similar proposal at 22 Richmond Crescent. In the assessment of the application special regard has been made to the character and appearance of the conservation area.
- 10.3 On the lower ground floor it is proposed to extend the property rearward by 1.6m. Excavation is proposed to the garden to provide sufficient internal floor height for the extension; the excavation would lower the ground level by 0.4m. This is considered minor in scale and is acceptable in context. Due to the high boundary treatment the lower ground floor element is not highly visible to the surrounding properties. The lower ground floor would have brick elevations and windows to match the proposed upper floor extension and would not detract from the appearance and character of the area. The proposal includes a small section of brick nib to the side boundary, which from a design point of view is considered acceptable as it minimises views of the proposed extension from the neighbouring property.
- 10.4 On the upper ground floor, the depth of the extension from the pitched roof projection measures 0.7m, which would be in line with the existing half width four storey outrigger at the site. The existing outrigger is also proposed to be altered at this level to install a fixed pane window.
- 10.5 It is considered that the proposed works at upper ground floor level would not significantly detract from the appearance of the building and the character of the conservation area. Although the extension would be visible from the rear windows of the surrounding properties on Richmond Crescent and Richmond Avenue, it is considered that the half width extension and the revised fenestration design would be in keeping with character of the property. The existing four storey outrigger is poorly detailed with unsympathetic brickwork. The proposed alteration at this level would effectively break down the visual prominence of the outrigger. The projection of the half width extension at 0.7m is considered minor in context. The scale of the extension and alterations are acceptable and would not visually unbalance the semi-detached pair, or materially detract from the character of the conservation area.
- 10.6 The proposed roof terrace would replace the existing balcony with a new stair to the garden. The proposal would be similar to the existing roof terrace and would integrate with the host property. Following the amendments, the width and depth of the terrace has been reduced considerably, it is considered that the terrace would respect the rear elevation. A condition is recommended to ensure that the external materials are acceptable. It is considered that the proposed extension and alterations remain subservient to the host dwelling and acceptable in terms of its appearance and the impact towards the character of the area.

## **NEIGHBOURING AMENITY**

- 10.7 Development Management Policy DM2.1 requires that development should have regard to the form and layout of existing and adjacent buildings; good levels of amenity including consideration of noise and the impact of disturbance, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.



- 10.8 Objections have been received from the surrounding neighbours. Concerns were raised in relation to outlook, privacy, sense of enclosure and access to daylight and sunlight.
- 10.9 An objection has been received regarding the potential visual and amenity impact of the two storey full width “L-shape” extension. However, the amended plans omitted the extension to the existing outrigger, with no extension of the outrigger. It is considered that due to the separation gap provided between the application site and No.31 Richmond Crescent, the proposed development would not detrimentally impact the amenity of the occupiers of 31 Richmond Crescent.
- 10.10 With regard to 29 Richmond Crescent, taking into account the existing siting and orientation of the semi-detached pair, the south-east facing rear elevations, together with the height of the existing boundary treatment, it is considered that the proposed half width upper ground floor extension at 0.7m in depth would not lead to an unacceptable sense of enclosure to this neighbouring property.
- 10.11 In terms of overlooking, following discussions with the applicant the design of the terrace has been revised to include a set back from the side and rear edge of the ground floor extension to mitigate the potential for overlooking. It is considered that the amended proposed terrace and stair would not result in unacceptable overlooking as it is sufficiently sited away from the common boundary. The reduction of depth of the terrace to 0.6m also means that the primary function of the terrace would be an access to rear garden, instead of an outdoor space. Furthermore, any views towards neighbouring gardens would be similar to existing views from the property.
- 10.12 Having inspected the site and considered the concerns raised by the neighbouring occupiers, it is considered that the latest revision of the proposal would not detrimentally impact neighbouring amenity.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 With special regard to the character and appearance of the conservation area, it is considered that the proposed development would have limited visual impact, and would not appear over dominant or overbearing to the rear elevation. The proposed extension, due to its minor scale, massing and acceptable appearance, is considered appropriate to the semi-detached property and the surrounding area. It is considered that the proposal is broadly in accordance with policies DM2.1 and DM2.3, CS9 and the relevant section of the Urban Design Guide SPD and Barnsbury Conservation Area Design Guidance.
- 11.2 In terms of the impact on neighbouring amenity, the objections from the surrounding neighbours have been duly considered. It is judged that the proposed extension, due to its minor scale and projection would not have a detrimental impact upon the amenity of the adjoining neighbours. The proposed terrace is designed to provide a sufficient set back from the side boundary wall and it is considered that the proposal would not be intrusive to the neighbours at 29 and 31 Richmond Crescent.

### **Conclusion**

- 11.3 It is recommended that planning permission be granted subject to conditions 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:

<b>1</b>	<b>3 Year Consent Period</b>
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby permitted shall be retained in accordance with the following approved plans:</p> <p>140-LOC-001, 140-EX-100 Rev A, 140-EX-101 Rev A, 140-EX-102 Rev A, 140-EX-200, 140-EX-201 Rev B, 140-EX-300 Rev B, 140-AP-100 Rev C, 140-AP-101 Rev E, 140-AP-102 Rev B. 140-GA-200, 140-GA-201 Rev E, 140-GA-202 Rev E, 140-GA-300 Rev E, 140-GA-301 Rev E,</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials (Compliance):</b>
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. Particularly:</p> <ul style="list-style-type: none"><li>• The material for the pitched roof extension shall be in natural slate.</li><li>• The terrace balustrade and stairwell railings shall match with the design and appearance of the existing balcony and shall be painted black.</li><li>• The proposed brick nib shall match the existing boundary wall in terms of colour, texture and appearance and shall be maintained as such thereafter.</li></ul> <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>Boundary Treatment (Compliance):</b>
	<p>CONDITION: With the exception of the proposed brick nib hereby approved on plan no: 140-GA-202 Rev E, no works are granted for the extension, alteration and/or removal of the existing boundary walls.</p>

	REASON: In the interest of the appearance of the approved development and for avoidance of doubt.
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**List of Informatives:**

<b>1</b>	<b>Positive Statement</b>
	<p>INFORMATIVE: 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 a timely manner in accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>Building Control</b>
	<p>INFORMATIVE: The Building Acts and Building Regulations: 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: <a href="mailto:building.control@islington.gov.uk">building.control@islington.gov.uk</a></p>
<b>3</b>	<b>Hours of construction</b>
	<p>INFORMATIVE: 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"> <li>- 08:00 to 18:00 Monday to Friday</li> <li>- 08:00 to 13:00 Saturday</li> <li>- No work on Sundays and Public Holidays</li> </ul> <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: <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a></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.

### **2. 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 2015 - Spatial Development Strategy for Greater London**

7 London's living places and spaces  
Policy 7.4 Local character  
Policy 7.6 Architecture  
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  
DM2.3 Heritage

### **5. 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:

- Barnsbury Conservation Area

**6. Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

London Plan

- Environmental Design
- Conservation Area Design Guidelines
- Urban Design Guide
- Housing
- Sustainable Design & Construction