



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:	10 th June 2014	NON-EXEMPT

Application number	P2014/0741/FUL
Application type	Householder application
Conservation area	Not in a Conservation Area
Licensing Implications	None
Site Address	1 Plimsoll Road N4 2EW
Proposal	Erection of two storey side extension, single storey rear extension and creation of basement extension with front lightwells and rear basement level courtyard

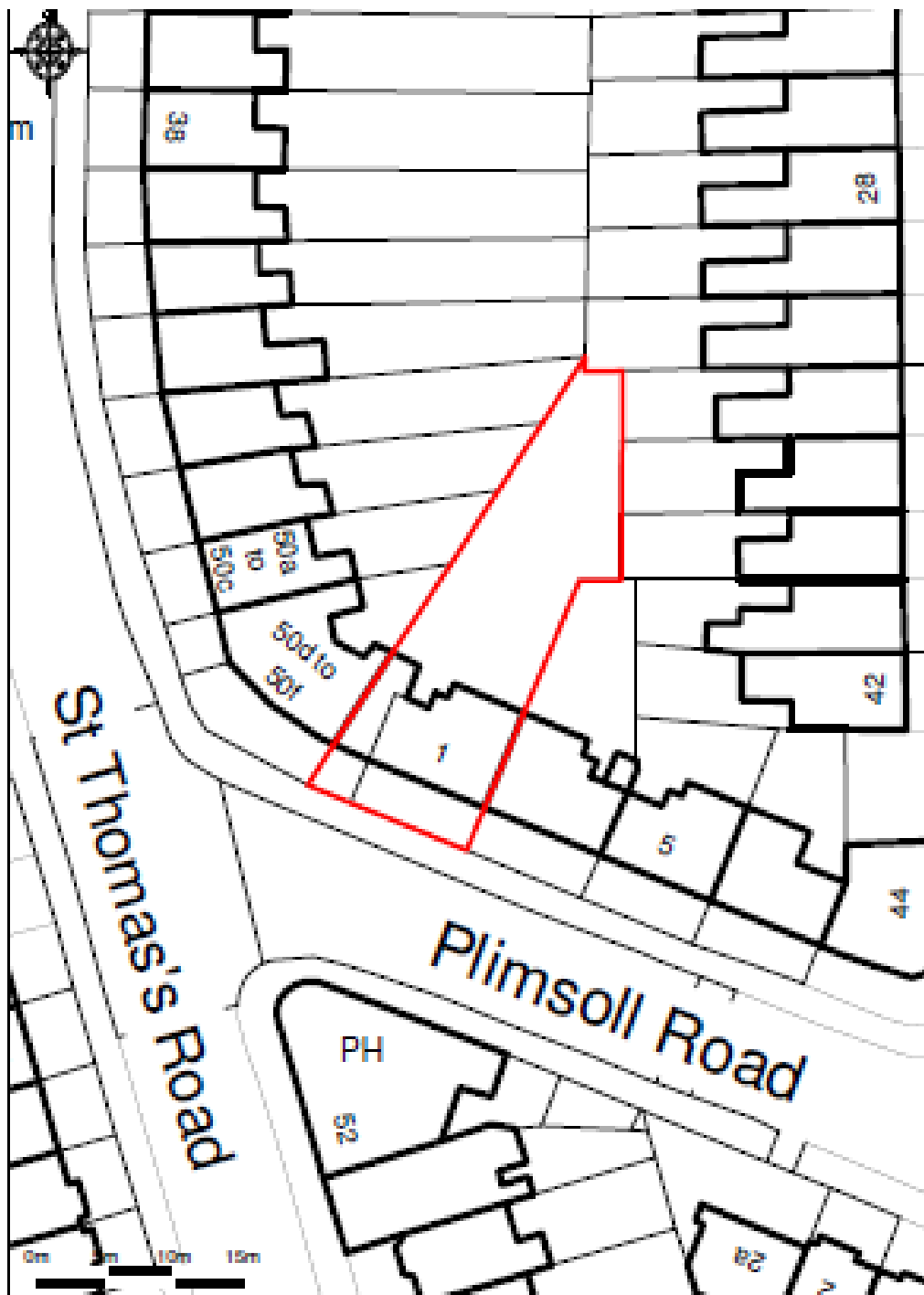
Case Officer	Eoin Concannon
Applicant	Mr Neal Hollenbery
Agent	Mrs Rebekah Jubb

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 RED)



Plan highlighting positioning of fencing (in red and annotated)

3 PHOTOS OF SITE/STREET



Photo 1: Aerial view of Plimsoll Road/St. Thomas Road



Photo 2: View from south west from St. Thomas Road



Photo 3: Subject site on right prior to commencement of existing works



Photo 4: Neighbouring properties with existing light wells to North West



Photo 5: Rear elevation of application site



Photo 6: Rear elevation of neighbouring property 3 Plimsoll Road



Photo 7: Neighbouring property No. 50d-50f St Thomas Road centre



Photo 8: Existing rear garden

4 SUMMARY

- 4.1 The application seeks permission for the erection of a two storey side extension, single storey rear extension and creation of basement extension with both front rear lightwells. This is resubmission on a recently approved planning permission P2013/3911/FUL which allowed for a two storey side and single storey rear extension. The main alteration from the previous scheme would involve excavation works to the front and rear to form a new basement level including rear courtyard.
- 4.2 The main considerations are the impact of the development on the character and appearance of the area as well as the residential amenity of the neighbouring occupiers. Both drainage and landscaping issues are also considered as part of the assessment.
- 4.3 The proposed excavation works to form basement area are acceptable and would not cause detrimental harm to the character and appearance of the surrounding area. The current street scene is characterised by existing lightwells situated along St. Thomas Road to the north west of the site and it would not substantial impact on the external appearance with the existing front hedge retained.
- 4.4 To the rear, a substantial garden area would be retained and the proposal would not lead to drainage concerns due to the extent of the garden area remaining. Given the location of the basement, it would not lead to any loss of neighbouring amenity to the adjoining properties.
- 4.5 The excavation works would be subject to complying with other regulations outside the realms of the planning system including the building regulations and the Party Wall Act.
- 4.6 As such, the revised application is considered acceptable and recommended for approval.

5 SITE AND SURROUNDING

- 5.1 The application site is situated on the north east side of Plimsoll Road at its junction with St. Thomas Road and comprises a two storey end of terrace building with existing projecting rear return.
- 5.2 Until recently, the property had an existing attached single storey corrugated structure along the flank wall (**see photo 3**) which extended against the flank wall with No.50 St. Thomas Road. This structure was in a dilapidated condition and has since been removed as the applicant has commenced construction of a two storey side extension and rear extension which received planning permission in January 2014 (P2014/0741/FUL).
- 5.3 The prevalent character is residential in nature with a mixture of housing types. The subject property and properties to the east (Plimsoll Road) are two storey terrace dwellings; while the properties to the north and north west (St. Thomas

Road) comprise three storey plus lower ground terrace dwellings and residential units. Directly opposite the site lies the Auld Triangle Public House. The property does not lie within a designated Conservation Area nor is it a Listed Building.

6 PROPOSAL (IN DETAIL)

- 6.1 The application seeks planning permission for the erection of a two storey side extension and single storey rear extension together with excavation of basement floor with 2 front lightwells and rear lower ground courtyard.
- 6.2 As indicated in the summary section, the above ground elements were subject to a planning approval granted in January 2014. The proposed two storey side element replaced the dilapidated side lean-to and extended out to the shared boundary with Nos.50d & 50f St. Thomas Road. It is set back 0.25 metre from the main front wall and aligns with the existing rear wall. Directly behind this element, permission has been given for a single storey extension that would be stepped.
- 6.3 Along the western boundary it would project 3.6m out from the proposed side bringing its footprint 1m beyond the neighbouring property of 50d St. Thomas Road. It would then step in 2 metres from the side boundary where depth would increase by a further 2 metres. Along the eastern flank with No. 3 Plimsoll Road, the single storey rear extension would extend 3 metres in depth with a maximum height of 3.6metres.
- 6.4 The additional works proposed under this application would involve excavation to the front and rear of the property with the creation of 3 lightwells which would serve a new basement level. The basement floor would comprise an additional bedroom; TV room, bathroom as well as gymnasium with access to a private rear courtyard.
- 6.5 To the front, 2 new lightwells would align with the existing bay features, with the larger lightwell extending within 1.2 metres of the front boundary. A further smaller lightwell towards the eastern side would be 2 metres away from the front boundary. Both lightwells would allow bay features to be inserted at basement level which would match the existing fenestration above. An existing front boundary hedge would provide a visual screen along from the street.
- 6.6 To the rear, the lightwell would extend out from the eastern flank wall adjoining No. 3 Plimsoll Road. It would project 4 metres into the garden creating a courtyard with steps leading up onto main garden level. The courtyard would be approximately 2.7 metres below the existing ground level. A garden area of over 100 square metres would be retained.

7 RELEVANT HISTORY

Planning Applications:

- 7.1 **P2013/3911/FUL** Erection of a two storey side and single storey rear extension (**Granted 15/1/14**)
- 7.2 **P2013/3684/COLP** Certificate of Lawfulness proposed for single storey side extension and two storey rear extension. (Granted 02/12/13)

Enforcement:

- 7.3 None

Pre- Application Advice:

- 7.4 None

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 28 adjoining and nearby properties on the 14th March 2014. A site notice was also displayed on 19th March 2014 providing members of the public with 21 days to comment.

The public consultation of the application therefore expired on 10/04/2014; 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, 8 petition style letters of objection were received from surrounding neighbours. The issues raised in the letter are (and the paragraph numbers responding to the issues in brackets):

Impact on the character

- The building has a natural equilibrium, its historic integrity scale, plan form and fabric would be hindered with the basement works (10.5-10.15)

Impact on residential amenity

- Basement works would cause nuisance and disturbance for neighbours through construction traffic, parking suspensions and noise, dust and vibration.(10.19)
- Reference was made to other Acts including Control of Pollution Act 1974, Environmental Protection Act 1990 and Noise Emission in the Environment by Equipment for use outdoor. (10.34)
- The basement area would rely on artificial light and would provide a detrimental amenity standard for future occupiers (10.30-10.31)

Impact on Landscaping/Biodiversity/Climate Issue

- The proposed basement would introduce a degree of artificiality into the garden (10.21-10.25)
- Retention of garden enables natural landscape and character to be maintained given more potential to support biodiversity (10.21-10.25)
- Concerns over street trees survival from excavation works as well as a recent tree removal to the rear (10.21-10.25)
- Lead to increase carbon emissions due to the extensive use of concrete (10.33)

Concerns over drainage

- The large basement area would impact on the drainage of the site (10.26-10.28)

Structural Concerns

- Extensive excavation would weaken the historic foundations of the building (10.32)

Precedent

- The proposal would lead to a precedent of similar style extensions in the area. (10.10)

Internal consultees

8.3 **Sustainability Officer:** Acceptable subject to SUD condition.

9 REVELANT 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.

Development Plan

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle of the development (basement extension);
- Impact of the development on the character and appearance of the existing dwelling and surrounding area
- Impact of the development on the residential amenities of the neighbouring occupiers;
- Landscaping, trees and biodiversity;
- Sustainability and drainage issues
- Other issues.

Principle of the development

10.2 The site is situated within a residential area and involves an extension to an existing residential dwelling. The proposal is a resubmission on a previously approved scheme with the two storey side extension and single storey rear extension already receiving planning permission. The additional development would involve a basement extension comprising 2 lightwells to the front and rear courtyard (lower ground). Presently, there is no specific policy or supplementary guidance on basement developments. In general, the proposal would be assessed on the Development Management Policies and the supplementary planning guidance set out within the Urban Design Guide.

10.3 The Urban Design Guide also supports basement extensions where it would have little impact upon the external appearance of a residential terrace. The Design Guide also is supportive of rear extensions once sufficient garden space is retained to the rear.

10.4 As such, subject to the proposal not causing detrimental impact on the external appearance and retention of sufficient garden, the principle of the development would be acceptable.

Impact of the development on the character and appearance of the existing dwelling and surrounding area

- 10.5 Development Management policy DM2.1 states that 'all forms of development are required to be of high quality and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics.'
- 10.6 As noted the two storey side extension and single storey rear extension were previously granted permission through application P2013/3911/FUL. The design and positioning of these elements were considered acceptable and it was concluded that the proposed works integrated satisfactorily with the appearance of the original house.
- 10.7 The current scheme includes lightwells to the front and rear of the property. The two lightwells to the front would be set back from the front boundary and be positioned behind an existing front boundary hedge. As such, the visibility along the front boundary line would be minimal.
- 10.8 Within the Urban Design Guide, it states that the Council will seek a design of basement extensions which integrates with the existing elevation and front threshold. It also states that excavations that involves the loss of verdant gardens maybe unsympathetic to the street scene.
- 10.9 The lightwells to the front would replace an existing hard surfaced area and would not lead to a loss of garden or soft landscaping. Both lightwells would contain bay windows features at basement level that match and align with the appearance of the fenestration at ground and first floor level. As such, the overall design of the lightwells would be sympathetic to the existing façade with a similar matching appearance at basement level.
- 10.10 Although, there are no lightwells on the existing terrace, the residential properties along St. Thomas Road directly to the North and North West all contain basement levels with front lightwells far more visible than the application site. As such, it would not be considered justifiable to refuse the application on the grounds that the front lightwell is not a characteristic of the surrounding area given location of this type of development so close to the property.
- 10.11 To the rear, the proposed excavation works along the eastern flank to create a lower ground courtyard is acceptable in principle due to the overall size of the garden. The additional courtyard and steps would measure approximately 20 square metres in area. This would normally be a substantial loss of garden space; however in the context of the application site, it would represent approximately 16 percent of the existing rear garden area to be removed.
- 10.12 Over 100 square metres of garden area would be retained. Although, the courtyard would increase the hard landscaped element to the rear, it would not be justifiable in refusing the application due to loss of garden space, given the substantial garden that will be retained.

- 10.13 As this element would be situated at lower ground, it would also not detract from the overall design and appearance of the rear elevation. This courtyard would be less than half the width of the dwelling. It would therefore appear subordinate to the main dwelling.
- 10.14 Overall, subject to conditions, the proposed development is acceptable with regard to design and appearance. Its overall size, siting, design and appearance are considered to integrate satisfactorily with the appearance of the original house given the overall size of the site.
- 10.15 It is considered to comply with the broad aims of policies CS8 (Enhancing Islington's character) & CS9(Protecting and enhancing Islington's built and historic environment) of Islington's Core Strategy 2011, the Council's Supplementary Planning Document; Islington Urban Design Guide, adopted December 2006 which and policy DM2.1 of Islington's Local Plan (2013) & The NPPF 2012

Impact of the development on the residential amenities of the neighbouring occupiers

- 10.16 Policy DM2.1 of the Development Management Policies states that 'developments are required to provide a good level of amenity including consideration of overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.' The proposed two storey extension and single storey rear additions were considered acceptable under the previous scheme.
- 10.17 The two storey side would retain sufficient distance from the rear properties that abut the application. The single storey rear element would not intersect the 45 degree line taken from the centre of the ground floor window at No. 50a St Thomas Road. The height of the roof is generally a common feature in this area with a similar height at 50a St Thomas Road.
- 10.18 Each of these elements would not infringe on the neighbours outlook, daylight or sunlight. There would be no overlooking or overbearing impact from the rear extensions. The additional basement element would be situated at subterranean level and therefore would not cause any additional amenity issues.
- 10.19 The objections received also raised concerns regarding noise and impact from construction. These works would relate to a domestic site which is unlikely to cause any long term noise issue. Although, there may be a short period of nuisance during the construction period, this would be common for a domestic development of this nature. It is not considered necessary to place a construction management plan condition as the scheme would not be of a size to merit this type of condition.

10.20 Overall, the proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 (Design) of the Development Management Policies Plan 2013.

Landscaping & Biodiversity

10.21 Policy DM6.5 (Landscaping, trees and biodiversity) states that developments should minimise any impacts on trees, shrubs and other significant vegetation. There are no trees or landscaping situated in proximity to the development area. No street trees abut the site to the front. The hedging situated along the front boundary would be retained. This provides a green screen to the front and reduces the visual impact of the front lightwells.

10.22 To the rear of the property, the site would retain over 100 square metres of garden which would contribute to biodiversity. The proportion of hard surfacing to garden is acceptable in this instance given generous garden arrangement which would continue to support biodiversity.

10.23 The representations received make reference to a tree that was removed to accommodate the rear courtyard. The applicant has submitted a letter in response to this representation.

10.24 The tree in question was situated towards the rear of the site which is identifiable within the aerial photograph. This was an unprotected tree which it is claimed was a safety concern and required removal due to a rotting trunk. Nevertheless, the tree in question was a significant distance away from the proposed lower ground courtyard. It would not have affected the outcome of the planning decision given the distance from the works. As this tree was unprotected, it was in applicant's lawful right to remove the tree.

10.25 Given the extent of the garden and the retained hedging along the front boundary, the proposed development is acceptable with regard to landscaping and trees and is in accordance with policy 7.21 (Trees and Woodlands) of the London Plan 2011 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

Sustainability and drainage issues

10.26 The proposal would involve substantial excavation works to accommodate a new basement level. This would increase the level of hard surfacing to the rear of the site. The front lightwells would be positioned on previously concreted area and therefore would not contribute to increase surface water to the front.

- 10.27 The Sustainability Officer has raised concerns regarding surface water and flood risk from the development. These concerns can be addressed through suitable sustainable urban drainage (SUDS) measures including the use of permeable paving which would control surface water run off.
- 10.28 A condition can be attached requiring these details to be submitted and approved prior to commencement of the basement. As such, the proposal subject to condition would comply with policy DM6.6 of the Development Management Policies 2013.

Other issues

- 10.29 The objections received raised other concerns related to the proposed development including
- The basement area would rely on artificial light and would provide a detrimental amenity standard for future occupiers
 - Structural Concerns
 - Climate change issues
 - Other legislation
- 10.30 The basement would provide ancillary accommodation for the existing dwelling. It would include an additional bedroom, TV room and gymnasium. Given the depth of the lightwell as well size of the bay window serving the bedroom, it is considered that sufficient daylight would be received. The remaining rooms would be secondary ancillary spaces which would also receive sufficient light given the size of each lightwell.
- 10.31 As such, it would not be considered justifiable in refusing application on amenity standards to future occupiers of the property. It must also be noted that planning permission would also be required to convert the basement to a separate residential unit. An informative can be attached indicating the requirement of permission for a conversion.
- 10.32 In regard to structural concerns, this would not be a material planning consideration in outcome of this application. Structural considerations would fall within the realms of Building Act and Party Wall Act. An informative can be attached informing the applicant of the need to comply with other legislations outside the realms of the planning legislation.
- 10.33 In the context of the site (due to the large garden), the proposed excavation works would not lead to significant increase in carbon emissions to justify a refusal.
- 10.34 The representations received also refer to complying with other legislation such as Control of Pollution Act 1974, Environmental Protection Act 1990 and

Noise Emission in the Environment by Equipment for use outdoor. These would be outside planning control. The proposed works would involve a short term construction period. It would not be necessary to place a construction management condition in this instance. Any construction generated noise outside the normal working hours can be reported to the Council's Pollution Control team for investigation.

11 SUMMARY AND CONCLUSIONS

Summary

- 11.1 The proposed development is acceptable. The proposed development would cause to the existing dwelling or the surrounding street scene. It would not lead to an adverse impact on neighbours' amenity and subject to suitable sustainable urban drainage measures would not lead to drainage issues.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATION A.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

	CONDITION:
1	<p>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.</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>
	CONDITION:
2	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[Site Location Plan, Existing Block Plan, 1319 LP1, 1319A S1, 1319A S2, 1319A S3, 1319A S4, 1319A S5, 1319A S6, 1319A S7, 1319A S8 1319 LP1, 1319A P1, 1319A P2, 1319A P3, 1319A P4, 1319A P5, 1319A P6, 1319A P7, 1319A P8</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>
	CONDITION:
3	<p>MATERIALS TO MATCH (COMPLIANCE): 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>
	CONDITION:
4	<p>Sustainable Urban Drainage System (Details): Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall demonstrate how sustainable urban drainage measures will be constructed on the site to achieve at minimum no net increase in run-off from the site post-construction. The submitted details shall include the sites current peak run-off rate and the scheme's post-development peak runoff rate (based on the 1 in 100 year flood event plus 30% climate change allowance), details on proposed storage volumes, and must demonstrate how the scheme will prevent flood risk to the basement level. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <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: To ensure that sustainable management of water.</p>

	Informative:
1.	<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>
	Informative
2.	You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act").
	Informative
3.	You are reminded that the basement area would need to be used as an ancillary living space to the existing residential dwelling. A conversion to a separate residential unit or commercial space would need the benefit of planning permission.

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 2011 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 (Delivering the strategic vision and objectives for London)

Policy 7.21 (Trees and Woodlands)

Policy 7.4 (Local character)

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

Policy DM2.1 (Design)

Health and open space

Policy DM6.5 (Landscaping, trees and biodiversity)

Policy DM6.6 (Flood Prevention)

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

The following SPGs and/or SPDs are relevant:

- Urban Design Guide
- Inclusive landscape design