

ADDENDUM TO OFFICERS REPORT

PLANNING COMMITTEE A

4th April 2023

Agenda Item 6:

Reference: 22/3419/S73

Site known 12-18 High Road, N2 9PJ

Pages 13-78

Additional condition

Condition 43

- a) Within 6 months of the decision date, full details of the 4 x no olive trees specifications as shown on ground floor drawing no: P-A102 Rev P3 shall be submitted to and approved by the Local Planning Authority.
- b) The development shall be implemented in accordance with the details hereby approved.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013).

Amendments

Pg 40- Section 5.3 "Assessment of proposal" (5th paragraph)

Change from

"The approved drawings show a separation distance of a minimum of 21m from Block B to existing habitable rooms and properties to the east on 5-13 Ingram Road. Block B "as built" and as shown on the retrospective drawings shows a separation distance of approximately 21 metres from properties at nos 5,7, 11 and 13 Ingram Road, in accordance with policy. The separation distance between the part of block B directly facing no 9 Ingram Road is over 18 metres, in accordance with London Plan policy".

To

The windows on the upper floors at Block B as shown on the drawings shows a separation distance of over 18 metres (up to approximately 22 metres) from windows at properties at nos 5, 7,11 and 13 Ingram Road, in accordance with London Plan policy. The separation distance between the part of block B directly facing no 9 Ingram Road is approximately 17.3 metres, which is below the policy guidance of 18-21 metres to protect privacy. Whilst the distance is less than 18 metres, the protruding element would not result in direct overlooking or loss of privacy to the dwelling at no 9 Ingram Road, as the proposed first floor windows are angled.

Objection – *The applicant has not undertaken an update Daylight and Sunlight report to determine the impacts the proposal would have daylight and sunlight levels to properties at Ingram Road and the rear of the houses in Baronsmere road.*

Officers' response: The applicant has not submitted an updated Daylight and Sunlight report as part of this subject Section 73 application.

The Daylight and Sunlight Assessment which was submitted as part of the 2016 planning application for the "Demolition of existing buildings and construction of two 4 storey buildings providing 21 self-contained flats and 265sqm of B1 office space with associated refuse and recycling storage, cycle store 2 off street parking spaces and amenity space" (ref no: 16/2351/FUL) demonstrates that windows to properties at no's 2, 4 & 6 Baronsmere Road and nos 5, 7, 9 & 11 Ingram all achieved daylight and sunlight levels in accordance with BRE Guidance.

Whilst Officers accept that the building would be closer than what was previously approved, it is not considered that a reduction in daylight and sunlight levels to the abovementioned properties would not be significant, particularly given the distance of block B from these properties. Further, the proposal would not result in undue additional overshadowing to these properties. Overall, the residual level of light is considered acceptable, and a reason for refusal could not be sustained on the grounds of the loss of amenity to neighbouring properties.

Objection: Block B as built includes the following new features which were not approved as part of the original application:

- Addition of two lift overrun to block;
- Amendments to the number of PV Panels at roof level;
- Addition of rainwater pipe and boiler flues on the east elevation to block B; and
- The addition of satellite and antennae to blocks A & B.

Officers response: This is correct. The applicant has submitted a Non-material amendment application to the Local Planning Authority for Officers to determine whether these amendments could be deemed as a non-material amendment to the approved scheme, in accordance with Section 96A of the Town and Country Planning Act 1990. This application (ref no: 23/1188/NMA) is under Officers consideration and has not been determined as yet.

Objection: The height of Block B as built has increased from what which was originally approved.

Officers response: The building height (ground to roof level) as shown on the approved and proposed drawings is 11.5 metres. The lift shafts add an additional height of approximately 1.1 metres to the building.

Officers general comment on objections

Officers received detailed and lengthy objections from residents. Unfortunately, it not possible to include each point raised within the committee report. The objections must be summarised within the committee report.

As stated within the committee report: "*All planning matters raised in the objections have been considered and addressed as part of the decision-making process and are available to view on the Councils website should Committee Members wish to read them in full*".