#### 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 B	AGENDA ITEM NO:
Date:	15 July 2014	NON-EXEMPT

Application number	P2014/1243/FUL
Application type	Full Planning Application
Ward	Finsbury Park Ward
Listed building	Unlisted
Conservation area	N/A
Development Plan Context	Core Strategy Key Area 3 – Nags Head and Upper Holloway
Licensing Implications	N/A
Site Address	Grafton Junior School 9 Eburne Road London N7 6AR
Proposal	Erection of a single storey structure for use as a classroom.

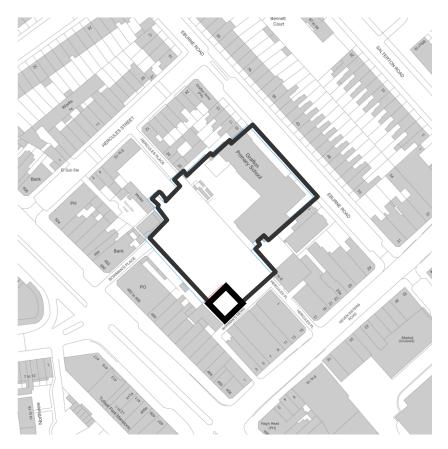
Case Officer	Sandra Chivero
Applicant	Mrs T Sergides (Head Teacher)
Agent	Jennings Design Associates

#### 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

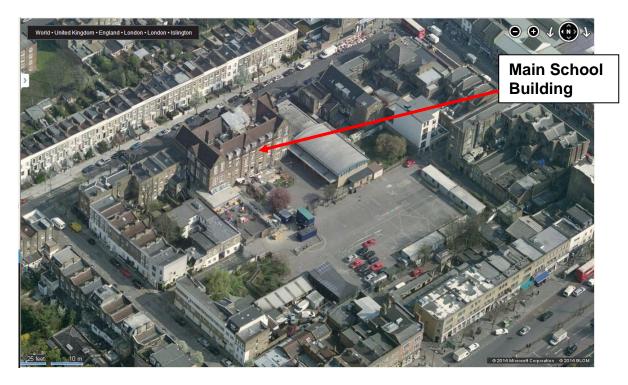


Image 1. Birds eye view of the School Playground



Image 2. Photo of School Playground taken from rear of 5-9 Seven Sisters Road



Image 3. Bowman's Mews

## 4. SUMMARY

- 4.1 Planning permission is sought to erect a temporary single storey structure for use as classroom to the south-western corner of the playground.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 There is an immediate need for a short-term teaching space and the temporary building will be required for up to 5 years. Evidence has been provided to demonstrate that the proposal would not result in the loss of play ground area as it would be positioned on a former playground now established as car parking space. Furthermore, existing temporary porta-cabins would be removed elsewhere in the school site resulting in a net increase of playing field.
- 4.4 The new single storey structure would be located on the periphery of the play ground and would not be visible from the main road, it is considered not to be visually harmful.
- 4.5 The new structure will also not materially affect the amenity of adjacent residents.

## 5. SITE AND SURROUNDING

5.1 The site comprises of a three storey Victorian Primary School. The school building is located along Eburne Road and the site can be accessed from Eburne Road, Bowman's Mews, Hercules Place and Bowman's Place.

#### 6. **PROPOSAL (in Detail)**

6.1 The erection of a temporary single storey structure for use as classroom. The structure would be located on the south-western corner of the playground.

## 7. RELEVANT HISTORY:

#### PLANNING APPLICATIONS:

- 7.1 P101915 Installation of 2 temporary porta-cabins in the school playground until the 31.07.2011 during the refurbishment of the Victorian School Building Approved on 28 October 2010
- 7.2 P101430 Installation of two porta-cabins in the school playground for 13 months as temporary classrooms during the refurbishment of the Victorian School Building Approved on 24 August 2010
- 7.3 P092223 Conversion of temporary gate into a permanent access gate to the school playground from Hercules Place. The reason for refusal was as follows
   Refused 06 April 2010 for 1 reason relating to

The creation of a permanent access gate close proximity to adjoining residential properties was considered to give rise to significant increases in the movements of people and cars in the vicinity of the site which are considered to have a detrimental impact on the amenity levels of adjoining occupiers in terms of noise disturbances, loss of privacy and security and safety concerns.

- 7.4 P091091 Erection of a rear canopy Approved on 06 August 2009
- 7.5 P081199 Refused for Erection of railings above new dwarf wall to the eastern boundary Approved on 17 October 2008 for 1 reason relating to

The height and design of the proposed railings was considered to detract from the character and appearance of the building and the streetscene.

- 7.6 P062662 Internal alterations including installation of a new lift shaft and one storey rear extension to accommodate expanded nursery provision plus new community building in eastern corner of the site (Modification of previously approved application reference number P052988) Approved on 15 March 2007:
- 7.7 P070308 Erection of bike shed in playground on south west boundary adjoining Bowman's Place Approved on 20 March 2007:
- 7.8 P060199 Erection of new toilet block abutting newly built gymnasium in school playground (Modification of planning permission ref: P051459) Approved on 24 March 2006
- 7.9 P052988 Erection of rear single storey extension to main building to accommodate new early years centre and reception area, with the roof to be partially decked as a terrace area. Removal of existing activity/ community building and erection of a new larger single storey activity/community building in the eastern corner of site alongside Bowman's Place. Installation of 2 large bay windows in south facing side elevation at first and second floor levels of main school building. Alterations to main playground and provision of new parking area Approved on 10 February 2006:
- 7.10 P051459 Erection of new toilet block abutting newly built gymnasium Approved on 08 August 2005
- 7.11 P051566 Conservatory in nursery playground area Approved on 09 August 2005
- 7.12 P042474 Erection of a single storey rear extension Approved on Approved on 21 December 2004
- 7.13 920766 Use of school playground for parking at weekends Approve on 03 December 1992

- 7.14 P011419 Erection of a part one/part two storey extension to the school to be used as a school/community sports hall Approved on 20 February 2002
- 7.15 921135 Granted for Use of school playground as a Saturday Market Approved on 25 January 1993:
- 7.16 P021008 Erection of a part one/part two storey extension to the school to be used as a school/community sports hall (revised scheme) – Approved on 11 June 2002:
- 7.17 931336 Continued use of school playground as a Saturday market Approved on 12 December 1993:
- 7.18 950183 Use of school playground as a Sunday Market (as outlined on the approved drawing) Approved on 19 June 1995
- 7.19 P021693 Erection of a one storey cabin in the rear grounds of the school Approved on16 August 2008

#### **ENFORCEMENT:**

7.1 22 June 2010: Enforcement Case (Ref. E10/04831) Alleged Breach of control
 Wall to be reinstated <u>Closed</u>

#### PRE-APPLICATION ADVICE:

7.2 None.

#### 8. CONSULTATION

#### **Public Consultation**

8.1 Letters were sent to occupants of adjoining and nearby properties. A site notice and a press advert were also displayed. At the time of writing of this report no responses had been received from the public with regard to the application.

#### Internal Consultees

8.2 **Policy Team** The Policy Officer commented that the portion of the site that the classroom is proposed to be built on appears to be part of the playground. There is separate guidance issued by Department of Education about the loss of playing fields, with the change of use requiring a separate application, known as a Section 77 application. However, a written statement has been submitted stating there will be a net increase in playing fields. This is by virtue of the fact that an existing modular building will be removed from another part of the playground and the new classroom would be built on land used for car parking.

- 8.3 Given the increase in pupil numbers it is not clear if there will be overall improvements to the playground space.
- 8.4 There is support for new/expanded education facilities in the London Plan (Policy 3.18).
- 8.5 The provision of a new classroom can be also be classified as the provision of new social infrastructure. Development Management Policy DM4.12 therefore applies.
  - In the Design and Access statement there is some commentary about the accessibility of the site and building the Inclusive Design Officer can provide further advice on this.
- 8.6 The Development Management Policies Document (as at paragraph 4.71) is clear that proposals for new educational facilities should ensure the safety and amenity of children (Development Management Policies paragraph 4.71).
- 8.7 **Public protection -** The Acoustic Officer recommends a noise condition should be attached to any permission granted. A condition has been attached to this effect, in order to ensure noise to the two no. AC Units is set within prescribed units.
- 8.8 **Design and Conservation** The Design and Conservation Officer stated that the proposed structure would be single storey in height and would not be visible from the main road. It is therefore considered not to be visually harmful to the surrounding area.
- 8.9 **Inclusive Design Team** Inclusive Design Officer commented that the the inclusion of an accessible WC is welcome. We are told that there will be step free access but details of how this will be achieved have not been supplied clarification is requested.
- 8.10 The applicant is also advised to consider the installation of a sound enhancement system, the judicious use of colour and tone and the installation of blinds at all windows to reduce glare and overheating. A informative has been attached to this effect.

#### External Consultees

**8.12** Metropolitan Police – The Designing Out Crime Officer stated that Islington Police have no objections in principle to the proposal. However, recommendations have been made concerning crime reduction principles and future community safety. Conditions have been attached to this effect.

- 8.13 Additional points were also recommended, these required that the design and layout of the existing school footprint should be considered and improved. Whilst in general is not possible and beyond the scope of the proposal, this was to allow for the possibility that the school may find the funding to improve other aspects of their security and not just the proposed extension.
- 8.14 **Sport England** did not raise any concerns.

# 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.

## 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 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:
  - Location
  - Design and Appearance
  - Amenity
  - Access

## Land use

10.2 **Location** The portion of the site that the classroom is proposed to be built on appears to be part of the playground. A written statement has been submitted stating that S77 approval is not required. It clarifies that there will be a net increase in playing fields – this is by virtue of the fact that an existing modular

building (110.5m<sup>2</sup>) will be removed from another part of the playground and the new classroom (77.5m<sup>2</sup>) would be built on land currently used for car parking. Evidence in the Design and Access Statement and photographs has been provided to demonstrate that the existing use of part of the playground as a car park has been over several years. The proposal is therefore considered to accord with Paragraph 3.40 of the London Plan which highlights that school playing field provision provides an important contribution to high quality play spaces. The proposal would further comply with London Plan policy 3.19 states that "Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted."

- 10.3 The proposal would accord with further guidance set out in the National Planning Policy Framework (NPPF), which states that open space, sports and recreational buildings and land, should not be built on unless:
  - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 10.4 The proposal would comply with the provisions DM Policy 6.4.
- **10.5 Provision of additional classroom space.** It is proposed to provide a new classroom space with a gross area of 77.5m<sup>2</sup>. The supporting statement provided states that, following a review of future space requirements, it has been identified that there is an immediate need for a short-term teaching space and that the temporary building will be required for up to 5 years. There is support for new/expanded education facilities in the London Plan. Policy 3.18 which states that "Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes. Those which address the current projected shortage of primary schools places will be particularly supported."
- 10.6 This is also supported by policy DM4.12.

#### **Design and Appearance**

- 10.6 The proposed single storey structure would incorporate a flat roof with single ply membrane and the external walls would be colour coated steel. Two air conditioning units would also be mounted to the classroom at a low level to the northern and southern elevations. Three double glazing pvcu/ powder coated windows would be positioned to the eastern elevation. A fire exit and three double glazing pvcu/ powder coated windows would be incorporated to the western elevation.
- 10.7 Due to scale, size and location on the periphery of the playground the single

storey structure is considered appropriate and would not be visually prominent. Overall the proposal is considered to accord with policy DM2.1 of the Development Management Policies (Submission Document 2012) and the objectives of the Islington Urban Design Guide (2002).

10.8 Notwithstanding the above, due to the temporary nature the single storey structure is considered unacceptable to grant an unrestricted permission. A condition has therefore been attached to the permission requiring the temporary classroom to be removed on or before 04 August 2019. The limitation of the consent period ensures compliance with policy DM2.1 of the Development Management Policies. In any event the supporting document indicates that the temporary building is required for a duration of up to 5 years.

#### <u>Access</u>

- 10.9 The inclusion of an accessible WC is welcome and it is considered that the details provided are satisfactory. Whilst it is stated in the documents submitted that there will be step free access, details of how this will be achieved have not been supplied. A condition has therefore been attached to the permission requiring details on access to be submitted and approved in writing to secure appropriate inclusive access.
- 10.10 In addition, no details of the new gate through the existing boundary treatment have been provided. A condition has also been attached to the permission requiring these details to be submitted and approved to ensure child safety.

## <u>Amenity</u>

- 10.11 It is confirmed that access to the classroom will be via the playground. It is not clear how the classroom will be separated from the rest of the playground or the car park. The existing car park is separated by what appears to be temporary fencing. This is not considered to mitigate any safety or amenity concerns for the children using the temporary class room. A condition has therefore been attached to the permission requiring the details of a scheme to separate the temporary classroom from the rest of the play ground and car park. This would be in line with paragraph 4.71 of the Development Management Policies Document which requires proposals for new educational facilities to ensure the safety and amenity of children.
- 10.12 The proposed structure is single storey in height and is not considered to give rise to any excessive impacts in terms of amenity on adjoining properties along Bowman's Mews where ground floor commercial units dominate with upper floor flats. The reduction in car parking spaces is also considered to minimise impact of traffic on residents.
- 10.13 As recommended by the Acoustic Officer a noise control condition has also been attached to the permission in relation to the two air condition units which would be mounted on the new structure.

10.14 Overall, subject to conditions the proposal is considered not to prejudice the residential amenity of neighbouring and adjoining properties inline with policy DM2.1 of the Development Management Policies.

## <u>Security</u>

10.15 The Designing Out Crime Officer has recommended a condition requiring measures to be implemented to achieve the 'Secure by Design Physical Security accreditation'.

#### 11. SUMMARY AND CONCLUSION

#### Summary

- 11.1 The principle of the land use is acceptable. The temporary building will be required for up to 5 years. It is also demonstrated that the proposal would not result in loss of playground space.
- 11.2 Due to scale, height and positioning the proposed new structure would not be visually intrusive.
- 11.3 Subject to conditions the proposal is also considered not to prejudice the residential amenity of neighbouring and adjoining properties in line with policy DM2.1 of the Development Management Policies.
- 11.4 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 as such is recommended for an approval subject to appropriate conditions.

#### **Conclusion**

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

# **APPENDIX 1 – RECOMMENDATIONS**

# **RECOMMENDATION A**

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

## 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 permitted shall be carried out in accordance with the following approved plans:
	2 no. Letters from Tom Louvre (Head of Capital Asset Management and Contract – Islington Council) dated 13 May 2014 and 18 March 2014, Outdoor Unit – Model SRC35ZJX-S Noise Test, S0020-111Rev.C, S0020-115Rev.A, Location Plan, Design and Access Statement –November 2013 (Issue 3), Existing Site Plan A, Inverter Heat Pump Model SRK – ZJX, Email sent 27 June 2014 from Nicholas Smith – JDA Architects.
	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.
3	Temporary Class Room
	CONDITION: The hereby approved single storey structure is granted only for a limited period until 04 August 2019, on or before that date the structure and all its associated/ ancillary goods shall be dismantled and removed from the site and the land shall be reinstated to the condition as evident prior to the erection of the temporary building hereby approved or another condition as agreed in writing by the Local Planning Authority.
	REASON: The temporary building is such that the Local Planning Authority is only prepared to grant permission for a limited period. The limitation of the consent period ensures compliance with policies: CS9 of the Core Strategy (2011) and policies DM2.1
4	Details of separation of temporary classroom from play space and car park space
	CONDITION: Notwithstanding the approved drawings, details of new fencing which would separate the classroom from the rest of the play ground and car park shall be submitted within three months of the permission and approved in

	writing by the Local Planning Authority. Details of which shall be fully implemented and maintained as such for the lifetime of the temporary classroom.
	REASON: To ensure the safety and amenity of children.
5	Secured By Design Physical Security
	CONDITION: Notwithstanding the approved drawings the following shall be fully implemented and the works shall be permanently maintained as such during the lifetime of the temporary structure:
	- All ground floor windows and any other accessible windows will meet a minimum PAS 24:2012 or STS 204 standard.
	- All external doors will meet a minimum PAS 24:2012 or STS 201
	- All glazing in doors and windows as above to include one pane of laminated glass to BS EN 356 2000 rating P1A. 6.8mm minimum thickness.
	- Door recesses should be avoided as they create hiding places, bullying points, ASB, burglary weak spots and arson points
	REASON: In order to achieve the Secured By Design Physical Security accreditation and to help prevent crime and keep ongoing costs down for the lifetime of the school extension.
6	Details of access of new gates
	Details of new gates leading to the new classroom shall be submitted within three months of the permission and approved in writing by the local planning authority. Details of which shall be fully implemented and maintained as such for the lifetime of the temporary classroom.
	REASON: In the interest of visual amenity and to ensure safety to children.
7	Details of step free access to the classroom
	<ul> <li>The following details shall be submitted within three months of the permission and approved in writing by the local planning authority. Approved details shall be fully implemented and maintained as such for the lifetime of the temporary classroom:</li> <li>A safe vehicular drop off point</li> </ul>
	<ul> <li>A site plan illustrating the relationship between the new unit and the main body of the school and associated play facilities</li> <li>A level or gently sloping approach to the class room, provided with rest points wherever travel distances exceed 50m.</li> <li>A level or ramped approach into the classroom, in accordance with guidance set out in Islington's Inclusive Design SPD</li> </ul>
	REASON: To secure appropriate inclusive access to classroom.

8	Fixed Plant (Compliance)
	The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level L <sub>Aeq Tr</sub> arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level L <sub>AF90 Tbg</sub> . The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997 REASON: To ensure that the operation of fixed plant does not impact on residential amenity.

# 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.	
	Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.	
	The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.	
2	Secured By Design Physical Security	
	INFORMATIVE: Should funding allow it is recommended to	
	- All boundary fencing should be 1.8m high. All fencing should allow permeability so that people can see into the school through the fence and vice versa. No climbing aids should be available on or adjacent to the fence.	
	- All gates and entrances should be 1.8m high. These should be opened during morning peak hours and afternoon peak hours only. At all other times the gates are to be closed and locked. All entrances to have audio and video access control linked to the reception office of the school.	
	- All entrances should channel visitors, deliveries etc to the staffed office reception for visual verification of who they are. There should be no access into the school buildings from any point during the perimeter lock down period of	

4	INFORMATIVE: The applicant is advised that blinds should be fitted at all windows to reduce glare and overheating, a sound enhancement system should be installed and bold tonal contrasts should be employed to enhance the ability of those with visual impairments to read the space.
4	Blinds, Sound Enhancement System and Bold Tonal contrasts
	main opportunity to incorporate crime prevention measures has gone. Careful design needn't cost more if considered from the outset.
	INFORMATIVE: Further information on the initiative may be found on www.securedbydesign.com Once a development has been completed, the
3	Further Information on secured by design
	- Planting should not create hiding places. Trees should have a clearance from the ground up of at least 2 metres and shrubs should not be planted that grow to more than 1 metre in height.
	- If CCTV is deemed appropriate to mitigate against any risk then the system must be carefully thought through, have an operational requirement written down and designed carefully. Further information can be found at <u>www.ico.gov.uk</u> as well as within the SBD New Schools guide already supplied to you.
	- Plant room, IT suites and any other high cost, high risk desirable property should be protected by solid walls and PAS 24:2012 doors. If computers, IT, laptops or Notepads, I-Pads etc are left in situ in ground floor classrooms with windows then these windows should be protected by shutters or collapsible grilles to LPS 1175 rating 1 or STS 202 rating 1 or higher.
	- Car parks should have a secure access controlled boundary during the lock down period of the school day.
	- Due regard for reception security needs to be factored in. A panic alarm should be considered that links into the staff room or other manned area.
	- Front office/reception points should overlook and have a clear line of site of pedestrian entrance and vehicular entrance. The reception desk should create an airlock where visitors have to go through two access control points in order to get to school corridors and or classrooms.
	- All entrances, exits and doors should be lit to this same standard.
	- All lighting to communal outside areas e.g. roads, driveways, entrances, footpaths and parking, car park areas to meet BS 5489-1: 2013. A lighting engineer should design this so no shadows are created and white light is used. Uniformity of light should achieve a rating of 0.4Uo and should never fall below 0.25Uo.
	- Main communal entrance door to the school should meet LPS 1175 SR2 or STS 202 BR2.

# APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan polices 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

3 London's people Policy 3.1 Ensuring equal life chances for all Policy 3.18 Education facilities Policy 3.19	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 Policy 7.18 Protecting local open space and addressing local deficiency
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)	Policy CS16 (Play Space) Policy CS17 (Sports and Recreation Provision)
C) Development Management Policies	Policy CS19 (Health Impact Assessments)
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Design and Heritage DM2.1 Design DM2.2 Inclusive Design Shops, Culture and Services DM4.12 Social and Strategic infrastructure and cultural facilities

Health and open space DM6.3 Protecting open space DM6.4 Sport and recreation

Infrastructure DM9.1 Infrastructure DM9.3 Implementation

#### Designations

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

#### **Islington Local Plan**

Core Strategy Key Area; Nags Head and Upper Holloway Road Archaelogical Priority Area - Moated Manor House for Barnsbury Manor (APA17)

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

The following SPGs and/or SPDs are relevant:

#### Islington Local Plan

Environmental Design Urban Design Guide

#### London Plan

Accessible London: Achieving and Inclusive Environment Providing for Children and Young Peoples Play and Informal Recreation Planning for Equality and Diversity in London