



PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE A		
Date:	09 October 2014	NON-EXEMPT

Application number	P2014/1372/FUL
Application type	Full Planning (Council's Own)
Ward	Clerkenwell
Listed building	Not listed
Conservation area	Not in a Conservation Area
Development Plan Context	Central Activities Zone, Bunhill and Clerkenwell Key Area, Local Views from Archway Road and Archway Bridge.
Licensing Implications	n/a
Site Address	Three Corners Centre, Northampton Road, London EC1,
Proposal	Erect an internally located 3.0m high wooden fence with double access gate along Northampton Road boundary.

Case Officer	Henrik Dorbeck
Applicant	Islington Council - Guy Lawrence
Agent	n/a

1. RECOMMENDATION

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

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



Photo 1 – Location of proposed fence across existing entrance



Photo 2 – View of existing fence to be replicated (left side of photo) and entrance to site (right side of photo)



Photo 3 – Existing tree and interface location of fence with existing building.

4. PROPOSAL (IN DETAIL)

- 4.1 Planning Permission is sought for the erection of a maximum 3.0m high fence between the existing 'bin-stores' and the Three Corners building at the subject site. The fence will be a continuation of an existing fence and is set back from the street frontage internally within the site. The fence will follow the undulation or topography of the site to not exceed a maximum of 3.0m in height. The fence is proposed for security purposes.
- 4.2 The proposed fence, while creating a new visual barrier, will maintain visual permeability to the site through its design and will provide visual interest to parties passing the site. The fence will be a continuation of an existing fence which will provide a uniform frontage to the site and maintain uniformity. Further the proposed fence will sit internally within the site lower than the existing pavement level thereby reducing the perceived height.
- 4.3 The proposal does not raise any adverse impacts on the amenity of neighbours or adverse impacts on the safe operation of the highway.
- 4.4 Council's Tree Protection and Landscape Officer is satisfied that the existing tree on the site will not be adversely impacted. However, conditions have been added to control works and potential impacts to this tree.

5. SITE AND SURROUNDING

- 5.1 This application relates to the Three Corners Playground, Sports Area and Centre, located within Spa Fields Park which sits between Northampton Road, Skinner Street, Corporation Row. The east side of Spa Fields Park comprises a landscaped green open park area. The north part of Spa Fields Park is a children's play area. Three Corners

Playground, Sports Area and Centre (the application site) is located to the west of the park at a lower level.

- 5.2 The Three Corners comprises an adventure playground to the east side, a Multi Use Games Area (MUGA) to the south, and a two storey contemporary activity centre building to the west side. The park and the adventure playground are separated by a 1.4m high railing fence. The adventure playground was recently reconstructed due to a fire which destroyed most of the existing structure.
- 5.3 The fence is proposed for security purposes to minimise future attempts at vandalism and destructive activities which have occurred in the past.
- 5.4 The surrounding area is a mix of residential, commercial, and open space. The site is located within the Central Activities Zone and is within 50m of the Clerkenwell Green and Roseberry Avenue conservation areas. The site also has an identified play spaces in accordance with DM6.3.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal is to erect a maximum 3.0m high fence between the existing 'bin-stores' and the Three Corners building. The fence will be a continuation of an existing fence and is set back from the street frontage internally within the site. The fence will follow the undulation or topography of the site to not exceed a maximum height of 3.0m.

Revision 1

- 6.2 During the course of the application, an amended plan was received to change the location of the fence slightly. The amended fence location is supported.

7. RELEVANT HISTORY:

The relevant planning history is set out below:

Planning Applications

- 7.1 P2013/0843/FUL - Installation of 3m high replacement boundary fence to the north and east boundary of the site. Approved with conditions. 14/06/2013.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 86 adjoining and nearby properties at Northampton Road, Green Bowling Lane and Rosoman Street on 22 July 2014. The public consultation of the application therefore expired on 12 August 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 a total of one objection had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
 - Proposed wall and gates will interrupt views over the playground (para 9.2-9.5);

- Proposal will diminish the amenity value of the open space through loss of open aspect (para 9.2-9.5);
- Proposed wall and gates create an oppressive feature (para 9.2-9.5);
- Proposal will be ineffective in achieving extra security; (para 9.11-9.14)
- Proposal will mean that unauthorised access from youths will be more dangerous; (para 9.11-9.14)
- CGI drawings do not show trees and proposal may impact viability of trees onsite; (para 9.6-9.8)
- Alternative approaches to fencing should be sought, similar to remainder of the site (para 9.11-9.14);
- Site needs to be developed in a master planned and integrated manner (para 911-.14);

External Consultees

8.3 None.

Internal Consultees

8.4 Design and Conservation – The proposed fence will relate well to the existing site and will replicate the existing treatment. It is considered acceptable.

8.5 Tree Preservation / Landscape– The proposed wooden wall will have limited impact on trees and landscaping. There are no tree or landscaping reasons to recommend refusal of the application.

Other Consultees

8.6 None.

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.

Designations

9.3 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:

- **Adventure Playground**
- **Central Activities Zone**
- **Local View from Archway Road**
- **Bunhill and Clerkenwell Core Strategy Area**
- **Local View from Archway Bridge**

Supplementary Planning Guidance (SPG) / Document (SPD)

9.4 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

10.1 The proposal is to erect a maximum 3.0m high fence between the existing 'bin-stores' and the Three Corners building. The fence will be a continuation of an existing fence and is set back from the street frontage internally within the site. The fence will follow the undulation or topography of the site to not exceed a maximum height of 3.0m.

- Design, Conservation and Heritage
- Landscaping and Trees
- Neighbouring Amenity
- Highways and Transportation

Design, Conservation and Heritage Considerations (including Archaeology)

10.2 The host site, while not within a conservation area, is located within close proximity to the Roseberry Avenue and Clerkenwell Green Conservation Areas. Those guidelines have been considered in the assessment of this application.

10.3 The proposed fence will provide a new partial visual barrier which restricts some views across the site and affects its current open aspect. However, it is noted that the proposal is to replicate the existing fence on the site (fronting to Northampton Road) in terms of design, materials and visual permeability. Inherently, in fencing the site, the open aspect and views over the site will be impacted; however it is not considered that this is to the sites detriment.

10.4 In this regard, the existing fence on the site allows passers-by to achieve views into the site through gaps between the palings on the fence. Further, the fence includes a number of square panels which are permeable Perspex (or similar) and allow uninterrupted views into the site. The fence is also set back from the front boundary on ground that slopes away and down from the vehicle crossing. The maximum height of the fence would therefore appear lower than 3.0m, and some views may still be achieved over the site. The gaps between the palings, Perspex panels, and type of access gate proposed therefore maintain visual permeability to the site and also provide visual interest to both passers-by and users of the site. It is considered that such a fence is fitting for the intended use and users of this section of the site.

10.5 The Council's Design and Conservation officer is supportive of the proposal. As set out above, the proposed fence will provide continuity to this frontage of the site and provides some visual interest in the form of coloured permeable panels.

Landscaping and Trees

- 10.6 As noted previously, the Council's Tree Protection and Landscape Officer has reviewed the proposal in terms of the impact of this fence on the trees at the front of the site, and is supportive of the proposal.
- 10.7 The proposed fence is to be a maximum height of 3.0m. In this regard it is noted that where the site topography varies, the height of the fence will vary also to adapt and move with these undulations. Specifically, this is important where the fence is proposed to pass under the subject tree on site.
- 10.8 It is noted that some trimming / pruning may be required to the existing trees on site but this will be done by approved contractors.

Neighbouring Amenity

- 10.9 The proposal raises no issues with respect of neighbour amenity.

Highways and Transportation

- 10.10 The proposal raises no issues with respect of highways and transportation. In this regard it is noted that while this application relates to a fence / gate across an existing internal access, that this is set back into the site and will not adversely impact on the operation and or maintenance of the highway network.

Other Matters

- 10.11 Objections have been raised in comments received to this application relate to matters which are not material considerations and are unable to be considered in the context of this application however, some further comment is provided on these below.
- 10.12 Whilst it is noted that issues have been raised relating to the effectiveness of the proposed fence in achieving its stated purpose of 'securing' the site from unauthorised users, it is considered that the Local Planning Authority ('LPA') is not able to seek amendments, refuse or defer an application based the probability or viability of success in this regard.
- 10.13 Similarly, concerns raised as to other unauthorised access routes which may be given rise to as a result of the proposal, and / or the dangers that unauthorised users would experience when trying to access the site, are not material considerations in the determination of whether the proposal meets the Development Plan.
- 10.14 The Local Planning Authority is required to determine the application as submitted, taking into account material considerations, in accordance with the Development Management Plan. In this regard, and as demonstrated above, the proposal is considered to be in accordance with these documents and should be approved accordingly.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 For the reasons set out above, it is considered that the proposal will not have any unreasonable impact on the character and appearance of the area and would have no impacts on trees located on the site, the amenity of neighbours or on the safe operation of the highway.

- 11.2 The proposal is considered to be consistent with the Islington Core Strategy (2011), the Islington Development Management Policies (2013), the Urban Design Guide (2006) and the adjacent Conservation Area Guidelines for the Roseberry Avenue and Clerkenwell Green Conservation Areas.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION D

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

List of Conditions:

1	Commencement
	<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>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Fence Location Plan, TC D01, Indicative CGI Images x2, Site Location Plan.</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>
3	Maximum Height
	<p>CONDITION: Notwithstanding the approved plans, the fence shall be a maximum of 3.0m high above existing ground level and shall accurately replicate the existing fence which fronts to Northampton Road in terms of design, materials, visual permeability, and colour.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is of a high standard and provides a consistent frontage.</p>
4	Changes to fence location
	<p>CONDITION: Should minor deviations to the location of the fence be required to address issues during final design, the amended details will be submitted to and approved by the Local Planning Authority. The fence shall be constructed in accordance with the details thereby approved.</p> <p>REASON: To ensure that the revised location is acceptable in amenity and design terms and In the interest of proper planning.</p>

List of Informatives:

1	Positive Statement
	<p>A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the LPA and the applicant have worked positively and proactively in a collaborative manner through the application stage to deliver an acceptable development in accordance with the requirements of the NPPF. 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 or have been dealt with by condition.</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.</p>
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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

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

Health and open space

DM6.1 Healthy development

DM6.2 New and improved public open space

DM6.3 Protecting open space

DM6.4 Sport and recreation

DM6.5 Landscaping, trees and biodiversity

3. 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:

- **Adventure Playground**
- **Central Activities Zone**
- **Local View from Archway Road**
- **Bunhill and Clerkenwell Core Strategy Area**
- **Local View from Archway Bridge**

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

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan**
- **Conservation Area Design Guidelines**
- **Urban Design Guide**