

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- B COMMITTEE	AGENDA ITEM NO:
Date: 29 th June 2015	Non-exempt

Application number	P2015/0386/FUL
Application type	FULL Planning Application
Ward	Highbury East
Listed building	Unlisted, but sited adjacent to Grade II listed Highbury Fields (open space)
Conservation area	Highbury Fields
Development Plan Context	Adjoining Metropolitan Open Space, adjoining Grade II listed Open Space, adjoining Site of Importance for Nature Conservation. Sited within designated open space.
Licensing Implications	none
Site Address	Highbury Pool, Highbury Crescent, Islington N5 1RR
Proposal	Single storey extension with pitched roof. Flat roof draught lobby box to the front. Double height extension sitting above the existing gym, spa and plant areas on Eastern side elevation.

Case Officer	Ben Phillips
Applicant	GLL - Mrs Lucy Murray-Robertson
Agent	Arkon Associates Ltd - Mr Ian Connew

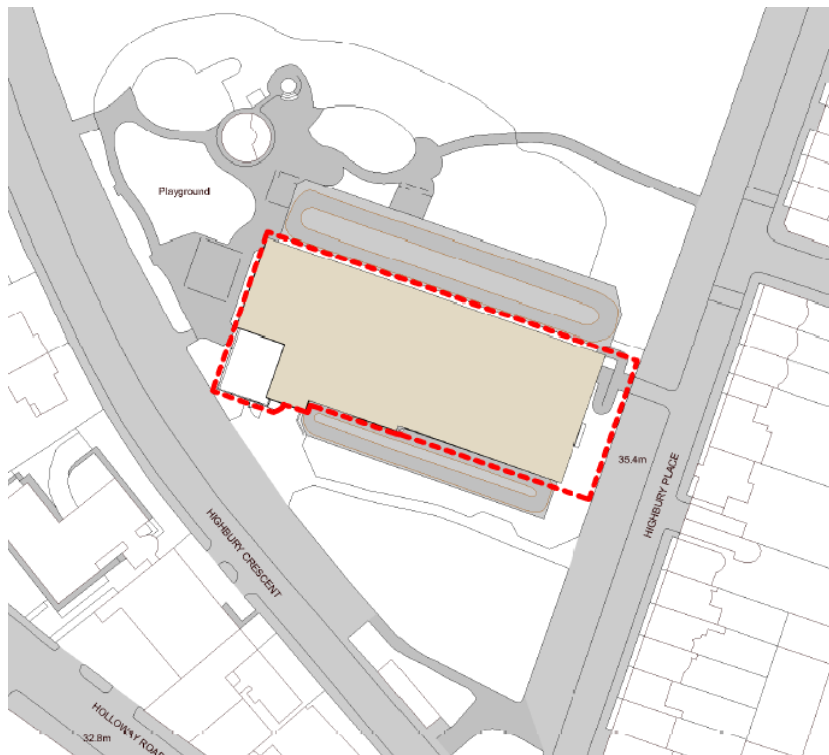
1. RECOMMENDATION

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

subject to the conditions set out in Appendix 1;

1.1

2. SITE PLAN (site outlined in black)



3. PHOTOGRAPHS



Image 1: View of Eastern side elevation



Image 2: View of front (south) elevation

4. SUMMARY

- 4.1 It is considered that the proposed scheme, as amended, provides a good quality design that preserves the setting of the adjoining grade II listed Highbury Fields Open Space (and nearby listed properties on Highbury Crescent) and adjoining site of importance for nature conservation and preserves the character and appearance of the Conservation Area, whilst providing improved access and facilities to the sports centre.
- 4.2 The extensions to the existing building will not harm the ecology or amenity value of the metropolitan open space and will not have a detrimental impact upon the amenities of neighbouring properties.

5. SITE AND SURROUNDING

- 5.1 The application relates to Highbury Pool, located within a designated open space and the Highbury Fields Conservation Area. It is sited adjacent to the grade II listed Highbury Fields open space and nearby nos 10 & 11 Highbury Place and 7 & 8 Highbury Crescent which sit opposite the site to the south west and east respectively. The whole of Highbury Fields, including the leisure centre, is designated as public open space and the land to the north of the leisure centre is designated as a metropolitan open space and a site of importance for nature conservation.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal is for an extension to the leisure centre. There are two separate extensions, one single storey addition on the western side of the building,

infilling the existing staff car park and providing a new entrance and reception area. On the western side of the building a first floor extension is proposed providing 2 new studios.

- 6.2 Minor alterations to the roof plant works are also proposed to facilitate the first floor extension.

7. RELEVANT HISTORY:

- 7.1 **820020** Redevelopment of the Highbury Fields swimming pool site to provide new swimming pool paddling pool sunbathing terrace and landscaped surrounding. Granted 26/05/1982
- 7.2 **951181** Construction of a single storey gymnasium extension. Granted 16/10/1995
- 7.3 **P022168** Erection of extension to provide gymnasium and changing room at ground floor level and, at a mezzanine level, an aerobics studio. Granted 27/05/2003
- 7.4 **P052649** Erection of extension to existing gym, to provide new gym with associated offices, two new aerobic studios, a health suite and associated changing rooms and a rest area. Granted 23/02/2006

PRE-APPLICATION ADVICE:

- 7.5 Q2014/4097/MIN (03/03/2015) Extensions to the existing pool building/sports centre. Extension acceptable in principle, subject to improvements to the eastern side elevation and detailed landscaping information being submitted.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 109 adjoining and nearby properties on the 25th of February and then, following the submission of amended drawings, on the 12th of May 2015. A site notice and press advert were displayed on 14th of May 2015. The public consultation of the application therefore expired on 28th of May 2015, 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 11 objections 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):
- Poor design (para 10.5-10.18)
 - We require details of the proposed landscaping plan (10.22)

- The submitted D&A statement and submission as a whole is inadequate (10.27)
- The existing internal layout is not acceptable (10.27)
- The proposal is very prominent and ignores the context of the conservation area (10.5-10.18)
- The new windows on the eastern side will overlook my property (10.24)
- Is the signage necessary (10.28)
- How will the loss of the front car park affect the running of the centre? (10.17)

Internal Consultees

- 8.3 Design and Conservation Officer : *The proposed new lobby extension will only infill a gap within the pool site and is in keeping with the existing style and materials of the building. No objection.*

The proposed extension above the existing gym is considered unacceptable in principle due to its siting on the most prominent corner of the building. We do not support any additional height as this will impact on the views across Highbury Fields and the appreciation of the open space as well as the setting of the numerous listed buildings that surround Highbury Fields.

- 8.4 Following amended plans: *The amended eastern elevation is an improvement. However I do retain concerns regarding the height of the building at this point.*
- 8.5 Tree Preservation / Landscape Officer: *No objection, subject to condition relating to further details of protection of existing trees during the construction process.*

External 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.

9.2 Since March 2014 Planning Practice Guidance for England has been published online.

Development Plan

9.3 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application 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:

- Highbury Fields Conservation Area
- Public Open Space
- Adjacent to Metropolitan Open Space
- Adjacent to Grade II listed space
- Adjacent to site for importance of nature conservation

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:

- Land use
- Design, conservation and heritage considerations
- Landscaping and Trees
- Neighbouring Amenity

Land Use

10.2 The supporting text of Policy DM6.4 states that indoor and outdoor sport and recreation facilities within Islington are important assets for public health and enjoyment, and for engendering a sense of community.

10.3 Core Strategy policy CS17 states that existing sports facilities should be safeguarded and improved in quality, accessibility and capacity (where possible) so that the maximum use of all existing facilities can be made.

10.4 The proposed development is an extension to an existing building and does not introduce a new use. It does however intensify the existing use and improve the existing sport facility in accordance with the above policy. In

principal therefore it is considered that the development in land use terms is acceptable. The enlargement of the building and its impact on the designated open space is considered below.

Design, Heritage and Conservation Issues

- 10.5 The Highbury Fields Conservation Area appraisal states that the area derives its special character and appearance from the consistently high architectural and historic quality of its buildings, combined with a spacious scale of development. Planning permission will not be granted to change, expand or intensify uses which would harm the character of the conservation area.
- 10.6. In addition, Policy DM2.3 of Islington's Development Management Policies state that new development within Islington's conservation areas and their setting are required to be of a high quality contextual design so they conserve or enhance a conservation areas significance. New developments within the setting of a listed building are required to be of a good quality contextual design.
- 10.7 Given the isolated siting of the building within the southern end of the park and not within the established historic pattern of development around Highbury Fields, it is viewed in the context of the open park setting and is highly prominent. The existing building is single storey (with internal mezzanine) and is surrounded by extensive landscaping and mature trees. It is obscured in a number of views by the landscaping and its visual impact upon the surroundings is limited. This is in part due to its simple design and single storey nature.

First floor extension

- 10.8 The proposed first floor extension is sited in a visible position position next to Highbury Place and the adjacent walkway. This is the most prominent side of the building.
- 10.9 Policy DM6.3 states that *development proposals within the immediate vicinity of public open space must not impact upon the amenity, ecological value and functionality of the space.*
- 10.10 Whilst the fact that this part of the development does not extend the footprint of the building, and therefore reduce the surrounding open space is clearly supported, given the prominence of this elevation, the visual impact of the massing of the side elevation is considered to be of key importance.
- 10.11 The original submission proposed a combination of obscure glazing panels, white through colour recessed render panels and an offset brick panel, in addition to a white rendered panel for signage, in order to break up the massing of this side elevation.
- 10.12 It was considered that this proposal did not reduce the visual impact of the eastern side elevation sufficiently, and was not of sufficient design quality.

- 10.13 The elevation retains the simple pitched roof but has been amended to introduce a number of full height slot windows (and some dummy recessed openings) which introduces a rhythm and vertical emphasis that successfully breaks up the massing and echoes the grade II listed properties opposite on Highbury Place. In addition, the rendered panel for signage is replaced with stainless steel pinned off lettering (although this will be the subject of a separate advertisement consent application).
- 10.14 The Design and Conservation Officer has stated that the amended design is an improvement to the original submission, but do retain concerns about the scale and massing of this elevation.
- 10.15 On balance however, it is considered that amended design successfully reduces the visual impact of the additional massing and, in addition to the improved landscaping on this elevation, (to be agreed via a condition) will not harm the character of the Conservation Area, nor visually harm the designated open space or setting of the adjoining metropolitan open space.

Single storey extension

- 10.16 With regards to the single storey extension to the front (south) of the building, extending into the existing staff car park, is considered to be in keeping with the existing building and will have a limited impact upon the surroundings. The extension will sit within the fenced off existing car park which is not part of the open space to the north of the building.
- 10.17 The loss of car park spaces will comply generally with policy with regards to car free development (the staff will not be provided with additional parking spaces through any extended hard standing).
- 10.18 It is therefore considered that the proposed extensions will not harm the setting of the grade II listed Highbury Fields or the adjacent grade II listed properties.

Landscaping and Trees

- 10.19 The existing building is surrounded by trees and vegetation which help to obscure the building from view and reduce its visual impact.
- 10.20 A detailed arboricultural report has been submitted and set out methods for safeguarding the future of existing trees and setting out a landscape proposal for additional planting on the eastern side elevation. No trees (with a diameter of over 75mm) will be removed as part of the proposals.
- 10.21 The Tree Officer has no objection to the proposal, subject to further detail being submitted regarding protection of the retained trees and the appropriate working methods. Conditions to this effect are recommended.
- 10.22 In addition, new landscaping is shown on the eastern elevation. Further details of this scheme is also required by condition to ensure that it is appropriate to this location.

10.23 It is not therefore considered that the proposal will have a detrimental impact upon the amenity and ecological value of the public open space.

Neighbouring Amenity

10.24 The Highbury Pool building is sited some 30m from the front elevation of the properties on the eastern side of Highbury Place. As such, the impact of the additional massing on the eastern side of the building, both in terms of outlook and overbearance, will be limited and not sufficient to warrant a recommendation of refusal. Neither does it result in a loss of daylight/sunlight to these properties, given the separation distance of over the 18m face to face minimum .

10.25 The proposal does include new first floor fenestration (full height slot windows), however given the distance (policy DM2.1 states that 18m is an appropriate distance between habitable room windows and furthermore states that overlooking across a public highway does not constitute an unacceptable loss of privacy) and the use of the building it is not considered that these windows will have an unacceptable overlooking impact.

10.26 It is also not considered that the limited intensification of the site will have a detrimental impact in terms of noise, given the separation distances. In terms of light pollution, the windows are clear, however given the closing time for the leisure centre of 10pm, it is not considered that this would have a detrimental impact upon neighbouring amenity.

Other Matters

10.27 Notwithstanding the above, 14 letters of objection have been received, the relevant issues pertaining to which have been addressed above. It is considered that the submitted documents and drawings are sufficient for full consideration and determination of this proposal. The internal arrangements of the existing building is not a material planning consideration.

10.28 As stated above, advertisement consent will be required for the signage outlined on the eastern elevation, however as annotated, the signage will be good quality stainless steel pinned off lettering. In terms of whether it is necessary, should the design and impact on public safety be considered acceptable then this would not be a material planning consideration.

11. SUMMARY AND CONCLUSION

Summary

11.1 It is considered that the proposed development, on balance, will not have detrimental impact upon the character and appearance of the existing building and will preserve the setting of the Highbury Fields Conservation Area and Grade II listed Highbury Fields Metropolitan Open Space in accordance with Policy DM2.3 and DM6.3.

- 11.2 The proposal is also considered to have no detrimental impact upon the amenities of any neighbours, or upon the amenity and ecological value of the public open space.

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

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

List of Conditions:

1	Commencement
	<p>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>The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>P001A, P002A, P100A, P101A, P102A, P103, P104A, P105A, P106A, P107A, P108B, P109, P110B, P120, FS231. Design & Access Statement revision A (Arkon Associates), Aboricultural Report (Andrew Day 5th Feb).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>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>
4	Landscaping
	<p>A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c) existing and proposed underground services and their relationship to both hard and soft landscaping; d) proposed trees: their location, species and size;

	<p>e) soft plantings: including grass and turf areas, shrub and herbaceous areas;</p> <p>f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</p> <p>g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</p> <p>i) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such.</p>
5	<p>Tree protection</p>
	<p>Notwithstanding the arboricultural detail provided , no site clearance, preparatory work or development shall take place until the following further detail for the protection of the retained trees and the appropriate working methods in accordance with BS 5837:2012 -Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Specific issues to be dealt within the arboricultural method statement (AMS):</p> <p>a. The methods of ground protection should the existing hard surfaces be removed.</p> <p>b. Methods for delineating the RPA on site so ambiguity to its extent can be clearly seen on site</p> <p>c. Methods of removal of current surfacing within the within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees</p> <p>d. Tree protection during construction indicated on a tree protection plan (TPP), including the method of identifying where construction and construction activities are prohibited and the position of material storage, welfare units and any associated construction activities.</p> <p>e. The pavement is not to be obstructed during demolition or construction and</p>

	<p>the RPA of retained trees not to be used for storage, welfare units or the mixing of materials.</p> <p>f. The method of protection for the retained trees</p> <p>REASON: To ensure that the development does not prejudice the life, health and stability of trees to be retained on and adjacent to the site, in accordance with policy 7.21 of the London Plan 2011, policy CS15 of Islington's Core Strategy 2011 and policy DM6.5 of Islington's Development Management Policies 2013.</p>
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List of Informatives:

1	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
2	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
3	<p>Positive Statement</p> <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>

A pre-application advice service is also offered and encouraged. 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.

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.

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.

Since March 2014 Planning Practice Guidance for England has been published online.

2. Development Plan

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 following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

4 London's economy

Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision

7 London's living places and spaces

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.17 Metropolitan Open Land

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.20 Geological conservation

Policy 7.21 Trees and woodlands

B) Islington Core Strategy 2011

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS15 (Open Space and Green Infrastructure)

Policy CS16 (Play Space)
Policy CS17 (Sports and recreation provision)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Health and open space

DM6.2 New and improved public open space

DM6.3 Protecting open space

DM6.4 Sport and recreation

DM6.5 Landscaping, trees and biodiversity

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:

- Highbury Fields Conservation Area
Adjacent to Metropolitan Open Space
Public Open Space
Adjacent to Grade II listed space
Adjacent to site for importance of nature conservation
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7. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Conservation Area Design Guidelines