

# PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB- COMMITTEE B</b>		
<b>Date:</b>	29 <sup>th</sup> June 2015	<b>Non-Exempt</b>

Application number	P2015/1251/FUL
Application type	Full Planning Application
Ward	Tollington
Listed building	unlisted
Conservation area	Not in a conservation area
Development Plan Context	iCycle Routes (local)
Licensing Implications	None
Site Address	St Mark's Primary School, 175 Sussex Way, London N19 4JF
Proposal	Demolition of the existing nursery building and construction of a single storey Early years Unit with associated works including canopies and a replacement boundary fence at St Mark's Primary School

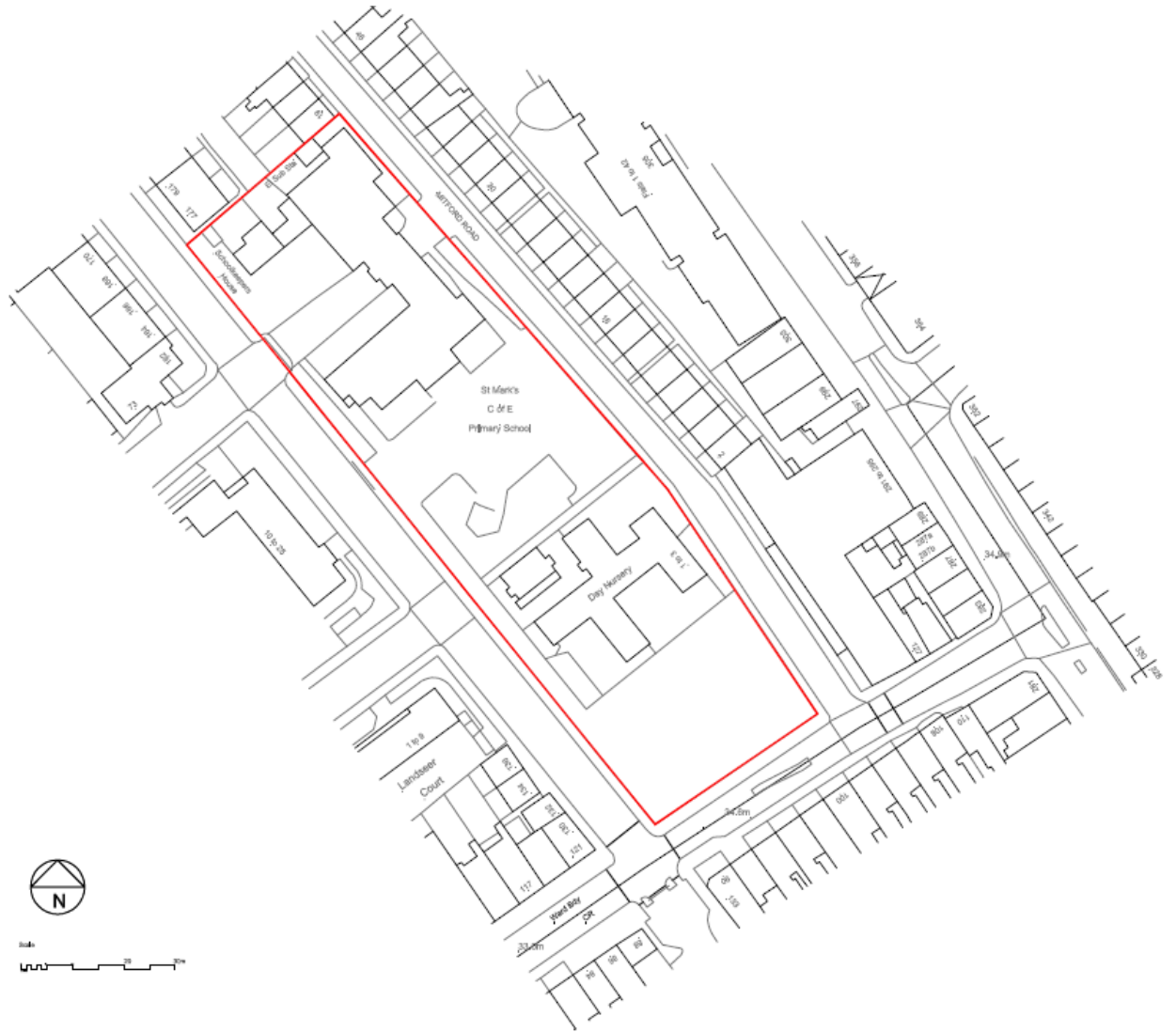
Case Officer	Clare Preece
Applicant	London Diocesan Board for Schools
Agent	Loxton and Associates

## 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

Application site



Image 1: Aerial photo



Image 2: View from Sussex Road



Image 3: View from Mitford Road



Image 4: View from Tollington Way



Image 5: View from Tollington Way



#### **4. SUMMARY**

- 4.1 The proposal is to replace the existing nursery school building with a new single storey Early years Unit with associated works including canopies and a new boundary fence at St Marks primary school
- 4.2 The proposed building with associated alterations would not detract from the character and appearance of the school and the surrounding area and would not detrimentally impact upon neighbour amenity.
- 4.3 The application is therefore recommended for approval.

#### **5. SITE AND SURROUNDING**

- 5.1 The application site is located between Mitford Road and Sussex Way and is part of St Marks Primary School.
- 5.2 The main pedestrian access is from Mitford Road but there is a subsidiary access from Sussex Way. The existing access gate in the north west corner of the site will be retained and an additional pedestrian gate is proposed further south along Mitford road, opposite the building entrance. This new gate will be only used by parents of the 2 year old children attending the school.
- 5.3 The site is not located within a Conservation Area, nor is the property statutorily listed.
- 5.4 The surrounding area is residential in character. Mitford Road consists of two storey dwelling directly opposite the school and a recently developed apartment block close to the junction with Tollington Way. Sussex Way is lined with four storey apartment blocks and two and three storey houses and maisonettes.

#### **6. PROPOSAL (IN DETAIL)**

- 6.1 The proposed development involves the demolition of the existing day nursery and the replacement with a new purpose built Early Years Foundation stage unit. The proposed footprint of the building will be 330m<sup>2</sup> (existing foot print 404m<sup>2</sup>).
- 6.2 The facility will include:
- Three classrooms, one each for two year old children, nursery children and reception
  - A group room
  - Office space and storage
  - Pupil's cloak area
  - Storage
  - Toilets
  - Staff toilets
  - A kitchen

- Covered external teaching areas
- Play areas to the north and south

- 6.3 The building will be single storey in a 'T' shape with canopies on the northern and southern sides. The remainder of the area around the footprint will be used for playgrounds and all existing trees will be retained.
- 6.4 The proposed materials will include NORclad for the external wall cladding which is a European redwood, dark grey powder coated pressed metal for fascias, eaves and windows and firestone EPDM single ply membrane for the roof covering. Samples of these materials have been submitted for approval with the application.
- 6.5 The remainder of the school site and the all-weather pitch will remain unchanged.
- 6.6 The existing access gate in the north west corner of the site will be retained and an additional pedestrian gate is proposed further south along Mitford road, opposite the building entrance. This new gate will be only used by parents of the 2 year old children attending the school.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 P111366: refurbishment of existing playground, including creation of artificial grass pitch, replacement of boundary fences, installation of floodlights. Approved 13<sup>th</sup> October 2014.

### **ENFORCEMENT:**

- 7.2 None

### **PRE-APPLICATION ADVICE:**

- 7.3 No history

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of adjoining and nearby properties on 23<sup>rd</sup> April 2015. The public consultation of the application therefore expired on 15<sup>th</sup> 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 three responses 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):

- No public consultation has taken place – breach of planning process (10.25)
- Elevations are disappointing (10.4-10.9)
- Flat roof should have been a biodiversity roof and the existing gardens could be extended with some imagination (10.15 – 10.21)
- The cross road adjacent could do with pedestrianisation – can S106 funding be used (10.26)
- Construction hours should be limited on the weekend to between 8am and 1pm on a Saturday and Sunday (10.27)

### **External Consultees**

8.3 None

### **Internal Consultees**

8.4 **Design and Conservation** – no objection in principle. Further information is required in relation to the polycarbonate roof. Samples submitted are satisfactory.

8.5 **Sustainability officer** – no objections in principle subject to a condition regarding a green roof and a landscape and drainage strategy.

8.6 **Tree Preservation / Landscape Officer** - no objection in principle subject to informative requiring an invitation to attend arboricultural supervision at key stages of development.

8.7 **Education officer** – no comments received

## **9. RELEVANT POLICIES**

9.1 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**

9.2 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.

### **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. 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

- **iCycle routes**

### **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:

- Principle (Land Use)
- Design
- Neighbouring amenity
- Sustainability
- Highways and transportation
- Other matters

### **Land-use**

- 10.2 The Mitford Centre, the building to be replaced, was previously a nursery school. It will now be part of St Mark's Primary School and the new building will accommodate the youngest pupils attending the nursery and nine 2 year old children attending in the morning and nine in the afternoon. The land use will therefore remain the same as existing and the principle of the development is considered acceptable. The proposal will improve the general quality of the school and nursery building, providing better educational facilities. It will also allow for children from 2 – 11 to be educated in a mainstream setting.
- 10.3 The applicants agent has indicated that overall it is not expected that the number of children attending the school will be more than previously on the combined site. The new building will therefore not facilitate the intensification of the site and the building will be smaller in footprint than the existing.

### **Design**



- 10.4 The building is considered to be acceptable in terms of size. The shape of the building will be a 'T' shape with canopies on the northern and southern sides. Its position will be located closer to the all weather pitch, however the footprint of the building will be reduced. The proposed building footprint will be 330sqm, rather than the existing 404sqm. The remainder of the existing area around the building will be laid out to playgrounds, with the existing trees retained. A landscaping plan has been submitted and discussed in the section below.
- 10.5 The building is modest in height with the maximum height being 4.5m with various shallow mono pitched roofs. The lowest eaves level will be located on the south side to respect the two storey residential properties in Mitford Street and the higher eaves line on the northern side reflects the apartment blocks to the north and east. The design will be contemporary and will include timber boarding, polycarbonate roofing to the canopies and powder coated steel fascias.
- 10.6 Samples have been submitted as part of the application. The majority of the materials were considered acceptable by the design officer but the proposed fascia material was queried and it was requested that the fascia and eaves should be powder coated pressed metal of colour Dark grey to match the windows. This has been confirmed by the architect as acceptable. The norclad material proposed for the wall cladding is a European redwood also known as Scots pine and is a real wood not a composite material. It holds its colour longer than similar products and will enrich overtime. Little or no maintenance is required.
- 10.7 Concern was also raised from the design officer in relation to the proposed polycarbonate canopy roof covering. A photograph has subsequently been submitted of a building recently completed with the same roof specification. The polycarbonate canopy is a lightweight structure which provides shelter for the children to play outside in all weathers but still allows light into the windows below.
- 10.8 Given the main canopies are largely internalised within the site, have a limited public view and are required to provide shading for the children, the proposed polycarbonate material is considered to be acceptable. As stated above they will be a lightweight material which will not increase the overall bulk of the building.
- 10.9 Accordingly, there would be no conflict with policies CS8 and CS9 of the Islington Core Strategy, policy DM2.1 of the Development Management Policies and guidance contained within the Islington Urban Design Guide.

### **Landscaping and Trees**

- 10.10 The arboricultural report submitted with the application is sufficient to manage the arboricultural impacts from development and all the trees on site are to be protected and retained.

10.11 The report provides methodologies which will need to be adhered to and highlights the need for further root investigation and arboricultural supervision at key stages of development. A pre commencement meeting request with Council's tree officer will be added as an informative to the decision.

### **Neighbouring Amenity**

- 10.12 The proposed new building will be reduced in footprint from 404m<sup>2</sup> to 330m<sup>2</sup> and will essentially be shifted between 3 and 5m towards the all weather football pitch. There is already an existing nursery building in place and it is not expected that the number of children attending the school will be more than previously on the combined site.
- 10.13 The nearest neighbouring properties will be in Mitford Street and as stated above, the building has been designed with the lowest eaves level on this elevation. It is not considered that there will be any adverse impacts upon the amenities of the surrounding residents.
- 10.14 In addition the existing access gate in the north west corner of the site will be retained and an additional pedestrian gate is proposed further south along Mitford road, opposite the building entrance. This new gate will be only used by parents of the 2 year old children attending the school.

### **Sustainability**

- 10.15 Detailed plans and details have been submitted in response to Council's sustainability officer comments regarding the feasibility of a green roof and a landscaping scheme and drainage strategy for a sustainable urban drainage system. In conjunction with the contractors, MPH Building Systems who have been engaged to design and construct the building, the applicant's agent has submitted further information in relation to this requirement
- 10.16 The information submitted indicates that a green/brown roof has been considered but would not be feasible on the proposed building design. They have stated that the proposed structure has been designed to support all the standard live and dead loads, but has not been designed to support the saturated weight of a lining roof. The addition of a green or brown roof would have a profound effect on the design principles adopted in their current design. The weight of a lining roof would vary dramatically depending on the species of plant and the thickness of the filtration layers.
- 10.17 Additionally as the building is a nursery, there is limited financial means which must be expanded to the benefit of the education of children. The addition of a green/brown roof would add significantly to the capital cost of the building and importantly add to the annual maintenance costs of the building. The introduction of a green/brown roof would involve significant re-design of the standard system which would add significant delays to the works.
- 10.18 In relation to a landscape and sustainable drainage system, the applicant has stated that the site area of the school is required to be predominately play

space, so opportunities to provide soft landscaped areas is limited. There are however existing areas of soft landscaping which will be enhanced.

- 10.19 Landscape drawings have been submitted by a landscape architect showing a detailed landscaping scheme for the areas of planting around the building which will significantly increase the biodiversity on the site. This will include native planting strategy to strengthen the wider landscape character, contribute to local biodiversity and encourage wildlife penetration of the site, a wide variety of plant species is proposed ensuring a good habitat and wide range of food to suit all fauna including birds, bees, butterflies, bats, bugs and insects, a pond, dead woodpile, bird boxes, maintaining sustainable gardening. In addition this scheme would promote a sustainable biodiverse landscape which will be accessible as an educational resource
- 10.20 In terms of a sustainable drainage system, the rainwater from the roof and paved surface areas around the existing building discharge into the combined public sewers via the existing on site drainage system. A plan has been submitted which shows the introduction of two soakaways designed to meet the recommendations/requirements set out in Part H of the Building regulations. The sustainable drainage system will result in 100% of the rainwater from the roof of the new building and the surrounding paved areas discharging into the soakaways rainwater will no longer discharge to the public sewer system.
- 10.21 On balance, the landscape and biodiversity choice of measures as outlined in paragraph 10.18 – 10.21 are considered sufficient in this instance given the scale and nature of the development and therefore complies with policy DM7.1 of the development management Policies 2013.

### **Highways and Transportation**

- 10.22 The applicant states that the new building is not expected to increase the number of children accommodated on the site overall and the existing travel arrangements will continue to operate. As shown on the site plan, the existing access gate in the north west corner of the site will be retained and an additional pedestrian gate is proposed further south along Mitford road, opposite the building entrance, This new gate will be only used by parents of the 2 year old children attending the school.
- 10.23 The school has an existing travel plan which will continue to be reviewed and enhanced. No car parking spaces are available on site and this will remain the same. No objection has been raised by the School Travel Plan officer

### **Other Matters**

- 10.24 In terms of issues raised by representations that have not been addressed in the report, these are addressed below
- 10.25 In relation to comments regarding consultation, the applicants are not obligated to consult prior to submitting a planning application. The Council are

required to consult all adjoining properties which has been carried out and therefore there is no breach of the statutory planning process.

10.26 In relation to the pedestrianisation of the cross road, this application does not require a S106 and therefore cannot be requested as part of this application.

10.27 The applicants will need to adhere to the construction code of practice. If this is breached it should be reported and investigated. A condition has been attached to ensure that the applicant adheres to the Council's

## **11. SUMMARY AND CONCLUSION**

### **Summary**

11.1 The proposal is considered to be acceptable in terms of design and appearance and will not impact upon the amenities of the neighbouring properties.

### **Conclusion**

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

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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 permitted shall be carried out in accordance with the following approved plans:</p> <p>L1152/2.4/01;E10269-05 L1152/2.3/11; L1152/2.3/12; E10269-03G; E10269-04E; E10269-06C; E10269-07C; E10269-08C; E10269-09; Design and Access statement by Loxton Associates; Arboricultural Assessment by ACS consulting dated 23rd March 2015; Supporting statement prepared by Loxton and Associates datd 5<sup>th</sup> June 2015; Landcape plans 1/3;2/3;3/3 prepared by Randa Hughes dated 3<sup>rd</sup> June 2015;</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	Materials
	<p>CONDITION: The following material samples submitted hereby approved shall be maintained as such thereafter:</p> <p>1 External Wall cladding – Timber boarding – Norclad Scandinavian Redwood;</p> <p>2 Fascais, eaves and windows - powder coated pressed metal of colour BS18B25 Dark Grey;</p> <p>3 roof covering – Firestone EPDM single ply membrane</p> <p>REASON: To ensure that the appearance of the building is acceptable</p>

### List of Informatives:

1	Trees
	The tree officer expects to be invited to the pre-commencement meeting (6.2),

	see the results of the root assessment(3.8) and be copied into the site supervision reports (6.4) in line with the recommendations made in the approved Arboricultural Implications Assessment and Method Statement ( ref aiams2/stmarks).
2	<p><b>Superstructure</b></p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>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>
3	<p><b>Community Infrastructure Levy (CIL) (Granting Consent)</b></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 <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. 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: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p><b>Pre-Commencement Conditions:</b></p> <p>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>



## 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 3.18 Education facilities

##### **5 London's response to climate change**

Policy 5.3 Sustainable design and construction

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

##### **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 7.5 Public realm

Policy 7.6 Architecture

## **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**

**DM2.1** Design

**DM2.2** Inclusive Design

**DM7.1** Sustainable design and construction

### **4. Planning Advice Note/Planning Brief**

None

### **5. 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:

- 1 cycle routes (local)

### **7. Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

#### **Islington Local Plan**

- Urban Design Guide