



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 A		AGENDA ITEM NO:	
Date:	28 th January 2014	NON-EXEMPT	

Application number	P2013/4280/FUL
Application type	Full Planning Application
Ward	Canonbury
Listed building	Unlisted
Conservation area	None
Licensing Implications	None
Site Address	Land in front of Rotherfield Court, Rotherfield Street, N1 3EE
Proposal	Creation of a new path, replacement of the 1.2m and 1.6m high railings around the edge of the green space with 1.8m high railings and gates and the introduction of low level play equipment and seating.

Case Officer	Sally Fraser
Applicant	Islington Council
Agent	Groundwork London

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



3 PHOTOS OF SITE/STREET



1. View of the site looking from Elizabeth Avenue



2. View of the site from Rotherfield Road



3. The existing central play area



4. The north eastern boundary of the site with Rotherfield Court

4 SUMMARY

- 4.1 The application seeks permission for modifications to the existing playground, including the replacement of existing 1.2m and 1.6m high railings with 1.8m high railings to the boundaries of the site, new play equipment and seating and a new path.
- 4.2 The main considerations are the impact of the development on the character and appearance of the area and the impact of the development on the residential amenities of the neighbouring occupiers.
- 4.3 The proposed development is acceptable. The proposed modifications would be in keeping with the character of the area and would not unduly harm the amenities of the neighbouring occupiers.

5 SITE AND SURROUNDING

- 5.1 The application site is a green square located on the junction of Rotherfield Street and Elizabeth Avenue.
- 5.2 The square contains a central hard surfaced children's play space, which was granted planning permission in January 2013 under reference P2013/0020/FUL.
- 5.3 The site is not listed. It is not located within a conservation area but is located adjacent to the Canonbury East conservation area.
- 5.4 There are no protected trees on the site.

6 PROPOSAL (IN DETAIL)

6.1 The proposed modifications to the existing play space include:

- New 1.8m high railings to replace existing 1.2m and 1.6m high railings on the southern east, south west and north western boundaries of the site
- New wooden low level play equipment
- New path around existing hard surfaced play space
- An area of wildflower planting

7 RELEVANT HISTORY

Planning Applications:

7.1 **P2013/0020/FUL**- Creation of hard surface play area within existing green space, with new gate access onto Rotherfield Street, and new low railing along the NE boundary of the site and associated works. Approved 03/01/2013.

Enforcements:

7.2 None

Pre- Application Advice:

7.3 None

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 106 adjoining and nearby properties on 14/11/2013. A site notice was displayed on 21/11/2013. The public consultation of the application therefore expired on 12/12/2013, 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, 1 letter had been received from the public with regard to the application, where questions were asked regarding the specifics of the proposal. A letter has been sent to the respondent in response.

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 relevant SPGs and/or SPDs are listed in Appendix 2.

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- the impact of the development on the character and appearance of the area
- the impact of the development on the residential amenities of the neighbouring occupiers

Impact of the development on the character and appearance of the area

- 10.2 Development management policy DM2.1 states that 'all forms of development are required to be of high quality... and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics.'
- 10.3 The proposed play equipment and seating would be low level and primarily wooden. It would be natural appearance, would respond well to the green square and would have a minimal visual impact.
- 10.4 The proposed path would not significantly decrease the amount of grassed area available and would add interest and variety to the space.
- 10.5 The new 1.8m high ball top railings would be permeable to allow for natural surveillance. They would be 0.2m higher than the existing railings to the south east boundary of the square and similar in design. A condition requiring

the railings to be painted black to match the existing railings would be added to the consent. The proposed railings would, as such, have an acceptable impact on the appearance of the street scene whilst providing a higher level of security for play area users.

- 10.6 The wildflower planting to the north of the site would promote biodiversity and would provide visual interest to the site.
- 10.7 Policy DM6.3 states that the council will encourage greater use of suitable publicly accessible open space and play space. The proposal would enhance the existing green space and provide a range of play opportunities for children and young people in a well-designed, secure and stimulating environment.
- 10.8 Overall the proposals would have an acceptable impact on the appearance of the locality and the adjoining conservation area.

Impact of the development on the residential amenities of the neighbouring occupiers

- 10.9 Policy DM2.1 of the Development Management Policies Document states that 'developments are required to provide a good level of amenity including consideration of overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.'
- 10.10 The proposed play equipment would be located towards the centre of the square away from neighbouring properties. The existing use of the site as a children's play area would remain and the proposal would not lead to any increased noise and disturbance to neighbouring occupiers.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development is acceptable. The proposed development would cause no harm to the character and appearance of the area and there would be no undue loss of residential amenity to the neighbouring occupiers.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	<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	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Design and access statement dated 30th Oct 2013, IS058_000, IS058_001, IS058_102, IS058_105, IS058_103, IS058_104, IS058_107 and IS058_106.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>CONDITION: The proposed boundary railings shall be painted black, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To protect the appearance of the adjoining conservation area.</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.

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

1 Context and strategy

Policy 1.1 (Delivering the strategic vision and objectives for London)

Policy 7.4 (Local character)

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

Policy DM2.1 (Design)

Policy DM6.1 (Healthy development)

Policy DM6.3 (Protecting open space)

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

The following SPGs and/or SPDs are relevant:

- Urban Design Guide -
- Inclusive landscape design