

# PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration Department



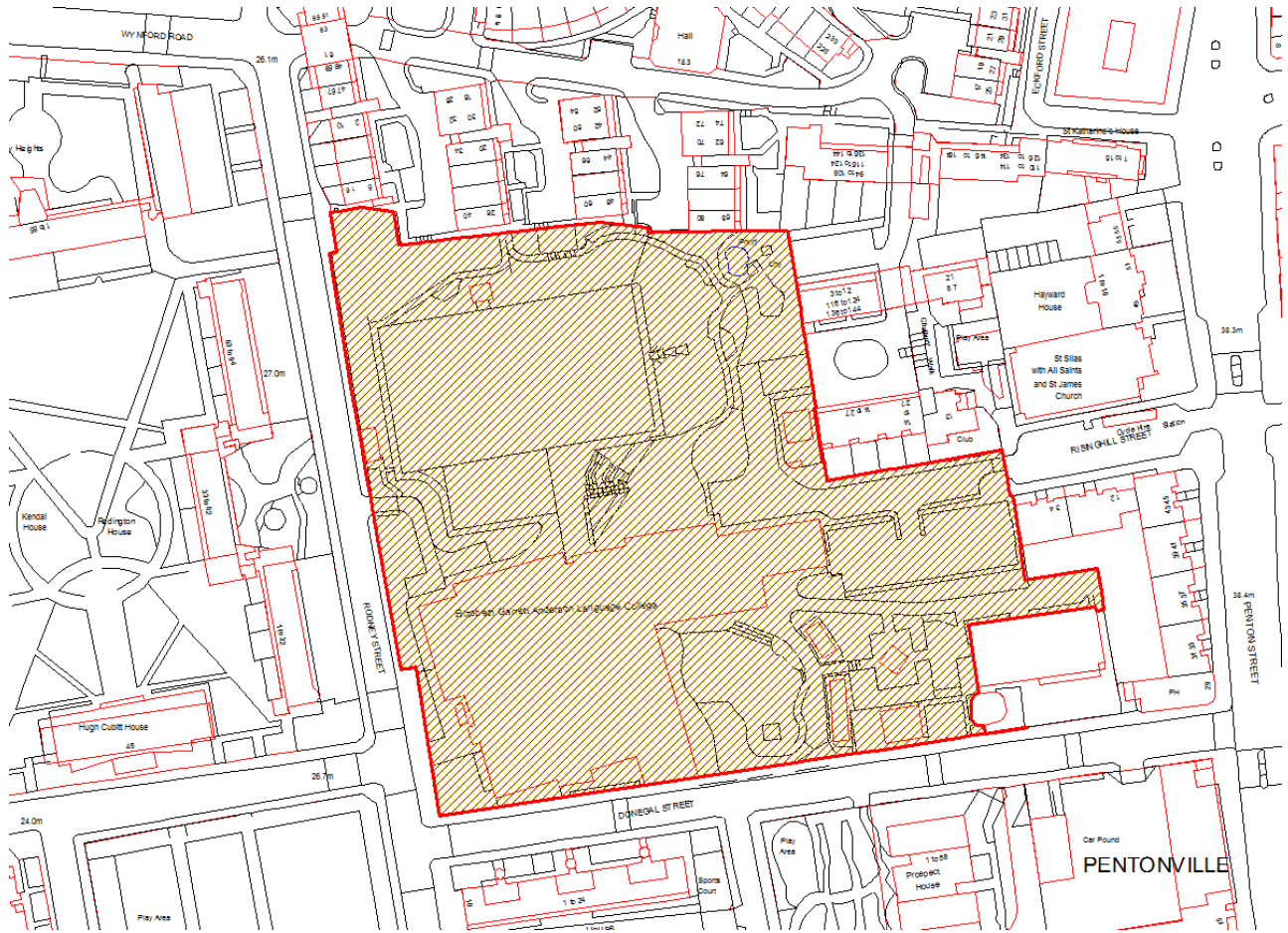
<b>PLANNING SUB COMMITTEE B</b>		
<b>Date:</b>	23 February 2017	<b>NON-EXEMPT</b>

Application number	P2016/3681/FUL
Application type	Full Planning Application (Council's Own)
Ward	Barnsbury
Listed building	Building not Listed
Conservation area	Building not located within a conservation area
Development Plan Context	Kings Cross & Pentonville Road Core Strategy Key Areas Local cycle route Major Cycle Route Local view from Archway Road Local view from Archway Bridge Within 50m of Chapel Market/Baron Street Conservation Area Within 50m of Priory Green Conservation Area
Licensing Implications	None
Site Address	Elizabeth Garrett Anderson School, Donegal Street, London, N1 9QG
Proposal	Retention of a new 1.2m high security fence above the existing 2m high brick wall to the north eastern boundary backing onto gardens to Chalbury Walk.

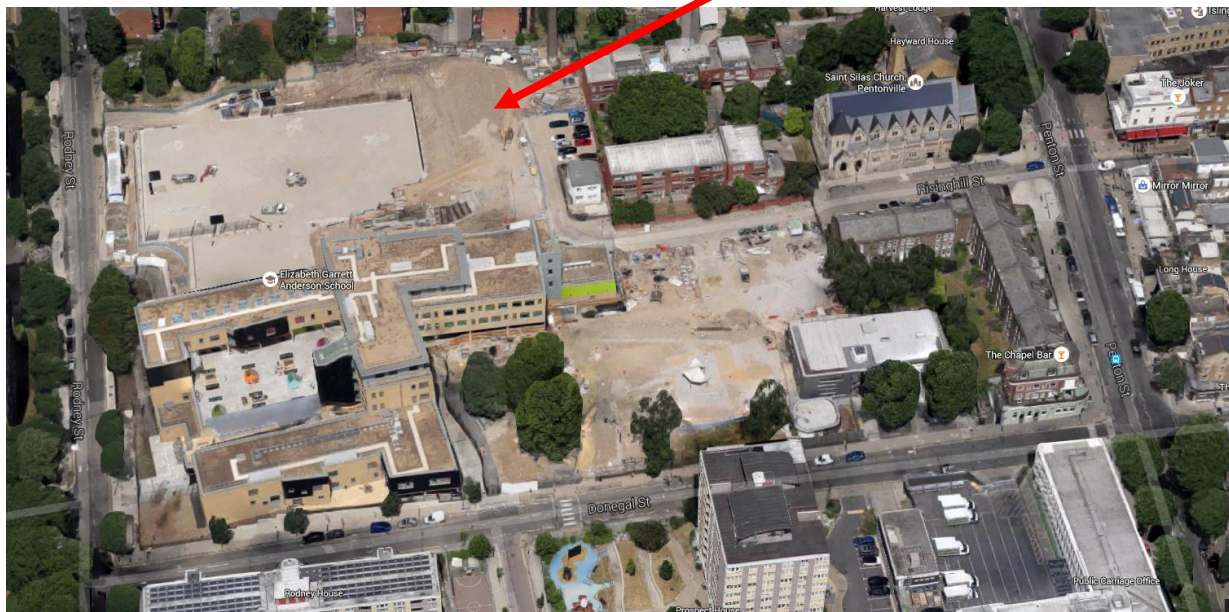
Case Officer	Sandra Chivero
Applicant	Mrs Karen Tumbridge – School Business Manager
Agent	None

- RECOMMENDATION**  
 The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1.

2. **SITE PLAN (site outlined in black)**



### 3. PHOTOS OF SITE/STREET



Aerial view of the site arrow pointing at location of new fence



North-eastern boundary backing onto gardens to Chalbury Walk before new fence was installed



North-eastern boundary wall backing onto gardens to Chalbury Walk showing new fence was installed

#### **4. SUMMARY**

- 4.1 The application seeks permission for the retention of a new 1.2m high security fence above the existing 2m high brick wall to the north-eastern boundary backing onto the gardens to Chalbury Walk. The fence is required to improve security to the school and is considered acceptable in principle.
- 4.2 The design and appearance of the new fencing is also considered not to detract from the locality and is in keeping with the rest of the school boundary walls and fencing. In addition, due to its open nature, the new fence maintains the open character of the site and does not exacerbate the apparent height increase.
- 4.3 The new fence, given its location, scale and design does not prejudice the amenity of neighbouring residential properties or the surrounding area.
- 4.4 The application is at committee because it is a council own application.

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

- 5.1 The application site is the bin store area located to the north-eastern side of newly built Elizabeth Garrett Anderson School and backs on to the communal gardens to Chalbury Walk.
- 5.2 The adjacent buildings are not listed and the site is not situated within a conservation area. The immediate surrounding area is predominantly residential in character.

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

- 6.1 Planning permission is sought for the retention of a 1.2m high wire mesh fence above the existing 2m high brickwall to the north eastern boundary backing onto the communal gardens to Chalbury Walk. The proposal has resulted in a 3.2m high boundary. The fence is required to improve security to the school.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 October 2015: Planning permission (Ref. P2015/1780/FUL) Granted for Erection of a single storey detached classroom pod.
- 7.2 December 2010: Section 73 Application (Ref. P102354) Approved to vary condition 3 (approved plans) of planning permission P092022 dated 9 February 2010 for the 'erection of a single storey building (506m<sup>2</sup> GEA) to provide temporary assembly and exam hall with toilets, located in the north-west corner of the school grounds. The temporary school accommodation to be used during the refurbishment and part new build of the existing school falls within use Class D1. The variation is sought to enable consideration of an additional 2 accessible ramps to serve the temporary building (resulting in a total of 3 ramps serving this building).
- 7.3 August 2010: Section 73 (Application Ref. P100929) Approved to vary conditions 15 (BREEAM) and 21 (Biodiversity Plan) to have the effect of varying the requirements of the timing of the submission of details; and for variation of condition 2 (Approved Documents and Plans) to have the effect to considering minor material amendments of the planning permission ref: P092024 granted on 15 April 2010 for the minor material amendments.
- 7.4 April 2010: Planning application (Ref. P092024) Granted for the redevelopment of Elizabeth Garrett Anderson School for continued secondary education purposes totalling 8079m<sup>2</sup>. The development involves the demolition of nine buildings, retention of the Garrett Anderson building (Block N) to the east of the site and the erection of a stepped part 3 to 5 storey building to the south-west of the school grounds. The development provides for a new vehicle access for ancillary servicing and disabled parking and a separate pedestrian access to the sports hall from Rodney Street; retention of vehicle access off Rising hill Street for new on-site parking area and servicing, cycle provision and extensive landscaping. The landscaping includes a new courtyard on the sports hall, landscaping surrounding the buildings, floodlight multi use games area, works to trees and associated boundary treatment. The development falls within use class D1 (non-residential institutions).
- 7.5 February 2010: Planning application (Ref. P092022) Granted for the erection of a single storey building (506m<sup>2</sup> GEA) to provide temporary assembly and exam hall with toilets, located in the north-west corner of the school grounds. The temporary school accommodation to be used during the refurbishment and part new build of the existing school falls within use class D1.

### **ENFORCEMENT:**

- 7.6 January 2013: Enforcement Case (E/2012/0131) relating to a wall built not in accordance with plans. This was investigated and it was concluded that the works were minor and enforcement action was not expedient.

## **PRE-APPLICATION ADVICE**

7.7 None

## **8. CONSULTATION** **Public Consultation**

8.1 The application was consulted on twice on 25 November 2016 and 01 December 2016 to clarify proposal. Letters were sent to occupants of 225 adjoining and nearby properties at Chalbury Walk, Donegal Street, Prospect House Donegal Street, Redington House Rodney Street, Wynford Road, Risinghill Street, Penton Street, Grimaldi Park Pentonville Road, Harvest Lodge Penton Street, Hayward House Penton Street and Half Moon Crescent. A site notice and a press advert were displayed on 05 December 2017. The public consultation of the application therefore expired on 26 December 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 no responses had been received from the public with regard to the application.

### **External Consultees**

8.3 TFL – No Objection

### **Internal Consultees**

8.4 **The Design and Conservation Officer** raised no objection to the proposed fencing as it is in line with other fencing to the same wall, further north. However, it is stated that it is not ideal aesthetically, but will be visually permeable. It will only be visible from within the school and from within the Peabody Estate and it does not appear that it will be visible from within the conservation area.

## **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.

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

### **Development Plan**

9.4 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**

9.5 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:

- Kings Cross & Pentonville Road Core Strategy Key Areas
- Local cycle route
- Major Cycle Route
- Local view from Archway Road
- Local view from Archway Bridge
- Within 50m of Chapel Market/Baron Street Conservation Area
- Within 50m of Priory Green Conservation Area

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

9.6 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

### **Principle of the development**

10.2 It is proposed to retain the already installed 1.2 metre black iron fencing on top of the existing north eastern boundary wall backing on to the communal gardens to Chalbury Walk. The school has stated problems of intruders accessing the school. The resulting higher boundary is required to prevent intruders accessing the school and improve security to the school and adjoining residential properties. The fencing remains open in nature and is not considered to form a dominant or visually harmful feature within its immediate urban context. The fencing is considered to maintain the open character of the site and is therefore considered acceptable in principle. The proposal is for the retention of new higher fencing and is not considered to raise any land-use issues.

### **Design**

10.3 Boundary walls are an important part of the character of the area, and their maintenance, good repair and appearance is vital to the enhancement of the area. There was previously no fence of top of the north eastern section to the backing on to the communal gardens to Chalbury Walk which allowed intruders to gain easy access to the school. The installation of new fencing is therefore considered acceptable in principle at this location.

- 10.4 Due to design and appearance the new wire mesh fencing is not considered to detract from the character and appearance of the host modern school buildings and the adjacent modern residential block. The new fencing would also be in keeping with the rest of the school boundary walls and fencing. The type, scale and size of the fencing which is seeking permission to be retained is considered to be similar to other examples of such means of enclosure surrounding the wider boundaries of the school. Within this context the feature would be readily assimilated into the surrounding urban built form.
- 10.5 The new fence is open in design and is therefore considered not to be visually intrusive when viewed from the communal gardens to Chalbury Walk. The design and appearance of the new fencing is considered not to detract from the locality. In addition, due to its open nature, the new fencing maintains the open character of the site.
- 10.6 Overall, the proposal is considered to be acceptable and does not harm the character and appearance of the surrounding area. The proposal is therefore considered to be in accordance with policy DM2.1 of the Development Management Policies 2013, policies CS8 and CS9 of the Core Strategy 2011 and the guidance contained within the Islington Urban Design Guide.

#### **Neighbouring Amenity**

- 10.7 The new fencing, given its location, scale and design does not result in overshadowing, loss of privacy, loss of light, over-dominance, increase sense of enclosure or loss of outlook to neighbouring residential properties. The proposal therefore accords with policy DM2.1 which requires development to safeguard the residential amenity to neighbouring properties.

#### **SUMMARY AND CONCLUSION**

- 10.8 The new fence is considered to be appropriate in this context and maintains the open character of this backing on to communal gardens to Chalbury Walk.
- 10.9 The new fence does not result in any adverse impact on the amenity of nearby residents including Chalbury Walk. Overall, the proposal is considered to accord with all relevant policies.

#### **Conclusion**

- 10.10 It is recommended that planning permission be granted subject to conditions for the reasons and details 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:

<b>1</b>	<b>Approved plans list</b>
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Site Plan, B-16-29-1&amp; Photo-Sheets.</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>

#### List of Informatives:

<b>1</b>	<b>Positive Statement</b>
	<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> <p>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>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.</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 2016 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011**

##### **3. London's people**

Policy 3.18 Education facilities

##### **7 London's living places and spaces**

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

#### **B) Islington Core Strategy 2011**

##### **Spatial Strategy**

Policy CS6 (Nag's Head and Upper Holloway Road)

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

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

The following SPGs and/or SPDs are relevant:

#### **Islington Local Plan**

- Urban Design Guide 2017