



PLANNING COMMITTEE REPORT



PLANNING SUB-COMMITTEE A		
Date:	6 th September 2021	NON-EXEMPT

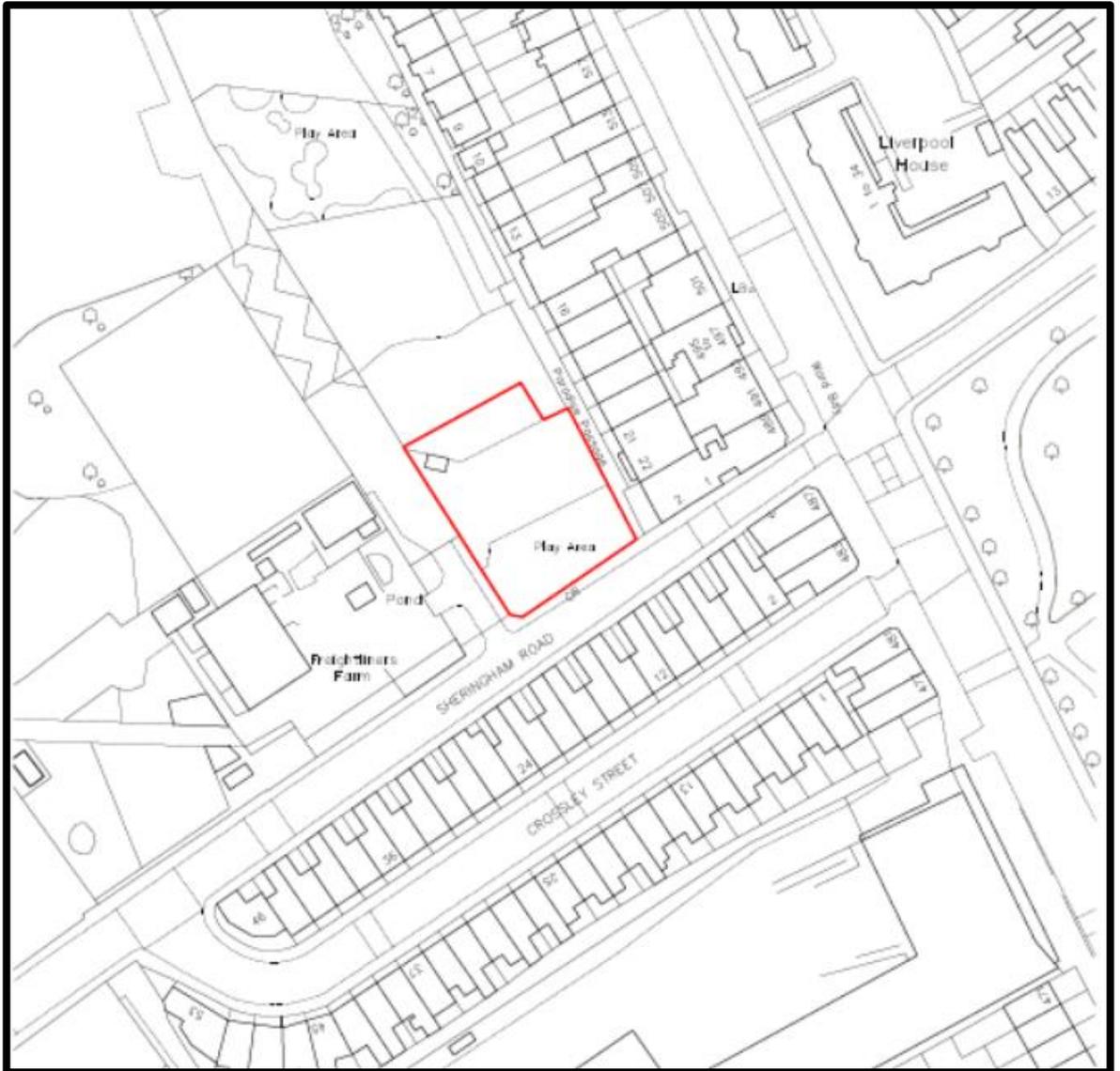
Application number	P2021/1860/FUL (Council own development)
Application type	Full Planning Application
Ward	Holloway
Listed building	No
Conservation area	N/A
Development Plan Context	Adventure Playground Major Cycle Route Mayor's Protected Vista- Alexandra Palace to St Paul's Cathedral Within 50m of St Mary Magdalene Conservation Area Article 4 Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	Martin Luther King Centre, 3 Sheringham Road, London, N7 8PF
Proposal	Erection of a new single-storey building for use in connection with the adventure playground and other community uses with associated works.

Case Officer	Samir Benmbarek
Applicant	Islington Council
Agent	DMH Stallard

1. 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 red)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of site looking north.



Image 2: Aerial view of site looking south.



Image 3: View of site along Sheringham Road.



Image 4: Sheringham Road street scene. High level wall to the right bounds the adventure playground.



Image 5: Martin Luther King Adventure Playground with existing temporary cabin.



Image 6: Previous building demolished in 2018.

4. SUMMARY

- 4.1 The application proposes the erection of a single storey building in association with the use of the children's adventure playground. The building would be constructed of coloured fibre cement corrugated sheeting and coloured fibre cement panels and would provide 100sqm of floorspace. The roof of the proposed building would have an overhang on its northern and western elevations which would provide 60sqm of sheltered outdoor space.
- 4.2 The proposed building would be used to support the existing children's adventure playground, but will also be used for wider community uses for the local area. The internal layout of the building includes a large main function space, and office, kitchen and storage space.
- 4.3 The proposed building would replace an existing temporary metal cabin building on the site, which in turn replaced a larger permanent building demolished in 2018. As such, the proposal would not result in a loss of space for the adventure playground use nor a decrease in social infrastructure use at the site.
- 4.4 The design of the new building is considered to be acceptable and would positively contribute to the character of the local street scene.
- 4.5 The proposed development is considered to not unduly impact the residential amenity of neighbouring properties in terms of loss of daylight and sunlight, overshadowing, reduction in outlook and increased sense of enclosure, loss of privacy and overlooking. The proposed development is also considered to not cause undue impact in respect to noise and disturbance subject to conditions. The proposal therefore accords with policy DM2.1 of the Islington Development Management Policies 2013.
- 4.6 The proposal is therefore considered to be acceptable and it is recommended that the application be approved subject to conditions.
- 4.7 The application is referred to committee as it is a Council own development.

5. SITE AND SURROUNDINGS

- 5.1 The application site is an adventure playground located to the south side of Paradise Park with a boundary running along the northern side of Sheringham Road. The adventure playground is accessed by a servicing road within the park that bounds the site to the west as well as being accessed from within the park. The adventure playground consists of hard and soft landscaping and play equipment, with a metal container currently in place at the site providing a temporary building/storage unit associated with the use.
- 5.2 The adventure playground previously featured a single storey building which was demolished in 2018. The building had a footprint of approximately 155sqm and was constructed of black timber cladding with corrugated metal roofing.

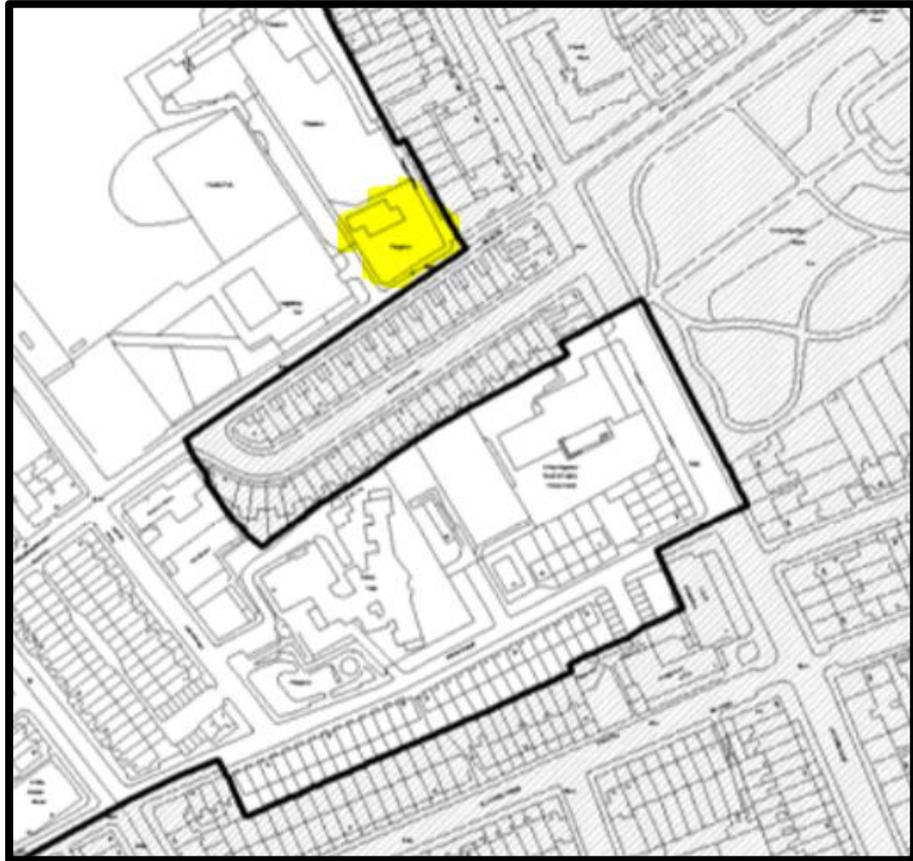


Image 7: St Mary Magdalene Conservation Area boundary and site highlighted.

- 5.3 The adventure playground is neither statutorily nor locally listed. The site is not located within a designated conservation area; however, it is located within close proximity to the St Mary Magdalene Conservation Area.
- 5.4 The site is designated as an Adventure Playground under the Islington Development Management Policies 2013.
- 5.5 The character and use of Martin Luther King Adventure Playground and associated Paradise Park is open space with sports, leisure and general use and enjoyment. The adventure playground and park is a focal point within the wider residential character comprising a mix of typical terraced housing and modern residential developments within the adjoining streets.

6. PROPOSAL (IN DETAIL)

- 6.1 The application proposes the erection of a single storey building in association with the use of the children's adventure playground. The building would be constructed of coloured fibre cement corrugated sheeting and coloured fibre cement panels and would have a floor area measuring 100sqm. The roof of the proposed building would have an overhang on its northern and western elevations which would provide 60sqm of sheltered outdoor space. The building would be set back from the high boundary wall along Sheringham Road by 1.5m.
- 6.2 The proposed building would be used to facilitate the existing children's adventure playground, but will also be used for wider community uses for the local area. The internal layout of the building includes a large main function space, and office, kitchen and storage.
- 6.3 The building would replace the temporary metal container building which itself replaced a timber clad building with a footprint of 155sqm. The resulting reduction in floorspace between the temporary buildings would be approximately 55sqm (one-third of the previously existing floorspace).

6.4 The new building would also have lettering on its fascia at roof level, reading 'MARTIN LUTHER KING ADVENTURE PLAYGROUND'. The colour of palette of the proposed development would be green, grey and teal. The previous building can be seen in image 6, earlier in this report.

7. RELEVANT HISTORY:

Application Site

7.1 P2018/0833/PRA- Prior Approval for the demolition of the Martin Luther King Centre located adjacent to the playground. **Prior approval required-approved 17/05/2018**

7.2 Q2021/0934/MIN- Pre-Application: Erection of community building to replace existing temporary structures on site. **Pre-application advice issued 15/06/2021.**

7.3 Advised that a setback from the boundary wall along Sheringham Road should be incorporated and a contextual analysis of the area was required to inform the material palette for the building.

7.4 The applicant also undertook public consultation with the local community and Martin Luther King Adventure Playground users. The overall responses were to provide a new building that can meet many functions and events used by the local community as well as the everyday use of the adventure playground as well as the design and appearance of the building.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 111 adjoining and nearby properties at Sheringham Road, Paradise Passage, Crossley Street and Liverpool Road and a site notice was displayed on the 07/07/2021. The public consultation of the application therefore expired on 04/08/2021; 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, one response had been received from the public with regard to the application. The issues raised in the objection can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):

Neighbouring Amenity

- Concern raised regarding opening hours;
- Access to roof;
- Impact on anti-social behaviour within Paradise Park and Paradise Passage;
- Replacement of existing damaged nets on top of wall fronting onto Paradise Passage- more 'natural' solutions preferred.

(Paragraphs 10.39- 10.54)

Internal Consultees

8.3 **Design & Conservation:** There is no objection to the design of the proposed development. It is recommended to lower the lettering so that it is on the fascia rather than on top of the building for easier maintenance.

8.4 **Environmental Health:** No objection subject to condition regarding details of construction process.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan document

National Guidance

- 9.1 Islington Council (Planning Sub-Committee A), in determining the planning application has the main following statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- 9.2 National Planning Policy Framework 2019 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 9.3 The National Planning Policy Framework 2019 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.
- 9.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.7 Members of the Planning Sub-Committee A must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance

equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

9.9 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.

9.10 In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. In assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the adjoining listed buildings, its setting and any of its features of special architectural or historic interest.

Development Plan

9.11 The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011 and the Islington 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

9.12 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Adventure Playground
- Major Cycle Route
- Mayors Protected Vista- Alexandra Palace to St Paul's Cathedral
- Within 50m of St Mary Magdalene Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Draft Islington Local Plan 2019

9.14 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process in progress. As part of the examination, consultation on pre-hearing modifications took place from 19 March to 9 May 2021.

9.15 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

9.16 Emerging policies relevant to this application are set out below:

- Policy SP8 – Highbury Corner and Lower Holloway
- Policy H1- Thriving communities
- Policy R1- Retail, leisure and services, culture and visitor accommodation
- Policy G1- Green Infrastructure

- Policy G2- Protecting open space
- Policy S1- Delivering sustainable design
- Policy S2- Sustainable design and construction
- Policy T2- Sustainable transport choices
- Policy T5- Delivery, servicing and construction
- Policy DH1- Fostering innovation while protecting heritage

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design
- Neighbouring Amenity
- Transport
- Sustainability
- Other Matters

LAND USE

10.2 The site is a designated adventure playground, providing dedicated play space. While not designated Open Space, the site immediately abuts and provides facilities to complement the designated Open Space at Paradise Park. Policy CS15 of the Core Strategy states that the Council will provide inclusive spaces for residents and visitors, and create a greener borough by protecting all existing local open spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens.

10.3 Policy CS16 of the Core Strategy relates to the borough's play spaces and states that opportunities for play in Islington will be maximised through improving the quality and function of existing play spaces so that they can provide more play opportunities for different age groups and disabled children, particularly in those areas where opportunities for play are currently limited.

10.4 Part F of policy DM6.3 reads that the Council will protect existing play space across the borough by resisting their loss, unless:

- I. *a replacement play space of equivalent size and functionality is provided to meet the needs of the local population. Where this is not possible development will only be permitted in exceptional circumstances where there are over-riding planning merits to the proposal, and the capacity of other local play spaces shall be increased through a financial contribution to pay for expanded and improved provision that is adequate to meet the needs that the space lost was capable of meeting, plus the needs associated with any uplift or intensification proposed; or*
- II. *it can be demonstrated robustly that they are no longer required and that their loss would not lead to a shortfall in overall play provision in the local area.*

10.5 Part G of the policy states that all of the borough's adventure playgrounds will be protected.

10.6 Supporting text within paragraph 6.30 of the Development Management Policies details that given the valuable role of the borough's adventure playgrounds in providing play opportunities, their protection against change is important. The existing amount of formal play provision per child should be therefore be maintained.

- 10.7 Whilst policy DM6.3 provides a general protection to all open space, such protection is qualified according to particular designation. In this case, the site is not designated as public open space so whilst recognised as having value, part F of the policy specifies that development on such space can be accepted where replacement space is provided of the equivalent size and functionality to meet the needs of the local population. Where re-provision of the same size and functionality is not possible, this will only be permitted in exceptional circumstances where there are over-riding planning merits to the proposal.
- 10.8 The proposed development would result in the loss of 83sqm of open space but would not result in the loss of any existing play equipment. However, the new building would better facilitate the use of the adventure playground, complement the existing uses and provide internal play/education



Images 7 & 8: Previous building demolished in 2018 and visual of proposed building.

space, which would result in an improved facility at the site and more opportunities for children and young adults. It is also noted that the relevant part of the site has not historically been actively used for play equipment with a similar sized building sited here until 2018. The reintroduction of a high quality building to support the use of the site would be in accordance with the above noted policies.

- 10.9 The footprint of the proposed building is 100sqm, which is a reduction of the built form from the demolished building (155sqm) by just over a third. However, a further 60sqm of covered floorspace would be formed by the overhang of the building, providing a mixture of useable space. In summary, the proposal would result in the development of a replacement building and the provision of additional external space for play uses when compared against the site layout in 2018.
- 10.10 There would be no loss of play equipment as a result of the proposed development, which is the key function of the designated adventure playground. The existing use would still function and would be further supported as a result of the development.
- 10.11 It is unknown how long the previous building existed within the application site; however, it was known to have been used by the wider community. As well as being used in conjunction with the external equipment for children's play, the building accommodated meetings and workshops by various youth groups as well as space for occasional events by the local community. Such uses would return to the new building which is considered a public benefit overall. This is as the replacement building, whilst smaller, would efficiently accommodate such events in a modern building design for such purposes. Additionally, the smaller building would result in more external space being reclaimed for play and landscaping, which is also considered a public benefit.
- 10.12 In summary, the proposed building would also provide wider uses beyond those of the adventure playground and would benefit the community. The building can be used for internal play and recreational spaces, as well as flexible meeting spaces. This would provide accommodation for local community and welfare groups that used the previous building as discussed above. The building would also contribute to enhanced and improved children's play and development.

10.13 The proposal would result in the loss of the existing container at the site, which provides a social infrastructure use. Part A of policy DM4.12 of the Islington Development Management Policies specifies that the Council will not permit any loss or reduction in social infrastructure uses unless:

- i) a replacement facility is provided on site which meets the need of the local population; or
- ii) the specific use is no longer required on site.

10.14 Part C of policy DM4.12 states:

“New social infrastructure and cultural facilities, including extensions to existing infrastructure and facilities, must

- *i) be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes, including walking, cycling, and public transport.*
- *ii) provide buildings that are inclusive, accessible, flexible and which provide design and space standards which meet the needs of intended occupants;*
- *iii) be sited to maximise shared use of the facility, particularly for recreational and community uses; and*
- *iv) complement existing uses and the character of the area, and avoid adverse impacts on the amenity of surrounding uses.”*

10.15 As evidenced by the recently demolished building at the site and its known previous uses by the community, it is considered that the proposed building would be within a convenient location for the community. Paradise Park and Martin Luther King Adventure Playground are a focal point of the surrounding residential area. The proposed internal open space configuration of the single storey building would help users with accessible needs whilst its position towards the south of the site would maximise shared use of the building whilst better use of the open play space. A further analysis on transport accessibility is discussed further on in this report.

10.16 When considering the existing temporary structures at the site, the proposed development would result in the loss of external space. However, as noted above, the proposal would provide a new social infrastructure facility at the site that would further support the adventure playground use and community use offer of the site, would provide an appropriate replacement for the demolished site building and would support improved access and facilitation of use of play space and open space, particularly in an area of open space deprivation. The quality and functionality of the adventure playground and wider open space would be greatly improved as a result of the development and more accessible to users, which are considered significant benefits of the scheme.

10.17 On balance, the proposed development would result in an overall improvement to the quality of play provision at Martin Luther King Adventure Playground, which is considered weigh in favour of the proposal and therefore is supported by officers. The proposal would improve the function of the adventure playground in accordance with policy CS16 of the Islington Core Strategy 2011.

10.18 Given that the proposed building would improve play, children’s development and community uses and functions, it is considered the proposed development is considered to comply with the broad aims of policies CS15 and CS16 of the Islington Core Strategy 2011 and policies DM4.12, DM6.1, and DM6.3 of the Islington Development Management Policies 2013.

10.19 Overall, the proposed development is considered acceptable in regards to land use; however, overall acceptability is subject to the other considerations within this report.

DESIGN

- 10.20 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should contribute positively to making places better for people.
- 10.21 Paragraph 131 of the NPPF (2019) states that in determining planning applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 10.22 Policy CS8 of the Islington Core Strategy sets out the general principles to be followed by new development in the borough. Policy CS9 of the Core Strategy and policy DM2.1 of the Islington Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development
- 10.23 Paragraph 5.68 of the Islington Urban Design Guide (IUDG) reads "*The relationship between the height of building and the street/space they flank is of critical importance. A balance must be found between the need for enclosure. Surveillance and definition and the risk of creating overbearing development that starves the street of light and air.*"
- 10.24 The IUDG states further on in paragraphs 5.76 and 5.77 "*In addition to its height, the scale of a building is also determined by its bulk, width and the manner in which the façade is articulated...Vertical proportions are expressed both in the overall dimensions of a building and in its individual elements, particularly the fenestration, and the manner in which they are composed within the frontage.*"
- 10.25 For new development, the IUDG summarises what is being sought in paragraph 5.78, by reading "*High quality contemporary designs will normally be sought that are skilfully woven into their context and that respect the rhythm, scale and proportions of the existing street frontage. Where the predominant building form in the surrounding area is characterised by narrow plot widths, designs should reflect this.*"
- 10.26 It can be seen that the wider area is characterised by the narrow plot width form of the Victorian terraced housing that backs onto Sheringham Road to the modern housing developments that front onto Paradise Passage to the east of the site. However, Martin King Luther Playground is part of the larger Paradise Park setting with its own open space context. Therefore, in this instance, a development that reflects the narrow plot form of the surrounding area would be considered awkward and out of keeping with its intended purpose. Whilst a larger development could be accommodated within the adventure playground site, any building should need to be of an appropriate scale and be subservient (whilst facilitating) to the open adventure playground space.

10.27 The building would be set back from the boundary along Sheringham Road by 1.5m and due to it being single storey in height and set behind the existing boundary wall, it would have a limited presence along the street. Given this and its modest scale, the building would maintain the sense of openness along the northern side of Sheringham Road (by virtue of the park space). This in turn maintains the contrast seen along Sheringham Road between the open north and the ordered dwelling houses along the south. Therefore, in reference to paragraph 5.68 of the IUDG, it is considered the proposed development provides a balanced relationship within the street by maintaining the existing balance.



Image 9: Visual of proposed building viewed along Sheringham Road.

10.28 The footprint of the new building would be 100sqm, which is a reduction of over a third from the previous building at the site, which was demolished in 2018. The footprint is considered to result in an acceptable ratio of open space to internal space and in conjunction with its single-storey height is considered to be an appropriate scaled building. The height of the building is measured at 3.95m. When seen from within the adventure playground, the building would not appear as overbearing, nor enclosing and the need for enclosure (which is acknowledged as of high importance given the nature of the site) is already addressed by the existing boundary wall of the site. The scale of the building in relation to the scale of the adventure playground would also reflect the prime use of the site as an adventure playground.

10.29 Within a wider context, the proposed building would respect the building hierarchy seen across the wider open space of Paradise Park, comprising Martin Luther King Playground and Freightliners Farm. The building located on the north-eastern corner of Paradise Park presents itself as the prime building, being located between the street and the park with an active street presence behind medium level metal railings whilst smaller buildings are seen in the distance. Larger buildings such as the proposed development and the buildings within Freightliners Farm are mainly concealed by high boundary walls or other ancillary buildings. This is also considered to maintain the collective open character across the area.

10.30 The proposed fenestration is considered to successfully reflect the vertical proportions of the building in relation to its single storey height. Full windows and doors on its northern elevation would face onto the open space. Whilst also providing an expression of its vertical proportions, the fenestration would also provide an open relationship between the main internal area of the building and the adventure playground space outside.

10.31 On the southern elevation, the proposed fenestration of the building comprises smaller scaled windows at both low and high level. Whilst this appears as an irregular fenestration, this would not be easily visible from the public realm given the boundary wall and trellis. Parts that are seen through the trellis would not appear as awkward and the proposed fenestration contributes to the limited presence the building has along Sheringham Road (whilst being a part of the separate

context of the adventure playground). It also ensure limited views into the building from the public realm.

- 10.32 The proposed materials for the building are coloured fibre cement corrugated sheeting and coloured fibre cement panels along with aluminium framed glazing and doors. The proposed material choice is considered appropriate as the same or similar appearing materials can be found on the buildings which occupy the wider open space area including Paradise Park and Freightliners Farm. The proposed colour palette is subtle and muted altogether, the building would appear in an appropriate and contextual finish.

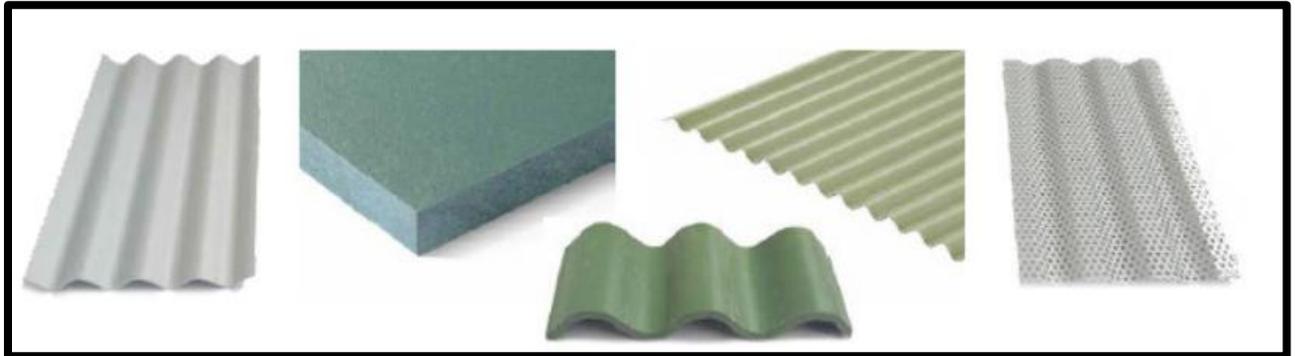


Image 10: Proposed materials.

- 10.33 Lettering is proposed on the roof fascia of the building on its western elevation that would read 'MARTIN LUTHER KING ADVENTURE PLAYGROUND'. There is no objection to the design of the lettering and this is considered an appropriate form of signage that subtly announces the presence of the site.
- 10.34 The proposed development would provide a suitably high standard of design to the local area using appropriate materials in a contemporary design. The proposal is considered to relate well to the context of Martin Luther King Adventure Playground and the wider Paradise Park open area whilst providing an acceptable presence along the street scene of Sheringham Road.
- 10.35 Therefore, the proposed development complies with the National Planning Policy Framework 2019, policy D4 of the London Plan 2021, policies CS8 and CS9 of the Islington Core Strategy 2011 and policies DM2.1 and DM2.3 of the Development Management Policies 2013.
- 10.36 Consideration has also been taken into policies DH1 (Fostering innovation and conserving and enhancing the historic environment) of the Draft Islington Local Plan in which the proposed development is still considered as a high quality development.
- 10.37 Whilst the proposed materials have been considered to be appropriate, to ensure that it is of a high quality appearance and finish, a condition is recommended for details of all facing materials within the proposed development.
- 10.38 The development would be located within 50m of a designated conservation area. In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the adjoining St Mary Magdalene Conservation Area. Given the above, the proposal is not considered to cause harm to the character or appearance of the nearby conservation area. The proposed development is considered to be of a high quality design that is sensitive to its context. It would enhance and not detract from the character and appearance of the St Mary Magdalene Conservation Area as seen within public and private views.

NEIGHBOURING AMENITY

- 10.39 The Development Plan contains policies that seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 10.40 Given the location of the tennis courts and the extent of the development, it is considered that the identified neighbouring properties with the potential to be impacted by the development are Nos. 2- 24 Crossley Street (their rear elevations back onto Sheringham Road), Nos. 1 & 2 Sheringham Road (which have elevations fronting onto Paradise Passage) and Nos. 18, 20 and 22 Paradise Passag

Daylight, Sunlight and Overshadowing

- 10.41 It is considered by reason of its scale and location within the adventure playground, the proposed building would not adversely impact upon the daylight and sunlight of adjoining neighbouring occupiers. There are no ground floor windows at the rear of the Crossley Road properties (facing Sheringham Road) and the row of buildings are located a considerable distance away that the proposed building would not intersect a 20-degree angle taken from the upper floor windows.
- 10.42 It is also considered the proposed building would not adversely impact upon the daylight and sunlight of habitable windows of the properties along the eastern side of Paradise Passage (Nos 1 & 2 Sheringham Road and Nos. 18, 20 & 22 Paradise Passage). This is as the ground floor windows are already facing onto the boundary wall of the site which measures between 1.8- 2m in height. The proposed building would also not impact upon the upper floor windows of these buildings given the single storey height of the building and the separation distance of approximately 8-9m. The proposed building would not intersect 20-degree angles taken from the upper floor windows.

Outlook

- 10.43 Given that the site is bound by a high-level boundary wall and the set back and modest height of the building, it is considered that the proposal would not impact upon the outlook of adjoining residential occupiers. At ground floor level, any views towards the building are interrupted by the existing boundary wall. At first floor level and above, the proposed development would not impact upon outlook as the building would be single storey in height.

Privacy

- 10.44 As the building is single storey in height, the proposed development would not impact upon the privacy of neighbouring occupiers. Views from the building would be of the adventure playground and Paradise Park beyond within longer views. There would be no views towards residential buildings; however, in the event there would be, privacy would be maintained by the existing boundary wall.

Noise and Disturbance

- 10.45 Given the existing use of the site, it is expected that during the daytime hours there would be an expected (but considered negligible) level of noise generated from its use and due to the building not providing greater floor area than the previous building at the site, the proposal would not exacerbate this. It is considered that the proposed building would not result in an adverse increase in noise and disturbance to neighbouring occupiers.
- 10.46 The proposed development would result in a flat roof with an overhang on its northern and western perimeters with a green roof over the building. Whilst it would be unlikely that the flat roof would be used as an amenity terrace given the green roof, a condition is recommended to ensure that the flat roof is only used for the longevity of the green roof and maintenance purposes of the building

and not for use as an amenity terrace. This is to ensure no noise and disturbance is caused at first floor level and to ensure privacy is maintained to nearby residential occupiers.

Opening Hours

- 10.47 The opening hours for the proposed building are: 08:00-22:00hrs Monday to Fridays; 09:00-22:00hrs Saturdays; and 10:00-20:00hrs Sundays and bank holidays. This includes the main adventure playground use which would operate 08:00-19:00hrs weekdays and 09:00-18:00hrs weekdays and bank holidays.
- 10.48 The proposed typical opening hours are considered acceptable given its considerable distance away from neighbouring properties and noise emitted externally from the activity of the site is an existing situation with the proposed building considered to not exacerbate such issues.
- 10.49 The proposed evening hours for community events and meetings are considered to be acceptable on balance. The activity would be considered less intense than that of children's play and therefore suitable to take place during the evening period. Such events are an occasional use and the end hours of 22:00hrs weekdays and Saturdays and 20:00hrs on Sundays and bank holidays are considered a respectful time. The opening hours proposed would also be in line with other adventure playground buildings within the borough.
- 10.50 A condition is recommended restricting the hours to those noted above. Given the established use of the site as an adventure playground and the hours of use proposed, it is considered that an operational management plan would not be required.

Light Pollution

- 10.51 As the building is a single-storey construction with glazing facing towards the adventure playground and park, it is considered that the proposed development would not detrimentally impact neighbouring occupiers in respect to light pollution.

Safety and Security

- 10.52 Given the existing (and continued) use of the site, safety and security to the users is of importance. The existing boundary walls and gates provide physical security to the site. The occupiers of the building would be responsible for ensuring children's safeguarding.
- 10.53 A representation has been received raising concern regarding anti-social behaviour occurring at Paradise Park, inclusive of unauthorised large events and sale of drugs. While the proposed building falls within the wider Paradise Park setting, it is contained within a boundary and would be managed. The introduction of a community uses and managed building would provide further passive surveillance and may help to deter anti-social behaviour.
- 10.54 Overall, the proposed development will not cause significant adverse harm to the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 (Design) of the Development Management Policies Plan 2013.

TRANSPORT

- 10.55 The site has excellent access to public transport and the Public Transport Accessibility Level is 6a (rated as 'Excellent').
- 10.56 Bus route 153 serves MacKenzie Road to the north of Paradise Park, whilst bus routes 43, 263, 271 and 393 serve nearby Holloway Road to the east of the site. The site is a 5-10 minute walk from Highbury & Islington Station which is served by National Rail, London Overground and London Underground (Victoria Line) services. The site is also a 10 minute walk from Caledonian Road and Barnsbury Station which is served by London Overground.
- 10.57 In accordance with Appendix 6 of the Islington Development Management Policies 2013, one cycle space per 275sqm of leisure/sports floorspace should be provided. Details of parking provision have not be submitted but a condition is recommended requiring details to be submitted..

REFUSE AND RECYLING

- 10.58 The proposed development would provide a dedicated refuse store along the southern elevation, concealed by the existing boundary wall along Sheringham Road. The proposed arrangement is considered acceptable and as demonstrated within the proposed plans would not interrupt the use of the building or the external play area. The removal of the refuse would continue as per existing arrangements.

ENERGY, SUSTAINABLE DESIGN AND CONSTRUCTION, AND BIODIVERSITY

- 10.59 Policy DM7.1 of the Islington Development Management Policies states that 'Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development'. Policy DM7.2 seeks to ensure Energy efficiency and carbon reduction in minor schemes.
- 10.60 The submitted Planning Statement and Design and Access Statement refer to the proposed building being of a sustainable and ecological construction. This includes sustainable urban drainage systems (SUDS) with specific measures proposed such as a biodiverse green roof, bio retention planters, water butts and permeable surfacing. Internal bathroom and kitchen fittings would also be configured to minimise water usage.
- 10.61 The proposed biodiverse green roof would cover an area of approximately 85sqm. Whilst the provision of a bio-diverse green roof is supported, further details are recommended to be submitted to ensure that the proposed roof meets the council's biodiverse values and to secure its longevity. This includes details of plant species, substrate depth, and maintenance.
- 10.62 The proposed timber for the internal structure and fittings is to be sourced sustainably from either certified PEFC or FSC sources whilst all materials proposed in the construction are to be sourced from the local supply chain where possible. The performance values of the proposed materials have also been looked into such as the use of natural wood fibre insulation to create a high thermal performance envelope and air tight measures to address energy and heat loss through the use of the building.
- 10.63 Other elements of the internal and external materials used for the building are that they are durable, long lasting and cost effective, which also contributes to the longevity and in turn sustainability of the building.
- 10.64 The proposed development therefore is considered to comply with policies DM6.5, DM7.1 and DM7.2 of the Islington Development Management Policies 2013. A condition is recommended that would ensure that the development is implemented in accordance with the design and access statement to ensure the building's sustainability.

TREES AND LANDSCAPING

- 10.65 The proposal would be situated some distance from several trees along the boundary. The Council's Tree Officer has been consulted and has no objections to the scheme. The location of the proposed building would not cause any adverse impact on the trees. No tree details were submitted given the location of the development away from nearby trees.
- 10.66 As such, the proposed development is acceptable with regard to landscaping and trees and is in accordance with policies DM2.1 and DM6.5 of the Islington Development Management Policies 2013.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of the proposed development is considered to be acceptable and would provide a new facility supporting the adventure playground as well as providing space for community uses. The scale and design of the development would not appear out of character within either the street scene or the wider park setting.
- 11.2 It is considered that the proposal would improve the appearance of the site and would not result in detrimental harm to the amenity of surrounding occupiers, subject to appropriate conditions. The proposal accords with policies CS8 and CS9 of the Islington Core Strategy 2011, policies DM2.1 of the Islington Development Management Policies 2013, and the Urban Design Guide 2013.
- 11.3 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy and the Islington Development Management Policies, and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.4 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, and that there is delegated to each of the following: the Head of Development Management the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

List of Conditions:

1	Commencement CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. 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).
2	Approved Plans List DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: PHP MLK 00: 100 PHP MLK 01: 100 P1; 200 P1; 300 P1; 301 P1; 302 P1; 303 P1. PHP MLK 02: 100 P1; 101 P1; 200 P1; 300 P1; 301 P1; 302 P1; 303 P1. PHP MLK 07: 110; 200 P1. Design & Access Statement by Paper House Project dated 06/2021; Engagement Statement by Paper House Project dated 06/2021; Planning Statement by DMH Stallard dated 06/2021. 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.
3	Materials (Details) CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include: a) Corrugated sheeting and cement fibre b) window treatment (including sections and reveals); c) roofing materials; and d) any other materials to be used. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. 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.
4	Hours of Operation (Compliance) CONDITION : The development hereby approved shall not operate outside the hours of: 08:00- 22:00hrs Monday- Fridays 09:00- 22:00hrs Saturdays 10:00- 20:00hrs Sundays and Bank Holidays The development hereby approved shall not be used in association with the existing adventure playground outside the hours of:

	<p>08:00- 19:00hrs Monday- Fridays 08:00- 18:00hrs Saturdays, Sundays and Bank Holidays</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
5	Construction Method Statement (Details)
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
6	Cycle Parking (Details)
	<p>CONDITION: Details of the design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than the 1x cycle spaces proposed.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
7	Sustainable Design and Construction (Compliance)
	<p>CONDITION: The hereby approved development shall be carried out in accordance with the approved Design & Access Statement by Paper House Project dated 06/2021.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>

8	<p>Green/Brown Biodiversity Roofs (Details)</p> <p>CONDITION: Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be</p> <p>d) biodiversity based with extensive substrate base (depth 80-150mm);</p> <p>e) laid out in accordance with plan PHP MLK 02 101 P1 hereby approved; and</p> <p>f) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
9	<p>Refuse/Recycling Provided (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. PHP MLK 02 100 P1 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

List of Informatives:

1	<p>Construction Works</p> <p>INFORMATIVE: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
2	<p>Highway Requirements</p> <p>INFORMATIVE: Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing. Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk. Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>

3	Community Infrastructure Levy (CIL)
	<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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/cil, and the Islington Council website at www.islington.gov.uk/cil. CIL guidance is available on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy.</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 2019 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.

- National Planning Policy Framework 2019

2. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2021 – The Spatial Development Strategy for Greater London

- Policy GC3- Creating a healthy city
- Policy D4- Delivering good design
- Policy S5- Sports and recreation facilities
- Policy HC1- Heritage conservation and growth
- PolicyG3- Metropolitan Open Land
- Policy G4- Open space
- Policy G6- Biodiversity and access to nature

B) Islington Core Strategy 2011

- Policy CS8 Enhancing Islington's character
- Policy CS9 Protecting and enhancing Islington's built and historic environment
- Policy CS15- Open space and green infrastructure
- Policy CS17- Sports and recreation provision
- Policy CS18 Delivery and infrastructure

C) Islington Development Management Policies 2013

Design and Heritage

- Policy DM2.1- Design
- Policy DM2.3- Heritage

Shops, culture and services

- Policy DM4.12- Social and strategic infrastructure and cultural facilities

Health and open space

- Policy DM6.3- Protecting open space
- Policy DM6.4- Sport and recreation
- Policy DM6.5- Landscaping, trees and biodiversity

Energy and environmental standards

- Policy DM7.1- Sustainable design and construction
- Policy DM7.2- Energy efficiency and carbon reduction in minor schemes

Transport

- Policy DM8.4- Walking and cycling
- Policy DM8.6- Delivery and servicing for new developments

3. **Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

Islington SPG/SPD

- Urban Design Guide 2019
- Conservation Area Design Guidelines 2002