

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: 18 th December 2014	

Application number	P2014/3121/FUL
Application type	Full Planning
Ward	Junction
Listed building	No
Conservation area	No
Development Plan Context	Nags Head & Upper Holloway Road Core Strategy Key Area
Licensing Implications	None
Site Address	Whittington Park Football Pitch, Holloway Road, London, N19
Proposal	Increase the height of the fencing along the north west boundary of the football pitch from 5m to 7m

Case Officer	Krystyna Williams
Applicant	Mr Jon Winder, Islington Council
Agent	N/A

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



Image 1: Aerial photograph showing the north western section of fencing to the rear of properties along Wedmore Gardens

4. Summary

- 4.1 Planning permission is sought for the increase in height of the existing fencing along the northwest boundary of the football pitch from 5m to 7m. The additional height will comprise a 2 metre high sports netting above the existing fencing.
- 4.2 The application is brought to committee because it is a Council-own development.

- 4.3 The Whittington Park football pitch is an artificial turf football pitch surrounded by existing 5 metre high fencing. The application is submitted to increase the height of the football pitch enclosure along the north western boundary to the rear of properties 1 - 49 Wedmore Gardens. The increase in height is required to prevent footballs going into these residential properties gardens.
- 4.4 The additional height will not result in any adverse and harmful design issues, nor is it considered to materially affect the amenity of adjacent residents.
- 4.5 It is therefore recommended that planning permission be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application site comprises an artificial turf football pitch surrounded by existing 5 metre high fencing. The application site is located on the south westerly side of Holloway Road. The football pitch is located to the north western section of the site, in close proximity to the rear of residential properties located along Wedmore Gardens.
- 5.2 The site is not located within a Conservation Area. The surrounding area is mixed in character and use.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for the increase the height of the fencing along the northwest boundary of the football pitch from 5m to 7m. The additional height will comprise a 2 metre high sports netting above the existing fencing.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P052225** - Refurbishment of existing games court, comprising new playing surface, fencing and drainage. New floodlighting provided by eight new/replacement lighting columns (15m high), four to north-western side of pitch and four to south-eastern side. Approved 15/12/2005.
- 7.2 **P090250** - Construction of a new football changing rooms/ amenities building including office, training room, stores and meeting rooms. Associated works and landscaping to Whittington Park. Approved 06/05/2009.

ENFORCEMENT:

- 7.9 None

PRE-APPLICATION ADVICE:

- 7.10 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 245 adjoining and nearby properties. Consultation expired on the 19th September 2014 however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 Two objections were received from the public with regard to the application. Two issues were raised (with the paragraph that responds to the issues raised in brackets):
- Concern that the fence will be placed above the existing wall at No. 5 Wedmore Gardens (Paragraph 10.7);
 - The existing trees provide adequate screening and the additional height to the fencing is not necessary (Paragraph 10.7).

Internal Consultees

- 8.4 **Design and Conservation:** No comments provided.
- 8.5 **Biodiversity:** No comment.
- 8.6 **Parks & Open Space / Tree Preservation:** No comment.

External Consultees

- 8.7 **Sport England:** No objection.

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, The 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.

Designations

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

- **Nags Head & Upper Holloway Road
Core Strategy Key Area**

Supplementary Planning Guidance (SPG) / Document (SPD)

9.4 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:

- Design and appearance and impacts on surrounding area;
- Impact on amenity of neighbours.

Design and Appearance

10.2 The application site relates to the existing artificial football pitch located to the rear of residential properties located along Wedmore Gardens. Planning permission is sought to increase the overall height of the existing fencing along the northwest boundary of the football pitch from 5m to 7m. This will be achieved by the addition of a 2 metre high section of netting above the existing fencing.

10.3 The boundary between the properties at Wedmore Gardens and the football pitch comprises a number of large trees which provide a level of screening. The existing football fencing is therefore not visible from many of the residential properties.

10.4 The proposed 2 metre high netting is marked on proposed drawings to be either 'green or black'. The exact colour can be conditioned. The proposed netting is considered to represent no harm in design and appearance terms and would not detrimentally impact the application site or the surrounding area.

Neighbouring Amenity

10.5 The Council seeks to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise.

10.6 The existing fencing along the north-western boundary to the rear of properties along Wedmore Gardens is screened in part by the existing trees. The proposed increase as a result of 2 metres of netting will also be screened to

many residents by the trees. The netting will be of an appropriate colour to blend with its surroundings.

- 10.7 There have been two objections to the development. Concern was raised that the additional height will be placed above an existing wall at No. 5 Wedmore Gardens. This is not the case; the additional height is above the existing north western section of fencing surrounding the football pitch. A further letter of objection states that the existing trees provide adequate screening and the additional height to the fencing is not necessary. The application has been submitted to overcome the quantity of footballs going into the rear gardens along Wedmore Gardens and the additional netting is not considered to harm the amenity of adjoining residents.
- 10.8 Overall, the proposal is therefore considered not to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington Development Management Policies June 2013.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 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, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions 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

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 approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan, Site Plan and fencing Elevations; Planning Statement; Boundary fencing and existing trees.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>MATERIALS (DETAILS): Details and/or samples of the netting material (including colour) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.</p> <p>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>

List of Informatives:

1	Positive statement
	<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. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. The applicant therefore worked in a proactive</p>

	<p>manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.</p>
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APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan polices 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 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) 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)

B) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

Energy and Environmental Standards

DM7.4 Sustainable design standards

5. Designations

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

Core Strategy Key Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- **Urban Design Guide (2006)**