

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 3333
222 Upper Street
LONDON N1 1YA

PLANNING SUB-COMMITTEE A		
Date:	Thursday, 16 April 2015	NON-EXEMPT

Application number	P2014/4270/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	Unlisted
Conservation area	Not in Conservation Area
Development Plan Context	Policy DM 2.4 Local View
Licensing Implications	None
Site Address	Footpath Through Bemerton Estate: Footpath from junction of Freeling Street/Carnoustie Drive through Bemerton Estate to junction of Pembroke Street/Bingfield Park, London N1
Proposal	Resurfacing the footpath from the junction of Freeling Street and Carnoustie Drive, through Bemerton Estate to Bingfield Park at Pembroke Street. Replacement fence on Stranraer Way and Earlsferry Way, installation of new railings and concrete seating.

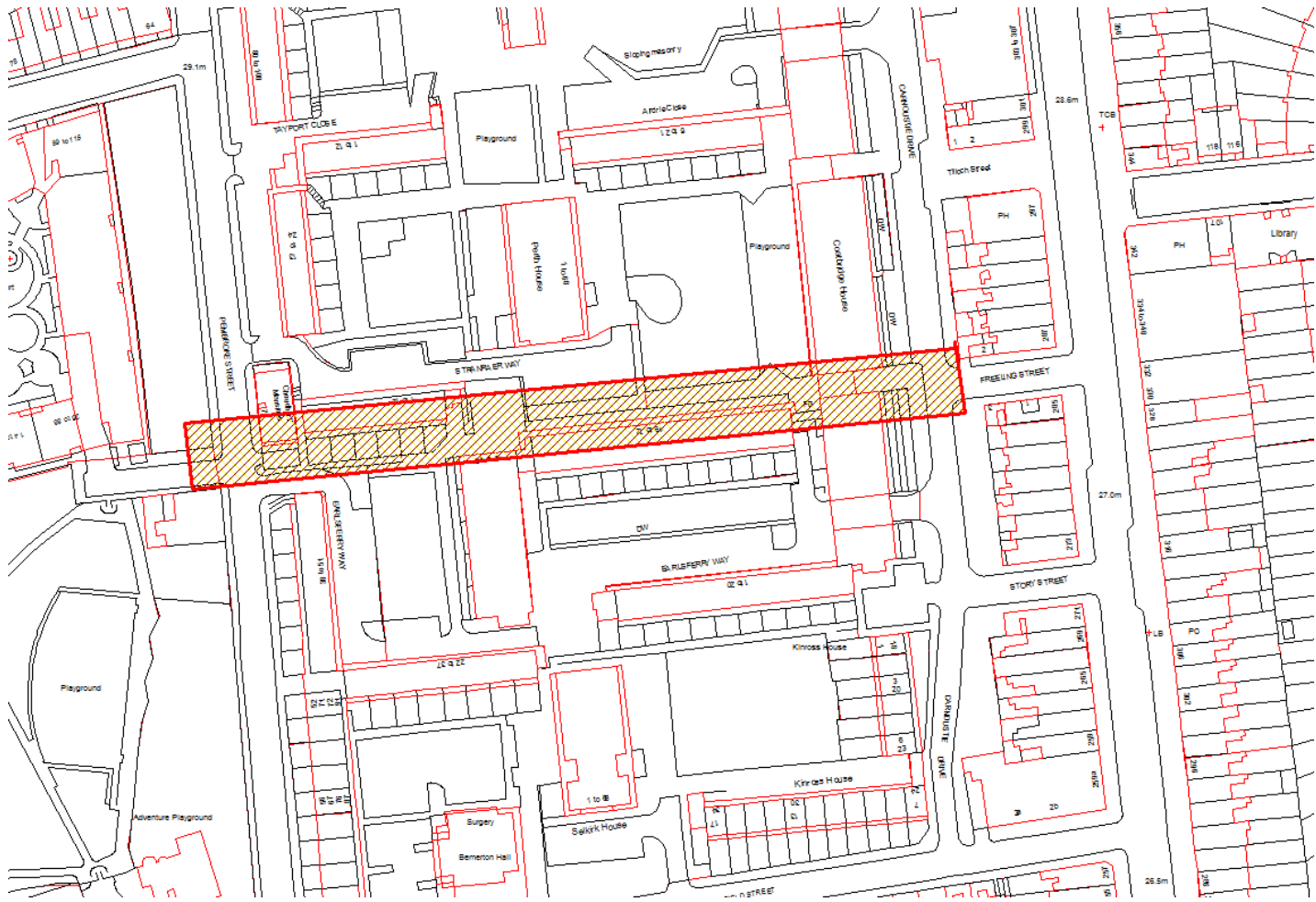
Case Officer	Duncan Ayles
Applicant	Bemerton Village Management Org. - Mr Paul Shepherd
Agent	None

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 View of the Application Site



Image 2: View of the site from the west.



Image 3: View of the Site From the east.



4 SUMMARY

- 4.1 The application seeks planning permission for public realm improvement works within the Bemerton Estate including the resurfacing of Stanraer Way, the replacement of boundary treatments within the estate, the introduction of additional street furniture, the alteration of a number of staircases within the estate, and the erection of larch arches on the eastern and western entrance to the estate. The proposed design is considered to be acceptable, and the scheme has been developed by the Bemerton Village Management Organisation.
- 4.2 One objection has been received from a resident, objecting to the proposed benches. The resident has argued that this street furniture will lead to additional anti-social behaviour. However, it is considered that the proposal will lead to an increase in pedestrian activity, which will increase activity and hopefully reduce anti-social behaviour within the estate.
- 4.3 Concerns have also been raised by the Council officers in relation to inclusive design and the potential impact on trees within the site. It is considered that these issues can be addressed through the imposition of appropriate conditions.

5 SITE AND SURROUNDING

- 5.1 The application site forms part of the Bemerton Estate, a post-war residential housing estate located to the east of the Caledonian Road. The land use is predominantly residential, although the estate also includes a Children's and Community Centre.
- 5.2 The Bemerton Estate is comprised of a number of mid-rise residential blocks that surround areas of public space. Access into the estate is provided by separate pedestrian thoroughfares and vehicle access routes. The estate displays a number of the difficulties associated with post-war residential housing set out within the Islington Urban Design Guide, including poor legibility and natural surveillance. This has contributed to instances of anti-social behavior within the estate.

6 Proposal (in Detail)

- 6.1 The application seeks planning approval for public realm improvement works within the estate. The proposal has been developed as part of a joint project between the Bemerton Estate Tenant Management Organisation and architecture students at Central St Martin's College. The works seek to articulate Stanraer Way as the key east-west thoroughfare within the estate.
- 6.2 The application proposes to erect 6 timber arches on the eastern portion of Stanraer Way, underneath and to the west of Coatbridge House. 3 smaller arches will be erected on the western side, close to 1-12 Stanraer Way. The applicant also proposes to erect a total of 7 benches close to Stanraer Way; 3 within Stanraer Green, 2 to the south of Pert House and 2 close to the Bemerton Childrens Centre.
- 6.3 The application also proposes to resurface the length of Stanraer Way with Green York Stone, replacing the existing mixture of Tarmac and Concrete Paving Slabs

with stone paving. Works are proposed to form two new sets of Stairs at Stanraer Green and Pert House.

- 6.4 The application proposes to replace the boundary fences to the rear of 1 to 12 Stanrear Way, the front gardens of the ground floor maisonettes at 13 to 48 Stanrear Way, 49 to 72 Stanrear Way. The fencing to the rear of 1 to 12 will be formed of 2.1 metre timber fencing, with a 1.5 metre high panel fence and a 60 cm high hit and miss section. The fencing at ground level at 49 to 72 and 13 to 8 will be 60 cm hit and miss fencing.

7 Relevant History

Planning Applications

- 7.1 **P2014/0515/FUL:** Creation of secondary stair entrance to Jean Stokes Community Hall in place of existing window opening fronting Carnoustie Drive. Main entrance to remain as existing: Granted
- 7.2 **P110461:** Formation of a new path across the open space and associated landscaping works: Granted

Enforcement History

- 7.3 **E/2014/0390:** Untidy Land at form Choudray Mansions site.

Pre Application Advice

- 7.4 None

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 247 adjoining and nearby properties on the 6th January. A site notice was also displayed. The public consultation of the application therefore expired on the 29th of January. 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 objection had been received. The objections can be summarised as follows (with the relevant paragraph numbers that provide responses to those issues indicated in brackets):
- Concerns raised in relation to the impact of the proposal in terms of encouraging anti-social behaviour (para. 107.-10.9)

Internal Consultees

- 8.3 **Inclusive Design-**Routes should be level or suitably ramped-there is not detail provided regarding gradients of any proposed ramps. Handrails should also be provided to all ramps and steps. Tactile warnings should be provided at the top and

bottom of all external steps and there should be colour contrasts nosings which are visible on both rise and tread. Ramps that cut through steps can be extremely visually confusing. Route widths should be a minimum of 1500 but preferably 1800 mm which allows wheelchair to pass one another. I am pleased to note that it is proposed to use resin bound gravel.

- 8.4 Tactile paving should be provided where appropriate and in line with nationally approved guidance. Seating and rest points should be provided at 50 mm intervals. Good practice recommends a variety of seat heights, ranging from 380 mm to 580 mm. Some seating should have backs and some should have arms. Is it proposed to have planting or water features to assist way find and orientation?
- 8.5 **Transport Planning**-The application proposes to resurface the footpath through the Bemerton Estate, from Bingfield Park to Carnoustie Drive. This is part of a wider aspiration to improve the east-west pedestrian link between the King's Cross Central Redevelopment Site and Caledonian Road, which is currently poor.
- 8.6 The drawings show the installation of lighting along parts of the route, such as the uplighters placed on the side of buildings at the footpath's eastern end. Further information is required to demonstrate that the footpath is adequately lit along its entire length. We welcome the development of designs through consultation with the local community, which will hopefully lead to this becoming a better used east-west route. The management arrangements of the space should be developed alongside the design, to ensure that the space remains well presented and welcoming.
- 8.7 The drawings show some cycle parking and new paving to be placed on Carnoustie Drive. It appears that this is located on the public highway. Therefore, this work should be carried out by the Council's highway service at the applicant's expense.
- 8.8 **Tree Preservation Officer**-The details in the report appears to be sufficient to recommend that there is no arboricultural reason to recommend refusal.

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.
- 9.2 The National Planning Practice Guidance is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 9.3 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.

- 9.5 Section 2.7 of the Core Strategy provides a policies map for Kings Cross. This supports the improvement of pedestrian links from Caledonian Road to York Way through the Bemerton Estate.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle of the development
- Impact of the development on the character and appearance of the existing building and surrounding area.
- The impact of the proposed development on anti-social behaviour within the area.
- Impact on trees
- Inclusive Design and transport

Principle of the development

10.2 Core Strategy Policy CS6 part C supports the improvements to east-west pedestrian links through the Bemerton Estate, as part of the Strategy's wider spatial strategy for Kings Cross. The upgrading of this route is also a key policy contained within the Cally Plan Supplementary Planning Document, adopted in 2014. Consequently the principle of the development is strongly supported.

Impact of the development on the Character and Appearance of the Area

- 10.3 The proposed public realm improvements are based on a program of public consultation developed jointly between the Bemerton Estate Tenant Management Organisation and Architecture Students at Central St Martins. The proposal seeks to both articulate Stanrear Way as the key east-west thoroughfare within the estate, and to improve a series of public spaces along the route.
- 10.4 The proposed materials are considered to be of a high quality, and a clear improvement on the existing situation. The proposed York green stone paving replaces a combination of concrete paving, tiles and tarmac. The proposed larch boundary treatments are also of a higher quality than the existing timber fencing, which is currently in a poor state of repair.
- 10.5 It is noted that the timber fencing proposed to the rear of 1 to 12 Stanrear Way is slightly taller than would usually be expected of boundary fencing. However, as a significant portion of this will be comprised of hit and miss fencing posts, it is not considered that this boundary will appear overly bulky, or lead to an excessive degree of enclosure to the streetscene.

10.6 The proposed timber arches are the most significant development proposed within this application. The arches will add interest to the eastern and western entrances to the thoroughfare, and will articulate the new pedestrian thoroughfare as a key route through the Bemerton Estate, ensuring that the thoroughfare delivers the route required by policy CS6. While it is considered that the materials do not correspond to the existing buildings within the estate, this is justified by the need to redefine the route as a key thoroughfare.

Impact on Anti-Social Behaviour

10.7 A comment has been received from a resident within the estate, objecting to the location of the proposed street furniture to the north-east of 13 to 48 Stanrear Way, stating that this will attract anti-social youths to the area. The impact of development on crime and anti-social behaviour is a material planning consideration.

10.8 It is accepted that the proposed street furniture is likely to increase the amount of pedestrian activity within the estate. However, as this will increase the extent of natural surveillance in the estate, it is considered that the provision of additional street furniture will reduce anti-social behaviour. The location of the proposed benching is considered to be acceptable; the three benches are sited within an area of public space and are not unacceptably close to any residential properties such that they would lead to an adverse impact on neighbour amenity.

10.9 The proposed improvements to the public realm are also likely to attract additional pedestrian activity through the estate, which will similarly contribute to a reduction in anti-social behaviour within the estate. Given these considerations it would be unreasonable to withhold Planning Permission on these grounds.

Impact on Trees

10.10 Following comments raised by the Council's Tree Preservation Officer, the applicant has supplied an Arboricultural Report which addresses the potential impacts on trees within the site. The Council's Tree Preservation Officer has assessed the report, and has confirmed that it contains sufficient detail to demonstrate that the trees can be adequately protected within the construction of the link. It is recommended that a condition is imposed to secure compliance with the arboricultural report.

Inclusive Design and Transport

10.11 Concerns have been raised by the Council's Inclusive Design officer and Transport Section in relation to some elements of the proposal. Specifically comments were raised in relation to the width of particular sections, the use of ramps that cut through steps and the requirement for tactile paving. The link complies with the width specified by the Inclusive Design Office, which ensures that wheelchair users will be able to pass one another across the whole of the route. The proposed surfaces are also firm and slip resistant. Seating is also proposed at 50 metres intervals.

10.12 A number of the outstanding issues raised can be addressed through the imposition of conditions, such as requiring the erection of handrails adjacent to the ramp on the western end of the footpath. Similarly it is considered that a condition can be

imposed requiring the addition of tactile paving at the top and bottom of the steps proposed. These works ensure that the proposed thoroughfare will accord with the Council's inclusive design policies.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development delivers an improved east-west link through the Bemerton Estate required by core strategy policy CS 6 and the Cally Plan SPD. The proposal uses high quality material that will contribute to the character and appearance of the area in accordance with policy DM 2.3.
- 11.2 The proposal will contribute to an increase in pedestrian activity within the estate, which will lead to a reduction in anti-social behaviour. The potential impact on inclusive design and on-site trees can be adequately controlled by way of planning conditions, in accordance with policies DM 2.2 and 6.5.

Conclusion

- 11.3 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:

	Commencement (Compliance)
1	<p>3 YEAR CONSENT PERIOD: 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>
	Approved Plans List: (Compliance)
2	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[Graphical Renderings, 1094/18/11, 1020/03/09, 1096/18/11, 1027/03/09, 1033/03/09, 1031/03/09, 1025/03/09, 1093/18/11, 1092/18/11, 1035/03/09, 1091/18/11, 1095/18/11, 1095/18/11, 1097/18/11, 1029/03/09, 1099/18/11, 1098/18/11, 1090/18/11, Arboricultural Report]</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>
	Materials
3	<p>MATERIALS (COMPLIANCE): The development shall be constructed in accordance with the schedule of materials noted on the plans and within the application form. 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>
	Trees
4	<p>The proposed development shall be carried out in strict accordance with the submitted Arboricultural Survey (BS5837:2012) & Impact Assessment Report</p> <p>Reason: To protect the health and amenity value of on-site trees</p>
	Inclusive Design
6	<p>Prior to the commencement of development details of tactile paving at the top and bottom of the stairs shown on DWG no. 1090/18/11 shall be submitted for approval. The development shall be completed in accordance with the approved details.</p> <p>REASON: To secure inclusive design</p>
	Inclusive Design

7	<p>Prior to the first use of the development hereby approved the handrails shown on the approved plans shall be installed, and retained as such thereafter.</p> <p>REASON: To secure inclusive design</p>
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List of Informatives:

	Positive statement
1.	<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. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
	Other legislation
2.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & Equalities Act</p>
	Part M Compliance
3.	<p>You are advised that the scheme is required to comply with -</p> <ul style="list-style-type: none"> • The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', <p>For this proposal, this may include</p> <ul style="list-style-type: none"> - colour contrast nosing to the external steps; - improvements to the handrail profile - glass marking manifestations <p>For more information, you may wish to contact Islington Council's Building Control (0207 527 5999).</p>
	Construction hours
4.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations as well as Environment Health Regulations.</p> <p>Any construction works should take place within normal working day. The Pollution Control department lists the normal operating times below.</p> <p>Delivery and operating times - the usual arrangements for noisy works are</p> <ul style="list-style-type: none"> • 8am –6pm Monday to Friday, • 8am – 1pm Saturdays; • no noisy work on Sundays or Public Holidays (unless by prior agreement in

	special circumstances
	Highways
5	Part of the proposal appears to be on highway land. It is recommended that you contact the highway authority to ascertain what consents are required to resurface highway land.

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 and PPG are a material consideration and have 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)

Policy 7.6 (Architecture)

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS6 Kings Cross

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 DM 2.2 (Inclusive Design)

Policy DM2.3 (Heritage)

Policy DM 6.5 Landscaping, Trees and Biodiversity

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

The following SPGs and/or SPDs are relevant:

- Islington Urban Design Guide SPD
- Cally Plan SPD