

PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 PO Box 333
 222 Upper Street

PLANNING SUB COMMITTEE B		
Date:	08 October 2015	NON-EXEMPT

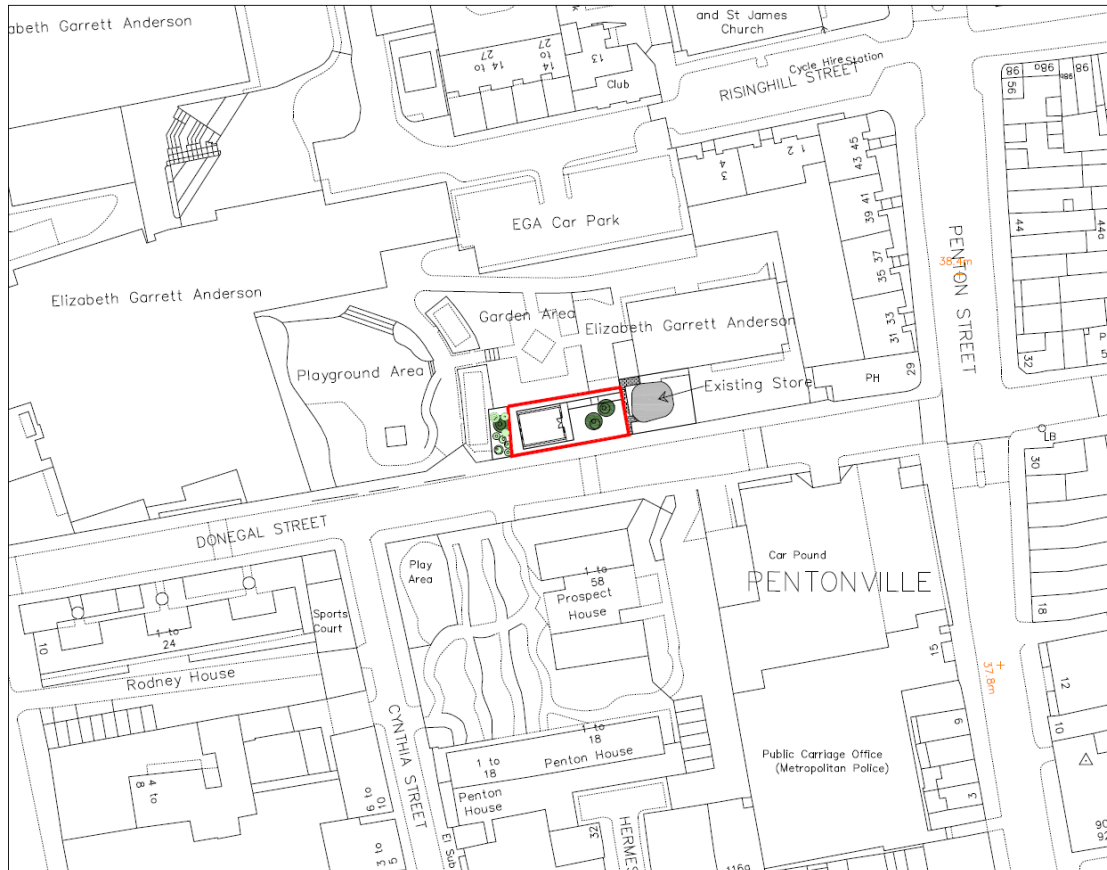
Application number	P2015/1780/FUL
Application type	Full Planning Application (Council's Own)
Ward	Barnsbury
Listed building	Building not Listed
Conservation area	Building not located within a conservation area
Development Plan Context	Kings Cross & Pentonville Road Core Strategy Key Areas Local cycle route Major Cycle Route Local view from Archway Road Local view from Archway Bridge Within 50m of Chapel Market/Baron Street Conservation Area Within 50m of Priory Green Conservation Area
Licensing Implications	None
Site Address	Elizabeth Garrett Anderson School, Donegal Street, London, N1 9QG
Proposal	Erection of a single storey classroom pod for use as additional teaching space.

Case Officer	Sandra Chivero
Applicant	Mrs Karen Tumbridge – School Business Manager
Agent	Mr Christopher Mitchell - AFL Architects

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 black)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of the site arrow pointing at location of classroom pod.



Image 2 Looking at the looking of the location of classroom pod from Donegal Street



Image 3 Looking at the looking at the location of classroom pod from Donegal Street.

4. SUMMARY

- 4.1 The application seeks planning permission to erect a classroom pod fronting on to Donegal Street close to the southern boundary. The purpose of the classroom pod is to create a general core subjects (English and Maths) teaching space. The changes in the National Curriculum have created a need for more general teaching space for English and Maths lessons.
- 4.2 The single storey pod structure would be located to the garden space adjacent the former crèche and is considered acceptable in design terms and would relate positively to the form and materials of the other school buildings on the site.
- 4.3 The open space belonged to the former crèche and was not approved as playground space or garden space for the school.
- 4.4 The loss of the existing garden space and biodiversity is regrettable. However, the need for suitable classroom space for general core subject (English and Maths) teaching is considered to outweigh the harm of the loss of garden space in this instance.
- 4.5 It is also considered that the proposal would not result in potential damage and loss of important amenity trees.
- 4.6 Overall, the proposed development is not considered to have any material adverse impacts on adjoining residents' amenity levels in terms of noise disturbance, overlooking or loss of light and balanced against the provision of improved education facility it is considered acceptable.
- 4.7 The application is at committee because it is a council own application.

5. SITE AND SURROUNDING

- 5.1 The application site is a garden space located to the south-eastern side of newly built Elizabeth Garrett Anderson School and fronts on to Donegal Street. The open space previously belonged to the adjacent former crèche which is still in situ and the garden space has now passed to the school.
- 5.2 The adjacent buildings are not listed and the site is not situated within a conservation area. The immediate surrounding area is predominantly residential in character.

6. PROPOSAL (IN DETAIL)

- 6.1 Erection of a single storey classroom pod for used as additional teaching space on land used as garden land and previously belonged to the crèche which has now gone.
- 6.2 The single storey structure would be constructed from Larch timber horizontal cladding and would incorporate glow led lighting rock panel flashings powder

coated aluminium doors/windows, timber decking and external floor mounted air conditioning unit to side (south) elevation.

- 6.3 The detached classroom pod would be 3.7m high X 7.9m wide X 9.2m deep and would create 56sqm of classroom space (D1) Use Class
- 6.4 The existing trees adjacent the pod would be retained. Detailed drawings and a construction method statement have been provided to demonstrate their safe retention.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 December 2010: Section 73 Application (Ref. P102354) Approved to vary condition 3 (approved plans) of planning permission P092022 dated 9 February 2010 for the 'erection of a single storey building (506m² GEA) to provide temporary assembly and exam hall with toilets, located in the north-west corner of the school grounds. The temporary school accommodation to be used during the refurbishment and part new build of the existing school falls within use Class D1. The variation is sought to enable consideration of an additional 2 accessible ramps to serve the temporary building (resulting in a total of 3 ramps serving this building).
- 7.2 August 2010: Section 73 (Application Ref. P100929) Approved to vary conditions 15 (BREEAM) and 21 (Biodiversity Plan) to have the effect of varying the requirements of the timing of the submission of details; and for variation of condition 2 (Approved Documents and Plans) to have the effect to considering minor material amendments of the planning permission ref: P092024 granted on 15 April 2010 for the minor material amendments.
- 7.3 May 2010: Planning application (Ref. P100489) Granted for the erection of new electric substation and LV switch room comprising 26 square metres.
- 7.4 April 2010: Planning application (Ref. P092024) Granted for the redevelopment of Elizabeth Garrett Anderson School for continued secondary education purposes totalling 8079m². The development involves the demolition of nine buildings, retention of the Garrett Anderson building (Block N) to the east of the site and the erection of a stepped part 3 to 5 storey building to the south-west of the school grounds. The development provides for a new vehicle access for ancillary servicing and disabled parking and a separate pedestrian access to the sports hall from Rodney Street; retention of vehicle access off Rising hill Street for new on-site parking area and servicing, cycle provision and extensive landscaping. The landscaping includes a new courtyard on the sports hall, landscaping surrounding the buildings, floodlight multi use games area, works to trees and associated boundary treatment. The development falls within use class D1 (non-residential institutions).
- 7.5 February 2010: Planning application (Ref. P092022) Granted for the erection of a single storey building (506m² GEA) to provide temporary assembly and

exam hall with toilets, located in the north-west corner of the school grounds. The temporary school accommodation to be used during the refurbishment and part new build of the existing school falls within use class D1.

- 7.6 May 2010: Prior Approval (Demolition) Application (Ref. P091991) Granted for the demolition of nine buildings on site - Seacole (block A), Marie Curie (block H), Kahlo (block G), Kahlo (block K), Tereschkova (block J), Fitzgerald (Block D), Sanderson (block F), Bronte (block E) and Boiler House (block C).

ENFORCEMENT:

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

PRE-APPLICATION ADVICE

- 7.8 None

8. CONSULTATION **Public Consultation**

- 8.1 Letters were sent to occupants of 297 adjoining and nearby properties at Chalbury Walk, Prospect House Donegal Street, Redington House Rodney Street, Rodney House Donegal Street, Chalbury Walk, Wynford Road, Risinghill Street, Penton Street and Half Moon Crescent on 09 July 2015. A site notice and a press advert were displayed on 16 July 2015. The public consultation of the application therefore expired on 06 August 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

External Consultees

- 8.3 **Sport England** – no response

Internal Consultees

- 8.4 **The Design and Conservation Officer** stated that the single storey building is considered acceptable in principle and the contemporary form and modern materials relate to those of the main school building and the building immediately adjacent to the pod.
- 8.5 **The Policy Officer** commented it is not clear if there is loss of playground space and how this would be re-provided/mitigated. It was also highlighted that if there is loss of playground space the school would require a S77 approval which is dealt with under a different legislation from planning legislation.

- 8.6 The Policy Officer further stated that it is also not clear if there will be an overall loss of garden/biodiversity/landscaping space and how this is proposed to be mitigated, nor is it clear if the pod will have any sustainability features for example a green roof.
- 8.7 **The Inclusive Design Officers** highlighted that it should be noted that the DDA was replaced by the Equality Act 2010 and there are no technical standards for either the DDA or Equality Act.
- 8.8 The officer further stated that the stated that limited information was given in relation to inclusive design and that the new development should comply with the Inclusive Design SPD.
- 8.9 It was also recommended that the seating should be moveable, some of the chairs should incorporate arms and there should clear height from the floor surface to the underside of a desk/table should to accommodate wheelchair armrests.
- 8.10 It was also advised that ADM (Approved Document M) will also require the provision of hearing enhancement facilities in meeting/teaching rooms
- 8.11 **The Tree Officer** raised significant concerns over the impact the proposal will have on the adjacent trees. It was stated that given the level changes and excavations required for footings, footpaths, ramps and service link up and the shallow rooting of these trees it could be foreseen that there would be conflict which will result in the inappropriate loss of roots and other detrimental impacts to the existing trees.
- 8.12 However, Tree Officer stated that the amended drawings and a Tree Protection Construction Method Statement were sufficient to remove his concerns over the safe retention of the trees and no longer had arboricultural reasons to recommend the application for refusal. A condition has been recommended to ensure that the trees are adequately protected during the construction phase in accordance with the submitted amended drawings.

9. RELEVANT POLICIES

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

National Guidance

- 9.2 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

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

Development Plan

- 9.4 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.5 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

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

- Principle (Land Use)
- Design
- Trees
- Neighbouring Amenity

Land-use

- 10.2 The classroom pod is a permanent structure and its purpose is to create a general core subjects (English and maths) teaching space. The changes in the National Curriculum have created a need for more general teaching space for English and maths lessons. The class room would fall within D1 use. The

increase of D1 floor space is considered acceptable at this location which is also in D1 use.

- 10.3 It was also confirmed that the classroom pod would not result in an increase in the number of pupils attending the school and hence would not result in further intensification of the overall educational use from the site. Furthermore, the current use of the space is not as a playground but is garden space. It was a piece of land which belonged to the former crèche and was previously not a part of the school. The classroom pod would be used during school opening hours to teach core subjects.
- 10.4 It would appear that the classroom pod would be located on the garden space of the former crèche which is no longer operational. The garden space would have offered outdoor space for the crèche so there is a loss of open play space from the site. This space was connected to the crèche which no longer operates from the site and whilst there is technically a loss of open space for outdoor use which is not going to be replaced the benefits of the additional teaching space for the school is considered to outweigh the loss of garden space and no objection is raised. Policy 3.18 of the London Plan 2015 supports the expansion of education facilities and the enhancement of facilities for educational purposes. The provision of the new pod classroom can be classified as the provision of new social infrastructure which is supported by policy DM 4.12 of the Development Management Policies 2013.

Design

- 10.5 The scale and mass of the proposed structure is considered to be appropriate within this context. The proposed building is located in close proximity to the former nursery single storey building and a two storey block which is approximately 8m in height. . The proposed building remains subordinate to the existing surrounding school building which extends to a maximum of 5 storeys.
- 10.6 The proposed single storey building is considered acceptable in principle and would relate positively to the contemporary form and materials of the other school buildings. There is timber to several areas of the school building and the building immediately adjacent to the pod is curved. The building has a blank façade along the street frontage and does not address the street at this point. Whilst it would be a better design to address and animate the street scene at this point given the small scale nature of the proposed classroom pod, the proposed quality of finish and the need to avoid the classroom being directly looked into on balance this configuration is acceptable.
- 10.7 The air conditioning unit which is positioned at the rear of the building is considered to be sensitively located at a low level and would not be prominent when viewed from the street. It is therefore considered not to harm the architectural character of the classroom pod and would not have a harmful visual impact on the street scene.

- 10.8 The proposal would therefore accord with policy DM2.1 Development Management of the Development Management policies (2013) which requires new development to respect and respond positively to existing building.

Neighbouring Amenity

- 10.9 The proposed pod and air conditioning unit would not be located adjacent to habitable windows of nearby properties. The nearest residential properties are located 18m across the highway on the southern side of Donegal Street. The proposal given its size and scale is therefore considered not to result in overshadowing, overlooking, loss privacy, loss of light, over-dominance, increase sense of enclosure nor loss outlook to neighbouring residential properties.
- 10.10 The proposed pod is also not considered to result in unreasonable noise disturbance to the nearby residential properties. The pod is for use during school hours and not for community use. A noise control condition in relation to the operation of the air conditioning unit has also been attached to the permission to prevent any noise pollution.
- 10.11 Overall, the proposal would accord with policy DM2.1 which requires development to safeguard the residential amenity to neighbouring properties.

Inclusive Design

- 10.12 During the course of the application the applicant was advised that the proposal needs to comply with the requirements of the Inclusive Design in Islington SPD and where appropriate the Building Regulations Approved Documents M & K (ADM & ADK) as well as good practice in Building Design for schools e.g. Building Bulletin 102. In particular, were new entrance doors should comply with the Inclusive Design SPD section 4.4 with regard to effective clear widths, this will require an effective clear width to at least one leaf of 1000mm and that a level/flush threshold should be provided.
- 10.13 Amended drawings and a revised Design and Access Statement were provided during the course of the application. This clarified that the existing levels can be maintained and there would be paved level access to the classroom pod entrance. A disabled ramp is therefore not required. In addition, the access doors will have a clear width of 1000mm for each leaf. This will be in accordance with the Inclusive Design SPD. All doors will also be finished to provide the appropriate levels of colour contrast with the surrounding walls.
- 10.14 An informative has been attached to the permission advising that seating should be moveable and at least some of the chairs would benefit from having arms. Good practice guidance recommends that the clear height from the floor surface to the underside of a desk/table should generally be 700mm although a clear height of 750mm is preferred to accommodate wheelchair armrests.

- 10.15 An additional informative has also been attached to the permission advising that ADM will also require the provision of hearing enhancement facilities in meeting/teaching rooms.

Trees and Sustainability

- 10.16 The loss of the existing garden space and biodiversity is regrettable. However, the need for suitable classroom teaching space is considered to outweigh the harm.
- 10.17 There are trees in existence adjacent the proposed classroom pod. During the course of the application a Tree Protection – Construction Method Statement and detailed drawings were received to demonstrate the safe retention of adjacent trees. The Tree Officer is satisfied that the proposal would not result in damage and loss of important amenity trees. This would be in line with the requirements of policy DM6.5 of the Development Management Plan. A condition has been recommended to ensure that the trees are adequately protected during the construction phase in accordance with the submitted amended drawings.

11. SUMMARY AND CONCLUSION

- 11.1 Due to the size, scale and design of the proposed pod it is considered appropriate in this context and is visually acceptable to wider surrounding area.
- 11.2 The increase in D1 teaching floor space is considered acceptable. Whilst the loss of the existing garden space and its biodiversity is regrettable, the provision of an improved education facility is considered to outweigh the harm of this loss.
- 11.3 Given the size and scale of the window positioning it is considered that the proposed would not result in any adverse impact on the amenity of nearby residents especially as they are located across the road on Donegal Street
- 11.4 Overall, the proposal is considered to accord with relevant policies.

Conclusion

- 11.5 It is recommended that planning permission be granted subject to conditions for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	<p>Commencement</p> <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>
2	<p>Approved plans list</p> <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>AL-20-001Rev.P2, AL-20-002Rev.P1, AL-20-003Rev.P2, AL-20-004Rev.P1, AL-20-005Rev.P2, AL-20-006Rev.P4, AL-20-007Rev.P2, AL-20-008Rev.P1, Classroom Pod Concept Elevations – Rev-P2 11/06/2015; Photo-Sheets; Design and Access Statement – DAS-001 – Rev.P2; Tree Protection – Construction Method Statement; Emails sent on 10 August 2015 and 25 August 2015 from Chris Mitchell – AFL Architects, Email sent 21 August 2015 from Philip Doleman – Ecopod Design, Email sent on 10 August 2015 from Karen Tumbidge Elizabeth Garrett Anderson School</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>
4	<p>Materials to Match (Compliance)</p> <p>CONDITION: The facing materials of the pod hereby approved shall match those as specified in the Design and Access Statements Rev P2 and shall be maintained as such thereafter. .</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
5	<p>Fixed Plant (Compliance)</p> <p>FIXED PLANT (COMPLIANCE): The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90 Tbg}$. The</p>

	<p>measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
6	Tree Protection
	<p>CONDITION: The tree protection shall be carried out in accordance with the submitted and approved drawing AL-20-008 Rev P1 “Tree Protection Plan” during the construction phase of the hereby approved classroom pod.</p> <p>REASON: to ensure that existing trees are protected during the construction phase.</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.</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>
2	Seating
	<p>INFORMATIVE: The seating to the new classroom pod should be moveable and at least some of the chairs would benefit from having arms. Good practice guidance recommends that the clear height from the floor surface to the underside of a desk/table should generally be 700mm although a clear height of 750mm is preferred to accommodate wheelchair armrests.</p>
3	Provision of hearing enhancement facilities
	<p>INFORMATIVE: The applicant is advised that the provision of hearing enhancement facilities in meeting/teaching rooms is required by ADM.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

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

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

3. London's people

Policy 3.18 Education facilities

7 London's living places and spaces

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS6 (King's Cross)

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS10 (Sustainable Design)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Shops, Culture and Service

DM4.12 Social and Strategic infrastructure and cultural facilities

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Inclusive Landscape Design
- Urban Design Guide

London Plan

- Accessible London: Achieving an Inclusive Environment
- Housing
- Sustainable Design & Construction