

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 B		
Date:	12 April 2016	NON-EXEMPT

Application number	P2016/0339/FUL
Application type	Full Planning (Council's Own)
Ward	Caledonian
Listed building	Listed/unlisted & grade
Conservation area	No
Development Plan Context	None
Licensing Implications	None
Site Address	Playground at rear and Undercroft Area of 21-36 Outram Place,, London, N1 0UX
Proposal	Retention of the construction and conversion of undercroft car parking area into offices, locker rooms, storage and kitchen facilities and the use of the playground, to the north of Bingfield Street for the parking for service vehicles.

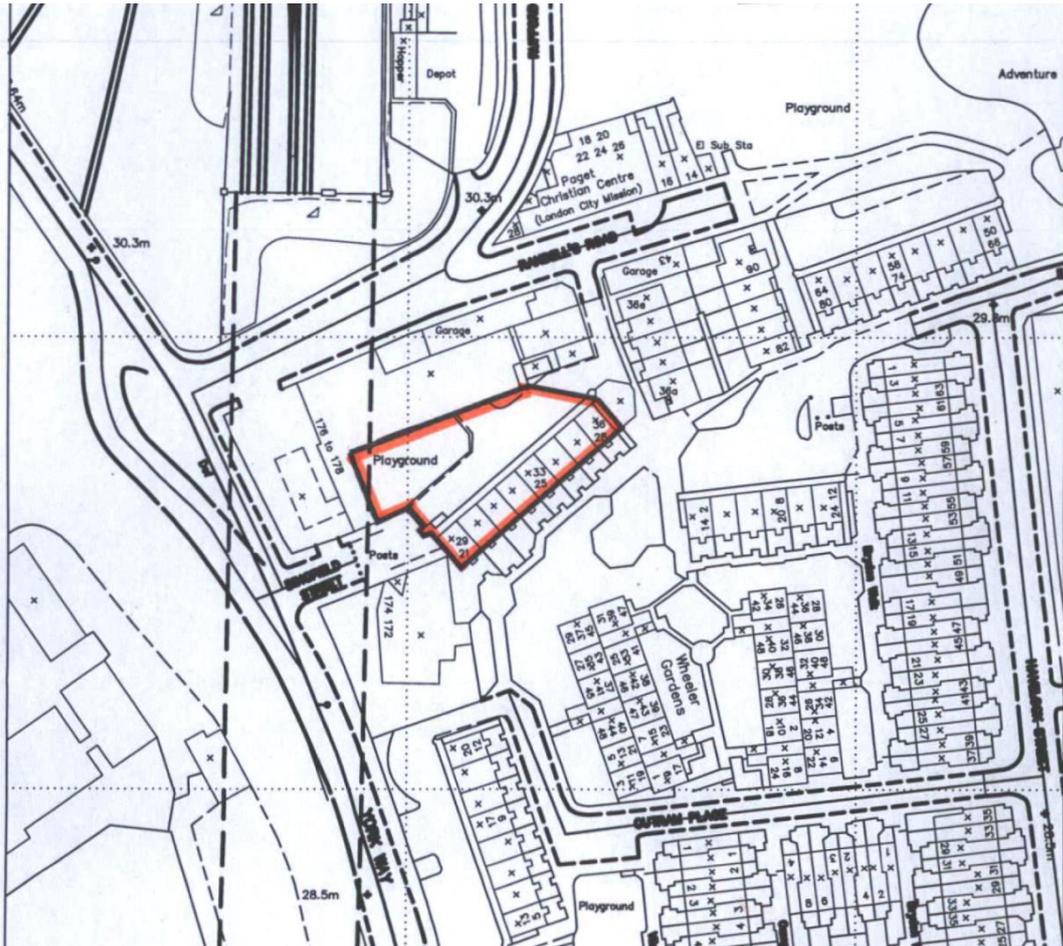
Case Officer	Daniel Power
Applicant	Islington Council - John Mooteealoo
Agent	N/A

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 red)



3. PHOTOS OF SITE/STREET



Photo 1: View of office space (previous undercroft)



Photo 2: View of storage space (previous undercroft)



Photo 3: View of parking area (former playground)

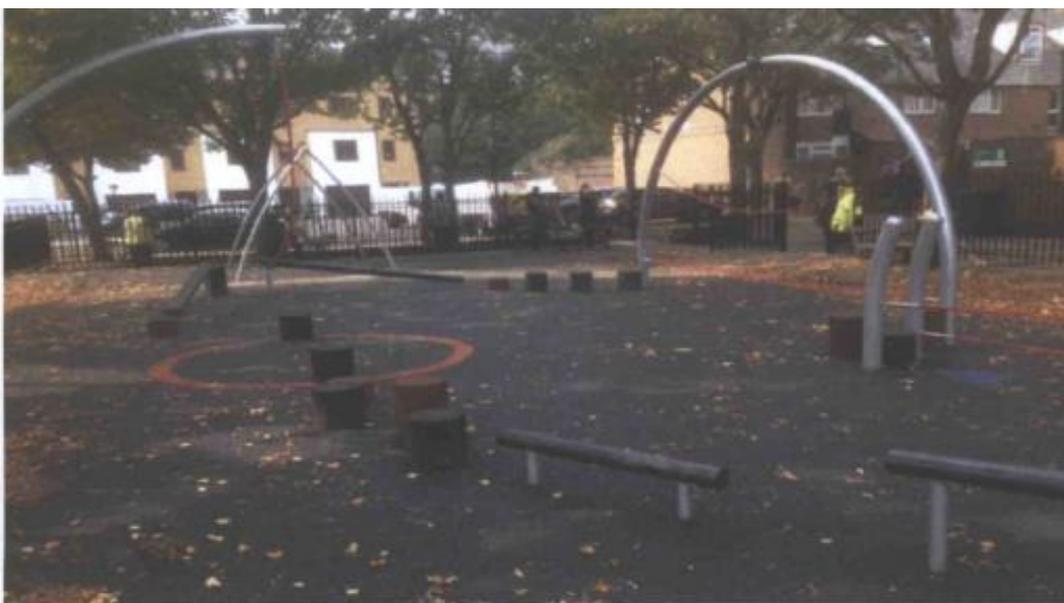


Photo 4: Improvement of play area at Dehli Outram Estate following previous permission

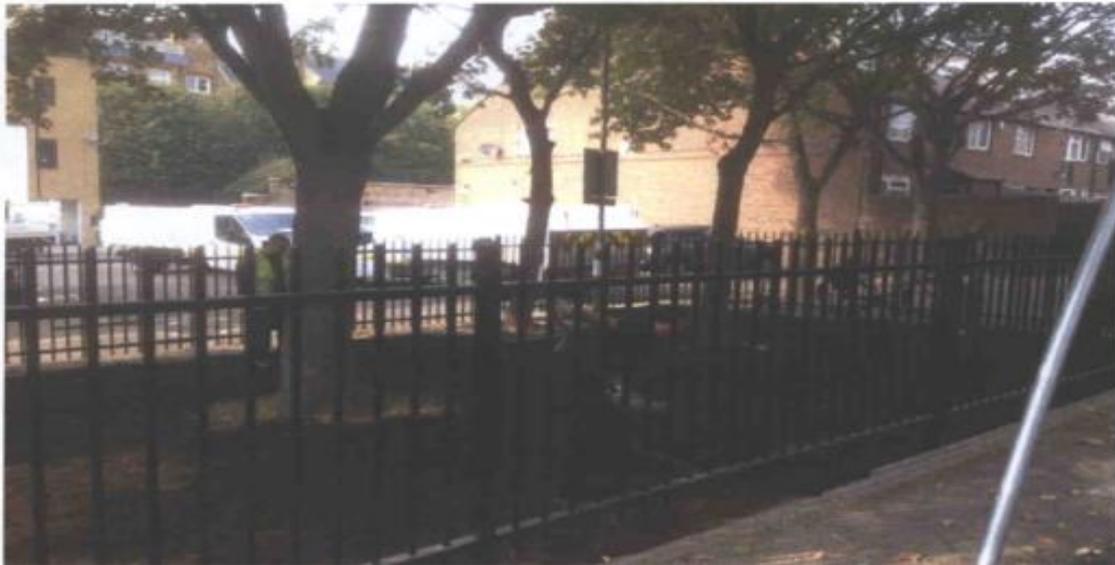


Photo 5: Improvement of play area at Dehli Outram Estate being made ready for new turfing in September 2014.

4.0 SUMMARY

- 4.1 This application is a re-submission of the previous planning permission sought for the permanent retention of office space and the change of use of the former playground to provide parking for service vehicles used by the Council's Mechanised Services Department. The site has been operating in this use since 2009 and the application seeks to continue the use.
- 4.2 The previous permission was initially submitted for a permanent retention, however a one year permission was granted following the resolution to grant at Planning sub-committee B in May 2015.
- 4.3 The loss of the open space has been off-set by the extension and improvement of other play facilities within the Estate. The loss of the residential car parking in the undercroft area and the use of the site for the parking of the Council's vehicles would be in accordance with the Council's car free policy.
- 4.4 Like the previous permission, the hours of operation proposed are 0800 to 1600 hours, and there would be a limited number of both employees and vehicles at any one time at the site. The works to the undercroft and the physical works to the parking area fall within permitted development.
- 4.5 The Directors' Agreement associated with the previous planning permission requiring an improvement and extension of the playground at Delhi Outram Estate opposite 9-15 Delhi Street from the previous permission is not required with this application as the works are now complete.
- 4.6 The proposal is recommended for approval with conditions on a permanent basis.

5.0 SITE AND SURROUNDING

- 5.1 The site previously consisted of a rear undercroft below flats No. 29 to 36 Outram Place and a former playground area to the north of the undercroft, all set within the Council owned Dehli Outram Estate. The proposed works have been undertaken, with Mechanised Services occupying the site since 2009. The works enclosed the undercroft area to provide office space and the playground area had a vehicular access created and a surrounding fence erected. The current parking area was previously in use as a playground, but is anecdotally understood to have not been used as a play space since 2004. The vehicular parking area also includes a number of temporary container structures.

5.2 No. 21-36 Outram Place consist of a four storey residential block incorporating an undercroft to the north. The playground is set to the south of a former petrol station, which is currently in use as a car sales outlet, and a two storey warehouse/office building. The site is accessed from a driveway leading onto Randell's Road to the north.

5.3 The site falls within the Kings Cross and Pentonville Road Core Strategy Area and the former playground area falls within site KC4 of the Site Allocations (June 2004).

6.0 PROPOSAL (in Detail)

6.1 The proposal is to permanently retain the works to the site to provide office space and change the use of a former playground to provide parking for service vehicles for the Mechanised Services provided to council estates.

6.2 The works to the office space consist of the infilling of 4 bays with facing brickwork, metal grill covered windows and steel doors; the infill of two bays with steel grilles/chequer plates and the partial infill of one bay with a secure weldmesh screen.

6.3 The works to create the parking area consist of the erection of a 2.8 metre high black painted metal fence around the south and east extent of the former playground, the creation of a vehicular crossover on the east side.

7.0 RELEVANT HISTORY:

Planning Applications

7.1 **P091512** - Construction of a service depot for central estate services - Withdrawn (20/03/2013).

7.2 **P2013/3432/FUL** - Provision of office space and parking for service vehicles for mechanised services provided to council estates. Approved with conditions (07/01/2014)

7.3 **P2014/4049/FUL** - Retention of the construction and conversion of undercroft car parking area into offices, locker rooms, storage and kitchen facilities and the use of the playground, to the north of Bingfield Street for the parking for service vehicles. Approved with conditions (21/05/2015)

Enforcement:

7.4 **E/2013/0473** – Unauthorised change of use and erection of fencing – Invite application (22/11/2013).

Pre-application Advice:

7.5 No formal pre application advice has been sought.

8.0 CONSULTATION

Public Consultation

8.1 Letters were sent to 19 occupants of adjoining and nearby properties on 24th February 2016. The public consultation of the application therefore expired on 16th March 2016, 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.

Internal Consultees

8.3 **Parks and Open Space** – No response received.

8.4 **Design and Conservation**- No objection

8.5 **Housing Department** – No response received.

External Consultees

8.6 **Thornhill Square Association** – No response received.

9.0 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 2015, 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.

Designations

9.3 The relevant designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013 are listed in Appendix 2:

Islington Local Plan – Core Strategy

- Kings Cross and Pentonville Road Core Strategy Area
- Site allocation KC4 (Playground area only)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10.0 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Neighbour Amenity
- Highways and Transportation
- Design

Land-use

- 10.2 There are two distinct areas to the planning application, the former playground open space and the undercroft area.
- 10.3 The service vehicle parking area replaces a previous playground open space within Dehli Outram Estate Management to No.176-178 York Way. DM6.3 of the Development Management Policies sets out that development is not permitted on semi-private amenity spaces, including open space within housing estates, unless the loss of amenity space is compensated and the development has overriding planning benefits.
- 10.4 This open space has been in use as a service vehicle parking area since at least 2009 and the applicant has detailed that prior to this, the site was fenced off, secured and overgrown for a period of approximately six years. Funding has previously been secured through the original application at the site to improve an existing play area to the south of 9-15 Dehli Street which serves the local community significantly better than the previously vacant open space.
- 10.5 The provision of essential maintenance services is an ancillary function to the housing estates. In light of the fact that the playground has not been used since approximately 2004 and an alternative location has been improved within close proximity, and furthermore, the previous play space falls within Site KC4 of Islington's Local Plan: Site Allocations (2013), where it is stated as being disused and is designated to be redeveloped, the loss of this open space is considered acceptable in this case. The use itself is of a beneficial use which allows the proper and timely maintenance and upkeep of the councils housing estates in the area which is considered to be a material benefit to the local and wider community in this case.
- 10.6 The office/storage space within the undercroft replaces a previous parking area. The loss of parking spaces is not resisted by the Council and it would be in accordance with the Council's car free policy DM8.5. Furthermore, prior to its conversion in 2009 it was a known location for anti-social behaviour.
- 10.7 The previous permission was subject to a Directors' Agreement to secure the improvement of the play area located to the south of 9-15 Delhi Street, as a benefit for the community. This work has now been carried out and therefore another Directors' Agreement is not required this time as the policy has been satisfied.
- 10.8 Previous submissions at the site have included a feasibility assessment of the potential use of the site for residential purposes, detailing that it would not be reasonable. While this has not been submitted with this application, the submitted application does not include any residential use of the site and this is therefore not considered relevant to the consideration of the application.

Neighbouring Amenity

- 10.9 Policies DM2.1, 2.2 and 6.3 of the development plan seek to protect residential amenity when considering development proposals. The office/storage space is created from the infill of the undercroft areas and the works to the playground consist of small scale fences and columns and lights. As such the main amenity consideration relates to potential disturbance from the use.
- 10.10 The site has 18 full time employees, parking for 14 vehicles and the hours of operation are detailed to be between 0800 and 1600 hours Monday to Friday. Due to the limited office space at the site and the nature of mechanised services provision, it is likely that numbers of employees at the site at any one time would be limited. Whilst there would be likely to be a peak of employees at the start and end of the working day, this would be for a limited time and within normal working hours. It is noted that the Public Protection Noise Team have not raised any objection to the use of the site.
- 10.11 Subject to conditions restricting the hours of use, the number of vehicles at the site and the use of the former playground for solely parking use for the mechanised services vehicles and employees, the office and vehicle parking use of the site is considered to be in accordance with

policy DM2.1 of the Development Management Policies and policy 7.15 of the London Plan with regard to neighbour amenity.

Highways and Transportation

- 10.12 Policy DM8.5 of the Development Management Policies states that non-residential parking will only be allowed where this is essential for operational requirements and therefore integral to the nature of the business or service. Furthermore, any parking should be off-street and located to be accessible and convenient in relation to the development.
- 10.13 Mechanised Services, by its very nature, requires vehicles for its daily operation. Therefore the parking of these vehicles is integral to operational requirements and service provision. The parking provision is off-street and is located in close proximity to the offices.
- 10.14 With regard to parking and manoeuvring, the site is located within a cul-de-sac with a turning 'T' which previously provided sufficient turning space for vehicles parking within the undercroft area. Furthermore, there is sufficient space within the parking area for the manoeuvring of vehicles, whilst the Junction with Randell's Road is of a sufficient size to allow vehicle to access and egress the site.
- 10.15 The site is located within close proximity to Kings Cross/St Pancras Railway Station and a number of bus routes whilst the store areas would provide sufficient space for cycle parking.
- 10.16 The parking space is considered to be in accordance with Development Management policies DM8.2, DM8.3, DM8.4 and DM8.5.

Design

- 10.17 The built up wall sections and steel walled bays which create the offices incorporate regular spacing and are of a small scale, facing onto the service vehicle parking area, which forms the end part of a cul-de-sac. The fenced area is set back from the rear elevation of the undercroft area and due to its open nature is not intrusive within the locality. The infilled bays provide an active frontage to a previously open and inactive space. By reason of this, the regular bay spacing and the simple form of the development, the office space is considered to be acceptable.
- 10.18 The 2.8 metre high black painted metal fence, vehicular crossover and security light which were erected at the site would fall within the provisions of Schedule 2, Part 12, Class A of the Town and Country planning (General Permitted Development) Order 1995, as amended by the 2015 Order and would therefore do not require express planning permission.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposal provides a suitable parking and office space for Mechanised Services Department would not detrimentally impact upon the amenity of the neighbouring occupiers and has secured improvements to a nearby play space area.
- 11.2 As such, the proposal is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Approved plans list
	<p>CONDITION: The development hereby permitted shall be retained in accordance with the following approved plans: Location plan DO/001/P, Existing plan and elevation to estate with drainage layout, LS006 Rev A,</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
2	Hours of Operations
	<p>CONDITION: The Office space and service vehicle parking area for services vehicles operating as part of the Mechanised Services Department hereby approved shall only operate between the hours of 0800 and 1600 Monday to Friday and not at all on any other day.</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</p>
3	Service Vehicle Parking
	<p>CONDITION: The service vehicle parking area hereby approved shall only be used for the parking of vehicles and shall not be used as an area for repair works to be undertaken.</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</p>
4	Number of Vehicles
	<p>CONDITION: The service vehicle parking area hereby approved shall have a maximum of 14 vehicles parked at any one time.</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</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.</p> <p>Verbal pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the</p>

	policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.
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APPENDIX 2: RELEVANT POLICIES

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

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.

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

3 London's people	Policy 6.12 Road network capacity
Policy 3.16 Protection and enhancement of social infrastructure	Policy 6.13 Parking
4 London's economy	7 London's living places and spaces
Policy 4.1 Developing London's economy	Policy 7.4 Local character
Policy 4.2 Offices	Policy 7.5 Public realm
6 London's transport	Policy 7.6 Architecture
Policy 6.3 Assessing effects of development on transport capacity	Policy 7.15 Reducing noise and enhancing soundscapes
	Policy 7.18 Protecting local open space and addressing local deficiency

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 CS13 (Employment Spaces)

Policy CS15 (Open Space and Green Infrastructure)

Policy CS16 (Play Space)

Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Health and Open Space

DM6.3 Protecting open space

Transport

DM8.2 Managing transport impacts

DM8.4 Walking and Cycling

Shops, culture and services

DM4.12 Social and strategic infrastructure

and cultural facilities

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Employment

DM5.1 New business floorspace

D) Site Allocations June 2013

SA1 Proposals within allocated sites

KC4 176-178 York Way

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:

Islington Local Plan

- Kings Cross and Pentonville Road Core Strategy Area
- Site allocation KC4 (Playground area only)

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Urban Design Guide

4.