



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		
Date:	10 th June 2014	NON-EXEMPT

Application number	P2014/1094/FUL
Application type	Full Planning Application
Conservation area	Adjoins Tollington Park Conservation Area in parts.
Licensing Implications	None
Site Address	Islington Arts And Media School, Islington, London, N4 3LS
Proposal	Replacement boundary wall with associated security fencing

Case Officer	Eoin Concannon
Applicant	Mr Tunde Ogundiya
Agent	Mr Peter Wells

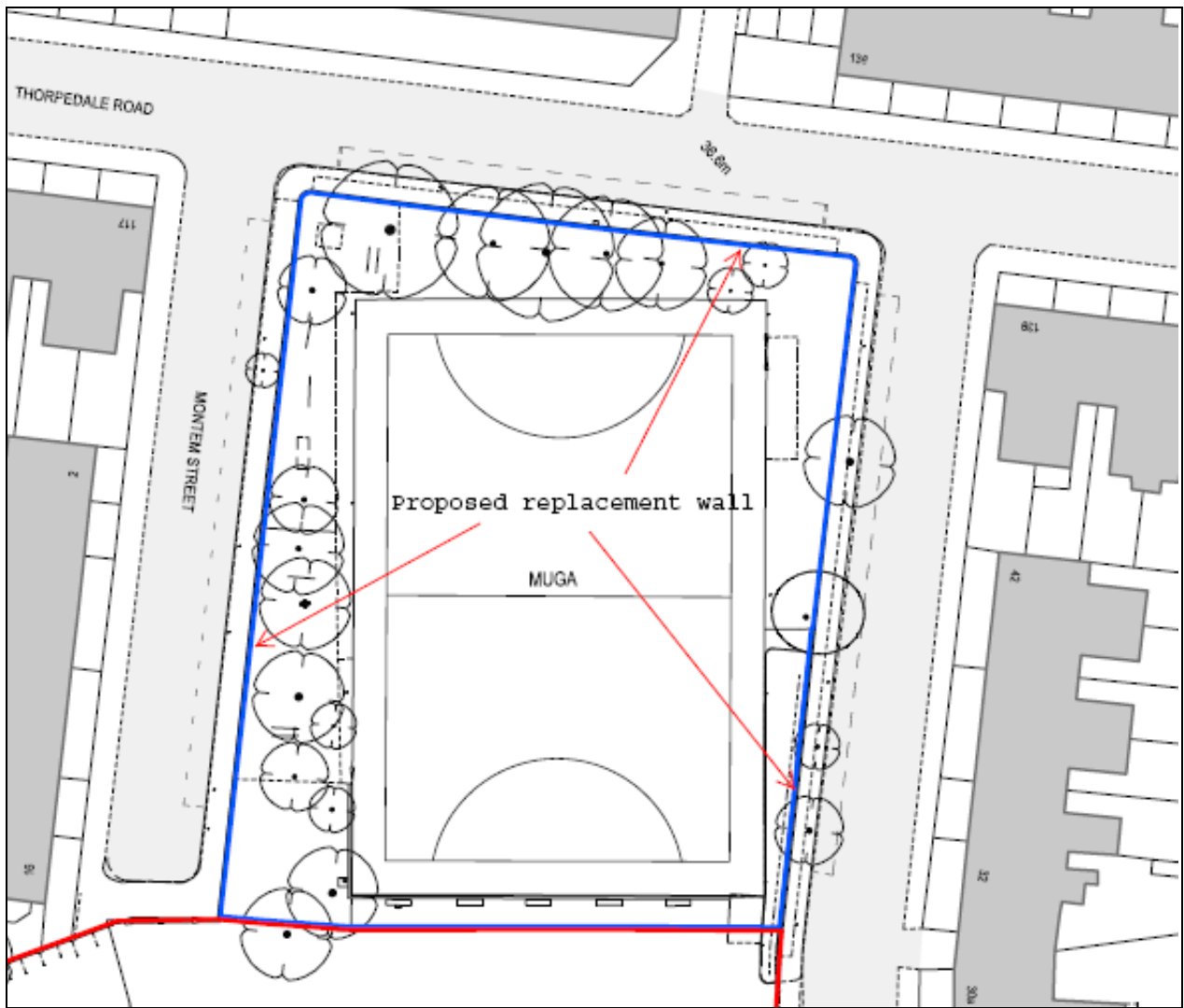
1. RECOMMENDATION

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)





Plan highlighting positioning of fencing (with red arrows)

3 PHOTOS OF SITE/STREET



Photo 1: Existing boundary treatment along Marriott Road



Photo 2: Street view Marriott Road



Photo 3: View of existing wall looking north east on Montem Street



Photo 4: View of existing wall looking north east on Montem Street

4 SUMMARY

- 4.1 The application seeks permission for the installation of a replacement boundary wall with associated fencing. Planning permission had previously been obtained in July 2013 for a similar scheme (planning reference P121409). Within the previous permission, condition 3 required the use of salvaged bricks from the wall in the construction.
- 4.2 The current proposal seeks to use new brick in the construction. There would also be slight height reduction in a section wall compared to that previously proposed along Marriott Road with a section of wall along Marriott Road now retaining a similar height as the existing wall along this boundary 1.2 metres.
- 4.3 The main issues arising from this application relate to design and appearance; neighbouring amenity; landscaping and trees; and sustainability. Given the safety issues with the existing boundary treatment, the permeable nature of the replacement fencing, the separation distance to neighbouring properties and subject to conditions requiring suitable replacement planting and maintenance, the proposal is considered acceptable and in accordance with the relevant policies listed at Appendix 2.

5 SITE AND SURROUNDING

- 5.1 The application relates to the boundary wall adjacent to the Multi Use Games Area (MUGA) at the northern end of the Islington Arts and Media School and runs along part of Marriott Road, Thorpedale Road and Montem Street.
- 5.2 In general, the surrounding area is predominately residential in nature and retains a leafy appearance. The site also abuts Tollington Park Conservation Area to the south and south east.

6 PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for the installation of a replacement brick boundary wall to a maximum height of 1.8 metres with associated security fencing atop to a maximum height of 3 metres. The amendments from the previously approved scheme P121409 would involve
 - The use of a new brick (Ibstock medium Reigate multi brick) instead of salvaged brick from existing wall.
 - Proposed wall along Marriott Road would also be reduced in height to match existing wall height with the proposed fence above the wall remaining unchanged.
- 6.2 The existing brick wall is falling into disrepair and potentially dangerous state with the roots of adjoining street trees on Marriot Road. The applicant had explored the option of repairing the existing wall; however an investigation

concluded that the existing wall had minimal integrity and was a safety risk to public due structural pressure resulting in bowing and cracking.

7 RELEVANT HISTORY

Planning Applications:

- 7.1 **P040277** Installation of games area including new flood lighting, fencing and disabled access on part of existing tarmac playground. **(Approved 31/03/10)**
- 7.2 **P092021** Part renovation, part new build of Islington Arts and Media School for continued secondary education purposes totalling 5139m² and the separate re-provision of the Adult Learning Centre. **(Approved 02/03/10)**
- 7.3 **P121409** Erection of replacement boundary wall with associated security fencing. **(Application approved by Committee 25/07/14)**

Enforcement:

- 7.4 None

Pre- Application Advice:

- 7.5 Informal post application discussions following the previous planning decision P121409. The applicant was advised that a further planning application would be required as the brick to be used would involve new brick rather than the salvaged brick of the existing wall which was secured by condition 3.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 202 adjoining and nearby properties on the 1st April 2014. A site notice was also displayed 3rd April 2014.
- 8.2 At the time of the writing of this report, 6 letters of objection had been received as well as a representation from Councillor Watts against the proposal. A further representation from the Head of the School was received withdrawing an initial objection and supporting the application based on the replanting scheme proposed.
- 8.3 The main concerns raised by objectors were (and the paragraph that provides responses to each issue is indicated in brackets):
- Loss of valuable greenery (hedging) along Marriott Road boundary would detrimental to the character and increase the concrete feel of the area. The green hedging contributes to a healthy environment which a brick wall could never do. (10.13-10.17)

- The proposed wall would have a negative health and well being effect on our school community as well as surrounding neighbours (design). (10.2-10.8)
- The wall should be replaced with salvaged brick so that it remains in keeping with the other brickwork in the area. New brick works would look hideous. (10.6)
- The combination of wall and fence would increase the boundary to 3 metres which would have a negative visual impact with the school resembling a prison. (10.9-10.10)
- Consideration of an alternative full height metal mesh fence or wooden fence along the boundary section of Marriott Road would allow the hedging to be retained. Further alternative was to rebuild the wall but keep security fence to its present extent. (10.25-10.28)
- Existing wall is fit for purpose and the proposal would be a waste of tax money. Any proposal should involve recyclable materials. (10.22-10.24)

Internal consultees

8.4 **Tree Officer:** No objections

8.5 **Design and Conservation:** The principle of the boundary treatment has already been accepted subject to acceptable brickwork secured.

9 REVELANT 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, 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.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Design and appearance;
- Neighbouring amenity;
- Landscaping and trees;
- Security

Design and appearance

- 10.2 As noted in paragraph 6.1, the application is a resubmission on a previously approved boundary treatment with the main difference relating to the brickwork. The previous scheme had accepted the principle of a brick wall with security fence on top.
- 10.3 Ideally, the repair of the existing wall would be the preferred option. However, the applicant has stated that this is not possible for a number of reasons. Namely the existing walls are in poor condition with many cracks and faults; the foundations are undermined by tree roots in many areas which mean that it cannot be repaired to a suitable standard.
- 10.4 A replacement wall with security fencing atop is considered the most appropriate design solution due to its proximity to the boundary. A solid brick wall would provide a longer term solution which would integrate with the surroundings. The fencing above would provide a safe boundary and prevent trespass and anti-social behaviour.
- 10.5 The replacement brick wall, aside from the section along Marriott Road would be similar in size to the existing. Given that a similar arrangement currently existing, the reduction in solid brick work to that already approved along this side of the boundary would be acceptable. The total height of the proposal would be no greater than the previous approval of 3 metres. The brick on the lower part of the treatment would provide a solid visual base that would be more appropriate for institutional facilities such as the educational site it surrounds. Furthermore, the security fencing atop the replacement wall would provide visual transparency given the open nature of the proposed fencing.

- 10.6 The proposed brick (Ibstock medium Reigate multi brick) would be similar in colour and appearance to the existing brick (double diamond – which is no longer produced). The Design & Conservation Officer has been consulted and recommended that a condition be attached related to the detailing. A condition requiring a sample panel of proposed brickwork showing size, colour, texture, facebond and pointing shall be provided on site can be secured by condition. Subject to approval of these details, the replacement brick proposed is considered acceptable and would not cause a detrimental impact on the surrounding character.
- 10.7 When balanced against the poor state of the existing brick wall and the security improvements, subject to conditions requiring detail of bricks to match in terms of size, colour and texture and well as a brick panel sample, the replacement wall and associated security fencing which has already been approved in principle is considered acceptable with regard to design and appearance, consistent with the existing street and still provide an open aspect.
- 10.8 Overall, the proposed development is acceptable with regard to design and appearance and is in accordance with policy 7.4 (Local character) of the London Plan 2011, policies CS8 (Enhancing Islington's character) and CS9 (Protecting and enhancing Islington's built and historic environment) of Islington's Core Strategy 2011, section 2.4.5 (Front boundaries) of the Islington Urban Design Guide 2006 and policy DM2.1 (Design) of the Development Management Policies 2012.

Neighbouring amenity

- 10.9 Concerns have been raised regarding the increase in height along the boundary treatment which would have a maximum height of 3 metres. The current application would have a slight variation in height along Marriott Road to the previously approved scheme. This variation would involve a reduction in the height of the wall in line with the height of the existing wall. The overall height of the boundary treatment would not increase from the previous permission granted.
- 10.10 While security fencing varying from 1.2 – 1.8 metres high would be added to the replacement brick wall, this is not a solid structure thereby allowing views through and would also be viewed within the context of landscaping/planting behind it.
- 10.11 The nearest residential properties are approximately 11 metres to the boundary and 13 metres to elevations with habitable rooms and also across a street. Given these distances, the proposal would not result in a harmful increase in loss of outlook, sense of enclosure or loss of privacy such as to reasonably warrant refusal of the application.
- 10.12 Overall, the proposed development is not considered to cause 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 2013.

Landscaping and trees

- 10.13 The main issue of contention relates to the loss of a row of laurel hedging directly behind the existing wall facing onto Marriott Road. These laurels provide a green screen along this section of the boundary which local residents wish to protect.
- 10.14 The previously approved scheme had accepted the removal of these laurels on the basis that acceptable replacement planting would be implemented. The current application would not differ from the previous submission in regards landscaping and it would not therefore be justifiable to refuse the application due to the loss of laurels given that this was accepted under the previous scheme.
- 10.15 The previous decision had noted that the existing laurel hedging were not within a Conservation Area or subject to a Tree Preservation Order. Therefore, no consent to prune, cut or remove any of the planting within the site is required. Furthermore, the existing Laurels on Marriott Road are growing and pushing against the wall and an independent structural engineer as well as Council's Arboricultural Officers agree that they need to be removed due to the harmful impact that they having on the adjoining wall.
- 10.16 The applicant has worked in conjunction with the Council's Arboricultural Officers to design a replacement planting and landscaping scheme to mitigate any loss of planting within the site. Furthermore, the applicant has, again in conjunction with Council's Arboricultural Officers developed a methodology for ensuring the adjoining street trees are protected.
- 10.17 The proposed Pyracantha hedging is a fast growing evergreen bush that can grow up to heights of 5 metres. The Arboricultural Officer considers this planting a suitable replacement for the existing laurel hedge as it would also increase biodiversity with many bird species attracted to this type of hedge for both nesting and its rich autumn fruit.
- 10.18 As such, both the replacement planting/landscaping plan and protection methods are considered acceptable and compliance with the replacement planting/landscaping plan would be required by way of condition.
- 10.19 Overall, the proposed development is acceptable with regard to landscaping and trees and is in accordance with policy 7.21 (Trees and woodlands) of the London Plan 2011 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

Security

- 10.20 The applicant is concerned over the school's security and minimising the risk of trespass as there have been instances of trespass in the games area outside of school hours that have allegedly caused disturbance to residents. The new wall and fencing would provide the school with much needed additional security as well as visual transparency. This would provide a secure environment for both school children and those that use the games area, without a compromising the overall design.
- 10.21 Overall, the proposed development is considered acceptable with regard to security and in accordance with policy DM2.1 (Design) of the Development Management Policies 2013.

Other issues

- 10.22 The objections received raised other concerns related to the proposed development including
- Waste of public money
 - Use of recyclable materials
 - Alternative designs to the boundary treatment
- 10.23 With regard the first point (waste of public money), it would not be considered a planning matter that could influence the determination of this application. These concerns would be a matter for the applicant (the Council). The applicant has submitted a statement providing justification for the need replacement boundary treatment due to health and safety concerns.
- 10.24 With regard, the use of recyclable materials, the previous scheme proposed had placed a condition requiring the use of salvaged brick work. In ideal circumstances, the use of the existing brick would maintain the boundary treatment as close to the existing arrangement as possible. However the applicant unfortunately would be unable to use existing brickwork due to its condition. The proposed replacement brick is as close to matching the existing brick as possible in terms of colour and texture. A condition has also been recommended requiring further details prior to implementation.
- 10.25 Further comments were received regarding securing the long term future of the laurel hedging through an alternative boundary treatment. The boundary treatment proposed would involve a full 3 metres in height metallic mesh fencing along the boundary line facing Marriott Road. This would in theory allow for the retention of the green screen of laurels directly behind.
- 10.26 Following the previous approved application for the boundary treatment, post application discussions had taken place. It had been indicated to the applicant that the full height metal mesh fencing so close to the highway would not be a desirable long term solution.

- 10.27 Given that the unprotected laurel hedges could be removed at any stage, or could potentially be damaged during the removal of the existing wall. The location of this style of fencing (full height) without the visual screen behind would have a far greater visual impact than the current proposal.
- 10.28 Nevertheless, if an application was received for a full height mesh fence, it would be considered on its own merits, taking the surrounding character into consideration and following an extensive consultation with surrounding neighbours as well as internal and external consultees.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development varies from the previous approval in so far as new brick work is now proposed with a reduction in height of the wall along Marriott Road. Based on a suitable brick similar in appearance to the existing brick, the proposal is considered acceptable.
- 11.2 The proposed installation of a replacement brick boundary wall to a maximum height of 1.8 metres with associated security fencing atop to a maximum height of 3 metres is acceptable, subject to conditions with regard to design and appearance; neighbouring amenity; landscaping and trees and security and accords with the relevant policies listed in Appendix 2.

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
1	<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>
	Approved Plans List
2	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan, P2002759_(00)A010_C, B-14-1, B-14-2, B-14-3, B-14-4, 2956-01; Design and Access Statement, Method Statement and Risk Assessment dated November 2012; Structural Engineering Information and Calculations dated September 2012;</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>
	Brickwork – sample panel
3	<p>CONDITION: A sample panel of proposed brickwork (lbstock medium Reigate multi brick) showing the size, colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority prior to the relevant part of the works are commenced.</p> <p>The approved sample panel shall be retained on site until the works have been completed.</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>
	Landscaping
4	<p>CONDITION: All landscaping in accordance with the approved scheme as shown on drawing number B-14-4 shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance/watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to</p>

	<p>the satisfaction of the Local Planning Authority within the next planting season.</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 biodiversity, sustainability and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
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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.

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, 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

7 London's living places and spaces:
7.4 (Local character)
7.21 (Trees and woodlands)

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Policy CS10 (Sustainable design)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 (Design)

Health and open space:

DM6.5 (Landscaping, trees and biodiversity)

Energy and environmental standards:

DM7.1 (Sustainable design and construction)

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

The following SPGs and/or SPDs are relevant:

- Urban Design Guide