

**REGISTER OF PLANNING DECISIONS
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 69(1)**

Copies to: *Head of Law (Land Searches)*
Head of Building Control

Statutory Register

Case file

cc Penny Parkinson Legal

Case Officer:

Matthew Rosel

020 7527 2962

Simon Wooden,
Developing Projects
180-186, Kings Cross Road
London
WC1X 9DE

Application No: P052329

(Please quote on all correspondence)

Your ref:

Issue date: 27-Jan-2006

Particulars of an application made under the Town and Country Planning Acts and Rules, Orders and Regulations made thereunder.

BOROUGH COUNCIL'S DECISION: Planning Permission **GRANTED** on the **15-Dec-2005** for the development referred to in the undermentioned schedule, as shown on the plans submitted, subject to the conditions referred to.

This proposal has been approved following consideration of all the relevant policies in the Unitary Development Plan 2002 and other material considerations; the proposal is generally considered to comply with the UDP, and in particular policies Env 1, Env 2, Env 6, Env 8, Env 10, Env 12, Env 13, Env 14, Env 15, Env 16, Env 17, Env 20, Env 30, Env 38, T4, T5, T18, T21, T34, T49, T55, Ed 3, Ed 5, Ed 6, Ed 8, Ed 11, Ed 12, Ed 14, Ed 15, D1, D2, D3, D4, D5, D6, D8, D39, D43, D45, D46, D47, Imp 6, Imp 13, Imp 14 and Imp 16. Other policies may have been considered, but in this instance are not considered to have such weight as to justify a refusal of permission.

SCHEDULE:	Type of application:	Full Planning Application
	Date of Application:	16-Sep-2005
	Submission Completed:	26-Sep-2005

LOCATION: **Prior Weston Primary School, 101, Whitecross Street, Islington, London, EC1Y 8JA**

DEVELOPMENT:

Demolition of existing buildings and the erection of a part 1, 2 and 3 storey educational facility fronting Golden Lane and Whitecross Street to accommodate 168 children within a 'Sure Start' Early Years Centre, 360 primary students and 30 students with special needs. Erection of a first floor Multi-Use-Games-Area and separate play spaces, associated hard and soft landscaping and five kerbside and six on-site drop-off bays. A caretaker's flat is included at second floor level.

APPLICANT'S PLAN NOS. P314 D01A, D02A, D03A, D04A, L02A, L03A, 535-PL-001 (rev 01) to 003 (rev 01), 010 (rev 01) to 018 (rev 01), 019 (rev 00), 020 (rev 00), 021 (rev 01) to 028 (rev 01), Transport Assessment '05, Daylight and Sunlight Report '05, Image Sheets for Character of Play '05, Planning Statement, Design Statement, Appendix to Trial Pit Investigations, Access Statement '05, Sustainability Assessment '05, Landscape Statement '05, Tree Condition Survey '05, Acoustic Report '05, Kitchen Ventilation Systems '05, Structural Survey and External Lighting '05 (LBI REG. 23291); Occupancy Statistics, Existing Access Licencing Agreement, Draft Access Management Plans, Letter and Plans dated 11/11/05 - Daylight and Sunlight, and Archaeological Trial Pit Investigation '05 (LBI REG. 23292); Preliminary BREEAM Assessment '05 and 535-PL-MOD-01-00 (LBI REG. 23293),

SUBJECT TO THE FOLLOWING CONDITIONS:

1. **CONDITION:** The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

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).

2. **CONDITION:** The development hereby approved shall be completed in all respects in accordance with the plans and details submitted and approved, and no change therefrom shall take place without the prior and express permission of the Local Planning Authority.

REASON: To ensure the Authority may be fully satisfied that the detail of the proposal to which it gives planning permission is implemented exactly, because of the nature of the development.

3. **CONDITION:** Details and samples of the facing materials including brick panels with mortar courses, shall be submitted to and approved in writing by the Local Planning Authority before any work on the site is commenced. The samples of facing materials shall include:

- a) brickwork, render and concrete panels;
- b) timber cladding;
- c) window treatment;
- d) roofing;
- e) Multi-Use-Games-Area fencing and enclosure; and
- f) boundary treatment to all boundaries, including visual screens.

The development shall be carried out in accordance with the approved details and samples and maintained thereafter.

REASON: To ensure that the Authority may be satisfied with the external appearance of

the building.

4. **CONDITION:** Details of the location and specification of CCTV shall be submitted to and approved in writing by the Local Planning Authority. The CCTV shall be provided prior to the initial occupation of the building and shall thereafter be retained as such for the duration of the permitted use.

REASON: To ensure an adequate level of security is provided and maintained.

5. **CONDITION:** The secondary access onto Fortune Park shall only be open to students under supervision during the beginning and end of the school day. The doors shall remain closed at other times to prevent unsupervised access by students.

REASON: To ensure the proposed development does not prejudice the enjoyment of the park by the public and ensure the safety of students.

6. **CONDITION:** The Multi-Use-Games-Area (MUGA) hereby approved shall not be flood-lit or illuminated in any way, unless the prior written approval of the Local Planning Authority to any variation has been obtained.

REASON: In the interest of protecting neighbouring residential amenity.

7. **CONDITION:** The MUGA hereby approved shall not operate except between the hours of:

8.00am until 8.00pm Monday to Friday

10.00am until 6.00pm Saturdays

No use on Sunday and Bank Holidays

REASON: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their premises.

8. **CONDITION:** No part of the approved development shall be occupied or used before the loading, turning and vehicular access facilities shown in the submitted plans shall have been constructed and such facilities shall thereafter be retained for the purposes so approved unless otherwise previously agreed by the Local Planning Authority.

REASON: To ensure that the traffic generated by the proposed development does not prejudice the free flow of traffic nor public safety along the neighbouring highway.

9. **CONDITION:** Details of a Community Use and Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the

development hereby permitted. The educational facilities shall thereafter be operated in accordance with the approved community use and management plan.

REASON: To ensure the appropriate operation of the development permitted and appropriate operation in the interests of neighbouring residential amenity and business operation.

10. CONDITION: Details of a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The educational facilities shall thereafter be operated in accordance with the approved School Travel Plan.

REASON: To ensure that the Local Planning Authority may be satisfied that the scheme is of a suitable standard of sustainable operation and does not adversely impact on local road networks.

11. CONDITION: Full details of the acoustic controls system for the fixed plant shall be submitted to, implemented as specified by, and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted and thereafter retained and maintained in accordance with approved details. No alterations to the plant and system shall be undertaken without the prior written approval of the Local Planning Authority.

REASON: To ensure that the traffic generated by the proposed development does not prejudice the free flow of traffic nor public safety along the neighbouring highway.

12. CONDITION: Prior to the commencement of the development hereby permitted, details of the provision to be made for secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details before the building hereby permitted is occupied/the use hereby permitted commences and shall thereafter be retained solely for its designated use.

REASON: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport.

13. CONDITION: The developer shall carry out a noise assessment following the guidelines of PPG24. A scheme for sound insulation and noise control measures should be submitted for the Council's written approval. The noise assessment should also include an outdoor target of 50dB LAeq, 16h. The scheme implemented and retained to the satisfaction of the Council in order to achieve the following noise target for neighbouring noise sensitive occupiers and within the on-site residential flat:

Bedrooms (23.00-07.00 hrs) 35 dB LAeq, 45 dB LMax (fast)
Living Rooms (07.00-23.00 hrs) 40 dB LAeq

Kitchens, bathrooms, WC compartments and utility rooms (07.00-23.00 hrs) 45 dB LAeq.

REASON: To ensure the amenity in the locality and on-site is not prejudiced.

14. CONDITION: The design and installation of new items of fixed plant shall be such that, when operating, the noise level LAeq, Tr arising from the proposed plant, measured or predicted a 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level LAF90, Tbg.

REASON: To ensure the amenity in the locality and on-site is not prejudiced.

15. CONDITION: Full details of the acoustic controls system for the fixed plant shall be submitted to, implemented as specified by, and approved in writing by the Local Planning Authority before the use commences and thereafter retained and maintained in accordance with approved details. No alterations to the plant and system shall be undertaken without the prior written approval of the Local Planning Authority.

REASON: To ensure the amenity in the locality and on-site is not prejudiced.

16. CONDITION: Details of an Access Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The educational facilities shall thereafter be operated in accordance with the approved Access Management Plan.

REASON: To ensure the appropriate operation of the development permitted and in the interests of neighbouring residential amenity and business operations.

17. CONDITION: Details of the sustainability of the scheme shall be submitted to and approved in writing by the Local Planning Authority before work is commenced on the site. The details shall include:

- a) sustainable drainage technology; and
- b) heat pump feasibility study and details.

REASON: To ensure that the Local Planning Authority may be satisfied that the scheme is of a suitable standard of sustainable construction.

18. CONDITION: Details of the sedum roofs shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. the development shall be carried out in accordance with the approved details and maintained thereafter.

REASON: To ensure that the local Planning Authority may be satisfied with the external

appearance of the building and also with the nature and construction of the sedum roofs.

19. **CONDITION:** Details of a waste management plan, incorporating provision for refuse storage and recycling facilities on the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The refuse storage and recycling facilities shall be provided in accordance with the approved details prior to the initial occupation of the building and shall thereafter be retained as such for the duration of the permitted use.

REASON: To ensure that adequate provision is made for the storage of refuse and the provision of recycling facilities on the site, in the interests of the amenities of the area.

20. **CONDITION:** A land contamination investigation shall be carried out and a scheme of necessary remedial works shall be agreed with the Local Planning Authority and carried out prior to the commencement of the development hereby approved.

REASON: To safeguard the health and safety of workers and occupiers.

21. **CONDITION:** A landscaping scheme, including trees to be retained and proposed together with details of positions of planned and existing underground services and details of all surface treatment and boundary walls, as appropriate, shall be submitted to and approved by the Local Planning Authority before any part of the development hereby granted permission is commenced.

All landscaping in accordance with the approved scheme shall be completed during the first planting season after the date on which development in accordance with this permission has been completed. This landscaping and tree planting must have a two year maintenance/ watering provision following planting. Trees or shrubs which die within five years of completion of the development shall be replaced to the satisfaction of the Local Planning Authority with the same species or an approved alternative.

REASON: To ensure that a satisfactory standard of visual amenity is provided and maintained.

22. **CONDITION:** The detailed landscaping scheme should include the following details:-

i) treatment of trees to be retained and new tree planting including species and size;

ii) earthworks, ground finishes, topsoiling with both conserved and imported topsoils, levels, drainage including falls and drain types;

iii) enclosures including types, dimensions and treatment of walls, fences, screen walls, barriers, rails, retaining walls and hedges;

iv) hard ground surfaces including kerbs, edges, rigid and flexible pavings, unit pavings, driveways, steps and, if applicable, synthetic surfaces;

v) soft plantings including grass and turf areas, shrub and herbaceous areas and trims;

vi) recreation, playground and sports facilities should include layout, dimensions, surfaces, finishes and equipment types;

vii) water features should include types, construction details, equipment, aquatic plantings and other features;

viii) furniture should include type of outdoor furniture, dimensions, size, location, lighting type - columns, floodlighting and other types of illuminations;

ix) *planting schemes should favour the use of native species of trees, shrubs and herbaceous plants to foster wildlife interest;*

x) position of planned and existing underground service, gas, electricity, sewage, drainage and telecommunications (including cable television).

REASON: To ensure that a satisfactory standard of visual amenity is provided and maintained.

23. **CONDITION:** All trees and shrubs to be planted pursuant to the above conditions shall be planted in the first planting season following the completion of the building works. This landscaping and tree planting must have a two year maintenance/ watering provision following planting. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

REASON: To ensure that a satisfactory standard of visual amenity is provided and maintained.

24. **CONDITION:** No development shall take place until the applicant or successors in title was secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be approved on behalf of the Local Planning Authority. The archaeological work should be undertaken by a suitably qualified investigation body approved by the Local Planning Authority. The programme of archaeological work should comprise of:

1) further investigatory archaeological work prior to groundworks in the form of trial pits in the area under the existing school building. This will help to determine the eastern extent of the cemetery, if still present, and establish the level of truncation of deposits by the building on this part of the site;

2) further investigation of the areas of TP2 and TP8. It should be established if human

remains are present under the concrete slab found in TP2. Also the nature of the feature and fill containing the human remains in TP8 should be investigated further. It was suggested in the report that this could be a charnel pit relating to the cemetery though it also suggests this could be the fill of a quarry pit or hole dug out when constructing the warehouse building shown on a 1914 map. This should be established further prior to groundworks;

3) an appropriate mitigation strategy for the remainder of the site. At the time of writing this is likely to comprise of a programme of archaeological monitoring and recording during groundworks. However this will be confirmed in more detail when the results of the above phase of work to be undertaken prior to groundworks have been received/assessed.

REASON: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG16.

Your attention is drawn to any **informatives** that may be listed below:

INFORMATIVE: The applicant is advised that this permission has been granted subject to a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

INFORMATIVE: The applicant is advised, in reference to the sedum roofs that the Council would favour a mix of wild flowers and plants to maximise biodiversity.

INFORMATIVE: The reference time interval T_r shall be 1 hour during the day (07.00 to 23.00) and 5 minutes during the night (23.00 to 07.00). The measurement and/or prediction of the noise should be carried out in line with BS 4142 : 1997 and as such, may make use of measurements over a shorter period if appropriate.

For the background noise measurement, the reference time interval T_{bg} shall not be less than 15 minutes and the measurements made in accordance with BS 4142 : 1997 at a time representative of the hours of operation of the plant. The 'Fast' time weighting should be used. The measurements should be reported as facade noise levels. If it is not possible to measure at 1m from a facade, the measurement can be made at an equivalent free-field position with a +3dB correction added to calculate the equivalent facade level.

In the event that an assessment of the specific noise level at the nearest residential location is not practicable, the applicant, in agreement with the Local Planning Authority, can define one or more reference measurement positions, which should be relatively close to the item of plant. The noise level from the facade of the nearest noise sensitive premises can then be calculated on the basis of the measurement(s) at the reference location(s).

INFORMATIVE: The applicant should employ an acoustic consultant registered with the Institute of Acoustics or the Association of Noise Consultants to undertake the background noise survey and an assessment of the impact of the proposed development on nearby properties.

THE BUILDINGS ACTS AND BUILDING REGULATIONS

Building Control Division, Development House, 8A Barnsbury Park, London, N1 1QQ (Tel: 020-7527-5999; Fax: 020-7527- 5989) should be consulted regarding the application of the Buildings Acts and Building Regulations to any intended building works in relation to:

- The erection of a building or structure, extension to a building, change of use of a building, alteration to a building, installation of services, underpinning works and fire precaution (fire safety/ means of escape) works.

STREET NAMING AND NUMBERING

Will this development result in changes to any postal address or addresses on the site? If so, you will need to apply to the Council's Street Naming and Numbering section to get the property re-addressed. Failure to do so can result in delays to conveyancing, the connection of services or the initiation of postal deliveries. Application forms can be obtained by writing to:-

Islington Street Naming and Numbering,
PO Box 3333,
London N1 1YA.

Or by phoning:- 0207-527-2245/2611

Or downloading from the Council's web site at www.islington.co.uk

HIGHWAYS

The Assistant Director (Traffic and Transport), PO Box 3333, 222 Upper Street, London, N1 1YA (Tel: 020-7527-2676, Fax: 020-7527-2134) must be consulted for:

- 1) the need to comply with the Highways Act 1980 in relation to the erection of hoardings and scaffolds, construction of temporary crossovers and the depositing of building materials or use of skips on the road;
- 2) the need to comply with the Highways Act 1980 for any alterations needed to existing pavement or kerb to drive a vehicle onto private property or land; needed for the suspension or temporary/permanent revocation of any on-street parking places;
- 3) the need to comply with the Highways Act 1980 for any maintenance, repair or reinstatement works on and under the public highway;
- 4) the need to complete and submit the 'standard form' to the Assistant Head of Environment and Leisure Services (Engineering) with appropriate plans, levels and programme dates. (Form available from Assistant Head of Environment and Leisure Services (Engineering));
- 5) the necessity for the Assistant Head of Environment and Leisure Services (Engineering) to return the completed 'standard form' to the applicant, either with or without conditions

prior to the commencement of 'the works', including demolition (if conditions are attached it may be necessary to secure a deposit prior to granting formal approval to proceed);

6) the need for all necessary reinstatements or reconstructions required to the public highways to be carried out by the Council's appointed contractor upon completion of 'the works'.

* An estimate will be provided as the basis of the deposit for all necessary reinstatements or reconstructions. The estimate will be subject to normal price fluctuations and the remainder of any deposit will be returned to the applicant upon completion.

'The works' shall include all construction or refurbishment works undertaken adjacent to the public highways by the applicant.

ACCESS FOR DISABLED PEOPLE

Your attention is drawn to the enclosed notice (TP49D) relating to access for disabled people including the requirements of the Chronically Sick and Disabled Persons Act 1970 together with Part 'M' of the Building Regulations. If you wish to obtain further advice on this or any other access issue you should contact the Council's Access Officer (Tel. 020 7527 2394)

Council Policies on Access for Disabled People

The applicant's attention is drawn to the Council's policies on access for people with disabilities.

For applications not covered by Part M of the Building Regulations, e.g. for conversion or change of use, facilities for access for people with disabilities to Part standards should be provided where physically achievable. All external works should be designed to be usable by people with disabilities and appropriate parking and external access facilities should be provided.

For areas not covered by the Building Regulations, the applicable standards are set out in BS 5810. Developers may also wish to refer to 'Designing for Accessibility', published by the Centre for Accessible Environments.

The Council will expect new housing developments and, wherever physically achievable, conversions to meet Lifetime Homes Criteria. Provision of wheelchair standard housing will be encouraged. These should be in accordance with Islington's Planning Standards Guidelines.

Complying with these Policies

Planning applications will be expected to indicate the space standards (e.g. door, corridor, parking bay widths, etc.) together with any facilities such as lifts, ramps, etc. required for compliance with the above policies.

Where planning permission is granted, conditions will normally be imposed requiring

submission and approval in writing of details of the relevant items on the attached list, at a scale appropriate to show compliance.

In most cases, it is expected that the process of submission, approval and monitoring of the details required will be carried out concurrently with any application for Building Regulations Approval following from the granting of planning permission.

NUISANCE FROM CONSTRUCTION WORK

Nuisance from demolition and construction works is subject to control under the Control of Pollution Act 1974. The normal approved noisy working hours are 08.00 to 18.00 Mondays to Fridays and 09.00 to 13.00 Saturdays with no working on Sundays or Bank Holidays. You are advised to consult the Council's Assistant Director (Public Protection), 159-167 Upper Street, N1 1RE or to seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within normal working hours and by means that would minimise disturbance to adjoining premises.

Certified that this document contains a true record of a decision of the Council



Assistant Director (Planning) and Proper Officer

APAS/493/REG1FAC