



AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD on **24 March 2015 at 7.30 pm.**

John Lynch
Head of Democratic Services

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Despatched : 16 March 2015

Welcome:

Members of the public are welcome to attend this meeting.

Consideration of Planning Applications – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.**

Committee Membership

Councillor Khan (Chair)
Councillor Klute (Vice-Chair)
Councillor R Perry (Vice-Chair)
Councillor Chowdhury
Councillor Fletcher
Councillor Gantly
Councillor Ismail
Councillor Nicholls
Councillor Picknell
Councillor Poyser

Quorum: 3 councillors

Wards

- Bunhill;
- St Peter's;
- Caledonian;
- Barnsbury;
- St George's;
- Highbury East;
- Holloway;
- Junction;
- St Mary's;
- Hillrise;

Substitute Members

Councillor Convery
Councillor Comer-Schwartz
Councillor O'Sullivan
Park;
Councillor A Perry
Councillor Poole
Councillor Smith
Councillor Spall
Councillor Ward
Councillor Wayne
Councillor Williamson

- Caledonian;
- Junction;
- Finsbury
- St Peter's;
- St Mary's;
- Holloway;
- Hillrise;
- Holloway;
- Canonbury;
- Tollington;



A. Formal Matters	Page
1. Introductions	
2. Apologies for Absence	
3. Declarations of Substitute Members	
4. Declarations of Interest	

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Order of Business	
6. Minutes of Previous Meeting	1 - 4
B. Consideration of Planning Applications	Page
1. Moreland Primary School and Children's Centre, Moreland Street, London, EC1V 8BB	5 - 64

2.	New River College Primary PRU, 1 Dowrey Street, London, N1 0HY	65 - 126
3.	Packington Square, Islington, London, N1	127 - 132
4.	Royal Mail House, 148 Old Street, London, EC1V 9BJ	133 - 188
5.	The Old Sessions House, 22 Clerkenwell Green, London, EC1R 0NA	189 - 244
6.	The Old Sessions House, 22, Clerkenwell Green, London, EC1R 0NA	245 - 298
C.	Urgent non-exempt items (if any)	

Any non-exempt items which the Chair agrees should be considered urgent by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

Date of Next Meeting: Planning Committee, 23 April 2015

Please note all committee agendas, reports and minutes are available on the council's website:

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING COMMITTEE

Planning Committee Membership

The Planning Committee consists of ten locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

Consideration of the Application

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

What Are Relevant Planning Objections?

The Planning Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

For further information on how the Planning Committee operates and how to put your views to the Planning Committee please call Zoe Crane on 020 7527 3044. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.

London Borough of Islington

Planning Committee - 24 February 2015

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 24 February 2015 at 7.30 pm.

Present: **Councillors:** Robert Khan (Chair), Martin Klute (Vice-Chair),
Rupert Perry (Vice-Chair), Jilani Chowdhury, Kat
Fletcher, Osh Gantly, Tim Nicholls, Angela Picknell and
Dave Poyser
Also Present: **Councillor:** James Court

Councillor Robert Khan in the Chair

73 **INTRODUCTIONS (Item A1)**

Councillor Khan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.

74 **APOLOGIES FOR ABSENCE (Item A2)**

There were no apologies for absence.

75 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

There were no substitute members.

76 **DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

77 **ORDER OF BUSINESS (Item A5)**

The order of business would be as per the agenda.

78 **MINUTES OF PREVIOUS MEETING (Item A6)**

RESOLVED:

That the minutes of the meeting on 20 January 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

79 **96-100 CLERKENWELL ROAD, ISLINGTON, LONDON, EC1M 5RJ (Item B1)**

Demolition of all existing structures onsite (forecourt shop, canopy and pumps) and the erection of a 8 storey building plus basement levels comprising of a 212 bedroom hotel (Class C1), 5 self contained residential units (facing onto and entrances onto St John's Square comprising of 4 x 3 beds & 1x 2 bed), the creation of 93 sq metres of office /workshop space (Class B1), 250 sq metres of flexible commercial floorspace (Retail A1 use & Restaurant A3 uses) with a new pedestrian access from Clerkenwell Road to St John's Square, cycle storage provision, landscaping and associated alterations.

(Planning application number: P2014/0373/FUL)

Planning Committee - 24 February 2015

In the discussion the following points were made:

- 7.5 tonnes was the maximum size of vehicles permitted to use the square and a qualified banksman would be employed at all times to manage and monitor the servicing/delivery vehicles entering and exiting the square. These points were included in the Service and Delivery Plan which would form part of the Section 106 agreement.
- If the development had an internal servicing bay, this would fundamentally change the scheme.
- The Design Review Panel had reviewed the scheme three times.
- The servicing plan would be reviewed after 6 and 12 months.
- The hotel would have an interest in keeping the square organised as the hotel's restaurant faced the square.

Councillor Gantly proposed that the "updated Servicing and Delivery Management Plan" as proposed to be secured within the S106 agreement, should include additional measures to ensure vehicles turned in the south west corner of the square and that reversing vehicles turned off their beeping reversing noise when turning in the square. This was seconded by Councillor Fletcher and carried.

RESOLVED:

That planning permission be granted subject to the conditions and informatives in the case officer's report and the additional measures to be secured within the S106 agreement as outlined above, plus the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the planning obligations included in Recommendation A of the case officer's report to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/Head of Service – Development Management or, in their absence, the Deputy Head of Service.

80

1 AND 2-5, BENJAMIN STREET AND 94-98 TURNMILL STREET, LONDON, EC1 (Item B2)

Erection of a 6-storey (plus basement) building fronting Turnmill Street and a 5-storey (plus basement) building fronting Benjamin Street connected by a 4-storey linked building, comprising retail [Class A1] and office [Class B1a] uses and 4 residential units [Class C3], cycle parking, refuse storage, rooftop plant and landscaping works to Faulkner's Alley, following the demolition of all existing buildings.

(Planning Application Number: P2014/2950/FUL)

In the discussion the following points were made:

- The officer stated that the first paragraph of Condition 14 of the case officer's report should be amended to read, 'The energy measures as outlined within the approved Energy Strategy (including but not limited to energy efficient fabric and connection to Citigen District Heat Network) shall together provide for no less than a 41% on-site total CO2 emissions reduction in comparison with total emissions from a building which complies with Building Regulations 2013.'
- Daylight/sunlight issues had been addressed by the developer. There was one breach of the BRE guideline but this was to a room which currently received a good level of light so with a reduction of 25%, there would still be an adequate level of light.

RESOLVED:

That planning permission be granted subject to the conditions and informatives in the case officer's report and an agreement between the Director of Housing and the Service Director, Planning and Development in order to secure the planning obligations in Recommendation A of the case officer's report to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/Head of Service – Development Management or, in their absence the Deputy Head of Service.

81

602A HOLLOWAY ROAD, N19 3PN (Item B3)

Reconfiguration of the existing building to provide 12 self-contained flats, alterations to the building to provide cycle storage.

(Planning Application Number: P2014/1792/FUL)

In the discussion the following points were made:

- Policy DM3.8B stated that the council would resist the loss of care homes unless it could be demonstrated that the existing accommodation was unsatisfactory for modern standards and/or not fit for purpose and that the proposed development would provide accommodation to meet an identified acute need, which might include social rented housing.
- The proposals showed the care home could be improved and could remain in use as a care home.
- A member advised that since the inspector's decision in February 2014, there had been two offers to buy the care home.
- The care home did not meet the policy requirement for the loss of a care home.

Councillor Klute proposed a motion to refuse planning permission due to the breach of Policy DM3.8B. This was seconded by Councillor Poyser and carried.

RESOLVED:

That planning permission be refused for the reason outlined above, the wording of which was delegated to officers in consultation with the chair.

WORDING DELEGATED TO OFFICERS

This wording has been provided by officers following the meeting and is included here for completeness.

MINUTE 81

602A HOLLOWAY ROAD, N19 3PN

Reason for refusal: The proposal fails to demonstrate that the existing accommodation is either unsuitable or unable to be reasonably adapted for modern care home (C2) standards and, in addition, fails to demonstrate that the need for the proposed residential accommodation could be identified as being acute and as such the proposal fails to comply with policy DM3.8b iii of Islington's Development Management policies adopted in June 2013.

The meeting ended at 9.05 pm

CHAIR



PLANNING COMMITTEE REPORT

PLANNING COMMITTEE	
Date:	24 March 2015

Application number	P2014/5103/FUL
Application type	Full Planning Application (Council's Own)
Ward	Bunhill
Listed building	None
Conservation area	None
Development Plan Context	Central Activities Zone; Bunhill & Clerkenwell Key Area; King Square & St Luke's Framework Area; Site Allocation BC4 – Moreland Primary School & King Square Estate; Moreland Primary School & King Square Estate Planning Brief; Moreland School Garden SINC – Local Importance
Licensing Implications	None
Site Address	Moreland Primary School & Children's Centre, Moreland Street, London EC1V 8BB
Proposal	Demolition of existing single storey school and children's centre buildings and redevelopment of the site through the erection of a single replacement part two storey, part three storey building to provide a primary school and children's centre to the north of the site fronting Moreland Street and Gard Street, with landscaped play space provided across the southern part of the site (including provision of a MUGA to the southwest corner of the site), together with associated ancillary development.

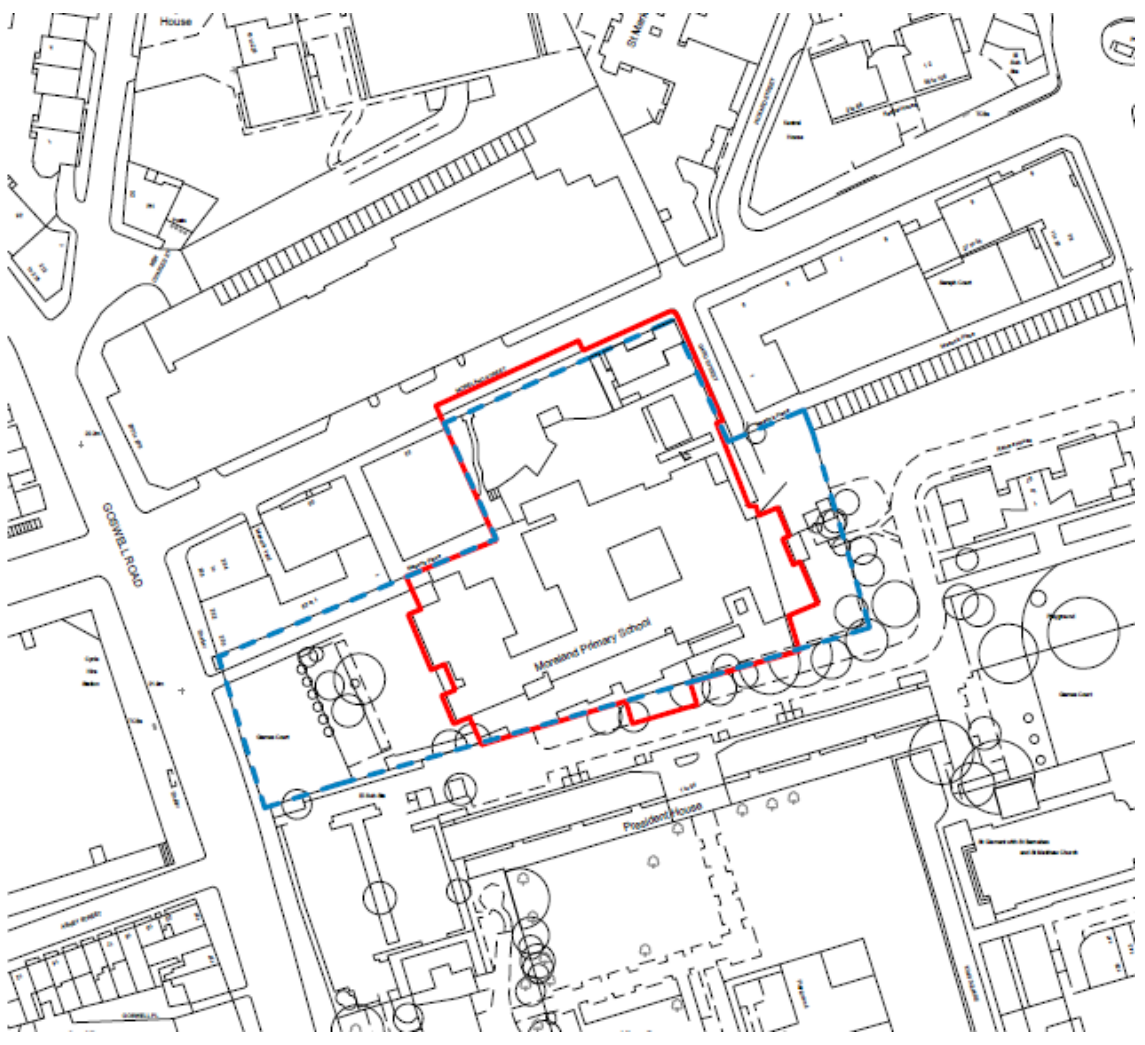
Case Officer	Ben Dixon
Applicant	Morgan Sindall Plc (appointed by LBI Children's Services)
Agent	CBRE

1 RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Directors' Agreement letter securing the heads of terms as set out in Appendix 1.

2 SITE PLAN (Site outlined in solid black line)



3 PHOTOS OF SITE/STREET



Image 1: View of school and children's centre looking west along Moreland Street.



Image 2: View of school site looking east along Moreland Street.



Image 3: View looking south along Gard Street.



Image 4: View of north playground and north elevation of school building.

4

SUMMARY

- 4.1 The principle of redeveloping the site to provide a new improved school and children's centre is welcomed and supported by policy.
- 4.2 The applicant and their design team has worked closely with the council's planning and design officers to ensure a joined-up approach to the development of the wider Moreland School and King Square Estate area.
- 4.3 The development would successfully meet the design aims set out in the Site Allocation and Planning Brief.
- 4.4 The development would deliver a high quality facility that is fit to meet the needs of a 21st century school and would provide improved community facilities for use by local people outside of school hours.
- 4.5 The design approach to the new building would successfully balance meeting the requirements of school with delivery of significant improvements to the townscape character of the area.
- 4.6 It is considered that the development would be acceptable in terms of: transport, servicing, inclusive access, sustainability, energy efficiency, safety and security, impact on trees / tree planting, and impact on neighbouring amenity.
- 4.7 The landscaping proposal would secure reprovision of an equivalent size and quality 'biodiversity focused' area to replace the existing SINC area at the site that would be lost.

5 **SITE AND SURROUNDINGS**

- 5.1 The application site sits within the Bunhill ward and is located on the south side of Moreland Street, to the west side of the junction with Gard Street. The site covers an area of 0.6325ha.
- 5.2 The site comprises a single storey school building, with a large footprint (2727sqm), covering the south side of the site, with the main school playground located to the north side of the site adjacent to Moreland Street. The school is currently operating as a single-form entry school, utilising only part of the existing building. The school currently has three points of access: from Goswell Road to the west, from Moreland Street to the north and from the King Square Estate to the east. To the northeast corner of the site is a detached single storey children's centre building (128sqm).
- 5.3 The school site is at a lower height than the adjacent footway on Moreland Street with a 2m high brick retaining wall along the Moreland Street boundary. The ground level also decreases across the site from north (Moreland Street) to south (King Square Estate). The average site ground level is 1.5m lower than Moreland Street. The ground at the south of the site is approximately level with the ground at the King Square Estate (to the front of President House). The boundary treatment to the south of the site adjacent to the King

Square Estate comprises a dwarf concrete retaining wall topped with a 1.5m high railing fence.

- 5.4 There are 11 trees within the site, numerous trees located adjacent to the site's southern boundary and 3 street trees adjacent to the site's northern boundary on Moreland Street. Within the centre of the school building is a rectangular courtyard (204sqm) which contains a large mature pine tree and a pond. This courtyard area is designated as a Site of Importance for Nature Conservation (SINC) of Local Importance.
- 5.5 The site has good public transport accessibility with bus stops, serviced by numerous routes, located nearby within walking distance on City Road and Goswell Road. The site has a PTAL rating of 4.
- 5.6 To the west of the school building is an additional school playground and sports pitch, however, this area does not form part of the school application site. LBI Housing are proposing to redevelop this area to provide residential accommodation (as set out in separate planning application ref. P2014/5216/FUL). This housing development would help cross-subsidise the provision of the new Moreland Primary School and children's centre. The Secretary of State (SoS) has previously been consulted on this proposal to develop existing education land, under Section 77 of the School Standards and Framework Act 2006. A letter of response has been received from the SoS confirming support for the proposal.
- 5.7 The site is located within the Central Activities Zone (CAZ), the Bunhill & Clerkenwell Core Strategy Key Area, and the King Square & St Luke's Framework Area. The site also forms part of Site Allocation BC4 – Moreland Primary School & King Square Estate and is covered by the Moreland Primary School & King Square Estate Planning Brief.
- 5.8 The surrounding area comprises a mix of residential, commercial and community uses. Adjoining the west of the site at 33 Moreland Street is a modern five storey office building occupied by the Unite Union. To the north of the site on the opposite side of Moreland Street is a large part four / part five storey data storage / telecommunications building. To the east of the site on the opposite side of Gard Street is a modern four storey block of flats known as Seraph Court. To the south and southeast of the site is the King Square Estate, including a 17 storey block of flats known as Rahere House and a large linear six storey block of flats known as President House.

6 PROPOSAL (IN DETAIL)

- 6.1 This application is seeking planning permission for demolition of the existing single storey school building (2727sqm) and children's centre building (128sqm), and redevelopment of the site through the erection of a single high quality replacement building to the north of the site fronting Moreland Street and Gard Street. The new building would be three storeys high to the west side of the site, dropping to two storeys in height at the east side of the site adjacent to Gard Street. The new building would accommodate both a two-form entry primary school (2774sqm) and a children's centre (511sqm).

- 6.2 The school would be located within the three storey western section of the building, with a maximum capacity of 420 pupils (comprising two classes of 30 pupils for each age group from Reception to Year 6), together with a 56 place nursery. Therefore, the total school capacity would be 472 pupils. The school would initially be operated as a single-form entry school for existing pupils with a phased expansion of occupation up to a full capacity two-form entry school.
- 6.3 The school would have a main visitor entrance on Moreland Street. In order to deal with the change in ground level between the site and the street there would be a split level, double height reception lobby with inclusive lift access provision. The main pupil entrance to the school would be from the east side of the site, at the southern end of Gard Street, leading directly to the rear play area.
- 6.4 The children's centre would be located within the two storey eastern section of the building with its own independent entrance off Gard Street. The centre would have capacity to accommodate 9 babies, 24 x two-year olds, 24 children plus parents within the stay and play facility, as well as providing midwifery clinics and child health clinics. The centre would also provide family support services such as ESOL (English for speakers of other languages) classes, information and advice sessions on subjects such as managing benefits and returning to work, and a range of courses and workshops including parenting courses.
- 6.5 A comprehensive hard and soft landscaping scheme is proposed for the south of the site, resulting in the creation of a variety of high quality external learning and play spaces. The proposed hard landscaping includes provision of new boundary treatment with the King Square Estate and provision of 3m high gates with attractive bespoke laser cut detailing at the main pupil entrance.
- 6.6 The landscaping scheme incorporates re-provision of a 'biodiversity focused' area (210sqm) which would include a pond and rain garden to mitigate the loss of the existing courtyard SINC area (204sqm).
- 6.7 The proposal includes the provision of a Multi Use Games Area (MUGA) to the southwest corner of the site. The MUGA would be enclosed within a 3.5m high 'rebound' fence and would be floodlit by four lights.
- 6.8 A fully enclosed refuse store would be created adjacent to the centre of the site's southern boundary, allowing (non-food waste) refuse collection to take place from the King Square Estate via a gated 'service only' access in the southern boundary.
- 6.9 The development would be phased with the completion of the new school building prior to the complete demolition of the existing school building. The existing children's centre building would be demolished first to allow the construction of the new replacement building. The construction of the new building would be undertaken in a single phase. Then on completion of the new building the existing school building would be demolished.

- 6.10 The school would continue to operate throughout the period of construction of the new building, with temporary pupil access from the south of the site via the King Square Estate.
- 6.11 Designated areas across the whole building, including the library, ICT facilities, family kitchen / art room, and school hall / studio, together within the new MUGA, would be made available for community use outside of school hours.
- 6.12 The development would be car free with no on-site parking. The only vehicular access to the site would be for maintenance and emergency vehicles.
- 6.13 The development would be connected to the Bunhill decentralised energy network.
- 6.14 The proposed school development has been considered in terms of its relationship with the proposed new layout of the King Square Estate, as per planning application ref. P2014/5216/FUL.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Planning permission (ref. P051118) was granted in 2005 for erection of the single storey children's centre building at the application site.
- 7.2 An Environmental Impact Assessment (EIA) screening application (ref. P2014/4679/EIA) was submitted with regards to the redevelopment of the school site in relation to the current proposal. A response was issued on 10/12/2014 confirming that the proposal is not considered to comprise EIA development.
- 7.3 There is a current planning application (ref. P2014/5216/FUL) covering the King Square Estate, together with the western and eastern sections of the existing Moreland School site (that do not form part of the site for this application). The King Square Estate application proposes the demolition of an existing row of garages located to the north of Rahere House and 9 existing single storey studio units located to the south of Turnpike House. The redevelopment proposal comprises: change of use of the west section of the Moreland School site to residential use, with the erection of 6 new buildings across the site to provide a total of 140 new residential units and a community centre, together with significant hard and soft landscaping improvements.
- 7.4 The public consultation period for the King Square Estate application has expired. The only issue raised, within consultation responses, relating to the school development (as at time of publication of this report) was with regards the design and layout of boundary treatment and planting along the boundaries between the school and the King Square Estate. The final detail of the boundary detail and planting would be secured by condition on both the school and King Square Estate applications.

PRE-APPLICATION ADVICE:

- 7.5 The applicant submitted details of a proposed development scheme for pre-application discussion (ref: Q2014/4014MJR) in September 2014 prior to formal submission of this current application. The proposal put forward for pre-application discussions comprised '*Demolition of existing single storey school and children's centre buildings and redevelopment of the site through the erection of a single replacement part two storey, part three storey school and children's centre building to the north of the site, with landscaped play space to the south (including provision of a MUGA to the southwest corner of the site).*'
- 7.6 In summary, the applicant was advised that the proposal to demolish the existing sprawling single storey buildings, which have limited street presence and fail to make a positive contribution to the townscape character of the area, is welcomed. It was advised that it would be vital to the overall success of the scheme that the replacement school building and site layout are designed in conjunction with the proposals being brought forward by LBI Housing for the adjacent King Square Estate. The height, bulk, massing and footprint of the proposed building are considered to be acceptable in townscape and design terms. The Moreland Street and Gard Street elevations must provide an active and welcoming frontage to the school that provides a good level of natural surveillance and interaction with the street. The success of the elevations would be down to the choice of high quality robust materials and careful detailing of all features, fenestration and junctions of materials. The introduction of some bright colours to the building to create a lively, welcoming and invigorating appearance is supported, although this needs to be carefully considered so as to be integral to the building's design rather than a bolted-on after thought, and so as not to be over-dominant in the streetscene.
- 7.7 It should be noted that pre-application stage discussions with regards the development of the Moreland School and the King Square Estate were dealt with by the same planning case officer in order to ensure a joined up approach to the assessment of the design and layout of the two neighbouring developments.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 1573 adjoining and nearby properties on 06 January 2015. A site notice was displayed and a press advert was published on 08 January 2015. The public consultation on the application therefore expired on 29 January 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 writing this report, a total of three responses had been received from neighbouring residential occupiers. The responses comprises one statement of support for the proposed development, one request for further information and one objection to the proposal. The concern raised by the

objector can be summarised as follows (with the paragraph that provides a response to the issue indicated within brackets):

- The development would block residential windows at 9 Moreland Street - Seraph Court. (10.100, 10.107 & 10.108).

8.3 The letter of support states, '*We welcome your decision to retain the school in our locality. The school & children's centre is the heart of the area and, at election times, the centre of our democracy. We saw the plans during the exhibition at the end of last year. To us they seem excellent. We liked particularly the retention of the existing trees and plans to plant new ones.*'

8.4 The request for further information was from a resident of Rahere House within the King Square Estate. The request was addressed by the planning case officer in an email to the respondent dated 12/01/2015.

8.5 At a meeting held on the 09/03/2015 with the King Square Estate TRA, council officers discussed concerns regarding the proposed boundary treatment and landscaping between the school site and the King Square Estate. The final detail of the boundary detail and planting would be secured by condition on both the school and King Square Estate applications.

External Consultees

8.6 London Fire & Emergency Planning - No response received.

8.7 Metropolitan Police Crime Prevention Design Advisor – has confirmed they have met with the architects to discuss the scheme. No further comments on the scheme have been provided.

8.8 Thames Water (TW) – raise no objection with regards the impact of the development on sewerage infrastructure capacity. TW advise that surface water drainage is the responsibility of the developer. The developer should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Prior approval is required from TW with respect to any proposals to discharge surface water into a public sewer. TW advise that there is a water main crossing the site which may need to be diverted at the developer's cost, or necessitate amendments to the proposed design so that the main can be retained. Unrestricted access is required to the water main at all times for maintenance and repair.

8.9 Transport for London (TfL) – Cycle parking provision should be increased to meet the guidance set out in the London Plan (FALP). Provision for scooter parking should be provided. The school should use the TfL STARS system to create their Travel Plan.

8.10 Sport England – No response received.

8.11 UK Power Networks - No response received.

Internal Consultees

- 8.12 Biodiversity Officer - It has been demonstrated that the Site of Importance for Nature Conservation (SINC) is of low ecological value and has greater value as an ecology education resource. There is no objection to the loss of the existing SINC area subject to re-provision of an equal area at the site to be designated as a new future SINC. The landscaping plans include a significant amount of potentially ecologically valuable habitat creation. The landscaping layout would provide a single cohesive space that would be designated as the new future SINC. A SINC maintenance schedule and detail of the pond and rain garden should be secured by condition (13 & 17).
- 8.13 Design & Conservation Officer – The scheme has been subject to much pre-application discussion and has been assessed by the design Review Panel (DRP). The DRP raised several concerns and made suggestions for improvements, not all of which have been addressed. However, although it may have been possible to improve the proposals, the proposals as they stand are considered to be acceptable in design terms.
- 8.14 Energy Conservation Officer – The proposed energy strategy is supported. The development would require payment of a carbon offset contribution of £58,800. The development would comfortably achieve BREEAM Excellent. Conditions and a Directors' Agreement Letter are required to secure connection to Decentralised Energy Network, provision of a Green Performance Plan and payment of the carbon offset contribution.
- 8.15 Inclusive Design Officer – There remain concerns about the level of inclusive access which the development would provide. The proposed disabled parking bays are conveniently located to provide access to the main entrance on Moreland Street, but they are a significant distance from the entrance to the children's centre on Gard Street and more than 100m from the main pupil entrance at the southern end of Gard Street. Disabled pupils / pupils with disabled parents would have to use the main school entrance on Moreland Street rather than the main pupil entrance. There are concerns about the detailing of the layout, particularly with regard to the design of WCs. The shortcomings of the development in terms of inclusive access could be improved through the provision of additional on-street disabled parking bays closer to the main school pupil entrance and entrance to the children's centre. Amendments to the layout should be secured by condition (7).
- 8.16 Planning Policy Officer – The current school building has been identified as being in a poor state of repair and not making the most efficient use of the site. The proposal to improve the existing educational facility is consistent with the relevant policy aims and guidance set out in the Site Allocation and Planning Brief.

Public Protection Division (Acoustic Officer) – Internal noise at the school is dealt with under Building Regulations and Building Bulletin 93 (BB93) 2014 – Acoustic Design of Schools. The applicant has provided initial predictions of acoustic performance but this should be considered in more detail to ensure that a satisfactory learning environment and internal noise conditions are met.

The development is likely to require considerable plant to service the building, therefore, plant noise will need to be controlled by condition (27). The development of the site will inevitably lead to disruption, particularly with the school operating during the demolition and construction. This will need to be carefully managed, with deliveries avoiding the morning and afternoon school peaks, quiet periods, effective dust management etc. Initial project management details have been submitted but further detail which fully addresses the specifics of the site is required to be secured by condition (3 & 4).

- 8.17 Public Protection Division (Air Quality) – The site is not directly adjacent to a main road, and it is not proposed to install CHP at the site. As such, there are no significant site specific concerns with regards air quality.
- 8.18 Public Protection Division (Land Contamination) – A site ground investigation has been undertaken to establish the potential for land contamination at the site. This investigation has indicated the need for appropriate contamination remediation as part of the development. The details of a scheme of remediation have been agreed and this should be secured by condition (20).
- 8.19 Public Protection Division (Light Pollution) – There is concern about the proposed floodlighting for the new MUGA in terms of its impact on existing and proposed residential properties at the King Square Estate. Similar developments at other sites have resulted in complaints from neighbouring residents. A full lighting assessment will need to be secured by condition (16).
- 8.20 Spatial Planning and Transport (Transport Officer) – Servicing the site via a new loading bay on Moreland Street is supported by Highways Officers. Servicing should be controlled through use of a Servicing Management Plan to be secured by condition (18). A high quality boundary treatment is required between the school and King Square Estate. Widening of footways adjacent to the site is welcomed. The proposed cycle parking provision is considered to be acceptable. Discussions have taken place regarding provision of additional wheelchair parking bays. The applicant and Highways officers consider that additional bays are not necessary. This is based on the results of parking beat surveys, which found a number of parking bays in the local area are under-used during peak school hours, including the two wheelchair bays on Moreland Street outside the Unite building. The Highways Officer would not support the provision of additional wheelchair parking bays unless a need for them has been clearly evidenced. However, two wheelchair bays may be required in the future once the two form school is fully operational. Therefore, a financial contribution should be sought for future provision of two wheelchair bays. The council has allocated £270,000 of S106 money to improve Moreland Street.
- 8.21 Traffic & Highways Team – have advised that dedicated on-street wheelchair accessible parking is not generally provided for any schools. There are two existing wheelchair accessible parking bays on Moreland Street to the front of the neighbouring Unite building. Therefore, it is not considered that additional on-street wheelchair accessible parking bays should be provided. However,

once the school is fully operational as a two-form entry school the need for additional bays should be reviewed at that point.

- 8.22 Street Environment Division – The provision for refuse and recycling storage and collection is acceptable.
- 8.23 Sustainability Officer – The commitment to achieve BREEAM Excellent is supported. The proposed blue roof should be replaced with a green roof with rain water attenuation capabilities. The specification of the green roof, provision of bird and bat boxes, achievement of BREEAM Excellent and installation of approved SUDS system should be secured by condition (14, 24, 25 & 28).
- 8.24 Tree Protection Officer – There is no objection to the proposed loss of the 10 existing trees, including the early removal of the 4 trees close to the Gard Street boundary, subject to appropriate tree replanting to provide sufficient replacement canopy cover. Conditions (5 & 26) are required to ensure that all trees to be retained at the site and along its boundaries are adequately protected, and that there is adequate site supervision of the tree protection. Full details of the proposed hard and soft landscaping including tree planting should also be secured by condition (10).

Other Consultees

- 8.25 Members' Pre-application Forum: The scheme was presented on 13/10/2014.
- 8.26 Design Review Panel (DRP) – The development proposals were reviewed at the pre-application stage by the DRP on 04/11/2014. The following response was provided by the DRP (The case officer's response to the DRP comments are provided in italics):

8.23 Form & Footprint

The Panel suggested that in light of the constrained site and the taller buildings surrounding it, the school could be given additional storeys to reduce the building footprint and allow for additional outdoor space. If not built taller initially, the Panel suggested that the school should be future proofed so that additional storeys could be added at a later stage.

8.24 ***Officer's Response:***

Best practice guidance advises that primary schools should not be provided over numerous levels and maximum direct access from classrooms to external learning and play spaces should be provided. As such, the two storey height and associated footprint of the building is considered to be appropriate. However, it would be possible to extend the school through the additional of a lightweight roof extension if required in the future.

8.25 Elevations & Materials

The Panel suggested that the façade treatments might be improved by more closely reflecting the internal layouts and that the children's centre could be

further articulated to add interest to the overall elevations. The Panel felt that the corner on Gard Street could be given stronger articulation to express and turn the important corner of Moreland Street leading to the school & children's centre entrances on Gard Street. The Panel felt that the plant room at first floor would be more appropriately located in a less prominent location to allow for better use of the corner.

8.26 **Officer's Response:**

The elevations have been carefully refined and improved from earlier iterations of the scheme and are considered to represent a well articulated, high quality design, which would provide a good level of visual interest within the streetscene. The corner on Gard Street is clearly articulated through the use of coloured metal fins that run around the corner on both street facing elevations, drawing people along the street towards the entrances.

The location of the plant room at first floor level at the corner of Gard Street is noted as a shortcoming of the scheme. The potential to relocate the plant elsewhere on the building has been explored. However, the first floor corner location does provide significant benefits in terms of its location directly adjacent to the school kitchen and school hall (i.e. the functions which the plant will chiefly serve). Furthermore, the internal location of the plant reduces its visual impact and allows the height of the development to be kept to a maximum of two storeys at the corner of Gard Street, in the interests of minimising the impact on neighbouring residential occupiers at Seraph Court. The coloured metal fins which run around the corner of the building would provide sufficient visual interest and ensure that the plant room does not create a 'visual dead space' on the elevations. Taking this into account, the proposed location and design of the plant room is considered to be acceptable.

8.27 Public Realm & Permeability

The Panel stressed that the school and its grounds must be developed in close association with the neighbouring King Square Estate and argued that stronger links between the school and the estate must be created. The Panel expressed concern over what it felt was limited collaboration to date between the team developing the primary school and the neighbouring King Square Estate.

The Panel argued that issues around access routes, boundaries, edges, and the development on Gard Street must be considered in tandem with King Square Estate. It felt that assumptions were being made within the school proposal, particularly in relation to edges and boundaries, that were dependent on the King Square Estate development, but these could not be guaranteed. The Panel therefore argued that it was difficult to assess the proposal for the school without fully understanding its relationship with the estate.

The Panel suggested that Gard Street could be turned into a shared space rather than the proposed extension of the street to create a better and safer pedestrianised environment around the entrance to the school. The Panel

queried the location of the bin stores adjacent to the Children's Centre entrance and expressed concern over the proposed cycle parking on Moreland Street as it felt the pavement was too narrow to accommodate anything more than a small number of bikes.

8.28 **Officer's Response:**

In response to the concerns raised by the DRP, there has been much closer working between the two design teams for the Moreland School and King Square Estate developments, particularly with regards to the design and treatment of hard and soft landscaping (including boundary treatment) in the areas where the two schemes interact, such as at the southern end of Gard Street. The bin store located on Gard Street would only be used to store food waste for a weekly collection. This is considered to be the most practical location for food waste storage given its location adjacent to the school kitchen and close to the waste collection point on Moreland Street. The footway on Moreland Street to the front of the school would be widened under the proposal and it is not considered that the proposed on street visitor cycle parking would unduly restrict the width of the footway. The council's Transport and Highways Officers support the proposed cycle parking provision.

8.29 Summary

The Panel appreciated the complex brief and difficulties stemming from the constrained site, and welcomed the efforts by the design team. However, the Panel questioned whether the proposed building made the most of the site, and suggested that a taller building with a smaller footprint would allow for larger outdoor space. The Panel argued that it was essential that the school is developed in close collaboration with the King Square Estate to resolve issues around access routes, edges and boundaries and ensure the success of both schemes.

9 RELEVANT POLICIES

9.1 Details of all relevant policies and guidance notes are provided in Appendix 2 to this report. This report considers the proposal against the following national policy and guidance and Development Plan documents.

National Guidance

9.2 The National Planning Policy Framework (NPPF) was adopted in 2012 and 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 in the assessment of these proposals.

9.3 The National Planning Policy Guidance (NPPG) was launched as an online resource in March 2014. The guidance provided in the NPPG is a material consideration and has been taken into account in the assessment of these proposals. The updates to the NPPG by ministerial statement in November 2014 have also been taken into consideration in the assessment of this application.

Development Plan

- 9.4 The Development Plan is comprised of the London Plan 2011 [Revised Early Minor Alterations (REMA) to the London Plan were published in 2013]. Draft Further Alterations to the London Plan (FALP) were published in January 2014, a schedule of suggested changes was published in July 2014, and consolidated suggested changes were published in October 2014], Islington Core Strategy 2011, Islington Development Management Policies 2013, Finsbury Local Plan 2013 and Islington Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Site Allocation

- 9.5 The site forms part of Finsbury Local Plan: Site Allocation BC4 – Moreland Primary School & King Square Estate. The details of the Site Allocation are set out below:

Allocation and Justification:

- 9.6 Redevelopment to provide a new primary school and children's centre, with associated outdoor play space; alongside housing, community facilities, retail units, open space and improved play space. Redevelopment of the school is required to provide quality education and community facilities, and as part of this there is an opportunity to comprehensively reconfigure the layout of the northern side of King Square Estate to provide new housing, improved public space, community and retail uses, secure storage lock-up facilities and car parking.

Design Considerations and Constraints

- 9.7 New buildings should provide an active frontage to Moreland Street, Goswell Road and Central Street. New buildings should also positively address the east-west pedestrian path to the south of the school. Existing pedestrian routes through the site should be rationalised, and where retained, routes must have passive surveillance from surrounding buildings and be well lit.
- 9.8 Proposed buildings must be sensitively designed to minimise impacts and overshadowing on neighbouring residential buildings, particularly north-facing habitable rooms in Turnpike, Rahere and President Houses. Buildings should also respect and enhance the setting of the buildings within the Northampton Square Conservation Area and the Grade II Listed Church of St Clement with St Barnabas and St Matthew.
- 9.9 The loss of the Central Street Multi-Use Games Area will only be permitted if there is equivalent provision within the school, which is publicly accessible to estate residents for casual, free use outside of school hours. Proposals should ensure the provision of good quality public open space on the estate. The integration of an estate-wide SUDS scheme should be explored as part of the proposals. The existing school courtyard contains a local Site of Importance for Nature Conservation. Proposals must either protect or achieve equivalent replacement provision on the estate.

- 9.10 Residents must be involved in early consultation. This must identify any potential impacts on car parking and storage facilities, with replacement provision linked to estate residents. Vehicle movements through the site should be rationalised, which may involve resiting the existing electricity substation.
- 9.11 Thames Water has indicated that there may be issues with water supply capability associated with this site. As such applicants must demonstrate that early engagement has been undertaken with Thames Water and that appropriate measures have been agreed to mitigate any potential problems associated with water supply. As the site falls within a groundwater Source Protection Zone (Category 1), proposals must incorporate measures to protect groundwater quality, and demonstrate that groundwater quality will not be detrimentally affected during construction.
- 9.12 The site lies on the route of a planned or potential Decentralised Energy network.

Planning Brief

- 9.13 A Planning Brief for the Moreland Primary School & King Square Estate was published in June 2012. This document is not a planning policy, but sets out guidance for the redevelopment of Moreland Primary School and improvement of public spaces around the school and the King Square Estate. The Planning Brief is a material consideration designed to help inform decision making. The key aims for redevelopment of the school site are:
- Provision of a new school and children's centre building on the north section of the site fronting Moreland Street to provide high quality up-to-date education facilities and play space.
 - Creation of a high quality building of an appropriate height, with an active frontage and main entrance on Moreland Street, that would contribute positively to the character of the surrounding townscape.
 - Controlled pupil access into the playground to the rear of the school for pupil drop off and collection.
 - Improved streetscape along Moreland Street and Gard Street providing improved pedestrian permeability through the area, with a new pedestrian link from Moreland Street into the King Square Estate via Gard Street.
 - Improved public safety and security through increased overlooking and natural surveillance of Moreland Street and Gard Street.
 - The development should meet inclusive design and sustainability best practice standards, including through the promotion of car-free sustainable modes of transport and connection to a decentralised energy network.
 - The development should not cause unacceptable adverse impacts to neighbouring residents.
 - Retention of existing trees wherever possible, together with additional new tree planting, including street tree planting.
 - Protection or re-provision of the existing SINC area at the school, together with maximising biodiversity enhancements at the site .

- Raise the profile of the school within the local community through the new school being more prominently located on Moreland Street, with provision to host community uses at the school site outside of school hours.
- To ensure the new school building and facilities are accessible to the wider community and that community use is promoted.

9.14 The key aims set out in the Planning Brief for the remainder of the school site and existing King Square Estate are:

- Development of part of the school site to provide additional housing, particularly affordable and family housing (at least 50% affordable housing).
- Comprehensive reconfiguration of northern part of King Square Estate comprising car park and garages, including removal of Mason's Place.
- Provision of an improved east-west pedestrian route.
- Provision of improved public spaces and community facilities.
- Improved access from the north part of King Square Estate through to King Square Gardens.
- Increased street planting on Goswell Road and Central Street.

Designations

9.15 The site is the subject of the following designations set out with the Development Plan documents:

- Central Activities Zone
- Bunhill & Clerkenwell Key Area (Policy CS7)
- King Square & St Luke's Framework Area (Policy BC1)
- Site Allocation BC4 – Moreland Primary School & King Square Estate
- Moreland School Garden SINC – Local Importance
- Within 50m of Northampton Square Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

9.16 The SPGs and/or SPDs which are considered relevant to this application are listed in Appendix 2.

Environmental Impact Assessment

9.17 An EIA screening application was submitted with regards to the proposed development. The development does fall within the 2011 EIA Regulations Schedule 2 description of development no. 10 (Infrastructure projects), part (b): "*Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas*", and exceeds the 0.5 hectare site size threshold criteria. Therefore, the development was assessed against the criteria set out in Schedule 3 and the thresholds set out in Circular 02/99. Having regard to the characteristics and location of the development, it was concluded that its use, scale, and layout would not be likely to result in the development having significant effects on the local environment to the extent that it would necessitate an Environmental Statement pursuant to the 2011 EIA Regulations.

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Design
- Transport & Highways
- Inclusive Access
- Safety and Security
- Energy Efficiency & Sustainability
- Trees
- Impact on Neighbouring Amenity
- Ground Contamination
- Water Infrastructure
- Planning Obligations

Land-use

Policy Context

- 10.2 Policy 2.9 (Inner London) of the London Plan (LP) 2011 seeks to sustain and enhance recent economic and demographic growth within the inner London area while also improving the environment, neighbourhoods and public realm, thereby supporting and sustaining existing and new communities, addressing the unique concentrations of deprivation, and improving the quality of life and health for those, living, working and studying there.
- 10.3 Policy 3.16 (Protection and Enhancement of Social Infrastructure) of the LP 2011 seeks to secure the retention of existing community use facilities, together with provision / re-provision of high quality, inclusive new community facilities.
- 10.4 Policy 3.18 (Education Facilities) of the LP 2011 seeks to support the provision of high quality new schools and education facilities, with encouragement for the availability of the new facilities for community use outside of school hours.
- 10.5 Policy CS7 (Bunhill and Clerkenwell) of the Islington Core Strategy (ICS) 2011 seeks secure new and improved community facilities located in accessible locations in order to meet the needs of the growing local population. The policy seeks to secure better use of land and buildings that are currently underused and seeks improvements to the public realm and protection and enhancement of the environment for biodiversity.
- 10.6 Policy DM4.12 of the Islington Development Management Policies (IDMP) 2013 seeks to ensure that there is no loss or reduction in social infrastructure unless a replacement facility is provided on site which would meet the needs of the local population. The policy directs that new social infrastructure and community facilities must be located in accessible locations that are convenient for the communities they serve and should maximise the potential for recreational and community use.

10.7 The Finsbury Local Plan (FLP) - Site Allocation BC4 and Planning Brief provide specific land use aims and guidance for the site which are set out in detail in paragraphs 9.5 to 9.14.

Assessment:

10.8 The existing school building (D1 use class) is in a poor state of repair and the Executive Headteacher for the school has written to advise that the layout, physical structure and facilities/services within the building are unable to fully support 21st century teaching and learning requirements.

10.9 Due to its sprawling single storey design, and its location to the south side of the site, the school building fails to make efficient use of the land available at the site and does not provide any interaction with Moreland Street.

10.10 As the school building was designed to accommodate a two form entry school, but is currently only used as a single form entry school, a significant proportion of the existing building is currently unused. Furthermore, the existing external space surrounding the school building is poorly laid out and not fully used for play or educational uses.

10.11 The proposed new school provides the opportunity to support the borough and London-wide strategic goal of raising educational achievement for local children; providing a welcoming, inspiring and safe environment for pupils to learn and play.

10.12 The principle of redeveloping the site to provide a new improved school facility is supported by the FLP 'King Square & St Luke's Framework Area' policy BC1, Site Allocation BC4 and the Planning Brief for the Moreland School and King Square Estate.

10.13 The proposal would provide a two-form entry school. This has been increased from a single-form entry school, as was previously envisaged at the time when the Planning Brief was prepared. This increase in the capacity of the proposed school is in direct response to changing local needs. Therefore, the proposal is seen to accord with IDMP policy DM4.12 (Social and strategic infrastructure and cultural facilities) as the new school would meet the future needs of the local population and is located in a convenient location for the population which it would serve.

10.14 The development would provide new improved facilities for use by both the school and the local community (outside of school hours), including a Multi Use Games Area (MUGA), library, ICT facilities, family kitchen / art room, and school hall / studio. The children's centre would accommodate midwifery clinics and child health clinics. The centre would also provide family support services such as ESOL (English for speakers of other languages) classes, information and advice sessions on subjects such as managing benefits and returning to work, and a range of courses and workshops including parenting courses.

- 10.15 The community use of the new facilities would be secured and managed on an ongoing basis under a Community Use Agreement, which would be secured within the Directors' Agreement letter.
- 10.16 The area within the central courtyard (204sqm) of the existing school building is designated as a Site of Importance for Nature Conservation (SINC) of local importance. As a minimum, the proposals are required to reprovide an equivalent size, equivalent quality space that is focussed on biodiversity.
- 10.17 A Phase 1 habitat survey of the school site was undertaken in June 2014. The key observations of the survey were:
- 'Overall, the school consisted of hard-standing, buildings, amenity grassland, scattered trees and a pond. With the exception of the pond, overall the site has low ecological value.'*
- 10.18 It has been demonstrated that the SINC at the site is of low ecological value and has greater value as an ecology education resource. Therefore, there is no objection to loss of the existing SINC areas, subject to this being adequately mitigated through the reprovision of an equal area within the site to be designated as a new future SINC.
- 10.19 The current landscaping plans include a considerable amount of potentially ecologically valuable habitat creation including: species rich grassland, meadow planting, hedge planting, woodland understory planting, rain gardens, pond with marginal planting, and native tree planting.
- 10.20 The landscaping layout would provide a single cohesive 'biodiversity focussed' educational space (210sqm) of equivalent size and quality to the existing SINC area. This space would be designated as the new future SINC and would appropriately mitigate the loss of the existing SINC area. The new SINC space would be clearly demarcated with a hedge that would act as a barrier to prevent the SINC area from being frequently trampled by pupils therefore reducing its ecological value. A SINC maintenance schedule and details of the proposed pond and rain garden would be secured by condition (13 & 17).
- 10.21 The development would reduce the building footprint on the site by 1,684sqm. This reduction in building footprint and more efficient use of the available land would facilitate the release of the existing western section of the school site for redevelopment to provide new residential accommodation. The development of the surplus school land would be undertaken by LBI Housing and is covered under a separate planning application ref. P2014/5216/FUL. The proposed housing development would provide a cross-subsidy to assist covering the cost of providing the new school and children's centre facilities. The Secretary of State (SoS) has previously been consulted on this proposal to develop existing education land, under Section 77 of the School Standards and Framework Act 2006. A letter of response has been received from the SoS confirming support for the proposal.
- 10.22 The existing school site provides a total of 4,930sqm of external play, learning and exercise/sport space. The proposed development would provide a total of

4,699sqm of external play, learning and exercise/sport space. Although the total quantum of external space at the school would decrease by 231sqm, it is considered that the upgrading in the quality of the space that would be provided would adequately mitigate this reduction. Furthermore, taking into account the increase in capacity of the school from a single-form to two-form entry school, it is not considered that the reduction in the size of the school site would result in constraints on school place provision in the foreseeable future.

- 10.23 In summary, the proposed development is considered to accord with all the pertinent land use policies with the London Plan and Islington Development Plan, including the land use aims and guidance set out in the in Moreland Primary School & King Square Estate Planning Brief and Site Allocation BC4. Therefore, the proposal is considered to be acceptable in land use terms.

Design

- 10.24 The existing school building is in a poor state of repair both internally and externally. Due to the sprawling single storey design and the location of the building to the southern side of the existing school site, it fails to make efficient use of the available land and does not provide any interaction with Moreland Street. The lack of a built presence on Moreland Street is seen to have a clear detrimental impact on the quality of the townscape and pedestrian environment on the street. Improvement of this existing situation is set out as a clear design objective to be met within policy BC1, Site Allocation Bc4 and the Planning Brief.
- 10.25 Both of the existing buildings at the site are of a functional design which does not exhibit any intrinsic architectural qualities (see images 1-4). Due to their design, scale, location and layout, the existing buildings have a poor relationship with the surrounding townscape and fail to make a positive contribution to either the streetscene on Moreland Street or Gard Street. The proposal to demolish the existing buildings in order to allow reprovision of a single high quality replacement school and children's centre building is supported.
- 10.26 The new building would front both Moreland Street and Gard Street. The building has been designed with two distinct sections. The building would be three storeys high to the west (adjacent to the six storey Unite Union building at 33 Moreland Street), dropping to two storeys in height on the corner with Gard Street in order to minimise the impact of the development on the amenity of neighbouring residential occupiers at Seraph Court (9 Moreland Street and 1 Gard Street) on the opposite side of Gard Street. The change in height of the building also acts to externally express the two different uses within the building.

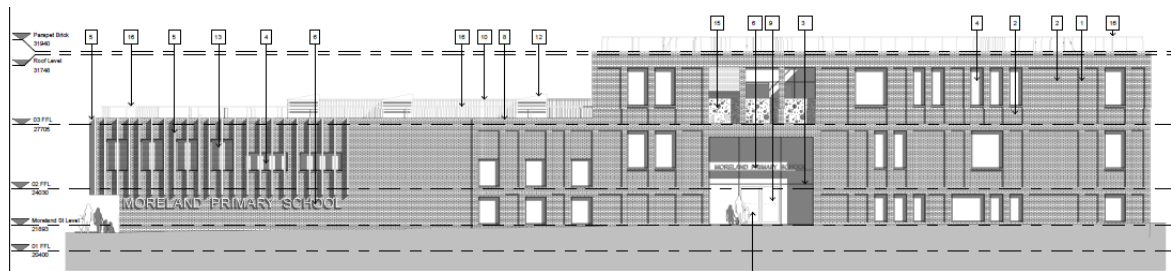


Image 5: Proposed Moreland Street elevation



Image 6: Proposed Gard Street elevation

- 10.27 The three storey section to the western end of the building would house the school. The school section of the building would provide a Moreland Street facing elevation that can be described as being of a contemporary civic architectural style, incorporating expressed horizontal and vertical brick piers. The voids between the brick piers would accommodate windows where required and otherwise are infilled with recessed brick panels. All windows on street facing elevations would be set within 100mm deep reveals to provide visual interest to the elevations and the streetscene.
- 10.28 The two storey section of the building to the eastern side would house the children’s centre. This section of the building has its own distinct identity, with street facing elevations incorporating 5m long brightly coloured vertical protruding metal fins at first floor level, which run around the corner of the building.
- 10.29 The rear of the building would take the form of three separate projecting wings. The design of the rear of the building is predominantly led by the requirement to create high quality internal learning spaces. The rear elevations include large format windows, sliding screens and ventilation louvres, together with building-mounted canopies that provide covered external spaces for learning and play.

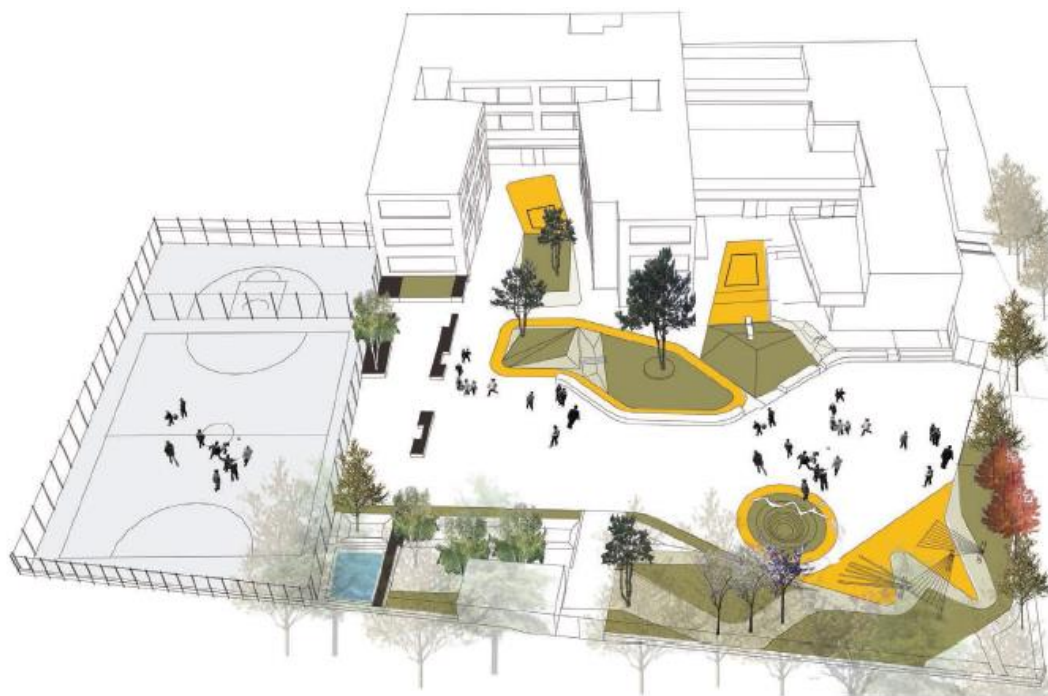


Image 7: Visualisation showing rear elevation, playground and MUGA.

- 10.30 The different elements of the whole building are tied together through the consistent use of high quality facing brickwork across all of the elevations together with consistently coloured aluminum windows and doors.
- 10.31 The building would provide 3.2m floor to ceiling heights within all classrooms in order to provide a light and pleasant environment for learning. The principal visitor's entrance on Moreland Street is emphasised by being set within a double height recessed space with brightly coloured vertical panels and soffit to draw people in. The Gard Street entrance to the children's centre would also be emphasised in a similar fashion.
- 10.32 The provision of roof terrace areas on the building would provide additional external space for play and education. First floor terraces (75sqm and 235sqm) would be provided for use by the children's centre stay and play facility and infant age pupils, and at second floor level a break-out space and sky garden would be provided for use by junior age pupils (64sqm and 113sqm).
- 10.33 Given the townscape context of the site, the contemporary architectural approach to the design of the new building is supported. The careful introduction of colour in the design, in the form of metal fins, is considered to successfully foster a lively and welcoming appearance to the building, as people approach the site along Moreland Street. The footprint, height, bulk and massing of the proposed building are considered to respond to the requirements of the school while also providing an appropriate response to the townscape context.
- 10.34 The success of the elevations and quality of the building would be subject to the choice of high quality robust materials and careful detailing of all features, fenestration and junctions of materials. Therefore, full details of all materials

and all features shall be secured by condition (6) in order to ensure the high quality finish proposed at the design stage is followed through at the implementation stage and that the detailed design of all features are agreed.

- 10.35 The development would significantly reduce the building footprint on the site, allowing the provision of a high quality mosaic of play and education spaces across the southern part of the site. The design of the building allows for free flow access to external play areas from ground floor classrooms.
- 10.36 The external space to the south of the school has been designed in a manner which would facilitate the potential for a wide variety of learning, playing, socialising and sport activities. The external space comprises a series of 'island zones' set within a uniform hard surface that provides inclusive access, and multiple routes and opportunities for moving across and through the landscape (see image 7). Each 'island zone' would have a distinct character, achieved through the use of a variety of: surface materials, textures and colours, levels and landform, play equipment, structures and planting. The island zones would include: curriculum learning space, climbing play, sand play, quit area, ball games / physical education, bike track, and a stage for performances.
- 10.37 Attractive 3m high gates with bespoke laser cut detailing would be provided at the main pupil entrance to the school. A new boundary treatment would be provided along the boundaries of the site with the King Square Estate. The proposed new boundary treatment would predominantly comprise a 2.4m high boundary fence. This is considered to be acceptable in design terms, although other high quality alternative boundary treatment solution may also be acceptable. Full details of the final design, height and appearance of all boundary treatment and gates would be secured by condition (9).
- 10.38 A fully enclosed refuse store would be created at the centre of the site's southern boundary, allowing refuse collection to take place at a gated 'servicing only' entrance in the southern boundary. Full details of the design and appearance of the refuse store would be secured by condition (12).
- 10.39 Overall, the proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by condition as stated above. It is considered the proposal would represent a high quality development, which would enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is considered to accord with the design aims sought by the Site Allocation and Planning Brief (as set out in paragraphs 9.5 to 9.14) and enshrined in local, regional and national policies.

Transport & Highways

- 10.40 The site is considered to have good public transport accessibility with bus stops, serviced by numerous routes, located nearby within walking distance on City Road and Goswell Road. The site has a PTAL rating of 4. The school would have a maximum capacity of 472 pupils, together with 28 full time and 14 part time staff. This equates to an increase in the number of pupils by 251 and the number of staff by 7, compared to the existing operation of the school.

- 10.41 The Moreland Primary School has an existing Travel Plan which was last updated in May 2014. The school is committed to continuously updating its Travel Plan through regular monitoring and review of sustainable travel infrastructure and initiatives. The phased expansion of the school to a two-form entry school would be dealt with within future year Travel Plan reviews, which would be secured with the Directors' Agreement Letter.
- 10.42 The school would have two points of access, with the main visitor entrance to the front of the building on Moreland Street, and the main pupil entrance from the east side of the site (southern end of Gard Street) providing direct access into the play area to the rear of the school building. The children's centre would benefit from a separate independent entrance part way along Gard Street.
- 10.43 The main school visitor entrance, located on Moreland Street, would be used for all school deliveries, community user groups, pupils arriving late, pupils and parents attending before and after school clubs, and potentially Year 6 (the oldest) pupils. The majority of school pupils would utilise the main pupil entrance at the south end of Gard Street, allowing them to access their classrooms directly via the southern play area, in line with best practice.

Pedestrian Access

- 10.44 The 2014 school Travel Plan indicates that 93% of current pupils travel to and from school on foot, and it is anticipated that a similar percentage of future pupils would continue to travel to school on foot. If forecast to the future school size, an additional 232 pupils would travel to the site by foot. This increase in pedestrian traffic would generate a noticeable increase in activity on surrounding streets, but only during morning and afternoon peak times.
- 10.45 ICS policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. In order to successfully achieve this policy aim, it is important to ensure the pedestrian environment within the vicinity of the school is safe and would encourage families to travel to school by foot. This would principally involve ensuring the provision of high quality footways and minimising the potential for conflict between pedestrians and vehicles / cyclists.
- 10.46 At present the footways that front the site along both Moreland Street and Gard Street have a width of approximately 1.2m. This is substandard and unsuitable for the level of use by parents with buggies associated with a primary school and children's centre. The proposal would significantly improve this situation through the provision of wider footways (approximately 3.5m wide) serving the main school visitor entrance on Moreland Street, the children's centre entrance on Gard Street, and the main school pupil entrance at the southern end of Gard Street.
- 10.47 The southern end of Gard Street and the area immediately surrounding the proposed main pupil entrance to the school represents an important interface between the school redevelopment proposals and the current King Square Estate redevelopment proposals. Therefore, the interaction of the two schemes at this point has been carefully considered to ensure a holistic approach which would deliver the best outcome for the safe and practical

functioning of the wider area. The final detail of this area will be covered under the King Square Estate application as it is outside of the school application site.

Servicing

- 10.48 The school is currently serviced from Gard Street. The existing servicing arrangements are not ideal as they require refuse collection vehicles and other delivery lorries to reverse into Gard Street from Moreland Street.
- 10.49 Where possible, IDMP policy DM8.6 (Delivery and servicing for new developments) seeks to secure the accommodation of delivery / servicing vehicles on-site, with adequate space to enable vehicles to enter and exit the site in forward gear. However, due to the limited availability of space at the school site, the provision of off-street servicing is not considered to represent the best, most efficient use of the space available at the site.
- 10.50 It is proposed that all deliveries would take place from a newly created loading bay to the front of the school on Moreland Street. The creation of the loading bay and associated highway alterations would result in the loss of two standard on-street permit holder parking spaces. The location of the proposed loading bay has been agreed by the council's Highways Officer as the most practical arrangement for on-street servicing, which would result in the least impact on highway safety and the free flow of traffic on surrounding highways. The loading bay would be secured by condition (21).
- 10.51 It is proposed that refuse collections for residual waste (not food waste) and recycling would take place from the King Square Estate via a gated 'service only' access in the southern boundary. The school's refuse collection would be integrated with the existing King Square Estate collection, so there would be no additional servicing movements through the estate as a result. Once the school is operating at full capacity, a total of three refuse collections a week would be made from the southern entrance. Food waste would be stored in a separate bin store within the building on Gard Street adjacent to the school kitchen. Food waste would be collected once a week from the new loading bay on Moreland Street.
- 10.52 The proposed servicing arrangement represents a significant improvement in terms of highway safety compared to the existing situation, whereby refuse vehicles reverse from Moreland Street into and along Gard Street to the existing school servicing area.
- 10.53 IDMP policy DM8.6 and supporting paragraph 8.39, seek provision of details of servicing requirements including hours, frequency, location and size of vehicles. A delivery and servicing management plan (DSMP) shall be secured by condition (18).
- 10.54 Emergency service access to the school site would be available from Moreland Street to the front and from the southern 'servicing only' gates to the rear of the site.

Vehicle Parking

- 10.55 The 2014 school Travel Plan indicates that only 4% of current pupils travel to school by car, and it is not anticipated that the percentage of future pupils travelling to school by car would be likely to increase significantly. If 4% of the total maximum number of pupils were to travel to school by car, this would equate to an additional 11 car trips both in the morning and again in the afternoon.
- 10.56 The site is located within a controlled parking zone (CPZ). The proposed development would be car-free in line with ICS policy CS10 (Sustainable development), Part H and IDMP policy DM8.5 (Vehicle parking). There would be no on-site parking provision, and on-street staff parking (except for blue badge holders) is not permitted. The only vehicular access to the site would be for servicing, maintenance and emergency vehicles via the 'servicing only' gates in the southern site boundary.
- 10.57 A parking survey of the surrounding streets has been undertaken and this indicated that there is sufficient on-street parking capacity to meet anticipated potential demand associated with the future operation of the proposed two-form entry school and peak times (drop off and collection).
- 10.58 It is expected that wheelchair accessible parking should be provided in line with IDMP policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking). The council's Inclusive Design Officer suggested that two additional on-street wheelchair accessible parking bays should be provided on Moreland Street or on Gard Street. However, the applicant (LBI Children's Services) and the council's Highways Officer have disputed the need to provide these additional wheelchair accessible bays based on the findings of parking beat surveys, which indicated that a number of parking bays in the vicinity of the school are under-used during peak school hours. The under-used bays include two existing wheelchair accessible blue badge holder bays on Moreland Street, located to the northwest of the site outside the adjoining Unite Union building (33 Moreland Street). The council's Highways Officer has advised that these existing bays should be utilised to provide wheelchair access to the school.
- 10.59 The council's Transport Officer has advised that two additional wheelchair bays could potentially be required in the future, once the new school is fully operational as a two-form entry school. Therefore, a financial contribution of £4,000 would be secured within the Directors' Agreement Letter to cover the cost of future provision. The need for the additional bays would be reviewed two years after the school has commenced operating as a two-form entry school. If the bays are not deemed to be required at this point then the contribution would be refunded to the applicant.
- 10.60 The council's Transport, Traffic and Highways Officers have confirmed that the proposed development is not anticipated to have a significant impact on the availability of on street parking or result in conditions which would be prejudicial to highway safety or the free flow of traffic on surrounding highways.

Cycle Parking

- 10.61 The 2014 school Travel Plan indicates that currently no pupils or staff cycle to school. IDMP policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. For new schools, cycle parking at a rate of 1 space per 7 staff and 1 space per 10 pupils is sought.
- 10.62 It is proposed to provide a total of 46 cycle parking spaces as part of the development. This would comprise 30 secure, covered parking spaces within the site adjacent to the main pupil entrance, with an additional 16 on-street cycle parking spaces (Sheffield Stands) provided adjacent to the front of the site on Moreland Street. The on-street spaces would be available for use by parents dropping off their children and other visitors to the school. It is noted that TfL have requested that the number of cycle parking spaces should be increased in line with the London Plan FALP. However, the council's Transport Officer has confirmed that the proposed cycle parking provision is considered to be appropriate for a primary school of this size, given the age of the pupils, and particularly given the constraints resulting from the available space at the site. The detailed design, location and number of cycle parking spaces shall be secured by condition (11).

Highways & Environmental Improvement Works

- 10.63 It is understood that the council has allocated £270,000 of S106 money to improve Moreland Street.

Inclusive Access

- 10.64 Moreland Street sits 1.5m above the average ground level at the site and the site level slopes downwards in a southern direction. Gard Street, which runs along the east boundary of the site also slopes downwards in a southern direction at a gradient of approximately 1:13. The need to deal with the existing ground level differences and slopes does pose some significant challenges with respect to the provision of inclusive access.
- 10.65 The main school visitor entrance would be located on Moreland Street. In order to deal with the change in ground level between the site and the street, while providing level access from the street, there would be a split level, double height reception lobby with inclusive lift access provision.
- 10.66 Pupils would generally access the school via a dedicated pupil access to the east side of the site at the southern end of Gard Street. Level access would be provided from the main pupil entrance across the external play area.
- 10.67 Within the school, as is standard best practice for primary schools, there is a desire for the majority of facilities to be located at ground floor level, in order to allow free flow access between internal and external spaces. The early years school classrooms, together with the children's centre 'babies' and '2 year old' rooms have been prioritised within the ground floor accommodation to the rear of the building, benefiting from direct level threshold access to / from the rear external space.

- 10.68 The school building has been designed so that the classrooms stack on top of each other at the rear of the building. Older years classrooms would be provided on the upper floors of the building with year groups progressing as you move upwards in the building. The classrooms on upper floors would be accessed from the rear external space via stairways located at the end of the rear wings of the building. Any pupil, staff or visitor who was unable to use these stairs would use the lift located at the main visitor entrance at the front of the school.
- 10.69 The council's Inclusive Design officer has advised that there remain some concerns about the level of inclusive access which the development would provide. The proposed disabled parking bays are conveniently located to provide access to the main entrance on Moreland Street, but they are a significant distance from the entrance to the children's centre on Gard Street and more than 100m from the main pupil entrance at the southern end of Gard Street. Disabled pupils / pupils with disabled parents would have to use the main school entrance on Moreland Street rather than the main pupil entrance. There remain some concerns about the detailing of the layout. The shortcomings of the development in terms of inclusive access would be improved through minor amendments to the internal layout that would be secured by condition (7).
- 10.70 In summary, while the development would not provide a perfect solution with regards to the issue of inclusive access, given the constraints of the site, the proposed development is considered to provide an acceptable level of inclusive access.

Safety and Security

- 10.71 The main visitor entrance encompasses a secure entrance lobby with a glazed sliding door, operated by reception staff, providing a secure entrance.
- 10.72 The proposed main pupil entrance arrangement, with access directly into the playground area, would allow good safeguarding practice in terms of delivery and pick up of younger children directly to and from their classrooms located at ground floor level.
- 10.73 The landscaping proposals include the provision of a rain garden and pond. In the interests of child safety, the rain garden and pond would be appropriately fenced off to prevent unauthorised unsupervised access. Details of the safety fencing would be secured by condition (10).
- 10.74 The development would provide a significant increase in natural surveillance of Moreland Street and Gard Street which would improve actual and perceived levels of public safety and security.
- 10.75 Details of security lighting at the school site and new lighting along Gard Street would be secured by condition (15).

Energy Efficiency & Sustainability

- 10.76 ICS policy CS10 (Sustainable design) part A requires that all development proposals demonstrate that they have minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of 50% relative to total emissions from a building which complies with Building Regulations 2006, where connection to a Decentralised Energy Network (DEN) is possible, such as is the case here. Regulated emissions are those that result from energy used by systems to provide space heating and cooling, hot water and fixed lighting. Unregulated emissions are those that arise from 'plug-in' electrical and gas appliances, such as computers, televisions etc.
- 10.77 It is expected that all remaining CO2 emissions that would arise from the development should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 10.78 IDMP policy DM7.3 (Decentralised Energy Networks) part D identifies that major development should connect to a DEN linking neighbouring development and existing buildings, unless it can be demonstrated that this is not reasonably possible. The applicant has confirmed that the development is aiming to connect to the Bunhill DEN. This would be secured within the Directors' Agreement letter.
- 10.79 The development would achieve a 60% reduction in regulated CO2 emissions compared to 2010 Building Regulations. This significantly exceeds the London Plan requirements for a reduction of 40% and is welcomed.
- 10.80 The development would achieve a 35% reduction in total (regulated and unregulated) CO2 emissions compared to 2010 Building Regulations. While this does fall short of the policy target of a 40% reduction in total CO2 emissions, this is as a result of unknown / inflexible unregulated emissions. The applicant has explained that the majority of the unregulated load will be determined by Islington's internal procurement team who will specify whether equipment is purchased new or relocated from the existing school and children's centre building. Therefore, the target for reducing the unregulated loads cannot be confirmed at this time. Taking this into account, subject to payment of a carbon offset contribution of £58,880 (to be secured within a Directors' Agreement letter) the energy efficiency of the development is considered to be acceptable in this instance.
- 10.81 The submitted Energy Strategy Report proposes to achieve BREEAM Excellent, including through measures such as a south facing array of photovoltaic panels. The submitted pre-assessment report indicates the target credits are 76.46%, which would comfortably exceed the minimum score of 70% required to achieve an Excellent rating. This accords with IDMP policy DM7.4 (Sustainable design standards) part A and would be secured by condition (25).
- 10.82 The BREEAM pre-assessment includes a commitment to achieve 3 out of 5 credits for water consumption efficiency, together with 50% of materials

credits. Therefore, the proposals accord with the requirements of IDMP policy DM7.4.

- 10.83 The development has been designed in order to address the risk of overheating, including taking account of predicted future changes in weather and associated increases in air temperature. The need for active cooling has been minimised with only the server room and ICT room requiring active cooling due to the high internal heat loads.
- 10.84 IDMP policy DM7.1 (Sustainable design and construction) part E requires provision of a Green Performance Plan (GPP) detailing measurable outputs for the occupied development, with respect to energy consumption, CO2 emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation. A draft GPP has been submitted to accompany the application and this is considered to be acceptable. A final post occupation GPP would be secured within the Directors' Agreement letter.
- 10.85 IDMP policy DM6.6 (Flood prevention) requires that all developments include Sustainable Urban Drainage Systems (SUDS). The SUDS scheme proposed is expected to be designed to reduce run-off flows to a 'greenfield rate' of 8l/sec/ha. The Drainage Strategy Design Report that has been provided advises that the run-off rate for the development would be 5.06l/sec/ha, therefore complying with policy requirements. The site is not suitable for infiltration style drainage due to the underlying geology and shallow depth of the water table below ground level. Therefore, the proposed surface water drainage strategy shall include a below ground attenuation tank located beneath the playground area, together with a rain garden feature and green roofs with rain water attenuation capabilities. Delivery of the approved SUDS system would be secured by condition (24).
- 10.86 ICS Policy CS10 and IDMP policy DM6.5 (Landscaping, trees and biodiversity) promote urban greening and enhancing biodiversity. The development would include green roofs. A condition (28) is required to ensure that all green roofs are extensive substrate based biodiverse roofs with a minimum substrate depth of 120-150mm. A condition (14) is also required to secure bird and bat boxes.

Trees

- 10.87 It is proposed to remove 10 existing trees at the site in order to facilitate the proposed development. The removal of these trees has been agreed by the council's Tree Protection Officer. In order to facilitate the timely commencement of the project it has been necessary to remove four trees located to the northeast corner of the site adjacent to Gard Street and the existing children's centre building prior to determination of this application. Again, this has been discussed in detail with the council's Tree Protection Officer, who provided agreement for the early removal of the trees, in order to avoid the bird breeding season and any potential associated delays due to nesting birds.
- 10.88 The most significant tree at the site is a mature European Pine located within the central courtyard of the existing school building within the SINC. This tree

would be retained within the new external space, and therefore, would be appropriately protected during the period of development works. There are also three young street trees located adjacent to the site on Moreland Street. These trees would also be retained and protected during the construction period. Appropriate tree protection would be secured by condition (5 & 26).

- 10.89 In order to compensate for the loss of 10 trees, the proposal includes a tree re-planting schedule which would secure equivalent replacement canopy cover over a ten year period. This would involve the planting of 18 new trees at the site and adjacent to the site on Moreland Street which would be secured by condition (10).

Impact on Neighbouring Amenity

- 10.90 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. IDMP policy DM2.1 (Design) requires that consideration must be given to potential impacts of development on neighbouring residential properties including: reduction of sunlight and daylight to habitable rooms, overshadowing of gardens, reduction in privacy due to increased overlooking, increased sense of enclosure, loss of outlook, and increased noise and disturbance associated with occupation and use of the development (but not including noise and disturbance relating to construction works).

Daylight, Sunlight & Overshadowing

- 10.91 A Daylight and Sunlight Report has been provided as part of the application submission. The assessments which inform the report were carried out in accordance with the guidance and methodology set out in the Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight 2011 publication. This document provides the accepted nationally recognised guidance which is used in the assessment of sunlight and daylight impacts for planning applications.
- 10.92 For assessment of daylight there are two standardised tests. The first method involves measuring the vertical sky component (VSC) for each window. The BRE guidelines stipulate that there would be no perceivable reduction in existing daylight levels provided that:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by more than 20% of its original value;

- 10.93 The second method involves measuring the daylight distribution (DD) of each room by assessing the impact on the position of the No Sky Line measured on the working plane (0.85m from floor level). The BRE guidelines stipulate that there would be no perceivable reduction in existing daylight distribution levels provided that:

The area of the working plane in a room which can receive direct skylight is not reduced by more than 20% of its original value;

- 10.94 For assessment of sunlight, the BRE guidelines confirm that windows that are not orientated facing within 90 degrees of due south do not warrant assessment. The guidelines stipulate that for those windows that do warrant assessment, there would be no perceivable reduction in existing levels of sunlight received where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and where the APSH and WSPH is not reduced by more than 20% of its original value.

In cases where these requirements are breached there will still be no significant noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of APSH.

- 10.95 Where the guideline values for reduction of existing levels of daylighting and sunlighting are exceeded, then sunlighting and/or daylighting may be adversely affected. However, it is necessary to note that while the BRE guidelines provide numerical guidelines, the document clearly states that guidance values provided are not mandatory. It is advised that the guide should not be seen as an instrument of planning policy, rather the guidance should be interpreted flexibly, taking account that natural lighting is only one of many factors to be considered when assessing a proposed development.
- 10.96 The only residential units within the vicinity of the site which could be affected by the proposal with respect to a potential reduction in sunlight or daylight are the flats located on the east side of Gard Street within the Seraph Court complex, addressed as 9 Moreland Street and 1 Gard Street. Therefore, the impact on each of these flats has been assessed within the submitted Daylight & Sunlight Report.

Daylight:

- 10.97 The VSC tests indicate that the four ground floor windows at 1 Gard Street would experience greater than a 20% reduction (26%, 27%, 24%, and 22%) compared to existing levels, taking VSC levels to below the guideline 27% (22.51%, 21.57%, 23.08%, and 24.86%). All other windows would retain greater than the guideline 27% and therefore would retain VSC values in line with BRE guidance.
- 10.98 The DD tests produce the same results as the VSC tests, in that, all windows other than the four ground floor windows at 1 Gard Street would receive a reduction in DD which is less than 20% and therefore in compliance with BRE guidance. The four ground floor windows at 1 Gard Street would receive reduced levels of DD: 56%, 44%, 35%, and 48%.

Sunlight:

- 10.99 The APSH and WSPH tests indicate that all windows would retain APSH and WSPH values exceeding guidance levels (i.e. would retain 25% APSH and 5% WSPH). However, the four ground floor windows at 1 Gard Street would

experience a reduction in both APSH (23%, 30%, 25%, and 21%) and WSPH (33%, 46%, 38%, and 33%) of greater than the guideline level of 20%. This would also be the case for WSPH for the two ground floor windows at 9 Moreland Street (26% and 28% reduction). Consequently, the reduction in sunlight received by the six ground floor windows would be noticeable, although all windows would continue to receive an adequate level of sunlight in line with BRE guidance. All but one of the ground floor windows at 1 Gard Street would receive more than twice the minimum guideline level for winter sunlight.

10.100 In summary, a total of six windows would experience a noticeable reduction in daylight and/or sunlight, however only four windows would receive a reduction in sunlight and daylight that would exceed BRE guidelines. Taking into account the urban location of the site, and the design, orientation and proximity to the site boundary of the neighbouring buildings at 9 Moreland Street and 1 Gard Street, the reductions in sunlight and daylight, which would occur as a result of the development, are not considered to cause such significant harm to neighbouring amenity as to outweigh the considerable community benefits which the development would deliver. Additionally, as the proposed building would be only two storeys in height, opposite the affected windows, the losses of sunlight and daylight would not result from the development being disproportionately large.

Overlooking / Privacy

10.101 Paragraph 2.14 of the supporting text for Islington Development Management Policy DM2.1 identifies that 'To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this policy, consideration has to be given also to the nature of views between windows. For instance, where the views between windows are oblique as a result of angles or height difference between windows, there may be no harm.

10.102 The only residential units within close enough proximity to potentially be affected by the proposal are the flats located on the east side of Gard Street within the Seraph Court complex, addressed as 9 Moreland Street and 1 Gard Street. Therefore, the impact on each of these flats has been assessed.

10.103 The proposed building would include windows at ground and first floor level on the east elevation which would overlook Gard Street and would face existing residential windows within Seraph Court (9 Moreland Street and 1 Gard Street). The new windows would be at a distance of approximately 12m at (the recessed) ground floor level and approximately 10.5m at first floor level above.

10.104 It is necessary to note that one of the principal aims of the Planning Brief for this site was to increase overlooking and natural surveillance of the surrounding streets in order to improve public safety and reduce opportunities

for crime. Therefore, it was envisaged from the outset that the new school and children's centre building would provide windows overlooking Gard Street.

- 10.105 As the residential properties at Seraph Court are located on the opposite side of a highway, and as the children's centre that fronts Gard Street does not have habitable rooms, it is not considered that the development would cause unacceptable overlooking.
- 10.106 The proposal also includes provision of a second floor level sky garden roof terrace area. The nearest boundary of the sky garden would be approximately 21.5m from facing windows at Seraph Court (9 Moreland Street) and therefore due to the separation distance it is not considered that this would result in an unacceptable loss of privacy to any neighbouring occupiers.

Loss of Outlook

- 10.107 The only residential units close enough to potentially be affected by the proposal are the flats located at 9 Moreland Street and 1 Gard Street (Seraph Court). The proposed building, adjacent to Gard Street and facing Seraph Court, is two storeys tall and ranges in height (from ground level) from 6.6m at the northern end of Gard Street to 7.6m at the southern end of Gard Street, due to the southward slope of the street. The separation distance between facing windows at Seraph Court and the two storey section of the proposed building would be approximately 10.5m at first floor level and 12.5m at ground floor level (due to a set back) across Gard Street.
- 10.108 The erection of the proposed building at a distance of 10.5m would result in some loss of outlook from properties at Seraph Court. However, it is considered that the two storey height of the building is appropriate in urban design terms and represents a 'normal' streetscene relationship which one would expect to find between facing buildings on an urban street such as this. Taking this into account, it is not considered that the proposed development would result in such a loss of outlook to neighbouring residents so as to outweigh the considerable community benefits which the development would deliver.

Noise and Disturbance

- 10.109 The proposed development would see the replacement of the existing primary school and children's centre with updated versions of the same. Although the existing school is currently operating as a single-form entry school it is necessary to note that it has previously operated as a two-form entry school and retains the capacity to do so. As such, the proposal to recommence operation of a two-form entry school at the site would not in principle result in an unacceptable increase in noise and disturbance to neighbouring residential occupiers, due to the increased number of pupils attending the school, together with the associated increased number of arrival/departure movements.
- 10.110 The proposal includes the provision of a new Multi Use Games Area (MUGA) which would be available for community use outside of school hours. In order to ensure that the use of the MUGA would not result in harm to the amenity of

neighbouring residents the hours of use would be restricted by condition (23) to terminate use each day at 2100 hours.

- 10.111 It is noted from the 2014 School Travel Plan that 93% of pupils currently travel to school by foot with only 4% being delivered and collected by car. This transport modal split is considered likely to remain very similar in future, and therefore, it is not envisaged that the future operation of the school would be likely to result in a significant increase in noise and disturbance attributed to traffic movement, parking etc.
- 10.112 The details of the proposed servicing are set out in the relevant section above. It is not considered that the proposed servicing arrangements would result in a material increase in noise and disturbance for neighbouring residents compared to the existing servicing arrangements (being linked to the existing King Square Estate collections). In order to minimise the potential for noise and disturbance from servicing vehicles, the timing of servicing shall be controlled by condition (18).
- 10.113 In order to ensure that any mechanical and electrical plant would not result in any future noise issues, the noise levels of all new plant shall be controlled by condition (27).
- 10.114 A certain amount of disruption and disturbance to neighbouring residents and commercial occupiers would be unavoidable during the period of demolition and construction works. In order to ensure that this is kept to a minimum a Construction Environment Management Plan (CEMP) would be secured by condition (3). This would protect the amenities of neighbouring residents and commercial occupiers during the period of works. This would cover issues in respect of: noise, air quality, dust, smoke, odour vibration and TV reception. Further to this, a Demolition & Construction Method Statement (DCMS) covering issues regarding method of demolition, parking of vehicles of site operatives, loading and unloading of plant and materials, and storage of plant and materials would also be secured by condition (4).

Light Pollution

- 10.115 In order to prevent the possibility of increased light pollution for neighbouring residents, full details of all security and general lighting proposed on the elevations of the building and elsewhere within the external spaces of the site would be secured by condition (15).
- 10.116 It is proposed that the new MUGA would be floodlit by four lights. It is noted that similar developments at other sites have resulted in complaints from neighbouring residents. Consequently, there is concern about the potential impact of the proposed floodlighting on existing and proposed residential properties at the King Square Estate. Therefore, it is necessary to secure a full lighting assessment by condition (16) in order to allow a full assessment of the potential impact of floodlighting. Floodlighting will only be allowed if it can be demonstrated that this would not result in unacceptable harm to the amenity of any neighbouring occupiers. Use of the MUGA would be restricted by condition (23) to terminate at 2100 hours.

Summary

10.117 In summary, while it is noted that the proposed development would have some negative impact on the amenity of neighbouring residential occupiers at Seraph Court, subject to the conditions set out above, it is not considered that the proposed development would result in such harm to the amenity of neighbouring residential occupiers as to outweigh the considerable public community benefits which the scheme would deliver.

Ground Contamination

10.118 A site ground investigation has been undertaken to establish the potential for land contamination at the site and this investigation has indicated the need for appropriate contamination remediation as part of the development. The details of a scheme of remediation have been agreed and this would be secured by condition (20).

Water Infrastructure

10.119 Thames Water (TW) have confirmed that there is sufficient sewerage infrastructure capacity to cope with the proposed development. TW have advised that surface water drainage is the responsibility of the developer, who must ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. It should be noted that the development is considered to include appropriate on site water attenuation which meets policy requirements (see paragraph 10.85).

10.120 Prior approval is required from TW with respect to any proposals to discharge surface water into a public sewer. TW have advised that there is a water main crossing the site. Unrestricted access is required to the water main at all times for maintenance and repair and it may be necessary for the developer to pay for diversion of the water main. The applicant has been advised of TW's requirements and these shall be covered in informatives.

Planning Obligations, Community Infrastructure Levy and local finance considerations

Directors' Agreement Letter in Lieu of S106 Agreement

10.121 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. As this is a council's own development a Directors' Agreement letter would be used in lieu of a S106 agreement.

10.122 The proposed development generates a requirement for contributions towards CO2 offsetting, potential future provision of two additional wheelchair accessible parking bays on Moreland Street, and a fee for monitoring compliance with the Code of Construction Practice.

10.123 The Directors' Agreement letter would include the following agreed heads of terms:

- Contribution of £58,880 towards offsetting projected residual CO2 emissions of the development.
- Contribution of £4,000 towards provision of 2 additional accessible on-street parking bays. The need for the provision of these bays to be assessed 2 years after the new school has commenced operating as a two-form entry school. If the bays are deemed not to be required at this point the £4,000 to be returned to the applicant.
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant / developer and the work to be carried out by LBI Highways. Existing condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation of 3 work placements during the construction phase of the development, lasting a minimum of 13 weeks. LBI Construction Works Team to recruit for and monitor placements. Developer / contractor to pay wages that at least meet the London Living Wage. A fee of £5,000 to be paid for each placement not provided.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £3,393 and including submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- Connection to Bunhill local energy network.
- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- Submission of a draft full Travel Plan for approval prior to first occupation of the new school and submission of a full travel plan 6 months after commencement of the school as a two-form entry school.
- Submission and compliance with a Community Use Agreement to cover the use of the building and external spaces including the MUGA by community groups outside of school / children's centre hours of operation.
- Payment of council's fees in preparing and monitoring the Directors' Agreement letter.

Community Infrastructure Levy (CIL)

10.124 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) and Islington CIL are chargeable against developments on grant of planning permission. The CIL comprise contributions calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. As the development comprises provision of a new school and children's centre, the proposal is considered to benefit from CIL relief and therefore no CIL contributions are applicable.

National Planning Policy Framework

10.125 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the supply of housing and require good design from new development to achieve good planning.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of redeveloping the site to provide a new improved school and children's centre is welcomed and supported by policy.
- 11.2 The applicant and their design team has worked closely with the council's planning and design officers to ensure a joined-up approach to the development of the wider Moreland School and King Square Estate area.
- 11.3 The development would successfully meet the design aims set out in the Site Allocation and Planning Brief.
- 11.4 The development would deliver a high quality facility that is fit to meet the needs of a 21st century school and would provide improved community facilities for use by local people outside of school hours.
- 11.5 The design approach to the new building would successfully balance meeting the requirements of school with delivery of significant improvements to the townscape character of the area.
- 11.6 It is considered that the development would be acceptable in terms of: transport, servicing, inclusive access, sustainability, energy efficiency, safety and security, impact on trees / tree planting, and impact on neighbouring amenity.
- 11.7 The landscaping proposal would secure reprovision of an equivalent size and quality 'biodiversity focused' area to replace the existing SINC area at the site that would be lost.

Conclusion

- 11.8 It is recommended that planning permission be granted subject to conditions and Directors' Agreement Letter as set out in Appendix 1 – Recommendations.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Directors' Agreement Letter in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management (or, in their absence, the Team Leader Major Applications):

1. A contribution of £58,880 towards offsetting projected residual CO2 emissions of the development.
2. Contribution of £4,000 towards provision of 2 additional accessible on-street parking bays. The need for the provision of these bays to be assessed 2 years after the new school has commenced operating as a two-form entry school. If the bays are deemed not to be required at this point the £4,000 to be returned to the applicant.
3. The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
4. Compliance with the Code of Employment and Training.
5. Facilitation of 3 work placements during the construction phase of the development, lasting a minimum of 13 weeks. LBI Construction Works Team to recruit for and monitor placements. Developer / contractor to pay wages that at least meet the London Living Wage. A fee of £5,000 to be paid for each placement not provided.
6. Compliance with the Code of Local Procurement.
7. Compliance with the Code of Construction Practice, including a monitoring fee of £3,393 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
8. Connection to Bunhill local energy network.
9. Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
10. Submission of a draft full Travel Plan for approval prior to first occupation of the new school and submission of a full Travel Plan 6 months after commencement of the school as a two-form entry school, to include a review of the need to create additional on-street wheelchair accessible 'blue badge' parking bays.
11. Submission and compliance with a Community Use Agreement to cover the use of the building and external spaces including the MUGA by community groups outside of school / children's centre hours of operation.

12. Payment of Council's legal fees in preparing the S106 Agreement and officer's fees for the preparation, monitoring and implementation of the S106 Agreement.

That, should the Directors' Agreement letter not be completed within the timeframe for the Planning Performance Agreement, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (Compliance)</p> <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>
2	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>PR001-CAD001-MOR-01; PR001-CAD001-MOR-02; PR001-CAD001-MOR-03; PR001-CAD001-MOR-04; 1050_PL_1004 D; 788_P_001; 788_P_002; 788_P_003; 788_P_005; 788_P_011 A; 788_P_012 A; 788_P_013 B; 788_P_014 B; 788_P_015 A; 788_P_051; 788_P_052; 788_P_053; 788_P_054; 788_P_056; 788_P_057; 788_P_058; 1050_PL_1001 C; 1050_PL_-1002 B; 1050_PL_1003 B; 1050_PL_1030 C; 1050_PL_-1031 A; 1050_PL_2001 B; 1050_PL_-2002 B; 1050_PL_2003 B; 1050_PL_-2004 B; 1050_PL_2005; 1050_PL_-2006; 788_P_112 A; C101 P4; C102 P3; Design and Access Statement incorporating Landscaping Strategy, Biodiversity Statement, Recreation Assessment, Servicing Delivery and Waste Management Strategy; Community Involvement Statement 09/12/2014; Planning Statement December 2014; ChapmanBDSP BREEAM Pre-Assessment Rev 01 dated 03/12/14; ChapmanBDSP BREEAM Assessment Tracker 03/12/14; Construction Management Plan 03/12/14; MP/LOGP2/01 Rev 01; MP/LOG/01 Rev 02; Drainage Strategy Design Report Ref 140638/FG/AW Rev 2 09/12/14; Elementa Energy Strategy Rev P3; Elementa Overheating Report; EB7 Daylight and Sunlight Report 03/12/14; PJC Arboricultural Survey Ref PJC/3549-1/14; PJC Arboricultural Impact Assessment PJC/3549-2/14; WSP Environmental Noise Survey Report 04/12/14; St Luke's and Moreland Federation Letter of Commendation 08/12/14; Islington Health Impact Assessment Screening; Transport Assessment (Travel Plan) December 2014; Waste Collection Strategy Rev A dated 19/02/15.</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>
3	<p>Construction Environment Management Plan (Details)</p>
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration, and TV reception) of the development has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The report shall assess impacts during the demolition and construction phases of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved at all times and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to minimise impacts on the amenity of neighbouring residents and school pupils.</p>
4	<p>Demolition & Construction Method Statement (DCMS) (Details)</p>
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Demolition & Construction Method Statement (DCMS) has been submitted to and approved in writing by the Local Planning Authority. The approved DCMS shall accord with the Code of Construction Practice and be strictly adhered to throughout the construction period. The DCMS shall cover:</p> <ul style="list-style-type: none"> i. the method of demolition and removal of material from the site; ii. the parking of vehicles of site operatives and visitors; iii. loading and unloading of plant and materials; iv. storage of plant and materials used in constructing the development; v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; vi. wheel washing facilities; vii. measures to control the emission of dust and dirt during construction; viii. a scheme for recycling/disposing of waste resulting from demolition and construction works . <p>Deliveries and collections shall not take place during peak times for school pupil arrival and departure.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to ensure that the development works do not adversely impact on neighbouring residential amenity or public safety.</p>

5	<p>Tree Protection – Site Supervision (Details)</p> <p>CONDITION: No development (including demolition works) shall take place until a scheme of supervision and monitoring for the arboricultural protection measures in accordance with para. 6.3 of British Standard BS5837: 2012 - Trees in Relation to design, demolition and construction - recommendations has been submitted to and approved in writing by the local planning authority.</p> <p>The scheme of supervision shall be carried out as approved and shall be administered by a qualified arboriculturist employed by the developer.</p> <p>The scheme shall be appropriate to the scale and duration of the works and shall include details of:</p> <ul style="list-style-type: none"> a) Induction and personnel awareness of arboricultural matters; b) Identification of individual responsibilities and key personnel; c) Timing and methods of site visiting and record keeping, including updates d) Procedures for dealing with variations and incidents. <p>On completion of the development a report detailing the continuous monitoring and compliance with the approved scheme of tree protection and the guidance set out in British Standard BS5837: 2012 – ‘Trees in Relation to design, demolition and construction’ during the period of construction shall be submitted to and approved in writing by the local planning authority. The report shall be prepared by a qualified arboriculturalist.</p> <p>REASON: In order to ensure that the development does not prejudice the life, health and stability of trees to be retained at and adjacent to the site.</p>
6	<p>Materials and Samples (Details)</p> <p>CONDITION: Details including drawings at scale 1:20 and samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on the development. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Facing brickwork(s): sample panels of proposed brickwork to be used showing the colour, texture, facebond, and pointing; b) Coloured metal fins; c) Windows (including detailed section drawings); d) Entrance doors (including section drawings showing side panels and soffits); e) Balustrades; f) Louvres; g) Sliding screens; h) Ventilation stacks; i) Canopies; j) Entrance gates; k) Boundary Treatment; l) any other materials to be used.

	<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 order to ensure that the resulting appearance and construction of the development is of an acceptably high standard, so as to preserve and enhance the character and appearance of the surrounding townscape.</p>
7	<p>Amended Internal Layout – Inclusive Access (Details)</p> <p>CONDITION: Prior to the commencement of any superstructure works, revised floor plans shall be submitted to and approved in writing by the local planning authority. The revised floor plans shall provide:</p> <ol style="list-style-type: none"> 1) 1500x1500mm manoeuvring space in front of the lift doors in the children’s centre. 2) 450mm diameter activity space clear of the door swing within all standard WCs. 3) WCs suitable for ambulant disabled people, with outward opening doors and a 750mm activity space clear of the door swing. <p>The development shall be carried out in strict accordance with the detail on the approved drawings and shall be maintained as such thereafter unless previously agreed in writing with the local planning authority.</p> <p>REASON: In order to provide adequate inclusive access within the development.</p>
8	<p>Roof-level structures (Details)</p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
9	<p>Boundary Treatment (Details)</p> <p>CONDITION: Prior to the commencement of any superstructure works, full details of all boundary treatment and gates shall be submitted to and approved in writing by the local planning authority.</p> <p>The approved boundary treatment shall be fully installed in strict accordance with the approved details prior to the first occupation of the development and</p>

	<p>maintained as such thereafter.</p> <p>REASON: In order to ensure an appropriate high quality boundary treatment is provided and maintained in the interests of safety, security and preserving and enhancing the amenity of the area.</p>
10	<p>Landscaping (Details)</p> <p>CONDITION: A final detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species and size; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures within the site: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; g) a landscaping management plan; and h) any other landscaping feature(s) forming part of the scheme. <p>All landscaping so approved 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 maintenance/watering provision following planting and any trees or shrubs which die, become severely damaged or diseased within five years of planting shall be replaced with the same species or an approved alternative and to 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 interests of sustainability, to ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to ensure the development is of an inclusive design, and to ensure that a satisfactory standard of visual amenity is provided.</p>
11	<p>Cycle Parking (Details)</p> <p>CONDITION: Details of the layout, design and appearance of the bicycle storage area shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The on site storage shall be covered, secure and provide for no less than 30 cycle parking</p>

	<p>spaces (together with 16 on street cycle parking spaces).</p> <p>The bicycle storage areas shall be provided strictly in accordance with the details so approved and installed prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
12	<p>Refuse/Recycling storage (Details)</p> <p>CONDITION: Details of the layout, design and appearance of the refuse store shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The refuse storage areas shall be provided strictly in accordance with the details so approved, shall be completed prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
13	<p>Pond and Rain Garden (Details)</p> <p>CONDITION: Details of the pond, rain garden and associated planting shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The pond shall be of a simple lined construction with an asymmetrical profile, shall be planted with oxygenating plants and shall not include a uv filtration system.</p> <p>The pond and rain garden shall be provided strictly in accordance with the details so approved, shall be completed prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: In order to ensure that the pond and rain garden provide an appropriate biodiversity focussed learning facility which would adequately mitigate the loss of the existing SINC area.</p>
14	<p>Bird & Bat Boxes (Details)</p> <p>CONDITION: Details of bird and/or bat nesting boxes / bricks shall be submitted to and approved in writing by the local planning authority prior to the commencement of any superstructure works.</p> <p>The nesting boxes / bricks shall be provided in accordance with the details so approved prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises provision of habitats and valuable areas for biodiversity.</p>

15	Security & General Lighting (Details)
	<p>CONDITION: Details of all general or security outdoor lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
16	MUGA Floodlighting (Details)
	<p>CONDITION: Prior to commencement of any works relating to construction of the MUGA, details of flood lighting for the new MUGA (including location and design of support structures and full specification of all luminaries and lamps), together with a report detailing the lighting scheme and predicted light levels at neighbouring residential properties shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The lighting report shall illustrate that the floodlighting would conform to requirements that meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
17	SINC Maintenance Schedule (Details)
	<p>CONDITION: Prior to the first occupation of the development, a schedule for the ongoing maintenance of the new SINC area at the site shall be submitted to and agreed in writing by the local planning authority. The maintenance schedule shall be prepared by an appropriately qualified ecologist. The new SINC area shall be maintained in accordance with the details set out in the approved schedule at all times.</p> <p>REASON: In order to ensure that the new SINC area continues to provide an appropriate biodiversity focussed learning facility which would adequately mitigate the loss of the existing SINC area.</p>

18	Delivery & Servicing Management Plan & Waste Management Plan (Details)
	<p>CONDITION: A Delivery and Servicing Management Plan (DSMP), including a Waste Management Plan (WSP), shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The DSMP shall include details of all servicing and delivery requirements, including details of how waste (including recyclable waste) would be transferred and collected, and shall confirm the timings of all deliveries and collections from service vehicles.</p> <p>The development shall be occupied and operated strictly in accordance with the DSMP so approved.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
19	Southern Gates (Compliance)
	<p>CONDITION: The approved gates in the southern boundary of the site shall only be used for servicing, maintenance and emergency vehicle access and shall not be used as a pupil or staff entrance.</p> <p>REASON: In order to protect neighbouring amenity and prevent pedestrian and vehicular conflict.</p>
20	Ground Contamination Remediation (Compliance)
	<p>CONDITION: The development shall be carried out in strict accordance with the approved ground contamination remediation programme.</p> <p>Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In order to protect the health of future occupiers of the development.</p>
21	Loading Bay (Compliance)
	<p>CONDITION: The approved loading bay on Moreland Street shall be provided prior to the first occupation of the development and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In order to maintain highway safety.</p>
22	Plumbing (No pipes to outside of building) (Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes</p>

	would potentially detract from the appearance of the building and undermine the current assessment of the application.
23	Hours of Use of the MUGA (Compliance)
	<p>CONDITION: The new MUGA hereby approved shall not be used after 2100 hours on any day.</p> <p>REASON: In order to protect the amenity of existing and future neighbouring residents.</p>
24	SUDS (Compliance)
	<p>CONDITION: The approved SUDS system as shown on drawings C101 Rev P4 and C102 Rev P3 shall be fully installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In order to adequately control surface water run off and help prevent localised flooding.</p>
25	BREEAM (compliance)
	<p>CONDITION: The development hereby approved shall achieve a BREEAM New Construction rating (2011) of no less than 'excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
26	Tree Protection (Compliance)
	<p>CONDITION: The development shall be carried out at all times in strict accordance with the tree protection measures set out in the approved document 'PJC Arboricultural Impact Assessment PJC/3549-2/14'.</p> <p>REASON: In order to ensure the adequate protection of all existing tree to be retained at and adjacent to the site.</p>
27	Plant Noise (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq 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 LAF90 Tbg. The 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 an appropriate standard of school accommodation is provided and to protect neighbouring residential amenity.</p>
28	Green/Brown Biodiversity Roofs (Compliance)
	<p>CONDITION: No permission is given for the blue roof shown on drawing C101 P4. The area shown as blue roof shall be provided as a green roof with equivalent water attenuation capabilities. The green roof shall be installed in accordance with the roof layout shown on approved drawing PL 1004 Rev C.</p>

	<p>All green/brown roofs on the development shall be designed, installed and maintained in a manner that meets the following criteria:</p> <ul style="list-style-type: none"> a) green/brown roofs shall be biodiversity based with extensive substrate base (depth 120 -150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise run-off.</p>
29	Window & Door Reveals (Compliance)
	<p>CONDITION: All windows and doors shall be set within reveals no less than 100mm deep unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard, to ensure sufficient articulation in the elevations.</p>

List of Informatives:

1	Directors' Agreement Letter
	INFORMATIVE: You are advised that this permission has been granted subject to a Directors' Agreement Letter.
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>INFORMATIVE: A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>

3	Water Infrastructure
	<p>INFORMATIVE: Thames Water (TW) have confirmed that there is sufficient sewerage infrastructure capacity to cope with the proposed development. TW have advised that surface water drainage is the responsibility of the developer, who must ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.</p> <p>Prior approval is required from TW with respect to any proposals to discharge surface water into a public sewer. TW have advised that there is a water main crossing the site. Unrestricted access is required to the water main at all times for maintenance and repair and it may be necessary for the developer to pay for diversion of the water main.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
4	Car-Free Development
	<p>INFORMATIVE: All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and staff will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
5	Working in a Positive and Proactive Way
	<p>INFORMATIVE: To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
6	Materials
	<p>INFORMATIVE: In addition to compliance with condition 6, materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</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.

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

2 London's places

- Policy 2.9 Inner London
- Policy 2.10 Central Activities Zone – strategic priorities
- Policy 2.11 Central Activities Zone – strategic functions
- Policy 2.12 Central Activities Zone – predominantly local activities

3 London's people

- Policy 3.1 Ensuring equal life chances for all
- Policy 3.2 Improving health and addressing health inequalities
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.9 Mixed and balanced communities
- Policy 3.16 Protection and enhancement of social infrastructure
- Policy 3.18 Education facilities
- Policy 3.19 Sports facilities

5 London's response to climate change

- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable energy
- Policy 5.8 Innovative energy technologies
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.21 Contaminated land

6 London's transport

- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking

7 London's living places and spaces

- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

- Policy 8.1 Implementation
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

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)

Policy CS19 (Health Impact Assessments)

Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Shops, culture and services

DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

DM6.1 Healthy development

DM6.4 Sport and recreation

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

D) Finsbury Local Plan June 2013

BC1 King Square and St. Luke's

BC8 Achieving a balanced mix of uses

BC10 Implementation

Site Allocation BC4

3. **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:

- Central Activities Zone
- Bunhill & Clerkenwell Key Area (Policy CS7)
- King Square & St Luke's Framework Area (Policy BC1)
- Site Allocation BC4 – Moreland Primary School & King Square Estate
- Moreland School Garden SINC – Local Importance
- Within 50m of Northampton Square Conservation Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Environmental Design
- Inclusive Design
- Inclusive Landscape Design
- Planning Obligations
- Streetbook
- Urban Design Guide

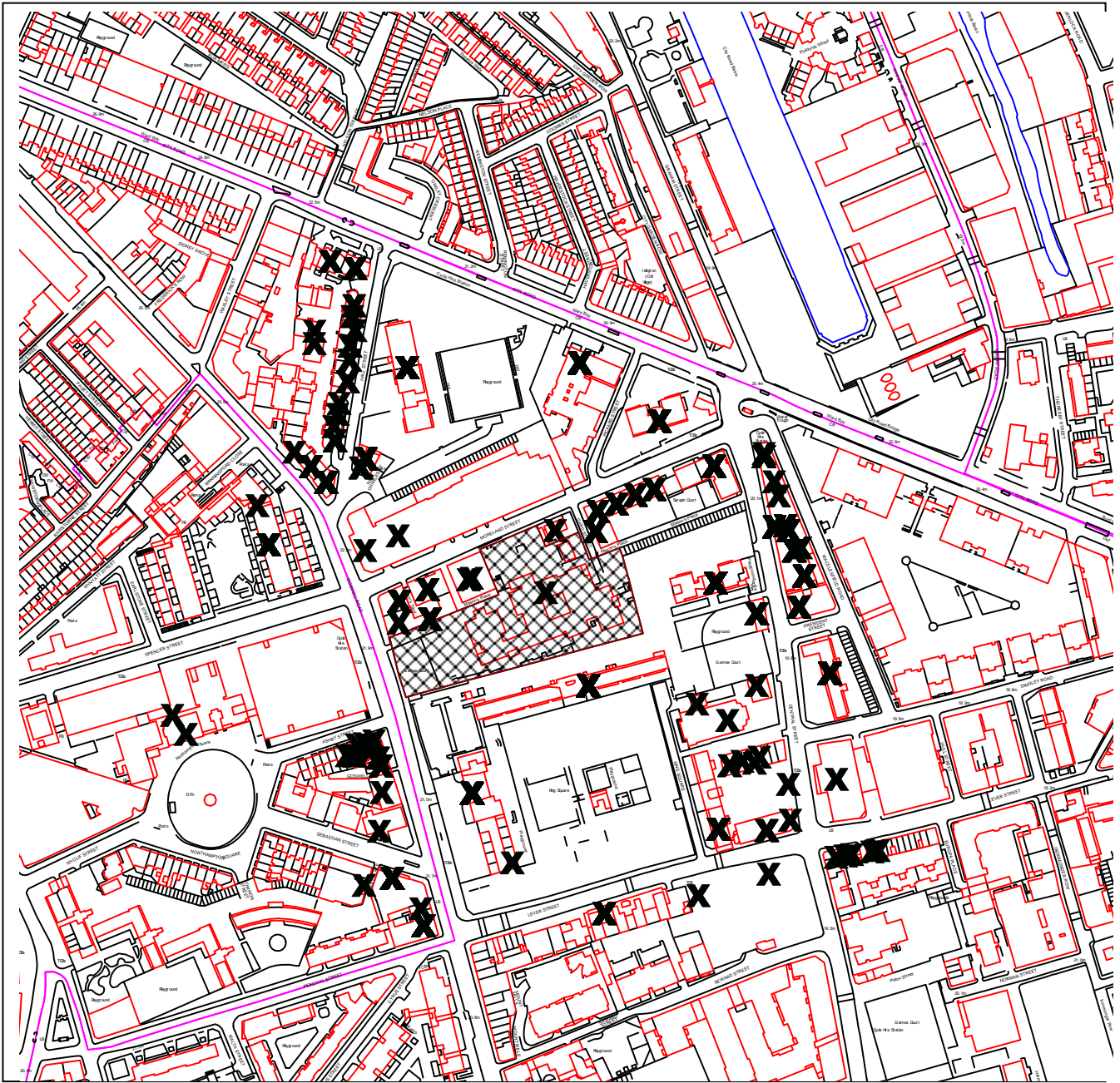
London Plan

- Accessible London: Achieving an Inclusive Environment
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/5103/FUL

LOCATION: MORELAND PRIMARY SCHOOL & CHILDREN'S CENTRE, MORELAND STREET, LONDON EC1V 8BB

SCALE: 1:4000

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Islington Council, LA086452

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 333
 222 Upper Street
 LONDON N1 1YA

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	24 March 2015	

Application number	P2015/0081/FUL
Application type	Full Planning Application (Council's Own)
Ward	Barnsbury
Listed building	None on the site but listed buildings surrounding the site
Conservation area	Barnsbury
Development Plan Context	Barnsbury Conservation Area; Mayors protected vistas-Alexandra viewing terrace to St Pauls Cathedral.
Licensing Implications	None
Site Address	New River College Primary PRU, Dowrey Street, London, N1 0HY
Proposal	Demolition of the existing school building and erection of a new, two storey school building to accommodate the existing school and a new school, and a separate single storey building to provide term time accommodation. Associated works including landscaping, provision of playspace, provision of a refuse store, parking and alterations to existing site boundaries.

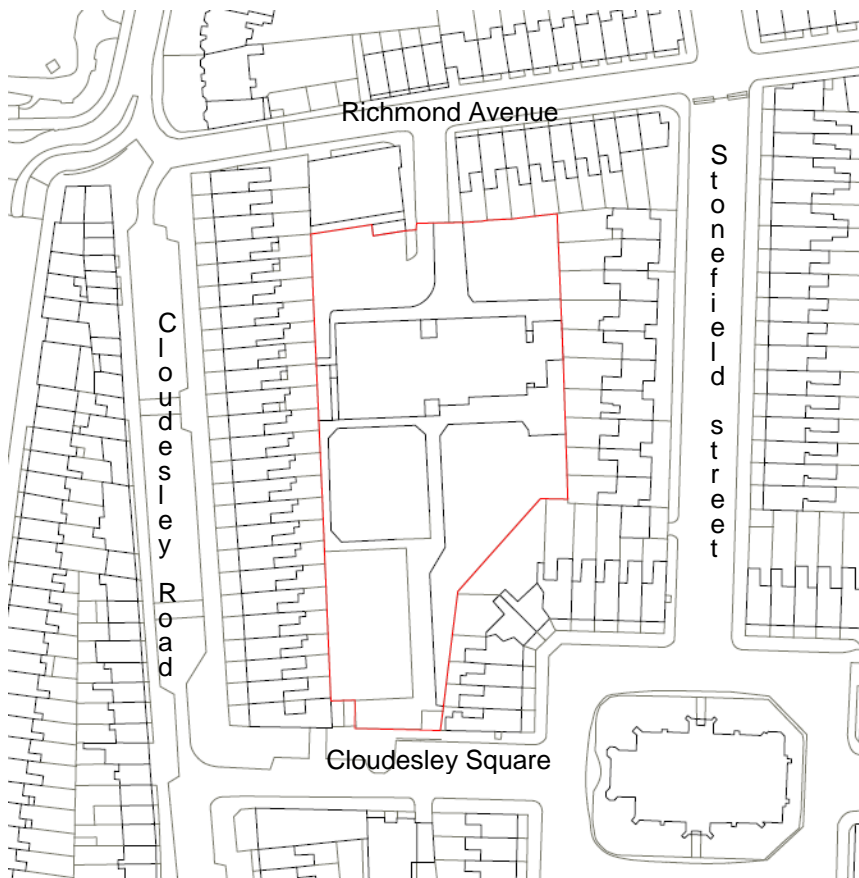
Case Officer	Sally Fraser
Applicant	Morgan Sindall Plc (on behalf of LBI Children's Services)
Agent	CBRE

1 RECOMMENDATION

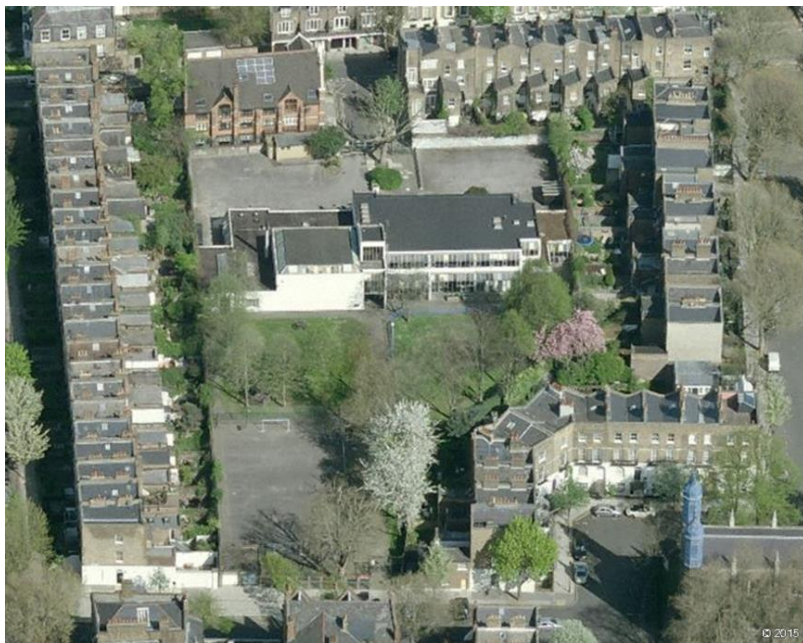
The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Directors' Agreement Letter, securing the heads of terms as set out in Appendix 1.

2 SITE PLAN (Site outlined in black)



3 PHOTOS OF SITE/STREET



Photograph 1: Aerial view of the site



Photograph 2: The northern (Dowrey Street) entrance



Photograph 3: The site to the north of the school



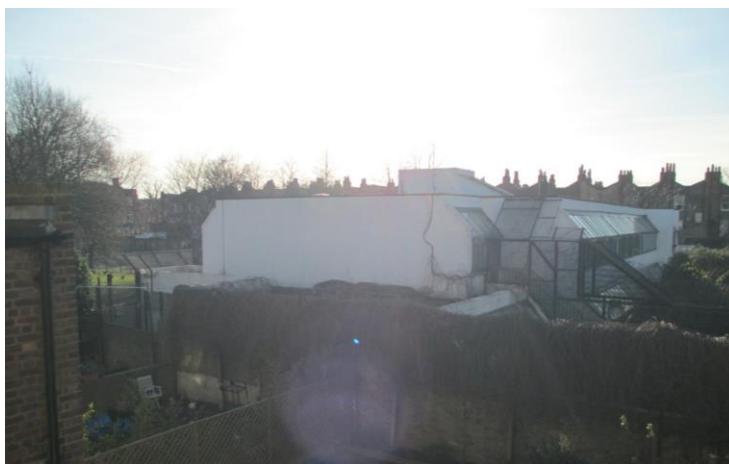
Photograph 4: The parking area and western boundary



Photograph 5: The southern elevation of the school



Photograph 6: The eastern flank wall of the school from a Stonefield Street garden



Photograph 7: View of the school from Stonefield Street properties



Photograph 8: The MUGA and southern pedestrian entrance



Photograph 9: The Cloudesley Square boundary of the site

4 **SUMMARY**

- 4.1 The application site accommodates the New River College Pupil Referral Unit. It contains a 1970's, two storey school building, a parking area and hard surfaced play area to the north of the school and a MUGA and grassed area to the south of the school.
- 4.2 The site is surrounded by grade II listed properties and is located within the Barnsbury Conservation Area.
- 4.3 The application proposes the demolition of the existing school building and the erection of a new two storey school building with separate single storey residential building to house pupils and staff during term time.

- 4.4 The main issues arising from the development are the impact of the development on the significance of the conservation area and the surrounding listed buildings and the impact of the development on the amenities of the neighbouring occupiers. The application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 4.5 The Design and Conservation Officer considers that the development would result in less than substantial harm to the significance of the conservation area and the surrounding listed buildings, by reason of the resulting fragmentation of the open space and the size and location of the proposed built form.
- 4.6 Officers consider that, given the discreet appearance of the proposed buildings, the improvements to the northern and southern entrances and enhancement of the landscaping, there would be no harm to the significance of the listed buildings or the conservation area and that local character would be conserved and in fact enhanced.
- 4.7 Should members consider that the development would cause less than substantial harm to the significance of the heritage assets, officers consider that the proposal would, in any event, provide substantial public benefits which would outweigh any less than substantial harm caused.
- 4.8 The proposal would have an acceptable impact on the residential and visual amenities of the neighbouring occupiers and would provide enhanced educational facilities on an existing education site in a sustainable manner.
- 4.9 The proposal is recommended for approval, subject to conditions and to an appropriate Directors' Agreement letter, the heads of terms of which have been agreed with the applicant.

5 SITE AND SURROUNDINGS

- 5.1 The site contains a part single, part 2 storey (with small third storey stair overrun) school building (D1 use class). It was built in the 1970's and is constructed of white painted concrete, brick and glass. The area of the site is 5071m², the footprint of the building is 1052m² and there is 1444m² (GIA) of floorspace.
- 5.2 The photograph below shows the heights of the existing school:

Cloudesley
Road



Stonefield
Street

- 5.3 The school building is located in the centre of the site in an east/ west orientation. The very eastern and western flank walls of the building form the boundary walls with properties on Stonefield Street and Cloudesley Road. There is a parking area for approximately six cars and a hard surfaced play space to the north of the school building and a grassed area and Multi Use Games Area (MUGA) to the south. There is a vehicular and pedestrian access to the site from Dowrey Street to the north and a pedestrian only access from Cloudesley Square to the south.
- 5.4 The building currently accommodates the New River College Pupil Referral Unit (NRC), run by Islington council, and provides education for 18 permanently excluded children between the ages of 5 and 11. It is affiliated with other New River College facilities throughout Islington. The school has 19 staff members and the current school hours are between 9am and 3pm. There is currently no use of the site by the wider community beyond these hours. The building was previously home to Samuel Rhodes School, which catered for 91 pupils aged 5-16.
- 5.5 With the exception of the northern and southern entrances, the site is bound by residential properties. To the north, on the west side of Dowrey Street, lies 98 Richmond Avenue (hereafter known as Mission Hall), which is occupied by the Beckett House Montessori Nursery school at ground floor and six self contained flats at upper floors.
- 5.6 All other residential properties bounding the site are grade II statutorily listed. They are late Georgian, have 3 storeys with 2 storey (original) rear projections and are orientated so that their rear gardens adjoin the shared school boundary. They are the properties at 100- 106 Richmond Avenue to the north, 1- 10 Stonefield Street to the east, 18 to 24 Cloudesley Square to the south east and 120- 160 Cloudesley Road to the west.
- 5.7 The Celestial Church of Christ in Cloudesley Square to the south east of the site is Grade II* listed.
- 5.8 The site lies within the Barnsbury Conservation Area, which has an article 4 direction in place, and is within the London Plan designated protected vista, which is the view from Alexandra Palace to St Paul's Cathedral.

- 5.9 There are 25 trees and 1 tree group on the site, all of which are protected by reason of their conservation area status. Those of best condition are two category A London Plane trees, which are located at either end of the site adjacent to the existing entrances.
- 5.10 The northern and southern boundaries of the site are marked by 3.1m high welded mesh fencing with barbed wire on top.
- 5.11 Brick walls form the boundary of the site with the listed residential properties. These walls are listed, by virtue of the fact they form part of the curtilage of the listed properties and were attached to those buildings at the time of their listing. The walls are between 2m and 2.4m high and have a variety of fencing above.
- 5.12 The boundary with the properties at 6 and 7 Stonefield Street and 144- 148 Cloudesley Road are marked by the eastern and western flank walls of the school respectively. These flank walls are also listed, because they attach to the walls that form part of the curtilage of the respective listed buildings. Both the eastern and western flank walls are 3.4m high.
- 5.13 In terms of the local road network, the site has a PTAL of 2. Richmond Avenue is a one way street with traffic travelling west to east. Cloudesley Road is one way north of Cloudesley Square, with cars travelling south to north. Stonefield Street is blocked off to through traffic at the northern end.
- 5.14 Servicing and deliveries currently take place through the northern school entrance and into the car park, where there are currently 6 parking spaces.

6 PROPOSAL (IN DETAIL)

- 6.1 The applicant proposes to demolish the existing building and erect a new 2 storey school building to accommodate the existing New River College PRU (NRC) and a new school, the Bridge International Learning Space Free School (hereafter known as the ILS), with a separate single storey ancillary residential building.

The NRC

- 6.2 The function of the NRC would remain as existing and would cater for 18 day pupils of primary school age and 19 members of staff.

The ILS

- 6.3 The ILS would educate 25 pupils between the ages of seven and nineteen, eight of whom would reside on site in the ancillary residential accommodation during term time. There would be 43 members of staff, with 1 staff member for every pupil in the residential accommodation between the hours of 6am to 10pm and 3- 4 overnight staff.

- 6.4 The school would be affiliated with the existing primary and secondary Bridge schools within the borough, which provide education for pupils with autism and/ or severe learning difficulties (which have been rated as Outstanding in the latest Ofsted inspection).
- 6.5 The new school would provide additional provision for pupils who require a high level of support and who have significant learning difficulties, extreme sensory issues and challenging behaviours. It would focus on education through communication and interaction, within a specific sensory environment. The residential unit would allow those who require the greatest level of support to be placed close to home rather than in more distant residential schools.
- 6.6 The ILS opened in early 2015, in temporary accommodation in the north of the Borough. The pupil catchment area is north London.

Accommodation

- 6.7 The existing and proposed building footprints, floorspace and amount of open space on the site are detailed in the table below:

	Existing	Proposed	Difference
Building footprint (sqm)	1051	1422	+ 371
Gross Internal Area (sqm)	1444	2209	+ 765
Overall landscaping (sqm)	4008	3636	- 372
Soft landscaping (sqm)	1320	1480	+160
Hard landscaping (sqm)	2688	2156	- 532

- 6.8 The proposed school building would have a north/ south orientation and would be rectangular in shape, have overhanging first floor elements on the northern and southern elevations and a flat roof. The building would be 8m high to the top of the parapet and there would be 9 angled rooflights which would rise to 1.5m above the parapet level. A handrail around the perimeter of the roof is proposed.
- 6.9 The residential building would be 3.5m high with a flat roof. There would be allocated amenity space for the pupils occupying the residential unit adjacent to the eastern boundary.
- 6.10 The proposed materials for both buildings would be sandy buff coloured brick, timber cladding and aluminium windows and doors with angled, vertical timber louvers over the first floor windows of the school.
- 6.11 The application, as originally submitted, included the replacement of the fencing on top of the listed residential boundary walls. This change, which would also require listed building consent, has been omitted from the drawings.

- 6.12 The eastern flank wall of the proposed residential building would form the boundary wall of the properties at 6 and 7 Stonefield Street, which is currently formed by the existing school flank wall. The height of the flank wall would be raised, from 3.4m to 3.6m. Where the flank wall of the existing school forms the western boundary treatment, the wall would be reduced in height to 2.4m with chain link fencing added above. These elements require listed building consent. An informative advising the applicant that prior to any works to the flank walls of the existing school building commencing, listed building consent must be obtained from the local planning authority, is recommended. A clause saying the same has been added to the Directors' Agreement letter attached to this report.
- 6.13 Circular black railings with finial details would replace the welded mesh fencing on the northern and southern boundaries. The railings would be 2.4m high on the southern boundary with 2.8m high gates and on the northern boundary, 2.8m high across its length.
- 6.14 The site, both internally and externally, would be divided to provide separate internal and external accommodation for the two schools, due to the specific and different needs of the pupils at each school. New fencing is proposed which would separate the amenity space for the two schools.
- 6.15 The NRC would occupy the ground floor of the main school building with direct access to the western external space. Pupils, teachers and visitors would use the southern pedestrian entrance to the school at Cloudesley Square.
- 6.16 The ILS would occupy the first floor of the main school building, with direct access to a first floor terrace, and the eastern external areas, including the ancillary residential accommodation. The pedestrian entrance to the school would be from Dowrey Street.
- 6.17 The proposal would provide a variety of hard and soft landscaping and play spaces, designed to be tactile and sensory environments to meet the needs of the pupils. The existing MUGA would remain to the south of the site, which would be primarily used by the NRC.
- 6.18 All vehicular pick ups, drops offs, deliveries and servicing, for both schools, would take place, as existing, from the (northern) Dowrey Street entrance. The proposed parking area would accommodate 1 drop off space, 2 spaces allocated for minibuses which would transport children of the ILS to and from school, 2 wheelchair accessible parking bays and 2 staff parking bays. The servicing area would contain the proposed bin store for both schools and there would be dedicated covered cycle parking facilities to the north of the school building (ten spaces) and south (fifteen spaces) to serve the corresponding schools.

7 RELEVANT HISTORY:

Planning Applications

- 7.1 **TP/54702/03-** Redevelopment for education purposes of the Whitelaw Reid Playground, Dowrey Street, The Holy Trinity Mission Hall, Richmond Avenue and part of the roadway of Dowrey Street. Approved with conditions 08/08/1969
- 7.2 **TP/54702/03-** Extension of the height of the boundary fence at Samuel Rhodes School. Approved 22/02/1978

Pre Application Advice

- 7.3 The applicant submitted a scheme for pre-application discussions (ref: Q2014/3672/MJR) in September 2014 for 'the demolition of the existing school and the erection of a new school building with residential element to accommodate the existing New River College Pupil Referral Unit and the new Bridge International Learning Space Free School.'
- 7.4 The applicant was advised that the demolition of the existing school building may be, in principle, acceptable, given its current state of repair and given that it is not considered to contribute positively to the significance of the conservation area, subject to a high quality replacement. The provision of an additional school on the site was welcomed, as an efficient use of an existing educational site.
- 7.5 The applicant was advised that the siting and bulk of built form on the site must pay close regard to the sites conservation area setting, the design must be of particularly high quality and the materials robust in order to preserve and not compromise the setting of the adjacent listed buildings. The enhancement of the northern and southern boundaries would be an imperative element of any proposal and tree loss should be minimised to retain the sites green character.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 305 adjoining and nearby properties on 14th January 2015. A site was displayed and a press advert was published on 22nd January 2015. The public consultation on the application therefore expired on 12th February 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 a total of twenty five responses had been received from neighbouring residential occupiers. The responses comprised three statements of support for the proposed development and twenty two objections to the proposal. The concerns raised by the objectors can be summarised as follows (with the paragraph that provides a response to the issue indicated within brackets):
- Loss of open aspect from Mission Hall and Cloudesley Road properties due to the proximity of the proposed building (10.49)

- Overlooking from windows in the school to the properties to the north and west of the site (10.50 and 10.53)
- Concern that the protection of the Turkish Hazel trees to the south west of the existing building should not be at the expense of amenities of neighbours to the north of the site. (10.49 and 10.97)
- Height of the proposed building considered excessive (10.23, 10.24 and 10.25)
- Obtrusive nature of the 9 rooflights- requests to reduce height, reduce number and redesign. Appearance of the handrail at roof level (10.24 and 10.26)
- The provision of parking other than wheelchair accessible parking onsite (10.111)
- Concern that the residents within the residential element would receive parking permits (10.111 and 10.129)
- Noise and disturbance relating to comings and goings of cars overnight and at the weekends (10.64)
- The decision to route construction traffic primarily to the north of the site (10.120 and 10.121)
- Light pollution from the east facing windows of the residential block (10.63)
- Potential overlooking from windows on the eastern side of the residential block to the Stonefield Road properties (10.55)
- Noise and disturbance from any use of the play space associated with the residential unit on the eastern boundary (10.62)
- The proximity of the building to the properties along Richmond Avenue and concern of sense of enclosure (10.49 and 10.52)
- The appearance of the new fencing on the eastern boundary walls (6.11)
- The lack of use of the school for the community (10.6)
- Concern over whether the use of the residential accommodation would be restricted to term time only (6.3 and 10.7)
- Disruption from potential after school activities and requests to restrict school hours of use from 9am- 3pm (10.64)
- The height of the proposed climbing frame and potential overlooking (10.54)

External Consultees

- 8.3 London Fire & Emergency Planning: The brigade is satisfied, subject to the application meeting the requirements of Approved Document B5 of the Building Regulations.
- 8.4 Met Police Crime Prevention Design Advisor: Advised that they have met with the architects to discuss the scheme, but provided no detailed comments.
- 8.5 Thames Water: Raised no objection with regards the impact of the development on sewerage infrastructure capacity. They advised that approval should be sought from Thames Water where the erection of a building would come within 3m of a public sewer. A recommendation was made to ensure storm flows are attenuated into the receiving public network through on or off site storage.
- 8.6 Sport England: Stated they did not wish to comment.

Internal Consultees

- 8.7 Design and Conservation: The current *site* makes a positive contribution to the significance of the conservation area and the surrounding listed buildings, by reason of the low rise nature of the building, its east/ west orientation and subsequent large areas of open spaces to the north and south of the school building. The building itself, by reason of its design and appearance, does not contribute positively to character of the conservation area or the setting of the listed buildings.
- 8.8 The proposed increase in built form on the site would result in a reduction and fragmentation of open space. The linear nature of the proposed buildings would exacerbate their visual impact.
- 8.9 The proposed development would, as such, cause harm to the character of the conservation area and the setting of the listed buildings.
- 8.10 Energy Conservation Officer - The development would require payment of a carbon offset contribution of £43, 077.16. The development would comfortably achieve BREEAM Excellent and would provide on site CHP in compliance with policy and the Environmental Design SPD.
- 8.11 Inclusive Design Officer: The scheme, following a revision of the internal layout of the residential accommodation to show visitability of the bedrooms by wheelchair users, would provide a good level of inclusivity.
- 8.12 Planning Policy Officer: The proposal is in line with policy DM4.12, which aims to enhance social infrastructure provision in the Borough. In this instance, given the specialist nature of the educational use, it is not considered appropriate to promote shared use of the facility for recreational and community uses.
- 8.13 Public Protection Division (Acoustic Officer): The applicant is reminded that the internal noise environment of school classrooms is covered by building

regulations. Any new plant should be conditioned as such not to exceed 5dB(A) below background noise level.

- 8.14 Public Protection Division (Air Quality): The applicant is advised that an air quality assessment must be carried out to demonstrate compliance with 'GLA' air quality neutral policy for new developments, in terms of the new CHP. This should be secured by condition.
- 8.15 Public Protection Division (Light Pollution) – New external lighting is proposed in replacement of the existing. A condition requiring details of the luminance and hours of usage of this lighting should be required by condition.
- 8.16 Spatial Planning and Transport (Transport Officer): The proposal would have an acceptable impact on the surrounding road network. Objection was raised to the on site staff parking, with the exception of on site drop off and accessible parking facilities. Cycle parking is in compliance with policy standards. Details of servicing and deliveries and construction management should be required by condition.
- 8.17 Street Environment Division: The location and size of the refuse and recycling storage and arrangements for collection are acceptable.
- 8.18 Sustainability Officer: The commitment to achieve BREEAM Excellent is supported, as is the commitment to meeting policy targets in relation to water efficiency, materials and construction waste. Additional detail with regards to the extent of permeable hard landscaping should be secured, to ensure biodiversity and amenity benefit is maximised.
- 8.19 Tree Protection Officer: The safe retention of the two mature grade A trees has been achieved. The loss of T10, T11 and T12 is unfortunate but these are lower grade trees. The proposed replanting is substantial and sufficient for mitigating this loss given the use of the site.

Other Consultees

- 8.20 Members' Pre-application Forum: The scheme was presented on 13/10/2014. The principle of the scheme and its objectives were welcomed.
- 8.21 Design Review Panel (DRP) – The development proposals were reviewed at the pre-application stage by the DRP on 04/11/2014. The following response was provided by the DRP (The case officer's response to the comments is provided in italics and bold). The full response can be found at Appendix 4 to this report.

Layout and footprint

- 8.22 The Panel appreciated the high development pressure in terms of the accommodation needed to be located on the site. However, the Panel felt that the proposed layout was compromised, and questioned the relationship between the school and the residential unit, and the narrow 'street' between the two.

- 8.23 The panel queried the quality of the entrance and circulation areas of the school, which appear constrained and recommended exploration of lateral and vertical articulation such as the introduction of a double height space at the northern entrance.
- 8.24 The Panel questioned the location of the residential unit and raised concerns over the poor amenity, outlook and light from the bedrooms if left in its current position. The Panel expressed disappointment that the enhancement opportunities at the southern end of the site (by the removal of the existing unsightly garages) had not been fully explored and properly tested. Although panel members thought there was merit in considering the location of the residential unit on that part of the site, they appreciated that there might be constraints surrounding the impact on the existing protected tree. Overall the Panel considered that a more successful arrangement of the school and residential accommodation on the site should be sought.
- 8.25 ***The two garages in question are located directly to the west of the site and have a frontage onto Cloudesley Square. The garages are owned by the council and currently leased out on a long lease which includes no break clause, so are unable to be removed and are not included as part of the application site. The existing Plane tree and the proximity of residential properties to the southern boundary place a constraint to development in this area to the extent that it would be infeasible.***
- 8.26 ***The addition of a third story to the school building was considered, to accommodate the residential element of the development, but this would have impacted unduly on neighbouring amenity and on the significance of the conservation area and setting of the listed buildings.***
- 8.27 ***The current scheme allows the boarding children to be accommodated in a separate building and would ensure the overall development remains low rise. The 'street' between the residential block and the school building would be dynamically landscaped to soften the space.***
- 8.28 ***The windows in the residential bedrooms have been increased in size and all would receive good amounts of natural light. The windows would be at high level and outlook from the windows is therefore directed. This is a requirement of the school to provide a safe environment for the children.***

Form, elevations and materials

- 8.29 The Panel appreciated that the constrained site and the close proximity to surrounding buildings has informed the form of the building and design of the façades. However, the Panel questioned the rectangular and linear form of the blocks and the long bulky layered façades. The Panel recommended that ways to break up the block should be considered and felt that there would be opportunities to further articulate the building both at ground level and to express the hierarchy of functions, integrate the layers and punctuate the elevations. The Panel questioned the longevity of the proposed timber on the first floor and whether it would appear bolted on.

8.30 **The rectilinear form of the buildings are a result of an internal layout where the provision of good surveillance and pupil comfort and safety through a simple layout is paramount. Since the Design Review Panel comments, timber cladding has been introduced the upper half of the residential building in a stepped, somewhat playful manner, to soften the façade and the windows increased in size. To the school building, the size of the fenestration at ground and first floors has been increased spread irregularly across the façade. The windows reveals at ground floor would be greater than originally proposed, to add visual punctuation. The below images show the changes that have been made to the elevations since the scheme was presented to the Design Review Panel:**

8.31 **North elevations of the residential accommodation:**



8.32 **West elevations of the school building:**



8.33 **Timber cladding in this case, given the sensitive setting of the building was supported by the Design and Conservation Officer. A condition requiring submission of a sample of the material prior to commencement of development is recommended, to ensure its quality and therefore longevity.**

Amenity and Landscaping

- 8.34 Panel members felt that the positioning of the proposed school and residential blocks within the restrained space had led to a fragmentation of the external space and that the outdoor space appeared left over, rather than intentionally designed.
- 8.35 Although the Panel appreciated the challenges involved in designing space for students with learning difficulties, it was felt that this should not be used as an excuse for not designing high quality space and good amenity. The Panel recommended that the outdoor space and amenity needed further consideration and development.
- 8.36 The Panel felt that the linear space between the main block and the residential block needed further consideration and a clearer design.
- 8.37 The Panel also felt that the proposal for the southern perimeter of the site was very poor and needed to be better resolved.
- 8.38 ***The shape of the external spaces remain as per the design shown to the Design Review Panel, however the landscaping proposals have progressed, are comprehensive, inclusive and provide a variety of features with natural materials and organic shapes to soften the spaces and provide an interesting and tactile landscape for education and play. There would be landscaping along the western boundary and between the two proposed buildings, where currently the building covers the entire width of the site, providing glimpsed views from north to south.***

Summary

- 8.39 The Panel appreciated the restrictions on the site and the constraints which limit the available options, but felt that a better layout could be found. Specifically, the Panel recommended that the two garages at the southern end of the site should be removed and that the residential unit could be located here to enable more successful external amenity space for the schools and improve the amenity of the residential accommodation.
- 8.40 The Panel questioned the rectangular form and bulky façades of the main unit and felt alternative designs for the elevations should be explored.
- 8.41 The Panel argued that better design of the external space was needed and that the southern perimeter of the site needed a better and more positive solution.
- 8.42 ***Placing the residential building on the southern boundary was considered, but given the constraints of the space, it would not be possible to locate a building here which would be acceptable in appearance terms. Other massing options were explored but for the quantum of space required by two schools, the layout of built form now proposed is considered the most appropriate.***
- 8.43 ***The needs of the children has dictated the internal layout of the buildings and therefore, to an extent, their external appearance. Further***

articulation has, since Design Review Panel comments, been added to soften the facades and the design of the external areas have progressed to produce a variety of meaningful play spaces. Amenity for the pupils residing on the site has been improved upon following Design Review Panel comments and the solution for the southern boundary of the site considered successful.

9 RELEVANT POLICIES

9.1 Details of all relevant policies and guidance notes are provided in Appendix 2 to this report. This report considers the proposal against the following national and local policies and guidance:

National Guidance

9.2 The National Planning Policy Framework (NPPF) was adopted in 2012 and 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 in the assessment of these proposals.

9.3 Since March 2014 the National Planning Policy Guidance (NPPG) has been published online and that guidance has been considered as part of the assessment of this proposal. This includes changes made as a result of the 28th November 2014 Ministerial Statement.

Development Plan

9.4 The Development Plan is comprised of the London Plan 2011 (including Revised Early Minor Alterations [REMA] to the London Plan, published in 2013, Draft Further Alterations to the London Plan [FALP], published in January 2014, a schedule of suggested changes published in July 2014 and consolidated suggested changes were published in October 2014), the Islington Core Strategy 2011, the Islington Development Management Policies 2013, Finsbury Local Plan 2013 and Islington 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 is the subject of the following designations set out with the Development Plan documents:

- Barnsbury Conservation Area
- Protected vista from Alexandra Palace viewing platform to St Pauls Cathedral
- Local cycle routes

Supplementary Planning Guidance (SPG) / Document (SPD)

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

- 9.7 The guidance supports the improvement of facilities on the site in a sustainable and inclusive manner, including the promotion of its use by the wider community where possible. Any new development should pay close regard to design, given the sensitive location of the site in conservation terms and should retain the two Plane trees that mark the northern and southern ends of the site. It suggests that a building of 3 storeys in height, including all rooftop paraphernalia, could be appropriate.

10 ASSESSMENT

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

- Principle of the use
- Design, Conservation and Heritage considerations
- Standard of residential accommodation
- Neighbouring amenity
- Inclusive Design
- Energy and sustainable design and construction
- Trees, landscaping and biodiversity
- Transport
- Planning Obligations

Land Use

- 10.2 The betterment of pupil learning and achievement is supported at all levels of planning policy.
- 10.3 The National Planning Policy Framework (NPPF) states that Local Planning Authorities should give great weight to the need to create, expand or alter schools and should take a positive approach to development that will widen the choice of education. The DCLG Policy Statement (2012)- Planning for schools- mirrors this aim, stating that local authorities should give full and thorough consideration to the importance of enabling the development of state funded schools, including free schools.
- 10.4 The Development Plan concurs. Policy 3.18D of the London Plan states that applications should only be refused where there are demonstrable negative impacts which substantially outweigh the desirability of establishing a new school which cannot be addressed through the use of planning conditions or obligations. Part F encourages the on site sharing of services between schools in order to maximise land use efficiencies and reduce costs.
- 10.5 The Development Management Policies defines educational uses as social infrastructure. Policy DM4.12 part is relevant. It states that new social infrastructure... including extensions to existing infrastructure and facilities, must:

i) be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes, including walking, cycling and public transport;

ii) provide buildings that are inclusive, accessible, flexible and which provide design and space standards which meet the needs of intended occupants;

iii) be sited to maximise shared use of the facility, particularly for recreational and community uses; and

iv) complement existing uses and the character of the area, and avoid adverse impacts on the amenity of surrounding uses.

10.6 The proposal complies with each part of the above policy, with the exception of the shared use of the facilities outside of school hours. The reason for this is, firstly, that there are residential children residing at the site after the school day and they must be safeguarded. Additionally, the MUGA is not, and is not proposed to be floodlit. The applicant has agreed to a condition for community use of the internal school facilities where appropriate.

10.7 The site is currently occupied by the New River College Pupil Referral Unit and is in educational use (D1 use class). The proposal is to construct two schools on the site with ancillary residential accommodation (D1 use class) to accommodate pupils of the ILS and staff members during term time. This is ancillary to the D1 educational use of the site and therefore does not constitute a separate C3 residential use class. A condition is recommended to ensure that the use of the residential remains ancillary to the site and remains in use during term time only.

Design and Conservation

10.8 The development site is located within the Barnsbury Conservation Area and lies within the setting of the statutorily listed buildings on Stonefield Street, Richmond Avenue and Cloudesley Road. Both the conservation area and the listed buildings are designated heritage assets.

10.9 The NPPF emphasises the desirability to sustain and enhance the significance of heritage assets. It states that, where a development causes harm or significant harm to a designated heritage asset, the development should be refused unless the harm is outweighed by public benefits, or substantial public benefits respectively.

10.10 The Development Management Policies mirror the core principles of the NPPF. Policy DM 2.3Bi requires developments in conservation areas to be of high quality contextual design so that they conserve or enhance their significance. Part Cii of the policy addresses development within the setting of listed buildings, stating that development which harms their significance will not be permitted unless there is clear and convincing justification.

- 10.11 The Barnsbury Conservation Area design guidance (2002) states that new buildings must conform to the height, scale and proportions of existing buildings in the immediate area.
- 10.12 The attributes that contribute towards the significance of the heritage assets in question must first be assessed.
- 10.13 The Barnsbury conservation area is the largest in the borough, covering the area to the west of Upper Street and to the east of Caledonian Road. It is of outstanding importance, containing many of the best examples of late Georgian/ early Victorian residential developments in London. Its significance lies in its residential character and in what are some of the finest sequences of squares and terraces in London.
- 10.14 The statutorily listed buildings bounding the site are designated as 5 separate listings: They are the row of terraces along Cloudesley Square, the Richmond Avenue terrace, Stonefield Street terrace and two sets of terraces along Cloudesley Road at numbers 118- 142 and 144- 146. All five terraces are grade II listed, were built between 1820 and 1830. They are significant for their historic fabric and appearance.
- 10.15 Turning then to an assessment of the character of the application site, there are elements which contribute positively towards the significance of the conservation area and setting of the listed buildings and elements which cause harm.
- 10.16 The application site is surrounded by properties and public views into the site are possible only from Cloudesley Square to the south and from Dowrey Street/ Richmond Avenue to the north.
- 10.17 The Dowrey Street boundary is marked by metal entrance gates with barbed wire on top. Looking into the site there is a vehicle parking area with very little in the way of soft landscaping and the existing school building is visible in the background. These elements create a grey, harsh environment which do not contribute positively to the areas character. The mature Plane tree on the boundary obscures the view of the school building in the summer months and positively contributes to the sites character.
- 10.18 The Cloudesley Square boundary is enclosed by metal railings with barbed wire. There is a piece of derelict open space behind the railings, which is of no discernable function and which detracts from the appearance of the conservation area and the setting of the adjoining listed buildings. The mature centrally placed Plane tree on the boundary is an asset to the appearance of the area. Looking beyond the boundary treatment into the site, the MUGA, a hard landscaped path and a line of trees on the eastern side are visible. The school building itself is barely visible from Cloudesley Square.
- 10.19 The existing building itself does not hold any particular architectural merit. It is stark in appearance, almost uniformly white concrete with large areas of blank façade and an austere appearance. Neither is it an example of the type of building that forms the very special character of the Barnsbury

Conservation Area. There are positive elements to its design however. It is low rise and has a relatively small footprint in comparison to the site area, so does not dominate the surrounding listed buildings in terms of bulk. It also sits centrally within the site, leaving generous areas of open space to the north and south.

- 10.20 In light of the above analysis, the existing building does not contribute positively to the significance of the conservation area or to the setting of the surrounding listed buildings.
- 10.21 The condition and design of the existing building falls short of modern educational provision and is not compatible with the security, safety and specialised teaching required of a pupil referral unit or a special education needs provision. The full height glazing is dilapidated and easily damaged and has an inappropriate layout and space to accommodate a second school. It is aging, poorly insulated and contains many elements requiring maintenance and replacement.
- 10.22 Its demolition is in principle (and subject to a suitable redevelopment scheme), acceptable and in compliance with policy DM2.3Bii and the NPPF.
- 10.23 There are positive elements of the existing school building that are reflected in the proposed scheme. The varying heights of the existing building are expressed in the image towards the beginning of this report. The small 3 storey element is 9m high and the 2 storey elements are 6m high and 7m high.
- 10.24 The proposed school building would remain low rise. It would be 8m high to parapet level, with nine angled rooflights which would sit 1.5m above the parapet but which would be set in from the eaves line of the building, reducing their visibility from ground level and from public views. The visibility of the rooflights would also be restricted when viewed from the surrounding listed properties by the biodiversity roof (once established).
- 10.25 The proposed height of the school building would remain lower than the listed buildings surrounding the site and would be lower than that suggested within the Draft Planning Brief, which suggested 'in principle', three stories could be acceptable. Overall the proposed building, by reason of its height, would not dominate or detract from the character of the listed buildings.
- 10.26 Although a roof level hand rail is shown on the submitted drawings, it is recommended that a condition be placed on the consent for this feature to be removed and instead incorporate a less visible man- safe system.
- 10.27 The Design and Conservation Officer considers that the development would cause harm (which would be less than substantial) to the significance of the listed buildings and the conservation area, because of the buildings' linear and somewhat static appearance, the proposed footprint of built form on the on site which is greater than existing and the siting of the buildings which would cause a fragmentation of space and hence make the buildings more visible from public views.

- 10.28 It is not agreed that the proposed development would cause harm. Whilst the buildings are linear in form, the use of timber would soften the facades and the proposed sandy buff brick colour would match the predominantly yellow stock of the surrounding listed properties. Whilst not organic in form, the buildings are modest and understated and do not attempt to compete with the surrounding listed buildings. The discipline of the buildings arguably reflect and relate well to the rigid form of the adjoining terraces. In response to comments from Design Review Panel, the facades have been articulated through the enlargement of windows, increasing the window reveals and the use of timber on the residential building, which add interest to the elevations of both buildings. The first floor terrace would be screened by timber louvers which would match the treatment of the main school building and would as such cause no harm in appearance terms.
- 10.29 It is also relevant to note that the linear form of the buildings are a result of the ordered, simple and legible internal layout required for the comfort and safety of the children who will be educated there, and in the case of the boarding students, who will reside there. The plan form also enables the pupils at each school to be separate from each other, required by reason of their very different needs.
- 10.30 In terms of the amount of built form on the site, the footprint of the existing building occupies 21% of the site area and the proposed building would occupy 28% of the site area. This is not a significant increase and the vast majority of the site would remain open.
- 10.31 The proposed open spaces on the site would certainly be more fragmented than existing, as a result of the location of the residential accommodation. Whilst this reduces the open appearance of the northern and southern parts of the site, it is considered that the quality of the proposed external landscape would be enhanced. Currently the areas of the site not containing built form comprise solely of grass and tarmac. There would be more soft landscaping on the site than existing and the landscaping scheme overall would be comprehensive, providing a variety of quality hard and soft play spaces and additional tree planting. Additionally, the north/ south orientation of the proposed school building creates open space along the western boundary and between the main school building and the residential accommodation, where currently the building covers the full width of the site, which provides views 'through' the site and the opportunity for landscaping along this boundary.
- 10.32 The new school would be more visible from public view points, especially from Cloudesley Square to the south. The building would be screened from the south however by the landscaping scheme and proposed trees and the new building would still be set behind the existing MUGA.
- 10.33 In addition, the appearance of the northern and southern boundaries would be greatly enhanced. The proposed boundary black circular railings and gates with finial details would reflect the boundary treatment on surrounding properties and the areas behind the railings and gates would be soft

landscaped with a variety of species of plants. The derelict appearance of the area behind the southern boundary would be converted into a verdant green space and both prominent Plane trees would be retained.

- 10.34 In terms of other boundary treatment, the existing wall and fencing on the western boundary with 118- 142 and 150- 160 Cloudesley Road would be inspected and repaired where necessary. The paint on the school side of the wall would be removed on all sides to smarten the appearance of the site. A condition is recommended to require any replacement brickwork to be London Stock to match the existing and for paint removal to be carried out using a method which would not damage the historic walls .
- 10.35 The reduction in height of the western flank wall and addition of chain link fencing would match the adjoining boundary treatment and is considered acceptable in design and conservation terms. The change to the eastern flank wall includes raising the wall by 0.2m. This part of the proposal is also, in planning terms and in terms of the impact on the setting of the listed buildings, considered acceptable as its appearance would match the appearance of the existing wall, secured by condition. A head of term has been added to the Directors' Agreement letter attached to the report, to require listed building consent to be submitted and approved, prior to any commencement of works to these flank walls.
- 10.36 This approach is considered acceptable as the listed building consent would only consider the methodology of the works so as to protect the integrity of the retained portions of that wall.
- 10.37 All new internal fencing would be black welded mesh fencing, which would be unobtrusive and appropriate in design. As proposed however, the fencing would be 3m high. This is considered excessive given the proximity of the listed buildings and a condition is recommended for all internal fencing to be no higher than 2.4m, with the exception of the MUGA which is currently bound by 3m high fencing, which is considered an appropriate height given its use.
- 10.38 All but five of the trees on the site would be retained and ten trees would replace those lost, which would enhance the greenness of the site. It should also be noted that all roofs would be green roofs and that private views of the site from the listed residential properties surrounding the site would appear more verdant than existing.
- 10.39 A new lighting scheme is proposed, in place of and in the same location as the existing lighting. A condition requiring details of the appearance and luminance of the lighting is recommended to ensure the impact of the lighting has no detrimental impact on the surrounding heritage assets.
- 10.40 The only other structures on the site would be the bin stores. These would be timber clad with a green roof. No detailed elevations have been submitted and it is recommended that these be required by condition, to ensure their acceptable appearance.

- 10.41 Concern has been expressed by neighbours with regards to the proposed landscaping scheme and specifically that it should be completed prior to occupation of the development. This is an agreed approach which would ensure the success of the appearance of the site as a whole. A condition as such is recommended, with the exception of planting, which should be planted within the first planting season after practical completion of the development, in order to safeguard its longevity.
- 10.42 The significance of the conservation area lies in its pattern of development of squares and terrace rows, which would be unaffected. Additionally, the listed buildings surrounding the site derive only a small part of their significance from their setting. The fabric and format of these listed buildings, where their significance largely lies, would remain completely untouched.
- 10.43 Should members be minded to consider that the development would cause harm to the heritage assets, officers consider that this harm would be offset by substantial public benefits, including improvements to the educational facilities on the site, an aim supported by the NPPF and council policy and the provision of two schools and much needed ancillary accommodation for the Bridge School pupils.

Standard of residential accommodation

- 10.44 The residential amenity, access to outside space and safety and comfort of the future occupiers of the residential accommodation is vital. Policy DM4.12 requires new educational facilities to meet the needs of the occupants. DM3.12Hiii) states that all proposed residential bedrooms are required to provide a decent standard of accommodation and amenity.
- 10.45 The proposed children's bedroom windows would face north, south and west. The northern and southern windows would be unimpeded by any development close by and would receive a good level of light. The west facing windows would be sited a minimum distance of 5m from the main school building and would also receive adequate light. The windows have been increased in size following comments from Design Review Panel members but would be high level, to ensure the safety and privacy of the children.
- 10.46 There would be one staff member for every pupil to ensure the safety of the children and the children have supervised, direct access to private outdoor play space. The bedrooms are all able to accommodate wheelchair users and are laid out in a functional and usable manner, all on a single level. A large common room and sensory room would enhance the resident experience.
- 10.47 Overall the ancillary residential accommodation would provide a good quality and safe standard of accommodation for future users, allowing children to stay in supported accommodation in close proximity to their families.

Neighbouring amenity

- 10.48 DM policy 2.1Ax) states that developments are required to provide a good level of amenity to neighbouring occupiers, including consideration of noise and the impact of disturbance, hours of operation, overlooking, privacy, direct sunlight and daylight, over dominance, sense of enclosure and outlook.

Sense of enclosure, outlook and privacy

- 10.49 In terms of the impact on Mission Hall, the existing school building is 22m away from its southern elevation and is 3m high, rising to 7m high approximately 10m further south. The proposed school building would be 19.1m from the southern elevation of Mission Hall and would be 8m high with the rooflights above, to a maximum height of 9.5m. Although the building would be some 3m closer than existing, it would remain lower than Mission Hall and would not be so close as to cause any undue sense of enclosure to the occupants. It is accepted that the outlook from the southerly windows of Mission Hall over the development site would change and that the proposed school would be closer than existing. However, as existing, the school building is harsh in appearance and covers the entire width of the site, blocking views through to the southern part of the site. As proposed, the materials of the building would be softer, there would be a greater amount of soft landscaping and newly planted trees to the north of the school and a strip of open space to the west of the school building and between the school building and the residential accommodation building, providing views to the south of the site and relief from built form. These elements of the design would help to mitigate the closer proximity and increase in height. The relationship is not considered to be harmful to the extent that warrants refusal.
- 10.50 Paragraph 2.41 of the Development Management policies provides a design standard to ensure that new *dwelling*s do not cause an undue loss of privacy to existing dwellings, stating a minimum distance between facing windows of 18m. This application is for a school building, which is not a use that provokes the same potential for the loss of privacy to existing neighbouring residents. Whilst not strictly relevant to this case then, the standard provides a useful tool.
- 10.51 The proposed distance between Mission Hall and the school building would be greater than 18m and the first floor windows of the school facing Mission Hall serve offices. Additionally, angled timber louvers on the proposed windows would negate any perceived overlooking. There would, as such, be no undue loss of privacy or overlooking to the occupiers of Mission Hall as a result of the proposal.
- 10.52 The existing building facing 100 Richmond Avenue is 2 storeys high and 27m from its southern flank wall. The proposed building would be 2m higher (excluding the roof lights) than the existing and would be 20.3m away from its southern elevation. Objections have been raised with regards to this relationship, however the proposed building would remain lower than the Richmond Avenue properties and would not be so close as to result in any undue sense of enclosure to the occupiers. It is accepted that outlook would change, however landscaping would be enhanced, there would be new trees and an open aspect between the main school building and the residential

block. The proposed single storey residential building, by reason of its height and distance from the Richmond Avenue properties, would cause no undue loss of outlook to the occupiers. Any perceived overlooking would be negated by the angled timber louvres on the first floor windows of the school and there would be no undue loss of privacy.

- 10.53 The distance of the proposed 2 storey school building to all other surrounding properties the site would be greater than 20m, a distance which would not result in any undue sense of enclosure. All first floor windows would have the angled timber louvers and the external first floor terrace would have the same treatment, ensuring no actual or perceived overlooking or loss of privacy to neighbouring occupiers. From the rear windows of properties on Stonefield Street and Cloudesley Road, outlook would change and the building would be more prominent as a result of its north/ south orientation, but would have a softer appearance than the existing. Given this, the enhanced landscaping and the distance of the building from these facing windows, it is not considered that the site would appear less green or that there would be an undue loss of open aspect. The proposed increase in height of the eastern flank wall would have an acceptable impact on the adjoining occupiers, given the depths of the corresponding gardens and the fact that the proposed height would be equal to the height of the existing adjoining fencing.
- 10.54 A climbing frame and other play equipment is proposed as part of the landscaping scheme. A condition is recommended which would require details of the nature and height of all equipment to be submitted and approved by the local planning authority before implementation, to ensure there would be no loss of privacy to neighbouring gardens. This is recommended in order to address a specific objection.
- 10.55 There are no habitable room windows on the eastern elevation of the single storey residential block. There are windows serving an internal corridor, which would be screened from the Stonefield Street properties by the existing boundary treatment which would eliminate any perception of overlooking.

Light

- 10.56 Daylight and Sunlight Report has been provided as part of the application submission. The assessments which inform the report were carried out in accordance with the guidance and methodology set out in the Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight 2011 publication. This document provides the accepted nationally recognised guidance which is used in the assessment of sunlight and daylight impacts for planning applications.
- 10.57 For assessment of daylight there are two standardised tests. The first method involves measuring the vertical sky component (VSC) for each window. The BRE guidelines stipulate that there would be no significant perceivable reduction in existing daylight levels provided that:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by more than 20% of its original value;

- 10.58 The second method involves measuring the daylight distribution (DD) of each room by assessing the impact on the position of the No Sky Line measured on the working plane (0.85m from floor level). The BRE guidelines stipulate that there would be no significant perceivable reduction in existing daylight distribution levels provided that:

The area of the working plane in a room which can receive direct skylight is not reduced by more than 20% of its original value;

- 10.59 For assessment of sunlight, the BRE guidelines confirm that windows that are not orientated facing within 90 degrees of due south do not warrant assessment. The guidelines stipulate that for those windows that do warrant assessment, there would be no significant perceivable reduction in existing levels of sunlight received where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and where the APSH and WSPH is not reduced by more than 20% of its original value.

In cases where these requirements are breached there will still be no significant noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of APSH.

- 10.60 Where the guideline values for reduction is existing levels of daylighting and sunlighting are exceeded, then sunlighting and/or daylighting may be adversely affected. However, it is necessary to note that while the BRE guidelines provide numerical guidelines, the document clearly emphasizes that guidance values provided are not mandatory. It is advised that the guide should not be seen as an instrument of planning policy, rather the guidance should be interpreted flexibly, taking account that natural lighting is only one of many factors to be considered when assessing a proposed development.
- 10.61 The daylight/ sunlight report states that the daylight and sunlight levels to neighbouring occupiers post development would conform with the BRE guidelines. In this regard no unacceptable loss of daylight or sunlight would occur to any neighbouring property.

Noise and disturbance

- 10.62 The site is currently occupied by a school and has previously been occupied by a school with a much larger intake. The residential element of the use of the site is new however and the amenity space for the ancillary accommodation building would be located between the residential building and the boundary with 4- 8 Stonefield Street. There would be one staff member for every pupil and play would be supervised. The residential building would

house 8 children and, whilst objections have raised concerns over the children causing unacceptable noise using their playspace, the level of noise likely to be generated is not anticipated to exceed normal domestic levels. In addition, the brick wall on the boundary is, and would remain, 2m high which would help minimise the level of noise emanating from this space. The unit would only be used during term time and not during school holidays.

- 10.63 Concern has been expressed by a neighbouring occupier that light pollution from the residential accommodation would impact unduly on the amenities of the residents of the Cloudesley Street properties. This is a small building and it is not considered that any light emanating from the building would exceed normal domestic levels. A condition requiring the luminance and hours of use of the proposed external lighting is recommended, to ensure there is no undue light pollution to the neighbouring occupiers.
- 10.64 An objection has been raised by a neighbour of the site with regards to the use of the site after school hours. The site would be used primarily during the daytime with the exception of the small garden allocated for the residential development. The MUGA is not proposed to be floodlit. It is also not considered that the residential accommodation for eight children, even considering their support staff, would generate excessive traffic movements at any time of day. It should also be noted that the site was home to the much larger Samuel Rhodes School previous to the NRC school taking use of the site.
- 10.65 A condition requiring any new item of fixed plant is recommended, to ensure that any noise from them would be below background noise level and would not cause disturbance.
- 10.66 Overall the scheme would retain a good level of amenity for neighbouring occupiers, in terms of outlook and retention of sunlight and daylight levels. There would be no undue overlooking, noise, light spillage or other disturbances, compliance with policy DM2.1.

Inclusive Design

- 10.67 Core Strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. The Development Management Policies document mirrors and expands upon these aims. Policy DM2.2 requires all that developments demonstrate ease, versatility and legibility of use and bring together the design and management from the outset and over its lifetime. Policy DM4.12C relates specifically to community and social spaces and requires that buildings provide design and space standards which meet the needs of the intended occupants. The councils Inclusive Design SPD details specific standards for inclusivity of non residential buildings.
- 10.68 Level access to both school and residential entrances is proposed, with security systems that will take into account the needs of people with sensory impairments as well as being designed for people with poor manual dexterity and suitably sited for use by wheelchair users. The reception counters at both

ground and first floors of the school building would be fully inclusive and suitable for use by people who are seated and standing. Hearing loops would be integrated into the reception area and a sound field system integrated into the main hall, which would be shared between both schools.

- 10.69 The external areas are accessible from all ground floor classrooms. The terrace at first floor is accessible to all users of the first floor. There is a lift to first floor level.
- 10.70 Where double leaf doors are used, each leaf has a minimum clear width of 800mm and all entrance doors have a clear width of 1000mm
- 10.71 Accessible WC and shower facilities are provided throughout the school building, at ground and first floors for both schools, in all areas where there is sanitary provision. The ground floor accessible WC is sited close to the hall - this is unisex for visitor use. At first floor, for the ILS, there is a hygiene room which would serve as an accessible WC and shower. A condition is recommended that the rail to one side of the WC be replaced by a wall with grab rail, to ensure the WC is independently and safely accessible, in order to address concerns raised by the Access officer.
- 10.72 In terms of the residential accommodation, all bedrooms are visitable, in line with section 6 of the Inclusive Design SPD, turning circles have been indicated and door widths are a minimum width of 775mm. There is an accessible toilet and shower. The door to the accessible WC should open outwards and it is recommended that this be secured by condition.
- 10.73 The council's 'Inclusive Design Officer' considers that the proposal is inclusive and in line with council policy and the Inclusive Design SPD, subject to the conditions summarised above and the provision of the two wheelchair accessible parking spaces.

Energy and sustainable design

- 10.74 Islington's Core Strategy policy CS10 (Sustainable design) part A requires that all development proposals demonstrate that they have minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of 50% relative to total emissions from a building which complies with Building Regulations 2006, where connection to a Decentralised Energy Network (DEN) is possible, such as is the case with the application site. Typically all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock. The proposal would achieve 30% reduction in emissions in comparison with a building which complies with 2010 Building Regulations, which is supported and in line with policy.

Energy efficiency of the building

- 10.75 The council's Environmental Design SPD outlines fabric efficiency standards in terms of air tightness and insulation. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The U values proposed meet the required standard. As amended, the air tightness of the proposed buildings have been improved to meet the standards set down in table 2.1 of the Environment Design SPD.
- 10.76 Florescent and LED lighting would be incorporated into the design, which exceed efficiency requirements. A target for energy efficiency through the lighting arrangements is detailed within the draft Green Performance Plan (GPP), secured by the Directors' Agreement letter.
- 10.77 Local and central controls can ensure the efficient operation of heating and hot water systems. As amended, a Building Management System is provided which interfaces with the ventilation and cooling systems, which is in line with the Environmental Design SPD.

Supplying efficiently

- 10.78 Supplying energy efficiently includes the use of low carbon heating and cooling technologies and reducing the need for cooling through passive design.
- 10.79 DM7.3A requires all developments to be designed to be able to connect to a decentralised energy network (DEN) if/ when such a network becomes available. Specific design standards are set out in the councils Environmental Design SPD. The design features of the proposed energy centre are in compliance with the Environmental Design SPD. An on site CHP unit gas boiler is proposed to provide heating and hot water and this approach is supported. The CHP would contribute to 20% of the total heating and hot water demand.
- 10.80 DM7.3 states that where there is an existing or future DEN within 500m of the site, the development should connect. There is no available local DEN network to link up to within 500m of the site to derive heat from at present.
- 10.81 DM7.3D states that where there is no existing or proposed future DEN within 500m of the site, where possible developments should connect to a shared heating network, unless not reasonably possible. No shared heat network (SHN) proposed and the council is satisfied that there are no current buildings or pending developments which could provide an opportunity for importing or exporting low carbon heating to the proposed development at this time. The scheme is however designed to safeguard a future connection to a DEN or SHN should one become available in the future.

Offsetting

- 10.82 Developments are required to offset all remaining CO₂ emissions through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock. The contribution relating to this scheme is £43,077.16. This is reflected in the heads of terms related to this report.

Renewable energy

- 10.83 An 85m² south facing photovoltaic array on the roof of the main school building is proposed and this is supported.

Overheating and cooling

- 10.84 DM7.5A states that developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures. The Energy Strategy has demonstrated that the risk of overheating has been minimised in accordance with this policy. Mechanical cooling is only to be used where operational needs dictate requirement. The estimated CO₂ emissions from this cooling are very low and this is supported.
- 10.85 Part C of the policy states that major developments are required to include details of internal temperature modelling under projected increased future summer temperatures to demonstrate that the risk of overheating has been addressed. The thermal modelling submitted addresses this issue to the satisfaction of the councils Energy team. The provision of the 9 roof lights to the school building both bring additional light into the classrooms and help ventilate the school and are supported for these reasons.

Unregulated emissions

- 10.86 Policy CS10G requires all developments to be designed and managed to promote sustainability through their ongoing operation, for example through measures which raise awareness about environmental issues and support sustainable lifestyles, and to be adaptable to changing needs and circumstances over their lifetime.
- 10.87 In recognition of this, policy DM7.1E requires the submission of a Green Performance Plan, to help to close the gap between design expectations and delivered performance. A full GPP would be required within 6 months of occupation and would be secured via the S106 agreement. The submitted draft GPP is acceptable.

BREEAM

- 10.88 CS10B requires the development to achieve a target level of the relevant BREEAM scheme. Policy DM7.4D requires non-residential developments to achieve Excellent under the relevant scheme. The commitment to achieve excellent is supported.
- 10.89 DM7.4G requires developments to achieve all credits for water efficiency in the relevant BREEAM scheme. DM7.4E requires 50% of credits on materials and 50% credits on construction waste management. All credits for water efficiency are targeted, as are 12 out of 14 credits and more than 50% on construction waste management, which is strongly supported.

SUDS

- 10.90 In compliance with policy DM6.6, applications for major developments are required to include details to demonstrate that sustainable urban drainage systems (SUD) have been incorporated. Schemes must be designed to reduce flows to a Greenfield rate through maximisation of on site storage of water and the design must follow the SUDs management train, to maximise source control and provide the relevant number of treatment stages.

Trees, landscaping and biodiversity

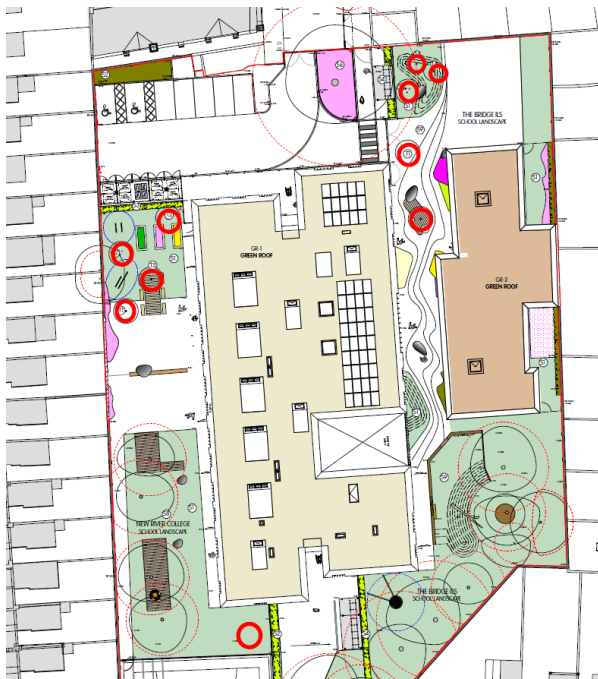
- 10.91 In accordance with Development Management policy DM6.5 (Landscaping, trees and biodiversity), all developments must protect, contribute to enhance the landscape, biodiversity value and growing conditions of the development site.
- 10.92 Soft landscaping within the scheme includes a variety of species and habitats and would, if considered, provide good biodiversity benefits.
- 10.93 The use of the combined green/ blue roof system is supported and the attenuation levels comply with policy. The design of the landscaping and specifically the extent of the permeable surfaces is, at this stage unclear. A condition requiring a landscaping plan with cross referenced SUDs requirements is recommended, to ensure biodiversity and amenity benefits are maximised.
- 10.94 Policy DM6.5D states that developments should maximise the provision of biodiversity roofs. The extent of green roof, which covers the main school building, residential block and cycle storage units, is supported. The green roofs should maximise biodiversity through thick substrate and appropriate grass species and it is recommended that this be secured by condition.
- 10.95 In terms of tree loss and provision, paragraph 6.42 of the Development Management Policies document states that in wholly exceptional circumstances, where protected trees are proposed to be removed, or where their health would be detrimentally affected, suitable re-provision will be required and/or additional planting, to re-provide at least equal canopy cover and/or equal environmental amenity and visual value.
- 10.96 Four trees and one tree group consisting of small trees are proposed to be felled to facilitate the development. These are T10 (A Turkish Hazel, which forms one of a line of Turkish Hazel trees), T11 (Norway Maple) and T12 (Tree of Heaven), all of which are located to the north of the MUGA; T13 (Walnut), which is located immediately to the south of the existing school building and group G3 (Tree of Heaven), adjacent to the northern entrance. T10 and T12 are category B trees. T11 and G3 are category C trees.
- 10.97 A number of comments from neighbours have been raised with regards to the line of Turkish Hazel trees to the south of the existing school and concern that their retention was pushing the building further to the north, to the detriment of

the amenities of the occupiers to the north of the site. The location of the building in terms of the amenities of the occupiers to the north has been carefully considered as part of the assessment of the application and considered acceptable for the reasons expressed in the 'Neighbouring amenity' section above. The retention of all but one of the Turkish Hazel trees (T10 would have direct conflict with the proposed building) would aid the screening of the new school building from the south west.

10.98 T12 and T13 would also have direct conflict with the proposed building. T11 is required to be removed to facilitate the construction for the new pedestrian access to the NRC and the removal of G3 is required to widen the vehicular entrance at the northern end of the site.

10.99 Ten new trees are included as part of the landscaping scheme. Two would be located between the school building and residential accommodation, three to the north of the residential accommodation and four to the western boundary. These trees would help to screen the development from the Richmond Avenue and Cloudesley Road properties. There would be one new tree to the south of the school building, which would contribute towards mitigating the loss of the three trees in a similar location.

10.100 The plan of the site below indicates the location of the new trees (highlighted in red). The red dotted circles show the trees to be retained:



10.101 Overall the proposed planting is substantial and considered adequate to mitigate against the loss of the category B trees and category C trees. The landscaping condition secures this planting including a replacement requirement (should some die) as well as a 2 year maintenance programme.

10.102 A condition requiring a Method Statement is recommended, to ensure details of tree pruning, ground works within RPA's of trees, protective fencing and

management of pruning following occupation are provided and approved prior to commencement of works.

Highways and transportation

- 10.103 The Core Strategy promotes sustainable transport choices in order to mitigate the impact of developments on the environment, to respond to congestion affecting roads and public transport.
- 10.104 The Development Management Policies requires the submission of detailed information with regards to servicing, proposed trip generation, methods of travel and the promotion of sustainable transport methods in order to assess and reduce the impact of developments on the surrounding road network.
- 10.105 Policy DM8.1 states that the design of developments, including building design and internal layout, site layout, public realm and the provision of transport infrastructure is required to prioritise the transport needs of pedestrians, public transport users and cyclists above those of the motor vehicle.
- 10.106 There are currently 6 parking spaces on the site, to the northern end.

Vehicular access, parking and drop off arrangements

- 10.107 CS10H requires car free development. Development management policy DM8.5B states that parking will only be permitted where this is essential for operational requirements and integral to the nature of the business/ services. Wheelchair accessible car parking is considered to comply with this policy also.
- 10.108 Pupils of the ILS (18 daily) will travel to and from school in two minibuses, which will drive into the northern entrance (Dowrey Street) and park in the allocated minibus parking spaces. The minibuses will remain on site during the day.
- 10.109 It is anticipated that all of the (existing) NRC pupils will use the southern pedestrian entrance, as none are currently driven to school. Any NRC vehicular drop offs will be on site via the northern entrance (Dowrey Street), where there will be one allocated 'drop off' bay.
- 10.110 Two on site wheelchair accessible parking spaces are proposed which complies with council policy.
- 10.111 There will be two on site staff parking spaces which, in this instance given the unique requirements of the two schools, are considered essential for the effective running of the two schools. The schools have multiple sites across the borough and the schools will be regularly visited by health professionals and therapists. Alternative and sustainable travel methods will be employed by the vast majority of staff members and promoted through the schools travel plan. There are two allocated 'car club' bays in the vicinity for example and the school would be entitled through the councils highways department to obtain a university parking permit. The permit would allow one car to park in

residential bays throughout the borough. It is important to note the ancillary residential use would not have access to on street residents parking permits (restricted via the Directors' Agreement letter) unless, of course, their parents, as carers, have a blue badge allowing them to park on street throughout the borough.

Servicing and deliveries

- 10.112 The applicant is required, in line with Development Management policy DM8.6 Bii, to submit details of proposed delivery/ servicing plan, including hours, frequency, location, size of vehicles in order to assess the impact of the development on surrounding roads. It is important to note that a previous school on the site catered for a larger number of children than the two proposed schools and would have generated a larger number of servicing and delivery trips and a greater impact on the surrounding road network.
- 10.113 A swept path analysis has been submitted which indicates that all delivery and servicing vehicles could enter and exit the site in forward gear.
- 10.114 Some detail with regards to the type and frequency of deliveries and servicing has been provided in the amended Transport Assessment. It is recommended that a condition requiring a greater level of servicing and delivery details be submitted by condition. The Plan should include provision of a 'banksman' to supervise the movement of larger vehicles on site, specifically in relation to the requirement for them to reverse over the (internal) pedestrian crossing and through the (internal) gate, to ensure the safety for users of the crossing.
- 10.115 Emergency service vehicles would access the site from Dowrey Street. The proposed Cloudesley Square gates would also be wide enough to accommodate emergency access vehicles and this arrangement is considered acceptable by the fire brigade.

Cycle access and parking

- 10.116 Policy DM8.4 requires major developments to provide cycle parking in accordance with the minimum standards and for the facilities to be secure, conveniently located, adequately lit, step free and accessible.
- 10.117 Separate cycle parking is proposed for the two schools. The ILS cycle store is adjacent to northern site entrance and the NRC adjacent to southern entrance. Some 15 spaces have been allocated for the NRC and 10 for the ILS. This is an overprovision of spaces which is welcomed. The stores would be conveniently located, secure and have level access, as required by policy DM8.4. The provision of one accessible cycle parking space within each cycle store has been committed to, which is also welcomed. It is recommended that a condition requiring details of the internal layout of the cycle sheds be required by condition.

Pedestrian access

- 10.118 Development Management Policy DM8.4 part F states that there should be no road safety conflicts where pedestrians have to share space with vehicles/ cyclists within the site. Separate car and pedestrian access from Dowrey Street is proposed, which is in line with this policy.
- 10.119 There would be a noticeable increase in pedestrian activity on the streets in proximity to the southern end of the site, which would be concentrated to the morning and afternoon school peak periods. The Cloudesley Square footway is sufficiently wide and in a good state of repair to accommodate this increase.

Construction management

- 10.120 A draft Construction Management Plan was submitted with the application, which stated that the main construction site access would be from Dowrey Street and that a secondary entrance for light vehicles would be provided from Cloudesley Square (south). Little detail was provided with regards to haulage routes, vehicle numbers and vehicle types.
- 10.121 It is recommended that a condition requiring the submission of a detailed Demolition and Construction Management Plan and a Construction Logistics Plan be submitted, providing details of access routes for construction traffic, levels of noise, vibration, smoke and odour from inside the development site during demolition and construction and methods to mitigate/ minimise those impacts, to ensure there would be no undue amenity impacts on residents nor on the road network during demolition and construction.
- 10.122 Many objections have requested that construction be limited to Monday to Friday only. It should be noted that construction working hours are addressed by the councils Environmental Health department and not within the control planning. Morning Saturday working is not prohibited by the Code of Construction Practice, which allows construction between 8am- 6pm Monday to Friday and 8am to 1pm on Saturdays. Additionally, the contractor, Morgan Sindell, will be bound by the Code of Considerate Construction Practice and the councils Public Protection Team will be monitoring the build process to ensure noise etc is minimised in order to protect residential amenity.

Travel plan

- 10.123 Policy DM8.2B requires the submission of a travel plan prior to occupation. Travel plans support car- free and other related policies such as the provision of on site cycle parking provision. It is a document which details the schools approach to the encouragement of sustainable methods of travel to and from school for staff, pupils, parents and includes the measures such as cycle training schemes, bike to work scheme and engagement with all users.
- 10.124 A draft travel plan was submitted with the application, which provides information on past and projected staff and pupil travel methods to school and measures to promote walking and cycling.
- 10.125 The submission of a more complete draft travel plan would form a head of terms on the Directors' Agreement Letter, with a full travel plan required 6

months after first occupation with a monitoring period of 5 years of travel methods to school.

Conclusion

10.126 The arrangements would, overall, have an acceptable impact on local roads and would not compromise safety or traffic flow. There would be no substantial increase in car trips as a result of the proposal. Arrangements for drop off are on site, cycle provision for staff and pupils is over and above the expected standard and the travel plan would promote sustainable methods of transport. The Construction Management Plan recommended by condition would ensure the free flow of the road network during demolition and construction. Conditions and items secured by the Directors' Agreement letter would mitigate any adverse impacts that might arise.

Planning Obligations, Community Infrastructure Levy and local finance considerations

Directors' Agreement Letter in Lieu of S106 Agreement

10.127 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. As this is a council's own development a Directors' Agreement letter would be used in lieu of a S106 agreement.

10.128 The proposed development generates a requirement for contributions towards CO₂ offsetting, potential future provision of two additional wheelchair accessible parking bays on Moreland Street if required once the school is fully operational as a two-form entry school, and a fee for monitoring compliance with the Code of Construction Practice.

10.129 The Directors' Agreement letter would include the following agreed heads of terms:

- Contribution of £43, 077.16 towards offsetting projected residual CO₂ emissions of the development.
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant / developer and the work to be carried out by LBI Highways. Existing condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation of 2 work placements during the construction phase of the development, lasting a minimum of 13 weeks. LBI Construction Works Team to recruit for and monitor placements. Developer / contractor to

pay wages that at least meet the London Living Wage. A fee of £5,000 to be paid for each placement not provided.

- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2, 190 and including submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- Future proofing the on site energy solution so the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- Submission of a draft Travel Plan for approval prior to first occupation of the new school and submission of a full travel plan 6 months after commencement of the school as a two-form entry school.
- A requirement to submit and gain listed building consent for works to the eastern and western flank walls of the existing school building, before commencement of any work to those flank walls.
- Payment of council's fees in preparing and monitoring the Directors' Agreement letter.
- Removal of residents rights to obtain on street parking permits.

Community Infrastructure Levy (CIL)

10.130 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) and Islington CIL are chargeable against developments on grant of planning permission. The CIL comprise contributions calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. As the development comprises provision of a new school, the proposal is considered to benefit from CIL relief and therefore no CIL contributions are applicable.

National Planning Policy Framework

10.131 Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin decision-taking. The application is in compliance with these principles. It is strong in its contribution towards the effective use of an existing educational site, whilst conserving heritage assets and supporting a low carbon future.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The application site accommodates the New River College Pupil Referral Unit. It contains a 1970's, two storey school building, a parking area and hard surfaced play area to the north of the school and a MUGA and grassed area to the south of the school.
- 11.2 The site is surrounded by grade II listed properties and is located within the Barnsbury Conservation Area.
- 11.3 The application proposes the demolition of the existing school building and the erection of a new two storey school building with separate single storey residential building to house pupils and staff during term time.
- 11.4 The main issues arising from the development are the impact of the development on the significance of the conservation area and the surrounding listed buildings and the impact of the development on the amenities of the neighbouring occupiers. The application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 11.5 The Design and Conservation officer considers that the development would result in less than substantial harm to the significance of the conservation area and the surrounding listed buildings, by reason of the resulting fragmentation of the existing open space and the size and location of the proposed built form.
- 11.6 Officers consider that, given the discrete appearance of the proposed building, the improvements to the northern and southern entrances and enhancement of landscaping, there would be no harm to the significance of the listed buildings or the conservation area and that local character would be conserved and in fact enhanced.
- 11.7 Should members consider that the development would cause less than substantial harm to the significance of the heritage assets, officers consider that the proposal would, in any event, provide substantial public benefits which would outweigh any less than substantial harm caused.
- 11.8 The proposal would have an acceptable impact on the residential and visual amenities of the neighbouring occupiers and would provide enhanced educational facilities on an existing education site in a sustainable manner.
- 11.9 The proposal is recommended for approval, subject to conditions and to an appropriate Directors' Agreement letter, the heads of terms of which have been agreed with the applicant.

Conclusion

- 11.9 It is recommended that planning permission be granted subject to conditions and a Directors Agreement Letter and associated heads of terms, for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Directors' Agreement letter in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

- Contribution of £43,077.16 towards offsetting projected residual CO₂ emissions of the development.
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant / developer and the work to be carried out by LBI Highways. Existing condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation of 2 work placements during the construction phase of the development, lasting a minimum of 13 weeks. LBI Construction Works Team to recruit for and monitor placements. Developer / contractor to pay wages that at least meet the London Living Wage. A fee of £5,000 to be paid for each placement not provided.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,190 and including submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- Future proofing the on site energy solution so the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- Submission of a draft Travel Plan for approval prior to first occupation of the new school and submission of a full travel plan 6 months after commencement of the school as a two-form entry school.
- A requirement to submit and gain listed building consent for works to the eastern and western flank walls of the existing school building, before commencement of any work to those flank walls.

- Payment of council's fees in preparing and monitoring the Directors' Agreement letter.
- Removal of residents rights to obtain on street parking permits.

That, should the Directors' Agreement letter not be completed within the timeframe for the Planning Performance Agreement and an extension not agreed, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (Compliance)</p> <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>
2	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> - Design and access statement dated 18/12/2014 - Energy strategy for New River College and the Bridge ISL-issue 2. - BREEAM Planning report rev 01 dated 01/12/2014 - Construction Management Plan SH PLN1 rev1 dated 16/12/2014 - Daylight and sunlight report dated 18/12/2014 - HIA screening - Heritage statement issue 3 dated 17th December 2014 - Arboricultural survey ref PJC/3549- 2/14 date 12/11/2014 - Arboricultural impact assessment ref PJC/3549- 2/14 dated 3/3/15 - Planning statement dated December 2014 Acoustic planning report dated 16/12/2014 - Transport statement dated March 2015 - Drainage strategy design report ref 140639/ TG/ AW dated 4th December 2014 - Acoustic planning report dated 16/12/14 - The Bridge International Learning Space School Travel Plan 2015/16 - New River College School Travel Plan Review/ rewrite <p>787_SK_105, 1051 1000; 1050 1001 M, 1051 1002 M, 1051 1003 F; 1051 1004 B, 1051 1005, 1051 1006, 1051 1007, 1051 1008, 1051 2002 C, 1051 2005 B, 1051 2006 B, 1051 2007 B, 1051 2008 B, 1051 2010 B, 1051 2011</p>

	<p>C, 1051 2012 C, 1051 2013 C, 787_P_001, 787_P_002, 787_P_004 A, 787_P_006, 787_P_013 C, 787_P_014 C, 787_P_015 B, 787_P_016, 787_P_017 C, 787_P018, 787_P_024 A, 787_P_025 B, 787_P_030 A, 787_P_031 A, 787_P_035, 787_P_036, 787_P_037, 1051 SK105, C604 P1, C605 P1, C602 P2, C603 P2, C601 P2, P600 P5 and Existing/ Proposed boundary fencing.</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>
3	<p>Materials and Samples (Details)</p>
	<p>CONDITION: Details including drawings at scale 1:20 and samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on the development. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Facing brickwork(s); sample panels of proposed brickwork to be used showing the colour, texture, bond, and pointing; b) The brick used in the construction of the eastern flank (residential school building) wall which shall match the existing c) Timber Cladding d) Windows, including materials, profile, reveal depth (minimum 150mm) and detailing. e) Entrance doors f) Window louvers and timber slabs to perimeter of external play deck g) any other materials to be used. <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 order to ensure that the resulting appearance and construction of the development is of an acceptably high standard, so as to preserve and enhance the character and appearance of the surrounding townscape.</p>
4	<p>Demolition and Construction Management and Logistics Plan (Details)</p>
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Logistics and Management Plan (CLMP) has been submitted to the Local Planning Authority and approved in writing. The CLMP shall include:</p> <ul style="list-style-type: none"> a) Proposed access routes for construction traffic; vehicular numbers and type b) Permitted hours of access for construction; c) Proposed on-site management measures to ensure that movement of vehicles in and out of the site is safe (and in forward gear); d) Using freight operators who can demonstrate their commitment to best practice - for example, members of our Freight Operator Recognition Scheme (FORS) e) Consolidating deliveries so fewer journeys are needed;

	<p>f) Using sustainable delivery methods; h) Details of the methods to be used and the measures to be undertaken to control the emission of noise arising from demolition and construction works; and noise, air quality including dust, smoke and odour, vibration, and TV reception</p> <p>The report shall assess impacts during the demolition and construction phases of the development on the road network, nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the details so approved at all times and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to minimise impacts on the amenity of neighbouring residents, and maintain highway safety and the free flow of traffic on the surrounding highway network.</p>
5	<p>Roof-level structures (Details)</p> <p>CONDITION: Details of all roof-level structures (including photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
6	<p>Security & General Lighting (Details)</p> <p>CONDITION: Details of general and any security outdoor lighting, including full specification of all luminaries, lamps and support structures and hours of use, shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, protecting the setting of and character of the designated heritage assets, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
7	<p>Sustainable Urban Drainage (Details)</p> <p>CONDITION: Details of a drainage strategy for a sustainable urban drainage</p>

	<p>system (SUDS) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits in line with the requirements of Islington Development Management Policy DM6.6 (Flood prevention). The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at a minimum achieve a post development run off rate of 50L/sec/ha, unless justification for a higher runoff rate is provided to the satisfaction of the Local Planning Authority.</p> <p>The SUDS shall be fully installed in strict accordance with the approved details, operational prior to the first occupation of the development and maintained as such thereafter.</p> <p>REASON: In order to ensure that sustainable management of water and flood prevention.</p>
8	<p>Landscaping (Details)</p>
	<p>CONDITION: Details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> • Proposed trees, including their location, species, size, and confirmation that existing and proposed underground services would not intrude into root protection areas; • Soft planting, including details of any grass and turf areas, shrub and herbaceous areas; • Topographical survey, including details of any earthworks, ground finishes, any topsoiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; • Details of the railings, gates and finial detail (1:10) • Hard landscaping materials, including ground surfaces including their permeability, kerbs, edges, steps and synthetic surfaces; • Play equipment and other furniture- elevations and location, material and colour • Confirmation that all areas of hard landscaping, together with the communal amenity and playspace areas have been designed in accordance with Islington's Inclusive Landscape Design; • A Landscaping Management Plan describing how the landscaping would be maintained and managed following implementation for a period of 2 years. • Any other landscaping feature(s) forming part of the scheme. <p>The landscaping scheme shall be completed prior to occupation of the proposed development, with the exception of the soft landscaping which shall be completed/planted during the first planting season following practical completion</p>

	<p>of the development hereby approved.</p> <p>The landscaping and tree planting shall have a maintenance/watering provision following planting and any trees or shrubs which die, become severely damaged or diseased shall be replaced with the same species or an approved alternative and to 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 (including the Landscape Management Plan) so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainability, to ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to ensure the development is of an inclusive design, and to ensure that a satisfactory standard of visual amenity is provided.</p>
9	<p>Cycle Parking (Details)</p> <p>CONDITION: Details of the internal layout, design and external appearance of the bicycle storage sheds (which should be timber clad to match the timber cladding on the school building), including details of the green roof, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite.</p> <p>The northern shed should accommodate no less than 10 spaces including 1 accessible cycle parking space and the southern shed shall accommodate no less than 15 spaces including 1 accessible cycle parking space.</p> <p>The bicycle storage areas shall be provided strictly in accordance with the details so approved and installed prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
10	<p>Refuse/Recycling storage (Details)</p> <p>CONDITION: Details of the external appearance of the refuse enclosure shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The refuse / recycling enclosure shall be provided strictly in accordance with the details so approved and shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
11	<p>Replacement brickwork (compliance)</p> <p>CONDITION: Any bricks replaced during the any required repairs to the listed</p>

	<p>boundary walls of the school which form the boundary walls of the adjacent properties shall be London Stock brick to match the existing.</p> <p>REASON: To protect the significance of the listed buildings</p>
12	<p>Brick cleaning (details)</p> <p>CONDITION: A method statement outlining the method used to clean the paint from the listed brick walls, which should be non abrasive, shall be submitted to and agreed in writing by the local planning authority.</p> <p>REASON: To protect the significant of the listed buildings.</p>
13	<p>Use of the ancillary residential accommodation</p> <p>CONDITION: The use of the ancillary residential accommodation hereby approved shall be used during school term time only and not during school holidays. The accommodation shall be used by pupils of the Bridge International Learning Space School and their carers only and shall not be used as self contained C3 residential units.</p> <p>REASON: To protect the approved use of the site and the amenities of the neighbouring residential occupiers.</p>
14	<p>Community Use Management Plan</p> <p>CONDITION: Prior to occupation of the development hereby approved, details of how provision will be made for the use of the on site facilities by the community shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>The site shall be used strictly in accordance with the details so approved.</p> <p>REASON: To facilitate use of the facilities for the wider community where this is practicable.</p>
15	<p>Plumbing (No pipes to outside of building) (Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
16	<p>Rooftop hand rail (compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, no permission is granted for the rooftop hand rail around the perimeter of the roof.</p> <p>REASON: To protect the visual amenities of the neighbouring occupiers and the character and appearance of the area</p>

17	<p>Renewable Energy (compliance)</p>
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology(s) (85sqm rooftop photovoltaic cells), which shall provide for no less than 30% on-site total CO₂ reduction as detailed within the ' Energy Strategy ' shall be installed and operational prior to the first occupation of the development.</p> <p>Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</p> <p>a) a revised scheme of renewable energy provision, which shall provide for no less than 30% onsite CO₂ reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site, The final agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met</p>
18	<p>BREEAM (compliance)</p>
	<p>CONDITION: The development hereby approved shall achieve a BREEAM New Construction rating (2014) of no less than 'excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
19	<p>Arboricultural Method Statement (Details)</p>
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the appropriate working methods (the arboricultural method statement, AMS) in accordance with British Standard BS 5837 2012 – Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
20	<p>Air quality (Details)</p>
	<p>Before commencement of the development hereby approved, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail:</p> <ul style="list-style-type: none"> - the area within the boundary of the site which may exceed relevant national air quality objectives. - specify how the detailed application will address any potential to cause relevant

	<p>exposure to air pollution levels exceeding the national air quality objectives.</p> <ul style="list-style-type: none"> - identify areas of potential exposure. - detail how the development will reduce its impact on local air pollution. <p>Regard shall be had to the guidance from the Association of London Government “Air quality assessment for planning applications – Technical Guidance Note” and the GLA’s “air quality neutral” policy in the compilation of the report.”</p> <p>REASON: To protect the amenities of the future users of the site and the neighbouring occupiers.</p>
21	Plant Noise (Compliance)
	<p>CONDITION: 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 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 an appropriate standard of residential accommodation is provided.</p>
22	Servicing and Delivery Plan (Details)
	<p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The Plan shall include details of the provision of a ‘Banksman’ to supervise the movement of larger vehicles on the site , specifically in relation to reversing over the pedestrian crossing and internal gate.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic and the safety of users of the site.</p>
23	Internal fencing
	Notwithstanding the plans- the proposed internal fencing, notwithstanding other than boundary fencing no higher than 2.4m.
24	Green/Brown Biodiversity Roofs (Compliance)
	CONDITION: All green/brown roofs shown across the approved development shall be designed, installed and maintained in a manner that meets the following

	<p>criteria:</p> <ul style="list-style-type: none"> a) green/brown roofs shall be biodiversity based with extensive substrate base (depth 120 -150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise run-off.</p>
25	Inclusive Design (compliance)
	<p>CONDITION: The development shall incorporate all inclusive features indicated on the drawings hereby approved.</p> <p>Notwithstanding the drawings hereby approved, the first floor hygiene room shall incorporate a wall with grab rail to one side of the WC.</p> <p>Notwithstanding the drawings hereby approved, the doors on the accessible WC's shall open outwards.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
26	Parking arrangements (compliance)
	<p>CONDITION: The 2 wheelchair accessible parking bays, as shown on the approved drawings listed in condition 2, shall be provided and marked out as approved prior to the first occupation of the development and maintained as such thereafter.</p> <p>The drop off bay shall only be used as such and for a maximum drop time of 15 minutes.</p> <p>The 2 larger parking bays shall be marked and shall be fore the use of the mini buses only.</p>

	REASON: To ensure adequate provision of parking for residents with disabilities and for the users of the site.
--	--

List of Informatives:

1	S106
	SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	Superstructure
	DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
3	Water Infrastructure
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
4	Working in a Positive and Proactive Way
	To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website. A pre-application advice service is also offered and encouraged. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.
5	Materials
	INFORMATIVE: In addition to compliance with condition 3, materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
6	The applicant is informed that should any internal on site fencing be attached to the listed boundary walls, this would require listed building consent prior to the

	commencement of those works.
7	The applicant is informed that listed building consent is required prior to any works on the eastern and western listed flank walls of the existing building.

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

Policy 3.2 Improving health and addressing health inequalities	Policy 6.3 Assessing effects of development on transport capacity
Policy 3.6 Children and young people's play and informal recreation facilities	Policy 6.9 Cycling
Policy 3.18 Educational facilities	Policy 6.10 Walking
Policy 4.12 Improving opportunities for all	Policy 6.13 Parking
Policy 5.2 Minimising carbon dioxide emissions	Policy 7.1 Building London's neighbourhoods and communities
Policy 5.3 Sustainable design and construction	Policy 7.2 An inclusive environment
Policy 5.5 Decentralised energy networks	Policy 7.3 Designing out crime
Policy 5.6 Decentralised energy in development proposals	Policy 7.4 Local character
Policy 5.7 Renewable energy	Policy 7.5 Public realm
Policy 5.9 Overheating and cooling	Policy 7.6 Architecture
Policy 5.10 Urban greening	Policy 7.8 Heritage assets and archaeology
Policy 5.11 Green roofs and development site environs	Policy 7.13 Safety, security and resilience to emergency
Policy 5.13 Sustainable drainage	Policy 7.14 Improving air quality
Policy 5.14 Water quality and wastewater infrastructure	Policy 7.15 Reducing noise and enhancing soundscapes
Policy 5.15 Water use and supplies	Policy 7.19 Biodiversity and access to nature
Policy 5.17 Waste capacity	Policy 8.2 Planning obligations
	Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

CS15 (Open space and green infrastructure)

CS17 (Sports and recreation provision)

C) Development Management Policies June 2013

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM4.12 Social and strategic infrastructure

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

3. 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:

- Barnbury Conservatin Area
- Protected vista from Alexandra Palace viewing platform to St Pauls Cathedral
- Local cycle routes

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Environmental Design
- Inclusive Design
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Barnsbury Conservation Area Design Guidance

London Plan

- Accessible London: Achieving an Inclusive Environment
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

APPENDIX 3- DESIGN REVIEW PANEL RESPONSE



CONFIDENTIAL

ATT: Joe Wilson
Planning
CBRE Ltd
Henrietta House
Henrietta Place
London
W1G 0NB

Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA
T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: Q2014/3672/MJR

Date: 18 November 2014

Dear Joe Wilson,

ISLINGTON DESIGN REVIEW PANEL RE: Dowrey School

Thank you for attending Islington's Design Review Panel meeting on 4 November 2014 for an assessment of the above scheme. The proposed scheme under consideration is for the demolition of the existing building and the erection of a two storey building with a separate single storey residential wing, to accommodate the existing New River College Primary Pupil Referral Unit and the new Bridge International Learning Space Free School, for pupils who have severe learning difficulties/autism. The main building would be rectangular in shape, with a set down section of roof running north/south and stepped northerly and southerly elevations providing an element of articulation. The development would have a total floor space of 2100sqm and a ground floor footprint of approx. 1300sqm. It would be 7.5m high.

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (chair), Michael Richter, Alec Forshaw, Mustafa Erdem, Sarah Featherstone, and Paul Reynolds, following a site visit, in the afternoon of Tuesday 4 November 2014, including a presentation from the design team followed by question and answers session and deliberations at Islington Town Hall. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

Panel's observations

Layout and footprint

The Panel appreciated the high development pressure in terms of the accommodation needed to be located on the site. However, the Panel felt that the proposed layout was compromised, and questioned the relationship between the school and the residential unit, and the narrow 'street' between the two.

The panel queried the quality of the entrance and circulation areas of the school, which appear constrained and recommended exploration of lateral and vertical articulation such as the introduction of a double height space at the northern entrance.

The Panel questioned the location of the residential unit and raised concerns over the poor amenity, outlook and light from the bedrooms if left in its current position. The Panel expressed disappointment that the enhancement opportunities at the southern end of the site (by the removal of the existing unsightly garages) had not been fully explored and properly tested. Although panel members thought there was merit in considering the location of the residential unit on that part of the site, they appreciated that there might be constraints surrounding the impact on the existing protected tree. Overall the Panel considered that a more successful arrangement of the school and residential accommodation on the site should be sought.

Form, elevations and materials

The Panel appreciated that the constrained site and the close proximity to surrounding buildings has informed the form of the building and design of the façades. However, the Panel questioned the rectangular and linear form of the blocks and the long bulky layered façades. The Panel recommended that ways to break up the block should be considered and felt that there would be opportunities to further articulate the building both at ground level and to express the hierarchy of functions, integrate the layers and punctuate the elevations. The Panel questioned the longevity of the proposed timber on the first floor and whether it would appear bolted on.

Amenity and landscaping

Panel members felt that the positioning of the proposed school and residential blocks within the restrained space had led to a fragmentation of the external space and that the outdoor space appeared left over, rather than intentionally designed.

Although the Panel appreciated the challenges involved in designing space for students with learning difficulties, it was felt that this should not be used as an excuse for not designing high quality space and good amenity. The Panel recommended that the outdoor space and amenity needed further consideration and development.

The Panel felt that the linear space between the main block and the residential block needed further consideration and a clearer design.

The Panel also felt that the proposal for the southern perimeter of the site was very poor and needed to be better resolved.

Summary

The Panel appreciated the restrictions on the site and the constraints which limit the available options, but felt that a better layout could be found. Specifically, the Panel recommended that the two garages at the southern end of the site should be removed and that the residential unit could be located here to enable more successful external amenity space for the schools and improve the amenity of the residential accommodation.

The Panel questioned the rectangular form and bulky façades of the main unit and felt alternative designs for the elevations should be explored.

The Panel argued that better design of the external space was needed and that the southern perimeter of the site needed a better and more positive solution.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lucy' or 'Luciana', written in a cursive style.

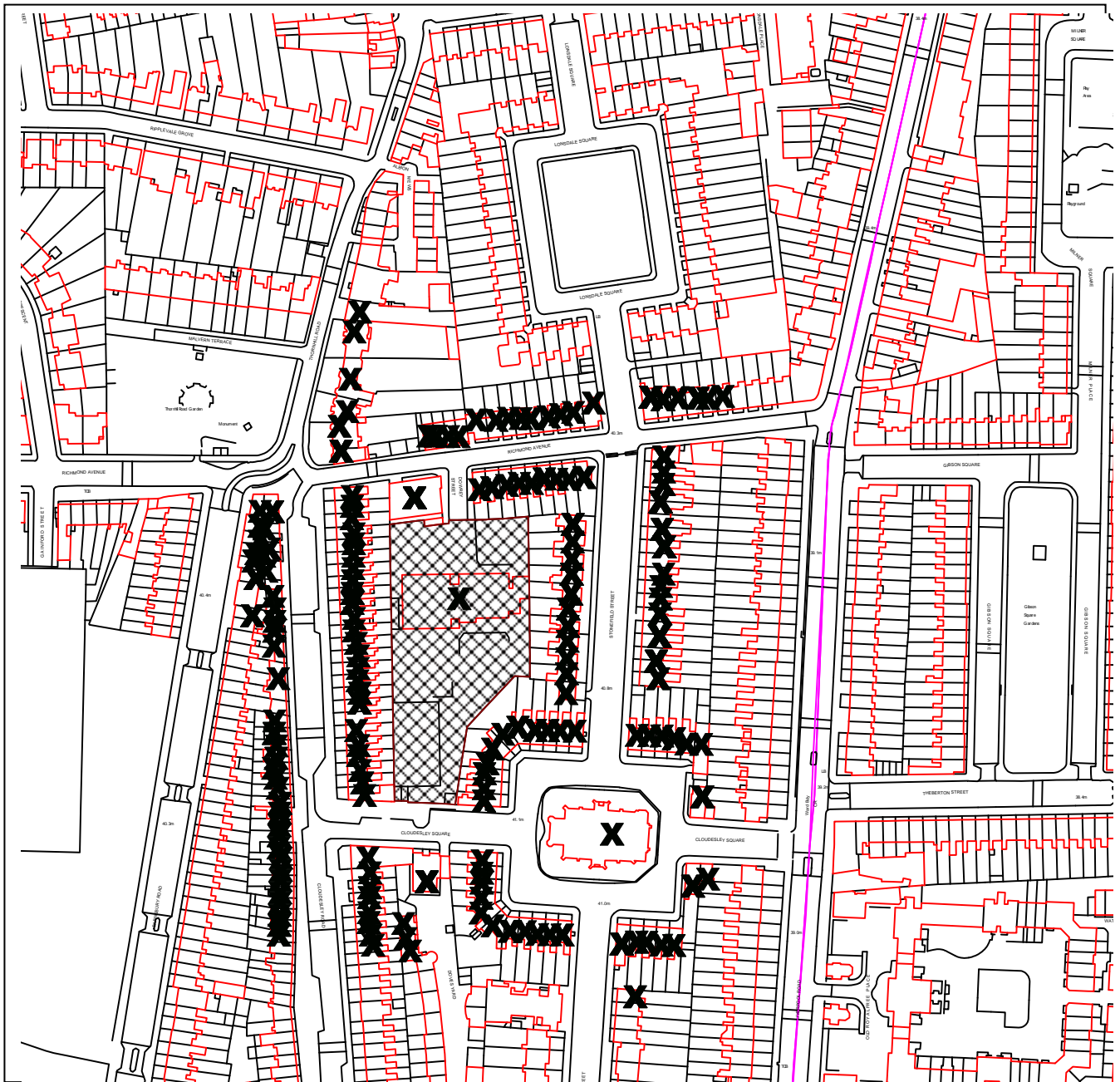
Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2015/0081/FUL

LOCATION: NEW RIVER COLLEGE, KEY STAGE 4, 1 DOWREY STREET, LONDON, N1 0HY

SCALE: 1:2500

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PLANNING COMMITTEE REPORT

PLANNING COMMITTEE		
Date:	24 March 2015	NON-EXEMPT

Application number	P2015/0891/STOP
Application type	Stopping Up of Highway
Ward	St Peter's
Listed building	n/a
Conservation area	(partly within) Duncan Terrace / Colebrooke Row Conservation Area
Development Plan Context	Major Cycle Route (Rheidol Terrace)
Licensing Implications	n/a
Site Address	Packington Estate: Land bounded by Dame Street, Rheidol Terrace, St Paul Street, Packington Square, Prebend Street, Rector Street, Union Square and Bevan Street, London, N1
Proposal	Stopping up of four areas of existing highway under Section 247 of the Planning Act 1990 to enable redevelopment of the Packington Estate (Phase 4)

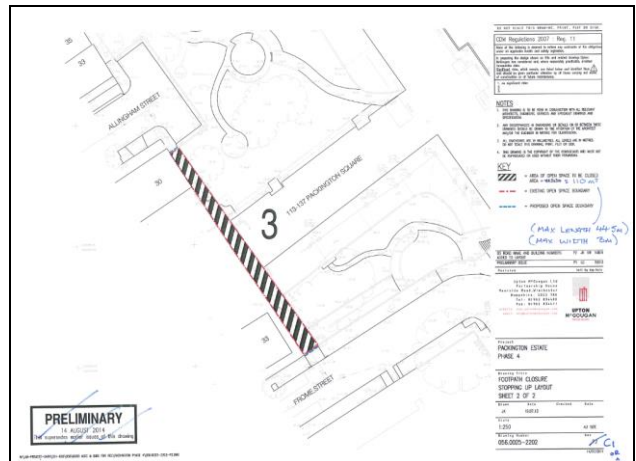
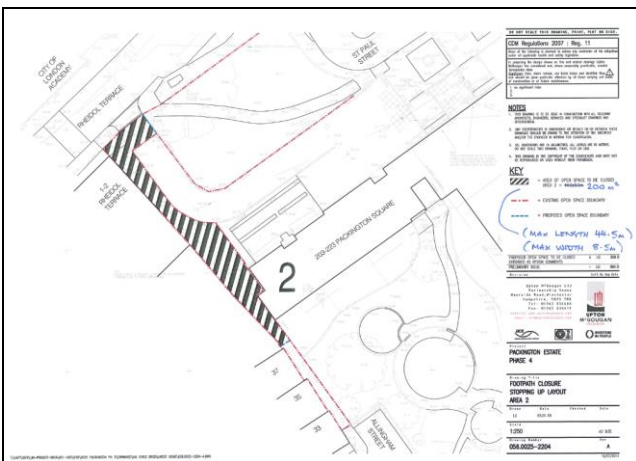
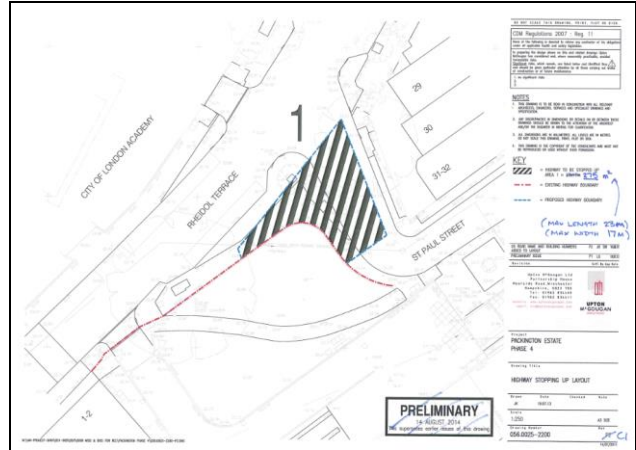
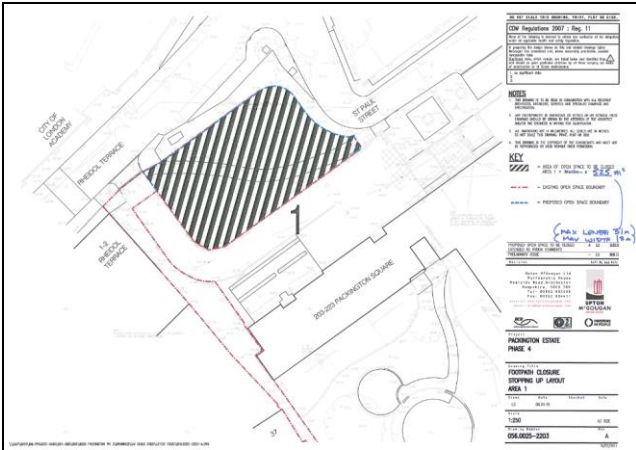
Case Officer	Victor Grayson
Applicant	Hyde Housing Association
Agent	Rydon Construction Limited

RECOMMENDATION

The Committee is asked to resolve to APPROVE the stopping up provided:

1. that the applicant enters into an indemnity agreement to pay all the council's costs in respect of the stopping up.

PLANS



1.0 SITES AND SURROUNDINGS

1.1 The four areas of land to which the applications to stop up the highway relate (as illustrated in the plans above) are:

- Area 1 (comprising 2 areas) – irregular-shaped area, 275sqm in size, at the corner of Rheidol Terrace, St Paul Street and Prebend Street (in front of 29-31 St Paul Street), illustrated on drawing 056.0025-2200 rev C1, and a grassed area, roughly rectangular in shape, 525sqm in size, at the corner of Rheidol Terrace and St Paul Street, illustrated on drawing 056.0025-2203 rev A.
- Area 2 – passage between Rheidol Terrace and Allingham Street, 200sqm in size, illustrated on drawing 056.0025-2204 rev A.

- Area 3 – passage between Allingham Street and Frome Street, 110sqm in size, illustrated on drawing 056.0025-2202 rev C1.

- 1.2 Officers consider that these areas comprise land over which the public have been able to pass and repass without hindrance for over 20 years, and over which public rights have accrued.
- 1.3 Most of the land to which the applications relate is currently enclosed by hoardings erected in connection with the demolition of existing housing estate buildings and the erection of new buildings as part of phase 4 of the Packington Estate redevelopment. Part of Area 2 has not been hoarded, to allow continued access to the side of 1a Rheidol Terrace.
- 1.4 All of Area 1 (both areas) and part of Area 2 are within the Duncan Terrace / Colebrooke Row Conservation Area. Area 3 and part of Area 2 abut the conservation area.
- 1.5 Phases 1 and 2 of the estate redevelopment have already been completed. Phase 3 is occupied, however Canalside Square is yet to be completed.

2.0 PROPOSAL

- 2.1 The proposal relates to the stopping up of the four areas of highway described above under Section 247 of the Town and Country Planning Act 1990 in connection with the implementation of the planning permission ref: P102754, granted on appeal on 14/11/2011, for:

“Erection of part 1 to part 8-storey buildings (some with lower ground level) to provide 522 flats/maisonettes/houses together with the creation of public and semi-private open spaces and private gardens, new roads, a cycle path, car parking spaces and associated works”.

3.0 CONSULTATION

- 3.1 No public or external consultation has been carried out by the council in respect of the current stopping up application, however should the Committee approve the stopping up, before making the Orders the council would carry out consultation as required by Section 252 of the Town and Country Planning Act. This would involve consulting statutory undertakers, posting site notices and publishing the proposed orders in a local newspaper. A 28-day consultation period would allow interested parties to respond.
- 3.2 Under section 252(4)(b) of the Act if an objection is received from any local authority, National Park authority or undertakers or public gas transporter on whom a notice is required to be served or from any other person appearing to the council to be affected by the order and that objection is not withdrawn (through negotiation between the objector and the applicant) the council must:
 - (i) notify the Mayor; and
 - (ii) cause a local inquiry to be held.

3.3 If however, none of the objections notified were made by a local authority or undertakers or transporters then, under section 252(5A) of the Act, the Mayor shall decide whether, in the “special circumstances of the case” the holding of such an inquiry is unnecessary, and if he decides that it is unnecessary he shall so notify the council which may dispense with the inquiry.

4.0 EVALUATION

4.1 The layout of the Packington Estate redevelopment has already been considered and approved under application ref: P062806, which was the first application for outline planning permission (including layout) for the redevelopment of the Packington Estate. Later permissions included amendments to the layout of the redevelopment. The approved layouts would require the stopping up of the areas of land that are the subject of this report. The stopping up now proposed would give effect to an existing planning permission (ref: P102754) which was subject to public consultation.

4.2 On 19/03/2007 under application P062806, the South Area Planning Committee approved the stopping up of four areas of land within and around the Packington Estate, at Bevan Street, Dame Street, Rheidol Terrace and Prebend Street. Areas 2 and 3, and part of Area 1, were not proposed to be stopped up at the time, hence the current applications.

4.3 The proposed stopping up of the four areas of land would not result in a permanent loss of public access through the redeveloped estate. Southeast-northwest access between Rheidol Terrace/Prebend Street and the canal towpath and bridge, through Dame Street and the two new squares to be provided in the redevelopment, would be reprovided.

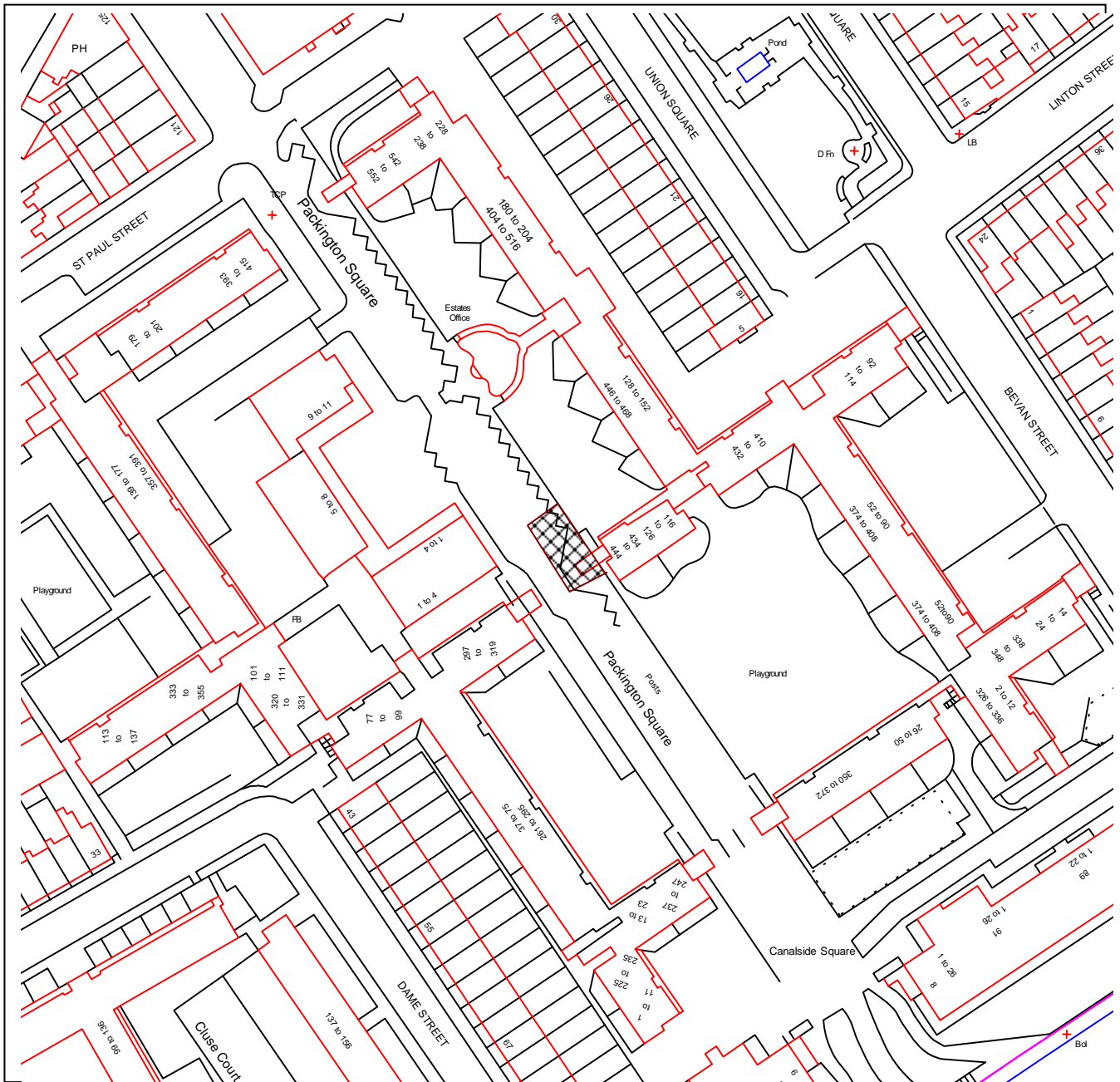
4.4 The stopping up of the passage between Rheidol Terrace and Allingham Street (Area 2) would remove public access to the side garden wall of 1a Rheidol Terrace. A door set into this garden wall currently provides access onto the passage. The council, in approving layouts which include new buildings and private gardens abutting the side wall of 1a Rheidol Terrace, have effectively already approved the loss of public access to the side of this adjoining property. The applications which proposed these layouts were subject to public consultation, however parties with interests in 1a Rheidol Terrace would be able to make representations in response to the forthcoming public consultation relating to the stopping up, should this be approved by the Committee.

5.0 CONCLUSION

5.1 It is considered that the proposed stopping up of the four areas of land is acceptable, however it is noted that there remain obligations relating to consultation, should the stopping up be approved by the Committee.



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2015/0891/FUL

LOCATION: PACKINGTON SQUARE, ISLINGTON, LONDON, N1

SCALE: 1:1250

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PLANNING COMMITTEE REPORT

PLANNING COMMITTEE	
Date:	24 th March 2015

Application number	P2014/4519/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No
Conservation area	No
Development Plan Context	<ul style="list-style-type: none"> - Core Strategy Key Area – Bunhill and Clerkenwell - Central Activities Zone (CAZ) - Employment Priority Area (General) - Archaeological Priority Area 1 - Moorfields - Finsbury Local Plan Area – Bunhill & Clerkenwell - Site Allocations – 148 Old Street (Royal Mail Building).
Licensing Implications	None
Site Address	Royal Mail House, 148 Old Street, London, EC1V 9BJ.
Proposal	Re-cladding of elevations to Old Street, Bunhill Row and Banner Street, 6th floor extension to Old Street and Bunhill Row, 7th and 8th floor extensions to Old Street to provide additional office floorspace (Use Class B1), creation of new building entrance via Bunhill Row, change of use of the ground floor fronting Old Street to provide flexible retail/restaurant (Use Class A1/A3) units, and associated works. The total floorspace to be created by the proposal is 4354sqm (GEA).

Case Officer	Krystyna Williams
Applicant	Great Ropemaker Partnership
Agent	DP9 Limited

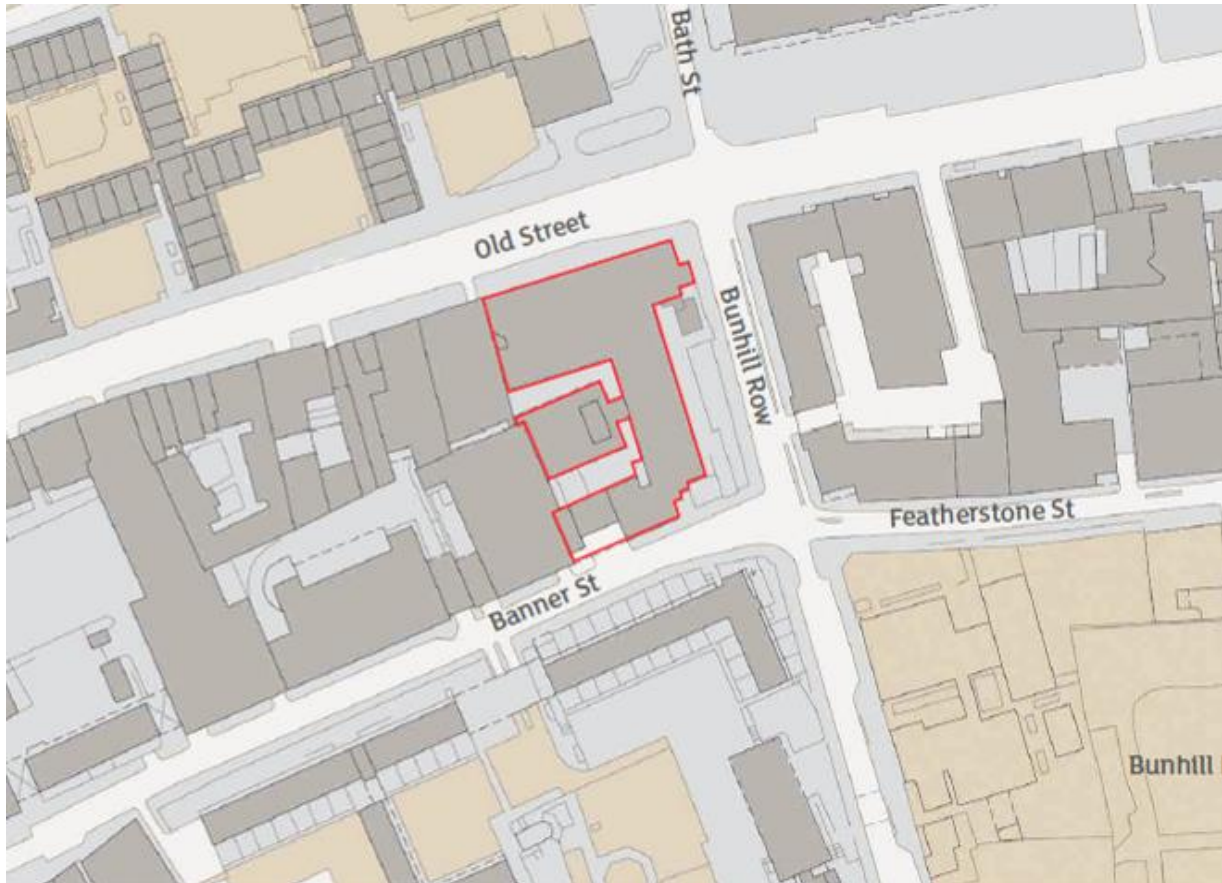
RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1; and

- conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

SITE PLAN (SITE OUTLINED IN RED)



1.1 PHOTOS OF SITE/STREET



Photo 1: Aerial view from North (old Street running left to right in foreground) – Bentina House (front left) has approval for a two storey roof extension.



Photo 2: Aerial view from South (looking at the Banner Street frontage). North of the site (Redbrick Estate) application for a 9 storey building (subject to detailed pre-app discussion).



Photo 3: Aerial view from East (looking at the Bunhill Row frontage)



Photo 4: Aerial view from West



Photo 5: Front and Side Elevations fronting Old Street and Bunhill Row respectively



Photo 6: View from Old Street looking down Bunhill Row



Photo 7: Long view east along Old Street



Photo 8: View east along Banner Street

2. SUMMARY

- 2.1 The planning application proposes the re-cladding of elevations to Old Street, Bunhill Row and Banner Street, 6th floor extension to Old Street and Bunhill Row, 7th and 8th floor extensions to Old Street to provide additional office floorspace (Use Class B1), creation of new building entrance via Bunhill Row, change of use of the ground floor fronting Old Street to provide flexible retail/restaurant (Use Class A1/A3) units, and associated works. The total floorspace to be created by the proposal is 4271sqm (GEA).
- 2.2 During the determination of this application the scheme has been amended to respond to concerns raised by officers in respect of the design and appearance of the exterior cladding treatment, in particular along the Old Street elevation, amendments to the roof top extensions and improvements to the main pedestrian access via Banner Street and pedestrian access off Old Street.
- 2.3 The application has been considered with regard to the Development Plan and National Planning Policy Framework (NPPF) and the NPPG and Ministerial Statement dated 28th November 2014, including the presumption in favour of sustainable development.
- 2.4 The main shortcoming of the development is the lack of provision of housing at the site, a requirement of the London Plan and Finsbury Local Plan policies to secured mixed use developments within the Central Activities Zone / south of the borough. Provision on site is not secured due to the constraints of achieving this within a retained building and due to the poor quality amenity those units would secure as a result. Having regard to these constraints and shortcomings, an in-lieu payment would be secured within a 106 legal agreement to mitigate this (£310,880).
- 2.5 The proposal delivers a high quality commercial building which by reason of its height, scale and design responds well to the character and appearance of the surrounding area, an uplift in office floorspace including the provision of 253sqm of affordable workspace at lower ground floor (to be secured at peppercorn rent level for a period of 10 years) provision of retail floorspace at ground floor fronting Old Street, enhanced public realm treatments along Banner Street and Bunhill Row and the introduction of active frontages along Old Street, Banner Street and Bunhill Row. The proposal also provides improved pedestrian access to the site, the removal of all car parking from the site and the introduction of 258 cycle parking spaces located on ground and basement floors.
- 2.6 The comments made by residents have been considered, as have responses from consultee bodies.
- 2.7 The proposal is considered by officers to be acceptable in terms of land use, design and appearance, neighbour amenity, the quality of the proposed office space including the provision of affordable workspace, transportation and servicing, landscaping, sustainability and energy, subject to conditions and to an appropriate Section 106 (S106) agreement, the Heads of Terms of which have been agreed with the applicant.
- 2.8 It is recommended that planning permission be granted.

3. SITE AND SURROUNDINGS

- 3.1 The application site is located on the southern side of Old Street, occupying a plot with frontages to Bunhill Row, Old Street and Banner Street. The Royal Mail building is of typical 1970's design consisting of six floors over basement fronting Old Street and Bunhill Row, and four storeys over basement fronting Banner Street.
- 3.2 The site is in close proximity to the Old Street roundabout located approximately 250 metres to the east of the site. To the south of the site is the Historic, Registered Park and Garden Bunhill Fields Burial Ground. Immediately to the west of the site is No. 142-146 Old Street, a Grade B locally listed building. Further to the west of the site is the statutorily listed St Luke's Church.
- 3.3 Prior to the redevelopment of the application site to its current form, the site comprised the Bovril Building built in 1896 which occupied the entire site footprint with courtyard access via Banner Street (as is the situation today). The redevelopment to deliver the current building in 1974 retained only the brick arch walls of the basement which remain in situ. The building was constructed in a 'U' shape originally with the central wing added at a later date.
- 3.4 There is an existing car park at basement level accessed off Banner Street (to the south of the site). There is also an existing servicing entrance off Banner Street. The main pedestrian entrance to the building is via Old Street.
- 3.5 The existing building is six storeys in height over basement fronting Old Street and four storeys over basement fronting Banner Street and Bunhill Row however it possesses limited architectural merit. It comprises 15,230sqm (GIA) of office (Class B1) floorspace.
- 3.6 The site is not located within a Conservation Area. However, the Bunhill Fields/Finsbury Square and St Luke's Conservation Areas are located to the south and west of the site respectively. Central to the St Luke's Conservation Area is St Luke's Church, dating from 1733, which is located approximately 140 metres to the west of the site. This includes the obelisk spire which is a local landmark (LL14) with important views. Adjacent to the site, No. 142-146 Old Street is a Grade B locally listed building.
- 3.7 The surrounding area comprises a mix of commercial, retail and residential. The area consists of a range of building styles from different periods that have varying architectural styles. To the west of the site is the five storey locally listed building. To the east of the site, on the opposite side of Bunhill Row is Bentima House, 168-172 Old Street, a six storey building which has a recent grant of planning permission for a two storey roof extension (ref: P2014/1304/FUL).
- 3.8 On the opposite side of Old Street to the north of the site is the low-rise residential units at Redbrick Estate. An existing planning application (ref: P2015/0709/FUL) is with the Council for the redevelopment of the site to provide 55 new homes (comprising 16 x 1 bed units, 25 x 2 bed units and 7 x 3x bed), a community centre (D1 use), two flexible A1/A2 use units across three buildings, consisting of the erection of a part single, four and nine storey building at the junction of Old Street and Bath Street to provide a community centre and A1/A2 unit with residential above, a part two and three storey building at the Junction of Old Street and St Luke's Close to provide an A1/A2 unit and residential units and a part single and four storey residential building fronting Bath Street.

- 3.9 To the south of the site on the opposite side of Banner Street is Quaker Court, a four storey residential development, which has a number of residential units having their outlook onto the application site.
- 3.10 The site has a PTAL of 6b and therefore benefits from excellent connections to public transport. It is within 250m of Old Street underground and national rail stations. Liverpool Street Station is located approximately 1.2km to the south of the site which will be served by Crossrail. There are frequent bus services within walking distance of the site and Old Street provides an important pedestrian route.

4. PROPOSAL (IN DETAIL)

- 4.1 The application proposes extensive refurbishment of the existing building. The exterior of the building will be entirely re-clad to the Old Street, Bunhill Row and Banner Street elevations. There will be no increase in height to Banner Street (remaining at 4 storeys) and a single storey extension is proposed to Bunhill Row (making it 7 storeys in height). The existing Old Street element comprises six storeys over basement with additional set-back rooftop office accommodation (total 7 storeys over basement). The proposal comprises an additional two storey extension to Old Street making it 8 storeys with set back roof extension of (total 9 storeys over basement).
- 4.2 The development will include the creation of a new pedestrian building entrance via Bunhill Row as a result of an extension over the existing void fronting Bunhill Row. The proposed development includes the change of use of the ground floor fronting Old Street from office (B1) to provide flexible retail/restaurant (Use Class A1/A3) units.
- 4.3 The total floorspace to be created by the proposal is 4354sqm (GEA).
- 4.4 During the determination of this application the scheme was amended on the advice of officers. These changes included:
- Revised elevational treatments to reduce horizontality;
 - Redesign of rooftop extensions fronting onto Old Street;
 - Improvements to lobby/entrance off Banner Street including level access;
 - Introduction of entrance to office space off Old Street; and
 - Alterations to ground floor treatment fronting Old Street removing the previously low shopfront and replacing this with a double height, glazed shopfront supported by strong, visual pillars providing an element of verticality at street level and creating an active street frontage.
- 4.5 The development includes the removal of the existing brown cladding, and stripping it back to the concrete structure and its replacement with a new façade consisting of brick panels and glazing.
- 4.6 In terms of land use, at basement level the development would provide B1 office floorspace including a self-contained affordable workspace unit measuring 253sqm and cycle storage. The lower ground floor mezzanine comprises B1 office floorspace and further cycle storage.
- 4.7 The Old Street frontage at ground floor would provide three (A1/A3) retail units with direct access via Old Street. Also at ground floor there would be the main pedestrian entrance off Bunhill Row via ramped access, secondary access off Banner Street,

main reception, a remodelled service yard (still) accessed of Banner Street and additional office (B1) floorspace. The above floors will comprise B1 office floorspace.

- 4.8 A breakdown of the floorspace areas (extract from the Planning Statement) is provided below:

	Existing GIA	Proposed GIA	Uplift
Retail (A1-A3)	0sqm	468sqm	468sqm
Office (B1)	15,230sqm	18,911sqm	3,681sqm
A1/A3/B1	0sqm	205sqm	205sqm
Total	15,230sqm	19,584sqm	4,354sqm

5. PLANNING HISTORY

No. 148 Old Street (Royal Mail House)

- 5.1 The existing building was built in the 1970's and below provides a summary of the planning history from this date:

Application ref	Proposal	Decision	Date
940209	Construction of canopy over doorway to Banner Street elevation.	Approved with conditions	23/05/1994
921517	Construction of enclosed circulation corridor within ground floor external area on Bunhill Row side	Approve with conditions	11/01/1993
901312	Installation of bronze anodised aluminium cladding over existing tiled areas on piers on each elevation	Approved with conditions	07/11/1990
900371	New vehicular access onto Bunhill Row for disabled access and one disabled persons vehicle parking bay on raised walkway	Approved with conditions	06/04/1990
891250	New canopy and disabled ramp and alterations to entrance	Approve with conditions	11/12/1989
8511221	Continued use as offices by persons or organisations other than the Post Office. The LPA is advised by Counsel for the Crown that the development was Crown Development and thus that planning consent was not necessary and the conditions applied thereto are irrelevant. In these circumstances consent is not required for the property to be used as offices by persons other than the Post Office.	See note – consent not required	04/02/1986

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Relevant History at surrounding sites

5.2 The following applications are considered relevant in the assessment of this application.

5.3 Bentima House, 168-172 Old Street, London EC1V 9BP

Application Ref	Proposal	Decision	Date
P2014/1304/FUL	Two storey roof level extension to existing building to create additional 900m ² of office (B1) floor space.	Approved with conditions	26/01/2015
P2012/0168/COL	Certificate of Lawfulness to confirm that works relating to the development, approved under planning permission P090564 comprising: 'Construction of a two-storey extension on the roof of the existing building to provide 8 residential flats with landscaped terraces above; installation of new lift shaft and rubbish chute; re-arrangement of existing parking and delivery area to accommodate additional refuse storage and cycle parking. The residential units will consist of 3 x 1 bedroom flats, 4 x 2 bedroom flats, and a 1 x 3 bedroom flat.', were lawfully commenced prior to 12/09/2012 in accordance with condition 1 attached to planning permission P090564, and therefore, that further works to complete the balance of the approved development can be lawfully carried out.	Approve with no conditions	16/01/2013
P090564	Construction of a two-storey extension on the roof of the existing building to provide 8 residential flats with landscaped terraces above; installation of new lift shaft and rubbish chute; re-arrangement of existing parking and delivery area to accommodate additional refuse storage and cycle parking. The residential units will consist of 3 x 1 bedroom flats, 4 x 2 bedroom flats, and a 1 x 3 bedroom flat.	Approve with conditions	12/09/2009

4.4 Redbrick Estate including Vickery Court, Bartholomew Court, EC1V

Application Ref	Proposal	Decision	Date
P2014/1304/FUL	Demolition of Vibast Community Centre, 169-173 Old Street and Health Centre, partial demolition of garages to west of Bath Street, the construction of 55 new homes (comprising 16 x 1 bed units, 25 x 2 bed units and 7 x 3x bed), community centre (D1 use), two flexible A1/A2 use units across three buildings, consisting of the erection of a part single, four and nine storey building at the junction of Old Street and Bath Street to provide a community centre and an A1/A2 unit with residential above, a part two and three storey building at the Junction of Old Street and St Luke's Close to provide an A1/A2 unit and residential units and a part single and four storey residential building fronting Bath Street, alterations to the garages fronting Bath Street, the provision of a new amenity space to the east of Steadman Court and public realm improvement works across the site, inclusive of hard and soft landscaping, cycle parking, alterations to entrances and alterations to boundary treatment.	Under assessment	

Pre-application advice

- 5.4 The proposed development has been subject to on going pre-application discussions since April 2014. A number of amendments have been made to the plans during this process affecting the design of the proposals in response to officer comments. The key design changes made include:
- Revised elevational treatments to reduce horizontality;
 - Redesign of rooftop extensions fronting onto Old Street;
 - Improvements to lobby/entrance off Banner Street including level access;
 - Introduction of entrance to office space off Old Street; and
 - Alterations to ground floor treatment fronting Old Street removing the previously low shopfront and replacing this with a double height, glazed shopfront supported by strong, visual pillars providing an element of verticality at street level and creating an active street frontage.
- 5.5 The applicant was also made aware of the relevant planning policies which would need to be addressed in relation to land use, design, quality of the office floorspace, size of retail units, size and provision of affordable workspace units, provision of affordable housing, transport and highways, energy and sustainability.

6. CONSULTATION

Public Consultation

- 6.1 Letters were sent to the occupants of 551 adjoining and nearby properties at Old Street, Banner Street, Bunhill Row, Featherstone Street and Tilney Court. Site notices and a press advert were displayed on 27/11/2014. The public consultation closed on 18/12/2014.
- 6.2 At the time of the writing of this report a total of one letter of objection had been received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Amenity

- Loss of daylight (*para. 8.28 - 8.43*);
- Overlooking (*para. 8.26 – 8.27*);
- Loss of views (especially of St Pauls Cathedral) (*para. 8.42 – 8.44*).

External Consultees

- 6.4 LAMAS – This improved scheme was to some extent welcomed by the Committee. However, the Committee would have liked a more imaginative design with better articulation of the elevation on Old Street, next to the Locally Listed Building. After further discussion it was maintained that the bulk of the building was too great and there was a need to omit the upper storey extension on the Old Street elevation and to break up the massing by better articulating the façade and reducing the scale.
- 6.5 London Fire and Emergency Planning Authority – The Brigade will be satisfied subject to the application meeting the requirements of Approved Document B5 of the Building Regulations.
- 6.6 UK Power Networks – no comments provided.
- 6.7 Crime Prevention Department British Transport Police – no comments provided.
- 6.8 Transport for London – no comments provided.

Internal Consultees

- 6.9 Conservation and Design Officer - Although not in a conservation area, there is particular sensitivity due to its proximity to Grade I St Luke's/St Luke's Conservation Area. The proposed refurbishment of the building and the regeneration of the site is a welcome aspect and the proposed architectural approach is supported as is the proposal to create a better public realm and interface between the building and the surroundings. At pre-application there were concerns raised in relation to the overly horizontal emphasis, however through detailing and use of a high quality palette of materials this matter can be addressed. As per the Design Review Panel's views, it is agreed that the proposed elevational approach was more successful to Bunhill Row and Banner Street than the Old Street elevation. Concern has been raised about the height on the Old Street frontage, in particular in relation to the view to the east along Old Street where the dominance of the proposed scheme is undoubtedly at its worse and very evident. Concern raised that the proposal has an adverse impact on the setting of the adjacent locally listed building and that the proposed top floor looks overbearing in relation to the proportions of the floor below. The treatment of the corner of Bunhill

Row and Banner Street at ground floor level, comprising a blank flank wall is not particularly inviting and does not offer the best resolution on such a prominent position. If recommended for approval conditions are required to ensure high quality materials, detailing, landscaping is delivered.

- 6.10 Acoustic Officer – No objection, subject to a condition stipulating noise thresholds imposed on the new rooftop plant (**Condition 6**).
- 6.11 Transport / Highways Officer: No objection. The development removes all car parking spaces, which is welcome. In its place, the development complies with Islington’s cycle parking requirements. The development re-provides an improved servicing bay with strong management arrangements. While vehicles will have to reverse into this bay, this is preferable to all vehicles parking on-street. The applicant is developing a delivery and servicing management plan to ensure deliveries are effectively managed from this location (e.g. using a central booking system). Furthermore, it should also be considered that vehicles currently have to reverse into the servicing bay. Despite the presence of the servicing bay, a number of vehicles will need to continue to use the existing on-street facilities for delivery and servicing. Overall, there will only be a small increase in the number of delivery and servicing events on-street.
- 6.12 Energy conservation officer – Supports this application, however request that the Energy Strategy is revised to commit to designing for the HWS supply to be facilitated through a District Heating Connection in the short-term. It is advised that although the capital and whole-life costs are higher for connection to the Citigen Heating Network, this should be considered in terms of the viability for the development, and secured through a Section 106 agreement the requirement for future-proofing the development for connection to district heating and cooling, including the requirement for connection viability to be assessed importunity for the site at a reasonable frequency (typically no more than once a year) and for connection if found viable. Connection to a district heating network could be made to serve the hot water heat demand in the short-term, and a later connection upgrade made to also serve the space heating demand.
- 6.13 Sustainability officer – Support has been expressed towards the BREEAM ‘Excellent’ and provision of green roofs and PV solar panels. The provision of blue roofs intended to store rainwater is also supported.
- 6.14 Planning Policy officer: No comments provided.
- 6.15 Access officer – Cycle parking should include accessible facilities (inclusive design SPD 4.1) which includes spaces for mobility bicycles and tricycles. If the only access to the cycle store is by lift than it should be ensured that the lift is capable of accommodating cycles and cyclists (both disabled and non-disabled). Cycle parking should be step-free and accessible spaces should be served by a route at least 1500mm wide. The removal of the revolving doors and provision of ramp/gently sloping approaches is supported, however there is concern that the approach from Banner Street is steps only. All external steps will require suitable handrails, colour contrast nosings and tactile warnings at the top and bottom. The proposed reception counter should meet the requirements of the Building Regulations ADM with high and low sections (on both staff and visitor sides). Any proposed shared refreshment facilities will also need to be accessible and comply with Approved Document M of the Building Regulations (ADM). Some of the stairs are existing and would not meet current requirements for being suitable for ambulant disabled people and those with sight impairments – I would suggest that where possible all stairs are upgraded to

current standards. Hearing enhancement facilities should be provided at reception and within meeting rooms where required. With regards to emergency egress I would refer the applicant to the Inclusive Design SPD 4.12 as we are unlikely to accept the provision of single space refuges in favour of compartmentalisation and/or the provision of an evacuation lift.

- 6.16 BEST Development Officer – Involved in discussions and supports the location of the affordable workspace unit, and its size, and is happy for this to be relocated once provided that if it is repositioned elsewhere in this scheme it should be delivered to the same specification.
- 6.17 Tree/Landscape officer: No impact on existing trees. One internal courtyard is suspended and one is on the ground floor with possible access to a greater and more natural rooting volume. Both have limited availability to light with no direct sunlight due to the enclosed nature of the courtyard and the scale of the surrounding buildings. This limits the planting potential in these areas, both in the range of plants that may be selected and the scale to which they will grow. Meaningful landscaping in these areas is not impossible but will be difficult. The soil volumes for the suspended courtyard will invariably be limited and they may not be able to achieve the sizes of planting illustrated on plans. In terms of the landscaped terrace on the corner of Bunhill Row and Banner Street, this is a good location for a large tree. The Council would require a minimum of thirty cubic meters of soil so that any tree planted in this location will have adequate rooting volume and the opportunity to achieve a canopy potential that is suited to the scale of the development. This should be considered by condition (*Condition 14*).

Members' Pre-application Forum

- 6.18 The application was presented to the Members' Pre-application Forum on 28/07/2014.

Design Review Panel

- 6.19 Islington's Design Review Panel considered the proposed development at pre-application stage on 05/08/2014. The panel's written comments (issued on 28/08/2014) are attached at Appendix 3:
- 6.20 **Panel comment: Accessibility and entrance:** Panel members queried whether there might be benefit in having an entrance on Old Street, possibly by extending the currently proposed entrance lobby as well since this is the principal road of the three surrounding the building. The Panel also believed that it was important to achieve a genuinely level access on Bunhill Row in order for the building entrance to interact successfully with the street. In general further work was needed to develop the quality of the public realm.
- 6.21 **Officer response:** Following the DRP comments, amended drawings were provided incorporating a new pedestrian entrance with access to the office space (B1 Use Class) at ground and lower ground floors directly off Old Street. This entrance is in addition to the entrances to the three ground floor retail units off Old Street. This arrangement is now considered satisfactory and results in a successful interface between the frontage and Old Street. Amendments were also made to the entrance from Bunhill Row. A new entrance and reception are to be created with access off Bunhill Row, creating a wide, transparent façade which allows views into the building. Access to the building will be significantly improved by the provision of a 1:21 gradient

ramp and shallow steps to provide an accessible entrance for all users into the building and create vastly improved public realm. Public realm improvements along Bunhill Row include the creation of a long, glazed entrance along Bunhill Row and the remodeling of the existing high walls to create a more open façade. In addition, the front face of the entrance lobby now sits closer to Bunhill Row and thereby engages with the street more positively.



Image 9: Public realm improvements and new entrance off Bunhill Row

6.22 **Architectural Expression:** There was some debate surrounding the proposed treatment of the elevations. Some concerns were raised in relation to the excessive horizontality and the Panel felt that details of articulation and enrichment will be important to ensure there is an appropriate balance between horizontal and vertical emphasis. The Panel felt that the change from vertical to horizontal was not necessarily conceptually inappropriate but that a better understanding and explanation of the reasoning and detailing was required. It was felt that the proposed elevational approach was more successful to Bunhill Row and Banner Street than the Old Street elevation.

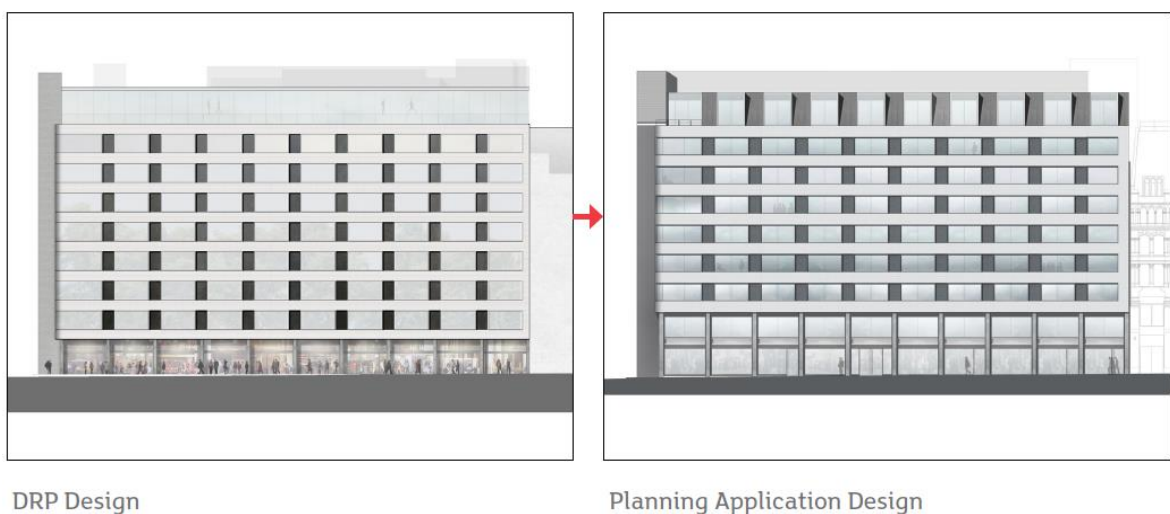


Image 10: Old Street elevation as presented at DRP and planning application design.

6.23 **Officers response:** The horizontality is not necessarily unacceptable in principle. The design has been amended to respond to the DRP comments by introducing stronger

vertical brick or solid panels at each column line. This treatment is considered acceptable and to address previous DRP concerns.

- 6.24 **Old Street elevation:** The common feeling amongst panel members was that the elevation to Old Street was not fully resolved in terms of the resolution to the top and the relationship with the middle and the base of the building. There were concerns in relation to the expression of the base with the building presenting a very low shopfront. Therefore, it was felt that the base was too low with the middle looking very tall and stripy. Panel members were of the opinion that the urban impact should be the overriding criteria to the changing function behind the façade. The Panel suggested that there might be benefit in increasing the perceived height/proportions of the base.
- 6.25 Concerns were also raised in relation to the expression of the top and its relationship with the adjoining building. They felt that further work was required in relation to the composition of this elevation and relationship with surrounding context. The Panel also noted that the signage to the proposed shops would need to be designed into the proposal in order to give a controlled coherent appearance.
- 6.26 **Officer response:** Amendments have been made to the Old Street frontage to adapt the scheme in order to address the DRP panel comments. The proportions of the Old Street elevation have been amended, removing the previously low shopfront and replacing this with a double height, glazed shopfront supported by strong, visual grounded pillars providing an element of verticality at street level and creating an active street frontage.
- 6.27 In terms of the DRP comments insofar as signage, signage for the shop fronts is controlled by a defined zone between the offices above and the retail units below. Protruding signs will be fixed to the columns and have a defined format and size. However actual signage would require advertisement consent.



DRP Design



Planning Application Design

Image 11: Old Street frontage as presented at DRP and planning application design.

- 6.28 In relation to the relationship to the adjoining building (locally listed) the scheme has been amended to address the DRP comments. The proportions of the set back rooftop extension have been amended to create a more successful relationship with the adjoining building. The proposed mid-section (2nd – 7th floors) will be finished with a single storey mansard roof extension. The building's additional height and treatment of

its roof level continues the natural stepping up of buildings towards the corner at Bunhill Row, while respecting the relationship to No. 142 Old Street.



Image 12: Proposed development alongside the locally listed building fronting onto Old Street.

- 6.29 **Landscaping:** The Panel pointed out that further work was required in relation to the proposed landscaping in particular in relation to the internal courtyard and how that environment works. They were not convinced that tree planting as indicate in the presentation would be feasible.
- 6.30 **Officer response:** The Design and Access Statement notes that the landscaping illustrated at DRP was notional and all internal landscaping will be subject to further study. The Council's Tree/Landscape officer has viewed the submitted details and recommends a condition to secure specific detail (Condition 14).
- 6.31 **Environmental Performance:** As this major refurbishment offers a significant opportunity to improve the building's energy efficiency, the Panel thought that further information should be provided on the comparison between the pre-refurbishment and post-refurbishment carbon performance. Clear justification should also be provided on why a BREEAM Excellent rating cannot be achieved. The Panel commented that the provision of bicycle parking and associated facilities may need to be increased.
- 6.32 **Officer response:** It should be noted that the scheme is stated to achieve BREEHAM 'Excellent' and that a 28.1% total CO2 reduction would be secured with further discussion to connect to Citigen/Bunhill Energy Centre, plus off-set all remaining CO2 contributions via a payment of £544,732. Cycle parking accords with Council policies.
- 6.33 **Summary:** The Design Review Panel was generally supportive of the concept of regeneration and refurbishment of the existing building. However, panel members felt that further work was required in relation to the interface with the public realm on Bunhill Row as well as landscaping and the Old Street elevation frontage.

6.34 **Officer response:** Overall the scheme has evolved in general accordance with the comments provided by the DRP. Greater attention has been given to the verticality of the elevations, in particular the appearance of the Old Street frontage which now demonstrates a stronger vertical brick or solid panels at each column line. This treatment is considered acceptable. The new pedestrian entrance with access to the office space (B1 Use Class) at ground and lower ground floors directly off Old Street corresponds with the DRP comments. Amendments have also been made to the entrance from Bunhill Row. A new entrance and reception are to be created with access off Bunhill Row, creating a wide, transparent façade which allows views into the building. The Old Street frontage has been adapted in accordance with DRP comments, removing the previously low shopfront and replacing this with a double height, glazed shopfront supported by strong, visual grounded pillars providing an element of verticality at street level and creating an active street frontage. The scheme has also been designed to overcome DRP comments relating to environmental performance and landscaping.

7. RELEVANT POLICIES

7.1 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 Policy and Guidance

7.2 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.

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

7.4 On the 28th November 2014, a Ministerial Statement and revision to the Planning Practice Guidance (PPG) were published, these have been considered in the writing of this report.

Development Plan

7.5 The Development Plan is comprised of the London Plan 2015 (revised with alterations since 2011) Islington Core Strategy 2011 (ICS), Development Management Policies 2013 (IDMP), Site Allocations Development Plan Document 2013 and the Finsbury Local Plan 2013 (FLP). The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report. Islington's Site Allocations DPD does not include site allocations for Bunhill and Clerkenwell (these are provided in the FLP instead), therefore this document is not considered further in this report.

Designations

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

- Central Activities Zone (CAZ)
- Archaeological Priority Area
- Finsbury Local Plan Area (BC3 Old Street) & Site BC19 '148 Old Street (Royal Mail building)
- Employment Priority Area (General)
- Bunhill & Clerkenwell Core Strategy Key Area (CS9)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

8.0 ASSESSMENT

8.1 The main planning issues arising from this proposal relate to:

- Land use;
- Design and visual appearance;
- Provision of residential units;
- Neighbour amenity;
- Highways, transportation and pedestrian access;
- Sustainability and energy;
- Other planning considerations (landscaping, archaeology, etc);
- Planning obligations.

Land use

8.2 The site falls within an Employment Priority Area (General) and the existing building provides 15,230sqm of existing office floorspace. Core Strategy CS13 seeks to improve the quality and quantity of existing employment space. Policy BC8, part A of the Finsbury Local Plan (FLP) requires that in addition to protecting existing business floorspace, proposals should incorporate the maximum amount of business floorspace reasonably possible. The policy goes on to note that proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.

8.3 The site is subject to Site Allocation BC19 '148 Old Street (Royal Mail building). This allocates the site for:

'Demolition and replacement, or refurbishment of the existing building, to provide active uses fronting Old street and commercial offices above alongside an element of housing... Refurbishment or redevelopment presents an opportunity to substantially improve the quality of the local environment and extend office provision... A substantially improved streetscape should be created by providing active uses at ground level. The building should be designed to provide commercial floorspace for a range of business sizes.'

8.4 The proposed development generally accords with the above site allocation, the proposal comprises the re-cladding of elevations to Old Street, Bunhill Row and Banner Street, 6th floor extension to Old Street and Bunhill Row, 7th and 8th floor extensions to Old Street to provide additional office floorspace (Use Class B1), creation of new building entrance via Bunhill Row, change of use of the ground floor fronting Old Street to provide flexible retail/restaurant (Use Class A1/A3) units.

8.5 The principle of the increase in office floorspace is therefore supported, as illustrated in the table below:

	Existing GIA	Proposed GIA	Uplift
Retail (A1-A3)	0sqm	468sqm	468sqm
Office (B1)	15,230sqm	18,911sqm	3,681sqm
A1/A3/B1	0sqm	205sqm	205sqm
Total	15,230sqm	19,584sqm	4,354sqm

8.6 Policy BC8, part B states that within Employment Priority Areas (General), the employment floorspace component of a development or change of use proposal should not be unfettered commercial office uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:

- i. A proportion of non-B1(a) business or business-related floorspace (e.g. light industrial workshops, galleries and exhibition space), and / or*
- ii. Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and / or*
- iii. Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.*

8.7 Policy BC8 notes that for proposals in excess of 10,000sqm gross employment floorspace a proportion of micro and/or affordable workspace or retail space should be equivalent to at least 5% of the total amount proposed employment floorspace. Where on-site provision falls short of the council's expectation, then financial contributions will be sought to secure the equivalent off-site provisions. The development provides a total uplift of 4,354sqm (GIA) gross employment floorspace.

8.8 A total of 253sqm of affordable workspace has been offered by the applicant, located at the lower ground floor. This has been secured at peppercorn rent level for a period of 10 years via s106 legal agreement. These measures have been discussed with the Council's Business Team and is supported. Additionally, the applicant has requested that they be given the ability to relocate this unit elsewhere within the building with the agreement of the Council should for example another occupier want this particular bit of floorspace. This is agreed provided that the specification for the new location of the 253sqm unit is the same (and not divided into sections totalling this) and only a single move to be agreed. The s106 head of term secures this (in Recommendation A).

8.9 Core Strategy Policy CS14 encourages a healthy retail and service economy providing a good range of goods and services which will support the Borough's economic development and enable people to shop locally. Furthermore, policy DM4.1 of the IDMP 2013 seeks to maintain and promote small and independent shops. Policy BC3 of the Finsbury Local Plan states that improvements to Old Street should include a range of retail units at ground floor frontages to create vibrancy and activity, this is reinforced by the site allocation (BC19).

- 8.10 The proposed change of use of 468sqm of floorspace at ground floor level from office (B1) to three retail units (A1/A3) and uplift in office floorspace is supported and complies with policies BC3 (Old Street) BC8B (Achieving a balanced mix of uses) and site BC19 of the Finsbury Local Plan which seeks ground floor retail units where appropriate to contribute to generating employment for small and micro enterprises (SME's). The latter is defined in the glossary of the FLP as businesses with no more than 10 employees, with small enterprises employing up to 50 people. The delivery of the three retail units is welcome and would be secured through a planning condition (Condition 26). In addition, the proposal would provide an active ground floor use in accordance with site allocation BC19 which seeks '*active uses fronting Old Street*'. Policy BC8G states that entertainment uses will only be allowed in Employment Priority Areas, which the site is located within.
- 8.11 *Policy DM4.3* (Location and concentration of uses) notes that due to the borough's densely developed, mixed-use nature, a range of main Town Centre uses occur in close proximity to places where people live. It is important to ensure a mix and balance of complementary day and night-time uses that creates an attractive and vibrant area that co-exists successfully with neighbouring residential areas. The proposed use is deemed acceptable in this location which is in keeping with the vibrant Old Street area.
- 8.12 In accordance with Core Strategy CS13 which seeks to improve the quality and quantity of existing employment space the following will be secured by S106 agreement: Compliance with the code for employment and training, and facilitation, during the construction phase of the development, of the following number of work placements:
- Each placement must last a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer / contractor to pay wages (must meet London Living Wage).
 - If these placements are not provided, LBI will request a fee of £5,000 per placement up to a total of: £20,000.
- 8.13 **Housing:** Turning to housing, the policy requirement is to include an element of housing at the site, Policy BC8 states that major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for provision of off-site housing. The site allocation BC19 also sought for housing to be achieved on-site.
- 8.14 In this instance the provision of housing on-site has been extensively explored during the pre-application process and it is considered to be problematic to deliver residential units which would be of an acceptable layout, orientation and would provide a suitable level of amenity. This is due to complexities and difficulties of refurbishing the existing building and the ability to create adequate access arrangements to any residential units. The most appropriate location for housing was deemed to be along Banner Street which already has an element of residential accommodation. However due to site constraints the proposed units would be single aspect and in close proximity to servicing locations at the site. Further to this it would be necessary to create a

separate (additional) core for the residential units which would jeopardise the delivery of the commercial floorspace provision. Given that the proposal is for extensive refurbishment rather than new-build, the opportunities to incorporate residential floorspace is restricted. The applicant has however agreed to make a financial contribution of £310,880 towards off-site affordable housing provision, calculated in accordance with the Planning Obligations SPD (2014). This is secured via Section 106 and is listed as ahead of terms at Appendix 1. This contribution secures policy compliance in this instance.

- 8.15 In summary, the land-use element of these proposals is considered to be acceptable through delivering a mixed-use development that would increase and improve the existing office (B1a) floorspace on the site, introduce an appropriate amount of retail floorspace to enliven street frontages and deliver affordable workspace secured at peppercorn rent levels for 10 years. Whilst the non-provision of housing on-site is a shortcoming, on-site provision would deliver units of compromised quality. Therefore its lack is mitigated through a s106 contribution towards off-site delivery of housing. In this regard the scheme is considered acceptable in land use terms and to accord with Core Strategy policies CS7, CS9, CS13, CS14, Development Management Policies DM4.1, DM4.2 and DM4.3 and Finsbury Local Plan policies BC3, BC8 and BC19.

Design and Appearance

- 8.15 The application site is located on the southern side of Old Street. The site is not located within a Conservation Area, however the Bunhill Fields/Finsbury Square and St Luke's Conservation Areas are located to the south and west of the site respectively. Central to the St Luke's Conservation Area is St Luke's Church, dating from 1733, which is located approximately 140 metres to the west of the site. This includes the obelisk spire which is a major landmark with important views. Adjacent to the site, No. 142-146 Old Street is a Grade B locally listed building.
- 8.16 The development proposals have been formulated through pre-application discussions dating back to April 2014, during which officers were supportive of the proposal to redesign and reinvigorate the main facades of the existing utilitarian building. Additionally at pre-application stage the scheme was presented to the Design Review Panel, and amendments were secured in order to address those concerns (refer paragraphs 6.19-6.34).
- 8.17 The immediate surrounding area comprises buildings of variable heights and styles. It is acknowledged the planning history at the site on the opposite corner at Bentima House where permission was granted for a two-storey roof extension in 2012, and more recently permission reference: P2014/1304/FUL for a two storey roof level extension to create additional 900m² of office (B1) floorspace, granted 26/01/2015 (resulting in an overall building height of 8 storey (above ground)).
- 8.18 Core Strategy Policy CS9 seeks to protect Islington's historic urban fabric and requires new buildings to be sympathetic in scale and appearance. In addition, heritage assets will be conserved and enhanced whether designated or not. Policy DM2.1 (Design) of the Islington Development Management Policies 2013 notes that all developments are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character of an area.
- 8.19 The site allocation BC19 sets out the design considerations and constraints as:

'A new, high quality building is considered appropriate in this location. The scale and massing should respect and enhance the local context. A substantially improved streetscape should be created by providing active uses at ground level. The building should be designed to provide commercial floorspace for a range of business sizes'.

- 8.20 The existing building offers no positive contribution to the streetscene and surrounding area, and subsequently officers are supportive of removal of the existing brown coloured exterior and re-cladding in a more contemporary, lightweight, glazed appearance (supported by the site allocation). The proposed architectural approach is supported as is the proposal to create a better public realm and interface between the building and the surroundings. However, the detailed design and finish has been greatly debated. Officers, as well as the Design Review Panel, noted that the proposed treatment of the elevations should reach an appropriate balance between horizontal and vertical emphasis to ensure a successful relationship with the surrounding context. In addition, the proposed development must consider the potential impacts to the adjoining locally listed building at no. 142-146 Old Street.
- 8.21 The scheme has evolved significantly since its first incarnations. The amendments made since it was presented to the Design Review Panel have been summarized at sections 6.19-6.34. During the consideration of this planning application the proposals have been amended further to address the detailed design elements including horizontality, rooftop design, entrance/lobby appearance, raising the middle section of the building to start at second floor resulting in a two storey plinth which is expressed by the exposure of existing columns. These amendments have been undertaken to generally accord with DRP comments. No further consultation was undertaken given that no additional bulk or scale was added to the proposal.
- 8.22 Whilst the Council's Conservation and Design officer has reservations about the proposed height of the building, in particular in relation to the view to the east along Old Street. This concern was not shared by the DRP panel who raised no issue with the resultant height (subject to its detailed design relationship to the adjoining locally listed building which officers feel have been addressed). Concern was also raised by the Conservation and Design officer insofar as the impact on the setting of the adjacent locally listed building and the top floor appearing overbearing in relation to the proportions of the floor below. Amendments have been made to the rooftop extension element of the proposal, and when viewed in context and taking into consideration the wider public benefits of the scheme, this is considered to be acceptable especially given the varied heights of surrounding buildings along Old Street.
- 8.23 At pre-application stage there were concerns raised in relation to the overly horizontal emphasis, however through detailing and use of a high quality palette of materials this matter can be addressed. As per the Design Review Panel's views, it is agreed that the proposed elevational approach was more successful to Bunhill Row and Banner Street than the Old Street elevation. The Design and Conservation officer notes however that the treatment of the corner of Bunhill Row and Banner Street at ground floor level, comprising a blank flank wall is not particularly inviting and does not offer the best resolution on such a prominent position. A condition is recommended to ensure that this corner treatment is of a high quality (**condition 18**).
- 8.24 In summary, the proposed buildings, although on the limit of what could be considered acceptable on site in terms of building height, have been elegantly designed and articulated and borrowed some of the language and character of local context albeit as contemporary interpretation. The key of the scheme's success would depend quite

strongly on the quality of the materials and detailing and the resolution of some elements such as blank corner where Bunhill Row and Banner Street meet. Consequently conditions and the retention of the architects (to avoid a design and build exercise) are crucial and this is secured via conditions **(3 & 22)**.

Neighbouring amenity

8.25 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. IDMP policy DM2.1 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook. These matters are given careful consideration below.

8.26 Overlooking / Privacy – Policy DM2.1 identifies that *‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’*.

8.27 There has been one objection stating that the proposed development would result in increased overlooking to the habitable rooms at Newland Court, Bath Street which is located to the north east of the application site on the opposite side of Old Street. Policy DM2.1 seeks to protect overlooking to habitable rooms which provide living accommodation within residential units. In this instance however, there is no residential provision and subsequently there would be no minimum distance requirement between windows at the application site and surrounding buildings. Additionally the distance is across Old Street, with policy not protecting these relationships across highways.

8.28 Daylight and Sunlight – The application has been submitted with a daylight/sunlight assessment prepared by Delva Patman Redler, which has been carried out with reference to the 2011 Building Research Establishment (BRE) guidelines. The supporting text to Policy DM2.1 identifies that the BRE ‘provides guidance on sunlight layout planning to achieve good sun lighting and day lighting’.

8.29 Daylight the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or

The area of the working plane in a room which can receive direct skylight is not reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).

8.30 Sunlight the BRE Guidelines confirm that windows which do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter

Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

- 8.31 The BRE guidelines also advise that the spaces such as gardens, parks and playing fields, children's playgrounds should be tested for the availability of sunlight. For gardens and open spaces at least half of the amenity area should receive at least two hours of sunlight on 21 March (Spring Equinox).
- 8.32 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasises that advice given here is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.
- 8.33 The application site is located within an extremely accessible central London location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.
- 8.34 It is widely acknowledged that daylight and sunlight are fundamental to the provision of a good quality living environment and for this reason people expect good natural lighting in their homes. Daylight makes an interior look more attractive and interesting as well as to provide light to work or read by. Inappropriate or insensitive development can reduce a neighbour's daylight and sunlight and thereby adversely affect their amenity to an unacceptable level.

Daylight and Sunlight Losses for Affected Properties Analysis

- 8.35 Residential dwellings within the following properties have been considered for the purposes of daylight and sunlight impacts as a result of the proposed development.
- Quaker Court, Banner Street (71 windows);
 - 16-26 Banner Street (15 windows);
 - Steadman Court (57 windows);
 - Newland Court (28 windows);
 - 59 Bunhill Row (20 windows);
 - Bunhill Court (27 windows).
- 8.36 The following paragraphs summarise and comment on the results from the submitted daylight/sunlight report and subsequent addendum.
- 8.37 In terms of VSC, the report concludes that all 218 neighbouring rooms assessed will fully comply with the BRE Guidelines when measured against the BRE guidelines.
- 8.38 Table 4 of the report shows that 212 of the 218 windows assessed (97.2%) will experience no adverse impact as a result of the development proposals in daylight distribution terms. Six rooms therefore fail the test. Of the 6 rooms which experience adverse impacts, the 5 affected rooms in Steadman Court are at first floor level where its own building design projects outwards. The impact is therefore as a result of the

design of Steadman Court. The report states that an external inspection of the site suggests these windows serve bedrooms where there is a lower requirement for light as they are mainly occupied at night time. The one (1) room at first floor in 16-26 Banner Street that fails the test is an isolated breach of the daylight distribution guideline. The report states that the light to this room remains above 50% of the room area which in its urban context is considered acceptable.

- 8.39 Overall, despite losses of the daylight distribution for a total of 6 rooms (out of 218) test beyond the BRE guidelines, these are minimal and considered acceptable in this instance given the urban location.
- 8.40 *Sunlight*: Due to the orientation of the application site, Quaker Court, 16-26 Banner Street and Bunhill Court do not require to be included in the sunlight assessment. The results of the APSH test show that all rooms would meet the BRE Guidelines.
- 8.41 An objection letter was submitted by a resident of Newland Court, Bath Street which is located to the north east of the application site on the opposite side of Old Street, which raises concerns with regard to the loss of daylight to windows serving habitable rooms. The submitted daylight and sunlight assessment concludes that there will be no adverse impacts on the habitable rooms surveyed at Newland Court for daylight or sunlight.
- 8.42 Outlook/Loss of View – Concern has been raised by a resident at Newland Court regarding the potential loss of existing views (especially of St Paul’s Cathedral). The enjoyment of a view (unless that view is protected or a local landmark and nearly always from public as opposed to private locations) is not a ground on which planning permission can be refused.
- 8.43 There are a number of views both within and across Islington, which are protected from development obscuring them. However, there is no protected view from Old Street to St Paul’s Cathedral, and this site does not sit within a protected viewing corridor. The application site is not located within a protected view location and therefore does not require testing in policy terms to protect views to St Paul’s Cathedral.
- 8.44 The impact of a development on outlook can be considered a material planning consideration if there is an undue sense of enclosure for neighbouring residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard with any assessment subjective as opposed to empirical. Key factors in this assessment are the local context and arrangement of buildings. In this instance, and having undertaken a site visit, when considering the sites urban setting, the proposed development is not considered to harm the outlook of neighbouring properties. Additional height to this building has been carefully located so as to minimise impacts to adjoining properties. No increase in height is proposed to Banner Street.
- 8.45 Noise / disturbance – The application proposes an area of new plant on the roof of the buildings. It is considered appropriate that the plant shall be a rating level of at least 5dB(A) below the background noise level (LAF90 Tbg) measured or predicted at 1m from the facade of the nearest noise sensitive premises. This requirement would be secured through an appropriately worded condition (**condition 6**).

- 8.46 Construction Impacts – In the interest of protecting neighbouring residential amenity during the construction phase of the development; (having regard to impacts such as noise and dust) the applicant has agreed to comply with the Council’s Code of Construction Practice. Compliance has been secured as part of a S106 agreement together with a payment towards the monitoring of the site to ensure compliance. This payment is considered be an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project. A construction logistics plan is also to be secured via condition to address highways matters (**condition 25**).
- 8.47 To further address any concerns over noise and disturbance resulting from the construction of the development, a planning condition (**condition 12**) is recommended which requires that the applicant submit a Construction Environmental Management Plan (CEMP). The CEMP is required to assess the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception).

Highways, transport and pedestrian access

- 8.48 The site has an ‘excellent’ Public Transport Accessibility Level (PTAL = 6b), and is located within a Controlled Parking Zone (CPZ) which operates Monday to Friday between 08:30am-6:30pm and between 08:30-1:30pm on Saturdays.
- 8.49 Public Transport Implications – The site currently provides commercial uses appropriate for its central London location. The infrastructure provision in the area encourages the use of public transport. The development, through the creation of an additional 4354sqm of office (B1) and retail (A1/A3) floorspace will intensify the use of the site resulting in approximately 100 additional trips to and from the site during peak periods. As the car parking spaces will be removed, there will be a reduction in vehicle trips to/from the building and an increase in the number of trips mainly by public transport. The applicant does not propose any changes to traffic management along Old Street or Bunhill Row.
- 8.50 The crossover on Banner Street, which currently provides access into the existing car park, will be removed. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. This should be secured via S278 Agreement, funded by the applicant and carried out by LBI Highways.
- 8.51 Vehicle Parking – The site is within a Controlled Parking Zone (CPZ) which suffers from significant parking pressures. Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. For non-residential developments: Development Management Policy DM8.5 (Vehicle parking), Part B (Non-residential parking) states that parking will only be permitted where this is essential for operational requirements and integral to the nature of the business/service (such as a car hire or storage/distribution use). The applicant proposes, in line with policy, to remove all 60 existing car parking spaces which accords with policy.
- 8.52 Cycle Parking – Secure, sheltered and appropriately located cycle parking facilities (for staff and visitors) (Policy DM8.4 (Walking and cycling)) is proposed at a rate of one cycle parking space per 60sqm for A1 retail and one space per 80sqm for offices. A total of 258 cycle parking spaces would be provided in connection with the office floorspace and these are accessed off Banner Street (southern part of the site). This

level of provision is considered to meet the council's policy requirements and therefore should be secured through a condition (**condition 7**).

- 8.53 Servicing – The site has an existing large underground car park and on-site servicing yard with access off Banner Street to the south of the site. Due to the building's structure, vehicles must either reverse in or out of the bay, as there is no space for a turning circle within the yard. The largest vehicle that can be accommodated is a 7.2m rigid vehicle. The applicant has found that an 8m vehicle cannot be accommodated. As a result the yard is mainly used by light goods vehicles, such as transit vans and Luton vans. It is also worth bearing in mind that, as there is no banksman/concierge manning this service bay, many delivery vehicles choose to use the on-street facilities instead. This is because of the constrained nature of the bay; many drivers may be concerned that it is too difficult to reverse into the bay without a banksman to supervise reversing.
- 8.54 Policy DM8.6 requires that delivery and servicing for new developments of over 200sqm needs to be carried out off-street unless this is not practical. In line with DM8.6 (Delivery and servicing for new developments), Part A, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear. For on-street servicing: Where servicing/delivery vehicles are proposed on street, Development Management Policy DM8.6 (Delivery and servicing for new developments), Part B, details need to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 8.55 The applicant estimates that the proposed development will generate 68 delivery and servicing events per day. The new office space will generate 59 events, of which 6 are expected to be larger delivery vehicles and the remainder light goods vehicles or smaller vehicles/motorcycles. The A1/A3 will collectively generate up to 9 events, which are all expected to be light goods vehicles. If we assume the existing building is fully occupied then the proposed development of the building will generate more servicing and delivery events on Bunhill Row (+8) and Old Street (+4), but there would be one less vehicle on Banner Street and 7 less within the service yard (on site).
- 8.56 The development re-provides an improved servicing bay with strong management arrangements including the requirement to pre-book deliveries via a central booking system. While vehicles will have to reverse into this bay, this is preferable to all vehicles servicing on-street. A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times and frequency to ensure deliveries are effectively managed from this location (e.g. using a central booking system) is secured (**Condition 5**). The on-site loading bay will only be operational from 7am – 7pm. Where deliveries are for the A1/A3 units on Old Street, commercial tenants will be made aware of the peak loading restrictions on Old Street and directed to use facilities on Bunhill Row instead, where loading is permitted for an unlimited amount of time before 11am and for 40 minutes thereafter.

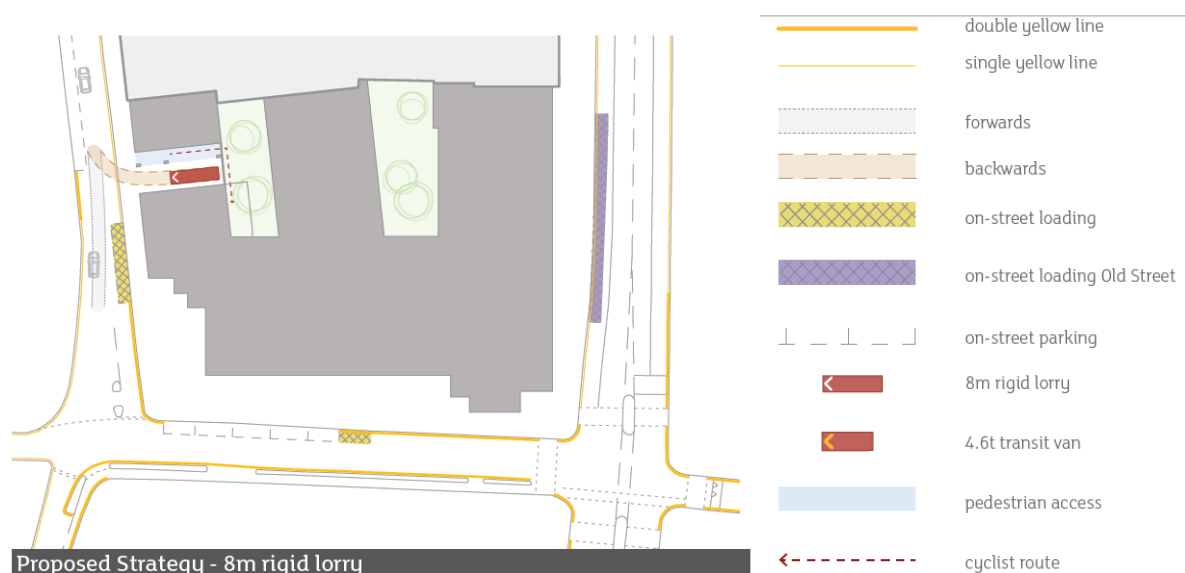


Image 13: Illustrating internal loading bay accessed off Banner Street and on-street loading bays on Old Street, Banner Street and Bunhill Row.

- 8.57 Furthermore, it should also be considered that vehicles currently have to reverse into the servicing bay. Despite the presence of the servicing bay, a number of vehicles will need to continue to use the existing on-street facilities for delivery and servicing. Officers are of the view that whilst servicing on-street is contrary to policy, overall there will only be a small increase in the number of delivery and servicing events on Bunhill Row and Old Street, but a reduction on Banner Street. The building is existing and to be refurbished and there are limits as to how many vehicles could be accommodated on-site. In this regard, the proposed is on-balance considered acceptable.
- 8.58 The applicant has shown in their transport statement that these events will be spread throughout the day. However, it will be important to use the delivery and servicing management plan and the central booking system to help ensure there is an even spread of deliveries throughout the day, rather than concentrating them at the peak times.
- 8.60 Refuse facilities: Refuse storage for the office (B1 Use Class) will be provided in a bin store on-site. The refuse storage capacity will be for 7 eurobins to be collected daily. The on-site bin store is located at ground floor with access from Banner Street adjacent to the service yard, compliance with the approved details is secured by condition (**Condition 8**).
- 8.61 Pedestrian access – The applicant proposes the office’s main entrance would be moved from Old Street to Bunhill Row, however an additional centrally located entrance from Old Street to the office accommodation is also proposed. A further secondary pedestrian entrance (to the office floorspace) is proposed from Banner Street. Pedestrian access to the A1/A3 units would be provided from Old Street and there would be a central access off Old Street to the office space. These arrangements are welcome and will help to create a more pedestrian friendly building with better engagement with the wider public realm.

Construction matters: The construction process would be managed through the approval of a Construction Logistics Plan and impacts on nearby residents would be mitigated through a Construction Environmental Management Plan, both of which are secured by way of **condition 12**. Additionally the applicant has agreed to pay a

construction monitoring fee to enable the Council to oversee this phase with the aim of minimising disruption to nearby residents. During the construction phase work placements would also be secured or in the event they are not, a financial contribution would be paid in order to support local young people into construction apprenticeships (s106 agreement).

Sustainability and Energy Efficiency and Renewable Energy

- 8.62 Sustainability – Core Strategy policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard. The scheme would reach BREEAM ‘Excellent’.
- 8.63 Development proposals should protect existing ecology and make the fullest contribution to enhancing biodiversity (CS10, DM6.5) e.g. by maximising the inclusion of green roofs, ecological landscaping, greening of facades and artificial nesting sites. Green roofs to maximise benefits for biodiversity, sustainable drainage and cooling (DM6.5). The scheme includes the provision of green roofs, blue roofs (to capture rainwater) and PV panels on various levels throughout. IDMP policy DM6.5 requires the maximisation of provision of green roofs and requires major developments to use all available roof space for green roofs (subject to other planning considerations). The provision as shown on drawn no: 1999_X_GA(RF)02_PL Rev P01. All roofs should be biodiversity based extensive substrate roofs with a minimum substrate depth of 80-150mm. **Condition 9** is recommended to secure these features.
- 8.64 The ecologist report recommends inclusion of 2 x sparrow nesting boxes, 4 x starling nest boxes, 2 x swift nest boxes, 1 x Vivara Oval open nest box, 2 x 2HW nest boxes, 4 x Vivara oval nest boxes, 4 x insect hibernation boxes and several piles of rocks and untreated timber on the green roof. These details would be secured via condition (**Condition 10**).
- 8.65 In accordance with policy DM7.4 all credits for water efficiency in the relevant BREEAM scheme should be achieved. The commitment to reduce the notional baseline water efficiency performance level by 40% is supported. The use of low flow fixtures and fittings proposed are also supported. A feasibility assessment of the possibility to include rainwater harvesting (CS10, DM6.6) is secured by **condition 24**.
- 8.66 All developments to minimise the environmental impact of materials e.g. through use of sustainably-sourced, low impact and recycled materials (CS10). A minimum of 10% total value of the materials used should be derived from recycled and reused content (DM7.4). The commitment to target approximately 42% of materials credits under BREEAM is on the lower side, but considering the scheme is a refurbishment, this is not unexpected. Information regarding how the scheme's procurement will meet the minimum 10% total value of materials requirement to be derived from recycled and reused content is to be secured by **condition 3**.
- 8.67 Developments to minimise the impacts of construction on the environment, including by minimising construction waste (CS10). This scheme should (BREEAM) achieve 50% credits on Wst 1. The commitment to divert a minimum of 70% of construction waste to be diverted from landfill is supported.
- 8.68 The S106 agreement secures the submission of a Green Performance Plan and review which intends to monitor performance of the building against these assumed performance levels. A condition is recommended (**Condition 23**) to ensure details of a

drainage strategy for a sustainable urban drainage system are secured and implemented. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximise water quality, amenity and biodiversity benefits. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec.

In light of the above, conditions are recommended to ensure:

- Commercial floorspace are constructed to achieve BREEAM 'Excellent' (**condition 4**).
- provision of green/blue roofs and PV panels (**condition 9**)
- provision of drainage strategy (**condition 23**)
- materials and construction – 10% from recycled and reuse content (**condition 3**)

- 8.69 Energy – Islington's Core Strategy policy CS10 (part A) states that all major development should achieve an on-site reduction in total (regulated and unregulated) carbon dioxide emissions of at least 40% in comparison with total emissions from a building which complies with the Building Regulations 2006, unless it can be demonstrated that such provision is not feasible. This 40% saving is equivalent to a 30% saving compared with the 2010 Building Regulations, and 27% compared with the 2013 Building Regulations. A higher saving (50% in comparison with total emissions from a building which complies with the Building Regulations 2006, which translates into a 39% saving compared with the 2013 Building Regulations) is required of major development in areas where connection to a decentralised energy network (DEN) is possible. Development Management Policy DM7.3 requires all major developments to be designed to be able to connect to a DEN, and connection is required if a major development site is within 500 metres of an existing or a planned future DEN. Part J of Core Strategy policy CS7 and part F of Finsbury Local Plan policy BC2 set out aims and requirements relating to expansion of existing DENs.
- 8.70 In response to concerns which were raised by the council and to reflect the changes to the scheme an amended Energy Strategy was provided by Hilson Moran dated 17th February 2015 (Revisions 05). This report has been reviewed by the council's Energy officer and is discussed below.
- 8.71 The GLA's guidance on preparing energy assessments (April 2014) states, that the Mayor will apply a 35% carbon reduction target beyond Part L 2013 of the Building Regulations - this is deemed to be broadly equivalent to the 40% target beyond Part L 2010 of the Building Regulations, as specified in Policy 5.2 of the London Plan for 2013-2016.
- 8.72 The Energy Strategy (dated 17th February 2015) presents the carbon emissions in section 7.1 and states a 28.1% reduction in total CO₂ emissions and a 25.1% reduction in regulated emissions (based on 2010 Building Regulations baseline). Whilst this is short of the 35% reduction policy target, it is recommended that the applicant considers further measures to meet the target. This can be secured by the imposition of a condition, to secure a revised / updated Energy Strategy (**Condition 11**).
- 8.73 ISC policy CS10 states that "*all major development should achieve an on-site reduction in total (regulated and unregulated) CO₂ emissions*" and "*requiring*

development to offset all remaining CO2 emissions associated with the building". The financial contribution required to off-set the carbon emissions is £544,732 which would be secured through a section 106 agreement. This is agreed by the applicant and secures policy compliance. Should a revised Energy strategy be agreed that increases the CO2 reduction performance then a revised off-set amount would be agreed with the applicant.

- 8.77 Policy DM 7.3 states, '*Major developments located within 500 metres of an existing DEN, and minor new-build developments located within 100 metres, will be required to connect to that network, including provision of the means to connect to that network and a reasonable financial contribution to the connection charge, unless a feasibility assessment demonstrates that connection is not reasonably possible*'. The Energy Strategy states the development is within 250m of two district heating networks: Bunhill and Citigen. It is estimated that the proposed energy centre is within 200m of the existing Bunhill heating network. The Energy Strategy Report has been amended on officer request to address the feasibility to connect to a District Energy Network (DEN).
- 8.78 Although the capital and whole-life costs are higher for connection to the Citigen Heating Network, this should be considered in terms of the viability of the development. Planning **condition 19** would include the requirement for future-proofing the development for connection to district heating and cooling. The requirement for connection viability to be assessed at a reasonable frequency (typically no more than once a year) and for connection to be made if found viable is secured via Section 106 agreement. Connection to a district heating network could be made to serve the hot water heat demand in the short-term, and a later connection upgrade made to also serve the space heating demand.
- 8.79 Islington DM Policy 7.5 'Heating and Cooling' requires developments to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and deliver passive cooling. Thermal modelling has been provided to demonstrate compliance with Policy DM7.5 as well as London Plan Policy 5.9.
- 8.80 In summary, the application delivers the re-use (but substantial re-cladding) of the existing building, secures CO2 reductions (total) of a CO2 off-set financial contribution of £544,732. The applicant has agreed to further explore connection to a DEN. The scheme would deliver a BREAM Excellent scheme, green and blue roofs, biodiversity enhancements and has been designed to avoid overheating in increased temperatures. The scheme is supported in energy and sustainability terms subject to planning conditions and s106 heads of terms.

Other planning considerations

- 8.81 Landscaping – The proposal includes limited landscaping treatment as the majority of the site will be built form. However, there is one suspended internal courtyard and one on the ground floor with possible access to a greater and more natural rooting volume. Both have limited availability to light with no direct sunlight due to the enclosed nature of the courtyard and the scale of the surrounding buildings. This limits the planting potential in these areas, both in the range of plants that may be selected and the scale to which they will grow. There is also a landscaped terrace on the corner of Bunhill Row and Banner Street which is a good location for a tree. The Tree/Landscaping officer has recommended a condition (**condition 14**) to secure a minimum of thirty cubic meters of soil so that any tree planted in this location will have adequate rooting

volume and the opportunity to achieve a canopy potential that is suited to the scale of the development.

- 8.82 Air quality – An Air Quality Management Plan prepared by Hilson Moran has been provided. As noted earlier in this report, for the development’s demolition and construction phases, a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including air quality, dust, smoke and odour) would need to be secured by condition (**condition 12**).
- 8.83 Archaeology – The site is situated within the Moorfields Archaeological Priority Area and has the potential for remains of the medieval and post-medieval periods. The application is accompanied by a Historic environment assessment dated July 2014 which reviews the archaeological and historical background. This study concludes that the archaeological impacts are expected to be minimal. It is also recognised that the area of proposed impact is small and localised and located in an area of generally low potential to contain significant archaeological assets **condition 13** secures this.

Planning Obligations

- 8.84 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 8.85 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London’s and Islington’s Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor’s adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 8.86 The s106 agreement will include the agreed heads of terms as set out in Appendix 1. Those heads of terms are considered to accord with the CIL Regulations 2010 and regard has been given to the NPPG and Ministerial Statements in reaching this view.

National Planning Policy Framework

- 8.87 Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin decision-taking. The current proposal is strong in relation to the principles relating to the reuse of land, economic growth and the principles relating to climate change, and the conservation and enhancement of the natural environment.
- 8.88 The scheme has been considered in the context of the presumption in favour of sustainable development set out in the NPPF. Subject to conditions the necessary S106 agreement and the payment of CIL, the proposals are considered to be acceptable and are recommended for approval.

9. SUMMARY AND CONCLUSION

Summary

- 9.1 The planning application proposes the re-cladding of elevations to Old Street, Bunhill Row and Banner Street, 6th floor extension to Old Street and Bunhill Row, 7th and 8th

floor extensions to Old Street to provide additional office floorspace (Use Class B1), creation of new building entrance via Bunhill Row, change of use of the ground floor fronting Old Street to provide flexible retail/restaurant (Use Class A1/A3) units, and associated works. The total floorspace to be created by the proposal is 4271sqm (GEA).

- 9.2 During the determination of this application the scheme has been amended to respond to concerns raised by officers in respect of the design and appearance of the exterior cladding treatment, in particular along the Old Street elevation, amendments to the roof top extensions and improvements to the main pedestrian access via Banner Street and pedestrian access off Old Street.
- 9.3 The application has been considered with regard to the Development Plan and National Planning Policy Framework (NPPF) and the NPPG and Ministerial Statement dated 28th November 2014, including the presumption in favour of sustainable development.
- 9.4 The main shortcoming of the development is the lack of provision of housing at the site, a requirement of the London Plan and Finsbury Local Plan policies to secured mixed use developments within the Central Activities Zone / south of the borough. Provision on site is not secured due to the constraints of achieving this within a retained building and due to the poor quality amenity those units would secure as a result. Having regard to these constraints and shortcomings, an in-lieu payment would be secured within a 106 legal agreement to mitigate this (£310,880).
- 9.5 The proposal delivers a high quality commercial building which by reason of its height, scale and design responds well to the character and appearance of the surrounding area, an uplift in office floorspace including the provision of 253sqm of affordable workspace at lower ground floor (to be secured at peppercorn rent level for a period of 10 years) provision of retail floorspace at ground floor fronting Old Street, enhanced public realm treatments along Banner Street and Bunhill Row and the introduction of active frontages along Old Street, Banner Street and Bunhill Row. The proposal also provides improved pedestrian access to the site, the removal of all car parking from the site and the introduction of 258 cycle parking spaces located on ground and basement floors.
- 9.6 The comments made by residents have been considered, as have responses from consultee bodies.
- 9.7 The proposal is considered by officers to be acceptable in terms of land use, design and appearance, neighbour amenity, the quality of the proposed office space including the provision of affordable workspace, transportation and servicing, landscaping, sustainability and energy, subject to conditions and to an appropriate Section 106 (S106) agreement, the Heads of Terms of which have been agreed with the applicant.
- 9.8 It is recommended that planning permission be granted.

Conclusion

- 9.7 It is recommended that planning permission be granted subject to conditions and s106 agreement securing the heads of terms as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Committee resolve to GRANT planning permission.

RECOMMENDATION B

That planning permission be granted subject to an agreement between the Director of Housing and the Service Director, Planning and Development in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

1. A contribution towards provision of off-site housing of: £310,880.
2. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Condition surveys may be required;
3. Requirement to enter into a s278 agreement to secure the removal of the crossover on Banner Street. This to be funded by the applicant and carried out by LBI Highways.
4. Compliance with the Code of Employment and Training.
5. Facilitation, during the construction phase of the development, of the following number of work placements:
 - Each placement must last a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer / contractor to pay wages (must meet London Living Wage).
 - If these placements are not provided, LBI will request a fee of £5,000 per placement up to a total of: £20,000.
6. Compliance with the Code of Local Procurement
7. Compliance with the Code of Construction Practice, including a monitoring fee of: £4,354 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
8. The provision of an additional 21 of accessible parking bay or a contribution toward bays or other accessible transport initiatives of £42,000.
9. A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: £544,732.
10. Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases

(whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future. The scheme could connect to serve hot water demand (short term) and a later connection upgrade to serve space heating demand.

The Section 106 agreement would include the requirement for future-proofing the development for connection to district heating and cooling, including the requirement for connection viability to be assessed at a reasonable frequency (typically no more than once a year) and for connection to be made if found viable. Connection to a district heating network could be made to serve the hot water heat demand in the short-term, and a later connection upgrade made to also serve the space heating demand.

11. Submission of a Green Performance Plan and review.
12. Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
13. Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106.
14. Payment towards employment and training for local residents of a commuted sum of: £103,500
15. Provision of affordable workspace (253sqm) for at least 10 years at a peppercorn rent and with reduced service charges. Note that in the event that the applicant requests that the location of the affordable workspace be moved, this is acceptable to the Council provided that only one request is made, a single space of equal floor area is provided as a replacement and it is fitted out as per the agreed, specification.
16. A contribution towards Crossrail of: £586,160 (of which any amount paid towards Mayoral CIL is counted as a credit towards this Crossrail contribution).

That, should the **Section 106** Deed of Planning Obligation not be completed within the agreed timeframe set out the Planning Performance Agreement, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION C

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

List of Conditions:

1	Commencement (Compliance)
	<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>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings : Site Plan 1999_X_GA(00)01EX rev P01; 999_X_GA(01)01EX rev P01; 1999_X_GA(02)01EX rev P01; 1999_X_GA(03)01EX rev P01; 1999_X_GA(04)01EX rev P01; 1999_X_GA(05)01EX rev P01; 1999_X_GA(06)01EX rev P01; 1999_X_GA(LG)01EX rev P01; 1999_X_GA(LGM) 01EX rev P01; 1999_X_GA(RF)01EX rev P01; 1999_X_GA(XX)01EX rev P01; 1999_X_GE(EA)01EX rev P02; 1999_X_GE(EA)02EX rev P02; 1999_X_GE(NO)01EX rev P01; 1999_X_GE(NO)02EX rev P01; 1999_X_GE(SO)01EX rev P01; 1999_X_GE(SO)02EX rev P01; 1999_X_GE(XX)01EX rev P01; 1999_X_GS(XX)01EX rev P01;</p> <p>Proposed Drawings: 1999_X_DS(XX)01PL; 1999_X_DS(XX)02PL; 1999_X_GA(00)01PL rev P02; 1999_X_GA(00)02PL; 1999_X_GA(01)01PL rev P02; 1999_X_GA(02)01PL rev P02; 1999_X_GA(03)01PL rev P02; 1999_X_GA(04)01PL rev P02; 1999_X_GA(05)01PL rev P02; 1999_X_GA(06)01PL rev P02; 1999_X_GA(07)01PL rev P02; 1999_X_GA(08)01PL rev P02; 1999_X_GA(LG)01PL rev P02; 1999_X_GA(LG)02PL; 1999_X_GA(LGM)01PL rev P02; 1999_X_GA(LGM)02PL; 1999_X_GA(RF)02PL Rev PO1; 1999_X_GE(EA)01PL rev P02; 1999_X_GE(EA)02PL rev P02; 1999_X_GE(NO)01PL rev P02; 1999_X_GE(NO)02PL rev P01; 1999_X_GE(NO)03PL rev P01; 1999_X_GE(NO)04PL rev P01; 1999_X_GE(SO)01PL rev P02; 1999_X_GE(SO)02PL rev P02; 1999_X_GE(SO)03PL rev P02; 1999_X_GE(SO)04PL rev P01; 1999_X_GE(WE)01PL rev P02; 1999_X_GS(AA)01PL rev P01; 1999_X_GS(AA-BB)01PL rev P01; 1999_X_GS(BB)01PL rev P01; 1999_X_GS(CC)01PL rev P01; 1999_X_GS(CC-DD)01PL rev P01; 1999_X_GS(DD)01PL rev P01; Design & Access Statement prepared by Orms dated October 2014; Planning Statement prepared by DP9 dated October 2014; Construction Management Plan prepared by bam dated October 2014; Historic Environment Assessment prepared by MOLA dated July 2014; Acoustic Report ref: 6108/PSR prepared by RBA Acoustics dated 16 October 2014; Energy Strategy prepared by Hilson Moran dated 17 February</p>

	<p>2015; Air Quality Management Plan (Rev 1.0) prepared by Hilson Moran dated 16 October 2014; BREEAM Ecological Assessment prepared by Hilson Moran dated 16 October 2014; BREEAM Pre-Assessment Report prepared by Hilson Moran dated 19 February 2015; Transport Assessment including draft Travel Plan dated October 2014; Health Impact Assessment dated January 2013; Daylight & Sunlight Report ref: SG/sg/13398 dated October 2014; Economic Impact Assessment dated October 2014.</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>
3	Materials and Samples (Details)
	<p>CONDITION: Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The details and samples shall include:</p> <ul style="list-style-type: none"> a) all facing materials (including details of seams, gaps, and any profiling); b) windows and doors; c) entrance gate to the servicing yard off Banner Road; d) roofing materials; e) any other materials to be used on the exterior of the development; and f) a Green Procurement Plan for sourcing the proposed materials. <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
4	BREEAM (Compliance)
	<p>CONDITION: The development shall achieve a BREEAM New Construction rating (2011) of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
5	Delivery Servicing Plan (Details)
	<p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times and frequency, and details of the central loading system, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby</p>

	<p>approved.</p> <p>The (DSP) should include the following:</p> <ul style="list-style-type: none"> - Regular office deliveries should use the improved service bay/yard. As many other deliveries should use this bay rather than on-street facilities. - Deliveries to the retail facilities should be aware of the peak loading restrictions on Old Street and use Bunhill Row instead. - A qualified banksman should supervise all vehicles entering and exiting the servicing bay. - Deliveries should take place no earlier than 7am and no later than 7pm. - All deliveries should be pre-booked via a booking system. This will ensure multiple vehicles do not arrive at the same time. <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
6	Noise Levels (Compliance)
	<p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq 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 LAF90 Tbg. The 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 an appropriate standard of residential accommodation is provided.</p>
7	Cycle Parking (Compliance)
	<p>CONDITION: The two bicycle storage areas hereby approved shall be covered, secure and provide for no less than:</p> <ul style="list-style-type: none"> - 258 cycle spaces. <p>These spaces shall be provided prior to the first occupation of the relevant part of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
8	Refuse/Recycling Provided (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plan no: 1999_X_GA(00)01PL Rev 02 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>The refuse and recycling enclosures and waste shall be managed and carried out at all times in accordance with the details of the approved 'servicing and waste</p>

	<p>management plan'.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
9	Green Biodiversity Roofs (Compliance/Details)
	<p>CONDITION: The biodiversity green roofs shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm);</p> <p>b) laid out in accordance with plan 1999_X_GA(RF)02_PL Rev 01 hereby approved; and</p> <p>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity green roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
10	Nesting Boxes (Compliance)
	<p>CONDITION: At least 2 x sparrow nesting boxes, 4 x starling nest boxes, 2 x swift nest boxes, 1 x Vivara Oval open nest box, 2 x 2HW nest boxes, 4 x Vivara oval nest boxes, 4 x insect hibernation boxes and several piles of rocks and untreated timber on the green roof shall be provided within the development, installed prior to the first occupation of the building to which they form part and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
11	Energy Efficiency – CO2 Reduction (Compliance/Details)
	<p>The energy measures as outlined within the approved Energy Strategy (including but not limited to energy efficient fabric and connection to Citigen District Heat Network) shall together provide for no less than a 28.1% on-site total CO2 emissions reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>A revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The revised energy strategy shall seek to achieve the policy target of 35% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</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 sustainable development and to ensure that the Local Planning Authority may be satisfied that the C02 emission reduction targets are met.</p>
12	Construction Management Plan and Construction Logistics Plan
	<p>CONDITION: No development shall take place unless and until a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority following consultation with Transport for London.</p> <p>The CMP and CLP shall update the Draft Construction Management Plan as submitted as part of the application hereby approved, while also providing the following additional information:</p> <ol style="list-style-type: none"> 1. identification of construction vehicle routes; 2. how construction related traffic would turn into and exit the site 3. details of banksmen to be used during construction works 4. the parking of vehicles of site operatives and visitors; 5. loading and unloading of plant and materials; 6. storage of plant and materials used in constructing the development; 7. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; 8. wheel washing facilities; 9. measures to control the emission of dust and dirt during construction; 10. a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In order to secure highway safety and free flow of traffic, local residential amenity and mitigate the impacts of the development.</p>
13	Archaeological report (Compliance / details)
	<p>*CONDITION: No development shall take place unless and until the applicant, their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted to and approved by the Local Planning Authority (in consultation with English Heritage).</p> <p>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.</p>
14	Landscaping (Compliance / details)
	<p>Details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works. The site shall be landscaped strictly in accordance with</p>

	<p>the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:</p> <ul style="list-style-type: none"> a) a scaled plan showing trees and plants to be planted with a minimum of thirty cubic metres of soil to ensure adequate rooting volume (corner of Bunhill Row and Banner Street); b) proposed hardstanding and boundary treatment: c) a schedule detailing sizes and numbers of all new trees/plants d) sufficient specification to ensure successful establishment and survival of new planting. <p>Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).</p> <p>Reason: To provide a satisfactory appearance to the development so as to safeguard and In the interest of biodiversity, sustainability, and to ensure a satisfactory standard of visual amenity.</p>
15	Roof-level structures (Compliance / details)
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
16	Loading / unloading hours (Compliance)
	<p>CONDITION: Deliveries, collections, unloading, loading of the commercial uses at the on-site loading bay shall only be between the following hours: Monday to Saturday - 07:00 - 19:00 Sundays/Bank Holidays - not at all</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
17	Plant noise (Compliance)

	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the façade 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 measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>The development shall be carried out strictly in accordance with the scheme so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations</p>
18	Submission of Details – Corner Treatment
	<p>CONDITION: Notwithstanding the plans hereby approved, revised drawings should be submitted to demonstrate an appropriate treatment of the ground floor corner of Bunhill Row and Banner Street which is shown on drawing 1999-X-GE-(SO)01PL Rev P02 as a blank wall.</p> <p>Amended drawings shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing on the site and the development shall be carried out strictly in accordance with the details so approved.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
19	Future Connection to DEN (future proofed)
	<p>CONDITION: The communal boiler shall be installed and operational prior to the first occupation of the development hereby approved.</p> <p>Details of how the communal boiler and associated infrastructure shall be designed to allow for the future connection to any neighbouring heating and cooling network shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</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: To ensure the communal boiler is provided and so that it is designed in a manner which allows for the future connection to a district system.</p>
20	Shop fronts (Compliance / details)
	<p>CONDITION: Typical elevations of the shopfronts hereby approved at scale 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works commencing.</p> <p>The shopfronts shall be carried out strictly in accordance with the elevations so approved, shall be maintained as such thereafter and no change there from shall</p>

	<p>take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is of a high standard.</p>
21	Small shops (Compliance)
	<p>CONDITION: The development shall be carried out strictly in accordance with the floorplans so approved, and no change therefore shall take place without the prior written consent of the Local Planning Authority.</p> <p>The commercial (retail) units on the ground floor of the building shall not be amalgamated or further subdivided unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The amalgamation or further subdivision of the commercial units is likely to have operational, transportation, aesthetic and amenity implications which would need to be considered under a separate planning application to ensure the provision of premises suitable for small businesses.</p>
22	Retention of architects (Compliance)
	<p>CONDITION: The current architect shall be retained for the design development phase of the project unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure continuity in the design approach and the standard of the appearance and construction of the development.</p>
23	Drainage Strategy (Compliance / details)
	<p>Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximise water quality, amenity and biodiversity benefits. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec.</p> <p>The drainage system shall be installed/ operational prior to the first occupation of the development.</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: To ensure the development achieves appropriate surface water run-off rates and rainwater recycling.</p>
24	Rainwater / Greywater recycling
	<p>CONDITION: Details of the rainwater and/or greywater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite. This may include a feasibility study.</p>

	<p>The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.</p> <p>The rainwater recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable use of water.</p>
--	--

List of Informatives:

1	Section 106 Agreement
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	Definition of ‘Superstructure’ and ‘Practical Completion’
	A number of conditions attached to this permission have the time restrictions ‘prior to superstructure works commencing on site’ and/or ‘following practical completion’. The council considers the definition of ‘superstructure’ as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of ‘practical completion’ to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London’s Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London’s CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are identified with an ‘asterix’ * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these identified pre-commencement conditions have been discharged/complied with.</p>
4	Car-Free Development
	(Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people

	or other exemption under the Council Parking Policy Statement.
5	Water Infrastructure
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
6	Working in a Positive and Proactive Way
	To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.
7	Materials
	In addition to compliance with condition 3 materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
8	Groundwater
	Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality . Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991
10	Rollershutters
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.

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 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 2011 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.3 Growth areas and co-ordination corridors

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

Policy 2.12 Central Activities Zone – predominantly local activities

Policy 2.13 Opportunity areas and intensification areas

Policy 2.18 Green infrastructure: the network of open and green spaces

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.9 Mixed and balanced communities

Policy 3.16 Protection and enhancement of social infrastructure

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.9 Small shops

Policy 4.10 New and emerging economic sectors

Policy 4.11 Encouraging a connected economy

Policy 4.12 Improving opportunities for all

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.20 Aggregates

Policy 5.21 Contaminated land

Policy 5.22 Hazardous substances and installations

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

Policy 7.11 London View Management Framework

Policy 7.12 Implementing the London View Management Framework

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs

Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.18 Protecting local open space and addressing local deficiency
Policy 7.19 Biodiversity and access to nature

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy
Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011 Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)
Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)

Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)
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)
Policy CS19 (Health Impact Assessments)
Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM2.5 Landmarks
DM2.6 Advertisements

Shops, culture and services

DM4.1 Maintaining and promoting small and independent shops
DM4.2 Entertainment and the night-time economy

Location and concentration of uses

DM4.7 Dispersed shops
DM4.8 Shopfronts

Employment

Health and open space

DM6.1 Healthy development
DM6.3 Protecting open space
DM6.4 Sport and recreation
DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.2 Energy efficiency and carbon reduction in minor schemes
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM5.1 New business floorspace
DM5.2 Loss of existing business floorspace
DM5.4 Size and affordability of workspace

DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning obligations
DM9.3 Implementation

D) Finsbury Local Plan June 2013

BC3 Old Street
BC8 Achieving a balanced mix of uses
BC9 Tall buildings and contextual considerations for building heights
BC10 Implementation

5. 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:

- Central London Zone (CAZ)
- Archaeological Priority Area
- Finsbury Local Plan Area
- Employment Priority Area (General)
- Bunhill & Clerkenwell Core Strategy Key Area
- Site Allocations – 148 Old Street

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

The following SPGs and/or SPDs are relevant:

- | Islington Local Development Plan | London Plan |
|---|--|
| - Environmental Design | - Accessible London: Achieving and Inclusive Environment |
| - Conservation Area Design Guidelines | - Housing |
| - Inclusive Landscape Design | - Sustainable Design & Construction |
| - Planning Obligations and S106 | - Planning for Equality and Diversity in London |
| - Urban Design Guide | |

APPENDIX 3: Design Review Panel Comments

CONFIDENTIAL



Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: DRP/030

Date: 28 August 2014

Sophie Brown
dp9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Dear Sophie Brown,

ISLINGTON DESIGN REVIEW PANEL

RE: Royal Mail House, 148 Old Street, London, EC1V 9BJ (pre-application ref Q2014/1146/MJR)

Thank you for coming to Islington's Design Review Panel meeting on 5 August 2014 for review of a proposed development scheme at the above address. The proposed scheme under consideration was for reconfiguration of internal layout, roof extensions to floors 6, 7 and 8, the creation of a new main entrance along Bunhill Row, change of use of ground floor from B1 to A1 (retail), erection of cladding to elevations fronting Old Street, Bunhill Row and Banner Street. (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (Chair), Thomas Lefevre, Ben Gibson, Paul Karakusevic, Simon Foxell and Philip Cave on Tuesday 5 August 2014 including a site visit in the morning, followed by a presentation by the design team, question and answers session and deliberations in the afternoon at Islington's Laycock Building, Laycock Street. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

Panel's observations

- **Concept:** The Panel was supportive of a series of aspects of the scheme, in particular the proposed refurbishment of the building and the regeneration of the site. They welcomed the moves to create a better public realm and interface between the building and the surroundings on Old Street and significantly also on Bunhill Row and Banner Street. The provision of cycle storage was also highlighted as a positive measure.
- **Accessibility and entrances:** Panel members queried whether there might be benefit in having an entrance on Old Street, possibly by extending the currently proposed entrance lobby as well since this is the principal road of the three surrounding the building. The Panel also believed that it was important to achieve a genuinely level access on Bunhill Row in order for the building entrance to interact successfully with the street. In general further work was needed to develop the quality of the public realm.

- **Architectural expression:** There was some debate surrounding the proposed treatment of the elevations. Some concerns were raised in relation to the excessive horizontality and the Panel felt that details of articulation and enrichment will be important to ensure there is an appropriate balance between horizontal and vertical emphasis. The Panel felt that the change from vertical to horizontal was not necessarily conceptually inappropriate but that a better understanding and explanation of the reasoning and detailing was required. It was felt that the proposed elevational approach was more successful to Bunhill Road and Banner Street than the Old Street elevation.
- **Old Street elevation:** The common feeling amongst panel members was that the elevation to Old Street was not fully resolved in terms of the resolution of the top and the relationship with the middle and the base of the building. There were concerns in relation to the expression of the base with the building presenting a very low shopfront. Therefore, it was felt that the base was too low with the middle looking very tall and stripy. Panel members were of the opinion that the urban impact should be the overriding criteria to the changing function behind the façade. The Panel suggested that there might be benefit in increasing the perceived height/proportions of the base. Concerns were also raised in relation to the expression of the top and its relationship with the adjoining building. They felt that further work was required in relation to the composition of this elevation and relationship with surrounding context. The Panel also noted that the signage to the proposed shops would need to be designed into the proposal in order to give a controlled coherent appearance.
- **Landscaping:** The Panel pointed out that further work was required in relation to the proposed landscaping in particular in relation to the internal courtyard and how that environment works. They were not convinced that tree planting as indicated in the presentation would be feasible.
- **Environmental performance:** As this major refurbishment offers a significant opportunity to improve the building's energy efficiency, the Panel thought that further information should be provided on the comparison between the pre-refurbishment and post-refurbishment carbon performance. Clear justification should also be provided on why a BREEAM Excellent rating cannot be achieved. The Panel commented that the provision of bicycle parking and associated facilities may need to be increased.

Summary

The Panel was generally supportive of the concept of regeneration and refurbishment of the existing building. However, Panel members felt that further work was required in relation to the interface with the public realm on Bunhill Row as well as landscaping and the Old Street elevation frontage.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning

application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

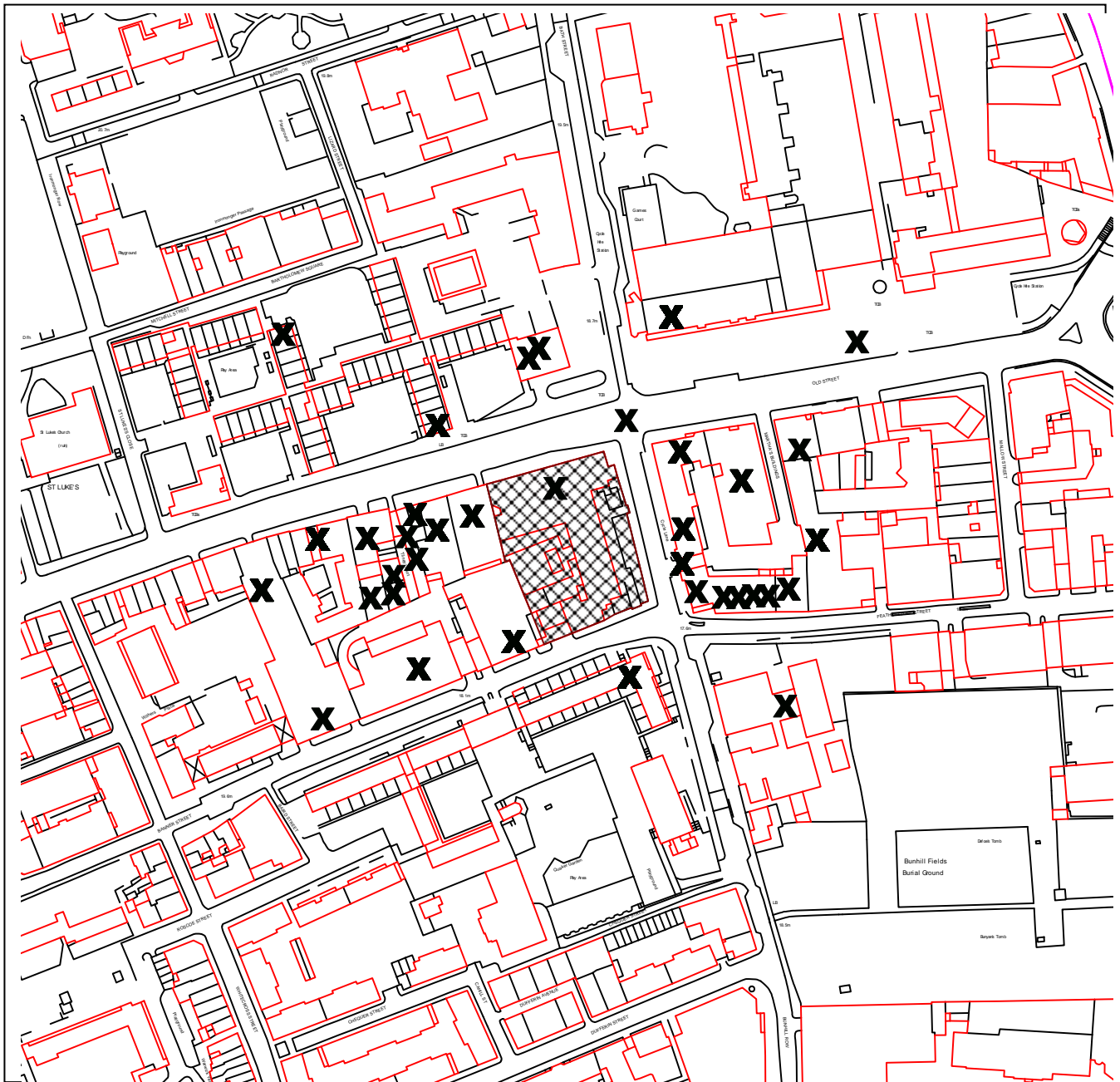
A handwritten signature in black ink, appearing to read 'Lucy', written in a cursive style.

Luciana Grave
Design Review Panel Coordinator/
Design & Conservation Team Manager





ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/4519/FUL

LOCATION: ROYAL MAIL HOUSE, 148 OLD STREET, LONDON,
EC1V 9BJ

SCALE: 1:2500

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Islington Council, LA086452

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 333
 222 Upper Street
 LONDON N1 1YA

PLANNING COMMITTEE		
Date:	24 February 2015	

Application number	P2014/3871/FUL and P2014/4040/LBC
Application type	Full Planning Application and Listed Building Consent Application
Ward	Clerkenwell Ward
Listed building	Grade II* Listed Building
Conservation area	Clerkenwell Green
Development Plan Context	Clerkenwell Green Conservation Area Article 4(2) Clerkenwell Green Archaeological Priority Area (Clerkenwell) Area of Special Character (Clerkenwell/Smithfields) Central London Area Central Activities Zone Employment Priority Area Rail Safeguarding Consultation Area Structure to be Retained Local View from Archway Road, Archway Bridge, Dartmouth Park Hill and Amwell Street Strategic View from Kenwood
Licensing Implications	Requires Premises License (not applied for)
Site Address	The Old Sessions House, 22 Clerkenwell Green, London EC1R 0NA
Proposal	Application for Planning Permission and Listed Building Consent for: Change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office and Private Members' Club (Sui Generis), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works (including excavation of sub-basement below yard).

Case Officer	Mr Nathaniel Baker
Applicant	Satila Farringdon Ltd
Agent	Miss Jen Sanders - Vail Williams LLP

1 RECOMMENDATION

The Committee is asked to resolve to **GRANT** Planning Permission subject to:

1. the conditions set out in Appendix 1 (Recommendation B); and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 (Recommendation A).

The Committee is asked to resolve to **GRANT** Listed Building Consent subject to:

1. the conditions set out in Appendix 1 (Recommendation C).

2 SITE PLAN (SITE OUTLINED)



3 PHOTOS OF SITE/STREET

Front elevation:



Clerkenwell Road elevation:



Clerkenwell Green elevation:



Farringdon Lane elevation:



4

SUMMARY

- 4.1 The planning and listed building consent applications propose the change of use of the currently vacant grade II* listed building to a mixed sui generis use, comprising retail, restaurant/bar, office and a Private Members' Club together with roof extensions, the creation of roof terraces, the excavation of a small sub-basement the installation of windows, repair works to the façade, erection of railings and a wall and extensive internal alterations and restoration works.
- 4.2 In accordance with Employment Priority Area (General) and CAZ policy aims the proposal would result in an uplift of business and employment floor space at the site,

while introducing uses complimentary to the primary business function of the area. The proposed Private Members' Club use of the building is materially similar to the previous lawful use of the site and together with the proposed retail/restaurant/bar and office uses is not considered to represent an over concentration of uses.

- 4.3 The proposed internal works, which include a loss of floor space would reinstate historically significant proportions to the property including the reinstatement of a double height Court Room, lower ground floor prisoner cells, the Judges' Dining Room and the repair of an 18th Century glazed screen. Together with the extensive refurbishment works and reinstatement of historic features, the internal works would enhance the significance of the listed building.
- 4.4 The proposed roof extensions represent simple and conventional additions that would respect the scale and proportions of the building, while views of the roof terrace would be limited. The proposed works to the façade of the building and reinstatement of historic boundary treatment would enhance the setting of the listed building and the character of this part of the Conservation Area. English Heritage Support these proposals.
- 4.5 The proposal would result in the loss of some historic fabric and form at the building which would amount to less than substantial harm to the Designated Heritage Asset. In accordance with the NPPF the public benefits of the proposal (heritage benefits, increased public access and active use of the building) have been assessed and are considered to outweigh any harm.
- 4.6 Representations have been received that raise concern over the use of the building resulting in disturbance to neighbouring occupiers. By securing the submission of a comprehensive Management Plan through a legal agreement, which would secure controls/mitigation measures required to justify the granting of any future licence for extended hours of operation at the site, adequate management and controls would be secured to mitigate any potential disturbance to neighbouring occupiers and the successful operation of the site.
- 4.7 The site is highly accessible by public transport and a taxi drop-off point is not required. The proposal does not include any off-street space suitable for cycle parking provision and the provision of cycle parking within the building would be harmful to the heritage asset. However, due to the highly accessible site location and previous site use, on balance the proposal is considered to be acceptable with regard to transport and highway issues.
- 4.8 The proposal would improve the energy efficiency and accessibility of the building.
- 4.9 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a S106 Legal Agreement to secure the necessary mitigation.

5 SITE AND SURROUNDING

- 5.1 The application site forms the western edge of Clerkenwell Green and is set on a central roundabout bounded by Clerkenwell Green to the north and east, Clerkenwell Road to the south and Farringdon Lane to the west. The Old Sessions House is a part two, part three storey Grade II* listed building and was formally the Middlesex Sessions House which was enlarged and remodelled in 1860 on all but the principal elevation and served as a Law Court until the 1920s.

- 5.2 Planning permission was granted in 1976 for the use of the building as a Masonic Lodge. The building has also operated as the Clerkenwell Conference Centre, providing private hire space for meetings and conferences, professional training courses, private events, exhibitions, wedding receptions and similar uses, with a Certificate of Lawful Existing Use granted in 2008.
- 5.3 Internally, the building has areas with a neglected appearance, a number of significant past alterations and a series of different floor levels and stairways.
- 5.4 The main entrance to the property is from the east elevation facing onto Clerkenwell Green with a secondary access to the ground floor from Clerkenwell Road to the south. A servicing entrance is located at lower ground floor level (pavement level) on the north elevation. The entrances to the west are fixed shut.
- 5.5 The surrounding area is predominantly commercial with some residential properties. To the west the site faces over Farringdon Lane and across the railway lines running into Farringdon Station to the south west (the former Fleet River Valley).
- 5.6 The site is located within the Clerkenwell Green Conservation Area, the Central Activities Zone (CAZ), an Employment Priority Area (General) and is set within a number of Local and Strategic views of St Paul's Cathedral from various viewing points.

6 PROPOSALS (IN DETAIL)

- 6.1 The applications propose the change of use from a Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office and Private Members' Club (Sui Generis), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works.

Planning Application

- 6.2 The planning application proposes the following:
- 6.3 Roof extension and roof terraces: The proposed roof extension would replace an existing hipped roof on the west side of the property with a tiled mansard roof extension incorporating rounded dormer windows. A roof terrace would project over the flat roof of the mansard, with a tensile steel cable balustrade and a sunken swimming pool.
- 6.4 On the north side of the property the roof extension would be set back from the parapet and would have a barrel form with metal cladding. It would extend over a stairwell and the proposed roof top plant.
- 6.5 Two tiled hipped roofs on the north and south sides of the property would be partially removed with the east facing pitch being retained.
- 6.6 Walls, railings and external alterations: The proposed stone wall would extend around the open south west corner of the property and would measure a maximum of 3.1 metres in height. It would incorporate two gates and gas lamps.

- 6.7 The proposed railings would extend around the north and west elevation of the building, replacing existing railings and following the original stone plinth still in place. The railings would match those on the south and east elevations.
- 6.8 The proposal would replace a number of non-original windows and open up original windows which are currently closed. Three original high level bullseye windows would be reinstated on the west elevation.
- 6.9 A brick infill within the lightwell fronting Clerkenwell Green would be demolished, four vaults would be opened up and Yorkstone pavers laid. The steps onto Clerkenwell Green would be repaired.
- 6.10 The facades of the building are proposed to be cleaned and repaired, including stone paint and the removal of a number of vents.
- 6.11 The proposed uses at the site are detailed below:
- 6.12 Lower ground floor: the proposal would introduce a restaurant/retail unit (measuring 461 square metres) within the central part of the building, accessed from Farringdon Lane; a retail/restaurant unit (measuring 74 square metres) on the northern side of the building accessed from Farringdon Lane and Clerkenwell Green with a shared ground floor toilet facility; a bar/restaurant/retail unit (measuring 165.5 square metres) on the southern side of the property accessed from Clerkenwell Road with a proposed external area at the south west corner of the site; and the use of the lightwell and reinstated vaults on the east of the site as an external area serving the central and southern units.
- 6.13 Ground, first and second floor: are proposed to be in Private Members' Club use (measuring 1985 square metres). The Private Members' Club use would include private hire for a variety of different uses including conferencing, training facilities and venue hire (weddings and private parties). The main entrance to this part of the building would be from Clerkenwell Green, while an entrance on the northern side of the property would serve as an entrance to the third floor offices and bar/restaurant. The second floor roof terrace would serve the Private Members' Club.
- 6.14 Third floor: the proposal would introduce a bar/restaurant use on the eastern side of the property (measuring 196 square metres) and office floor space on the western side of the property (measuring 160 square metres) with a small roof terrace.
- 6.15 Roof level: The existing roof area and the roof of the proposed roof extension are proposed as a roof terrace that would serve the third floor bar/restaurant and office uses at the site.

Listed Building Consent

- 6.16 The Listed Building Consent application proposes the works set out above in addition to the following:
- Reinstatement of the double height Court Room with balcony;
 - Reinstatement of lower part of 18th Century glazed screen between Court Room and domed hall;
 - Relocation of 19th Century first floor doors;
 - Removal of 19th Century stair to lower ground;
 - Restoration works to fourth floor Judge's Dining Room, including opening of original windows, and the introduction of a free standing reversible gallery;

- Reinstatement 23 fire places;
- Removal of extensive partitions and introduction of new partitions with details to match adjacent original walling; and
- General works to the remainder of the property include the new and repaired joinery, new cornices to match existing, repair works to chimneys, replacement of damaged render and stone and repairs to existing windows.

Revision 1:

- 6.17 The plans for the Planning and Listed Building Consent applications were amended on 11th December 2014 to revise the roof extension from a leaded barrel roof to a slate mansard roof, the retention of two areas of hipped roof and the reinstatement of the bulls eye windows in the west elevation. The plans were amended following discussions between the applicant, Planning and Design and Conservation Officers and English Heritage.
- 6.18 The draft Management Plan was amended on 15th December 2014 to reduce the hours of operation.

Revision 2:

- 6.19 A Construction Phasing Strategy was submitted on 3rd March 2015 following discussions between the applicant and the Planning Officer.

7

RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P2014/3878/FUL** - Change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar and office (Sui Generis use), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of boundary railings to rear and flank elevations and internal alterations/restoration works (including lowering of (including excavation of sub-basement below yard) – **Pending consideration**.
- 7.2 **P2014/4039/LBC** - Listed Building Consent for erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works to facilitate change of use of Old Sessions House from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office (Sui Generis use) – **Pending consideration**.
- 7.3 **P2013/1672/FUL** - Use as a Private Members' Club (Sui Generis) and associated uses including conference centre, exhibitions, training, presentations, product launches, fashion shows, antique and collectors fairs, weddings, bar mitzvahs, funerals, receptions, private parties, the provision of music, dance, entertainment, bar, lounge and health and fitness suite and sleeping accommodation and restaurant/bar within the lower ground floor accessible from Clerkenwell Road – **Withdrawn** (16/06/2014)
- 7.4 **P081514** - Certificate of Lawfulness (Existing) for use outside of Masonic Association, including conferences, training, receptions and similar uses - **Certificate Granted** (14/11/2008).

- 7.5 **P031047** - Erection of new railings along western boundary (Listed Building Consent) - **Granted Conditional Consent** (07/07/2003).
- 7.6 **P031046** - Erection of new railings along western boundary - Granted Conditional Permission (07/07/2003).
- 7.7 **970470** - Listed Building Consent application in connection with provision of library cabinets, glazed solid fire screens and upgrading of doors and frames - **Granted Conditional Consent** (19/02/1998).
- 7.8 **960847** - Internal alterations including replacement lift, installation of lockers, cloak racks and case racks - **Granted Conditional Permission** (12/03/1997).
- 7.9 **931676** - Installation of fire screens and doors to ground floor - **Granted Conditional Consent** (01/06/1994).
- 7.10 **870296** - Internal alterations to existing toilet facilities at ground floor level (Listed Building consent) - **Granted Conditional Consent** (30/07/1987).
- 7.11 **Case TP 87228/03.1** - Use of Part of basement as a wine lodge and licensed restaurant – **Granted Conditional Permission** (07/03/1974).
- 7.12 **Case TP 85874/03.1** - Use of the Sessions House for Masonic purposes – **Granted Conditional Permission** (21/04/1976).

Licensing Application:

- 7.13 Given the significant overlap of issues, the licensing history is set out below:
- 7.14 **Item B1** (Licensing Sub-Committee B) - Proposed variation of hours of sale of alcohol 06:00am - **Refused** (13/08/2013) - Note that the existing License permitted the sale of alcohol between 1000 – 2300 hours Monday to Saturday and 1200 to 2230 hours on Sundays.

PRE-APPLICATION ADVICE:

- 7.15 **Q2013/2698/MIN** - Formal pre-application advice has been given on the site. However, this was not submitted by the current applicant, and therefore further detail is not given here.
- 7.16 **Q2014/1046/MJR** - The proposal has been subject to ongoing pre-application discussions. The key points which required further consideration during the pre-application process were:
- Unresolved uses;
 - Management of the property;
 - Hours of operation; and
 - Form of roof extension and inclusion of swimming pool.

- 7.17 **PA0043478** - Formal pre-application submission to English Heritage.

ENFORCEMENT

- 7.18 E/2014/0182 - Unauthorised works to a Listed Building (Grade II*) - No action taken and case closed (19/06/2014).

CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 154 adjoining and nearby properties at Clerkenwell Road, Britton Street and Clerkenwell Green on the 9th October 2014. Following the receipt of amended plans/additional information the application was re-notified on the 17th December 2014 with occupants of 160 adjoining and nearby properties notified including additional occupants at Sekforde Street, St Johns Walk and Aylesbury Street. A site notice and press advert were displayed on 16th October 2014 and again on the 18th December 2014. The public consultation on the application therefore expired on 8th January 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 a total of 9 responses had been received from the public with regard to the planning and listed building consent applications. These consisted of 8 objections and 1 letter of support for the proposal, one of the objections was amended following the receipt of the amended plans and Management Plan, however no additional considerations were raised. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Objections:

- The roof extension, alterations to the roof and the roof terraces (inclusive of the pool) are not in keeping with the Conservation Area (Para 10.31 – 10.35);
- The changes to the façade go against the listed regulations (Para 10.38 and 10.40);
- There are a sufficient number of bars and restaurants within Clerkenwell (Para 10.20 and 20.21);
- Concerns raised regarding highway safety due to the building users standing on the pavement (Para 8.30, 10.67 and 10.70);
- The proposal would result in disturbance from cars/taxis (Para 10.69, 10.72 and 10.89);
- Concern raised regarding disturbance from those leaving the building late at night (Para 10.69);
- It will cause light pollution to neighbouring occupiers (Para 10.75);
- The proposal would result in increased anti-social behaviour in the surrounding area (Para 10.69 and 10.71);
- The proposal would increase noise to local residents, particularly from the roof terraces (Para 8.33, 10.74 and 10.76);
- It is not clear how the daily operation would work (Para 10.18);
- The proposal does not contribute to the area (Para 10.23);
- The application is speculative as there is no secured tenant and therefore the use could change (Para 10.69);

- The building has rarely been used for events and the previous use differed and therefore these should not form material considerations (Para 10.6 and 10.8);
- The Noise Impact Statement erroneously states that only an office block faces the south of the site, there are two residential buildings to the south (Para 10.74 and 10.108);
- The proposal details a total capacity of 1366 people with 150 employees, at just over 2 metres per person the capacity is excessive and could lead to Health and Safety issues (Para 10.109);
- Concern raised regarding how the proposed management plan would be enforced (Para 10.72);

Support:

- The proposed sympathetic internal and external restoration works will respect and restore much of the original architectural splendour of this historic building;
- The proposed alterations would not detract from the buildings context within a Conservation Area and will provide benefits to the local community and visitors;

Comments:

- The building should be used in conference function, as exhibition space or a hotel (Para 10.106);
- The proposed use should close no later than 2300 hours and 2400 hours at weekends (Para 10.71);
- Appreciate that bringing the building back into public use could benefit many people and the local economy;
- Broadly welcome the redevelopment of the building;
- Works have been carried out without permission at the site (Para 7.18); and

Non-planning Issues:

- Together with other surrounding developments the construction works involved in the proposal would result in disturbance to neighbouring occupiers and impact upon the highway network (Para 10.107).

8.3 The applicant has submitted written responses to the representations received.

External Consultees

8.4 **English Heritage** – We recognise the substantial heritage benefit associated with the proposals and welcome the positive revisions to the scheme. Conditions are recommended regarding the cleaning (Listed Building Condition 10) and re-rendering of the exterior (Listed Building Condition 3) and a management agreement to restrict the level of paraphernalia associated with the roof terraces (HoT 10). Additionally, it is recommended that the provision of occasional public access to significant spaces is explored further.

Internal alterations: The significant heritage gains are recognised, particularly the reinstatement of the original Georgian screen, the double height volume in Court No. 1 the rationalising of the services, and the extensive reinstatement of historic features throughout the interior. The removal of some of the interesting Pownall features, such as the stone staircase to the rear, is undesirable but necessary in order to reinstate the original proportions of Court No. 1. The gallery in the Judge's Dining Room, would cause some harm to the appreciation of the internal volume of the room, however, this intervention would be free-standing and therefore reversible.

Public access will be provided to important parts of the building such as the prison cells at basement level and to the Pownall dining room which is welcomed in principle. However, these areas will only be accessible to the paying customers and it is not clear whether any of the important spaces will be accessible to the wider public (Para 10.55 and 10.57).

As identified in the Heritage Statement, the entrance hall was intended for general public access from Clerkenwell Green. Therefore the reinstatement of this in some way would be strongly welcomed by English Heritage and would reinforce the building's important civic relationship with the Green. This could potentially be achieved by using the entrance hall as the reception area for the club or office, but allowing the public to access and appreciate this significant space via main entrance (Para 10.57).

External alterations: The reinstated railings, gas lights and Yorkstone paving and the removal of the brick infill in the lightwell would enhance the character of the listed building and improve its relationship with Clerkenwell Green.

The reinstatement of the bullseye windows in the west elevation is welcomed. The proposed cleaning of the building façade and application of stone dust paint should be subject to a trial in a discreet part of the building (Listed Building Condition 3).

Roof extension and roof terrace: The most sensitive issue is the erection of a roof extension in place of the hipped roof structure above the Court Room to the rear of the building. The intervention is acceptable in principle. The conventional roof extension is proposed with dormers that align with the openings below and is acceptable.

It is noted that the eastern parts of the Victorian hipped roofs to the north and south of the dining hall will now be retained, this is a significant improvement.

The roof terraces are proposed to compensate for the loss of floor space in the Court Room. Whilst this provides some justification for the intervention, the extent of loss of the remaining historic roof structures is undesirable and we would particularly encourage the retention of the hipped roofs which flank the dining room to the north and south.

No objection to the swimming pool however, a management agreement should be put in place to restrict the associated paraphernalia for the roof terraces and pool (Listed Building Condition 13).

- 8.5 **English Heritage (GLASS)** – The site falls within archaeologically sensitive location on what was Clerkenwell Green and the submitted archaeological assessment identifies a high potential for medieval remains. The proposed works are of a relatively small scale and subject to a condition (Planning Condition 6) and an informative no objection is raised.

- 8.6 **Crime Prevention Officer** – No response received.
- 8.7 **Thames Water** – No objection subject to a conditions and informatives.
- 8.8 **London Borough of Camden** – No response received.
- 8.9 **Network Rail** – No objection subject to the proposal and construction works not impacting upon Network Rail land or operations. Informatives are recommended.
- 8.10 **Crossrail 1** – The implications of the Crossrail proposals for the application have been considered and Crossrail Limited do not wish to make any comments on this application as submitted.
- 8.11 **London Fire and Emergency Planning** – The Brigade is satisfied subject to the proposal meeting the requirements of Approved Document B5 of the Building Regulations.
- 8.12 **London Underground** – No comment.
- 8.13 **Transport for London (Road Network Development)** – No objection to the principle of the development subject to conditions (Planning Conditions 12 and 17, and HoTs 5, 6 and 7).
- 8.14 **Clerkenwell Green Preservation Society** – The proposal would cause significant harm to the listed building and is contrary to national and local policy. If granted permission it would cause irreversible damage to a unique heritage asset and the Conservation Area.

The proposed extensions and roof terrace would detrimentally impact upon the listed building and conservation area. There are no benefits that would outweigh the harm to the heritage asset. The building should be open to the public.

The proposed partitioning and internal works would result in the loss of former character and the swimming pool could lead to water damage.

The increased intensity of use and proposed uses would create significant night-time activity that would be detrimental to surrounding occupiers. A holistic approach to use should be made. The application fails to address concerns regarding public amenity.

- 8.15 The applicant has submitted a written response to this consultee response.
- 8.16 **Council for British Archaeology** – No response received.
- 8.17 **London and Middlesex Archaeological Society** – No objection to the use of the site. Concern raised regarding level of detail provided on floor plans. No objection to sub-basement. The removal of the mezzanine floor in the Court Room is welcomed. The roof extension is not sympathetic. Roof plant should be located to minimise its visibility and balustrades should be glazed.
- The applicant has submitted to the Council a written response to this consultee response.
- 8.18 **Georgian Group** – No response received.
- 8.19 **The Islington Society** – No response received.

- 8.20 **Victorian Society** – No response received.
- 8.21 **Ancient Monument Society** – No response received.
- 8.22 **Society for the Protection of Ancient Buildings** – No response received.

Internal Consultees

- 8.23 **Planning Policy** – Local Plan Policy in the CAZ and its Employment Priority Areas aim to protect and encourage a wide variety of employment floorspace but particularly 'B' use floor space. The proposal represents a lost opportunity to secure greater business floorspace and the applicant has not provided detailed specific site circumstances that would justify the under provision of office space.

It is recognised that the proposed use would contribute to employment in a wider business sense. However, it is regrettable that gallery/exhibition space or another appropriate ground floor use is not proposed.

The small office and retail/restaurant/bar floor space would constitute Small Enterprises. There is a question of the separation of these uses.

While the building has certain constraints, to the proposal should maximise the provision of business floorspace. This has not been demonstrated. A contribution to off-site housing should be made.

Employment Priority Areas allows for the location of new entertainment uses within the CAZ. The site is located over 200 metres from the nearest school but the building is located within a Cumulative Impact Area for alcohol licensed premises.

The provision of a small A1/A3 use is supported in policy terms.

Notwithstanding this, the private Members' club element of the proposal is considered materially similar to the existing use and the case officer will need to come to a balanced judgement on this element.

- 8.24 **Licensing** – Licensing policy sets out the preferred closure hours of:

Nightclubs: 0100 hours Sundays to Thursdays and 0200 hours Fridays and Saturdays.

Restaurants, Cafes and Bars: 2300 hours Sundays to Thursday and 0100 hours Fridays and Saturdays.

The proposed hours would generally fall within the preferred hours, with the exception of the proposed opening to 0200 hours Monday to Thursdays for the Third floor bar and basement uses.

However, the premises are located within a Cumulative Impact Policy area and any proposal to extend the licensed hours beyond the existing hours is likely to be contested. Any future licence applicant would need to provide evidence in relation to the promotion of the Licensing Objectives to demonstrate an exception to this policy.

- 8.25 **Access and Inclusive Design Officer** – There is no step free access to the main entrance. There is potential for the adjacent lightwells to house a platform lift or ramp. The level access and refurbished lift at lower ground floor level is not welcoming or equivalent. Level access is available to the restaurant, this is welcome.

Concern that the lower ground floor restaurant and ground floor level have no accessible WCs, which is unacceptable.

The lift does not include the requisite 1500x1500mm manoeuvring space to the front at first or second floor level. There is no lift access to the roof, if there would be a problem with the passenger lift's overrun, platform lifts between the third floor and the roof could be provided. The proposed gallery is served only by a spiral stair which will not be accessible to ambulant disabled people.

There are several level changes throughout the building, where an accessible route should be provided.

8.26 Design and Conservation Officer – The proposed Private Members' Club use is possibly one of the best uses for the building. It is a use which requires a high quality built environment which allows removal of harmful subdivisions and allows public access. However, some aspects of the proposals will result in the loss of late C19 fabric and cause less than substantial harm. This harm is outweighed by the proposed public/heritage benefits.

The reinstatement of the original Court Room proportions and architectural detailing of this extremely important room is a substantial public/heritage benefit.

The rarity and outstanding significance of the surviving part of the C18th glazed screen is recognised. The harm arising from the removal (and relocation) of C19th fabric is outweighed by the enhancement of reinstating the lower part of the C18th glazed screen.

The harm arising from the removal of C19th stairs to the basement is outweighed by the enhancement of reinstating the C18th plan form and the justification for the need for quality interior space and the wider enhancements / public / heritage benefits that the proposed use of the building will provide.

The gallery to the Judges' dining room is acceptable as it has been designed to be a freestanding object which is reversible.

No concern is raised regarding the proposed roof terraces to existing flat roofs utilising existing parapets. The removal of some pitched roofs (retaining two sections to the front elevation) causes harm but the wider enhancements/public/heritage benefits that the proposed use of the building will provide. Balustrades have been set back as far as is practically possible to reduce visibility and are to be constructed of tensile steel cables to have the least visual impact from long views.

The harm arising from the construction of a roof extension is outweighed by the justification for the need for additional floor space arising from the loss of floor space resulting from the wider enhancements / public / heritage benefits proposed. English Heritage is of the view that a slated mansard roof best responds to the architecture of the building. Marked up photos show that the roof extension is only visible from (very) long views.

With regard to the swimming pool it has been demonstrated that should the means of holding a large body of water at high level fail the leakage arising would not harm any sensitive historic interiors because it would be caught by a 'second skin' of tanking and backup drainage system.

The reinstatement of the wall to the former prisoners yard shown on the 1877 plans is welcomed.

- 8.27 **Energy Conservation Officer** – Given that the building is Grade II* listed and as such are unable to upgrade the fabric then there is little that could be required. The Green Performance Plan is broadly acceptable.
- 8.28 **Sustainability Officer** – No objections.
- 8.29 **Transport Planning Officer** – To cope with the impact of the proposed development, the applicant should make a site specific S106 contribution towards footway improvements in the vicinity of the site. The designs should incorporate at least some cycle parking within the site. Any shortfall should be met by a financial contribution for publicly accessible bicycle racks. A more detailed service and delivery plan should be submitted prior to commencement (Planning Condition 12).
- 8.30 **Highways** – The servicing area is likely to be the best location but this depends upon the type of vehicle used. Further details required on servicing relevant to the specific occupier. There are a number of short stretches of single yellow lines in the immediate vicinity of the site and at this stage I am not inclined to require a taxi drop off point. Should a taxi drop off point be proposed then this should not replace existing provision.
- 8.31 **Tree Preservation / Landscape Officer** – The proposed excavation within close proximity to street trees raises concerns. Where street trees are not compatible with the proposal there will need to be an overriding justification for their removal and appropriate mitigation in the form of a contribution of their CAVAT (Capital Asset Value for Amenity Trees) value. The applicant should submit an Arboricultural Impact Assessment (Planning Condition 14).
- 8.32 **Refuse and Recycling** – The waste management details as set out in the draft Management Plan are acceptable. Recommend condition (Planning Condition 15) requiring details of refuse/recycling store prior to occupation.
- 8.33 **Public Protection (Noise Issues)** – No objection subject to the submitted noise management plan being adhered to and conditions requiring a report of plant noise to be submitted, and restricting plant noise, amplified music and sound and the hours of servicing and delivery.

9 RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 The National Planning Policy Guidance 2014 provides planning practise guidance for the implementation of the policies set out in the NPPF. The NPPG is a material consideration and has been taken into account as part of the assessment of these proposals.

- 9.3 On the 28th November 2014, a Ministerial Statement and revision to the Planning Practise Guidance (PPG) were published.

Development Plan

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

Designations

- 9.5 The site has the following designations under the London Plan 2011 (Consolidated with Alterations 2015), Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Plan: Area Action Plan 2013.

- Grade II* Listed Building
- Clerkenwell Green Conservation Area
- Article 4(2) Clerkenwell Green
- Archaeological Priority Area (Clerkenwell)
- Area of Special Character (Clerkenwell/Smithfields)
- Central London Area
- Central Activities Zone
- Employment Priority Area
- Rail Safeguarding Consultation Area
- Structure to be Retained
- Local View from Archway Road
- Local View from Archway Bridge
- Local View from Dartmouth Park Hill
- Local View from Amwell Street
- Strategic View from Kenwood

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Environmental Impact Assessment

- 9.7 An EIA screening was not submitted. However the general characteristics of the site and proposal are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

10 ASSESSMENT

- 10.1 The planning and listed building consent applications are both assessed below.

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

- Land Use;
- Design and Heritage;
- Listed Building Works;
- Assessment of Harm;
- Accessibility;
- Neighbour amenity;
- Sustainability, Energy efficiency and renewable energy;

- Highways and transportation implications;
- Trees; and
- Planning Obligations.

Principle of Development

- 10.3 The grade II* listed former Middlesex Sessions House is of outstanding significance for the quality of its architecture and historic value. The existing building has been vacant since its sale in 2013 and was previously occupied by the Free Masons. A number of areas both internally and externally have a neglected appearance and there are extensive works which do not benefit from consent and are considered harmful to the building.
- 10.4 This unfortunate under-use of a significant, readily-accessible central London site could potentially be remedied by refurbishment and redevelopment. This provides an opportunity to bring a prominent and significant listed building back to use, whilst restoring significant historic features and layouts. The principle of redevelopment is therefore welcomed in design and conservation terms.
- 10.5 The above in-principle position regarding the refurbishment and redevelopment of the site accords with the National Planning Policy Framework's presumption in favour of sustainable development.

Land-use

- 10.6 The Old Sessions House has a lawful use for Masonic purposes (Sui Generis) dating back to 1976 and an established use as a private hire space for meetings and conferences, professional training courses, private events, exhibitions, wedding receptions and similar uses (application ref: P081514). The previous Masonic use catered for meeting and dining facilities for 234 Lodges, equating to Membership in excess of 4500 Free Masons, attending nearly 800 meetings per year during the Masonic season of September to June. The property is currently vacant with preliminary internal works having been carried out by the applicant.
- 10.7 The proposal would introduce retail, restaurant and bar uses at lower ground floor level, a Private Members' Club (PMC) inclusive of private hire for conferencing, training facilities, weddings and private parties spread over the ground, first and second floors and a restaurant/bar and office use at third floor level.
- 10.8 The previous (and lawful) Masonic use of the building effectively operated as a PMC with the provision of private hire space and therefore, in the most part, this part of the proposal is materially similar to the existing use, albeit with a reduced floor area.

Private Members' Club:

- 10.9 London Plan policies 2.10 and 2.11 recognise the 'mixed' nature of much of the CAZ and seek to enhance and promote the unique international, national and London wide role of the CAZ through the promotion of a range of mixed uses including business services and night time activities where this would sustain the heritage of the CAZ. As set out above, the previous (and lawful) Masonic use of the building is materially similar to that proposed and was used as such for an extensive period of time. Whilst the proposal would also introduce other uses across the building, the PMC use would continue to represent a unique use to this part of the CAZ that would not only be similar to the previous use, but would also represent a mixed use scheme that would complement the unique role of the CAZ. Although the Masonic use has

ceased at the site, the longevity of the previous occupation of the site has shown that such a use is sustainable in this location.

Employment floor space:

- 10.10 The site is located within an Employment Priority Area (General) where Core Strategy policy CS13 and Finsbury Local Plan policy BC8 safeguard existing employment floor space and encourages new employment floorspace (particularly business floorspace) to locate in the CAZ where access to public transport is greatest. New business floorspace is required to be flexible to meet future business needs and shall include the provision of a range of unit types and sizes, including those suitable for Small/Medium Enterprises (SMEs).
- 10.11 Finsbury Local Plan Policy BC8 states that proposals should incorporate the maximum amount of business floorspace reasonably possible on the site. However, it then adds that the employment floorspace of a development should not be unfettered commercial floorspace (B1a) but where appropriate must also include retail or leisure uses at ground floor alongside a proportion of non-B1a or business-related floorspace and/or office B1a or retail floor space suitable for accommodation by SMEs and/or affordable workspace.
- 10.12 Policy BC7 sets out that this part of London will be protected and enhanced through heritage-led development that reinforces its uniqueness, integrity and social-cultural value; providing for limited expansion in floorspace. This policy encourages the provision of a range of employment uses, including space for SMEs, retail and leisure uses where these would positively reinforce the character of the street or space and should provide active ground floor frontages to major roads and key routes.
- 10.13 The proposed change of use would increase the quantum of employment floor space at the site by 49 square metres, introduce a greater variety and number of employment uses at the site, including conferencing and training facilities as part of the PMC, bring activity to the street level frontage onto major roads and would incorporate an element of office (B1a) floor space.
- 10.14 The proposed uses of the building would provide a range of facilities that are considered to be supportive and complementary to the primary business role of the area. The increase in the number of and varied size of the commercial units together with the mix of uses and high level of public access to the site would ensure that the building would be flexible to future business needs and would not compromise economic function/growth. In addition to this, the proposal would undoubtedly increase the level of employment at the site from the previous (and current vacant) use of the building. As such, while it is acknowledged that the proposal would not maximise the amount of business floor space at the site, it would represent an uplift in both business and employment floorspace, which is considered to be generally in accordance with the aims of the Employment Priority Area (General) and the CAZ and would be likely to increase job numbers at the site.
- 10.15 Notwithstanding this, the proposal represents a heritage-led development that invests in and ensures the continued use of an important grade II* listed building that is identified in the Finsbury Local Plan as a feature of local importance that contributes to the special character of historic Clerkenwell, while the proposed use of the building would reinforce its uniqueness, integrity and social-cultural value.
- 10.16 In accordance with Core Strategy Policy CS13 and Finsbury Local Plan policy BC7 and BC8, the proposal would incorporate a small office area and small

retail/restaurant/bar uses at the site which would represent suitable accommodation for SMEs.

- 10.17 Finsbury Local Plan policy BC8 part D sets out that where a net increase in office floorspace is proposed, the development should also incorporate housing up to 20% of the floor area and where this is not possible provide a contribution towards housing off-site. The subdivision of the building into residential units would be harmful to the significance of the grade II* listed building and therefore not appropriate. While a contribution would typically be sought, for this reason, that the office element of the proposal is minimal (20% of which would constitute 32 square metres, i.e. below minimum residential floor areas) and that the primary function of the building would fall outside of business use, a contribution is not considered to be reasonable in this case.
- 10.18 It is noted that the Policy Officer has raised concerns regarding the adequate separation of the uses in the building. The lower ground floor uses at the property would each benefit from a dedicated access, with a secondary entrance from the PMC to the central retail/restaurant unit. The Draft Management Plan details that the northern entrance onto Clerkenwell Green would serve the third floor of the building while the main entrance onto Clerkenwell Green would provide access to the PMC. The legal agreement secures the provision of a full Management Plan that would include full details of the separation of the uses. Furthermore, any change to the proportion of uses detailed on the plans would represent a change of use within the Sui Generis use class and would therefore require planning permission.

Night time economy and concentration of uses:

- 10.19 Development Management policy DM4.2 states that night-time economy uses are appropriate within Clerkenwell, while policy BC8 of the Finsbury Local Plan states that new entertainment uses will only be allowed within Employment Priority Areas, as is the case here. Policy DM4.3 establishes where these uses are appropriate, stating that restaurants, drinking establishments and similar uses should not have a negative cumulative impact due to an unacceptable concentration of such uses in one area and should not cause unacceptable disturbance or detrimentally affect the amenity, character or function of an area. It should be noted that the site falls within a Cumulative Impact Area, as designated under Licensing Policy where there is an identified abundance of licensed premises.
- 10.20 The previous use of the site included two bar areas, extensive dining facilities and private hire facilities for functions with no planning restrictions on the hours of operation and a high number of potential site users. This proposal would introduce a PMC use and up to four additional night time economy uses (two restaurants and two restaurant/bars) to the site. While this would cumulatively increase the number of night time economy uses within the locality, the proposed uses include varied and complimentary uses that would ensure a balance of day and night time uses.
- 10.21 Additionally, the re-use of this grade II* listed building with retail, restaurant, bar and office uses would provide activity to the street frontage and introduce some publicly accessible spaces where this has previously been severely limited. As such, the proposal would not result in an unacceptable concentration of such uses in this area and the proposed uses would be in keeping with the character and function of the area. It should also be noted that the proposed uses that would serve alcohol are located over 200 metres from any schools.

- 10.22 Although the previous occupiers, the Free Masons have relocated within the CAZ, (premises at Worcester Point, Lever Street) this is considered to be a significance distance from the existing site such that it would avoid an unacceptable over concentration of similar uses within the area.

Conclusion:

- 10.23 The proposed change of use at the site would ensure the continued occupation and significant investment into this grade II* listed building identified as a feature of local importance, that contributes to the special character of historic Clerkenwell.
- 10.24 In accordance with Employment Priority Area (General) and CAZ policy aims the proposal would result in an uplift of business and employment floor space at the site, while introducing uses complimentary to the primary business function of the area. The proposed PMC use of the building is materially similar to the previous lawful use of the site and together with the proposed retail/restaurant/bar and office uses is not considered to represent an over concentration of uses.
- 10.25 Additionally the Design and Conservation Officer considers the proposed use, subject to appropriate management to be the best suited for the historic layout of this building.
- 10.26 As such, it is considered that on balance the proposed change of use is broadly acceptable in land use terms, subject to an assessment of all other relevant policy, the impact upon the listed building, the provision of a management plan and any other relevant material planning consideration, including Licensing issues.

Design and Heritage

- 10.27 The former Middlesex Sessions House is of outstanding architectural and historic significance. The history of the building is discussed in detail in the Survey of London. In summary it was designed c.1778-82, by Thomas Rogers; enlarged and remodelled on all but the principal front in 1860 by Frederick Hyde Pownall with the ashlar-faced wing to the south added at some time between 1876 and 1914. The façade is notable for its low-relief carved panels by Joseph Nollekens, oval medallions of Justice and Mercy, portrait of George III in the central bay, and fasces and swords in the outer bays. Although substantially altered in the 19th Century and 20th Century many of the interior spaces remain architecturally impressive.
- 10.28 The NPPF (2011) details that when considering the impact of a proposed development on the significance of a designated Heritage Asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the Heritage Asset or development within its setting. As Heritage Assets are irreplaceable, any harm or loss should require clear and convincing justification.

Roof Extensions:

- 10.29 The Clerkenwell Green Conservation Area Design Guidelines states that roof extensions visible from the street will not be granted where this is harmful to the character and appearance of the building.
- 10.30 The proposed mansard roof extension would replace an existing hipped roof in the same location. The existing hipped roof incorporates a large and incongruous

rooflight and was rebuilt in the 1990s following extensive fire damage to this part of the building, with very few original structural beams retained. Views of the existing roof are afforded from Farringdon Road and in longer views to the west.

- 10.31 The mansard roof extension would be tiled with a roof terrace above and would incorporate dormer windows in the west elevation that would align with the principal windows in the elevation below, while in the north and south elevations these would align with the spaces between the larger windows below. The use of a tiled roof slope would reference the existing tiled roof and the dormer windows would provide rhythm to any limited views of the extension. The roof extension would not replicate the historical detail of the building but would instead represent a simple and conventional addition that would respect the scale and proportions of the building.
- 10.32 Although the removal of the hipped roof, which represents evidence of the historical extension of the building, would cause harm, this part of the roof has largely been rebuilt and the proposal would retain the structural internal beams. Additionally, due to its modest height and its set back from the parapet roof edge, views of the roof extension would be limited, while the domed roof of the building, which is of great significance, would be maintained as the dominant roof structure.
- 10.33 Although the proposed roof extension includes a swimming pool at roof level, this would be set into the proposed roof extension level with the terrace and therefore would not be visible in views from the surrounding public area.
- 10.34 The proposed roof extension to the north of the building would take the form of a leaded Victorian barrel vault extension. The roof extension would reference the Victorian design of the large leaded roof form over the east of the property, but would have a smaller and simpler form. While limited views would be afforded from Farringdon Road to the north, due to its small scale, use of leaded cladding and historic form, the proposed roof extension would appear as a subordinate addition that would not detract from the character and appearance of the listed building.
- 10.35 Two existing small hipped roofs to the north and south of the roof slope are proposed to be partially removed to provide access to the roof terrace and a roof top plant area. Although these roofs project above the height of the eastern parapet, views of these roofs from the surrounding public area are extremely limited. Notwithstanding this, the proposal would retain the hipped element of both roofs on the east side of the property, maintaining the appearance of the eastern elevation. However, the proposal would introduce roof top plant housing on the northern side of the property, which appears to be a leaded projection leading back from the retained hipped roof. This element of the roof extension would be small in scale and set back from the parapet edge. However, to ensure that this is as discreet as possible a condition is recommended requiring details of all roof top plant and the lift overrun to be submitted to and approved in writing by the Local Planning Authority.

Roof Terrace:

- 10.36 The proposed roof terrace over the main part of the property would involve the erection of a 1.1 metre high tensile steel cable balustrade and a swimming pool. The roof terrace would be visible in longer views of the site. However, the use of tensile steel cable balustrades reduces the extent of visible form, which together with the set back of the balustrade from the building edge and the height of the roof terrace, minimises the visibility of the terrace. It is appreciated that associated paraphernalia and lighting could draw attention to the roof terrace and detract from the setting of the listed building, as such, details of the roof terrace management are required as part

of the wider site Management Plan (HoT 10) and lighting details are required to be submitted by condition (Planning Condition 11).

- 10.37 The proposed second floor roof terrace would be set to the rear of existing high level stone balustrades, which restricts views of this area.

External works:

- 10.38 The proposal includes the replacement, reinstatement and repair of a number of windows across the property. Where windows have previously been painted over or damaged they would be cleaned and repaired, a number of blocked windows on the west elevation would be opened up and historically inaccurate windows replaced. The proposal includes the reinstatement of three bullseye windows where these have previously been replaced with incongruous square windows and works to a number of doorways. The proposed windows and repair works to windows and doors would provide more historically accurate detailing and a consistency to the elevations (Planning Condition 3 and Listed Building Condition 3).

- 10.39 The proposed railings would be set within an existing stone plinth on the south and west side of the property and would replicate the design of the 19th Century railings on the east and south sides of the property. Traditional gas lamps would also be added to the railings on the east side. The proposed wall to the south west corner of the site would reinstate the original 19th Century stone wall surrounding the prisoners yard, including gates and gas lamps. The boundary treatment proposed would reinstate original and traditional design features to the site and would enhance the setting of the listed building (Listed Building Condition 3).

- 10.40 Other external works include the removal of a number of vents and ducts, the cleaning and repair of the facades and the introduction of external lighting to illuminate the building. The repair and cleaning works would not result in the building appearing new, but would include a patina to reflect the historic ageing and evolution of the building. Together with the removal of the vents and ducts, the works to the façade would reinvigorate the elevations. The introduction of lighting can often be successful in enhancing the setting of a historic building, however, any lighting would need to be subtle and add to the visual character of the building and locality. As such, a condition is recommended requiring details of the lighting strategy to be submitted so that a full assessment can be made (Planning Condition 11).

- 10.41 The proposed works to the front lightwells include the excavation of four vaults, the demolition of a brick infill below the front steps and the laying of paving within this area. These works would provide an active use and high quality materials to this currently redundant and undistinguished space.

- 10.42 The proposed sub-basement would be located below the former prisoners yard in the south west corner of the site. There would be no elements of the sub-basement visible at ground floor level and it would not impact upon the plan form of the listed building.

Works to Listed Building

- 10.43 In addition to the proposed external works to the property, the proposal includes extensive internal works that require solely listed building consent.

- 10.44 Historically, the building has been extended with associated alterations to the internal layout and features. However, extensive partitioning, alterations to circulation space

and the removal/alteration of historic fabric carried out largely in the 20th Century has resulted in the historic floor plan being distorted and the loss/deterioration of historic fabric across the building. Notably the insertion of a floor to the original double height Court Room, the enclosure of the 18 Century glazed screen to the Court Room and the subdivision of the lower ground floor are considered to be particularly harmful to the building.

- 10.45 The partitions proposed to be removed would largely reinstate the 18th Century plan form of the listed building while removing harmful 20th Century intrusions, allowing the scale and historic function of the building to be read.
- 10.46 Although resulting in a substantial loss of floor space, the reinstatement of the original double height Court Room proportions, architectural detailing and reuse of the surviving 18th Century glazed screen, which is of rare and outstanding significance, would represent a significant heritage benefit. This would ensure that the original function of the building could be read and enhance the significance of the building.
- 10.47 The removal of the 19th Century stairs from ground floor to lower ground floor would result in harm to the listed building but is necessary to reinstate the original proportions of the Court Room which is of a greater significance to the listed building.
- 10.48 The general internal works include the reinstatement of 23 fireplaces, joinery work, cornicing, repairs to stone floors, paint work and the amalgamation of the internal services which would provide a high quality environment that would enhance the significance of the listed building.
- 10.49 Although the proposed gallery to the Judges' Dining Room would cause some harm to the appreciation of the internal volume of the room, this structure would be free standing and therefore reversible.
- 10.50 Details of a safety mechanism for the proposed swimming pool have been submitted. These details ensure that should there be any breach of the swimming pools water that a secondary skin would provide adequate protection from water leaks to the floors below.
- 10.51 Conditions are recommended with regard to submission of details prior to the commencement of works to ensure that the appropriate quality of finishes of appropriate high quality would be delivered.

Assessment of Harm

- 10.52 Although some of the proposed works would result in harm to the designated heritage asset, which consists of both the grade II* listed building and the Clerkenwell Green Conservation Area, Officers consider this to be less than substantial harm. The NPPF details that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 10.53 As set out by English Heritage and the Design and Conservation Officer, the proposed works to the building include substantial heritage benefits. These heritage benefits, include extensive reinstatement of historically significant layouts, form and detailing such that the proposal would sustain the significance of the heritage asset, which is defined in the NPPG as a public benefit.

- 10.54 The proposed works to the facades of the building, the reinstatement of historic boundary treatment and the introduction of an active use to the building would enhance the setting of the heritage asset, which is a public benefit. The submitted Construction Phasing Strategy would be secured through the legal agreement (HoT 2) and ensures that each phase of works would be balanced in terms of harm and heritage benefit with the most harmful elements completed in the final phase.
- 10.55 The previous use of the building severely limited public access to the building. This proposal would introduce publicly accessible space at lower ground floor level within the original prisoner cells, open a restaurant/bar within the historically significant fourth floor Judge's Dining Room and provide access to the roof.
- 10.56 The harm resulting from the insertion of the roof extension and partial loss of hipped roofs is considered to be necessary to offset the loss of floor space through the reinstatement of the double height Court Room.
- 10.57 While the proposed works within the area designated as PMC use would not be visible to the general public, those using the private hire, conferencing and training facilities would have access to the more restricted areas of the heritage asset. Additionally, the original main entrance to this part of the site would be accessible to the public. As such, this would add to the publicly accessible elements of the property. Furthermore, it is detailed in the NPPG that benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- 10.58 It is therefore considered that the proposal would provide substantial public benefits that would meet the tests of paragraph 134 of the NPPF and would therefore outweigh the harm to the Designated Heritage Assets.

Phasing:

- 10.59 The submitted Construction Phasing Strategy details four phases of works to implement the proposal. The phasing strategy includes an assessment of the harm and benefits arising from each phase of works, providing a balancing argument. This would ensure that in Phases 1, 2 and 3 there would be a surplus in benefits and that some of the more significantly harmful elements would be implemented at Phase 4. This provides a level of security that should the works not be completed they would not result in harm to the heritage asset.
- 10.60 However, the Construction Phasing Strategy includes a number works within Phases 3 and 4 which would start simultaneously, resulting in some harmful elements of the proposal potentially being completed prior to some of the elements providing public benefits. The Construction Phasing Strategy would be secured through a legal agreement with further details of Phase 4 and a review of the previously implemented phases required to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of these works.

Accessibility

- 10.61 The Islington Core Strategy (2011) policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard.
- 10.62 The existing building has stepped access to a number of the entrances and internally there are varied floor levels throughout. A single lift within the north part of the property currently provides access across all of the floors.

- 10.63 The lack of step free access to the main entrance to the site is regrettable. However, the introduction of a step free access would result in the loss of historic fabric and is therefore not considered to be reasonably required. Notwithstanding this, the plans detail the rationalisation of some of the internal spaces to provide level access and it is detailed that a wheelchair accessible lift car would replace the existing lift in the same location. While the landing space at first and second floor level would not provide the requisite turning space to the front of the lift, at first floor level the lift would open onto a wide doorway into an open space and at second floor level the landing cannot be extended due to a void.
- 10.64 While the proposal includes accessible WCs at first, second and third floor level, the proposed ground floor restaurant/retail and third floor restaurant/bar and office have no provision. There is sufficient space within the proposed WC areas detailed on the plans at ground and fourth floor level to provide an accessible WC without any alterations to the listed building.
- 10.65 Although the proposal would not provide step free access across the entire building, it would represent a significant improvement to the buildings current level of accessibility currently of the site. Taking this, together with the grade II* listed status of the building, which restricts the extent to which accessible measures can be implemented, this is considered to be acceptable subject to conditions requiring the provision of accessible WCs and a lift (Planning Condition 16).

Neighbouring Amenity

- 10.66 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 10.67 The application site forms an 'island' site, set within the centre of the surrounding roads and on-street parking, with sunken railway lines to the west. The surrounding buildings have ground floor commercial units with a mix of commercial and residential uses across the upper floors.
- 10.68 It should be noted that the previous use of the property included no planning restrictions on hours of operation, noise levels, servicing nor a management plan. There are no reported noise or disturbance complaints for the previous use. However, the site is located within the 'Clerkenwell Cumulative Impact Area' and the previous use of the site was successfully controlled through licensing regulations with a license restricting the operating hours up to 2300 hrs. Although the proposed PMC use is similar to the previous Masonic use, the introduction of a mix of uses, a greater number of units, an increase in floor area and the use of roof terraces could potentially increase the intensity of the use of the building.

Management Plan:

- 10.69 The applicant has submitted a Draft Management Plan for the operation of the building because an operator has not yet been secured. This document sets out general management principles for the operation of the site and is detailed to be consistent with similar facilities across London. The measures proposed include Membership requirements, an access strategy, a dispersal policy, control of customers by staff, taxi collection procedures, noise prevention procedures including

the closure of windows and doors, and noise limiters, smoking areas and the creation of a Management Committee. Whilst the management principles are in draft form and therefore subject to change, they would be expected to inform a future Management Plan for the operation of the building once an occupier is secured.

- 10.70 The site is located in a Cumulative Impact Area, where there is an abundance of alcohol licensed premises and the Council's Licensing Officer has noted that the proposal to extend the hours of operation of the building beyond the previous hours of 2300 Monday to Saturday and 2230 on Sundays is likely to be contested.
- 10.71 The Draft Management Plan contains insufficient information for a comprehensive consideration of the proposed hours of operation and management procedures to be made at this stage, particularly in light of the degree of anti-social behaviour and problems occurring within the 'Clerkenwell Cumulative Impact Area' at present. However, it is noted by the Licensing Officer that a future licence applicant could provide evidence in relation to the promotion of the Licensing Objectives to demonstrate an exception to this policy.
- 10.72 By securing the submission of a comprehensive Management Plan through a legal agreement, and through controls/mitigation measures required to justify the granting of any future licence for extended hours at the site, adequate management and controls would be secured to ensure the mitigation of any potential disturbance to neighbouring occupiers and the successful operation of the premises. Furthermore, in order to attract a suitable operator and therefore the investment necessary to bring this currently vacant grade II* listed building back into a permanent use, restrictions to any permission at this stage could deter potential occupiers and result in the building remaining vacant. The Management Plan (HoT 10) to be submitted and approved shall include provisions for, but not be limited to:
- A full dispersal policy and procedure;
 - Door policy;
 - Signs to request patrons to leave in a quiet manner and not to loiter in the street outside;
 - Servicing and delivery times/arrangements;
 - Bottling out and waste management noise and times;
 - Control of noise from any designated smoking areas;
 - Control of noise from amplified music within the building;
 - Close down policy with gradual lowering of music volume and increasing of lighting;
 - Security and any proposed CCTV;
 - Lighting (and security lighting);
 - Membership policy;
 - Capacity (of each use);
 - The separation of uses;
 - Phasing of closure of uses (i.e. operating hours of individual uses within the site);
 - Private hire facilities/functions;
 - Roof Terrace Management;
 - An enforcement strategy for dealing with any breaches of the scheme; and
 - Any other relevant operation of the site functions;
- 10.73 Considering this together with the recommended legal agreement requiring the submission and approval of a comprehensive Management Plan, the licensing application procedures and the other recommended conditions, it not considered

necessary to restrict the hours of operation within this planning application, in this specific case for the exceptional circumstances given.

External Areas:

- 10.74 The proposal would introduce two external areas at lower ground floor level, a second floor level roof terrace to the south of the property and a roof terrace over the north, west and south parts of the main roof of the building. The roof terraces would provide external space for the restaurant, bar and PMC uses. The late night use of these spaces could lead to potential disturbance to neighbouring occupiers. The Draft Management Plan proposes to cease the use of the roof terraces at 2300 hours and where there is any adverse noise impact arising, the use of the terraces would cease at dusk or 2100 hours, whichever is earlier. The use of the external areas up to 2300 hours is considered to be excessive and as such a condition is recommended ensuring that no further persons are able to access the external areas after 2200 hours and that these should be closed from 2230 hours with all windows and doors to these areas closed (Planning Condition 10). Additionally adequate procedures for the management of the external spaces would be expected to be detailed within a comprehensive Management Plan.
- 10.75 It is noted that representations have been received regarding potential light spill from the roof terrace. Details of external lighting have not been submitted, however, a condition is recommended requiring the submission of a scheme of lighting (Planning Condition 11).

Noise:

- 10.76 A Noise Impact Assessment has been submitted and assessed by the Council's Public Protection (Noise) Officer, who has raised no objections. With regard to noise disturbance, a condition is recommended to restrict the noise levels audible outside of the site (Planning Condition 9), restrict the noise emitted from the proposed roof top plant (Planning Condition 7) and for all windows and doors onto external spaces to be closed after 2230 hours (Planning Condition 10). Additionally, the Draft Management Plan details the use of noise limiters within the property and close down procedures to reduce noise. This would be expected to be detailed within a comprehensive Management Plan (HoT 10).

Proposed extensions and external alterations:

- 10.77 The proposed roof extension would replace an existing hipped roof in the same location and while of a larger scale, it would be set a significant distance from the neighbouring properties such that it would not be overbearing.
- 10.78 The proposed second floor roof terrace would incorporate an existing high stone parapet that restricts views out from the roof terrace. While the proposed roof terrace over the main roof of the property would have elevated views back toward neighbouring properties to the north and south, the roof terrace would be set back from these properties and any views would be across a highway, which does not constitute an unacceptable loss of privacy.
- 10.79 The proposed railings and walled area to the south west corner of the site would be at a low level fronting the highway and would not impact upon neighbour amenity.

Sustainability, Energy Efficiency and Renewable Energy

- 10.80 The Islington Core Strategy (2011) policy CS10 requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard with Major non-residential developments required to achieve a BREEAM rating of Excellent. The proposal would achieve a BREEAM new construction for non-domestic building rating of 'Excellent', which is in accordance with policy requirements.
- 10.81 The proposed works at the site are located within or above the existing built form and would therefore not result in additional surface runoff at the site. While the western edge of the site falls within a Local Flood Risk Zone, the proposed excavation works are located away from this and there are no proposed works that would increase surface water runoff within this zone.
- 10.82 The scheme achieves a 32% projected reduction in CO₂ (regulated) emissions versus an equivalent 2010 part L building regulations compliant scheme. Due to this being measured in only regulated emission, this falls below the policy target of 30% reduction in total (regulated and unregulated) CO₂ emissions. However, it is accepted in the Islington Environmental Design SPD (2014) that some schemes, particularly refurbishment schemes, may struggle to reach the relevant target and that the applicant should demonstrate that the CO₂ emissions have been minimised as far as reasonably possible.
- 10.83 The building is grade II* listed and therefore the inclusion of energy efficiency measures and on site renewable energy technologies is severely limited due to potential harm to the fabric and therefore significance of the Designated Heritage Asset. The applicant has explored options for connection to a Decentralised Energy Network (DEN) and Shared Heat Network (SHN) and while these are not feasible, the proposal would result in a substantial reduction in CO₂ emissions at the site that is considered to be acceptable in this case.
- 10.84 Typically all remaining CO₂ emissions (below the target) should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock (CS10). However, as set out above, it is considered that the proposal has minimised the CO₂ emissions as far as reasonably possible and therefore the requirement to offset the CO₂ emissions to zero is considered to be unreasonable in this particular case.
- 10.85 A draft Green Performance Plan (GPP) has been submitted and is considered to be broadly acceptable. A final GPP is required as part of the Legal Agreement.

Highways and Transportation

- 10.86 The site has a PTAL rating of 6b, which is 'Excellent'. Farringdon Station, which provides 125 covered and lockable cycle racks is located within 300 metres of the site, while Barbican and Chancery Lane Tube Stations are located in close proximity, bus routes run along the surrounding roads and a significant number of Barclays Cycle Hire points are available nearby.
- 10.87 Public Transport Implications: The proposal would result in a marginal uplift in floor space of 49 square metres and would introduce a Private Members' Club, retail, restaurant, bar and office floor space. While there would be multiple users of the

building, which could potentially increase the actual intensity of the use of the building. Notwithstanding this, due to there being no on-site car parking and the high PTAL level of the site, the proposal would not detrimentally impact upon the surrounding transport infrastructure. A Travel Plan is secured in the Legal Agreement.

- 10.88 Pedestrian Access: The quality of the footways surrounding the site, particularly facing Clerkenwell Green and Farringdon Lane are poor in places and the proposal would result in an intensified use of these footways. The Transport Officer has recommended that a contribution be secured towards the improvement of the footway. The Heads of Terms of the Legal Agreement include the repair and reinstatement of the footways adjoining the building where these are damaged during construction.
- 10.89 Vehicle Parking and Taxi Drop-off: The site does not include any off-street car parking and none is proposed, in accordance with Development Management policy DM8.5. It is considered necessary to restrict the rights of the occupiers/visitors/staff of the building to apply for parking permits (Planning Condition 19).
- 10.90 The Highways Officer has noted that there are sufficient areas of single yellow lines within the vicinity of the site where taxis could drop-off/collect site users. The provision of a contribution towards two on-street accessible parking bays is secured in the legal agreement.
- 10.91 Cycle Parking: Policy DM8.4 and Appendix 6 of the Development Management Policies set out the minimum cycle parking standards for development proposals. Cycle parking should be covered and secure and end of trip facilities provided such as showers and locker facilities. Although the proposed use is Sui Generis, breaking down the various uses within the building the proposal would be required to provide 58 cycle parking spaces. No cycle parking provision is proposed.
- 10.92 The provision of a cycle store within the property would be likely to result in significant alterations having to be made to the fabric of the listed building and is therefore not considered to be reasonable in this case. Furthermore, due to the limited external space and the visual impact of a cycle store on the setting of the grade II* listed building, the lack of provision of an external covered and secure cycle parking store is in the particular circumstances of this site acceptable.
- 10.93 Although this would result in the proposal failing to provide any cycle parking provision, the site has an 'Excellent' PTAL rating and is served by an abundance of public transport options, including a TfL Cycle Park with 125 bicycle racks located at Farringdon Station. As such, the shortfall in cycle parking provision is considered to be acceptable, in this particular case.
- 10.94 Delivery and Servicing Arrangements: This was previously facilitated through a dedicated entrance on the northern side of the property, with a refuse store next to this entrance.
- 10.95 Although the applicant has not yet secured an operator for the site, a draft Delivery and Servicing Plan has been submitted. This details that deliveries and servicing would be maintained in the current location on Clerkenwell Green, with two further loading/unloading areas identified to the south and south east of the site that would allow smaller vehicles to load and unload within limited hours. The draft document proposes that the majority of deliveries would be between 0800 hours and 1800 hours to minimise disruption to neighbouring occupiers. This would be in accordance

with existing time restrictions for Clerkenwell Green and Clerkenwell Road, and the Council's Acoustic Officer has noted that these hours would be acceptable between Monday and Saturday.

- 10.96 A condition is recommended requiring a detailed Delivery and Servicing Plan to be submitted to and approved in writing by the local planning Authority prior to the first occupation of the property (Planning Condition 13).
- 10.97 While a refuse store is detailed within the proposed sub-basement, this would serve only one of the units. The Refuse and Recycling Officer has noted that the details in the Management Plan are acceptable but full details of the refuse storage are required (Planning Condition 17).
- 10.98 Construction: The legal agreement ensures that the proposal would be constructed in compliance with the Code of Construction Practice and secures a monitoring fee of £3246.

Trees

- 10.99 The proposed excavation of the vaults and the sub-basement would be located in close proximity to two street trees. The tree onto Clerkenwell Green forms part of the setting of the square and is considered to contribute to the amenity of the locality. The tree to the south west of the site is located in extremely close proximity to the site, a listed phone box and a telecommunications cabinet and the proposal would reintroduce a historic wall and gate opening next to this. While this tree is of some amenity value, its location back from the pavement edge is atypical, with other similar street trees set close to the pavement edges.
- 10.100 While an Arboricultural Impact Assessment has not been submitted, the Tree and Landscape Officer has detailed that it is likely that the tree fronting Clerkenwell Green would be retained and subject to the existing buildings footings the tree to the south west of the site could be retained in situ. However, this would be dependant upon details set out in an Arboricultural Impact Assessment and where relevant a method statement for any works (Planning Condition 14).
- 10.101 Should the proposed tree to the south west of the site subsequently be required to be removed, adequate justification would be required for this and a financial contribution based on the trees CAVAT value required to provide a replacement street tree (HoT 9). The Heritage benefits of restoring the historic characteristics of this building would still outweigh the loss of the tree, subject to the CAVAT value being secured.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.102 At application stage officers advised the applicant that a S106 agreement would be necessary in order to mitigate the impacts of the proposed development. The Heads of Terms are set out throughout this report and are listed at Appendix 1, Recommendation A.

Planning Obligations:

- 10.103 Those contributions or obligations are considered necessary, relevant and appropriate in scale and kind to the proposed development and to make the development proposals acceptable in planning terms and policy compliant. Those obligations have been calculated based on the adopted Planning Obligations SPD

(2013). Discussions are ongoing regarding the timing of the contributions with regard to the phasing of the development.

Crossrail:

10.104 This site is within the area where section 106 contributions for Crossrail will be sought in accordance with London Plan policy 6.5 and the associated Supplementary Planning Guidance (SPG) '*Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy*', April 2013. In paragraph 4.20 of the SPG, it can be seen that in these situations, the Mayor's CIL charge (but not the boroughs') will be treated as a credit towards the section 106 Crossrail liability. The applicants have agreed to contribute towards £121 490 less any amount payable by the Owner in relation to the Mayor's CIL to be secured via the S106 agreement attached to any grant of permission here.

National Planning Policy Framework

10.105 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. In the final balance of planning considerations officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

Other Matters

10.106 A number of representations have suggested alternative uses for the Old Sessions House. In order for these to be considered a separate planning application would need to be submitted and assessed by the Local Planning Authority. Notwithstanding whether there may be other policy compliant ways of occupying and using the building, the Local Planning Authority must determine this proposal against adopted policies and material considerations.

10.107 A number of representations received raise concern regarding disturbance from the proposed works together with other developments within the locality. The proposed works would be subject to control through the Environmental Health Regulations. Construction monitoring would also take place by the Local Authority.

10.108 One representation received sets out that the Noise Impact Statement details that only an office block faces the south of the site, when there are two residential buildings to the south. Notwithstanding that the building fronting immediately onto the site is in office use, the nearby residential buildings form part of the noise assessment. Furthermore, conditions are recommended controlling the noise emissions at the site.

10.109 A representation has been received which questions the capacity of the proposed development and raises this as a Health and Safety issue. This would be a matter for the Environmental Health Regulations and it should be noted that the London Fire Brigade raise no objections.

11 SUMMARY AND CONCLUSION

Summary

11.1 The planning and listed building consent applications propose the change of use of the currently vacant grade II* listed building to a mixed sui generis use, comprising

retail, restaurant/bar, office and a Private Members' Club together with roof extensions, the creation of roof terraces, the excavation of a small sub-basement the installation of windows, repair works to the façade, erection of railings and a wall and extensive internal alterations and restoration works.

- 11.2 In accordance with Employment Priority Area (General) and CAZ policy aims the proposal would result in an uplift of business and employment floor space at the site, while introducing uses complimentary to the primary business function of the area. The proposed Private Members' Club use of the building is materially similar to the previous lawful use of the site and together with the proposed retail/restaurant/bar and office uses is not considered to represent an over concentration of uses.
- 11.3 The proposed internal works, which include a loss of floor space would reinstate historically significant proportions to the property including the reinstatement of a double height Court Room, lower ground floor prisoner cells, the Judges' Dining Room and the repair of an 18th Century glazed screen. Together with the extensive refurbishment works and reinstatement of historic features, the internal works would enhance the significance of the listed building.
- 11.4 The proposed roof extensions represent simple and conventional additions that would respect the scale and proportions of the building, while views of the roof terrace would be limited. The proposed works to the façade of the building and reinstatement of historic boundary treatment would enhance the setting of the listed building and the character of this part of the Conservation Area. English Heritage Support these proposals.
- 11.5 The proposal would result in the loss of some historic fabric and form at the building which would amount to less than substantial harm to the Designated Heritage Asset. In accordance with the NPPF the public benefits of the proposal (heritage benefits, increased public access and active use of the building) have been assessed and are considered to outweigh any harm.
- 11.6 Representations have been received that raise concern over the use of the building resulting in disturbance to neighbouring occupiers. By securing the submission of a comprehensive Management Plan through a legal agreement, which would secure controls/mitigation measures required to justify the granting of any future licence for extended hours of operation at the site, adequate management and controls would be secured to mitigate any potential disturbance to neighbouring occupiers and the successful operation of the site.
- 11.7 The site is highly accessible by public transport and a taxi drop-off point is not required. The proposal does not include any off-street space suitable for cycle parking provision and the provision of cycle parking within the building would be harmful to the heritage asset. However, due to the highly accessible site location and previous site use, on balance the proposal is considered to be acceptable with regard to transport and highway issues.
- 11.8 The proposal would improve the energy efficiency and accessibility of the building.
- 11.9 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of aS106 Legal Agreement to secure the necessary mitigation.

Conclusion

- 11.10 It is recommended that planning permission and listed building consent be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS (A, B and C).

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission and listed building consent be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

1. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
2. The development shall henceforth not proceed other than in accordance with the approved Construction Phasing Strategy. Prior to the commencement of Phase 4 of the phasing strategy a detailed schedule of works shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
 - A detailed schedule of completed works within Phase 1, 2 and 3;
 - A detailed schedule of proposed works;
 - A program of site meetings with the LPA and English Heritage; and
 - Copies of build/restoration contracts for the works to be carried out.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

3. Compliance with the Code of Local Procurement.
4. Compliance with the Code of Construction Practice, including a monitoring fee of £3246 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
5. The payment of the cost of the provision of 2 on-street wheelchair accessible parking spaces (£4000).
6. Submission of a Green Performance Plan based on the draft Green Performance Plan submitted with the application for Council approval 6 months from first occupation of the development.
7. Submission of a, draft Travel Plan based on the framework Travel Plan submitted with the application for Council approval prior to first occupation of the development, and a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
8. Payment towards employment and training for local residents of a commuted sum of £8378.

9. Where the tree to the southwest of the site is proposed to be removed following the submission and approval in writing of an Arboricultural Method Statement, the CAVAT value of this tree shall be confirmed by the Council's Arboricultural Team and provided to the Council. The works to replace this tree will be carried out by the Council's Arboricultural Team.
10. Not to occupy Phase 1 and 2 of the development, as detailed in the Construction Phasing Strategy until an interim Management Plan based on the draft Management Plan for this part of the development has been submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation of Phase 3 and 4 of the development, as detailed in the Construction Phasing Strategy a scheme of Management based on the draft Management Plan for the whole development shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include provisions for, but not be limited to, the following:

- A full dispersal policy and procedure;
- Door policy;
- Signs to request patrons to leave in a quiet manner and not to loiter in the street outside;
- Servicing and delivery times/arrangements;
- Bottling out and waste management noise and times;
- Control of noise from any designated smoking areas;
- Control of noise from amplified music within the building;
- Close down policy with gradual lowering of music volume and increasing of lighting;
- Security and any proposed CCTV;
- Lighting (and security lighting);
- Membership policy;
- Capacity (of each use);
- The separation of uses;
- Phasing of closure of uses (i.e. operating hours of individual uses within the site);
- Private hire facilities/functions;
- Roof Terrace Management;
- An enforcement strategy for dealing with any breaches of the scheme; and
- Any other relevant operation of the site functions;

The development shall be carried out strictly in accordance with the Scheme of Management so approved and shall be operated as such thereafter.

11. A contribution towards Crossrail of £121 490 (less any Mayoral CIL amount also liable).
12. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106

That, should the Section 106 Deed of Planning Obligation not be completed within the timescale agreed within the Planning Performance Agreement, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<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>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>005,006, 009 Rev C, 010 Rev B, 011 Rev A, 012 Rev A, 013, 014 Rev A, 020, 021, 022, 023, 024, 030, 031, 032 Rev A, 033, 049 Rev C, 050 Rev B, 051 Rev C, 052 Rev B, 053 Rev B, 054 Rev B, 060, 061 Rev B, 062 Rev B, 063 Rev A, 064 Rev B, 070 Rev B, 071 Rev C, 072 Rev B, 073 Rev C, 099 Rev A, 100, 101, 102, 103, 104, 200-1, 200-2, 200-3, 200-4, 201-1, 201-2, Planning Statement, Design and Access Statement (Rev 3 Option A), Amended - Draft Management Plan (Ref: V1.1), Conservation Plan, The Session House Screen Report, Structural Design Statement, Swimming Pool Loading/Structural details (received 11/12/2014), Archaeological Desk-based Assessment (OCL14/181), Noise Impact Assessment (ref: EPL:4334/PBG/R1 (A)), Transport Assessment (ref: KCH/VLWL/14/2216/TA01), Transport Assessment (ref: VLWL/14/2216/TAA07), Travel Plan Framework (ref: KCH/VLWL/14/2216/TP02), Sustainable Design and Construction Statement (ref: 14/111), Written details (email received 11th December 2014), HIA Screening, Photographic Survey and Architectural Paint Research.</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>
3	Materials (Details)
	<p>CONDITION: Details and/or samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any external work commencing on the relevant phase of the development pursuant to the draft Construction Phasing Strategy. The details and samples shall include but not be limited to the following:</p> <p>a) Facing external render/stone repair; including sample panel b) Metal Cladding c) Roof Tiles d) Roof Terrace Flooring</p>

	<p>e) Windows f) Doors g) Balustrades h) Railings i) Stone Wall j) Paving k) any other materials to be used.</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 securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Roof Top Plant (Details)
	<p>CONDITION: Details of the roof-top structure/enclosure for the condenser units and lift overrun shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the relevant phase of the development pursuant to the draft Construction Phasing Strategy. The details shall include the location, height above roof level, specifications and cladding.</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 order to conserve the significance of the heritage asset and to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
5	Impact Piling (Details)
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.</p>
6	Archaeology (Details)
	<p>CONDITION: No excavation shall take place to create the sub-basement hereby approved unless and until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.</p> <p>No excavation or works to create the sub-basement shall take place other than in accordance with the Written Scheme of Investigation approved. The sub-basement shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.</p>

	<p>REASON: Heritage assets of archaeological interest are expected to survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results.</p>
7	<p>Plant Noise (Compliance)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq 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 LAF90 Tbg. The 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 protect the amenity of neighbouring occupiers.</p>
8	<p>Noise Report (Details)</p> <p>CONDITION: A survey is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 7. The survey shall be submitted to and approved in writing by the Local Planning Authority within 3 months of completion of the development and any noise mitigation measures shall be installed within 6 weeks of the approval of these details and permanently retained thereafter.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
9	<p>Amplified Music and Sound (Compliance)</p> <p>CONDITION: Between the hours of 0700 and 2300 music and amplified sound from the premises shall not cause an increase of more than 2dB in the LA90(5min)(f) when compared with the existing equivalent LA90(5min)(f) without the premises in operation.</p> <p>Additionally, between the hours of 0700 and 2300 music and amplified sound from the premises shall not cause an increase of more than 3dB, above the real time simultaneous Leq(5min)(f) 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent Leq(5min)(f) (63Hz and 125Hz) taken without the premises in operation.</p> <p>Where the premises would operate between the hours of 2300 and 0700 music and amplified sound from the premises shall not cause any increase in the LA90(5min)(f) when compared with the existing equivalent LA90(5min)(f) without the premises in operation.</p> <p>Additionally, where the premises would operate between the hours of 2300 and 0700 music and amplified sound from the premises shall not cause any increase in the real time simultaneous Leq(5min)(f) 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent Leq(5min)(f) (63Hz and 125Hz) taken without the premises in operation.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
10	<p>Use of external areas (Compliance)</p> <p>CONDITION: No further persons shall be given access to the external areas serving the property, including all external lower ground floor areas and the roof terraces hereby permitted after 2200 hours and these areas shall not be available for use after</p>

	<p>2230 hours on any day. After this time, all entry and exit doors and windows onto the external areas shall be kept shut and any lighting to the roof terraces must be turned off on any day</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</p>
11	<p>Lighting (Details)</p> <p>CONDITON: Details of all external lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to installation.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>REASON: To ensure that all external lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the building.</p>
12	<p>Deliveries and Servicing (Details)</p> <p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements for the operation of the development hereby permitted, including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation each element of the development hereby approved, pursuant to the draft Construction Phasing Strategy.</p> <p>The DSP should detail that deliveries, collections, unloading and loading shall only be between 0800 and 2000 hours Monday to Saturday and not at all on Sundays and Bank Holidays.</p> <p>The development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic and to protect the amenity of neighbouring occupiers.</p>
13	<p>Sustainable Design (Compliance)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Sustainable Design and Construction Statement (SDCS) which shall together provide for no less than a 32% on-site CO₂ reduction in regulated emission in comparison with total emissions from a building which complies with Building Regulations 2010 shall be installed and operational prior to the completion of the development and maintained as such thereafter.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, a revised Energy Strategy shall be submitted prior to the commencement of the development.</p> <p>The final agreed scheme shall be installed and operational prior to the completion of the development and maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

14	Arboricultural Impact Assessment (Details)
	<p>CONDITION: Prior to the excavation works hereby approved commencing an Arboricultural Impact Assessment, and where appropriate Method Statement in accordance with BS 5837:2012 Trees in relation to Demolition, Design and Construction shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To protect the health and stability of trees to be retained on the site and to neighbouring sites, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
15	Refuse and recycling (Details)
	<p>CONDITION: Details of refuse/recycling store(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse / recycling store(s) shall be provided prior to the first occupation of each element of the development hereby approved pursuant to the Draft Construction Phasing Strategy and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development, to ensure that responsible waste management practices are adhered to and to secure the high quality design of the structures proposed.</p>
16	Accessibility (Details)
	<p>CONDITION: Notwithstanding the plans hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any phase of the development within which those works are proposed. The details required are:</p> <p>a) Provision of an accessible WC on the lower ground, ground and third floor;</p> <p>b) The provision of a lift; and</p> <p>c) The door(s) from Farringdon Lane provide a clear opening width of at least 1000mm and if the opening weight exceeds 30n then they are automated.</p> <p>The development shall be constructed strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities</p>
17	Parking permits (Compliance)
	<p>CONDITION: All future occupiers of the development hereby approved shall not be eligible to obtain an on street parking permits except:</p> <p>i) In the case of disabled persons;</p> <p>ii) In the case of units designated in this planning permission as “non car free”; or</p> <p>iii) In the case of the business who is an existing holder of a parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>

List of Informatives:

<p>1</p>	<p>Planning Obligations Agreement</p> <p>You are advised that this permission has been granted subject to the completion of a S106 legal agreement to secure agreed planning obligations.</p>
<p>2</p>	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
<p>3</p>	<p>Phasing Plan</p> <p>INFORMATIVE: The grant of this permission is subject to a Construction Phasing Strategy and a number of the conditions relate to each phase of the development. For the avoidance of doubt the phases consist of the following:</p> <p>Phase 1:</p> <p><u>All floors:</u> Removal of non-original partitions throughout the building and courtroom splits, modern render, rebuilt roof to attic to enable access to courtroom for structural works, screed on floor, ventilation ducts, redundant pipework, modern room under entrance bridge, modern dado, modern doors, redundant electrics and redundant pipe work.</p> <p>Stripping of paint on walls and doors, stripping of paint on glass screens, exposure and repair of shutters, repairing walls, repairing ceilings, asbestos removal and demolition of lift.</p> <p>Phase 2:</p> <p><u>Lower Ground and ground floor:</u> Formation of proposed floor plans, reinstatement of old doors, reinstatement of Lime wash, decision of paint schemes, fire proofing between floors, installation of lighting, AC installation, fit out, installation of new staircase by lift, structural preparations and installation of services.</p> <p><u>Exterior:</u> Repairing stone on façade, cleaning façade stone and render, repairing/replacing render in areas where necessary, digging and piling for new plant room and construction of screen wall.</p> <p><u>Third Floor:</u> Reinstatement of finishes, opening up of original windows, decision of paint schemes, installation of removable gallery, electrical distribution, fit out, lighting, AC installation and reinstatement of fireplaces.</p> <p><u>All Floors:</u> Installation of new lift.</p> <p>Phase 3:</p>

	<p><u>Ground, first and second floor</u>: removal of 20th Century floors in original court room, repair and reinstatement of historic glass screen, reinstatement of finishes, relocation of architraves to court room, decision of paint schemes, electrical distribution, fit out, lighting, AC installation, internal stonework, cleaning, repairing, formation of proposed floor plan and reinstatement of fireplaces.</p> <p>Phase 4:</p> <p><u>Third floor</u>: forming internal office space, insulating walls and ceilings, electrical distribution, fit out of office, lighting of office, AC installation and fit out.</p> <p><u>Roof</u>: new build according to drawings, forming terraces with selected materials, lighting installation, AC/Ventilation installation, plant equipment and forming of pool basin.</p> <p><u>Exterior</u>: reinstatement of Stone paving around building/terraces, erection of Prisoners' courtyard, exterior railings, gas lights and external facade lighting.</p>
4	Water Infrastructure
	<p>INFORMATIVE: Thames Water recommend that the swimming pool be emptied overnight and in dry periods. The discharge rate should be controlled such that it does not exceed a flow rate of 5 litres per second into the public sewer network.</p> <p>Thames Water recommend that a properly maintained fat trap should be installed on all catering establishments. In line with best practise for the disposal of fats, oils and grease, the collection of waste oil should be by a contractor, particularly for recycling purposes.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
5	Crossrail
	<p>INFORMATIVE: Crossrail Ltd has indicated its preparedness to provide guidelines in relation to the proposed location of the Chelsea Hackney Line structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to discuss these guidelines with the Chelsea Hackney Line engineer in the course of preparing detailed design and method statements.</p>
6	Working in a Positive and Proactive Way
	<p>INFORMATIVE: To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

7	Noise Survey
	<p>INFORMATIVE: It should be noted by the applicant that in accordance with Condition 9 the measurements are to be taken 1 metre from the facade of the nearest noise sensitive premises. Where access to the facade of non-associated noise sensitive premises is not available, then the above music noise levels 1 metre from the facade of non-associated noise sensitive premises shall be predicted by calculation rather than measured.</p>
8	Network Rail
	<p>INFORMATIVE: As the application site is located in close proximity to Network Rail's boundary and operational railway infrastructure, Network Rail strongly recommends that the developer contacts its Asset Protection Anglia team at AssetProtectionAnglia@networkrail.co.uk prior to any works commencing on site and fills in a development questionnaire. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx.</p> <p>Any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.</p> <p>Any cranes or other mechanical plant equipment involved during construction should be positioned so that their loads or jibs do not over-sail Network Rail's land.</p>
9	Archaeological Watching Brief
	<p>INFORMATIVE: The written scheme of investigation required in Condition 6 will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.</p>

RECOMMENDATION C

That the grant of listed building consent be subject to **conditions** to secure the following:

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Works to Match (Compliance)
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the</p>

	heritage asset.
3	Materials (Details)
	<p>CONDITION: Details and/or samples of all materials used in the relevant phase of works shall be submitted to and approved in writing by the Local Planning Authority prior to the works commencing on that phase, pursuant to the draft Construction Phasing Strategy. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Details of new railings including sample bar and finial; b) Details of new external hard surfacing including stone sample; c) Sample of stone to proposed new wall to former prisoners yard; d) Details of repair to entrance steps including stone sample; e) Details of external render / stone repairs including sample panel; f) Sample of Natural Welsh slate; g) Details of windows; and h) Details and sample of tensile steel cable balustrade to terraces. <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 order to conserve the significance of the heritage asset</p>
4	Internal Architectural Drawings (Details)
	<p>CONDITION: Details for all new internal architectural detailing including joinery (doors, architraves, skirting etc.), decorative plasterwork, chimneypieces (fireplace surrounds, hearthstones and grates) and floor coverings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of the works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
5	Paint Scheme (Details)
	<p>CONDITION: Details of the paint scheme for the principal floors and spaces which should be informed by the historic paint analysis report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of the approved works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
6	Lighting (Details)
	<p>CONDITION: Details of external lighting, including the gas lanterns and samples of finishes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
7	Glass Screen (Details)
	<p>CONDITION: Details of the reinstated glass screen and a method statement for the protection/conservation of the existing glass screen shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the</p>

	<p>relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
8	Third Floor Gallery (Details)
	<p>CONDITION: Details of the gallery to the proposed dining room on the third floor shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
9	Court Room One (Details)
	<p>CONDITIONS: Detailed elevations / sections (including architectural detailing) of the proposed court room number one shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
10	Stone Cleaning (Details)
	<p>CONDITIONS: Details of the method of stone cleaning and a sample patch shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
11	Services (Details)
	<p>CONDITIONS: Details of all internal services including light fittings and external services including plant shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
12	Structural Report (Details)
	<p>CONDITIONS: A structural report / method statement for the proposed sub-basement / plant room shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any excavation and works to the lower ground floor. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
13	Roof Terrace Management Strategy (Details)
	<p>CONDITION: Prior to the first use of the roof terraces hereby approved a Roof Terrace Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall provide details of the management of paraphernalia associated with the roof terraces hereby approved.</p>

	<p>The roof terraces shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the Authority may be satisfied that any roof terrace paraphernalia does not have a harmful impact on the surrounding streetscene or heritage asset.</p>
14	Method of Protection (Details)
	<p>CONDITION: Details of the method of protection, including photographic evidence of such protection in place, for any fragile or important architectural features, inclusive of tiled floors and the glazed screen to the Court Room shall be submitted to and approved in writing by the Council prior to the commencement of each phase of works, pursuant to the draft Construction Phasing Strategy.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>

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 2011 (Consolidated with Alterations 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 2011 - Spatial Development Strategy for Greater London Consolidated with Alterations (2015)

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.18 Green infrastructure: the network of open and green spaces

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and
demolition waste

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's
Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing
Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing
Challenge)

Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Housing

DM3.7 Noise and vibration (residential
uses)

Shops, cultures and services

DM4.1 Maintaining and promoting small
and independent shops
DM4.2 Entertainment and night-time
economy
DM4.3 Location and concentration of uses
DM4.7 Dispersed Shops
DM4.12 Social and strategic infrastructure
and cultural facilities

Employment

DM5.1 New Business Floor space
DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction
statements
DM7.2 Energy efficiency and carbon
reduction in minor schemes
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new
developments

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning obligations
DM9.3 Implementation

C) Finsbury Local Plan 2013

BC7 Historic Clerkenwell
BC8 Achieving a balanced mix of uses

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:

- Rail safeguarding Area
- Site of Importance for Nature Conservation (SINC)
- Open Space
- Within 100 metres of Strategic Road Network
- Within 50 metres of Canonbury Conservation Area
- Within 50 metres of East Canonbury Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

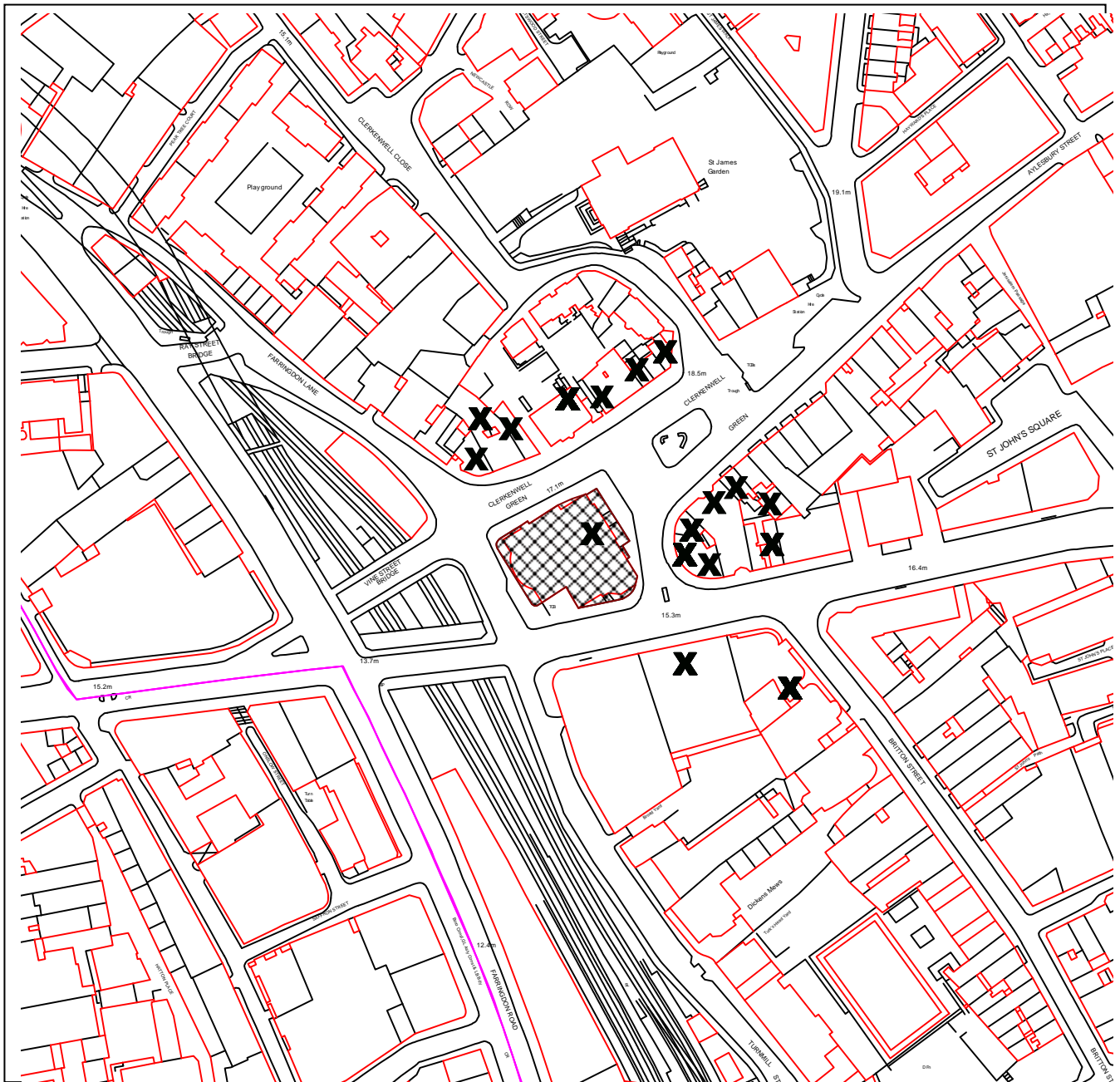
- Environmental Design
- Accessible Housing in Islington
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidelines

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3871/FUL

LOCATION: THE OLD SESSIONS HOUSE , 22, CLERKENWELL GREEN LONDON EC1R 0NA

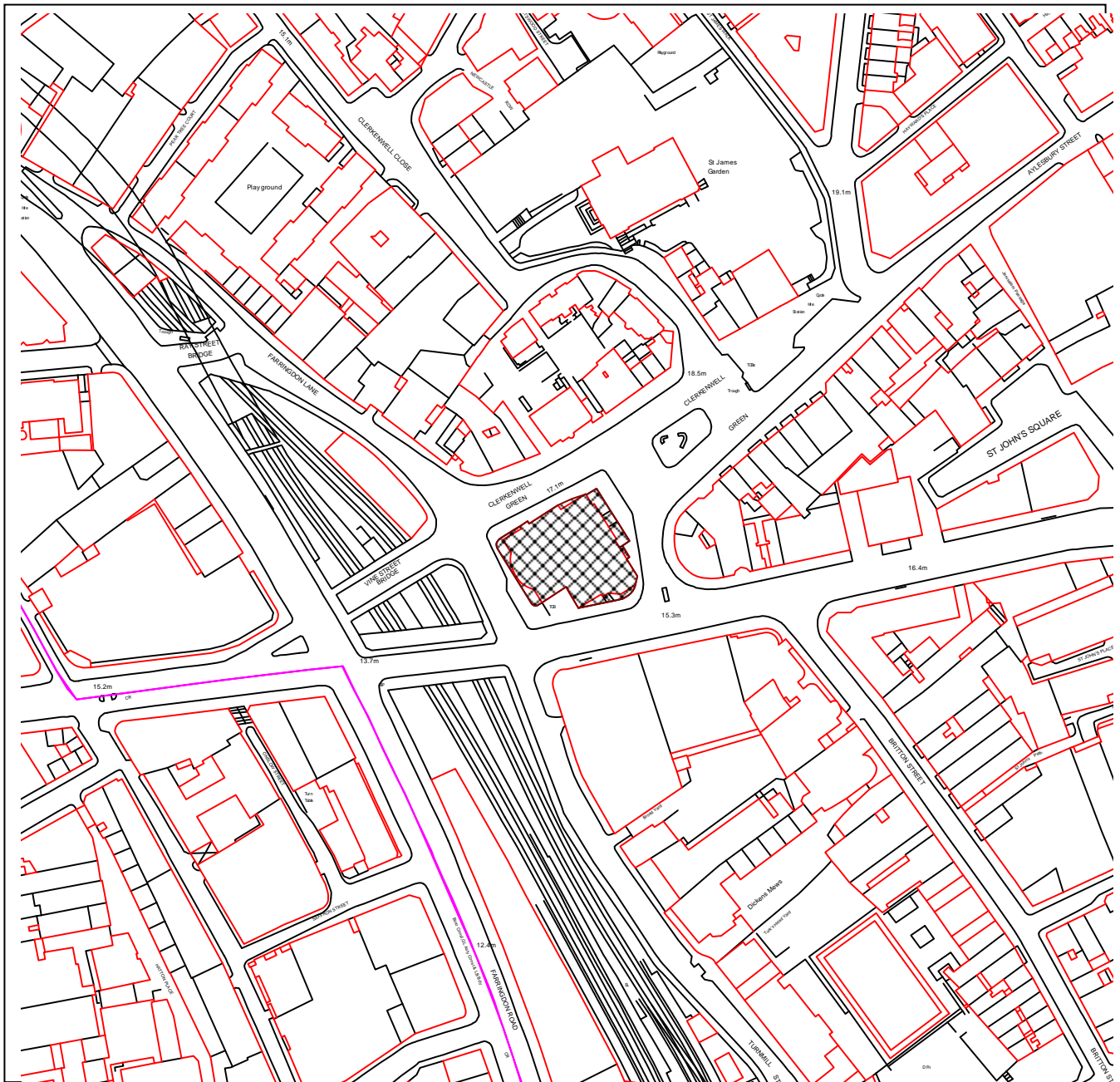
SCALE: 1:2000

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/4040/LBC

LOCATION: THE OLD SESSIONS HOUSE , 22, CLERKENWELL GREEN LONDON EC1R 0NA

SCALE: 1:2000

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 333
 222 Upper Street
 LONDON N1 1YA

PLANNING COMMITTEE		
Date:	24 February 2015	

Application number	P2014/3878/FUL and P2014/4039/LBC
Application type	Full Planning Application and Listed Building Consent Application
Ward	Clerkenwell Ward
Listed building	Grade II* Listed Building
Conservation area	Clerkenwell Green
Development Plan Context	Clerkenwell Green Conservation Area Article 4(2) Clerkenwell Green Archaeological Priority Area (Clerkenwell) Area of Special Character (Clerkenwell/Smithfields) Central London Area Central Activities Zone Employment Priority Area Rail Safeguarding Consultation Area Structure to be Retained Local View from Archway Road, Archway Bridge, Dartmouth Park Hill and Amwell Street Strategic View from Kenwood
Licensing Implications	Requires Premises License (not applied for)
Site Address	The Old Sessions House, 22 Clerkenwell Green, London EC1R 0NA
Proposal	Application for Planning Permission and Listed Building Consent for: Change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar and office (Sui Generis use), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of boundary railings to rear and flank elevations and internal alterations/restoration works (including lowering of (including excavation of sub-basement below yard).

Case Officer	Mr Nathaniel Baker
Applicant	Satila Farrington Ltd
Agent	Miss Jen Sanders - Vail Williams LLP

1 RECOMMENDATION

The Committee is asked to resolve to **GRANT** Planning Permission subject to:

1. the conditions set out in Appendix 1 (Recommendation B); and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 (Recommendation A).

The Committee is asked to resolve to **GRANT** Listed Building Consent subject to:

1. the conditions set out in Appendix 1 (Recommendation C).

2 SITE PLAN (SITE OUTLINED)



3 PHOTOS OF SITE/STREET

Front elevation:



Clerkenwell Road elevation:



Clerkenwell Green elevation:



Farringdon Lane elevation:



4

SUMMARY

- 4.1 The planning and listed building consent applications propose the change of use of the currently vacant grade II* listed building to a mixed sui generis use, comprising retail, restaurant/bar and office together with roof extensions, the creation of roof terraces, the excavation of a small sub-basement the installation of windows, repair works to the façade, erection of railings and a wall and extensive internal alterations and restoration works.
- 4.2 In accordance with Employment Priority Area (General) and CAZ policy aims the proposal would result in an uplift of business and employment floor space at the site,

while introducing uses complimentary to the primary business function of the area. The proposal would provide space for SMEs and a contribution towards the provision of off-site affordable housing. The proposed retail/restaurant/bar and office uses is not considered to represent an over concentration of uses.

- 4.3 The proposed internal works, which include a loss of floor space would reinstate historically significant proportions to the property including the reinstatement of a double height Court Room, lower ground floor prisoner cells, the Judges' Dining Room and the repair of an 18th Century glazed screen. Together with the extensive refurbishment works and reinstatement of historic features, the internal works would enhance the significance of the listed building.
- 4.4 The proposed roof extensions represent simple and conventional additions that would respect the scale and proportions of the building, while views of the roof terrace would be limited. The proposed works to the façade of the building and reinstatement of historic boundary treatment would enhance the setting of the listed building and the character of this part of the Conservation Area. English Heritage Support these proposals.
- 4.5 The proposal would result in the loss of some historic fabric and form at the building which would amount to less than substantial harm to the Designated Heritage Asset. In accordance with the NPPF the public benefits of the proposal (heritage benefits, increased public access and active use of the building) have been assessed and are considered to outweigh any harm.
- 4.6 Representations have been received that raise concern over the use of the building resulting in disturbance to neighbouring occupiers. By securing the submission of a comprehensive Management Plan through a legal agreement, which would secure controls/mitigation measures required to justify the granting of any future licence for extended hours of operation at the site, adequate management and controls would be secured to mitigate any potential disturbance to neighbouring occupiers and the successful operation of the site.
- 4.7 The site is highly accessible by public transport and a taxi drop-off point is not required. The proposal does not include any off-street space suitable for cycle parking provision and the provision of cycle parking within the building would be harmful to the heritage asset. However, due to the highly accessible site location and previous site use, on balance the proposal is considered to be acceptable with regard to transport and highway issues.
- 4.8 The proposal would improve the energy efficiency and accessibility of the building.
- 4.9 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a S106 Legal Agreement to secure the necessary mitigation.

5 SITE AND SURROUNDING

- 5.1 The application site forms the western edge of Clerkenwell Green and is set on a central roundabout bounded by Clerkenwell Green to the north and east, Clerkenwell Road to the south and Farringdon Lane to the west. The Old Sessions House is a part two, part three storey Grade II* listed building and was formally the Middlesex Sessions House which was enlarged and remodelled in 1860 on all but the principal elevation and served as a Law Court until the 1920s.

- 5.2 Planning permission was granted in 1976 for the use of the building as a Masonic Lodge. The building has also operated as the Clerkenwell Conference Centre, providing private hire space for meetings and conferences, professional training courses, private events, exhibitions, wedding receptions and similar uses, with a Certificate of Lawful Existing Use granted in 2008.
- 5.3 Internally, the building has areas with a neglected appearance, a number of significant past alterations and a series of different floor levels and stairways.
- 5.4 The main entrance to the property is from the east elevation facing onto Clerkenwell Green with a secondary access to the ground floor from Clerkenwell Road to the south. A servicing entrance is located at lower ground floor level (pavement level) on the north elevation. The entrances to the west are fixed shut.
- 5.5 The surrounding area is predominantly commercial with some residential properties. To the west the site faces over Farringdon Lane and across the railway lines running into Farringdon Station to the south west (the former Fleet River Valley).
- 5.6 The site is located within the Clerkenwell Green Conservation Area, the Central Activities Zone (CAZ), an Employment Priority Area (General) and is set within a number of Local and Strategic views of St Paul's Cathedral from various viewing points.

6 PROPOSALS (IN DETAIL)

- 6.1 The applications propose the change of use from a Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar and office (Sui Generis) use, erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works.

Planning Application

- 6.2 The planning application proposes the following:
- 6.3 Roof extension and roof terraces: The proposed roof extension would replace an existing hipped roof on the west side of the property with a tiled mansard roof extension incorporating rounded dormer windows. A roof terrace would project over the flat roof of the mansard, with a tensile steel cable balustrade and a sunken swimming pool.
- 6.4 On the north side of the property the roof extension would be set back from the parapet and would have a vaulted barrel form with metal cladding. It would extend over a stairwell and the proposed roof top plant.
- 6.5 Two tiled hipped roofs on the north and south sides of the property would be partially removed with the east facing pitch being retained.
- 6.6 Walls, railings and external alterations: The proposed stone wall would extend around the open south west corner of the property and would measure a maximum of 3.1 metres in height. It would incorporate two gates and gas lamps.

- 6.7 The proposed railings would extend around the north and west elevation of the building, replacing existing railings and following the original stone plinth still in place. The railings would match those on the south and east elevations.
- 6.8 The proposal would replace a number of non-original windows and open up original windows which are currently closed. Three original high level bullseye windows would be reinstated on the west elevation.
- 6.9 A brick infill within the lightwell fronting Clerkenwell Green would be demolished, four vaults would be opened up and Yorkstone pavers laid. The steps onto Clerkenwell Green would be repaired.
- 6.10 The facades of the building are proposed to be cleaned and repaired, including stone paint and the removal of a number of vents.
- 6.11 The proposed uses at the site are detailed below:
- 6.12 Lower ground floor: the proposal would introduce a restaurant/retail unit (measuring 461 square metres) within the central part of the building, accessed from Farringdon Lane; a retail/restaurant unit (measuring 74 square metres) on the northern side of the building accessed from Farringdon Lane and Clerkenwell Green with a shared ground floor toilet facility; a bar/restaurant/retail unit (measuring 165.5 square metres) on the southern side of the property accessed from Clerkenwell Road with a proposed external area at the south west corner of the site; and the use of the lightwell and reinstated vaults on the east of the site as an external area serving the central and southern units.
- 6.13 Ground, first and second floor: are proposed to be in office use (measuring 1985 square metres). The main entrance to this part of the building would be from Clerkenwell Green, while an entrance on the northern side of the property would serve as an entrance to the third floor offices and bar/restaurant. The second floor roof terrace would serve the offices.
- 6.14 Third floor: the proposal would introduce a bar/restaurant use on the eastern side of the property (measuring 196 square metres) and office floor space on the western side of the property (measuring 160 square metres) with a small roof terrace.
- 6.15 Roof level: The existing roof area and the roof of the proposed roof extension are proposed as a roof terrace that would serve the third floor bar/restaurant and office uses at the site.

Listed Building Consent

- 6.16 The Listed Building Consent application proposes the works set out above in addition to the following:
- Reinstatement of the double height Court Room with balcony;
 - Reinstatement of lower part of 18th Century glazed screen between Court Room and domed hall;
 - Relocation of 19th Century first floor doors;
 - Removal of 19th Century stair to lower ground;
 - Restoration works to fourth floor Judge's Dining Room, including opening of original windows, and the introduction of a free standing reversible gallery;
 - Reinstatement 23 fire places;

- Removal of extensive partitions and introduction of new partitions with details to match adjacent original walling; and
- General works to the remainder of the property include the new and repaired joinery, new cornices to match existing, repair works to chimneys, replacement of damaged render and stone and repairs to existing windows.

Revision 1:

- 6.17 The plans for the Planning and Listed Building Consent applications were amended on 11th December 2014 to revise the roof extension from a leaded barrel roof to a slate mansard roof, the retention of two areas of hipped roof and the reinstatement of the bulls eye windows in the west elevation. The plans were amended following discussions between the applicant, Planning and Design and Conservation Officers and English Heritage.

Revision 2:

- 6.18 A Construction Phasing Strategy was submitted on 3rd March 2015 and a draft Management Plan submitted on 4th March 2015 following discussions between the applicant and the Planning Officer.

7

RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P2014/3871/FUL** - Change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office and Private Members' Club (Sui Generis), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works (including excavation of sub-basement below yard) – **Pending consideration**.
- 7.2 **P2014/4040/LBC** - Listed Building Consent for erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works (including excavation of sub-basement below yard) to facilitate change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office and Private Members' Club (Sui Generis) – **Pending consideration**.
- 7.3 **P2013/1672/FUL** - Use as a Private Members' Club (Sui Generis) and associated uses including conference centre, exhibitions, training, presentations, product launches, fashion shows, antique and collectors fairs, weddings, bar mitzvahs, funerals, receptions, private parties, the provision of music, dance, entertainment, bar, lounge and health and fitness suite and sleeping accommodation and restaurant/bar within the lower ground floor accessible from Clerkenwell Road – **Withdrawn** (16/06/2014)
- 7.4 **P081514** - Certificate of Lawfulness (Existing) for use outside of Masonic Association, including conferences, training, receptions and similar uses - **Certificate Granted** (14/11/2008).
- 7.5 **P031047** - Erection of new railings along western boundary (Listed Building Consent) - **Granted Conditional Consent** (07/07/2003).

- 7.6 **P031046** - Erection of new railings along western boundary - Granted Conditional Permission (07/07/2003).
- 7.7 **970470** - Listed Building Consent application in connection with provision of library cabinets, glazed solid fire screens and upgrading of doors and frames - **Granted Conditional Consent** (19/02/1998).
- 7.8 **960847** - Internal alterations including replacement lift, installation of lockers, cloak racks and case racks - **Granted Conditional Permission** (12/03/1997).
- 7.9 **931676** - Installation of fire screens and doors to ground floor - **Granted Conditional Consent** (01/06/1994).
- 7.10 **870296** - Internal alterations to existing toilet facilities at ground floor level (Listed Building consent) - **Granted Conditional Consent** (30/07/1987).
- 7.11 **Case TP 87228/03.1** - Use of Part of basement as a wine lodge and licensed restaurant – **Granted Conditional Permission** (07/03/1974).
- 7.12 **Case TP 85874/03.1** - Use of the Sessions House for Masonic purposes – **Granted Conditional Permission** (21/04/1976).

Licensing Application:

- 7.13 Given the significant overlap of issues, the licensing history is set out below:
- 7.14 **Item B1** (Licensing Sub-Committee B) - Proposed variation of hours of sale of alcohol to 06:00am - **Refused** (13/08/2013) - Note that the existing License permitted the sale of alcohol between 1000 – 2300 hours Monday to Saturday and 1200 to 2230 hours on Sundays.

PRE-APPLICATION ADVICE:

- 7.15 **Q2013/2698/MIN** - Formal pre-application advice has been given on the site. However, this was not submitted by the current applicant, and therefore further detail is not given here.
- 7.16 **Q2014/1046/MJR** - The proposal has been subject to ongoing pre-application discussions. The key points which required further consideration during the pre-application process were:
- Unresolved uses;
 - Management of the property;
 - Hours of operation; and
 - Form of roof extension and inclusion of swimming pool.

- 7.17 **PA0043478** - Formal pre-application submission to English Heritage.

ENFORCEMENT

- 7.18 E/2014/0182 - Unauthorised works to a Listed Building (Grade II*) - No action taken and case closed (19/06/2014).

CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 154 adjoining and nearby properties at Clerkenwell Road, Britton Street and Clerkenwell Green on the 9th October 2014. Following the receipt of amended plans/additional information the application was re-notified on the 17th December 2014 with occupants of 160 adjoining and nearby properties notified including additional occupants at Sekforde Street, St Johns Walk and Aylesbury Street. A site notice and press advert were displayed on 16th October 2014 and again on the 18th December 2014. The public consultation on the application therefore expired on 8th January 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 a total of 14 responses had been received from the public with regard to the planning and listed building consent applications. These consisted of 13 objections and 1 letter of support for the proposal, one of the objections was amended following the receipt of the amended plans, however no additional considerations were raised. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Objections:

- The proposal is contrary to policy (Para 10.24);
- Concern raised regarding hours of use within a residential area (Para 10.66, 10.67, 10.70 and 10.71);
- Concern raised regarding disturbance from those leaving the building late at night (Para 10.68);
- The proposal would increase noise to local residents, particularly from the roof terraces (Para 10.75);
- The proposal would result in increased anti-social behaviour in the surrounding area (Para 10.68);
- The Noise Impact Statement erroneously states that only an office block faces the south of the site, there are two residential buildings to the south (Para 10.106);
- The roof extension, alterations to the roof and the roof terraces (inclusive of the pool) are not in keeping with the Conservation Area (Para 10.29 - 10.35);
- The proposed works would cause significant harm to the listed building and conservation area (Para 8.26 and 10.50);
- The applicant has submitted insufficient information for an adequate assessment to be made (Para 10.70);
- There are no public benefits to the proposal (Para 10.51 – 10.56);
- The proposal details a total capacity of 1366 people with 150 employees, at just over 2 metres per person the capacity is excessive and could lead to Health and Safety issues (Para 10.107);

- There are a sufficient number of bars and restaurants within Clerkenwell (Para 10.20 and 10.21);
- Concerns raised regarding highway safety due to the building users standing on the pavement (Para 8.30 and 10.87);
- The proposal shows a lack of business planning (Para 10.68);
- The landscaping of the immediate vicinity deserve protection and improvement (Para 10.37, 10.39 and 10.98 – 10.100);
- The proposed use is not clear (Para 6.1 and 6.12 - 6.15);

Comments:

- The proposed use should close no later than 2300 hours and 2400 hours at weekends (Para 10.67 and 10.70);

Support:

- The proposed sympathetic internal and external restoration works will respect and restore much of the original architectural splendour of this historic building;
- The proposed alterations would not detract from the buildings context within a Conservation Area and will provide benefits to the local community and visitors; and

Non-planning Issues:

- Together with other surrounding developments the construction works involved in the proposal would result in disturbance to neighbouring occupiers and impact upon the highway network (Para 10.105).

8.3 The applicant has submitted written responses to the representations received.

External Consultees

8.4 **English Heritage** – We recognise the substantial heritage benefit associated with the proposals and welcome the positive revisions to the scheme. Conditions are recommended regarding the cleaning (Listed Building Condition 10) and re-rendering of the exterior (Listed Building Condition 3) and a management agreement to restrict the level of paraphernalia associated with the roof terraces (Listed Building Condition 13). Additionally, it is recommended that the provision of occasional public access to significant spaces is explored further.

Internal alterations: The significant heritage gains are recognised, particularly the reinstatement of the original Georgian screen, the double height volume in Court No. 1 the rationalising of the services, and the extensive reinstatement of historic features throughout the interior. The removal of some of the interesting Pownall features, such as the stone staircase to the rear, is undesirable but necessary in order to reinstate the original proportions of Court No. 1. The gallery in the Judge’s Dining Room, would cause some harm to the appreciation of the internal volume of the room, however, this intervention would be free-standing and therefore reversible.

Public access will be provided to important parts of the building such as the prison cells at basement level and to the Pownall dining room which is welcomed in

principle. However, these areas will only be accessible to the paying customers and it is not clear whether any of the important spaces will be accessible to the wider public (Para 10.53 and 10.55).

As identified in the Heritage Statement, the entrance hall was intended for general public access from Clerkenwell Green. Therefore the reinstatement of this in some way would be strongly welcomed by English Heritage and would reinforce the building's important civic relationship with the Green. This could potentially be achieved by using the entrance hall as the reception area for the club or office, but allowing the public to access and appreciate this significant space via main entrance (Para 10.55).

External alterations: The reinstated railings, gas lights and Yorkstone paving and the removal of the brick infill in the lightwell would enhance the character of the listed building and improve its relationship with Clerkenwell Green.

The reinstatement of the bullseye windows in the west elevation is welcomed. The proposed cleaning of the building façade and application of stone dust paint should be subject to a trial in a discreet part of the building (Listed Building Condition 3).

Roof extension and roof terrace: The most sensitive issue is the erection of a roof extension in place of the hipped roof structure above the Court Room to the rear of the building. The intervention is acceptable in principle. The conventional roof extension is proposed with dormers that align with the openings below and is acceptable.

It is noted that the eastern parts of the Victorian hipped roofs to the north and south of the dining hall will now be retained, this is a significant improvement.

The roof terraces are proposed to compensate for the loss of floor space in the Court Room. Whilst this provides some justification for the intervention, the extent of loss of the remaining historic roof structures is undesirable and we would particularly encourage the retention of the hipped roofs which flank the dining room to the north and south.

No objection to the swimming pool however, a management agreement should be put in place to restrict the associated paraphernalia for the roof terraces and pool (Listed Building Condition 13).

- 8.5 **English Heritage (GLASS)** – The site falls within archaeologically sensitive location on what was Clerkenwell Green and the submitted archaeological assessment identifies a high potential for medieval remains. The proposed works are of a relatively small scale and subject to a condition (Planning Condition 6) and an informative no objection is raised.
- 8.6 **Crime Prevention Officer** – No response received.
- 8.7 **Thames Water** – No objection subject to a conditions and informatives.
- 8.8 **London Borough of Camden** – No response received.
- 8.9 **Network Rail** – No objection subject to the proposal and construction works not impacting upon Network rail land or operations. Informatives are recommended.

- 8.10 **Crossrail 1** – The implications of the Crossrail proposals for the application have been considered and Crossrail Limited do not wish to make any comments on this application as submitted.
- 8.11 **London Fire and Emergency Planning** – The Brigade is satisfied subject to the proposal meeting the requirements of Approved Document B5 of the Building Regulations.
- 8.12 **London Underground** – No response received.
- 8.13 **Transport for London (Road network Development)** – No objection to the principle of the development subject to conditions (Conditions 12 and 17, and HoTs 6, 7 and 8).
- 8.14 **Clerkenwell Green Preservation Society** –The proposal would cause significant harm to the listed building and is contrary to national and local policy. If granted permission it would cause irreversible damage to a unique heritage asset and the Conservation Area.
- The proposed extensions and roof terrace would detrimentally impact upon the listed building and conservation area. There are no benefits that would outweigh the harm to the heritage asset. The building should be open to the public.
- The proposed partitioning and internal works would result in the loss of former character and the swimming pool could lead to water damage.
- The increased intensity of use and proposed uses would create significant night-time activity that would be detrimental to surrounding occupiers. A holistic approach to use should be made. The application fails to address concerns regarding public amenity.
- 8.15 The applicant has submitted a written response to this consultee response.
- 8.16 **Council for British Archaeology** – No response received.
- 8.17 **London and Middlesex Archaeological Society** –Concern raised regarding the sub-division of space. Concern raised regarding level of detail provided on floor plans. No objection to sub-basement. The removal of the mezzanine floor in the Court Room is welcomed. The roof extension is not sympathetic. Roof plant should be located to minimise its visibility and balustrades should be glazed.
- The applicant has submitted to the Council a written response to this consultee response.
- 8.18 **Georgian Group** – No response received.
- 8.19 **The Islington Society** – No response received.
- 8.20 **Victorian Society** – No response received.
- 8.21 **Ancient Monument Society** – We are prepared to defer to English Heritage in this case but we commend it in principle. It will bring back into use a significant historic building which has been ill served in recent years.
- 8.22 **Society for the Protection of Ancient Buildings** – No response received.

Internal Consultees

- 8.23 **Planning Policy** – Local Plan Policy in the CAZ and its Employment Priority Areas aim to protect and encourage a wide variety of employment floorspace but particularly 'B' use floor space. The extent of business floorspace at the site should be maximised.

The small office and retail/restaurant/bar floor space would constitute Small Enterprises. There is a question of the separation of these uses.

A contribution to off-site housing should be made.

Employment Priority Areas allows for the location of new entertainment uses within the CAZ. The site is located over 200 metres from the nearest school but the building is located within a Cumulative Impact Area for alcohol licensed premises.

The provision of a small A1/A3 use is supported in policy terms.

- 8.24 **Licensing** – Licensing policy sets out the preferred terminal hours of:

Restaurants, Cafes and Bars: 2300 hours Sundays to Thursday and 0100 hours Fridays and Saturdays.

The proposed hours would generally fall within the preferred hours, with the exception of the proposed opening to 0200 hours Monday to Thursdays for the Third floor bar and basement uses.

However, the premises are located within a Cumulative Impact Policy area and any proposal to extend the licensed hours beyond the existing hours is likely to be contested. Any future licence applicant would need to provide evidence in relation to the promotion of the Licensing Objectives to demonstrate an exception to this policy.

- 8.25 **Access and Inclusive Design Officer** – There is no step free access to the main entrance. There is potential for the adjacent lightwells to house a platform lift or ramp. The level access and refurbished lift at lower ground floor level is not welcoming or equivalent. Level access is available to the restaurant, this is welcome.

Concern that the lower ground floor restaurant and ground floor level have no accessible WCs, which is unacceptable.

The lift does not include the requisite 1500x1500mm manoeuvring space to the front at first or second floor level. There is no lift access to the roof, if there would be a problem with the passenger lift's overrun, platform lifts between the third floor and the roof could be provided. The proposed gallery is served only by a spiral stair which will not be accessible to ambulant disabled people.

There are several level changes throughout the building, where an accessible route should be provided.

- 8.26 **Design and Conservation Officer** – The proposed office use is not unacceptable but is not one of the best uses for the building. Some aspects of the proposals will result in the loss of late C19 fabric and cause less than substantial harm. This harm is outweighed by the proposed public/heritage benefits.

The reinstatement of the original Court Room proportions and architectural detailing of this extremely important room is a substantial public/heritage benefit.

The rarity and outstanding significance of the surviving part of the C18th glazed screen is recognised. The harm arising from the removal (and relocation) of C19th fabric is outweighed by the enhancement of reinstating the lower part of the C18th glazed screen.

The harm arising from the removal of C19th stairs to the basement is outweighed by the enhancement of reinstating the C18th plan form and the justification for the need for quality interior space and the wider enhancements / public / heritage benefits that the proposed use of the building will provide.

The gallery to the Judges' dining room is acceptable as it has been designed to be a freestanding object which is reversible.

No concern is raised regarding the proposed roof terraces to existing flat roofs utilising existing parapets. The removal of some pitched roofs (retaining two sections to the front elevation) causes harm but the wider enhancements/public/heritage benefits that the proposed use of the building will provide. Balustrades have been set back as far as is practically possible to reduce visibility and are to be constructed of tensile steel cables to have the least visual impact from long views.

The harm arising from the construction of a roof extension is outweighed by the justification for the need for additional floor space arising from the loss of floor space resulting from the wider enhancements / public / heritage benefits proposed. English Heritage is of the view that a slated mansard roof best responds to the architecture of the building. Marked up photos show that the roof extension is only visible from (very) long views.

With regard to the swimming pool it has been demonstrated that should the means of holding a large body of water at high level fail the leakage arising would not harm any sensitive historic interiors because it would be caught by a 'second skin' of tanking and backup drainage system.

The reinstatement of the wall to the former prisoners yard shown on the 1877 plans is welcomed.

- 8.27 **Energy Conservation Officer** – Given that the building is Grade II* listed and as such are unable to upgrade the fabric then there is little that could be required. The Green Performance Plan is broadly acceptable.
- 8.28 **Sustainability Officer** – No objections.
- 8.29 **Transport Planning Officer** – To cope with the impact of the proposed development, the applicant should make a site specific S106 contribution towards footway improvements in the vicinity of the site. The designs should incorporate at least some cycle parking within the site. Any shortfall should be met by a financial contribution for publicly accessible bicycle racks. A more detailed service and delivery plan should be submitted prior to commencement (Planning Condition 12).
- 8.30 **Highways** – The servicing area is likely to be the best location but this depends upon the type of vehicle used. Further details required on servicing relevant to the specific occupier. There are a number of short stretches of single yellow lines in the immediate vicinity of the site and at this stage I am not inclined to require a taxi drop off point. Should a taxi drop off point be proposed then this should not replace existing provision.

- 8.31 **Tree Preservation / Landscape Officer** – The proposed excavation within close proximity to street trees raises concerns. Where street trees are not compatible with the proposal there will need to be an overriding justification for their removal and appropriate mitigation in the form of a contribution of their CAVAT (Capital Asset Value for Amenity Trees) value. The applicant should submit an Arboricultural Impact Assessment (Planning Condition 14).
- 8.32 **Refuse and Recycling** – The waste management details as set out in the draft Management Plan are acceptable. Recommend condition (Planning Condition 15) requiring details of refuse/recycling store prior to occupation.
- 8.33 **Public Protection (Noise Issues)** – No objection subject to the submitted noise management plan being adhered to and conditions requiring a report of plant noise to be submitted, and restricting plant noise, amplified music and sound and the hours of servicing and delivery.

9 RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 The National Planning Policy Guidance 2014 provides planning practise guidance for the implementation of the policies set out in the NPPF. The NPPG is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.3 On the 28th November 2014, a Ministerial Statement and revision to the Planning Practise Guidance (PPG) were published.

Development Plan

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

Designations

- 9.5 The site has the following designations under the London Plan 2011 (Consolidated with Alterations 2015), Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Plan Area Action Plan 2013.
- Grade II* Listed Building
 - Clerkenwell Green Conservation Area
 - Article 4(2) Clerkenwell Green
 - Archaeological Priority Area (Clerkenwell)
 - Area of Special Character (Clerkenwell/Smithfields)
 - Central London Area

- Central Activities Zone
- Employment Priority Area
- Rail Safeguarding Consultation Area
- Structure to be Retained
- Local View from Archway Road
- Local View from Archway Bridge
- Local View from Dartmouth Park Hill
- Local View from Amwell Street
- Strategic View from Kenwood

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Environmental Impact Assessment

9.7 An EIA screening was not submitted. However the general characteristics of the site and proposal are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

10 ASSESSMENT

10.1 The planning and listed building consent applications are both assessed below.

10.2 The main issues arising from this proposal relate to:

- Land Use;
- Design and Heritage;
- Listed Building Works;
- Assessment of Harm;
- Accessibility;
- Neighbour amenity;
- Sustainability, Energy efficiency and renewable energy;
- Highways and transportation implications;
- Trees; and
- Planning Obligations.

Principle of Development

10.3 The grade II* listed former Middlesex Sessions House is of outstanding significance for the quality of its architecture and historic value. The existing building has been vacant since its sale in 2013 and was previously occupied by the Free Masons. A number of areas both internally and externally have a neglected appearance and there are extensive works which do not benefit from consent and are considered harmful to the building.

10.4 This unfortunate under-use of a significant, readily-accessible central London site could potentially be remedied by refurbishment and redevelopment. This provides an opportunity to bring a prominent and significant listed building back to use, whilst restoring significant historic features and layouts. The principle of redevelopment is therefore welcomed in design and conservation terms.

10.5 The above in-principle position regarding the refurbishment and redevelopment of the site accords with the National Planning Policy Framework's presumption in favour of sustainable development.

Land-use

- 10.6 The Old Sessions House has a lawful use for Masonic purposes (Sui Generis) dating back to 1976 and an established use as a private hire space for meetings and conferences, professional training courses, private events, exhibitions, wedding receptions and similar uses (application ref: P081514). The previous Masonic use catered for meeting and dining facilities for 234 Lodges, equating to membership in excess of 4500 Free Masons, attending nearly 800 meetings per year during the Masonic season of September to June. The property is currently vacant with preliminary internal works having been carried out by the applicant.
- 10.7 The proposal would introduce retail, restaurant and bar uses at lower ground floor level, office use across the ground, first, second and part of the third floor and a restaurant/bar at third floor level. The previous (and lawful) Masonic use of the building included varied uses, some of which would be replicated here, albeit within a commercial premise.
- 10.8 London Plan policies 2.10 and 2.11 recognise the 'mixed' nature of much of the CAZ and seek to enhance and promote the unique international, national and London wide role of the CAZ through the promotion of a range of mixed uses including business services and night time activities where this would sustain the heritage of the CAZ. As set out in the 'Design and Heritage' section below, the proposal would sustain the heritage of the building while introducing a mixed use scheme that would complement the unique role of the CAZ.

Employment floor space:

- 10.9 The site is located within an Employment Priority Area (general) where Core Strategy policy CS13 and Finsbury Local Plan policy BC8 safeguard existing employment floor space and encourages new employment floorspace (particularly business floorspace) to locate in the CAZ where access to public transport is greatest. New business floorspace is required to be flexible to meet future business needs and shall include the provision of a range of unit types and sizes, including those suitable for Small/Medium Enterprises (SMEs).
- 10.10 Finsbury Local Plan Policy BC8 states that proposals should incorporate the maximum amount of business floorspace reasonably possible on the site. However, it then adds that the employment floorspace of a development should not be unfettered commercial floorspace (B1a) but where appropriate must also include retail or leisure uses at ground floor alongside a proportion of non-B1a or business-related floorspace and/or office B1a or retail floor space suitable for accommodation by SMEs and/or affordable workspace.
- 10.11 Policy BC7 sets out that this part of London will be protected and enhanced through heritage-led development that reinforces its uniqueness, integrity and social-cultural value; providing for limited expansion in floorspace. This policy encourages the provision of a range of employment uses, including space for SMEs, retail and leisure uses where these would positively reinforce the character of the street or space and should provide active ground floor frontages to major roads and key routes.
- 10.12 The proposal would increase the quantum of floor space within this building by 49 square metres, introducing 2145 square metres of office floor space in total and introduce a greater variety and number of employment uses (retail/restaurant/bar) at the site.

- 10.13 Although predominantly an office-led development, in accordance with policy BC8 the proposal would introduce a mix of uses at ground and third floor, providing a range of facilities that are considered to be supportive and complimentary to the primary business role of the area. The increase in the number of and varied scale of the units together with the mix of uses and high level of public access to the site would ensure that the building would be flexible to future business needs and would not compromise economic function/growth. In addition to this, the proposal would undoubtedly increase the level of employment at the building from the previous (and currently vacant) use of the building.
- 10.14 As such, it is considered that the proposal would maximise the amount of business floor space at the site, which is considered to accord with the aims of the Employment Priority Area (General) and the CAZ.
- 10.15 In accordance with Core Strategy Policy CS13 and Finsbury Local Plan policies BC7 and BC8, the proposal would incorporate a small office unit and small retail/restaurant/bar uses at the site which would represent suitable accommodation for SMEs. This in effect meets the policy requirement for affordable work/retail space within this scheme.
- 10.16 Finsbury Local Plan policy BC8 part D sets out that where a net increase in office floorspace is proposed, the development should also incorporate housing up to 20% of the floor area and where this is not possible provide a contribution towards housing off-site. The subdivision of the building into residential units would be harmful to the significance of the grade II* listed building and therefore not appropriate. As such, a contribution of £171 600 toward the provision of off-site housing is secured in the legal agreement (HoT 1). Although the building is currently vacant, Vacant Building Credit would not be relevant to the calculation of the contribution in this case because the policy basis for the contribution is to ensure a sufficient mix of uses within the Central Activities Zone and it is not specific for affordable housing provision.
- 10.17 In addition to this, the proposal represents a heritage-led development that invests in and ensures the continued use of an important grade II* listed building that is identified in the Finsbury Local Plan as a feature of local importance that contributes to the special character of historic Clerkenwell.
- 10.18 It is noted that the Policy Officer has raised concerns regarding the adequate separation of the uses in the building. The lower ground floor uses at the property would each benefit from a dedicated access, with a secondary entrance through the offices to the central retail/restaurant unit, while the northern entrance onto Clerkenwell Green would serve the third floor of the building and the main building entrance onto Clerkenwell Green would provide access to the main office use of the site. The uses would therefore be adequately separated and any change to the proportion of uses detailed on the plans would represent a change of use within the Sui Generis use class and would therefore require planning permission.

Night time economy and concentration of uses:

- 10.19 Development Management policy DM4.2 states that night-time economy uses are appropriate within Clerkenwell, while policy BC8 of the Finsbury Local Plan states that new entertainment uses will only be allowed within Employment Priority Areas, as is the case here. Policy DM4.3 establishes where these uses are appropriate, stating that restaurants, drinking establishments and similar uses should not have a negative cumulative impact due to an unacceptable concentration of such uses in

one area and should not cause unacceptable disturbance or detrimentally affect the amenity, character or function of an area. It should be noted that the site falls within a Cumulative Impact Area, as designated under Licensing Policy where there is an identified abundance of licensed premises.

- 10.20 The previous use of the site included two bar areas, extensive dining facilities and private hire facilities for functions with no planning restrictions on the hours of operation and a high number of potential site users. The proposal would introduce up to four additional night time economy uses (two restaurants and two restaurant/bars) to the site. While this would cumulatively increase the number of night time economy uses within the locality, the proposal includes varied and complimentary uses that would ensure a balance of day and night time uses.
- 10.21 Additionally, the re-use of this grade II* listed building with retail, restaurant, bar and office uses would provide activity to the street frontage and introduce some publicly accessible spaces where this has previously been severely limited. As such, the proposal would not result in an unacceptable concentration of such uses in this area and the proposed uses would be in keeping with the character and function of the area. It should also be noted that the proposed uses that would serve alcohol are located over 200 metres from any schools.

Conclusion:

- 10.22 The proposed change of use at the site would ensure the continued occupation and significant investment into this grade II* listed building identified as a feature of local importance that contributes to the special character of historic Clerkenwell.
- 10.23 In accordance with Employment Priority Area (General) and CAZ policy aims the proposal would result in an uplift of business and employment floor space at the site, while introducing uses complimentary to the primary business function of the area. Additionally, the proposed retail/restaurant/bar and office uses is not considered to represent an over concentration of uses.
- 10.24 As such, it is considered that the proposed change of use is acceptable in land use terms, subject to an assessment of all other relevant policy, the impact upon the listed building and any other relevant material planning consideration.

Design and Heritage

- 10.25 The former Middlesex Sessions House is of outstanding architectural and historic significance. The history of the building is discussed in detail in the Survey of London. In summary it was designed c.1778-82, by Thomas Rogers; enlarged and remodelled on all but the principal front in 1860 by Frederick Hyde Pownall with the ashlar-faced wing to the south added at some time between 1876 and 1914. The façade is notable for its low-relief carved panels by Joseph Nollekens, oval medallions of Justice and Mercy, portrait of George III in the central bay, and fasces and swords in the outer bays. Although substantially altered in the 19th Century and 20th Century many of the interior spaces remain architecturally impressive.
- 10.26 The NPPF (2011) details that when considering the impact of a proposed development on the significance of a designated Heritage Asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the Heritage Asset or development within its setting. As Heritage

Assets are irreplaceable, any harm or loss should require clear and convincing justification.

Roof Extensions:

- 10.27 The Clerkenwell Green Conservation Area Design Guidelines states that roof extensions visible from the street will not be granted where this is harmful to the character and appearance of the building.
- 10.28 The proposed mansard roof extension would replace an existing hipped roof in the same location. The existing hipped roof incorporates a large and incongruous rooflight and was rebuilt in the 1990s following extensive fire damage to this part of the building, with very few original structural beams retained. Views of the existing roof are afforded from Farringdon Road and in longer views to the west.
- 10.29 The mansard roof extension would be tiled with a roof terrace above and would incorporate dormer windows in the west elevation that would align with the principal windows in the elevation below, while in the north and south elevations these would align with the spaces between the larger windows below. The use of a tiled roof slope would reference the existing tiled roof and the dormer windows would provide rhythm to any limited views of the extension. The roof extension would not replicate the historical detail of the building but would instead represent a simple and conventional addition that would respect the scale and proportions of the building.
- 10.30 Although the removal of the hipped roof, which represents evidence of the historical extension of the building, would cause harm, this part of the roof has largely been rebuilt and the proposal would retain the structural internal beams. Additionally, due to its modest height and its set back from the parapet roof edge, views of the roof extension would be limited, while the domed roof of the building, which is of great significance, would be maintained as the dominant roof structure.
- 10.31 Although the proposed roof extension includes a swimming pool at roof level, this would be set into the proposed roof extension level with the terrace and therefore would not be visible in views from the surrounding public area.
- 10.32 The proposed roof extension to the north of the building would take the form of a leaded Victorian barrel vault extension. The roof extension would reference the Victorian design of the large leaded roof form over the east of the property, but would have a smaller and simpler form. While limited views would be afforded from Farringdon Road to the north, due to its small scale, use of leaded cladding and historic form, the proposed roof extension would appear as a subordinate addition that would not detract from the character and appearance of the listed building.
- 10.33 Two existing small hipped roofs to the north and south of the roof slope are proposed to be partially removed to provide access to the roof terrace and a roof top plant area. Although these roofs project above the height of the eastern parapet, views of these roofs from the surrounding public area are extremely limited. Notwithstanding this, the proposal would retain the hipped element of both roofs on the east side of the property, maintaining the appearance of the eastern elevation. However, the proposal would introduce roof top plant housing on the northern side of the property, which appears to be a leaded projection leading back from the retained hipped roof. This element of the roof extension would be small in scale and set back from the parapet edge. However, to ensure that this is as discreet as possible a condition is recommended requiring details of all roof top plant and the lift overrun to be

submitted to and approved in writing by the Local Planning Authority (Planning Condition 5).

Roof Terrace:

- 10.34 The proposed roof terrace over the main part of the property would involve the erection of a 1.1 metre high tensile steel cable balustrade and a swimming pool. The roof terrace would be visible in longer views of the site. However, the use of tensile steel cable balustrades reduces the extent of visible form, which together with the set back of the balustrade from the building edge and the height of the roof terrace, minimises the visibility of the terrace. It is appreciated that associated paraphernalia and lighting could draw attention to the roof terrace and detract from the setting of the listed building, as such, details of the roof terrace management are required (Listed Building Condition 13) and lighting details are required to be submitted by condition (Planning Condition 11).
- 10.35 The proposed second floor roof terrace would be set to the rear of existing high level stone balustrades, which restricts views of this area.

External works:

- 10.36 The proposal includes the replacement, reinstatement and repair of a number of windows across the property. Where windows have previously been painted over or damaged they would be cleaned and repaired, a number of blocked windows on the west elevation would be opened up and historically inaccurate windows replaced. The proposal includes the reinstatement of three bullseye windows where these have previously been replaced with incongruous square windows and works to a number of doorways. The proposed windows and repair works to windows and doors would provide more historically accurate detailing and a consistency to the elevations (Planning Condition 3 and Listed Building Condition 3).
- 10.37 The proposed railings would be set within an existing stone plinth on the south and west side of the property and would replicate the design of the 19th Century railings on the east and south sides of the property. Traditional gas lamps would also be added to the railings on the east side. The proposed wall to the south west corner of the site would reinstate the original 19th Century stone wall surrounding the prisoners yard, including gates and gas lamps. The boundary treatment proposed would reinstate original and traditional design features to the site and would enhance the setting of the listed building (Listed Building Condition 3).
- 10.38 Other external works include the removal of a number of vents and ducts, the cleaning and repair of the facades and the introduction of external lighting to illuminate the building. The repair and cleaning works would not result in the building appearing new, but would include a patina to reflect the historic ageing and evolution of the building. Together with the removal of the vents and ducts, the works to the façade would reinvigorate the elevations. The introduction of lighting can often be successful in enhancing the setting of a historic building, however, any lighting would need to be subtle and add to the visual character of the building and locality. As such, a condition is recommended requiring details of the lighting strategy to be submitted so that a full assessment can be made (Planning Condition 11).
- 10.39 The proposed works to the front lightwells include the excavation of four vaults, the demolition of a brick infill below the front steps and the laying of paving within this area. These works would provide an active use and high quality materials to this currently redundant and undistinguished space.

10.40 The proposed sub-basement would be located below the former prisoners yard in the south west corner of the site. There would be no elements of the sub-basement visible at ground floor level and it would not impact upon the plan form of the listed building.

Works to Listed Building

10.41 In addition to the proposed external works to the property, the proposal includes extensive internal works that require solely listed building consent.

10.42 Historically, the building has been extended with associated alterations to the internal layout and features. However, extensive partitioning, alterations to circulation space and the removal/alteration of historic fabric carried out largely in the 20th Century has resulted in the historic floor plan being distorted and the loss/deterioration of historic fabric across the building. Notably the insertion of a floor to the original double height Court Room, the enclosure of the 18 Century glazed screen to the Court Room and the subdivision of the lower ground floor are considered to be particularly harmful to the building.

10.43 The partitions proposed to be removed would largely reinstate the 18th Century plan form of the listed building while removing harmful 20th Century intrusions, allowing the scale and historic function of the building to be read.

10.44 Although resulting in a substantial loss of floor space, the reinstatement of the original double height Court Room proportions, architectural detailing and reuse of the surviving 18th Century glazed screen, which is of rare and outstanding significance, would represent a significant heritage benefit. This would ensure that the original function of the building could be read and enhance the significance of the building.

10.45 The removal of the 19th Century stairs from ground floor to lower ground floor would result in harm to the listed building but is necessary to reinstate the original proportions of the Court Room which is of a greater significance to the listed building.

10.46 The general internal works include the reinstatement of 23 fireplaces, joinery work, cornicing, repairs to stone floors, paint work and the amalgamation of the internal services which would provide a high quality environment that would enhance the significance of the listed building.

10.47 Although the proposed gallery to the Judges' Dining Room would cause some harm to the appreciation of the internal volume of the room, this structure would be free standing and therefore reversible.

10.48 Details of a safety mechanism for the proposed swimming pool have been submitted. These details ensure that should there be any breach of the swimming pools water that a secondary skin would provide adequate protection from water leaks to the floors below.

10.49 Conditions are recommended with regard to submission of details prior to the commencement of works to ensure that the appropriate quality of finishes of appropriate high quality would be delivered.

Assessment of Harm

- 10.50 Although some of the proposed works would result in harm to the designated heritage asset, which consists of both the grade II* listed building and the Clerkenwell Green Conservation Area, Officers consider this to be less than substantial harm. The NPPF details that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 10.51 As set out by English Heritage and the Design and Conservation Officer, the proposed works to the building include substantial heritage benefits. These heritage benefits, include extensive reinstatement of historically significant layouts, form and detailing such that the proposal would sustain the significance of the heritage asset, which is defined in the NPPG as a public benefit.
- 10.52 The proposed works to the facades of the building, the reinstatement of historic boundary treatment and the introduction of an active use to the building would enhance the setting of the heritage asset, which is a public benefit. The submitted Construction Phasing Strategy would be secured through the legal agreement (HoT 2) and ensures that each phase of works would be balanced in terms of harm and heritage benefit with the most harmful elements completed in the final phase.
- 10.53 The previous use of the building severely limited public access to the building. This proposal would introduce publicly accessible space at lower ground floor level within the original prisoner cells, open a restaurant/bar within the historically significant fourth floor Judge's Dining Room and provide access to the roof.
- 10.54 The harm resulting from the insertion of the roof extension and partial loss of hipped roofs is considered to be necessary to offset the loss of floor space through the reinstatement of the double height Court Room.
- 10.55 While the proposed works within the area designated as office use would not be visible to the general public, those people visiting the office would have access to the more restricted areas of the heritage asset. Additionally, the original main entrance to this part of the site would be accessible to the public. As such, this would add to the publicly accessible elements of the property. Furthermore, it is detailed in the NPPG that benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- 10.56 It is therefore considered that the proposal would provide substantial public benefits that would meet the tests of paragraph 134 of the NPPF and would therefore outweigh the harm to the designated heritage asset.

Phasing:

- 10.57 The submitted Construction Phasing Strategy details four phases of works to implement the proposal. The phasing strategy includes an assessment of the harm and benefits arising from each phase of works, providing a balancing argument. This would ensure that in Phases 1, 2 and 3 there would be a surplus in benefits and that some of the more significantly harmful elements would be implemented at Phase 4. This provides a level of security that should the works not be completed they would not result in harm to the heritage asset.
- 10.58 However, the Construction Phasing Strategy includes a number works within Phases 3 and 4 which would start simultaneously, resulting in some harmful elements of the

proposal potentially being completed prior to some of the elements providing public benefits. The Construction Phasing Strategy would be secured through a legal agreement with further details of Phase 4 and a review of the previously implemented phases required to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of these works.

Accessibility

- 10.59 The Islington Core Strategy (2011) policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard.
- 10.60 The existing building has stepped access to a number of the entrances and internally there are varied floor levels throughout. A single lift within the north part of the property currently provides access across all of the floors.
- 10.61 The lack of step free access to the main entrance to the site is regrettable. However, the introduction of a step free access would result in the loss of historic fabric and is therefore not considered to be reasonably required. Notwithstanding this, the plans detail the rationalisation of some of the internal spaces to provide level access and it is detailed that a wheelchair accessible lift car would replace the existing lift in the same location. While the landing space at first and second floor level would not provide the requisite turning space to the front of the lift, at first floor level the lift would open onto a wide doorway into an open space and at second floor level the landing cannot be extended due to a void.
- 10.62 While the proposal includes accessible WCs at first, second and third floor level, the proposed ground floor restaurant/retail and third floor restaurant/bar and office have no provision. There is sufficient space within the proposed WC areas detailed on the plans at ground and fourth floor level to provide an accessible WC without any alterations to the listed building.
- 10.63 Although the proposal would not provide step free access across the entire building, it would represent a significant improvement to the buildings current level of accessibility currently of the site. Taking this, together with the grade II* listed status of the building, which restricts the extent to which accessible measures can be implemented, this is considered to be acceptable subject to conditions requiring the provision of accessible WCs and a lift (Planning Condition 16).

Neighbouring Amenity

- 10.64 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 10.65 The application site forms an 'island' site, set within the centre of the surrounding roads and on-street parking, with sunken railway lines to the west. The surrounding buildings have ground floor commercial units with a mix of commercial and residential uses across the upper floors.
- 10.66 It should be noted that the previous use of the property included no planning restrictions on hours of operation, noise levels, servicing or a management plan. There are no reported noise or disturbance complaints for the previous use.

However, the site is located within the 'Clerkenwell Cumulative Impact Area' and the previous use of the site was successfully controlled through licensing regulations with a license restricting the operating hours up to 2300 hrs. Although the previous Masonic use had some similar uses to those proposed, the introduction of a mix of uses, a greater number of units, an increase in floor area and the use of roof terraces could potentially increase the intensity of the use of the building.

- 10.67 With regard to the office use of the site, the applicant has not detailed any hours of operation. However, office uses are generally considered to be compatible with residential uses and this is a typical relationship within the locality. Furthermore, the predominant use of the office would occur within normal working hours and therefore not impact upon neighbouring residential amenity.

Management Plan:

- 10.68 The applicant has submitted a Draft Management Plan for the operation of the retail, restaurant and bar uses of the site because an operator has not yet been secured. This document sets out general management principles for the operation of the site and is detailed to be consistent with similar facilities across London. The measures proposed include an access strategy, a dispersal policy, control of customers by staff, taxi collection procedures, noise prevention procedures including the closure of windows and doors, and noise limiters, smoking areas and the creation of a Management Committee. Whilst the management principles are in draft form and therefore subject to change, they would be expected to inform a future Management Plan for the operation of the building once an occupier is secured.
- 10.69 The site is located in a Cumulative Impact Area, where there is an abundance of alcohol licensed premises and the Council's Licensing Officer has noted that the proposal to extend the hours of operation of the building beyond the previous hours of 2300 Monday to Saturday and 2230 on Sundays is likely to be contested.
- 10.70 The Draft Management Plan contains insufficient information for a comprehensive consideration of the proposed hours of operation and management procedures to be made at this stage, particularly in light of the degree of anti-social behaviour and problems occurring within the 'Clerkenwell Cumulative Impact Area' at present. However, it is noted by the Licensing Officer that a future licence applicant could provide evidence in relation to the promotion of the Licensing Objectives to demonstrate an exception to this policy.
- 10.71 By securing the submission of a comprehensive Management Plan through a legal agreement, and through controls/mitigation measures required to justify the granting of any future licence for extended hours at the site, adequate management and controls would be secured to ensure the mitigation of any potential disturbance to neighbouring occupiers and the successful operation of the premises. Furthermore, in order to attract a suitable operator and therefore the investment necessary to bring this currently vacant grade II* listed building back into a permanent use, restrictions to any permission at this stage could deter potential occupiers and result in the building remaining vacant. The Management Plan (HoT 11) to be submitted and approved shall include provisions for, but not be limited to:
- A full dispersal policy and procedure;
 - Door policy;
 - Signs to request patrons to leave in a quiet manner and not to loiter in the street outside;
 - Servicing and delivery times/arrangements;

- Bottling out and waste management noise and times;
- Control of noise from any designated smoking areas;
- Control of noise from amplified music within the building;
- Close down policy with gradual lowering of music volume and increasing of lighting;
- Security and any proposed CCTV;
- Lighting (and security lighting);
- Membership policy;
- Capacity (of each use);
- The separation of uses;
- Phasing of closure of uses (i.e. operating hours of individual uses within the site);
- Private hire facilities/functions;
- Roof Terrace Management;
- An enforcement strategy for dealing with any breaches of the scheme; and
- Any other relevant operation of the site functions;

10.72 Considering this together with the recommended legal agreement requiring the submission and approval of a comprehensive Management Plan, the licensing application procedures and the other recommended conditions, it not considered necessary to restrict the hours of operation within this planning application, in this specific case for the exceptional circumstances given.

External Areas:

10.73 The proposal would introduce two external areas at lower ground floor level, a second floor level roof terrace to the south of the property and a roof terrace over the north, west and south parts of the main roof of the building. The roof terraces would provide external space for the restaurant, bar and office uses. The late night use of these spaces could lead to potential disturbance to neighbouring occupiers. The Draft Management Plan proposes to cease the use of the roof terraces at 2300 hours. The use of the external areas up to 2300 hours is considered to be excessive and as such a condition is recommended ensuring that no further persons are able to access the external areas after 2200 hours and that these should be closed from 2230 hours with all windows and doors to these areas closed (Planning Condition 10). Additionally adequate procedures for the management of the external spaces would be expected to be detailed within a comprehensive Management Plan.

10.74 It is noted that representations have been received regarding potential light spill from the roof terrace. Details of external lighting have not been submitted, however, a condition is recommended requiring the submission of a scheme of lighting (Planning Condition 11).

Noise:

10.75 A Noise Impact Assessment has been submitted and assessed by the Council's Public Protection (Noise) Officer, who has raised no objections. With regard to noise disturbance, a condition is recommended to restrict the noise levels audible outside of the site (Planning Condition 9), restrict the noise emitted from the proposed roof top plant (Planning Condition 7) and for all windows and doors onto external spaces to be closed after 2230 hours (Planning Condition 10). Additionally, the Draft Management Plan details the use of noise limiters within the property and close down procedures to reduce noise. This would be expected to be detailed within a comprehensive Management Plan (HoT 11).

Proposed extensions and external alterations:

- 10.76 The proposed roof extension would replace an existing hipped roof in the same location and while of a larger scale, it would be set a significant distance from the neighbouring properties such that it would not be overbearing.
- 10.77 The proposed second floor roof terrace would incorporate an existing high stone parapet that restricts views out from the roof terrace. While the proposed roof terrace over the main roof of the property would have elevated views back toward neighbouring properties to the north and south, the roof terrace would be set back from these properties and any views would be across a highway, which does not constitute an unacceptable loss of privacy.
- 10.78 The proposed railings and walled area to the south west corner of the site would be at a low level fronting the highway and would not impact upon neighbour amenity.

Sustainability, Energy Efficiency and Renewable Energy

- 10.79 The Islington Core Strategy (2011) policy CS10 requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard with Major non-residential developments required to achieve a BREEAM rating of Excellent. The proposal would achieve a BREEAM new construction for non-domestic building rating of 'Excellent', which is in accordance with policy requirements.
- 10.80 The proposed works at the site are located within or above the existing built form and would therefore not result in additional surface runoff at the site. While the western edge of the site falls within a Local Flood Risk Zone, the proposed excavation works are located away from this and there are no proposed works that would increase surface water runoff within this zone.
- 10.81 The scheme achieves a 32% projected reduction in CO₂ (regulated) emissions versus an equivalent 2010 part L building regulations compliant scheme. Due to this being measured in only regulated emission, this falls below the policy target of 30% reduction in total (regulated and unregulated) CO₂ emissions. However, it is accepted in the Islington Environmental Design SPD (2014) that some schemes, particularly refurbishment schemes, may struggle to reach the relevant target and that the applicant should demonstrate that the CO₂ emissions have been minimised as far as reasonably possible.
- 10.82 The building is grade II* listed and therefore the inclusion of energy efficiency measures and on site renewable energy technologies is severely limited due to potential harm to the fabric and therefore significance of the Designated Heritage Asset. The applicant has explored options for connection to a Decentralised Energy Network (DEN) and Shared Heat Network (SHN) and while these are not feasible, the proposal would result in a substantial reduction in CO₂ emissions at the site that is considered to be acceptable in this case.
- 10.83 Typically all remaining CO₂ emissions (below the target) should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock (CS10). However, as set out above, it is considered that the proposal has minimised the CO₂ emissions as far as reasonably possible and therefore the requirement to offset the CO₂ emissions to zero is considered to be unreasonable in this particular case.

- 10.84 A draft Green Performance Plan (GPP) has been submitted and is considered to be broadly acceptable. A final GPP is required as part of the Legal Agreement.

Highways and Transportation

- 10.85 The site has a PTAL rating of 6b, which is 'Excellent'. Farringdon Station, which provides 125 covered and lockable cycle racks is located within 300 metres of the site, while Barbican and Chancery Lane Tube Stations are located in close proximity, bus routes run along the surrounding roads and a significant number of Barclays Cycle Hire points are available nearby.
- 10.86 Public Transport Implications: The proposal would result in a minimal uplift in floor space of 49 square metres and would introduce office, retail, restaurant and bar floor space. While there would be multiple users of the building, which could potentially increase the actual intensity of the use of the building. Notwithstanding this, due to there being no on-site car parking and the high PTAL level of the site, the proposal would not detrimentally impact upon the surrounding transport infrastructure. A Travel Plan is secured in the Legal Agreement.
- 10.87 Pedestrian Access: The quality of the footways surrounding the site, particularly facing Clerkenwell Green and Farringdon Lane are poor in places and the proposal would result in an intensified use of these footways. The Transport Officer has recommended that a contribution be secured towards the improvement of the footway. The Heads of Terms of the Legal Agreement include the repair and reinstatement of the footways adjoining the building where these are damaged during construction.
- 10.88 Vehicle Parking and Taxi Drop-off: The site does not include any off-street car parking and none is proposed, in accordance with Development Management policy DM8.5. It is considered necessary to restrict the rights of the occupiers/visitors/staff of the building to apply for parking permits (Planning Condition 19).
- 10.89 The Highways Officer has noted that there are sufficient areas of single yellow lines within the vicinity of the site where taxis could drop-off/collect site users. The provision of a contribution towards six on-street accessible parking bays is secured in the legal agreement.
- 10.90 Cycle Parking: Policy DM8.4 and Appendix 6 of the Development Management Policies set out the minimum cycle parking standards for development proposals. Cycle parking should be covered and secure and end of trip facilities provided such as showers and locker facilities. Although the proposed use is Sui Generis, breaking down the various uses within the building the proposal would be required to provide 51 cycle parking spaces. No cycle parking provision is proposed.
- 10.91 The provision of a cycle store within the property would be likely to result in significant alterations having to be made to the fabric of the listed building and is therefore not considered to be reasonable in this case. Furthermore, due to the limited external space and the visual impact of a cycle store on the setting of the grade II* listed building, the lack of provision of an external covered and secure cycle parking store is in the particular circumstances of this site acceptable.
- 10.92 Although this would result in the proposal failing to provide any cycle parking provision, the site has an 'Excellent' PTAL rating and is served by an abundance of public transport options, including a TfL Cycle Park with 125 bicycle racks located at

Farringdon Station. As such, the shortfall in cycle parking provision is considered to be acceptable, in this particular case.

- 10.93 Delivery and Servicing Arrangements: This was previously facilitated through a dedicated entrance on the northern side of the property, with a refuse store next to this entrance.
- 10.94 Although the applicant has not yet secured an operator for the site, a draft Delivery and Servicing Plan has been submitted. This details that deliveries and servicing would be maintained in the current location on Clerkenwell Green, with two further loading/unloading areas identified to the south and south east of the site that would allow smaller vehicles to load and unload within limited hours. The draft document proposes that the majority of deliveries would be between 0800 hours and 1800 hours to minimise disruption to neighbouring occupiers. This would be in accordance with existing time restrictions for Clerkenwell Green and Clerkenwell Road, and the Council's Acoustic Officer has noted that these hours would be acceptable between Monday and Saturday.
- 10.95 A condition is recommended requiring a detailed Delivery and Servicing Plan to be submitted to and approved in writing by the local planning Authority prior to the first occupation of the property (Planning Condition 12).
- 10.96 While a refuse store is detailed within the proposed sub-basement, this would serve only one of the units. The Refuse and Recycling Officer has noted that the details are acceptable but full details of the refuse storage are required (Planning Condition 15).
- 10.97 Construction: The legal agreement ensures that the proposal would be constructed in compliance with the Code of Construction Practice and secures a monitoring fee of £3246.

Trees

- 10.98 The proposed excavation of the vaults and the sub-basement would be located in close proximity to two street trees. The tree onto Clerkenwell Green forms part of the setting of the square and is considered to contribute to the amenity of the locality. The tree to the south west of the site is located in extremely close proximity to the site, a listed phone box and a telecommunications cabinet and the proposal would reintroduce a historic wall and gate opening next to this. While this tree is of some amenity value, its location back from the pavement edge is atypical, with other similar street trees set close to the pavement edges.
- 10.99 While an Arboricultural Impact Assessment has not been submitted, the Tree and Landscape Officer has detailed that it is likely that the tree fronting Clerkenwell Green would be retained and subject to the existing buildings footings the tree to the south west of the site could be retained in situ. However, this would be dependant upon details set out in an Arboricultural Impact Assessment and where relevant a method statement for any works (Planning Condition 14).
- 10.100 Should the proposed tree to the south west of the site subsequently be required to be removed, adequate justification would be required for this and a financial contribution based on the trees CAVAT value required to provide a replacement street tree (HoT 10). The Heritage benefits of restoring the historic characteristics of this building would still outweigh the loss of the tree, subject to the CAVAT value being secured.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.101 At application stage officers advised the applicant that a S106 agreement would be necessary in order to mitigate the impacts of the proposed development. The Heads of Terms are set out throughout this report and are listed at Appendix 1, Recommendation A.

Planning Obligations:

- 10.102 Those contributions or obligations are considered necessary, relevant and appropriate in scale and kind to the proposed development and to make the development proposals acceptable in planning terms and policy compliant. Those obligations have been calculated based on the adopted Planning Obligations SPD (2013). Discussions are ongoing regarding the timing of the contributions with regard to the phasing of the development.

Crossrail:

- 10.103 This site is within the area where section 106 contributions for Crossrail will be sought in accordance with London Plan policy 6.5 and the associated Supplementary Planning Guidance (SPG) '*Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy*', April 2013. In paragraph 4.20 of the SPG, it can be seen that in these situations, the Mayor's CIL charge (but not the boroughs') will be treated as a credit towards the section 106 Crossrail liability. The applicants have agreed to contribute towards £399 390 less any amount payable by the Owner in relation to the Mayor's CIL to be secured via the S106 agreement attached to any grant of permission here.

National Planning Policy Framework

- 10.104 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. In the final balance of planning considerations officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

Other Matters

- 10.105 A representation received raises concern regarding disturbance from the proposed works together with other developments within the locality. The proposed works would be subject to control through the Environmental Health Regulations. Construction monitoring would also take place by the Local Authority.
- 10.106 One representation received sets out that the Noise Impact Statement details that only an office block faces the south of the site, when there are two residential buildings to the south. Notwithstanding that the building fronting immediately onto the site is in office use, the nearby residential buildings form part of the noise assessment. Furthermore, conditions are recommended controlling the noise emissions at the site.
- 10.107 A representation has been received which questions the capacity of the proposed development and raises this as a Health and Safety issue. This would be a matter for the Environmental Health Regulations and it should be noted that the London Fire Brigade raise no objections.

SUMMARY AND CONCLUSION

Summary

- 11.1 The planning and listed building consent applications propose the change of use of the currently vacant grade II* listed building to a mixed sui generis use, comprising retail, restaurant/bar and office together with roof extensions, the creation of roof terraces, the excavation of a small sub-basement the installation of windows, repair works to the façade, erection of railings and a wall and extensive internal alterations and restoration works.
- 11.2 In accordance with Employment Priority Area (General) and CAZ policy aims the proposal would result in an uplift of business and employment floor space at the site, while introducing uses complimentary to the primary business function of the area. The proposal would provide space for SMEs and a contribution towards the provision of off-site affordable housing. The proposed retail/restaurant/bar and office uses is not considered to represent an over concentration of uses.
- 11.3 The proposed internal works, which include a loss of floor space would reinstate historically significant proportions to the property including the reinstatement of a double height Court Room, lower ground floor prisoner cells, the Judges' Dining Room and the repair of an 18th Century glazed screen. Together with the extensive refurbishment works and reinstatement of historic features, the internal works would enhance the significance of the listed building.
- 11.4 The proposed roof extensions represent simple and conventional additions that would respect the scale and proportions of the building, while views of the roof terrace would be limited. The proposed works to the façade of the building and reinstatement of historic boundary treatment would enhance the setting of the listed building and the character of this part of the Conservation Area. English Heritage Support these proposals.
- 11.5 The proposal would result in the loss of some historic fabric and form at the building which would amount to less than substantial harm to the Designated Heritage Asset. In accordance with the NPPF the public benefits of the proposal (heritage benefits, increased public access and active use of the building) have been assessed and are considered to outweigh any harm.
- 11.6 Representations have been received that raise concern over the use of the building resulting in disturbance to neighbouring occupiers. By securing the submission of a comprehensive Management Plan through a legal agreement, which would secure controls/mitigation measures required to justify the granting of any future licence for extended hours of operation at the site, adequate management and controls would be secured to mitigate any potential disturbance to neighbouring occupiers and the successful operation of the site.
- 11.7 The site is highly accessible by public transport and a taxi drop-off point is not required. The proposal does not include any off-street space suitable for cycle parking provision and the provision of cycle parking within the building would be harmful to the heritage asset. However, due to the highly accessible site location and previous site use, on balance the proposal is considered to be acceptable with regard to transport and highway issues.
- 11.8 The proposal would improve the energy efficiency and accessibility of the building.

- 11.9 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a S106 Legal Agreement to secure the necessary mitigation.

Conclusion

- 11.10 It is recommended that planning permission and listed building consent be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS (A, B and C).

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission and listed building consent be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

1. A contribution towards provision of off-site housing of £171 600.
2. The development shall henceforth not proceed other than in accordance with the approved Construction Phasing Strategy. Prior to the commencement of Phase 4 of the phasing strategy a detailed schedule of works shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
 - A detailed schedule of completed works within Phase 1, 2 and 3;
 - A detailed schedule of proposed works;
 - A program of site meetings with the LPA and English Heritage; and
 - Copies of build/restoration contracts for the works to be carried out.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

3. The repair and re-statement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
4. Compliance with the Code of Local Procurement.
5. Compliance with the Code of Construction Practice, including a monitoring fee of £3246 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
6. The payment of the cost of the provision of 6 on-street wheelchair accessible parking spaces (£12 000)
7. Submission of a Green Performance Plan based on the draft Green Performance Plan submitted with the application for Council approval 6 months from first occupation of the development.
8. Submission of a, draft Travel Plan based on the framework Travel Plan submitted with the application for Council approval prior to first occupation of the development, and a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
9. Payment towards employment and training for local residents of a commuted sum of £28 610.

10. Where the tree to the southwest of the site is proposed to be removed following the submission and approval in writing of an Arboricultural Method Statement, the CAVAT value of this tree shall be confirmed by the Council's Arboricultural Team and provided to the Council. The works to replace this tree will be carried out by the Council's Arboricultural Team.
11. Not to occupy Phase 1 and 2 of the development, as detailed in the Construction Phasing Strategy until a Scheme of Management based on the draft Management Plan for this part of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the Scheme of Management so approved and shall be operated as such thereafter. The scheme shall include provisions for, but not be limited to, the following:
- A full dispersal policy and procedure;
 - Door policy;
 - Signs to request patrons to leave in a quiet manner and not to loiter in the street outside;
 - Servicing and delivery times/arrangements;
 - Bottling out and waste management noise and times;
 - Control of noise from any designated smoking areas;
 - Control of noise from amplified music within the building;
 - Close down policy with gradual lowering of music volume and increasing of lighting;
 - Security and any proposed CCTV;
 - Lighting (and security lighting);
 - Membership policy;
 - Capacity (of each use);
 - The separation of uses;
 - Phasing of closure of uses (i.e. operating hours of individual uses within the site);
 - Private hire facilities/functions;
 - Roof Terrace Management;
 - An enforcement strategy for dealing with any breaches of the scheme; and
 - Any other relevant operation of the site functions;

The development shall be carried out strictly in accordance with the Scheme of Management so approved and shall be operated as such thereafter.

12. A contribution towards Crossrail of £399 390 (less any Mayoral CIL amount also liable).
13. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

That, should the Section 106 Deed of Planning Obligation not be completed within the timescale agreed within the Planning Performance Agreement, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service

Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<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>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>005,006, 009 Rev C, 010 Rev B, 011 Rev A, 012 Rev A, 013, 014 Rev A, 020, 021, 022, 023, 024, 030, 031, 032 Rev A, 033, 049 Rev C, 050 Rev B, 051 Rev D, 052 Rev B, 053 Rev B, 054 Rev B, 060, 061 Rev B, 062 Rev B, 063 Rev A, 064 Rev B, 070 Rev B, 071 Rev C, 072 Rev B, 073 Rev C, 099 Rev A, 100, 101, 102, 103, 104, 200-1, 200-2, 200-3, 200-4, 201-1, 201-2, Planning Statement, Design and Access Statement (Rev 3 Option B), Draft Management Plan: Office-led Scheme (ref: V1.1), Conservation Plan, The Session House Screen Report, Structural Design Statement, Swimming Pool Loading/Structural details (received 11/12/2014), Archaeological Desk-based Assessment (OCL14/181), Noise Impact Assessment (ref: EPL:4334/PBG/R1 (B)), Transport Assessment (ref: KCH/VLWL/14/2216/TA03), Transport Assessment (ref: VLWL/14/2216/TAA07), Travel Plan Framework (ref: KCH/VLWL/14/2216/TP04), Sustainable Design and Construction Statement (ref: 14/111), Written details (email received 11th December 2014) HIA Screening, Photographic Survey and Architectural Paint Research.</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>
3	Materials (Details)
	<p>CONDITION: Details and/or samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any external work commencing on the relevant phase of the development pursuant to the draft Construction Phasing Strategy. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Facing external render/stone repair; including sample panel b) Metal Cladding c) Roof Tiles d) Roof Terrace Flooring e) Windows f) Doors

	<p>g) Balustrades h) Railings i) Stone Wall j) Paving k) any other materials to be used.</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 securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Roof Top Plant (Details)
	<p>CONDITION: Details of the roof-top structure/enclosure for the condenser units and lift overrun shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the relevant phase of the development pursuant to the draft Construction Phasing Strategy. The details shall include the location, height above roof level, specifications and cladding.</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 order to conserve the significance of the heritage asset and to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
5	Impact Piling (Details)
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.</p>
6	Archaeology (Details)
	<p>CONDITION: No excavation shall take place to create the sub-basement hereby approved unless and until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.</p> <p>No excavation or works to create the sub-basement shall take place other than in accordance with the Written Scheme of Investigation approved. The sub-basement shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.</p> <p>REASON: Heritage assets of archaeological interest are expected to survive on the site. The planning authority wishes to secure the provision of appropriate</p>

	archaeological investigation, including the publication of results.
7	Plant Noise (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq 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 LAF90 Tbg. The 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 protect the amenity of neighbouring occupiers.</p>
8	Noise Report (Details)
	<p>CONDITION: A survey is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 7. The survey shall be submitted to and approved in writing by the Local Planning Authority within 3 months of completion of the development and any noise mitigation measures shall be installed within 6 weeks of the approval of these details and permanently retained thereafter.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
9	Amplified Music and Sound (Compliance)
	<p>CONDITION: Between the hours of 0700 and 2300 music and amplified sound from the premises shall not cause an increase of more than 2dB in the LA90(5min)(f) when compared with the existing equivalent LA90(5min)(f) without the premises in operation.</p> <p>Additionally, between the hours of 0700 and 2300 music and amplified sound from the premises shall not cause an increase of more than 3dB, above the real time simultaneous Leq(5min)(f) 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent Leq(5min)(f) (63Hz and 125Hz) taken without the premises in operation.</p> <p>Where the premises would operate between the hours of 2300 and 0700 music and amplified sound from the premises shall not cause any increase in the LA90(5min)(f) when compared with the existing equivalent LA90(5min)(f) without the premises in operation.</p> <p>Additionally, where the premises would operate between the hours of 2300 and 0700 music and amplified sound from the premises shall not cause any increase in the real time simultaneous Leq(5min)(f) 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent Leq(5min)(f) (63Hz and 125Hz) taken without the premises in operation.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
10	Use of external areas (Compliance)
	<p>CONDITION: No further persons shall be given access to the external areas serving the property, including all external lower ground floor areas and the roof terraces hereby permitted after 2200 hours and these areas shall not be available for use after 2230 hours on any day. After this time, all entry and exit doors and windows onto the external areas shall be kept shut and any lighting to the roof terraces must be turned off on any day</p>

	REASON: In the interest of protecting neighbouring residential amenity.
11	Lighting (Details)
	<p>CONDITION: Details of all external lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to installation.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>REASON: To ensure that all external lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the building.</p>
12	Deliveries and Servicing (Details)
	<p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements for the operation of the development hereby permitted, including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation each element of the development hereby approved, pursuant to the draft Construction Phasing Strategy.</p> <p>The DSP should detail that deliveries, collections, unloading and loading shall only be between 0800 and 2000 hours Monday to Saturday and not at all on Sundays and Bank Holidays.</p> <p>The development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic and to protect the amenity of neighbouring occupiers.</p>
13	Sustainable Design (Compliance)
	<p>CONDITION: The energy efficiency measures as outlined within the approved Sustainable Design and Construction Statement (SDCS) which shall together provide for no less than a 32% on-site CO2 reduction in regulated emission in comparison with total emissions from a building which complies with Building Regulations 2010 shall be installed and operational prior to the completion of the development and maintained as such thereafter.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, a revised Energy Strategy shall be submitted prior to the commencement of the development.</p> <p>The final agreed scheme shall be installed and operational prior to the completion of the development and maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
14	Arboricultural Impact Assessment (Details)
	CONDITION: Prior to the excavation works hereby approved commencing an Arboricultural Impact Assessment, and where appropriate Method Statement in

	<p>accordance with BS 5837:2012 Trees in relation to Demolition, Design and Construction shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To protect the health and stability of trees to be retained on the site and to neighbouring sites, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
15	Refuse and recycling (Details)
	<p>CONDITION: Details of refuse/recycling store(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse / recycling store(s) shall be provided prior to the first occupation of each element of the development hereby approved pursuant to the Draft Construction Phasing Strategy and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development, to ensure that responsible waste management practices are adhered to and to secure the high quality design of the structures proposed.</p>
16	Accessibility (Details)
	<p>CONDITION: Notwithstanding the plans hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any phase of the development within which those works are proposed. The details required are:</p> <p>a) Provision of an accessible WC on the lower ground, ground and third floor; b) The provision of a lift; and c) The door(s) from Farringdon Lane provide a clear opening width of at least 1000mm and if the opening weight exceeds 30n then they are automated.</p> <p>The development shall be constructed strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities</p>
17	Parking permits (Compliance)
	<p>CONDITION: All future occupiers of the development hereby approved shall not be eligible to obtain an on street parking permits except:</p> <p>i) In the case of disabled persons; ii) In the case of units designated in this planning permission as “non car free”; or iii) In the case of the business who is an existing holder of a parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>

List of Informatives:

<p>1</p>	<p>Planning Obligations Agreement</p> <p>INFORMATIVE: You are advised that this permission has been granted subject to the completion of a S106 legal agreement to secure agreed planning obligations.</p>
<p>2</p>	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
<p>3</p>	<p>Phasing Plan</p> <p>INFORMATIVE: The grant of this permission is subject to a Construction Phasing Strategy and a number of the conditions relate to each phase of the development. For the avoidance of doubt the phases consist of the following:</p> <p>Phase 1:</p> <p><u>All floors:</u> Removal of non-original partitions throughout the building and courtroom splits, modern render, rebuilt roof to attic to enable access to courtroom for structural works, screed on floor, ventilation ducts, redundant pipework, modern room under entrance bridge, modern dado, modern doors, redundant electrics and redundant pipe work.</p> <p>Stripping of paint on walls and doors, stripping of paint on glass screens, exposure and repair of shutters, repairing walls, repairing ceilings, asbestos removal and demolition of lift.</p> <p>Phase 2:</p> <p><u>Lower Ground and ground floor:</u> Formation of proposed floor plans, reinstatement of old doors, reinstatement of Lime wash, decision of paint schemes, fire proofing between floors, installation of lighting, AC installation, fit out, installation of new staircase by lift, structural preparations and installation of services.</p> <p><u>Exterior:</u> Repairing stone on façade, cleaning façade stone and render, repairing/replacing render in areas where necessary, digging and piling for new plant room and construction of screen wall.</p> <p><u>Third Floor:</u> Reinstatement of finishes, opening up of original windows, decision of paint schemes, installation of removable gallery, electrical distribution, fit out, lighting, AC installation and reinstatement of fireplaces.</p> <p><u>All Floors:</u> Installation of new lift.</p> <p>Phase 3:</p>

	<p><u>Ground, first and second floor</u>: removal of 20th Century floors in original court room, repair and reinstatement of historic glass screen, reinstatement of finishes, relocation of architraves to court room, decision of paint schemes, electrical distribution, fit out, lighting, AC installation, internal stonework, cleaning, repairing, formation of proposed floor plan and reinstatement of fireplaces.</p> <p>Phase 4:</p> <p><u>Third floor</u>: forming internal office space, insulating walls and ceilings, electrical distribution, fit out of office, lighting of office, AC installation and fit out.</p> <p><u>Roof</u>: new build according to drawings, forming terraces with selected materials, lighting installation, AC/Ventilation installation, plant equipment and forming of pool basin.</p> <p><u>Exterior</u>: reinstatement of Stone paving around building/terraces, erection of Prisoners' courtyard, exterior railings, gas lights and external facade lighting.</p>
4	Water Infrastructure
	<p>INFORMATIVE: Thames Water recommend that the swimming pool be emptied overnight and in dry periods. The discharge rate should be controlled such that it does not exceed a flow rate of 5 litres per second into the public sewer network.</p> <p>Thames Water recommend that a properly maintained fat trap should be installed on all catering establishments. In line with best practise for the disposal of fats, oils and grease, the collection of waste oil should be by a contractor, particularly for recycling purposes.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
5	Crossrail
	<p>INFORMATIVE: Crossrail Ltd has indicated its preparedness to provide guidelines in relation to the proposed location of the Chelsea Hackney Line structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to discuss these guidelines with the Chelsea Hackney Line engineer in the course of preparing detailed design and method statements.</p>
6	Working in a Positive and Proactive Way
	<p>INFORMATIVE: To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

7	Noise Survey
	<p>INFORMATIVE: It should be noted by the applicant that in accordance with Condition 9 the measurements are to be taken 1 metre from the facade of the nearest noise sensitive premises. Where access to the facade of non-associated noise sensitive premises is not available, then the above music noise levels 1 metre from the facade of non-associated noise sensitive premises shall be predicted by calculation rather than measured.</p>
8	Network Rail
	<p>INFORMATIVE: As the application site is located in close proximity to Network Rail's boundary and operational railway infrastructure, Network Rail strongly recommends that the developer contacts its Asset Protection Anglia team at AssetProtectionAnglia@networkrail.co.uk prior to any works commencing on site and fills in a development questionnaire. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx.</p> <p>Any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.</p> <p>Any cranes or other mechanical plant equipment involved during construction should be positioned so that their loads or jibs do not over-sail Network Rail's land.</p>
9	Archaeological Watching Brief
	<p>INFORMATIVE: The written scheme of investigation required in Condition 6 will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.</p>

RECOMMENDATION C

That the grant of listed building consent be subject to **conditions** to secure the following:

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Works to Match (Compliance)
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the</p>

	heritage asset.
3	Materials (Details)
	<p>CONDITION: Details and/or samples of all materials used in the relevant phase of works shall be submitted to and approved in writing by the Local Planning Authority prior to the works commencing on that phase, pursuant to the draft Construction Phasing Strategy. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Details of new railings including sample bar and finial; b) Details of new external hard surfacing including stone sample; c) Sample of stone to proposed new wall to former prisoners yard; d) Details of repair to entrance steps including stone sample; e) Details of external render / stone repairs including sample panel; f) Sample of Natural Welsh slate; g) Details of windows; and h) Details and sample of tensile steel cable balustrade to terraces. <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 order to conserve the significance of the heritage asset</p>
4	Internal Architectural Drawings (Details)
	<p>CONDITION: Details for all new internal architectural detailing including joinery (doors, architraves, skirting etc.), decorative plasterwork, chimneypieces (fireplace surrounds, hearthstones and grates) and floor coverings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of the works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
5	Paint Scheme (Details)
	<p>CONDITION: Details of the paint scheme for the principal floors and spaces which should be informed by the historic paint analysis report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of the approved works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
6	Lighting (Details)
	<p>CONDITION: Details of external lighting, including the gas lanterns and samples of finishes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
7	Glass Screen (Details)
	<p>CONDITION: Details of the reinstated glass screen and a method statement for the protection/conservation of the existing glass screen shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The</p>

	<p>development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
8	Third Floor Gallery (Details)
	<p>CONDITION: Details of the gallery to the proposed dining room on the third floor shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
9	Court Room One (Details)
	<p>CONDITIONS: Detailed elevations / sections (including architectural detailing) of the proposed court room number one shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
10	Stone Cleaning (Details)
	<p>CONDITIONS: Details of the method of stone cleaning and a sample patch shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
11	Services (Details)
	<p>CONDITIONS: Details of all internal services including light fittings and external services including plant shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
12	Structural Report (Details)
	<p>CONDITIONS: A structural report / method statement for the proposed sub-basement / plant room shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any excavation and works to the lower ground floor. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
13	Roof Terrace Management Strategy (Details)
	<p>CONDITION: Prior to the first use of the roof terraces hereby approved a Roof Terrace Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall provide details of the management of paraphernalia associated with the roof terraces hereby approved.</p> <p>The roof terraces shall be operated strictly in accordance with the details so approved</p>

	<p>and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the Authority may be satisfied that any roof terrace paraphernalia does not have a harmful impact on the surrounding streetscene or heritage asset.</p>
14	Method of Protection (Details)
	<p>CONDITION: Details of the method of protection, including photographic evidence of such protection in place, for any fragile or important architectural features, inclusive of tiled floors and the glazed screen to the Court Room shall be submitted to and approved in writing by the Council prior to the commencement of each phase of works, pursuant to the draft Construction Phasing Strategy.</p> <p>REASON: In order to conserve the significance of the heritage asset.</p>

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 2011 (Consolidated with Alterations 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 2011 - Spatial Development Strategy for Greater London Consolidated with Alterations (2015).

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.18 Green infrastructure: the network of open and green spaces

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

5 London's response to climate change

Policy 5.1 Climate change mitigation

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 5.5 Decentralised energy networks
 Policy 5.6 Decentralised energy in development proposals
 Policy 5.7 Renewable energy
 Policy 5.8 Innovative energy technologies
 Policy 5.9 Overheating and cooling
 Policy 5.10 Urban greening
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.14 Water quality and wastewater infrastructure
 Policy 5.15 Water use and supplies
 Policy 5.16 Waste self-sufficiency
 Policy 5.17 Waste capacity
 Policy 5.18 Construction, excavation and demolition waste

Policy 7.19 Biodiversity and access to nature
 Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
 Policy CS10 (Sustainable Design)
 Policy CS11 (Waste)
 Policy CS12 (Meeting the Housing Challenge)

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
 Policy CS10 (Sustainable Design)
 Policy CS11 (Waste)
 Policy CS12 (Meeting the Housing Challenge)

Policy CS13 (Employment Spaces)
 Policy CS14 (Retail and Services)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
 Policy CS19 (Health Impact Assessments)

Policy CS13 (Employment Spaces)
 Policy CS14 (Retail and Services)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
 Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.2 Energy efficiency and carbon reduction in minor schemes

Housing

DM3.7 Noise and vibration (residential uses)

Shops, cultures and services

DM4.1 Maintaining and promoting small and independent shops

DM4.2 Entertainment and night-time economy

DM4.3 Location and concentration of uses

DM4.7 Dispersed Shops

DM4.12 Social and strategic infrastructure and cultural facilities

Employment

DM5.1 New Business Floor space

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

C) Finsbury Local Plan 2013

BC7 Historic Clerkenwell

BC8 Achieving a balanced mix of uses

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:

- Rail safeguarding Area
- Site of Importance for Nature Conservation (SINC)
- Open Space
- Within 100 metres of Strategic Road Network
- Within 50 metres of Canonbury Conservation Area
- Within 50 metres of East Canonbury Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Accessible Housing in Islington
- Inclusive Landscape Design

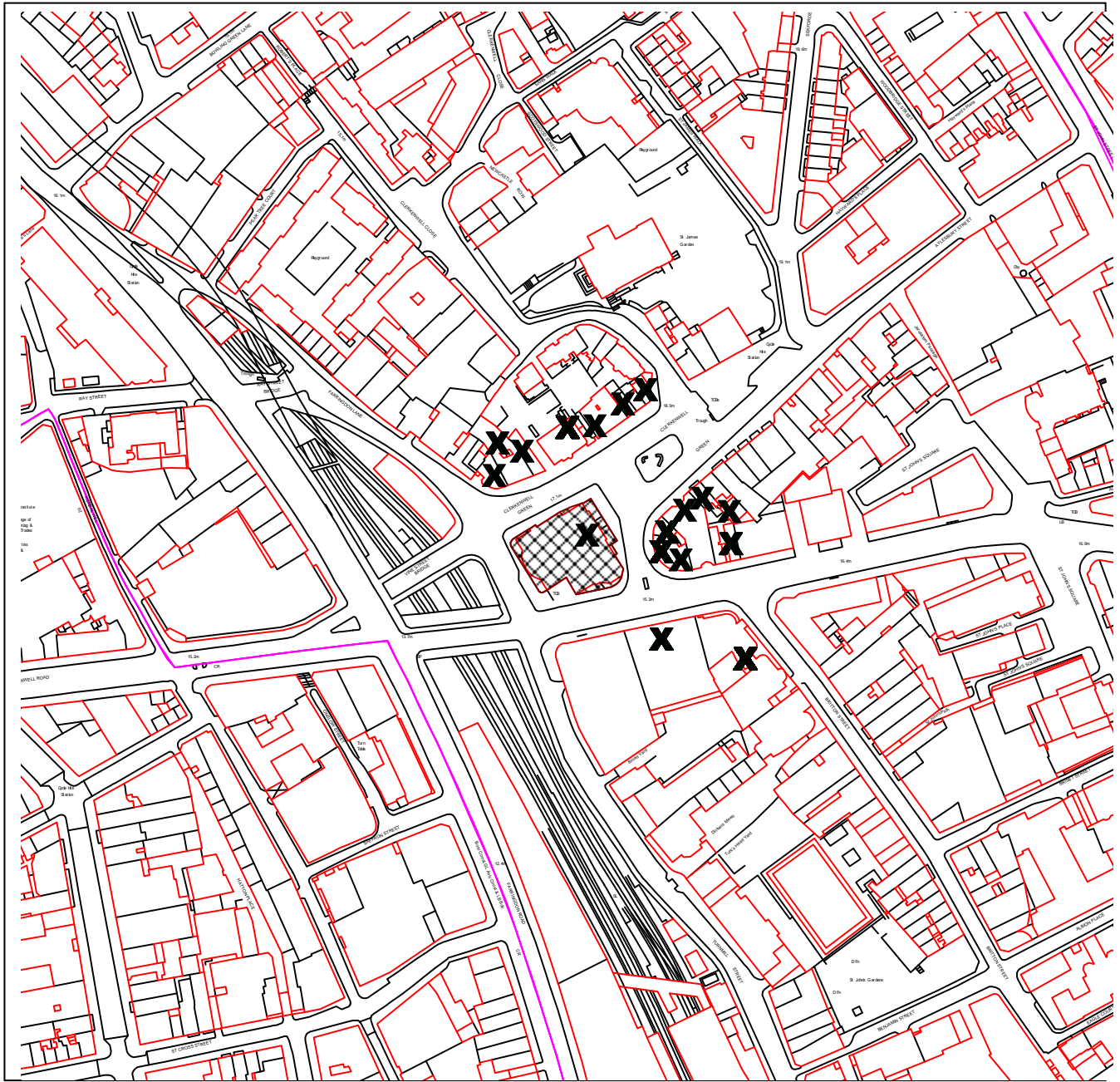
London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing

- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidelines
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3878/FUL

LOCATION: THE OLD SESSIONS HOUSE , 22, CLERKENWELL
GREEN LONDON EC1R 0NA

SCALE: 1:2500

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/4039/LBC

LOCATION: THE OLD SESSIONS HOUSE, 22, CLERKENWELL GREEN LONDON EC1R 0NA

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