



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 **5 December 2017 at 7.30 pm.**

Yinka Owa
Director – Law and Governance

Enquiries to : Ola Adeoye
Tel : 020 7527 3044
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Despatched : 27 November 2017

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

Wards

Substitute Members

Councillor Khan (Chair)	- Bunhill;	Councillor Chowdhury	- Barnsbury;
Councillor Donovan-Hart (V-Chair)	- Clerkenwell;	Councillor A Clarke-Perry	- St Peter's;
Councillor Nicholls	- Junction;	Councillor Williamson	- Tollington;
Councillor Fletcher	- St George's;	Councillor Gill	- St George's;
Councillor Court	- Clerkenwell;	Councillor Wayne	- Canonbury;
Councillor Picknell	- St Mary's;	Councillor Poyser	- Hillrise;
Councillor Gantly	- Highbury East;	Councillor O'Halloran	- Caledonian;
Councillor Kay	- Mildmay;	Councillor Turan	- St Mary's;
Councillor Ward	- St George's;	Councillor Webbe	- Bunhill;
Councillor Convery	- Caledonian;		

Quorum: 3 councillors



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	
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B. Consideration of Planning Applications	Page
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| 2. | Regents Wharf, 10, 12, 14, 16 and 18 All Saints Street, London | 91 - 202 |
| 3. | Site of Electricity Sub-Station opposite 15-27 Gee Street and car park spaces 90-98 Goswell Road, EC1 | 203 - 268 |

C. Consideration of other planning matters

D. 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, 11 January 2018

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 an 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 Ola Adeoye 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 - 7 November 2017

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 7 November 2017 at 7.30 pm.

Present: **Councillors:** Robert Khan (Chair), Donovan-Hart (Vice-Chair),
Nicholls, Picknell, Gantly, Kay and Convery

Councillor Robert Khan in the Chair

328 INTRODUCTIONS (Item A1)

Councillor Robert Khan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

329 APOLOGIES FOR ABSENCE (Item A2)

Apologies were received from Councillors Fletcher, Court and Ward.

330 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

331 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

332 ORDER OF BUSINESS (Item A5)

The order of business would be B2,B1,B6,B5,B4 and B3.

333 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 9 October 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

334 CHANGE IN MEMBERSHIP OF PLANNING SUB-COMMITTEE A 2017/18 (Item A7)

RESOLVED:

1. That the appointments of Councillor Angela Picknell as Vice Chair of Planning Committee and Councillor Paul Convery as a member of Planning Committee for the remainder of the 2017/2018 is noted.
2. That Councillor Convey is appointed as a member of Planning Sub Committee A for the remainder of the 2017/18 Municipal Year.

335 **17-23 BEAUMONT RISE, LONDON, N19 3AA (Item B1)**

The demolition of an existing two storey building and the erection of two five storey buildings to provide 10 x 2-bed self-contained flats and 17 supported living units (C2 Use), together with communal rooms, staff/meeting facilities, cycle parking, private amenity space, refuse storage and a communal landscaped garden area.
(Planning application number: P2017/2330/FUL)

Appendix 1, Recommendation B was tabled at the meeting

In the discussion the following points were made:

- The Planning Officer informed the meeting that condition 2 in Appendix 1, Recommendation 2 relating to the approved plan list (compliance) had been omitted from the report. In addition Members were informed that condition 28 regarding the proposed cladding details be amended to ensure that the resulting appearance and construction of the development is of high standard. (Conditions 2 and 28 to be appended to the minutes).
- Members were informed of a change in the description of the proposal, that it should read “to provide 9 x 2-bed dwellings and 1x1-bed wheelchair accessible dwelling in block one” as compared to 10 x 2 bed dwellings.
- Objectors were concerned with the height of the proposed buildings, its impact on privacy, that the siting of supported house could undermine the social cohesion within the local community and result in an increase in both crime and anti- social behaviour.
- In response to concerns about the impact of the proposal on levels of crime and anti-social behaviour, Members were informed that no objections had been submitted by the Metropolitan Police.
- In response to concerns expressed by the Design Review Panel over the longevity of the proposed cladding materials such as the proposed GRC, the Planning Officer advised that condition 28 had been amended for the applicant to provide further details.
- Members agreed that the proposal would deliver good quality affordable housing, supported accommodation as well as private housing which would contribute towards delivering mixed and balanced communities.
- Members raised concerns that some objectors appeared to be stigmatising those with mental health issues in their submissions to the Committee.

Councillor Gantly proposed a motion to grant planning permission. This was seconded by Councillor Donovan-Hart and carried.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report plus the amendments set out above and the additional condition attached; and conditional upon the prior completion of a Directors’ Agreement securing the Head of Terms as set out in Appendix 1

336 **ANDOVER ESTATE, BOUNDED BY DURHAM ROAD, MORAY ROAD, ANDOVER ROAD, HORNSEY ROAD, NEWINGTON BARROW WAY AND SEVEN SISTERS ROAD, LONDON, N7 (Item B2)**

Hybrid planning application involving Outline consent (scale, access and layout) for the phased redevelopment of the Andover Estate allowing for the erection of buildings up to 6 storeys to provide a gross total of 199 new dwellings (comprising 22 x 1 bedroom dwelling;

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133 x 2 bedroom dwelling; 43 x 3 bedroom dwellings; 1 x 4 bedroom dwelling); up to 5159 sqm of affordable workspace (Use Class B1), 87sqm of flexible use space (Class A1/A3/B1/D1), estate-wide public realm and landscape improvements, including new children's play space; reconfiguration of existing estate-wide car parking; and provision of up to 763 cycle parking spaces.

Full detailed consent for part of the proposal described above involving 64 residential units (comprised of 19 x 1 bedroom flats, 31 x 2 bedroom flats and 14 x 3 bedroom houses) across 6 infill sites and reconfiguration of existing dwellings and garages); public realm improvements including new landscaping and play facilities, 87sqm of flexible use space (Class A1/A3/B 1/D1); 618 sqm affordable workspace (Use Class B1) and associated hard & soft landscaping, reconfiguration of existing estate-wide car parking; and provision of a minimum of 162 cycle parking spaces.

(Planning application number: P2017/2065/FUL)

In the discussion the following points were made:

- The Planning Officer informed Members of a typographical error in the report, that references in the report to the provision of social rented in Phase 1 should read 34 units rather than 32.
The Planning Officer informed members of a change to the Head of Terms which required the applicant to give an opportunity of residents of the 7 most affected properties in the new scheme as a result sunlight and daylight loss. The Planning Officer informed Members that a suggestion which was being considered was the possibility of increasing their natural daylight through the provision of roof lights.
- The Planning Officer informed the meeting of an additional condition in Recommendation B, which would improve the access arrangements for residents in Roth Walk. This condition would be appended to the minutes.
- The Planning Officer advised of the loss of 1,408sqm of publicly accessible open space to provide newly-built affordable housing, this would be compensated as 12,500sqm of existing car parking and vehicular access would be converted into 'Home Zones'.
- The Planning Officer acknowledged the loss of 20 garages during the 1st phase stage and subsequent losses of both garages and parking spaces later on during the redevelopment of the estate., however the undercroft garage spaces would be converted into affordable workspace which in policy terms was considered a further benefit of the proposal.
- With regards to the loss of play spaces and whether this would cater for future demand, Members were advised that the scheme will provide more than double of what it currently provides, from 710sqm to 1569sqm, that the child space significantly exceeds the recommended amount required by policy.
- With regards to anti-social behaviour concerns around the siting of benches around the estate, the Principal New Homes Development Project Manager advised the meeting that elderly residents lived on the estate who would need benches, however the Project team would continue to keep this issue under review following its implementation.
- On the issue of introducing hedges around the scheme, Members were advised that the project team would review this issue and would continue to consult with residents.
- A resident made some comments about the layout of the child playspace and landscaping around the Old Andover, particularly with regard to the pedestrian routes and the position and potential surveillance of the proposed playspace. Members were advised that this would be considered as part of the continuing

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engagement with the residents and the details would emerge as part of the landscaping details condition.

- Members welcomed the phased redevelopment of the Andover Estate, the improvements to the public realm, the associated hard and soft landscaping, provision of affordable workspace and the net increase of 69 dwellings (first phase).
- Members welcomed the positive relationship between the Agent, Housing officers and the Residents Steering Group in ensuring that all concerns raised were being considered.
- Councillor Khan noted that the affordable housing provision was 64% and that the allocations were 100% to Islington.
- Councillor Picknell queried the provision of playspace across the estate and the timing of its provision. For example, if all the child playspace was provided in the first phase, would a deficit emerge when the second phase was implemented. The case officer confirmed that the child playspace provided in the first phase would exceed the requirement for the whole development.
- Councillor Convery was impressed with the build cost levels set out in the viability of the report,
- Councillor Gantly queried the relationship between crime and anti-social behaviour and commented that the design appeared to improve the supervision of the public realm. The case officer confirmed that the police had welcomed the design.

Councillor Gantly proposed a motion to condition a requirement to carry out a pilot for benches across the estate which was not seconded. Councillors preferred that ongoing engagement with residents should take place rather than impose a condition requirement.

Councillor Khan proposed a motion to grant planning permission. This was seconded by Councillor Convery and carried.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report plus the amendments set out above and the additional condition outlined; and conditional upon the prior completion of a Directors' Agreement securing the heads of terms as set out in Appendix 1 of the officer report, and subject to any direction by the Mayor of London to refuse the application or for it to be called in for determination by the Mayor of London.

337 LADBROKE HOUSE, 62-66 Highbury Grove, London, N5 2AD (Item B3)

Removal of part of the internal central and southern section of the existing 5 storey (plus basement) building, and its replacement with a 3 storey (plus basement) extension and third floor roof amenity space; provision of replacement doors and windows to include ventilation louvres; reinstatement of door on Highbury Grove frontage; provision of bicycle storage along Highbury Grove frontage; provision of bicycle and bin storage and new fence along Kelvin Road frontage; new glazed roof on single storey extension to the south; removal of the existing single storey structure on roof, extension of two existing stair cores and lift overrun, and provision of new balustrade, photovoltaic panels and sedum roof at roof level in order to facilitate the use of the building as a specialist Class D1 sixth form school.

(Planning application number: P2017/3006/FUL)

In the discussion the following points were made:

- Members were informed by Planning Officer that this item was before the Committee for consideration at the request of the Service Director, Planning and Development.

The proposed use does not require planning permission as the proposed use was for the continued D1 education use of the building.

- The Planning Officer advised Members that although the proposed demolition would result in the loss of floor space, the application had been assessed with regard to policy DM4.12 and was considered acceptable as the physical changes were required to meet the specific education user as the existing building would not suit their needs.
- In response to amenity concerns from neighbouring resident's, the Planning Officer advised that as part of the planning permission, condition 21 had been included to ensure that the flat roof of the building would be restricted from use as amenity space, condition 19 regarding the hours of use of the third floor rooftop amenity space and condition 22 would restrict any amplified noise emanating from the third floor rooftop amenity space.

Councillor Nicholls proposed a motion to grant planning permission. This was seconded by Councillor Picknell and carried.

RESOLVED:

That planning permission be granted 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.

338

LEROY HOUSE, 436 ESSEX ROAD LONDON, N1 3QP (Item B4)

Extensions to the existing building, including an additional storey above existing building and part 4-, part 5-storey extension over car park, to provide office, workshop and studio space with an ancillary cafe, together with hard and soft landscaping

(Planning application number: P2017/3081/FUL)

In the discussion the following points were made:

- The Planning Officer informed Members that previous application was refused by Committee in 2016 on grounds of design, its impact on heritage assets and impact of loss of daylight and sunlight.
- In terms of planning consideration, the Planning Officer advised Members that the revised application is considered acceptable in terms of land use policy terms, inclusive design, transportation and servicing, sustainability and energy.
- The Planning Officer advised Members that as the site was within an Employment Growth Area and subject to site allocation OIS3 and Article 4 directions, the provision of new business floorspace including floor space suitable for occupation by micro or small enterprise was welcome in the borough.
- On the issue of affordable work space, Members were concerned with its definition especially with 'the and/or' wording in policy DM5.4 of the Development Management Policies (2013). Members sought clarification from Officers on whether what was required was workspace which was affordable in terms of its rent or the provision of small units of work space which in most cases would require more details from the applicant. A suggestion that Planning Officers look into how to resolve this ambiguity on how affordable workspace is defined was noted.
- With regards to the impact of the erection of the additional storey to the setting of the Grade II listed terrace at 178-190 Balls Pond Road, the Planning Officer acknowledged that this weighs negatively, however the harm was not considered so

great as to warrant refusal of planning permission, particularly given the public benefits of the proposed development.

- With regard to the daylight and sunlight loss especially for residents living in The Pinnacle, the Planning Officer informed the meeting that although the majority of the predicted VSC failures fall within the 0.7 to 0.79 range, the majority of the NSL/FF failures do not, and therefore significant weight must be given to this level of failure, in terms of the numbers of rooms adversely affected and the degree to which each of those rooms would be impacted.
Members were concerned that the daylight and sunlight tests was based on the applicant's assumption of room sizes, estate agent details and the knowledge of applicant's consultant and experience. In addition Members were concerned that residents in Pinnacle had not in particular been consulted.
- In response to concerns on why the revised application had not been submitted back to the Design Review Panel for their updated comments, considering the issues raised in their response and in particular reference to 'aggressive massing', the Planning Officer advised that the DRP serves as an independent advisory body to the Council and only complements the Council in house team.
- Members acknowledged that the revised scheme was an improvement to the previous scheme however the concerns regarding the massing and over dominance raised by the DRP still remained.
- The agent informed Members that following Committee's refusal of the previous application, the applicant had employed an award winning architect to address the issues. In addition, the agent acknowledged that although the scheme would have an impact on neighbouring amenity the benefits of the scheme such as the high quality development and providing employment opportunities, outweighs any loss of daylight and sunlight issues.

Councillor Kay proposed a motion to defer the item on grounds of the design and the impact of the scheme on neighbouring amenity. This was seconded by Councillor Picknell and carried.

RESOLVED:

That consideration of the application be deferred for the reasons outlined above.

339

SITE OF ELECTRICITY SUB STATION, OPPOSITE 15-27 GEE STREET & CAR PARK SPACES 90-98 GOSWELL ROAD, LONDON (Item B5)

Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 4,050 sqm (GIA) office (Use Class B1a) floorspace.
(Planning application number: P2017/3389/FUL)

In the discussion the following points were made:

- The Planning Officer informed the meeting of an updated condition 2 regarding the approved plans list (compliance) in the report.
- In response to the lack of provision of retail or leisure floor space at ground floor level, the Planning Officer advised Members that Gee Street is a secondary street and not a Town centre or Shopping Frontage so provision of an active commercial retail or leisure use at ground floor level as part of the proposal will be considered as not keeping with the established character of Gee street.
- Members discussed the changing nature and character of the surroundings and felt that the changing context would give rise to an appropriate basis to continue to seek an active retail or leisure frontage in this location as sought by policy.

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- Councillor Khan asked for clarity on the affordable workspace policy and officers confirmed that the policy as applicable in this area required either units of 90sqm or less in size or units affordable by virtue of rent levels. In this instance, the applicant had chosen to provide small units, which was in accordance with the policy.
- Members were informed that as the scheme was not providing on-site housing, a financial contribution of £648,000 had been sought in accordance with the Council's Planning Obligations SPD.
- Members acknowledged the benefits of the scheme especially with the continuing high demand in the borough for workspace for small businesses, but were concerned that the scheme was not policy compliant with regards to the provision of retail or leisure floor space on the ground floor.

Councillor Convey proposed a motion to defer due to reasons stated above. This was seconded by Councillor Kay and carried.

RESOLVED that the application be deferred to a future meeting.

340

TUFNELL PARK PRIMARY SCHOOL, DALMENY ROAD (AND CARLETON ROAD), LONDON, N7 0HJ (Item B6)

Demolition of the existing school buildings and erection of a new part two/part three-storey primary school building in brick along with associated landscaping works including the removal/ replacement of trees, provision of new play space and multi-use games area, alterations to the existing site fencing/boundaries, provision of a refuse store, alterations to existing parking, as well as the provision of a temporary two-storey building in the north western corner of the site for use as classrooms during the construction process.
(Planning application number: P2017/2822/FUL)

In the discussion the following points were made:

- The Planning Officer confirmed that the CO2 off-set contribution would be £48,392.
- As a response had not been received from the London Fire Brigade, the Council's Building Control Team (Fire) had been consulted on the application and confirmed that the layouts were able to meet all relevant Fire Safety measures. The need for sprinklers was to be conditions – as set out in the report to members (which is a standard London Fire Brigade request for taller buildings).
- An objector addressed the Committee raising concerns regarding overlooking between the temporary construction facilities building and their windows. This is a temporary structure but its windows would be conditioned to be obscurely glazed up to 1.7m above finished floor level.

RESOLVED:

That planning permission be granted 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.

The meeting closed at 10.35 pm.

CHAIR

Min No 335 17-23 Beaumont Rise, N19 3AA (Item B1)

CONDITION 2 – Approved Plans List Compliance: The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing Numbers: BR001; BR002; BR003 Rev 02; BR004 Rev 02; BR/1/A1/100; BR/1/A1/101; BR007; BR008; BR025; BR009; BR010; BR011; BR012; BR013; BR014; BR015; BR016; BR017; BR018; BR019; BR020; BR021; BR022; BR023; BR024; BR025; BR026; BR027; BR028; BR029; BR030;
Design & Access Statement by Islington Architects;
Planning Statement by Islington New Build and Regeneration Team;
Statement of Community Involvement by Islington New Build and Regeneration Team;
Topographical Surveys by Team Surveys;
Flood Risk Assessment by MLM;
Arboricultural Assessment / Tree Survey by Tamla Trees;
Ecological Survey / Habitat Survey by DF Clark;
Sustainable Construction Method Statement by Calford Seaden;
Energy Strategy Revision 2 dated October 2017 by Calford Seaden;
Overheating Assessment Revision 2 dated October 2017 by Calford Seaden;
Green Performance Plan Revision 2 dated October 2017 by Calford Seaden;
Asbestos Demolition Survey Report by Riverside;
Daylight & Sunlight Report by BRE;
Arboricultural Impact Assessment by Tamla Trees dated October 2017;
BREEAM UK New Construction Pre-Assessment;
Transport Assessment by Lime Transport dated June 2017;
Utilities Assessment by Calford Seaden.

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.

CONDITION 28 Cladding Details: Notwithstanding the plans hereby approved, details of the cladding including colour, size and disposition of panels, details of joints, fixings and drip detail as well as alternative artwork design shall be submitted to and approved.

The details submitted shall include manufacturer's product information, details of drainage and building sections. The details approved shall be installed prior to occupation and shall be maintained as such thereafter.

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.

Minute No 336. Andover Estate, N7 (Item B2)

Notwithstanding the submitted detail and the development hereby approved, detail of a further lift and/or stair core in Building B to provide access for residents in Roth Walk shall be submitted and approved in writing by the Local Planning Authority prior to commencement of the development hereby approved.

The details shall be carried out strictly in accordance with those approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority."

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REASON: To ensure that inclusive and accessible routes are provided throughout the estate at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the estate.

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COMMITTEE AGENDA

1 20 Ropemaker Street, 101-117 Finsbury Pavement and 10-12 Finsbury Street
London
EC2Y 9AR

2 Regents Wharf
10,12,14,16 and 18 All Saints Street
Islington
London

3 Site of Electricity Sub Station Opposite 15 - 27 Gee Street &
Car Park Spaces 90 - 98 Goswell Road
LONDON
EC1

1 20 Ropemaker Street, 101-117 Finsbury Pavement and 10-12 Finsbury Street
London
EC2Y 9AR

Ward: Bunhill

Proposed Development: Demolition of the existing buildings and erection of a 27-storey building (part 10, part 15, part 20, part 25, part 27-storeys) with 3 basement levels to provide for 63,520 square metres (GIA) of office floorspace (Use Class B1(a)) and 1,222 square metres (GIA) of flexible retail/professional services/restaurant/café floorspace (Use Class A1/A2/A3) along with associated access and servicing arrangements, cycle parking, refuse storage and landscaping works.[Revised Daylight/Sunlight Information]

Application Number: P2017/3103/FUL

Application Type: Full Planning Application

Case Officer: John Kaimakamis

Name of Applicant: c/o Agent

Recommendation:

2 Regents Wharf
10,12,14,16 and 18 All Saints Street
Islington
London

Ward: Caledonian

Proposed Development: Redevelopment of the site at Regent's Wharf including the refurbishment and extension of 10-12 Regent's Wharf (including part one/part two storey roof extension) to provide additional Class B1 business floorspace with ancillary flexible Class A1/A3 (retail/restaurant) and flexible Class A1/B1/D1 (retail/business/non-residential institutions) floorspace at ground floor level; demolition of 14, 16 and 18 Regent's Wharf and erection of a part 5 and part 6 storey building with rooftop plant enclosure providing Class B1(a) office floorspace and flexible Class A1/A3/B1/D1/D2 (retail/restaurant & café/business/non-residential institutions/assembly & leisure) floorspace at ground floor; and associated hard and soft landscaping.

Application Number: P2016/4805/FUL

Application Type: Full Planning Application

Case Officer: Simon Greenwood

Name of Applicant: C/O Agent

Recommendation:

**3 Site of Electricity Sub Station Opposite 15 - 27 Gee Street &
Car Park Spaces 90 - 98 Goswell Road
LONDON
EC1**

Ward: Bunhill

Proposed Development: Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 4,050 sqm (GIA) office (Use Class B1a) floorspace .

Application Number: P2017/3389/FUL

Application Type: Full Planning Application

Case Officer: Simon Greenwood

Name of Applicant: Chait Investment Corporation Ltd

Recommendation:



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:	5 December 2017	NON-EXEMPT

Application number	P2017/3103
Application type	Full Planning Permission
Ward	Bunhill
Listed building	Within vicinity of the Honourable Artillery Company and its playing fields are located to the north of the Site, beyond Chiswell Street and include the Grade II* listed Armoury House and Grade II listed Finsbury Barracks.
Conservation area	Within 50 metres of the Bunhill Fields and Finsbury Square Conservation Area
Development Plan Context	<ul style="list-style-type: none"> - Bunhill and Clerkenwell Core Strategy Key Area - Finsbury Local Plan (FLP) Area - Employment Priority Area (Offices) - Central Activities Zone - City Fringe Opportunity Area - Moorfields Archaeological Priority Area - Within 50 metres of the Bunhill Fields and Finsbury Square Conservation Area - Crossrail Safeguarding Direction
Licensing Implications	Not Applicable
Site Address	20 Ropemaker Street, 101-117 Finsbury Pavement and 10-12 Finsbury Street, London, EC2Y 9AR.
Proposal	Demolition of the existing buildings and erection of a 27-storey building (part 10, part 15, part 20, part 25, part 27-storeys) with 3 basement levels to provide for 63,507 square metres (GIA) of office floorspace (Use Class B1(a)) and 1,222 square metres (GIA) of flexible retail/professional services/restaurant/café floorspace (Use Class A1/A2/A3) along with associated access and servicing arrangements, cycle parking, refuse storage and landscaping works.

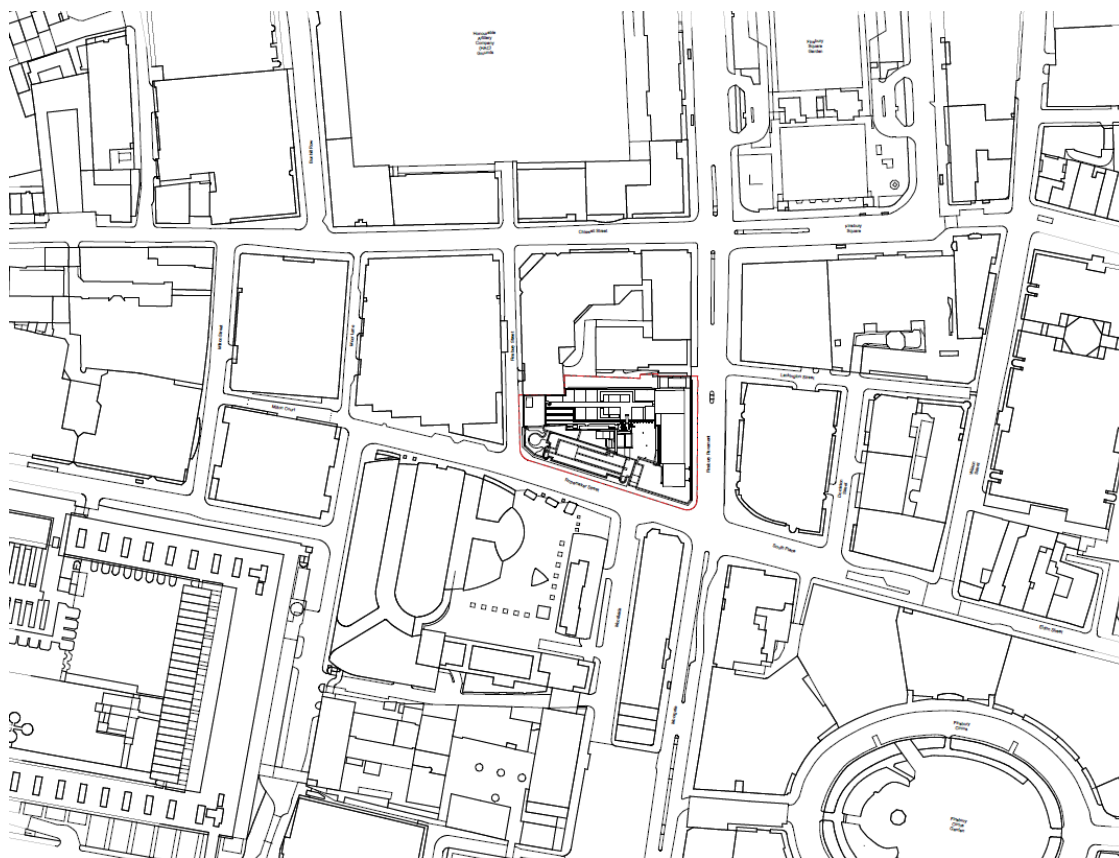
Case Officer	John Kaimakamis
Applicant	Gerald Eve
Agent	c/o Agent

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;
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; and
3. subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. SITE PLAN (site outlined in red)





3. PHOTOS OF SITE/STREET





4. SUMMARY

- 4.1 The proposal seeks demolition of the existing buildings and erection of a 27-storey building (part 10, part 15, part 20, part 25, part 27-storeys) with 3 basement levels to provide for 63,520 square metres (GIA) of office floorspace (Use Class B1(a)) and 1,222 square metres (GIA) of flexible retail/professional services/restaurant/café floorspace (Use Class A1/A2/A3). The proposal also includes within the office floorspace the provision of 955 square metres (GIA) of office floorspace at first floor level that would be suitable for occupation by micro and small enterprises by virtue of its size and design. Public realm improvements are proposed along the two frontages of the site with the introduction of a placemaking tree at the junction of Ropemaker Street and Finsbury Pavement as well as the widening of both footway pavements.
- 4.2 Subject to a contribution towards securing offsite housing provision (the contribution accounts for an equivalent 20% of the uplift in office floorspace) and amounts to £4,639,680, the development of a mixed use Class A1/A2/A3 and Class B1 office scheme on this highly accessible site in an Employment Priority Area designated specifically for offices in the CAZ is considered to be

acceptable in land use terms. The provision of high quality Class B1 office accommodation would be consistent with the aims of the development plan.

- 4.3 It is considered that although the proposed development is taller than the existing buildings on the site, the architectural approach is supported with use of materials that are respectful to the context of the area. Additionally, the stepped massing approach successfully integrates with the scale of existing buildings in the area, namely the heights of Ropemaker Place/City Point and the lower rise context to the east and north. The amendments throughout the pre-application stage to the western most element have resulted in further improvement to the resultant skyline composition in views from the HAC grounds, forming an appropriate book end to Ropemaker Place. The proposed scheme also activates the ground floor with retail uses along Finsbury Pavement and the entrance lobby areas along Ropemaker Street.
- 4.4 Sections 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 134 of the NPPF states 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, including securing its optimum viable use.
- 4.5 Whilst there will be some harm to the Bunhill Fields and Finsbury Square conservation areas and the setting of the Honourable Artillery Company (GII* listed), this is considered to fall within the 'less than substantial harm' category of the NPPF. The site is also designated within an area considered appropriate for tall buildings above 30m due to the potential for the public benefit to outweigh potential harm. Council's Design and Conservation officers are of the view that the level of public benefit provided by the proposals far outweigh the 'less than substantial harm' to the heritage assets.
- 4.6 In particular, the scheme would deliver a significant amount of new and upgraded office floorspace in the CAZ along with floorspace for small and micro enterprises (a benefit as this provision is not required by planning policy) alongside public realm improvements.
- 4.7 No part of the development would result in unacceptable adverse impacts in terms of loss of daylight, sunlight, outlook, sense of enclosure or privacy that would justify refusing planning permission.
- 4.8 Subject to appropriate conditions, including submission of a feasibility study for connection to Citigen, the development would comply with relevant planning policies relating to sustainability and energy efficiency.
- 4.9 The proposed development would be serviced on-site and subject to appropriate conditions would have no adverse impacts on the local road network. The refuse/recycling and servicing arrangements are considered to

be acceptable. The provision of secure cycle storage and showering and changing facilities for staff would encourage sustainable travel.

- 4.10 In addition to the Mayoral and Islington Community Infrastructure Levy, the application is supported by a comprehensive s106 planning agreement and contributions related to and mitigating impacts of the scheme. For these reasons and all the detailed matters considered in this report, the scheme is acceptable subject to conditions, informatives and the s106 legal agreement.

5. SITE AND SURROUNDING

- 5.1 The application site is located on the northern side of Ropemaker Street between Finsbury Street and Finsbury Pavement. The existing buildings on site comprise of Arbutnot House, 15-24 Ropemaker Street, and Finsbury Court, 101-117 Finsbury Pavement and 10-12 Finsbury Street. The existing buildings are predominantly in office use (class B1) with retail units on ground floor. 10-12 Finsbury Street also contains two caretaker's flats.
- 5.2 The existing buildings on site vary in height from 7 to 9 storeys. Adjoining the site to the north are similarly sized office buildings (which include banking and cafe/bars at ground floor level) at 125 and 131 Finsbury Pavement (rising in height to 36m). The building at 125 Finsbury Pavement has an interesting angular façade, with an upper level turret feature. This building would share a party wall with the proposed development.
- 5.3 Opposite the site to the east (across Finsbury Pavement), at 70 Finsbury Pavement is a building known as the Helicon, a mixed use building including retail and banking uses at ground floor and office uses above (46m). South of the site are 8 storey buildings (rising in height to 28m) on either side of Moorfields. Moorgate Underground and Train station is approximately 125m south of the site (along Moorfields).
- 5.4 The Honourable Artillery Company and its playing fields are located to the north of the Site, beyond Chiswell Street and include the Grade II* listed Armoury House and Grade II listed Finsbury Barracks.
- 5.5 To the west of the site, across Finsbury Street is a 20 storey (96m) office building called Ropemaker Place (with a street address of 25 Ropemaker Street). To the southwest of the site is a building known as City Point, which is a 36 storey (127m) office building with various retail and café spaces at ground floor level. This building is set within an open area of hard landscaping. Further west is another tall building known as the Heron (the site is next to a cluster of tall buildings).
- 5.6 The site has a Public Transport Accessibility Level (PTAL) rating of 6(b) (on a scale of 1 to 6 where 1 representing the lowest levels of accessibility to public transport and 6 the highest). The site is within the Central Activities Zone and is designated as an Employment Priority Area (Office).

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal seeks to demolish all buildings on the site and replace them with a 27-storey building (part 10, part 15, part 20, part 25, part 27-storeys) with 3 basement levels. These will contain 63,507 square metres (GIA) of office floorspace (Use Class B1(a)) and 1,222 square metres (GIA) of flexible retail/professional services/restaurant/café floorspace (Use Class A1/A2/A3).
- 6.2 Within the office there would be 955 square metres of workspace specifically for small and micro businesses within a ground floor mezzanine level fronting Fisbury Pavement with its own independent access. Cycle storage, changing and shower facilities would be provided at basement level along with storage space for the retail units. The main entrance to the office lobby would be off Ropemaker Street. Ground floor retail units would front on to Finsbury Pavement and Ropemaker Street.



- 6.3 The building would be stepped in form, with landscaped roof terraces for office occupiers. There are five terraces in total, three on the east and two on the west of the new building. There would also be 14 large balcony spaces which could be used for meetings or amenity space for office workers.



6.4 The ground floor of the building has been set back to provide increased public realm on Ropemaker Street and the building is designed to create new public space at the junction of Ropemaker Street and Finsbury Pavement. Improvements to the hard landscaping along Finsbury Street, Ropemaker Street and Finsbury Pavement are also proposed. The building would be serviced via an internal service bay at ground floor, accessed via Finsbury Street.





7. RELEVANT HISTORY:

7.1 The following previous planning applications relating to the application site are considered particularly relevant to the current proposal:

7.2 Planning Applications:

Nos. 101-117 Finsbury Pavement

7.3 Ref: 6757/03.1/1/08: The erection of new office buildings on the site, together with a bank, shops, two caretaker flats, office storage, basement car parking and plant. This application was granted consent on 8 May 1978.

7.4 Ref: TP/53566: Change of use from retail shop (580 sq. m) on part of ground and basement floors (known as Unit 2) to building society or bank branch office. This application was granted consent on 22 October 1985.

7.5 Ref: TP/53566: Change of use of ground and basement floor shop units (662 sq. m) to banking hall and offices. This application was granted consent on 17 November 1986.

Nos. 10-12 Finsbury Street

7.6 Ref: PT/TD/DO/03/29777: Erection of a new building comprising offices, storage and ancillary plant, not exceeding 9,985 sq. feet on the site. This application was granted consent on 28 January 1975.

7.7 Ref: 6757/03.1/1/08: The erection of new office buildings on the site, together with a bank, shops, two caretaker flats, office storage, basement car parking and plant. This application was granted consent on 8 May 1978.

Nos. (19)20-24 Ropemaker Street

7.8 Ref: TP/1680: redevelopment to provide six and seven storey plus basement office building with 4,869 sq. m gross office floorspace and ground floor parking for 4 cars. This application was granted consent on 18 October 1985.

7.9 A number of other planning applications have been submitted for minor development on the above sites.

7.10 **Enforcement:**

7.11 There are no enforcement cases that are relevant to the application site.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to the occupants of over 3800 adjoining and nearby properties surrounding the application site in both the City of London and Islington Council boundary areas. Site notices and a press advert were displayed on 01/09/2017. The first period of public consultation closed on 22/09/2017.

8.2 As a result of the first consultation period, the applicant submitted further Daylight and Sunlight information in response to the representations received. Objections were raised that the daylight information submitted with the application did not reflect the residential layouts of the units within the Heron building. The applicant revised the daylight distribution for these units on the basis of the plans and construction drawings by the contractor who erected the Heron building. These revised daylight figures were subject to a re-consultation period.

8.3 It is the Council's practice to continue to consider representations made up until the date of a decision and a number of objections submitted after the end of the consultation period have been taken into consideration.

8.4 In response to both consultation periods, a total of 29 objections were submitted against the proposal. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Proposal will have an impact on the daylight and sunlight surrounding properties receive;

[The modelling for sunlight/daylight assessment provided by the submitted study considers all residential properties around the site, namely at the Heron building. The assessment has considered all 4 tests under the BRE Guidance. With regard to three of the tests, the Vertical Sky Component, Annual Probable Sunlight Hours and Winter Probable Sunlight Hours, the proposal would not result in any transgressions in accordance with the BRE Guidance. With regard to Daylight Distribution (No Sky Line) test,

only 5 rooms out of a total of 143 rooms tested would have transgressions above 20% of their former value. These transgressions are between 20% ~30% and considered minor in the context of an inner urban area which is designated for the potential of tall buildings. Additionally, the proposal has been designed in a manner to minimise any neighbouring impact whilst efficiently developing this brownfield site so as to optimise the amount of office floorspace proposed as per the site's development plan designations. In recognition of the densely developed urban context and the attempts to minimise transgressions from the BRE guidance as much as possible, the development would not result in a degree of harm that would warrant refusing planning permission and in view of the planning policy presumption that sites should be developed in such a way as to maximise their potential is considered to be acceptable in this regard].

- The proposal will result in wind tunnelling at pedestrian level and create a canyon effect;

[The application is accompanied by a Pedestrian Level Wind Microclimate Assessment (PLWMA), which provides an assessment of the effect of the proposed development effect on wind conditions at the site and in the surrounding area. It concludes that the proposal is acceptable in terms of wind microclimate subject to the recommended mitigation measures to be secured by condition and further testing with the final scheme of landscaping in place. It is recommended that landscaping to mitigate wind impacts on the roof terraces following further testing is secured as part of the recommended landscaping condition.]

- Will increase vehicle and pedestrian traffic to breaking point;

[The proposal is car-free in line with development plan policies and it is not considered that vehicle generation would be unacceptable. Further, the application has been referred to Transport for London, who have not raised objections with regard to whether the site can accommodate the proposed uses, and have recommended conditions and legal obligations in order to ensure that there is no impact on the highways. Additionally, the proposed widening of the footway along both Ropemaker Street and Finsbury Pavement would improve on the existing conditions for pedestrians around the site].

- Size of the development is out of keeping with the existing buildings. Will dominate the north and south skylines. The proposal has too much bulk to the west of the site;

[The proposal has been subject to an extensive pre-application period and discussions and amended at pre-application stage to respond to Conservation and Design officer advice. Additionally, it has also been presented on more than one occasion to the Design Review Panel, and amendments have been made as a result of comments made. The proposed building is located in an area designated for tall buildings and is not out of place with the prevailing scale of development within the locality. It is not considered that the scale and massing of the proposal is

inappropriate. The building has been designed in a manner to complement the existing area and also to minimise any impact on the setting of adjoining heritage assets. These matters are covered extensively in the design assessment section of this report].

- Proposal will impact on the open space at City Point;

[The existing buildings have a poor relationship with City Point adjacent to City Point. The proposal seeks to activate the ground floor with a double storey ground floor level lobby for the new office building, as well as widening the existing pavement along Ropemaker Street. The proposal as a result would link much better with the adjacent open space. Additionally, the proposed building along Finsbury Pavement has been set in from the existing building line so as to allow better views of the adjacent space as one moves south along Finsbury Pavement].

- Request for a construction method statement for the construction phase;

[Two conditions have been recommended by officers to address any potential negative impact on neighbouring amenity during the course of construction. This includes a Construction Environmental Management Plan and also a Construction and Logistics Plan].

External Consultees

8.5 **Greater London Authority (GLA) including TfL – Stage 1 Response (summary):** that the proposal does not fully comply with the London Plan but that the possible remedies set out in the response could address those deficiencies. The Mayor requests a copy of the draft decision notice when a resolution to determine the application has been reached, and the Mayor has the opportunity to direct refusal, request amendments, to any draft decision notice or seek to act as the LPA for the purpose of determining the application. The key areas of concern/non-compliance identified by the GLA include:

- **Principle of Development:** The principle of development is supported in accordance with London Plan policy and will deliver a qualitative and quantitative improvements to office provision within the City Fringe, as well as space for small and micro businesses.
- **Urban Design:** The application is supported in line with London Plan policy on urban design.
- **Heritage and views:** The proposals would not negatively impact the settings of nearby heritage assets or strategic views. The application complies with London Plan policy on heritage and the LVMF.
- **Climate Change:** The scheme is broadly supported in strategic terms. Further commitment and information is required with regard to the on-site communal heating network and the scheme's potential to connect to future district heat networks.
- **Transport:** Planning obligations to address the impact on the Underground network, local cycling routes as well as a Deliveries and

Servicing Plan and Travel Plan should be secured by s106 agreement. Conditions relating to a two-stage Construction Logistics Plan should also be secured.

- 8.6 **Historic England** raised no objection and stated that the scheme should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
- 8.7 **Historic England (Greater London Archaeology Advisory Service)** raised no objection to the proposal subject to a condition and informative being attached to the permission.
- 8.8 **Crossrail Safeguarding (2008 Safeguarding Direction)** responded requesting that should the LPA be minded to grant planning permission that a condition be imposed on any permission that secures detailed design and construction method statements for all basements, ground floors and foundations and other structures to be approved in consultation with Crossrail, including an assessment on the effects of noise and vibration from the Crossrail tunnels on the development. A second condition was also recommended for concurrent working with the construction of Crossrail structures.
- 8.9 **Crossrail Safeguarding (Crossrail 2)** did not make any comments other than to state that the application relates to land outside the limits of land subject to consultation by the Crossrail 2 Safeguarding Direction.
- 8.10 **London Underground** have stated that the construction of the basement is in close proximity to the Northern Line and recommended a condition for a detailed design and method statement.
- 8.11 **Thames Water** requested a condition in relation to an impact method piling statement and informatives relating to surface water drainage and the existing water supply infrastructure.
- 8.12 **Lead Local Flood Authority** raised no objection subject to the proposed recycling system to be secured by condition. It was recommended that a further condition be imposed to secure a maintenance plan for the management of the sustainable drainage system for the lifetime of the development in accordance with the new national requirements.
- 8.13 **The City of London** were consulted and did not want to make any comments on the application.
- 8.14 **London Fire and Emergency Planning Authority (LFEPA)** were consulted but have no provided any comments to date.

Internal Consultees

- 8.15 **Policy Officer** advised that the proposal would comply with land use policies in terms of optimizing offices in a designated employment area specifically for

offices. Further, the site is located in an area where tall buildings may be appropriate subject to the criteria in the development plan. The provision of floorspace for micro and small enterprises by virtue of their size and design not required by policy but its provision a benefit to the scheme.

- 8.16 **Access Officer** requested clarification on a number of matters relating to inclusive design and whether the proposal would meet the requirements set out in the Council's Inclusive Design SPD. These matters are incorporated in the assessment section of the report. Whilst further information was provided that clarifies these matters, conditions are recommended requesting details to be provided to demonstrate how the requirements of the Council's Inclusive Design SPD are met.
- 8.17 **Design and Conservation Officer** stated that the proposals have been extensively discussed and amended at pre-application stage to respond to officer advice. The specific comments from Design and Conservation officers have been incorporated into the assessment section of the report. In summary, they are in support of the proposal subject to conditions relating to materials and design details of the clock and roof terraces. They acknowledge that there will be some harm to adjoining heritage assets but this is 'less than substantial' and that this is outweighed by the high quality design that responds well to its context of existing tall buildings and breaks up the bulk and massing, as well as the substantial level of public benefit provided by the proposal, whilst also acknowledging that the site is designated an area appropriate for tall buildings.
- 8.18 **Energy Conservation Officer** has recommended the preferred energy strategy should be connection to Citigen and any other strategy should only be pursued should this be demonstrated not to be feasible. Should this not be feasible, then the alternative energy strategy is acceptable with additional measures being investigated. They have recommended conditions and s106 obligations to ensure that the above is secured and a Green Performance Plan is provided.
- 8.19 **Public Protection Division (Air Quality/Noise Team)** have recommended previously conditions relating to fixed plant equipment for noise mitigation, along with a Construction Environmental Management Plan.
- 8.20 **Sustainability Officer** has stated that further details are required with regard to sustainable urban drainage systems, green/brown roofs, rainwater harvesting, materials and bird and bat boxes. They state that proposals should meet 'Excellent' BREEAM rating and recommend a condition for this to be secured. A Site Waste Management Plan to be conditioned.
- 8.21 **Building Control Officer** stated that based on the submitted information there were no indications that the proposal would not meet any of the requirements of the Building Regulations, including matters relating to fire and safety.

Other Consultees

8.22 Members' Pre-Application Forum – 16 January 2017 and 13 November 2017

Design Review Panel

8.23 Islington's Design Review Panel considered the proposed development at pre-application stage on the 16 September 2016 and 11 May 2017.

8.24 The panel's written comments in relation to the most recent DRP review (issued on 01 June 2017) are summarised below and their response in full is attached under Appendix 3:

The Panel welcomed the opportunity to review the scheme for a second time and noted that the design had been substantially developed since the last review. Panel members recognised the many positives of the scheme including: a substantial uplift in flexible workspace, a good affordable workspace offer, increased and improved public realm, a 'place-making' tree, substantial cycle parking and high-level terraces providing workers with outdoor space. There is also a clear attempt to design the proposed building to respond positively to its context.

Officer's Comments: Many of the amendments incorporated within the final submission had been in direct response to comments raised by the Design Review Panel at pre-application stage.

Overall panel members thought that the original concept could be strengthened through refining the detailing. The Panel felt that it was important that the narrow 'negative' darker sections need to have as recessive an appearance as possible to ensure that the wider 'positive' sections are expressed elegantly and commented that the 'negative' sections could be more ephemeral in both form and materiality. Panel members observed that in keeping the highest 'positive' section at the proposed height to avoid impact on views of St Paul's it is closer in height to the adjoining 'negative' sections which creates a bulkier appearance and diminishes potential for an elegant silhouette to the building against the skyline.

Officer's Comments: The proposal was further refined to take on board the above comments. Council's Design and Conservation officer has stated that the further revisions have resulted in a building that is defined by a strong horizontal emphasis of the solid spandrel panels which is successfully balanced out by the verticality of the blocks and recessed form between them. The blocks appear as 'vertical ladders' which honestly express the structure of the building. The main blocks will be clad with a pale technical stone and the recessed sections a darker ceramic, with dark metal detailing to the fenestration.

The Panel acknowledged improvements to the north elevation and increased vertical emphasis and added interest. However, some panel members thought that greater elegance and harmony could have been achieved in the differing heights and that it would also be regrettable if the Building Maintenance Unit were to be visible. The Panel felt that greater clarity between the horizontal

'positive' elements and the vertical 'negative' elements could be achieved to the south elevation.

Officer's Comments: Following the above advice and design officer pre-application advice, the rear has been substantially re-designed to ensure 'vertical fluting' to express the circulation cores utilising as much glazing as possible and the Council's Design and Conservation officer has advised that the rear is now considered to be an acceptable composition. Additionally, alterations were made to the bulk of the western end of the development, which have resulted in further improvement to the resultant skyline composition in views from the HAC grounds, forming an appropriate book end to Ropemaker Place.

As a way of improving the local context of the building, the Panel encouraged the applicant to engage actively in the discussion about the public realm of Ropemaker Street, Moorfields and the plaza that serves City Point as these currently represent very poor and ill-considered public spaces.

Officer's Comments: The proposed scheme also activates the ground floor with retail uses along Finsbury Pavement and the entrance lobby areas along Ropemaker Street. This in conjunction with the public realm works of widening the public pavement areas along both frontages allows for the building to integrate with the public square at City Point immediately to the south. Finally, the design techniques applied to the building with a fold in the middle has also resulted in improved sightlines towards Moorgate and City Point.

There were mixed views on the proposed clock however if the clock is to be included the concept needs to be developed further, potentially with other alternatives considered and a solution found which better integrates the design with the building.

Officer's Comments: The top of the proposed building includes a clock on both the front and rear elevations of the building. Whilst the Council's Design and Conservation officers raised no objection to this element of the scheme, there were mixed views on this aspect from the Design Review Panel. It was recommended that if the clock were to be included, the concept needs to be developed further, potentially with other alternatives considered and a solution found which better integrates the design with the building. It is considered that this aspect of the scheme be conditioned to allow for further consideration and design work.

In summary, The Panel noted that the design had been substantially developed since the last review and recognised the many positives of the scheme. Panel members thought that the original concept could be strengthened through greater refinement of the detailing and materials which should be sufficiently robust. The Panel stressed that it was important that the narrow 'negative' darker sections are as recessive in appearance as possible to ensure that the wider 'positive' sections are expressed in order to create an elegant composition and silhouette against the skyline. Panel members thought that greater elegance and harmony could be achieved to the north elevation and greater clarity between the horizontal 'positive'

elements and the vertical 'negative' elements made to the south elevation. There were mixed views on the proposed clock and this proposal should be considered further as well as alternatives.

Officer's Comments: Further refinement of the proposal took place in response to the above before the submission of the planning application. The above matters were discussed with the Council's Conservation and Design officer, who has stated that the refinements have improved the overall design of the building and resulted in a high quality design that takes account of its context.

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 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.3 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

Development Plan

- 9.4 The Development Plan is comprised of the London Plan 2016 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.5 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Bunhill and Clerkenwell Core Strategy Key Area
 - Finsbury Local Plan (FLP) Area

- Employment Priority Area (Offices)
- Central Activities Zone
- City Fringe Opportunity Area
- Moorfields Archaeological Priority Area
- Within 50 metres of the Bunhill Fields and Finsbury Square Conservation Area
- Crossrail Safeguarding Direction

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ENVIRONMENTAL IMPACT ASSESSMENT (EIA) 2017

- 10.1 In March 2017 an EIA screening request was made to the Council for the redevelopment of site to provide a 27 storey (plus basement levels) office building (Use Class B1) with flexible retail uses (Use Class A1/A2/A3) at part basement and ground floor levels, along with associated landscaping and other works.
- 10.2 In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the London Borough of Islington determined the following:
- 10.3 *“In exercise of the powers conferred by regulation 5(5) of the 2017 Regulations, the Council hereby considers that the proposed development described in the request for a screening opinion and the documents submitted with it, is not 'EIA development' within the meaning of the 2017 Regulations.”*

11. ASSESSMENT

- 11.1 The main issues arising from this proposal relate to:
- Land Use
 - Design, Conservation and Heritage Considerations (including Archaeology)
 - Basement Development
 - Accessibility
 - Neighbouring Amenity
 - Sustainability
 - Energy Efficiency and Renewable Energy
 - Highways and Transportation
 - Contaminated Land
 - Wind and Microclimate
 - Planning Obligations, Community Infrastructure Levy and local finance considerations

Land-use

Development Plan Policies and Designations

- 11.2 The existing building on the site provides for 18,054 square metres (GIA) of office floorspace along with 1,298 square metres (GIA) of retail floorspace and 2 residential units (284 square metres) that were originally granted consent as ancillary caretaker units to the office space and became lawful residential units through the course of time.
- 11.3 The planning application seeks permission for the redevelopment of the site to provide for 63,507m² (GIA) of Use Class B1(a) office floorspace, which represents an uplift of 44,511 square metres of office floorspace, and 1,222 m² (GIA) of Use Class A1-A3 flexible retail, café and restaurant uses at ground floor level.

- 11.4 The site is located within the Central Activities Zone (CAZ) and the City Fringe Opportunity Area (CFOA). Further, the CFOA identifies the site within the Opportunity Area as a 'Core Growth Area'. At a local level, the site is designated within the Bunhill and Clerkenwell Core Strategy Key area as well as the Finsbury Local Plan (Area Action Plan for Bunhill and Clerkenwell). The site is designated within the Priority Employment Area for Offices.
- 11.5 London Plan (LP) Policy 2.10 recognises the 'mixed' nature of much of the CAZ and seeks 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: ensuring that development of office provision is made for a range of occupiers, and; supporting and improving the retail offer of the CAZ to meet the needs of its residents, workers and visitors.
- 11.6 LP Policy 2.11 indicates that boroughs should ensure that development proposals to increase office space within the CAZ incorporate a mix of uses including housing, subject to compliance with other policies of the London Plan. This is reiterated in LP Policy 4.3.
- 11.7 Policy guidance at strategic level such as the Mayor of London's Central Activities Zone Supplementary Planning Guidance (March 2016) (the CAZ SPG) and the City Fringe Opportunity Area Planning Framework (December 2015) (CFOAPF) are also relevant to the site. The new guidance places a greater emphasis on the provision of business floor space in the CAZ.
- 11.8 Islington Core Strategy Policy CS13 encourages new employment floorspace, in particular business floorspace, to locate in the CAZ and town centres where access to public transport is greatest. Furthermore, it seeks to safeguard existing business spaces throughout the borough by protecting the change of use to non-business uses, particularly in the CAZ. Additionally, development which improves the quality and quantity of existing provision will be encouraged.
- 11.9 Paragraph 3.4.3 of the Core Strategy notes that employment in Islington is expected to increase by around 35,000 to 45,000 jobs between 2012 and 2027. Furthermore, it notes that the Islington Employment Study 2008 projected that just over 50% of these jobs will be provided within B-use floorspace. Paragraph 3.4.4 states that:
- 'The CAZ is expected to continue to be the most attractive location for increases in B-use floorspace, accounting for around 75% of total growth. In terms of the Key Areas identified in the Spatial Strategy, Bunhill and Clerkenwell is expected to account for around 70% of the borough's new B-use floorspace'.*
- 11.10 Islington Council's Annual Monitoring Report (AMR) for 2013 states that there was a net decrease of 23,466m² B use floorspace during the 2011/12 reporting period and a further decrease of 13,655m² during the 2012/13. Paragraph 6.6 of the AMR notes that *'Although the five-year trend indicates an overall net increase in B1 floorspace, the net loss of B1 floorspace in two consecutive years is a concern, particularly in light of the changes to*

permitted development rights which now allow change of use from office to residential use.'

- 11.11 The site is also located in the Bunhill and Clerkenwell Core Strategy Key area and the provisions of the Finsbury Local Plan are applicable. Policy BC8 Part A of the Finsbury Local Plan states that within designated Employment Priority Areas (General and Offices), proposals should incorporate the maximum amount of business floorspace (B-class uses) reasonably possible on the site.
- 11.12 Further, Policy BC8 Part C of the Finsbury Local Plan states that within designated Employment Priority Areas (Offices) the proportion of office (B1(a)) floorspace provided within a development should be optimised, and retail or leisure uses may be provided at ground level where an active frontage would enhance the street environment, or where these uses would complement or extend the offer of neighbouring clusters of retail or leisure uses.
- 11.13 The predominant character of the area is commercial and the redevelopment of this site to provide 63,507m² (GIA) of Use Class B1(a) office floorspace would be consistent with the broad aims of Policies 2.10 and 2.11 of the London Plan, which seek to enhance and promote the Central Activities Zone (CAZ) as an appropriate location for office developments. Policy 4.2 of the London Plan and Policies CS7 and CS13 of the Islington Core Strategy also seek to encourage the provision of quality office accommodation in accessible locations. By virtue of the site's location within the CAZ and within a designated Employment Priority Area specifically for Offices within the Finsbury Local Plan, it is recommended that the use of the building for offices (Use Class B1 (a)), as opposed to wider light industrial use (B1 (b & c)) be secured by condition (*condition 3*).
- 11.14 With regard to the proposed flexible retail space, there is a reduction from 1,298 to 1,222 square metres of retail floorspace when compared to the existing floorspaces on the site. The existing retail space is within Use Class A2 and has a poor relationship with the existing building providing limited active frontages. The redevelopment of the site would locate the retail floorspace along Finsbury Pavement including the corner junction with Ropemaker Street to provide an improved relationship with the street at ground floor level.
- 11.15 The incorporation of 1,222 square metres (GIA) ground floor level retail floor space in this location would be consistent with policies 4.7 and 4.8 of the London Plan which seek to support a vibrant, diverse retail sector. The site is designated as a Priority Employment Area (Offices) in the Finsbury Local Plan and the proposals would be consistent with Policy BC8 of that document which seeks to provide a range of employment uses, particularly office uses with retail and leisure uses at street level to create vibrancy and interest. The proposed ground floor retail uses have been designed as a minimum two separate units that can also be expanded to five units. Subject to a condition prohibiting obscuring the shopfront glass they would provide natural

surveillance and an active frontage to the Finsbury Pavement elevation of the building.

- 11.16 Finsbury Local Plan Policy BC8 Part I states that *“new business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation;”*
- 11.17 The proposed office floorspace would be of flexible open-plan design; proposed floor to ceiling heights would be of a suitable 3.0m+ clearance. The changing shape of the building as we move up the floors creates different type of office floorplates with 15 different floor types proposed, whilst the reception and lobby area at ground floor level can be split in two areas should one tenant take up multiple floors. Access to outdoor sitting space would be provided on terraces located at ninth, fourteenth, nineteenth, twentieth, and twenty-second floor levels on the eastern and western elevations. There would also be some further smaller open space balconies on the Ropemaker Street elevation.

Mixed Use - Housing

- 11.18 London Plan Policy 4.3 B (b) states that local planning authorities should “develop local approaches to mixed use development and office provision taking into account the contribution that ‘land use swaps’, ‘housing credits’ and off-site contributions can make, especially to sustain strategically important clusters of commercial activities such as those in the City of London...”.
- 11.19 Development Management Policy DM 5.1 (New Business Floorspace) Part E states that *“within the Central Activities Zone (CAZ) 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 the provision of housing off-site.”*
- 11.20 Furthermore, Finsbury Local Plan Policy BC8 Part D states that “throughout the area, 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 the provision of housing off-site.”
- 11.21 The site is located in the Central Activities Zone with no housing provided as part of the proposal. For proposals with an increase in office floorspace in the Central Activities Zone, the provision of a mix of uses including housing or a contribution towards provision of off-site affordable housing where it is accepted that housing cannot be provided on site.
- 11.22 The proposal is subject to a financial contribution towards securing greater offsite housing provision than could be provided on the site itself. This is to be

secured via an obligation in the section 106 Agreement and amounts to £4,639,680.

- 11.23 The existing buildings contain two residential units that are accessed off Finsbury Street. These two units were originally granted as ancillary caretaker units and are not to be replaced within the proposed development. Development Management Policy DM 3.2 states that the loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent floorspace. The existing units were originally granted as caretaker units and do not have an appropriate level of amenity for its occupants. They do not have their own legible and independent entrances and access is gained through the office building. Additionally, they do not have access to amenity space and have limited daylight and sunlight levels due to their outlook and location between tall office buildings. It is not considered that the loss of these two residential units, which have been designed as caretaker units, would have a detrimental impact on the Council's existing housing stock.
- 11.24 Further, provision for replacement residential units within the scheme has not been provided given the constraints of providing a new building that optimises office floorspace accommodation in accordance with the development plan designations set out above. The applicant has explored the provision of providing residential accommodation within the new building, however this would lead to a reduction in the amount of office floorspace within the proposal and put forward compromised residential units in terms of the quality of accommodation (given the need for separate entrances and different floorplate layouts). Given the land use designations set out above the loss of two residential units is considered acceptable. Furthermore, the proposal would be subject to legal financial contribution towards provision of off-site affordable housing of £4,639,680.

SME Workspace

- 11.25 Given the site is located within the Priority Employment Area (Offices), there is no requirement under the Finsbury Local Plan Policy BC8 to provide accommodation for micro and small enterprises by virtue of their design, size or management and/or affordable workspace as a percentage of the total amount of proposed business floorspace.
- 11.26 Finsbury Local Plan Policy BC8 designates two types of Priority Employment Areas: 'General', where B1 office is the priority use but can be supported by a range of other employment uses as well as affordable workspace; and 'Office' where full office use is strongly promoted, particularly large floorplate, corporate offices. The 'Office' priority areas form a very small part of the Finsbury Local Plan (less than 10%), but are located immediately adjacent to the City of London, hence they are seen as an extension of The City office market.
- 11.27 The policy underwent several rounds of consultation and was subject to independent examination. The policy was developed at a time when viability of office development was at a low ebb following the economic downturn, and

the policy can be viewed as a deliberate attempt to incentivise large-scale office development in certain areas, in order to deliver wider economic benefits.

- 11.28 Notwithstanding the above, the proposal includes 955 square metres (GIA) of office floorspace at first floor level that would be suitable for occupation by micro and small enterprises by virtue of its size and design. This specific floorspace allocated for micro and small enterprises would have a separate entrance accessed off Finsbury Pavement and independent of the remaining office floorspace. It would have a dedicated lift along with access to the cycle and shower facilities, as well as the refuse and storage areas. A condition is recommended requiring that the units at this level cannot be amalgamated so that the units remain no larger than 90 square metres (GIA) in size. Additionally, the submission of details of unit sizes, design, management and marketing information including rent and service charges are to be secured by a s106 legal obligation. Given the designation of the site within a Priority Employment Area (Offices) and as the Development Plan Policies do not require the provision of such accommodation for micro and small enterprises, this element of the proposal represents a benefit to the proposal in addition to optimising office floorspace on the site.
- 11.29 The policy framework provides strong support for commercial development and employment growth in this location. The proposal would result in the delivery of 63,507m² (GIA) of Use Class B1(a) office floorspace, which represents an uplift of 44,511 square metres of office floorspace. The above proposed figure also includes 955 (GIA) square metres of small and micro enterprise floorspace to contribute towards meeting an identified need with corresponding economic and employment benefits. The application estimates that the new floorspace would accommodate 3,419 jobs.
- 11.30 It is considered that the development is acceptable in land use terms with regard to the development plan and the cascade of policies from the London Plan, Islington Core Strategy, Development Management Policies, Finsbury Local Plan Action Area, and as such would make an efficient use of this brownfield site. Its delivery would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth.

Design, Conservation and Heritage Considerations (including Archaeology)

- 11.31 The existing buildings on the application site consist of No. 20 Ropemaker Street (7-storeys), No. 101 Finsbury Pavement (9-storeys) and Nos. 10-12 Finsbury Street (6-storeys). These buildings are 30-40 years old and make a negative contribution to the townscape in terms of their poor quality design, materials and condition.
- 11.32 The site itself is not located within any heritage designations, however it is in close proximity to the Bunhill Fields and Finsbury Square Conservation Area to the north, as well as the Finsbury Circus Conservation Area to the south and close to the Brewery Conservation Area, both of which are within the City

of London. To the north are the grounds of the Honourable Artillery Company (GII* Listed).

- 11.33 Sections 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 11.34 Development Plan policies seek to secure sustainable development that is of high quality and contributes towards local character, legibility, permeability and accessibility of the neighbourhood. Developments should contribute to people's sense of place, safety and security. Development should have regard to the pattern and grain of spaces and streets in orientation, scale, proportion and mass and be human in scale with street level activity.
- 11.35 The delivery of high quality design including the conservation and enhancement of the historic environment is a key objective of the planning system which is to contribute to achieving sustainable development as supported by the NPPF. Sustainable development is further described as including positive improvements in the quality of the built and historic environments including but not limited to replacing poor design with better design (para 9). A core planning principle of the NPPF is to always seek to secure high quality design (para17).
- 11.36 NPPF Chapter 7 'Requiring good design' reinforces that this is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 7 also confirms that high quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development amongst other things, responds to local character and history and reflects the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation. Also, that they are visually attractive as a result of good architecture and appropriate landscaping.
- 11.37 NPPF Chapter 12 'Conserving and enhancing the historic environment' sets out the criteria for the conservation and enjoyment of the historic environment in the strategy of local plans as well as relevant criteria for assessing and determining planning applications. Consideration includes harm posed to both designated and non-designated heritage assets and their setting.
- 11.38 At the regional level, high quality design is central to all the objectives of the London Plan and is specifically promoted in chapter 7 policies. These include: policy 7.1 which sets out some overarching design principles; policy 7.6 which considers building architecture; policy 7.7 which addresses specific design issues associated with tall buildings; policy 7.8 which seeks to protect heritage assets; policy 7.11 which considers strategic landmarks and wider character; and policy 7.4 which considers local character.
- 11.39 At a local level, Core Strategy Policy CS8 states that the scale of development will reflect the character of the area, while Policy CS9 requires

new buildings to be of sympathetic scale and appearance and to be complementary to local identity; the historic significance of heritage assets and historic environment will be conserved whether they are designated or not; new buildings and developments to be based on a human scale and efficiently use a site which could mean some high density development; and tall buildings are generally inappropriate. This is further supported by Development Management policies DM2.1 (Design) and DM2.3 (Heritage).

11.40 Core Strategy Policy CS9E states:

“New buildings and developments need to be based on a human scale and efficiently use the site area, which could mean some high density developments. High densities can be achieved through high quality design without the need for tall buildings. Tall buildings (above 30m high) are generally inappropriate to Islington’s predominantly medium to low level character, therefore proposals for new tall buildings will not be supported. Parts of the Bunhill and Clerkenwell key area may contain some sites that could be suitable for tall buildings, this will be explored in more detail as part of the Bunhill and Clerkenwell Area Action Plan.”

11.41 This is further reinforced in Development Management Policy 2.1 Part C, which states that *“the only locations in Islington where tall buildings may be suitable are set out in the Finsbury Local Plan (Area Action Plan for Bunhill and Clerkenwell). Any proposal for tall buildings must meet other design policies and have regard for the criteria set out in English Heritage/CABE’s Guidance on tall buildings (2007).”*

11.42 Policy BC9 Part B of the Finsbury Local Plan states that “buildings of 30 metres in height or more may be appropriate only within the areas indicated on Figure 17. These areas include sites identified in Policy BC2 (City Road Basin) and Policy BC3 (Old Street), as well as an area adjacent to the City of London boundary at Moorgate”, whilst Part C of the same Policy states that “elsewhere, building heights must respond to the local context, particularly those contextual factors indicated on Figure 17.”

11.43 The application site is located within one of the areas within Figure 17, specifically the area adjacent to the City of London boundary at Moorgate, and as such is considered appropriate for tall buildings above 30m subject to the criteria that must be satisfied in Part D of Finsbury Local Plan Policy BC9.

11.44 The principle building form is defined by four ‘positive’ vertical elements separated by four ‘negative recessed elements that step up in height from the street block on Finsbury Pavement up to a height comparable to City Point before lowering again towards a height comparable to Ropemaker Place. The highest point is 128.6m.

11.45 The proposals have been extensively discussed and amended at pre-application stage to respond to advice provided by the Council’s Design and Conservation officers and the Design Review Panel.

- 11.46 The massing has been developed to ensure the maximum volume of development without impacting on LVMF River Prospect 16B: Southbank – Gabriel’s Wharf, while being no higher than City Point, a nearby tower. Consequently, the massing is angled away from St Paul’s Cathedral to ensure an acceptable impact. This allowed an opportunity for a stepped form, the lowest level of which carefully links with the streetscape of Finsbury Pavement at 55m in height. The massing is otherwise successfully broken up in to four interconnected blocks of equal width but differing heights. The building also steps down from the west to ensure a balanced skyline when the building is viewed as part of a group of taller buildings from the HAC grounds. The gaps between the four blocks are infilled with set-back form which softens and articulates the built form.
- 11.47 An extremely important detail of the proposed tower is how its footprint is angled at its midpoint to successfully transition the change in geometry of the street layout between Finsbury Pavement and Ropemaker Street, these not being perpendicular to each other. The fold in the building is successfully detailed with vertical glazing. This results in two significant positive effects in townscape terms. Firstly, a large area of pavement/public realm is created at the corner of Finsbury Pavement and Ropemaker Street which suffers most from overcrowding. The proposed tree in this location is also a very welcomed addition to the greening of the area. These were two important requirements expressed at pre-application stage by Design and Conservation officers and incorporated within the scheme. Secondly, the proposed scheme skilfully reduces the visual impact of the tower when viewed from Finsbury Square. The additional pavement widening is welcomed as is the substantially recessed entrance under a colonnade. There is likely to be a substantial reduction in overcrowding to the pavements as a result of the building footprint at ground floor level. The proposal would result in a development that respects long established building lines and street frontages, utilises design techniques that break up the bulk of new buildings, and relates positively to the width of the street.



11.48 The proposed tower's sustainable design principles are also of note making a significant contribution to the resultant building. Notably, the tower has been designed with much less glazing than previous approaches to commercial towers. This has determined the character of the tower which is defined by a strong horizontal emphasis of the solid spandrel panels which is successfully balanced out by the verticality of the blocks and recessed form between them. The blocks appear as 'vertical ladders' which honestly express the structure of the building. The main blocks will be clad with a pale technical stone and the recessed sections a darker ceramic, with dark metal detailing to the fenestration. The materials are welcomed for their quality, robustness and tone.



- 11.49 Subject to a condition requiring details and samples of all of the proposed materials, they are considered to suitably reference and complement the palette of materials in the surrounding area and are acceptable. Additionally, further design details of the detailing/articulation of the technical stone spandrel panels is to be requested to ensure they are of the highest architectural quality. Consequently, a full size sample panel will be conditioned.
- 11.50 The rear of the tower is as important as the front because it is actually the only part of the building that will be entirely visible from a single viewpoint, this being from the Honourable Artillery Company (HAC) Grounds. Following pre-application advice from Design and Conservation officers, the rear has been substantially re-designed to ensure 'vertical fluting' to express the circulation cores utilising as much glazing as possible. The rear is now considered to be an acceptable composition. The double height ground floor and active frontages are welcomed but the detailing of these aspects are to be conditioned, including the proposed canopies. The roof terraces are also welcomed in providing open space areas within the building, however their detailing are also to be secured by condition.



1. Illustrative view from the HAC grounds, with consented schemes indicated



2. Illustrative view from Finsbury Square, with consented schemes indicated

- 11.51 The top of the proposed building includes a clock on both the front and rear elevations of the building. Whilst the Council's Design and Conservation officers raised no objection to this element of the scheme, there were mixed views on this aspect from the Design Review Panel. It was recommended that if the clock were to be included, the concept needs to be developed further, potentially with other alternatives considered and a solution found which better integrates the design with the building. It is recommended that this aspect of the scheme be conditioned to allow for further consideration and design work.
- 11.52 In summary, it is considered that although the proposed development is taller than the existing buildings on the site, the architectural approach is supported with use of materials that are respectful to the context of the area. Additionally, the stepped massing approach successfully integrates with the scale of existing buildings in the area, namely the heights of Ropemaker Place/City Point and the lower rise context to the east and north. The amendments throughout the pre-application stage to the western most element have resulted in further improvement to the resultant skyline composition in views from the HAC grounds, forming an appropriate book end to Ropemaker Place. The proposed scheme also activates the ground floor with retail uses along Finsbury Pavement and the entrance lobby areas along Ropemaker Street. This in conjunction with the public realm works of widening the public pavement areas along both frontages allows for the building to integrate with the public square at City Point immediately to the south. Finally, the design techniques applied to the building with a fold in the middle has resulted in improved sightlines towards Moorgate and City Point.



- 11.53 Overall, in terms of detailed architectural design, the proposals have been carefully considered. Subject to the conditions outlined above, the proposal would represent a high quality and appropriate design response which would enhance the character of the building and the surrounding area.

Tall Buildings Assessment

- 11.54 As noted above, the application site is located within an area considered appropriate for tall buildings above 30m. However, such proposals are subject to the criteria that must be satisfied in Part D of Finsbury Local Plan Policy BC9.

- 11.55 It is considered that overall the proposal satisfies the tall building design requirements set out in Finsbury Local Plan Policy BC9 Part D. These are addressed in italics as follows:
- 11.56 'D. Proposals for tall buildings must satisfy all of the criteria set out in Part 4 of English Heritage and CABE's Guidance on Tall Buildings (2007), alongside other Development Plan policies. Specifically, proposals must:
- i. Reinforce the legibility and identity of the wider area and enhance the quality of street-level and long distance views, including across borough boundaries – *the proposals improve pedestrian permeability with two new routes through the site whilst public realm improvements and active frontages are proposed at ground level. The proposed building would provide a high quality landmark in longer distance views;*
 - ii. Conserve and enhance designated and non-designated heritage assets and their setting – *the proposal would result in less than substantial harm to heritage assets however this is significantly outweighed by the public benefits of the scheme. This is covered in detail in the following heritage assessment and the concluding section of this report;*
 - iii. Not create unacceptable impacts on infrastructure, including transport capacity; and adequately mitigate any transport impacts – *this requirement would be met subject the CIL infrastructure contribution, the requirements of the Section 106 agreement and relevant conditions and is covered in detail in the Highways and Transportation Section of this report;*
 - iv. Exhibit an exceptional standard of architecture – *the proposal is considered to represent an exceptional standard of architecture subject to detailed conditions;*
 - v. Create an active and interesting street frontage appropriate to the local context – *the proposal involves the introduction of active frontages at ground floor level along both elevations;*
 - vi. Exhibit the highest standards of sustainable design and carbon minimisation, by incorporating green roofs and/or walls, involving services engineers from an early design stage to ensure that energy use associated with mechanical cooling and lighting is minimised, utilising sustainable materials, and controlling solar gain, -. *this requirement is considered to be met and is covered in detail within the Sustainability, Energy Efficiency and Renewable Energy section of this report;*
 - vii. Provide public space, including, where appropriate, mid-block pedestrian routes and the extension of (and integration with) neighbouring areas of public space – *the proposal involves significant public realm improvements by widening the footpaths along both frontages and introduction of a place making tree;*

- viii. Provide private amenity and play space where residential uses are proposed as part of the development, and – *no residential uses are proposed however suitable open space amenity areas have been provided for the occupants of the office accommodation throughout the building;*
- ix. Not have adverse environmental effects at ground level, nor overshadow neighbouring habitable rooms or formal public spaces – *the Wind Microclimate Report demonstrates that the wind impact will be acceptable or can be adequately mitigated whilst overshadowing is covered in detail later in this report – the closest neighbouring residential properties are located to the west of the application site in the existing Heron building and the proposal would not have a detrimental impact on these habitable rooms.*

11.57 In addition to the above, London Plan Policy 7.7 states that “*applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria below*”:

C. Tall and large buildings should:

- a) generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport – *the site is located within the CAZ and benefits from the highest level of Public Transport Accessibility;*
- b) only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building – *the application site is an area designated for tall buildings and the impact of the proposal on the locality is considered in detail in the following section of this report;*
- c) relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level; - *the proposed development is the result of a very comprehensive design development process informed by a detailed analysis and response to the surrounding character areas clearly demonstrated through the design of the building;*
- d) individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London – *the new building will result in a high quality addition to an already varied townscape and will deliver an improvement to the London skyline through its high quality design and appearance;*
- e) incorporate the highest standards of architecture and materials, including sustainable design and construction practices – *the proposal is considered to exhibit a high standard of architecture with materials selected to complement the surrounding area, whilst sustainability is addressed in detail within the Sustainability, Energy Efficiency and Renewable Energy section of this report;*

- f) have ground floor activities that provide a positive relationship to the surrounding streets – *the proposal introduces flexible retail uses with active frontages to the ground floor;*
- g) contribute to improving the permeability of the site and wider area, where possible – *the proposal provides widening of the existing pavement areas;*
- h) incorporate publicly accessible areas on the upper floors, where appropriate – *it is not considered that there are compelling reasons to require public access in this instance; and*
- i) make a significant contribution to local regeneration – *the proposal would deliver substantial economic and employment benefits.*

D. Tall buildings:

- a) should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference – *the applicant has submitted reports to satisfactorily address the relevant potential impacts and these are detailed later within this report;*
- b) should not impact on local or strategic views adversely – *the applicant has demonstrated within the TVIA that the proposal will not impact on strategic views.*

E. The impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings, registered historic parks and gardens, scheduled monuments, battlefields, the edge of the Green Belt or Metropolitan Open Land, World Heritage Sites or other areas designated by boroughs as being sensitive or inappropriate for tall buildings – *the building is viewed as causing 'less than substantial' harm to designated heritage assets requiring balancing against the public benefits and detailed analysis is provided in the Heritage Assessment section further below. It is noted that the GLA support the scheme in design terms and consider in their view that the building would enhance the setting of nearby heritage assets.*

Heritage Views and Assessment

11.58 The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the 12 core principles that define sustainable development. Paragraph 7 of the NPPF states that the environmental role of a development includes protection and enhancement of the historic environment, while section 12 sets out how the historic environment should be conserved and enhanced.

- 11.59 Specifically, the NPPF states 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, and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting'.
- 11.60 Where a proposed development will lead to 'substantial harm' to or loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a proposal will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 11.61 London Plan Policy 7.8 is concerned with heritage assets and states, inter alia, that 'development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.'
- 11.62 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should (s66) "*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*" and in relation to conservation areas, (s72) special attention must be paid to the "*to the desirability of preserving or enhancing the character or appearance of that area*".
- 11.63 Policy CS9 of the Core Strategy is concerned with 'Protecting and Enhancing Islington's Built and Historic Environment' and states, inter alia, that:
- 'High quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive.*
- B. The historic significance of Islington's unique heritage assets and historic environment will be conserved and enhanced whether designated or not. These assets in Islington include individual buildings and monuments, parks and gardens, conservation areas, views, public spaces and archaeology.'*
- 11.64 Policy DM2.3 of the Council's Development Management Policies document is concerned with Heritage and states, inter alia, that:
- A. Conserving and enhancing the historic environment*
- Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged.*

B. Conservation Areas

i)...new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted.

C. Listed buildings

iii) New developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.

D. Registered historic parks and gardens, London squares and other heritage landscapes

iii) Developments must not detract from the enjoyment, layout, design, character, appearance or setting of historic parks, gardens or squares and key views out from the landscape, or prejudice future restoration.

- 11.65 The site is not located within a Conservation Area, however it is nearly adjacent to the Bunhill Fields and Finsbury Square Conservation Area to the north. It is also nearly adjacent to the Finsbury Circus Conservation Area to the south and close to the Brewery Conservation Area, both within the City of London. To the north are the grounds of the Honourable Artillery Company (GII* listed). These are the main heritage considerations, especially the potential for development to impact on views from the Honourable Artillery Company grounds and Finsbury Square itself.
- 11.66 The existing building is 30-40 years old and makes a negative contribution to the townscape in terms of its poor quality design, materials and condition, its replacement is welcomed subject to the conditions outlined above.
- 11.67 The site is bordered by inadequately narrow pavements, especially to Finsbury Pavement and the corner of Finsbury Pavement and Ropemaker Street. To the south of the site are a cluster of tall buildings in the City and Moorgate Station. The public realm around the station is to be pedestrianised and upgraded, in association with the arrival of Crossrail, with an important visual link, as well as desire line with heavy footfall, with the site directly to the north.
- 11.68 Finsbury Square is characterised by Portland Stone clad buildings with a strong commercial character. The better examples of buildings (1 and 30 Finsbury Square) display a fine 'filigree' character which is an important contextual consideration.

- 11.69 The application is accompanied by a Heritage, Townscape and Visual Impact Assessment (HTVIA) in order to demonstrate the potential impact of the proposals on the settings of local heritage assets and views. The TVIA demonstrates that the proposals have the potential to be seen in the near and middle distance views of some of the Conservation Areas and listed buildings nearby. The scheme would form part of the foreground or background views which take in existing large scale and tall buildings of differing architecture, quality and age.
- 11.70 The main heritage considerations are the potential for development to impact on views from the Honourable Artillery Company grounds and Finsbury Square itself.

From the HAC Grounds

- 11.71 While the proposed tower is highly visible and has a significant impact on this view the massing and detailing of the building, described above, ensures an articulated form and balanced skyline when the building is viewed as part of a group of taller buildings from the HAC grounds.





From (the far side of) Finsbury Square

- 11.72 While the proposed tower is highly visible and has a significant impact on this view the massing and detailing of the building, described above, ensures an acceptable impact on the skyline viewed from the far side of Finsbury Square. Furthermore, the detailing ensures a contextual design that integrates well with the buildings of Finsbury Square.





View from Finsbury Square (at street level)

- 11.73 As described above, the lowest level of the stepped form carefully links with the streetscape of Finsbury Pavement at 55m in height which results in a successful integration with the street grain viewed from Finsbury Square. The detailing ensures a contextual design that integrates well with the buildings of Finsbury Square.





- 11.74 Overall, the Council's Design and Conservation officers have advised that within the Borough of Islington the proposed tower will be highly visible from the Bunhill Fields and Finsbury Square Conservation Areas to the north and the setting/grounds of the Honourable Artillery Company (GII* listed). The proposed tower will have a significant impact on views out of the Conservation Areas and Honourable Artillery Company grounds by virtue of its scale. However, this impact is in part mitigated by the high quality design that responds well to its context of existing tall buildings and breaks up its bulk and massing.
- 11.75 Nevertheless, there will be some harm to the Bunhill Fields and Finsbury Square conservation areas and the setting of the Honourable Artillery Company (GII* listed), however this is considered to fall within the 'less than substantial harm' category of the NPPF. The site is also designated within an area considered appropriate for tall buildings above 30m due to the potential for the public benefit to outweigh potential harm. Council's Design and Conservation officers are of the view that the level of public benefit provided by the proposals far outweigh the 'less than substantial harm' to the heritage assets.
- 11.76 It should also be noted that the City of London have raised no objections with regard to the proposed development on the designated heritage assets south of the site within the City of London. Further, the GLA have also assessed the proposal in terms of the impact on the adjoining designated heritage assets and are of the view that the proposed scheme would be a high quality addition to an already varied townscape, a substantial aesthetic improvement over the existing buildings and, where visible, would enhance the setting of nearby heritage assets. Finally, Historic England have not objected to proposals and

stated that the scheme should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

- 11.77 In cases where the degree of harm is considered to be 'less than substantial', Paragraph 134 of the NPPF is of relevance and this indicates that the harm should be weighed against the public benefits of the proposal. The public benefits include a significant uplift in employment on the site, 955 m² of SME workspace, and public realm improvements including the widening of Finsbury Pavement and Ropemaker Street. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is that where harm is identified, that harm should be given considerable importance and weight in the planning balance. An overall assessment is carried out later in this report.

Strategic Views and Assessment

- 11.78 London Plan Policies 7.11 and 7.12, along with the London View Management Framework SPG, provide guidance on London's key views and how they should be protected and managed. The submitted TVIA assesses the scheme against the existing and approved conditions, and includes Accurate Visual Representations (AVRs) of the potential impact on the relevant strategic views.
- 11.79 Whilst the site is located in a designated area appropriate for tall buildings, the development has the potential to impact on strategic views of St. Paul's Cathedral. The site lies within close proximity to LVMF Protected Vista 8A.1 which assesses the impact on St. Paul's Cathedral from Westminster Pier. It is also in close proximity to LVMF Protected Vista 9A.1, which assesses the impact from King Henry's Mound. It should be noted that the proposal falls outside of the background assessment areas of the above views. Nonetheless, the proposal has been designed with a stepped approach and overall heights to respond to any potential impact on St. Paul's Cathedral, and the TVIA successfully demonstrates that this approach ensures that the proposals would not impact upon the setting of St. Paul's Cathedral.
- 11.80 The site is also within LVMF River Prospect 16B.1: Southbank – Gabriel's Wharf. The massing has been developed to ensure the maximum volume of development without negatively impacting on LVMF River Prospect 16B: Southbank – Gabriel's Wharf. Consequently, the massing is angled away from St Paul's and this successfully ensures an acceptable impact. The GLA have also commented on this view and stated that the scheme would appear off to the left of the towers of St. Paul's Cathedral, adjacent to City Point, but appearing in lower views. There would be a minor visual impact and the proposed use of light coloured stone cladding would further minimise any potential impact.
- 11.81 TVIA also assesses four other views within the panorama of river prospects and demonstrates that there would be no negative impact on strategic views. The proposed architectural approach and use of high quality materials and detailing is consistent with the scale and character of the site's context.

Finally, the proposed scheme does not fall within any of Islington Council's local views.

Archaeology

11.82 The site is located within an Archaeological Priority Area (Moorfields) and as such was referred to Historic England (Greater London Archaeology Advisory Service), who provide advice to boroughs in accordance with the NPPF and GLAAS Charter.

11.83 The planning application lies in an area where heritage assets of archaeological interest are expected. The NPPF (Section 12) and the London Plan (2016) Policy 7.8 emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF says that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

11.84 GLAAS have advised that a watching brief should be maintained during reduction of the basement level. Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that the development would not cause sufficient harm to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding.

11.85 **Basement Development**

11.86 The development includes a three-level basement below the new buildings to accommodate, servicing, deliveries, cycle parking and showers, along with other associated works. The basement is an imperative part of the scheme in order to comply with a range of development plan policies. Should the services located and provided within the basement not form part of the application, then the proposal is unlikely to receive support in view of the fact that it would not comply with a range of development plan policies.

11.87 Any proposal involving a basement would be considered against the Council's Basement SPD. Paragraph 7.2.2 states that *"In taking a balanced and precautionary approach, basements should generally not exceed 1 storey in depth, and not exceed 3m floor to ceiling height. For clarity, a basement extension below an existing basement/lower ground floor (that is not an original feature of the building) would result in a two storey basement and will be resisted."*

11.88 Further, paragraph 7.2.3 states that *"In limited circumstances, for example a major commercial redevelopment site or a detached residential house with generous distances to adjoining properties, it may be acceptable to have a*

basement greater than one storey in depth if robustly demonstrated via detailed evidence that there would be no significant impact upon the hydrogeology or the structural stability of buildings, trees and other structures, and the design complies with all other relevant guidance in this SPD. As part of that evidence, it is likely that physical site investigations will need to be undertaken such as boreholes to establish robust site specific data.”

- 11.89 Paragraph 6.8 states that *“The SMS should contain the findings of early site investigations, and clearly articulate how these findings have influenced the design that is proposed. At each stage of the design and construction process a suitably qualified person with relevant experience in the construction of basements relevant to the type of basement (i.e. residential or large scale commercial) proposed should be appointed and retained by the applicant as both a designer and construction monitor.*
- 11.90 The proposals includes an approach being taken to basement design and in formulating the Structural Method Statement (SMS) without on-site investigations. This is due to the physical constraints and issues for occupiers that would prevent site investigations from being undertaken at an early stage. Further, the applicant considers that they have sufficient information to proceed with the SMS given the absence of site investigations (i.e. the existing borehole information from neighbouring sites and other existing information in the vicinity of the area, etc.).
- 11.91 Such an approach may be considered acceptable provided the SMS provides a robust justification and is independently assessed by a suitably qualified person. The independent assessment shall include comment upon the outputs from the Ground Movement Analysis (GMA) provided in any SMS report and the GMA will include assumptions, method of analysis adopted and the outputs of the analysis – each of which would be reviewed. This review must also include any recommendation to the Council on the acceptability of the proposals. Further, the submission must also include an assessment of the impact (including cumulative impacts) on subsurface flows resulting from the introduction of the proposed basement.
- 11.92 A draft SMS was to the Council for consideration during the pre-application stage and was reviewed by Alan Baxter Associates for an independent assessment. A preliminary response from Alan Baxter informed of further information required in the final SMS that was submitted with the planning application. This in turn has been independently reviewed by Alan Baxter Associates, who have made the following comments:

“... we noted that Waterman’s proposal not to carry out site investigations prior to planning appears reasonable. However, we do not consider that this should be used to justify deferring the assessment of the adjacent buildings as Waterman have demonstrated that they already have good quality information on the ground conditions, sufficient to carry out initial assessments of the effects of the basement construction on the tunnels and sewers close to the site. Therefore on this basis, it appears that LBI are entitled to require the developer to meet the requirements set out in their guidance with respect to design and amend the SMS and GMA to include the

assessment of the impact of the works on the adjacent buildings and demonstrate that the damage will be limited to a maximum of category 2.”

- 11.93 In response to the above, the applicant provided further information to address the comments made by Alan Baxter Associates. This in turn was reviewed and the following comments made:

“Further to my email of 11 October we have now received a Preliminary Ground Movement Analysis and Building Damage Assessment report from Watermans for the three buildings directly to the north of the proposed redevelopment. This assessment is in line with the documentation that we said was needed in our email and meets the requirements given in LBI’s guidance on Structural Method Statements (SMS). The predicted ground movements are of the order we would anticipate and the Building Damage Assessment concludes that the predicted damage to the buildings closest to the redevelopment could range from negligible to slight (Category 2) (based on an initial greenfield assessment, using moderately conservative parameters and assumptions).

This meets LBI’s requirement that damage to neighbouring properties should be limited to a maximum of Category 2. The report also notes that the predicted ground movements represent a conservative evaluation of the potential impact and that more detailed modelling, which is to be undertaken at design development stage, should yield lower movements of the buildings and associated impacts. Based on our experience on previous projects this is likely to be the case.

With the receipt of this preliminary ground movement analysis and Building Damage Assessment and the various previous amendments to the SMS, Waterman have now addressed all of our comments of 17 August, 26 September and 11 October 2017. We therefore have no further comments on the proposals at this stage.”

- 11.94 In light of the independent review of the SMS, the above approach is considered acceptable. Nonetheless, a condition is recommended requiring an update to the SMS once demolition has taken place and that on-site investigations be carried out. The review of any updated SMS is to be submitted once on-site investigations take place after demolition and is also to be independently assessed once submitted. Should the on-site investigations conclude that the three-level basement is not possible, and as such be unable to provide the proposed elements within the scheme to make the development acceptable in planning terms, then the development should not take place and a fresh planning application should be submitted. This is to be secured via a Grampian condition preventing superstructure works taking place prior to the construction of the proposed basement.

- 11.95 **Accessibility**

- 11.96 London Plan Policy 7.2 states development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age

gender ethnicity or economic circumstances. Such requirements are also required by Islington Core Strategy CS12. Further, Development Management Policy DM 2.2 seeks all new developments to demonstrate inclusive design. The principles of inclusive and accessible design have been adopted in the design of this development in accordance with the above policies.

- 11.97 The provision of level access throughout the building is considered to be fundamental to the fulfilment of this policy. The provision of wheelchair accessible lifts and accessible toilets on all floors would ensure the building offers highly accessible accommodation. Council's Access officers requested clarification on a number of matters relating to inclusive design and whether the proposal would meet the requirements set out in the Council's Inclusive Design SPD.
- 11.98 The ground floor plans show two revolving doors to the main entrance of office section of the new building along Ropemaker Street, with an adjacent pass door for wheelchair users. This is considered unacceptable as it would separate people and could be not considered inclusive. A condition requiring amendments and compliance with the relevant SPD is recommended.
- 11.99 Concern was also raised by the Council's Access officer at the width of the pavement along Finsbury Pavement at its narrowest point to the north of the building with regard to vulnerable road users. Given the proposed widening of the footpath along this section of Finsbury Pavement is an improvement on existing conditions, the works along this section of the road would improve legibility for all road users. As noted above, the area for chairs and tables outside the flexible Use Class A1-A3 uses is to be conditioned as per the demarcated area shown on the submitted drawings. As such, the widening of the footpath would remain for public use at all times. The use of the wider pavement for public use is also to be secured as a legal obligation under the s106 agreement.
- 11.100 The proposal as originally submitted contained a single safe refuge on each floor. Concern were raised at the inclusivity of such a proposal as it would limit the amount of disabled users to each floor. As such, the number of safe refuge areas has been increased to two at basement levels, three at levels 1-9, and two refuges at levels 11-23. The above provision exceeds that of British Standards and Building regulations and considered appropriate. Additionally, the scheme contains two dedicated fire-fighting lifts which would be used for evacuation purposes for those requiring level access until the point the fire brigade arrives on site. The development will also provide personal emergency evacuation plans for all persons requiring assistance to leave the building including visitors. It is considered that a condition be imposed requesting an Evacuation Strategy for the whole building for all users including mobility impaired users to ensure that the evacuation strategy is inclusive.
- 11.101 The proposal as submitted contained visitor cycle racks up against the building and this raised concerns as they necessitate cyclists pushing or riding their bikes across pedestrian flow. An alternate visitor cycle strategy has been submitted locating the visitor cycle spaces along the kerb line. Although this

has resulted in a loss of 6 visitor spaces, it is considered that this option represents a better outcome, when considering all matters relating to pedestrian flows and inclusivity along with the impact of the proposed bays on the public realm. The revised strategy would avoid visiting cyclists from having to cross the footway to secure their cycles. This revised proposal is to be secured via condition.

- 11.102 As it is not possible to provide all the required disabled parking spaces on site as required by policy, a financial contribution towards the provision of a number of a disabled drop-off bays and on-street accessible parking bays (proportionate to the scale and nature of the use) in the vicinity of the site is considered to be acceptable. Where it might not be possible to implement the accessible parking bays on the street (e.g. as a result of opposition to amending the traffic management order), the contribution would be used towards accessible transport initiatives to increase the accessibility of the area for people with mobility and sensory impairments.

Neighbouring Amenity

- 11.103 London Plan policy 7.6 is concerned with ensuring that new buildings do not cause unacceptable harm to the amenities of surrounding sensitive land uses, particularly residential buildings. At the local level, Policy CS7 of the Core Strategy prohibits new developments from overshadowing existing residential buildings and Development Management Policy DM 2.1 seeks to safeguard the amenity of adjoining residential occupiers.
- 11.104 The site is surrounded by commercial uses to the east, south and north. The nearest residential use is located to the east of the site at No. 5 Moor Lane, which is known as the Heron building. This building contains residential units from the 7th floor and above. All other buildings surrounding the site are used for non-residential purposes.

Daylight and Sunlight

- 11.105 The British Research Establishment (BRE) has produced guidance assessing the impact of proposals on the daylight, sunlight and overshadowing received from adjoining properties. The Council's policies and the daylight/sunlight report submitted with the application all refer to the BRE guidance as a point of reference, and this guidance will be used to assess the impacts of the proposals.
- 11.106 The introduction to the BRE guide stresses that it should not be used as an instrument of planning policy and should be interpreted flexibly because lighting is only one design factor for any scheme and designs should factor in site context. Sunlight and daylight target criteria as found in the BRE guidance have been developed with lower density suburban situations in mind. In denser inner urban contexts, sunlight and daylight levels may struggle to meet these target criteria in both existing and proposed situations. The target criteria cannot therefore be required for dwellings in denser inner urban locations as a matter of course.

- 11.107 The application site is located within an accessible central London location, where the potential of sites and density should be maximised where possible. Urban design considerations are important when applying the guidance quoted above.
- 11.108 The 'Vertical Sky Component' assessment (VSC) is a measure of the amount of daylight available at the centre point to the external pane of a window. A good level of daylight is considered to be 27%. Daylight will be adversely affected if after a development the VSC is both less than 27% and less than 80% of its former value.
- 11.109 A total of 230 individual windows serving the residential properties in the Heron building were considered. The BRE guidelines state that daylight will be adversely affected if after a development the VSC is both less than 27% and less than 80% of its former value. None of the 230 windows would have transgressions that result in a percentage less than 80% of its former value. With regard to the VSC assessment, the proposal would satisfy the recommended levels set out in the BRE Guidelines with no transgressions.
- 11.110 The 'no sky line' method (daylight distribution) assesses the impact which a development will have on the position in an affected room where the sky is no longer visible.
- 11.111 In this instance, 143 rooms of the Heron building were assessed against this method. Of all of the above 143 rooms, a total of 138 rooms (serving habitable rooms) would retain a good level of daylight distribution with no reductions greater than 20% of their former value. The 5 other rooms that would have transgressions greater than 20% of their former value range between 21% ~ 32%. Specifically, these transgressions are as follows: 21.18%, 24.30%, 26.77%, 29.35% and 31.83%.
- 11.112 The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. North facing windows may receive sunlight on only a handful of occasions in a year and windows facing eastwards or westwards will only receive sunlight for some of the day. In order for rooms to achieve good sunlight the BRE target criteria is that rooms should receive 25% of Annual Probable Sunlight Hours (APSH) in total, including 5% in winter. Where rooms receive less than the recommended APSH then the BRE guidance states that reduction of more than 20% would be noticeable.
- 11.113 In this instance, all 230 windows serving 143 rooms in the Heron building were assessed against the above criteria. All of the 143 rooms would have at least one window to receive at least 25% of annual probable sunlight hours, and where any values are below 25%, the reductions are less than the 20% threshold in the BRE guidelines of its former value.
- 11.114 Similarly, with regard to winter probable sunlight hours, all of the 143 rooms would have at least one window to receive at least 5% of winter probable sunlight hours.

- 11.115 With regard to the annual and winter sunlight assessment, the proposal would satisfy the recommended levels set out in the BRE Guidelines with no transgressions.
- 11.116 When looking at all of the above sunlight/daylight assessments with regard to the Heron building, only 5 rooms out of a total 143 rooms would have transgressions above 20% of their existing levels, and these losses are also considered to be marginal. The BRE guidance does state that in central locations the guidance should be applied flexibly to secure appropriate townscape design. The proposed development is designated within an area for tall buildings and has been suitably designed to minimise any impact on amenity. The proposal would make better use of this central site through efficiently developing this brownfield site and the minor transgressions should be considered within this context.
- 11.117 Therefore, in recognition of the poor design of the existing buildings, the densely developed urban context and the minor deviances from the BRE guidance the development would not result in a degree of harm that would warrant refusing planning permission and in view of the planning policy presumption that sites should be developed in such a way as to maximise their potential is considered to be acceptable in this regard.

Privacy and overlooking

- 11.118 Representations have been received mainly from the Heron building stating that these proposals generate an unacceptable level of overlooking due to the proximity, height, and number of windows.
- 11.119 Development Management Policy DM 2.1 states that there should be a minimum distance of 18 metres between windows of habitable rooms. The siting of the building would be located more than 18 metres from all adjoining habitable room windows in the Heron building. As such, it is considered that the proposal would be in accordance with the above policy in terms of overlooking.

Noise Mitigation

- 11.120 Conditions are recommended to ensure that building services plant equipment operates below background noise levels to protect nearby residential amenity. The development will involve substantial structural alterations and then a considerable construction period with the inevitable impact upon the nearby residential and commercial occupants. To mitigate these impacts, it is recommended that a Construction and Environmental Plan is conditioned. A code of construction response document is to be secured by legal agreement.
- 11.121 It is considered that a condition requiring submission of a Construction Logistics Plan will ensure that the impacts of the construction and future

operation of the development on neighbouring occupiers are appropriately mitigated. This condition has also been requested by TfL with regards to the impact on the highways.

Sustainability

- 11.122 London Plan Chapter 5 policies are the Mayor's response to tackling climate change, requiring all development to make the fullest contribution to climate change mitigation. This includes a range of measures to be incorporated into schemes pursuant to Policies 5.9-5.15. Sustainable design is also a requirement of Islington Core Strategy Policy CS10. Details and specific requirements are also provided within the Development Management Policies and Islington's Environmental Design SPD, which is supported by the Mayor's Sustainable Design and Construction Statement SPG.
- 11.123 The development is located in an urban area where people can access services on foot, bicycle or public transport. It is an office-led development satisfying key sustainability objectives in promoting the more efficient use of land, and reducing the need to travel.
- 11.124 The BREEAM pre-assessments submitted demonstrate that the office and retail parts of the development are likely of achieving a BREEAM 'Excellent' rating against the BREEAM New Construction. Development Management Policy DM7.4 requires all major non-residential developments to achieve an "Excellent" rating and make reasonable endeavours to achieve "Outstanding". Given the development has demonstrated that it would be capable of achieving a BREEAM 'Excellent' rating, and also provides a margin above this level, which is supported and in accordance with planning policies requiring all development to meet the highest standards of design and construction. It is recommended that the requirement to achieve a BREEAM 'Excellent' rating is required by condition.
- 11.125 The proposal includes rainwater attenuation in order to reduce water use and more efficient use of water re-use. These aspects of the proposal are supported and these details are to be sought and secured via the imposition of a condition.
- 11.126 London Plan policy 5.3 and Core Strategy Policy CS10 require developments to embody the principles of sustainable design and construction. As part of this proposal consideration has been given to the use of sustainably sourced, low impact and recycled materials. The commitment to target a high number of materials BREEAM credits is supported and policy compliant. However, a target level of non-hazardous waste to be diverted to landfill and a target level of materials to be derived from recycled and reused content should be provided. These details are to be sought via condition seeking a Site Waste Management Plan (SWMP) setting out how these targets will be achieved. The above SWMP should include a brief assessment of the feasibility of reusing or recycling demolition waste on and/or off site.
- 11.127 London Plan policies 5.10 and 5.11 seek to promote green infrastructure in major developments and policy CS10D of the Core Strategy requires existing

site ecology to be protected and for opportunities to improve upon biodiversity to be maximised. The existing site is of no biodiversity or ecology value and although the proposed buildings would occupy 100% of the site, thereby precluding any potential for mature tree planting, proposals to incorporate ecology and green infrastructure would represent an improvement over the existing situation.

- 11.128 The proposal includes a place making tree at ground floor level at the junction of Ropemaker Street and Finsbury Pavement. This represents an improvement on the existing situation and the details of the tree shall be conditioned via a landscaping condition. Further, green/brown roofs have been proposed at roof levels across the new building. The roof should also be biodiversity based green roof with a varied substrate depth of 80-150mm. A condition shall be imposed for details of the proposed green/brown roofs along with further details demonstrating that green/brown roofs have been maximised across the site. Further, the provision of bird and bat boxes across the site will be sought via condition.
- 11.129 Planning proposals are required to prioritise sustainable drainage solutions before relying on hard engineered solutions such as that which is proposed. Green/brown roofs are one SUDS option amongst others that should be fully explored as part of any justification for not being able to meet DM Policy 6.6 or London Plan Policy 5.13. It is acknowledged that the site has constraints given its 100% site coverage, however as noted above, there are ample further opportunities at the various roof levels for potential green/brown roofs to accommodate additional attenuation. It is recommended that green roofs with additional drainage volume (drainage layers) are integrated into the scheme in order to comply with DM Policies 6.5 and 6.6. Given the extent of roof areas proposed, there are areas to provide further opportunity for an appropriate SUDS strategy to be incorporated into the scheme. A revised drainage strategy will be sought via condition in order for the quantity and quality standards of DM Policy 6.6 to be met.
- 11.130 Finally, a Green Performance Plan has been submitted in draft, however full details will be secured through a section 106 obligation.

Energy Efficiency and Renewable Energy

- 11.131 The London Plan and Core Strategy require development proposals to make the fullest possible contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy; be lean, be clean, be green. Policy 5.2 of the London Plan requires the submission of a detailed energy assessment setting out efficiency savings, decentralised energy options and renewable energy production.
- 11.132 Policy CS10A of Islington's Core Strategy requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 30% where connection to a decentralised energy network is not made and 40% where connection to a decentralised energy network is possible. The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40%

against Building Regulations 2010 and 35% against Building regulations 2013.

- 11.133 The applicant has provided a strategy which proposes a preferred option for the development is to connect to the nearby Citigen District Energy Network. London Plan Policies 5.5 and 5.6 and Core Strategy policy CS10 prioritise connection to existing or planned decentralised energy networks where feasible over site wide CHP networks and communal heating and cooling. The proposed site lies in close proximity to the Citigen power station. As such, it is recommended that a legal obligation in the section 106 agreement obliges the owner to carry out a feasibility study into the supply of both heating and cooling to the development from a district heating network.
- 11.134 In the event that connection to Citigen is found unviable, the energy strategy proposes an alternative strategy whereby the heat to the site will be delivered via an on-site high-efficiency gas-fired boilers.
- 11.135 Under the preferred energy strategy (involving connection to Citigen), the development is expected to achieve a reduction of 39.6% on regulated emissions, versus a 2013 Baseline target. This exceeds the London Plan target of 35%. Under the alternative strategy (using an on-site solution), a reduction of 30.2% is expected. This falls short of the London Plan target.
- 11.136 With regard to the Council's Co2 reduction targets, under the preferred energy strategy, the development is predicted to achieve a reduction of 39.6% in total emissions, vs. a 2013 baseline. This just exceeds the Islington target of 39%, for developments connecting to a DE network. Under the alternative energy strategy, the development would be expected to achieve a reduction of 31.4% in total emissions. This exceeds the Islington target of 27%, for developments not connecting to a heat network.
- 11.137 In accordance with the Council's Zero Carbon Policy, the council's Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". "All" in this regards means both regulated and unregulated emissions. The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement."
- 11.138 In this instance, a contribution of £848,360 is secured under the preferred strategy 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). An offset contribution of £963,461, which is based on the alternative strategy involving an on-site solution and final emissions of 1,047 tonnes would be applicable should the preferred option be unfeasible.
- 11.139 As such, in the event that connection to Citigen proves unfeasible under the terms of the section 106 agreement, then the alternative strategy would be pursued with the applicant considering additional energy efficiency measures in order to meet the London target. A revised energy strategy prior to

implementation in the event connection to Citigen is unfeasible will be imposed by condition.

- 11.140 The proposals address the energy hierarchy of 'be lean, be clean, be green' in the following way:

BE LEAN

Energy efficiency standards

- 11.141 The U-values proposed for the development are as follows: external wall = 0.35, curtain wall = 1.40, roof = 0.25 and floor = 0.25. Although the development currently meets its carbon targets, we would recommend seeking a further improvement here. Looking at the glazed façade areas, proposed values are centre pane = 1.06, frame = 3.3, spandrel = 1.5 and g-value = 0.35. We would recommend improvements to the frame U-values where possible.
- 11.142 An air permeability of 5m³/m²/hr is proposed. This is considered reasonable; however, we would suggest investigating further improvement to this, since the development will be mechanically ventilated.
- 11.143 The proposed lighting gives power demands in the range 4-10W/m². The lighting control strategy is based on a combination of presence detection, daylight dimming where appropriate and is considered a reasonable approach.
- 11.144 The development is to be provided with mechanical ventilation, although there will be some provision made for natural ventilation through openable windows on the upper floors. It is proposed that the building will be provided with active cooling, via centralised chiller plant.

BE CLEAN

Energy (Heating and Cooling) Supply Strategy

- 11.145 As a preferred strategy, the applicant proposes connection to the local Citigen heating network. Should this ultimately prove unviable, an alternative strategy involving heat from high-efficiency boilers is proposed. It is clear how heating will be provided to the development - but further clarification on the hot water provision strategy will be requested in an updated energy assessment should the alternative strategy be implemented. Active cooling is proposed for the development. This is to be delivered via a centralised system, served by high efficiency water cooled chillers.

District Heating and Cooling Networks

- 11.146 The applicant is currently pursuing connection to the Citigen Heat network as their preferred option. This is strongly supported, and would request the applicant to make all endeavours to secure a connection to the network. A connection to the Citigen cooling network is not considered feasible, due to available capacity of and distance to the network, and this is accepted.

- 11.147 As detailed above, it is recommended that the applicant verify, and provide proof where required, that connection to Citigen is viable both in terms of the connection cost and whole-life cost, in comparison to the alternative Energy Strategy.

Site-Wide Communal System/Network and Design for District Network Connection

- 11.148 The Energy Statement says relatively little about future-proofing for connection to a heat network. The Council's preference remains for the site to connect to Citigen. However, should this not prove possible and an on-site solution implemented, the applicant will need to demonstrate how the development will be future-proofed for connection, in line with the requirements laid down in Appendix 1 of the SPD. This is to be secured through the section 106 agreement.

Shared Energy Networks

- 11.149 The Energy Statement does not propose connection to a shared heat network, having evaluated several potential options, with advice from the Council, and which is agreed is not feasible at this stage. Given these results and that the priority is to secure a connection to Citigen, no further evaluation of shared heat network options is required at this stage.

CHP/CCHP or Alternative Low Carbon On-Site Plant

- 11.150 Should it not prove possible to connect to Citigen, the applicant proposes that heat to the site will be delivered via a on-site high-efficiency gas-fired boilers. On-site CHP has been ruled out, on grounds that the office nature of the development and its comparatively low heat load will not offer sufficient running hours for CHP to be viable.
- 11.151 Although it remains the Council's preference for the development to make connection to the Citigen network, further details of the heat demand (e.g. monthly kWh heating and hot water loads) as further evidence with regards to on-site CHP will be required under an updated energy strategy should the alternative energy strategy be implemented.

- 11.152 BE GREEN

Renewable Energy Supply

- 11.154 The renewables analysis recommends solar PV for the development, and this is supported. The energy statement has identified only a limited area at 9th floor level as suitable for PV, due the form of the development and other uses, such as green roofs and amenity spaces. The proposed array covers 36m² in total, with an annual output of 3,765kWh area.
- 11.155 In addition to the above energy hierarchy, London Plan Policy 5.9 and Islington Core Strategy Policy 10 require proposals to reduce potential for overheating to occur and reduce reliance on air conditioning. Local planning policy and guidance states:

“The need for cooling should be designed out as far as possible through use of passive design and passive ventilation”. “Use of technologies from lower levels of the hierarchy shall not be supported unless evidence is provided to demonstrate that technologies from higher levels of the hierarchy cannot deliver sufficient heat control.”

- 11.156 Dynamic thermal modelling has been carried out, and a summary of this provided. For the most part, the assumptions underlying the modelling are considered to be reasonable. However, in the first instance, modelling has been carried out with the assumption that cooling is already installed. The development shows that summer thermal comfort requirements are met, in the presence of artificial cooling. Islington's methodology regarding summer overheating would require the development to first be modelled using the same DSYs on the basis of mechanical ventilation (and natural ventilation available to the upper floors), as proposed by the applicant - but with the absence of artificial cooling. Therefore, it is recommended that the applicant re-run the thermal model under these conditions and provide the results.
- 11.157 The applicant has outlined their approach to passive measures, and the cooling hierarchy more generally, in Section 4.4 of the Energy Statement. Active cooling is proposed for the main office and commercial unit areas. As stated above, artificial cooling is not normally accepted under Islington's policies, unless it can be demonstrated that the development is likely to overheat in its absence. Therefore, updated overheating modelling will be required. As such, a condition shall be imposed for the non-installation of artificial cooling until the need has been demonstrated with further information on thermal modelling as outlined above.
- 11.158 In summary, it is considered that the preferred option of connecting to the existing district network for heating and cooling (subject to feasibility) is considered appropriate, and should this prove unfeasible then the alternative strategy with additional energy measures under a revised energy strategy is an appropriate alternative for the scheme. These are to be secured via conditions and s106 obligations.

Highways and Transportation

- 11.159 The site is located at 20 Ropemaker Street and Finsbury Court, which is 101-117 Finsbury Pavement. The site is well-served by public transport and has a PTAL score is 6B which is excellent and represents the highest possible.
- 11.160 The Site is bounded by Ropemaker Street to the south, Finsbury Street to the west and Finsbury Pavement to the east. Finsbury Pavement A501 is part of the Strategic Road Network (SRN). Approximately 200m north of the site it becomes City Road A501 and approximately 700m north, at Old Street Roundabout, City Road A501 becomes part of the Transport for London Road Network (TLRN).
- 11.161 The 100, 21, 141, 43, 153, 271, 76, and 214 bus services are all located within walking distance, as well as a variety of frequent national rail (NR) services from Moorgate and Liverpool Street, and London Underground (LU)

stations at Moorgate, Liverpool Street and Old Street, giving access to the Circle, Hammersmith & City, Metropolitan, Central and Northern lines.

- 11.162 The Elizabeth Line (Crossrail) began serving Liverpool Street in May 2017. TfL is now gradually introducing new trains on the Liverpool Street to Shenfield route currently operating as TfL Rail. The Elizabeth Line is expected to become fully operational from Reading and Heathrow to Abbey Wood and Shenfield by December 2018. The new Liverpool Street Crossrail station will eventually be served by a new exit out onto City Plaza, which is directly opposite the application Site's southern frontage, across Ropemaker Street.

Site Access (Pedestrian, Cycling and Vehicles)

- 11.163 A dedicated pedestrian entrance would be created approximately half-way along the new building frontage to Ropemaker Street. The footway width along Ropemaker Street would increase, ranging from 3.3m to 8.2m at the widest points, and 5.1m next to the south east corner of the site, where ground floor retail units with their own entrances are proposed adjacent to an existing pedestrian crossing across Finsbury Pavement.
- 11.164 Short-stay cycle parking in the footway adjacent to the site would be accessible on-street. A dedicated cycle entrance is proposed on Ropemaker Street just west of the main pedestrian entrance. Long-stay cycle parking proposed at basement level would be accessed via a shallow staircase with two wide channels to wheel bikes in and out. The access arrangements are considered acceptable along with the provision of a lift to the basement level, for overspill use during busy periods and to help mobility-impaired cyclists.
- 11.165 A single vehicular access for servicing only is proposed on Finsbury Street, which is LB Islington highway. The proposal for off-street servicing and separate access arrangements for cyclists, pedestrians and vehicles is considered acceptable.

Car Parking

- 11.166 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). Normal staff parking will not be permitted. The development does not propose any car parking in accordance with Core Strategy Policy CS10 (Sustainable development), Part H, which requires car free development.
- 11.167 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking). Given the site's constraints to provide for on-site wheelchair parking, a contribution of £132,000 towards parking bays or other accessible transport initiatives given 66 accessible parking bays cannot be provided on site or on street. As such, the development would be car-free and consistent with policy CS10 of the Core Strategy.

Cycle Parking

- 11.168 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for cycling. The level of cycle parking proposed for the office use would meet the required number in line with the Council's Development Management Policy as well as the London Plan requirements. A total of 752 cycle spaces are proposed in the basement.
- 11.169 The development also proposes 44 visitor cycle spaces along Ropemaker Street, which falls short of the London Plan minimum standard. However, allowing limited visitor cycle parking in the basement would be difficult to manage in practice during occupation of the development. Further, providing all of the short-stay cycle parking required by London Plan policy in the footways around the site would also have an unacceptable negative impact on pedestrian comfort. Finally, the constraints of the pavement in meeting accessibility considerations also impacts on the number of spaces that can be provided. A compromise approach is therefore sensible given the unique characteristics of the local context and it is considered that the above amount of visitor spaces provided is acceptable.
- 11.170 Development Management Policy DM8.4 (Walking and cycling), Part C requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. Additionally, Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for cycling. Conditions will be imposed to ensure cycle arrangements are in line with CS10 and DM 8.4 with regard to the above.
- 11.171 Development Management Policy DM8.4 (Walking and cycling), Part E requires publically accessible uses (including A1, A2, A3, D1 and D2) to contribute financially to cycle parking in the public realm. The submitted transport statement identifies a number of issues with safety, comfort and attractiveness of key local cycling routes, as well as measures necessary to address these matters. This financial contribution is captured by Islington's CIL (Community Infrastructure Levy).

Walking

- 11.172 The overall impact of the proposed development on the local pedestrian environment would be acceptable. Pedestrian comfort on Ropemaker Street and Finsbury Pavement would improve if the development occurs compared to if the existing building is retained. This is because pedestrian comfort levels in the vicinity are currently forecast to worsen considerably in the coming years due to a large increase in Crossrail passengers leaving local stations, and the development proposal would create more footway by stepping the building line back.

Physical impacts on the on-street network

- 11.173 Any alterations to the Council managed highways of Islington Council or TfL controlled roads will be required to be secured via a section 278 agreement with all works to be carried out by LBI Highways.

Trip generation and mode split

- 11.174 Transport for London have stated that the development will generate additional strain on the transport network, likely to lead to further overcrowding at Moorgate Underground station, and potentially impact the operation of a nearby Cycle Hire dock.
- 11.175 Overall, the development will generate an additional 434 London Underground (LU) trips, 335 National Rail trips and 55 bus trips in the AM peak hour (8-9am). The Transport Assessment highlights a wide variety of public transport options in the local area would be available to accommodate new demand generated by the development. However, the assumption that new trips will split evenly across all available bus, LU and National Rail services is unrealistic.
- 11.176 Therefore, mitigation may be required for the 428 new passengers projected to pass through Moorgate in the AM peak should planning permission be granted. Moorgate currently suffers from crowding and congestion in both the AM and PM peak hours, with operational controls being enforced on a regular basis. This is to be secured via a s106 obligation.

Refuse and Recycling

- 11.177 Storage is appropriately located within the development for all uses. These details regarding the number and type of bins are to be secured by condition.

Servicing and Deliveries

- 11.178 The application includes a detailed delivery and servicing management plan alongside the submitted transport assessment. For commercial developments over 200 square metres and some larger residential developments, delivery/servicing vehicles should be accommodated on-site.
- 11.179 In line with Development Management Policy 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 (demonstrated by a swept path analysis). In line with this policy and supporting paragraph 8.39, details should be submitted to establish the delivery/servicing needs, including hours, frequency, location/s and size of vehicles.
- 11.180 The application proposes a single vehicular access for servicing only on Finsbury Street, which is LB Islington highway. This aspect of the proposals is welcomed. A framework Deliveries and Servicing Plan (DSP) has been submitted with the application and its details are acceptable. TfL have recommended that the DSP should be secured through the Section 106 agreement for the site. This legal obligation will require details to be submitted as required by Development Management Policy 8.6 and the servicing and delivery plan addressing the list of required information at section 8.39 of the Development Management Policies SPD in consultation with TfL.

Construction and Logistics Plan

- 11.181 Any impacts arising from the construction of the building in highway and transport terms would be controlled by the submission of a Construction and Logistics Plan. This has also been recommended by TfL, who have also stated that such a plan should ensure their operation is not adversely affected during construction.
- 11.182 In addition to the above conditions and section 106 obligations the following has also been secured as part of the planning application
- Submission of a final Travel Plan
 - The repair and re-instatement of the footways and highways adjoining the development. Cost to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.

Contaminated Land

- 11.183 The application is accompanied by a Preliminary Environmental Risk Assessment for contaminated land given the site would be excavated with a substantial basement and the formation of a concrete slab. As such, the Council's Environmental Pollution, Policy and Projects officer has not recommended a contaminated land condition in this instance. They have advised that any waste should be disposed of appropriately and that they should maintain a watching brief during the construction works. A Site Waste Management Plan (SWMP) has been conditioned as outlined in the sustainability section of this report, and the SWMP will require the above details to be included. The proposal is therefore considered acceptable in terms of land contamination.

Wind and Microclimate

- 11.184 The application is accompanied by a Pedestrian Level Wind Microclimate Assessment (PLWMA), which provides an assessment of the effect of the proposed development effect on wind conditions at the site and in the surrounding area. The assessment provides a detailed account of the average gust and wind conditions around the existing building and the proposed development and also assesses the cumulative impact with other proposed developments within the vicinity.
- 11.185 The proposed development and surrounding area have wind conditions ranging from acceptable for 'sitting' use, to acceptable for 'leisure walking' during the windiest season, using the Lawson scale. Wind Conditions which are classified as acceptable for 'leisure walking' use or calmer are considered acceptable for the desired use for thoroughfares, and therefore further mitigation is not required.

- 11.186 An assessment of the cumulative impact with proposed buildings in-situ demonstrates that the wind conditions increase to the east of the site and decrease in the west with strong wind exceedances in this area reduced or eliminated. Based on the Lawson Comfort Criteria, all areas in the public realm and at ground level are suitable for their intended use and therefore no further mitigation is required as a result. However, the proposed private roof terrace wind level conditions would be greater than desirable and this could be mitigated in the form of soft landscaping features to ensure a suitable environment for future officer users.
- 11.187 It is therefore considered that the proposal is acceptable in terms of wind microclimate subject to the recommended mitigation measures to be secured by condition and further testing with the final scheme of landscaping in place. It is recommended that landscaping to mitigate wind impacts on the roof terraces following further testing is secured as part of the recommended landscaping condition.

Planning Obligations, Community Infrastructure Levy and local finance considerations

Planning Obligations

- 11.188 The officer recommendation of approval is also subject to the Heads of Terms as set out in Appendix 1 – Recommendation B, to be included in a Section 106 Agreement attached to any planning permission, in order to secure compliance with planning policy and mitigate the impacts of the development on surrounding infrastructure.
- 11.189 The proposed development generates a requirement for s106 contributions towards off-site housing (£4,639,680), employment and training (£366,171), accessible transport improvements (£132,000), Code of Construction Monitoring Fee (£28,894), carbon off-setting (£848,360) and Crossrail contribution of £4,050,360 minus any Mayoral CIL credit).
- 11.190 Additional obligations include the repair and reinstatement of the footways and highways adjoining the development site, compliance with the Code of Local Procurement and Code of Employment and Training, facilitation of 28 work placements during construction, a Green travel plan, and feasibility study on connecting to the Citigen district heating network.
- 11.191 It is considered that these contributions are necessary to make the development acceptable in planning terms; the impacts are directly related to the development and fairly and reasonably related in scale and kind to the proposals and would comply with the Community Infrastructure Levy Regulations.
- 11.192 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development. This means that the measures required to mitigate the negative impacts of this development in terms of carbon emissions, lack of accessible parking spaces and local accessibility cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the

necessary carbon offset, accessible transport, highway reinstatement and local accessibility investment required to ensure that the development does not cause unacceptable impacts on the local area.

- 11.193 None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.
- 11.194 The carbon offset and accessible transport contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment. Furthermore, in the event that policy compliant on-site accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore, this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.
- 11.195 The highway and footway reinstatement requirement is also very clearly site-specific. The total cost will depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.
- 11.196 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.

CIL

- 11.197 Additionally, the Mayor's Community Infrastructure Levy CIL (currently £50 per square metres) is applicable to the application. An appropriately worded informative is recommended to draw the agent's attention to the CIL liability. 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) will be chargeable on this application in the case of it being granted planning permission. In the event that the application is approved, CIL would be payable to the London Borough of Islington after the planning consent has been implemented and will be used by the Mayor of London to pay for Crossrail in accordance with CIL Regulations 2010 (as amended).
- 11.198 Developments in the Central Activities Zone (CAZ) must also make a separate contribution towards Crossrail in the section 106 agreement.

However, Mayoral CIL will be treated as a credit towards the section 106 Crossrail liability and this is to be reflected in the wording of the section 106 agreement.

- 11.199 The CIL contributions are calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. CIL would be payable to the London Borough of Islington following implementation of the planning consent.

12. SUMMARY AND CONCLUSION

Summary

- 12.1 The proposal seeks demolition of the existing buildings and erection of a 27-storey building (part 10, part 15, part 20, part 25, part 27-storeys) with 3 basement levels to provide for 63,520 square metres (GIA) of office floorspace (Use Class B1(a)) and 1,222 square metres (GIA) of flexible retail/professional services/restaurant/café floorspace (Use Class A1/A2/A3). The proposal also includes within the office floorspace the provision of 955 square metres (GIA) of office floorspace at first floor level that would be suitable for occupation by micro and small enterprises by virtue of its size and design. Public realm improvements are proposed along the two frontages of the site with the introduction of a placemaking tree at the junction of Ropemaker Street and Finsbury Pavement as well as the widening of both footway pavements.
- 12.2 Subject to a contribution towards securing offsite housing provision (the contribution accounts for an equivalent 20% of the uplift in office floorspace) and amounts to £4,639,680, the development of a mixed use Class A1/A2/A3 and Class B1 office scheme on this highly accessible site in an Employment Priority Area designated specifically for offices in the CAZ is considered to be acceptable in land use terms. The provision of high quality Class B1 office accommodation would be consistent with the aims of the development plan.
- 12.3 It is considered that although the proposed development is taller than the existing buildings on the site, the architectural approach is supported with use of materials that are respectful to the context of the area. Additionally, the stepped massing approach successfully integrates with the scale of existing buildings in the area, namely the heights of Ropemaker Place/City Point and the lower rise context to the east and north. The amendments throughout the pre-application stage to the western most element have resulted in further improvement to the resultant skyline composition in views from the HAC grounds, forming an appropriate book end to Ropemaker Place. The proposed scheme also activates the ground floor with retail uses along Finsbury Pavement and the entrance lobby areas along Ropemaker Street.
- 12.4 Sections 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a

conservation area. Paragraph 134 of the NPPF states 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, including securing its optimum viable use.

- 12.5 Whilst there will be some harm to the Bunhill Fields and Finsbury Square conservation areas and the setting of the Honourable Artillery Company (GII* listed), this is considered to fall within the 'less than substantial harm' category of the NPPF. The site is also designated within an area considered appropriate for tall buildings above 30m due to the potential for the public benefit to outweigh potential harm. Council's Design and Conservation officers are of the view that the level of public benefit provided by the proposals far outweigh the 'less than substantial harm' to the heritage assets.
- 12.6 In particular, the scheme would deliver a significant amount of new and upgraded office floorspace in the CAZ along with floorspace for small and micro enterprises (a benefit as this provision is not required by planning policy) alongside public realm improvements.
- 12.7 No part of the development would result in unacceptable adverse impacts in terms of loss of daylight, sunlight, outlook, sense of enclosure or privacy that would justify refusing planning permission.
- 12.8 Subject to appropriate conditions, including submission of a feasibility study for connection to Citigen, the development would comply with relevant planning policies relating to sustainability and energy efficiency.
- 12.9 The proposed development would be serviced on-site and subject to appropriate conditions would have no adverse impacts on the local road network. The refuse/recycling and servicing arrangements are considered to be acceptable. The provision of secure cycle storage and showering and changing facilities for staff would encourage sustainable travel.
- 12.10 In addition to the Mayoral and Islington Community Infrastructure Levy, the application is supported by a comprehensive s106 planning agreement and contributions related to and mitigating impacts of the scheme. For these reasons and all the detailed matters considered in this report, the scheme is acceptable subject to conditions, informatives and the s106 legal agreement.

Conclusion

- 12.11 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Committee resolve to GRANT planning permission subject to any direction by The Mayor to refuse the application or for it to be called in for determination by the Mayor of London. Therefore, following the Council's resolution to determine the application, the application shall then be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008 – allowing him 14 days to decide whether to:

- a. allow the draft decision to proceed unchanged; or
- b. direct the Council under Article 6 to refuse the application; or
- c. issue a direction under Article 7 that he is to act as the Local Planning Authority for the purpose of determining the application.

RECOMMENDATION B

That planning permission 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. Compliance with the Code of Employment and Training.
3. Facilitation, during the construction phase of the development, of 28 work placements: Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/15). If these placements are not provided, LBI will request a fee of £140,000.
4. Compliance with the Code of Local Procurement.
5. Compliance with the Code of Construction Practice, including a monitoring fee of £28,894 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.

6. The provision of an additional number of accessible parking bays (66) or a contribution towards bays or other accessible transport initiatives of £132,000.
7. 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: £848,360 – based on information submitted in Energy Strategy should the preferred energy strategy of connection to Citigen network take place and £963,461 should the alternative strategy involving an on-site solutions take place.
8. 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.
9. Submission of a Green Performance Plan.
10. 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).
11. Payment towards employment and training for local residents of a commuted sum of £366,171.
12. For proposals with an increase in office floorspace in the Central Activities Zone, the provision of a mix of uses including housing or a contribution towards provision of off-site affordable housing where it is accepted that housing cannot be provided on site. A contribution towards provision of off-site affordable housing of £4,639,680.
13. Crossrail contribution of £4,050,360 minus any Mayoral CIL credit.
14. The approved Public Access Areas shall be maintained as an open unrestricted space at all times.
15. Securing the provision of the small/micro workspace with submission of details of unit sizes, design, management and marketing information including rent and service charges.
16. Mitigation to address impact on further overcrowding at Moorgate Underground station and the operation of a nearby Cycle Hire dock.
17. Delivery and Servicing Plan.

18. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
19. All payments to the Council are to be index-linked from the date of Committee are due upon implementation of the planning permission.

That, should the Section 106 Deed of Planning Obligation not be completed within the timeframe agreed between the parties in the Planning Performance Agreement (PPA), 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:

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	<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>Pre-Commencement Conditions:</p> <p>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 unidentified pre-commencement conditions have been discharged.</p>
4	<p>Roller Shutters</p> <p>ROLLER SHUTTERS</p> <p>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.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

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

2. Development Plan

The Development Plan is comprised of the London Plan 2016, 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 2016 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

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 2.5 Sub-regions

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

Policy 2.13 Opportunity areas and intensification areas

Policy 2.14 Areas for regeneration

Policy 2.15 Town centres

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 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds

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 5.19 Hazardous 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 6.6 Aviation

Policy 6.7 Better streets and surface transport

Policy 6.8 Coaches

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

Policy 6.14 Freight

Policy 6.15 Strategic rail freight interchanges

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 3.14 Existing housing
Policy 3.15 Coordination of housing development and investment
Policy 3.16 Protection and enhancement of social infrastructure
Policy 3.17 Health and social care facilities
Policy 3.18 Education facilities
Policy 3.19 Sports facilities

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.2 Offices
Policy 4.3 Mixed use development and offices
Policy 4.4 Managing industrial land and premises
Policy 4.5 London's visitor infrastructure
Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision
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

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 5.4 Retrofitting
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 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 7.10 World Heritage Sites
Policy 7.11 London View Management Framework
Policy 7.12 Implementing the London View Management Framework
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.16 Green Belt
Policy 7.17 Metropolitan Open Land
Policy 7.18 Protecting local open space and addressing local deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.20 Geological conservation
Policy 7.21 Trees and woodlands
Policy 7.22 Land for food
Policy 7.23 Burial spaces
Policy 7.24 Blue Ribbon Network
Policy 7.25 Increasing the use of the Blue Ribbon Network for passengers and tourism
Policy 7.26 Increasing the use of the Blue Ribbon Network for freight transport
Policy 7.27 Blue Ribbon Network: supporting infrastructure and recreational use
Policy 7.28 Restoration of the Blue Ribbon Network
Policy 7.29 The River Thames
Policy 7.30 London's canals and other rivers and waterspaces

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

Policy 5.10 Urban greening

London

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS2 (Finsbury Park)

Policy CS3 (Nag's Head and Upper Holloway Road)

Policy CS4 (Highbury Corner and Holloway Road)

Policy CS5 (Angel and Upper Street)

Policy CS6 (King's Cross)

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 CS12 (Meeting the Housing Challenge)

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

DM2.4 Protected views

DM2.5 Landmarks

DM2.6 Advertisements

DM2.7 Telecommunications and utilities

Employment

DM5.1 New business floorspace

DM5.2 Loss of existing business floorspace

DM5.3 Vale Royal / Brewery Road Locally Significant Industrial Site

DM5.4 Size and affordability of workspace

Housing

DM3.1 Mix of housing sizes

DM3.2 Existing housing

DM3.3 Residential conversions and extensions

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.6 Play space

DM3.7 Noise and vibration (residential uses)

DM3.8 Sheltered housing and care homes

DM3.9 Houses in Multiple Occupation,

Health and open space

DM6.1 Healthy development

DM6.2 New and improved public open space

DM6.3 Protecting open space

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

hostels and student accommodation

Shops, culture and services

DM4.1 Maintaining and promoting small and independent shops

DM4.2 Entertainment and the night-time economy

DM4.3 Location and concentration of uses

DM4.4 Promoting Islington's Town Centres

DM4.5 Primary and Secondary Frontages

DM4.6 Local shopping Areas

DM4.7 Dispersed shops

DM4.8 Shopfronts

DM4.9 Markets and specialist shopping areas

DM4.10 Public houses

DM4.11 Hotels and visitor accommodation

DM4.12 Social and strategic infrastructure and cultural facilities

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

D) Finsbury Local Plan June 2013

BC8 Achieving a balanced mix of uses

BC9 Tall Buildings and contextual considerations for building heights

BC10 Implementation

3. Designations

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Bunhill and Clerkenwell Core Strategy Key Area
- Finsbury Local Plan (FLP) Area
- Employment Priority Area (Offices)
- Central Activities Zone
- City Fringe Opportunity Area
- Moorfields Archaeological Priority Area

- Within 50 metres of the Bunhill Fields and Finsbury Square Conservation Area
- Crossrail Safeguarding Direction

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

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

London Plan

- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction
- Planning for Equality and Diversity in London
- City Fringe Opportunity Area Planning Framework

APPENDIX 3: DESIGN REVIEW PANEL COMMENTS

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ATT: Hannah Bryant
Gerald Eve LLP
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London W1G 0AY

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E Luciana.grave@islington.gov.uk
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Our ref: DRP/122

Date: 1 June 2017

Dear Hannah Bryant,

ISLINGTON DESIGN REVIEW PANEL

RE: 15-24 Ropemaker Street, Finsbury Court, 101-117 Finsbury Pavement and 10-12 Finsbury Street, London EC2 (Q2016/2574/MJR)

Thank you for attending Islington's Design Review Panel meeting on 11 May 2017 for a second review of the above scheme. The proposed scheme under consideration is for the demolition of existing building and construction of new office space (Class B1), rising to 27 storeys with retail spaces at ground floor level (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), David Crookes, George Saumarez Smith, Martin Pearson and Charles Thomson on 11 May 2017 including a presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Panel welcomed the opportunity to review the scheme for a second time and noted that the design had been substantially developed since the last review. Panel members recognised the many positives of the scheme including: a substantial uplift in flexible workspace, a good affordable workspace offer, increased and improved public realm, a 'place-making' tree, substantial cycle parking and high-level terraces providing workers with outdoor space. There is also a clear attempt to design the proposed building to respond positively to its context.

Overall panel members thought that the original concept could be strengthened through refining the detailing. The Panel felt that it was important that the narrow 'negative' darker sections need to have as recessive an appearance as possible to ensure that the wider 'positive' sections are expressed elegantly and commented that the 'negative' sections could be more ephemeral in both form and materiality. Panel members observed that in keeping the highest 'positive' section at the proposed height to avoid impact on views of St Paul's it is closer in height to the adjoining 'negative' sections which creates a bulkier

appearance and diminishes potential for an elegant silhouette to the building against the skyline.

The Panel acknowledged improvements to the north elevation and increased vertical emphasis and added interest. However, some panel members thought that greater elegance and harmony could have been achieved in the differing heights and that it would also be regrettable if the Building Maintenance Unit were to be visible. The Panel felt that greater clarity between the horizontal 'positive' elements and the vertical 'negative' elements could be achieved to the south elevation.

As a way of improving the local context of the building, the Panel encouraged the applicant to engage actively in the discussion about the public realm of Ropemaker Street, Moorfields and the plaza that serves City Point as these currently represent very poor and ill-considered public spaces.

There were mixed views on the proposed clock however if the clock is to be included the concept needs to be developed further, potentially with other alternatives considered and a solution found which better integrates the design with the building.

Finally, the Panel inquired about the use of a 12mm technical stone and questioned how easy it would be to repair and replace in the future.

Summary

The Panel noted that the design had been substantially developed since the last review and recognised the many positives of the scheme. Panel members thought that the original concept could be strengthened through greater refinement of the detailing and materials which should be sufficiently robust. The Panel stressed that it was important that the narrow 'negative' darker sections are as recessive in appearance as possible to ensure that the wider 'positive' sections are expressed in order to create an elegant composition and silhouette against the skyline. Panel members thought that greater elegance and harmony could be achieved to the north elevation and greater clarity between the horizontal 'positive' elements and the vertical 'negative' elements made to the south elevation. There were mixed views on the proposed clock and this proposal should be considered further as well as alternatives.

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.

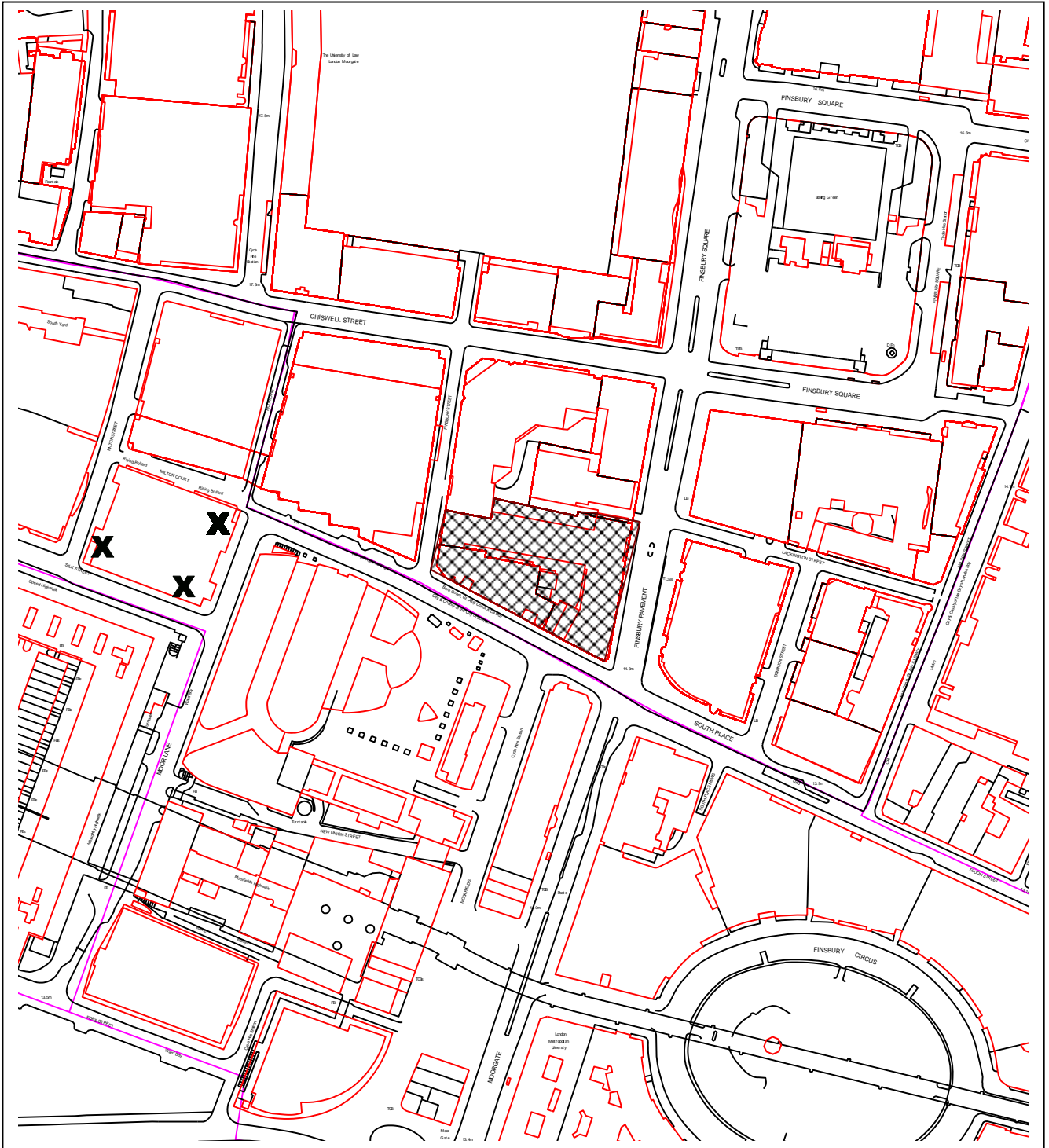
Yours sincerely,



Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT



ISLINGTON

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 3333
 222 Upper Street
 LONDON N1 1YA



PLANNING COMMITTEE	AGENDA ITEM NO:
Date: 5 December 2017	

Application number	P2016/4805/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	Locally Listed (Nos. 10 & 12 All Saints Street)
Conservation area	Regent's Canal West (Nos. 10 & 12 All Saints Street only)
Development Plan Context	Employment Growth Area (General)
Licensing Implications	None
Site Address	Regents Wharf, 10,12,14,16 and 18 All Saints Street, Islington, London N1 9RL
Proposal	Redevelopment of the site at Regent's Wharf including the refurbishment and extension of 10-12 Regent's Wharf (including part one/part two storey roof extension) to provide additional Class B1 business floorspace with ancillary flexible Class A1/A3 (retail/restaurant) and flexible Class A1/B1/D1 (retail/business/non-residential institutions) floorspace at ground floor level; demolition of 14, 16 and 18 Regent's Wharf and erection of a part 5 and part 6 storey building with rooftop plant enclosure providing Class B1(a) office floorspace and flexible Class A1/A3/B1/D1/D2 (retail/restaurant & café/business/non-residential institutions/assembly & leisure) floorspace at ground floor; and associated hard and soft landscaping.

Case Officer	Simon Greenwood
Applicant	Regent's Wharf Property Unit Trust
Agent	DP9 – Miss Melanie Wykes

1. RECOMMENDATION

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

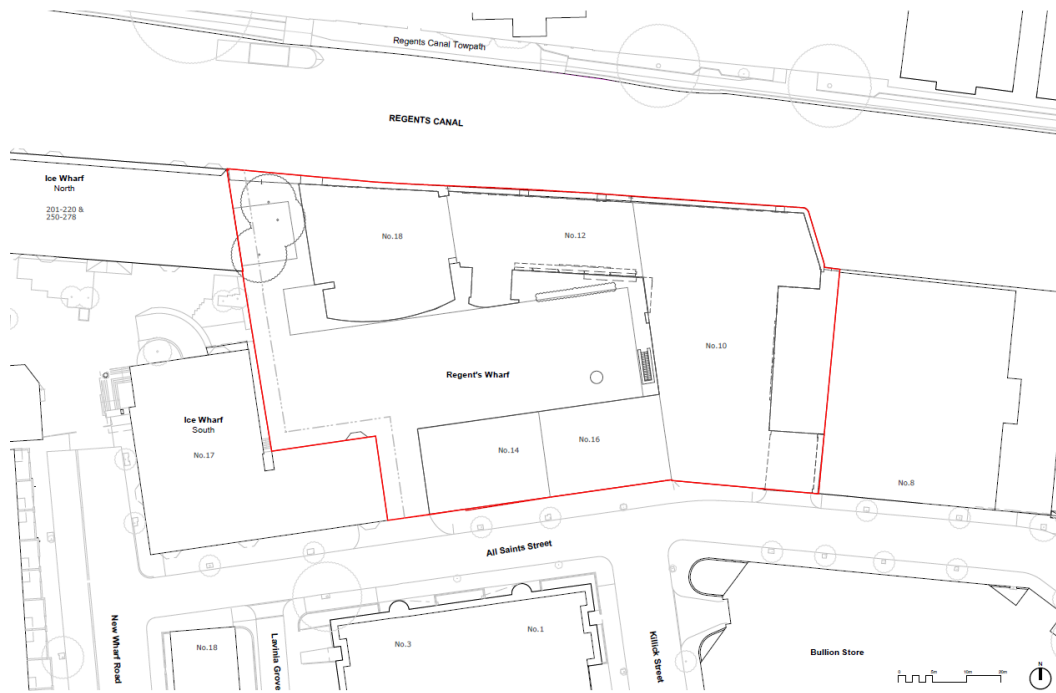
1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

2. SITE PLANS (site outlined in red)

Site location plan



Detailed site location plan



3. PHOTOS OF SITE/STREET

Aerial photograph of site



Photograph looking east down All Saints Street (No. 8 All Saints Street and Vaultex cash repository building in foreground)



Photograph looking west along Regents Canal



4. SUMMARY

- 4.1 The proposal is intended to provide a sustainable campus of workspace for the creative industries that encourages inter-sector collaboration and catalyses business growth. The site is located in an Employment Growth Area where the intensification, renewal and modernisation of existing business floorspace is encouraged and the maximum amount of business floorspace reasonably possible on the site, whilst complying with other relevant planning considerations, is sought. A mix of complementary uses, including active frontages where appropriate, is also sought. The intensification of the business use, including office floorspace suitable for small to medium sized enterprises and with a complementary mix of uses is therefore strongly supported in policy terms.
- 4.2 5.38% of the overall office floor space will be designated as affordable workspace, in excess of the Council's policy requirement of 5%. The workspace will be located in good quality accommodation on the first, second and third floors in a south facing part of the building and will share the main entrance with the remainder of the office accommodation. The affordable workspace will be provided to an Islington approved affordable workspace provider at a peppercorn rent for a period of 15 years. The provision of affordable workspace in excess of the Council's policy requirements represents a significant benefit of the scheme.
- 4.3 The applicant has removed the sixth floor of the block during the application process which is considered to have resulted in a significant improvement in terms of bulk and massing of the building when viewed from the canal and has resulted in some improvements to the daylight amenity of occupants of Ice Wharf. The proposal represents an increase in the height, scale and massing of built form on the application site. However, the CGIs which accompany the application are considered to demonstrate that the proposed development would not appear excessive. The proposal involves the replacement of existing buildings which are considered to be of limited architectural merit with new buildings which are considered to represent a high standard of design and which will enhance the character and appearance of the area.
- 4.4 The proposal has resulted in a substantial volume of objections, with strong objections from residents of the adjacent Ice Wharf development notably in relation to loss of light, loss of privacy, visual impact from excessive height, scale and massing, and noise and disturbance from servicing.
- 4.5 The elevations of Ice Wharf which face onto the application site are either very close to the site boundary or immediately adjoin it. It is therefore the case that dwellings within Ice Wharf rely on the application site for daylight amenity. New development should not cause undue harm to the residential amenities of occupants of neighbouring dwellings. However, an assessment of harm within the planning balance should include an acknowledgement that to achieve a BRE Compliant development would significantly limit the development potential of the site.
- 4.6 It is considered that objections regarding loss of privacy can be satisfactorily addressed through a condition requiring details of a scheme of obscure glazing to the western elevation of Building A. It is considered that concerns regarding noise

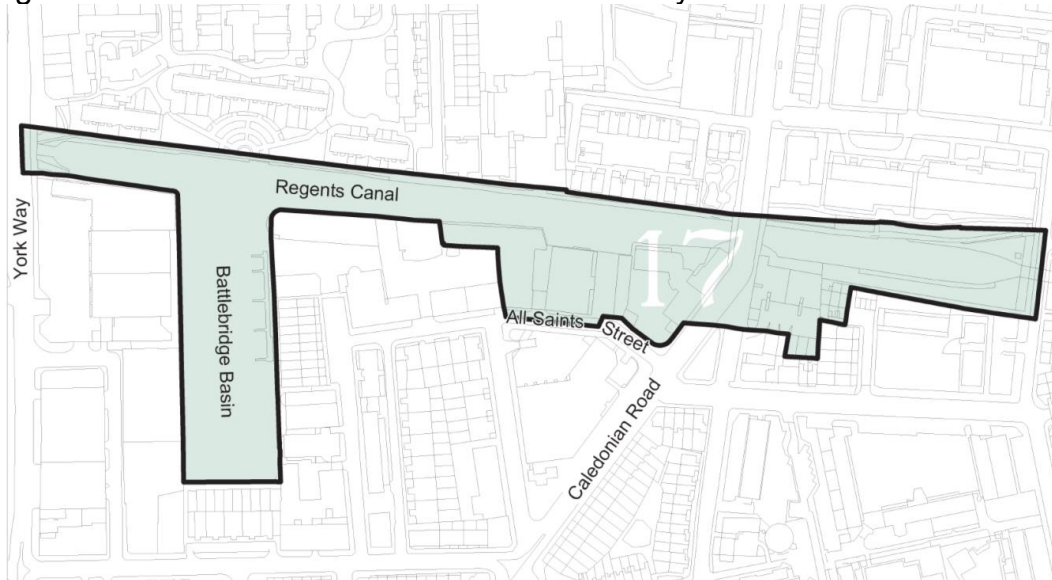
and disturbance from delivery and servicing activity can be addressed through a Delivery and Servicing Plan which includes appropriate measures to minimise noise and disturbance to occupants of Ice Wharf, in particular during night time hours.

- 4.7 It is considered that, having regard to the urban context of the site, the increased visual impact and loss of outlook from dwellings within Ice Wharf as a result of the increased height, scale and massing of the proposed development would not be unduly harmful so as to warrant refusal of planning permission.
- 4.8 The proposal is considered to result in harm to the residential amenities of occupants of Ice Wharf and 1-3 All Saints Street by reason of losses of daylight, which are significant in some cases. The proposal would result in the delivery of high quality new and refurbished floorspace on the site which would facilitate a significant increase in the employment density with corresponding economic benefits. The proposal would deliver 5.38% of the overall office floorspace as affordable workspace at a peppercorn rent for a period of 15 years, in excess of the Council's policy requirements. The proposed development is considered to represent a high standard of design. It is considered that, on balance, and having regard to relationship of the site with adjacent development, that the significant benefits of the proposal outweigh the harm to neighbouring properties. It is recommended that planning permission be granted.

5. SITE AND SURROUNDINGS

- 5.1 The 0.35ha site is located on All Saints Street and is bound by the Regent's Canal to the north. The site presently comprises a complex of 4-6 storey buildings which provide approximately 8,916m² (GIA) of office floor space with an ancillary canteen area.
- 5.2 Nos. 10-12 Regent's Wharf is located to the east of the site and comprises four warehouse and wharf buildings which date from the 1890s and which were interconnected and converted for office (Class B1a) use in the late 1980s. The wharf buildings were originally constructed blind (without window openings) but the remodelling has improved the heritage value of these buildings which are locally listed and lie within the Regent's Canal West Conservation Area, the boundary of which is indicated below.

Regent's Canal West Conservation Area boundary



5.3 The courtyard elevations to Nos. 10-12 feature some remaining warehouse elevations with contemporary glass and metal infills at the junctions between the original buildings. Metal louvres have been retrospectively applied to the south facing elevation (No. 12) whilst a Virginia creeper has grown over and into the west elevation (No. 10). The buildings have been extended at roof level to accommodate a plant room (clad in dark brown metalwork) and various pieces of plant have been retrospectively installed. The historic fabric of the buildings is generally obscured and is poorly presented on the courtyard elevations.

Courtyard elevations



- 5.4 Nos. 14, 16 and 18 are late 1980s designed speculative office buildings with frontages onto the central courtyard car park and an inactive frontage onto All Saints Street. Buildings 14 and 16 are connected in appearance externally but function as two independent buildings and were not designed to be interconnected. The buildings were part of a wider master-plan for the area, the final phase of which was intended on the land now occupied by Ice Wharf, the adjacent residential development. The application advises that, at the time of the development, the surrounding area was not considered to be particularly desirable and the buildings were designed to house small scale businesses. The layout of the development with the entrance doors located off the gated central courtyard reflected the expectation of security at the time. The buildings were conservative in their design due to the speculative nature of the development and the likely market of occupiers, and therefore flexibility and future adaptability were not important design drivers.
- 5.5 The application notes that ceiling heights internally are poor by modern standards as they have been deliberately matched to the adjacent buildings whilst the buildings are inefficiently laid out and do not perform well thermally. It is also noted that the buildings are of little architectural merit and are inconsistent with the prevailing wharf typology of the surrounding context.
- 5.6 Ice Wharf is located immediately to the west of the site and comprises three large residential buildings, two of which (Ice Wharf North and Ice Wharf South) share a boundary with the application site. There is a mixed tenure Peabody housing block on the southern side of All Saints Street bound by Killick Street and Lavinia Grove.
- 5.7 New Wharf Road is located to the south west of the site and primarily comprises commercial workspace with some residential properties as well as the Canal Museum which backs onto Battlebridge Basin. Further to the west and south west there are several large scale commercial properties including King's Place and a Premier Inn hotel (under construction).
- 5.8 The Regent's Canal tow path is located on the northern side of the canal beyond which are a number of residential properties on Tiber Gardens and Treaty Street along with Copenhagen Street Primary School.
- 5.9 There are 2 four storey purpose built office buildings to the east whilst to the south east is a cash repository which comprises a single storey structure above ground level with a walled, high security service yard and some external, surface level car parking.
- 5.10 The wider surrounding area has increasingly become a prime commercial and institutional location, in particular as a result of the 'King's Cross Central' regeneration programme.
- 5.11 The site has a PTAL rating of 6b (the highest rating), primarily due to its proximity to Kings Cross Saint Pancras railway and underground station.
- 5.12 The site is designated within an Employment Growth Area (General).
- 5.13 The Regent's canal is a Site of Metropolitan Importance for Nature Conservation.

5.14 The Primrose Hill and Dartmouth Park Hill viewing corridors / strategic views lie either side of the site but do not intersect any part of the site.

6. PROPOSAL (IN DETAIL)

6.1 It is proposed to refurbish and extend Nos. 10-12 Regent's Wharf, including a part one/part two storey roof extension, to provide additional Use Class B1 business floorspace with ancillary flexible Use Class A1/A3 (retail/restaurant) and flexible Use Class A1/B1/D1 (retail/business/non-residential institutions) floorspace at ground floor level. It is also proposed to demolish 14, 16 and 18 Regent's Wharf and erect a part 5, part 6 and part 7 storey building with a rooftop plant enclosure to provide Use Class B1 office floorspace and flexible Use Class A1/A3/B1/D1/D2 (retail/restaurant & café/business/non-residential institutions/assembly & leisure) floorspace at ground floor. The existing and proposed floorspace and uses is detailed below.

Land Use Summary

Land Use	Existing m ² (GIA)	Proposed m ² (GIA)
B1 office (including multiple use areas)	8916	12,823
A1/A3 Retail / Restaurant	0	985

6.2 The proposed development would feature a publically accessible central courtyard to provide access to the office floorspace via a ground floor reception and a central circulation core with three lifts and a staircase. A canal-side restaurant/café would also be accessed via the central courtyard.

Ground floor layout



- 6.3 The scheme includes the extension of the existing basement to allow for additional secure cycle parking and changing facilities, plant and equipment, and refuse storage.
- 6.4 The proposed buildings are identified as Buildings A, B and C as detailed below.

Building references



Building A

- 6.5 Building A would be a part 5, part 6, part 7 storey building on the western part of the site, fronting on to both All Saints Street and Regent's Canal and would provide Grade A office floorspace suitable for larger scale occupiers from around 50 people (one half of a floorplate) to around 750 people (the full building). Flexible floor space would be provided at ground floor level to provide an active frontage on to All Saints Street with access from the street and from the internal courtyard.
- 6.6 The design of the Building A is influenced by the industrial and warehouse typology of the surrounding area. The All Saints Street Elevation features brick piers, metal transoms, metal ventilation panels and crittal-type windows frames. The canal-side elevation features brickwork, tall openings to reference the verticality of the retained heritage buildings, balconies and dark grey frames and metal work to reference the ironwork of the heritage buildings. A colonnade at ground floor level is intended to provide a sense of opening away from the canal to allow breathing space between the building and the canal.

Building A – All Saints Street elevation



Building A – canal-side elevation



Buildings B and C

- 6.7 Nos. 10 and 12 Regent's Wharf will be retained and refurbished internally and externally along with a set-back fifth floor extension with plant enclosure above. The pitched roof to No. 10 would be extended to provide improved office accommodation at fourth floor level and the existing dormer windows will be replaced with larger scale contemporary dormer windows. The top floor to No. 12 would be increased in height by approximately 1.5m to provide a double height space and windows. The increase in height would allow the floor levels to tie through between existing buildings and new building to the west. The detailing and brickwork will match the existing elevation.

Building B (No. 10 Regent's Wharf) – canal-side elevation



Building B (No. 12 Regent's Wharf) – canal-side elevation



View west along Regent's canal



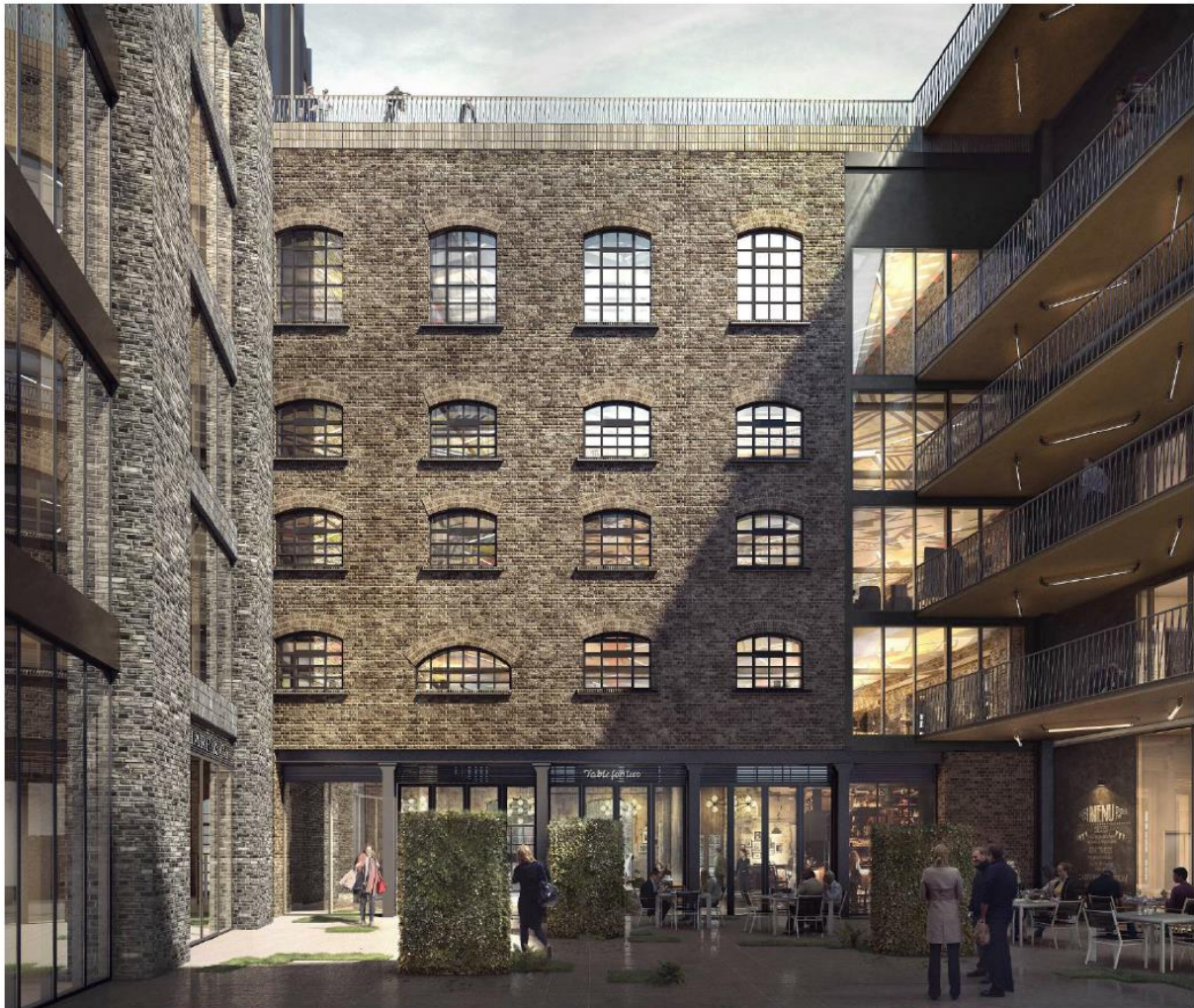
- 6.8 Private amenity space for the office occupiers will be provided with terraces at fifth floor level. There will be a secondary access to the office accommodation from the landscaped area to the east. The proposed canal-side restaurant/café at ground floor level would replace the existing office canteen. Flexible (Class A1/B1/D1) floor space would be provided at ground floor fronting on to All Saints Street and would

include a gallery / exhibition space. The buildings will be connected across the central courtyard by balconies encouraging inter-business interaction and sharing of external amenity space.

Courtyard elevations

- 6.9 It is proposed to remove the modern additions from the courtyard elevations and refurbish them to make the historic fabric of the buildings more visible. Glazed breaks are proposed where the new building connects with the existing building to allow the historic fabric to run into the new buildings and remain visible. Replicas of historic windows that were removed in the 1980s refurbishment will be installed. The heritage buildings will be connected with balconies to integrate the lettable spaces to encourage interaction between the occupants and promote business collaboration. The balconies also mitigate the need for independent circulation and fire escape cores from buildings B and C thereby improving the internal efficiency of the buildings.

Courtyard elevations





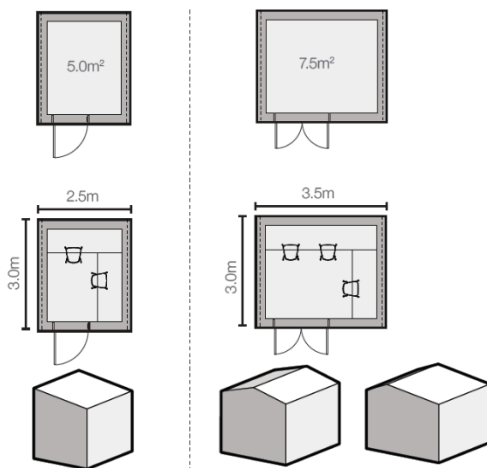
Use of Buildings B and C

6.10 The buildings would provide flexible office workspace which can be adapted to the requirements of multiple occupiers and would include the following:

- Medium sized units aimed at SMEs and grow-on businesses which can be adapted to accommodate businesses of 10-20 people to larger businesses of 50+ people
- Small scale units for new businesses
- Co-working space to provide flexible / variable working environments for individuals and fledgling businesses with desk sharing to facilitate increased employment density, reduced rental rates and increased flexibility
- Flexible, low rent, short lease, micro-business pods aimed at fledgling businesses (typically 1-4 people).

6.11 The micro-pods will be flexible and the application provides an outline design (size, mass, volume and location) along with indicative locations for 13 pods. However, it is intended that the numbers and locations of these will be flexible and adaptable to suit the requirements of fledgling businesses. It is anticipated that there will be a number of 'plug-in points' where pods can be placed and connect into the electricity and data supply of the campus. It is recommended that the final design details of the micro-pods be the subject of a condition should planning permission be granted.

Indicative 1-2 and 3-4 person micro-business pods



- 6.12 All tenants will have access to shared facilities including meeting rooms, kitchen areas and ancillary networking spaces. This arrangement is expected to be attractive to entrepreneurial businesses models as well as those in part-time employment, self-employment or those looking to formalise casual working practices. The sharing of these facilities would ensure that they are not re-provided individually thereby increasing employment density.
- 6.13 The SME space and co-working space will be natural ventilated and will incorporate operable windows which will reduce energy use and mitigate increases to service charges.
- 6.14 The proposed variety of workspace is intended to create a city centre 'campus' for creative industries of all sizes. The workspace will be targeted at industries ranging from digital technology and product designers to knowledge based enterprises and medical and scientific 'pioneers'. The variety of workspace along with the complementary ground floor uses is intended to 'encourage collaboration, promote innovation and welcome interdisciplinary working'. The proposals seek to provide a 'creative ecology' where large and small businesses support and nurture each other and collaboratively share the campus.
- 6.15 The application notes that the fledgling businesses which would occupy the micro-pods would typically occupy spare bedrooms or coffee shops and the proposal would create opportunities for social interaction, collaboration and diversity and would encourage growth and ambition. The occupiers within the campus would be connected to the wider community through the publicly accessible ancillary uses.

Affordable workspace

- 6.16 5.38% of the overall office floor space will be designated as affordable workspace, in excess of the Council's policy requirement of 5%. The workspace will be located on the first, second and third floors in a south facing part of the building and will share the main entrance with the remainder of the office accommodation. The affordable workspace will be provided to an Islington approved affordable workspace provider at a peppercorn rent for a period of 15 years, which is in excess of the Council's policy requirement of 10 years.

Demolition of existing buildings

6.17 The existing buildings at 14-18 Regent's Wharf are of late 1980s / early 1990s construction and their demolition raises some concern from a sustainability point of view. The applicant has provided a justification for their demolition as follows:

- The existing structures were not intended to carry additional building load beyond their internal loading and the existing foundations are unsuitable to take the additional loading likely to be applied to the building;
- The existing buildings are each supported by individual plant facilities rather than a shared or centralised system - there is little opportunity to combine these into a central system without their removal and as a result the buildings are inefficient in their energy use;
- The existing buildings were generally constructed without insulation and in order to meet modern requirements and expectations a comprehensive refurbishment would be required – this would involve retrospective internal insulation (at the cost of net lettable area), replacement of all windows and the introduction of roof level insulation (at the cost of headroom in buildings 14 and 16);
- The buildings are constructed in concrete frame with a central supporting structure comprising a core made up of escape stair, lift and WCs – removal of part or all of the core to improve the efficiency of the floor plates would compromise the structural integrity of the concrete frame and undermine the purpose of a refurbishment / modernisation of the buildings;
- The scheme aims to improve the efficiency and density of available workspace which relies on interaction between floor plates of the various buildings - the existing buildings were not constructed with integrated or complimentary floor levels and retaining their structural levels would restrict the ability to connect the floorspace internally thereby hindering inclusivity and access across the floor plates.
- The present day desirable and safe environment around the Kings Cross area is very different to when the buildings were constructed - it is anticipated that there will be a wider demographic of potential occupiers who are more concerned with the flexibility, adaptability and environmental performance of the accommodation.

Revisions to scheme

6.18 Discussions were held between the applicant and Officers following the public consultation and the Design Review Panel meeting held on 8th February 2017, in particular with a view to addressing outstanding concerns relating to the height, scale and massing of the proposed development. Revised plans were subsequently submitted in June 2017 detailing the removal of a significant part of the sixth floor in order to reduce the massing of Building A when viewed from the canal. Some additional floorspace was provided at fifth floor level resulting in a slight increase in the massing on the All Saints Street elevation. The dormer windows to Building B were also reduced in scale and a corner of the building on the western elevation was 'cut-away' to improve the relationship with Ice Wharf.

6.19 The revisions resulted in some improvements to the daylight amenities of some dwellings within Ice Wharf. However, Officers remained concerned regarding the extent of the daylight impacts on a number of units within Ice Wharf, in particular

Flats 313, 323, 333 and 343. Further discussions were held between the applicant and Officers and the scheme was subsequently revised a second time. The remainder of the sixth floor was removed and some further additional floorspace was provided at fifth floor level. The corner on the western elevation was reinstated on the first three floors but a larger 'cut-away' was provided above.

6.20 The revisions are illustrated below.

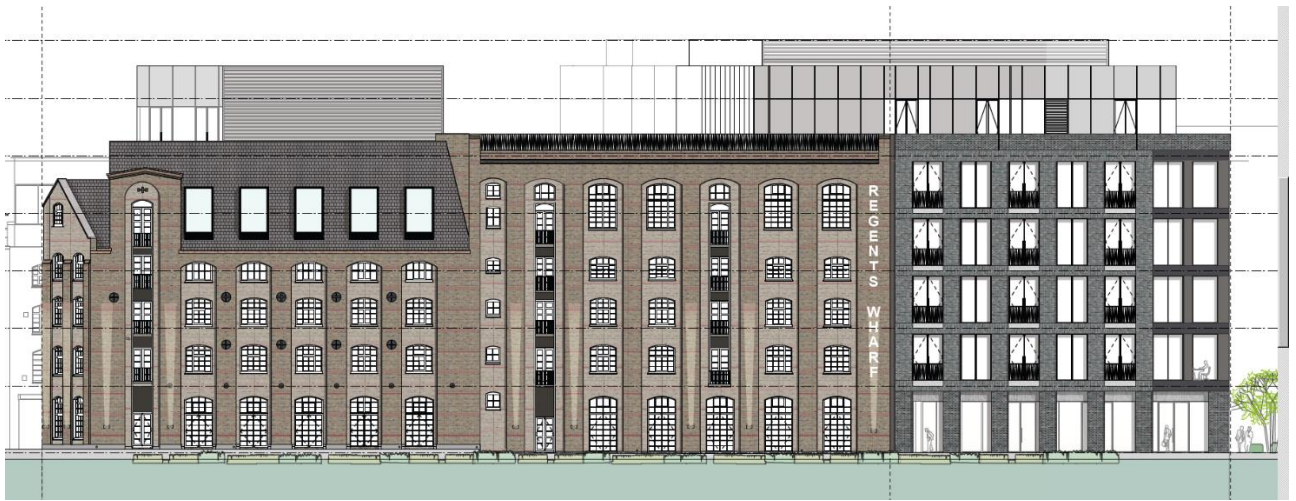
Initial proposal - canal-side elevation



June 2017 revision - canal-side elevation



October 2017 revision – canal-side elevation



Initial proposal – All Saints Street elevation



June 2017 revision – All Saints Street elevation



October 2017 revision – All Saints Street elevation



6.21 The revisions to the sixth floor plans are indicated below.

Initial proposal – Sixth Floor Plan



June 2017 Revision – Sixth Floor Plan



6.22 The sixth floor was subsequently completely removed under the October 2017 revision. The revisions to the fifth floor plans are indicated below.

Initial proposal – Fifth Floor Plan



June 2017 Revision - Fifth Floor Plan

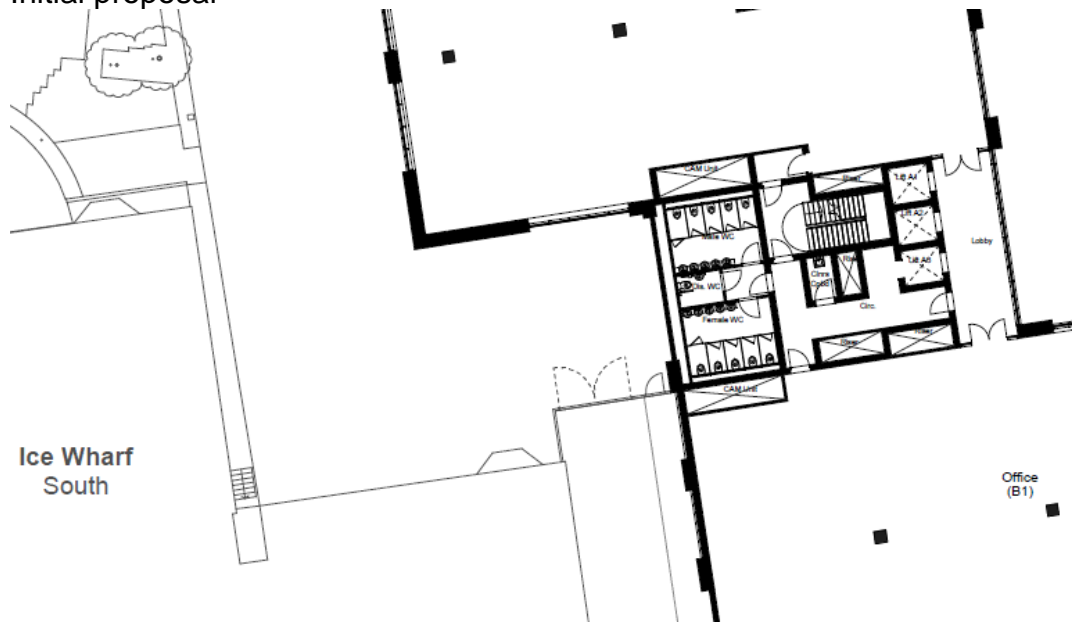


October 2017 revision – Fifth Floor Plan

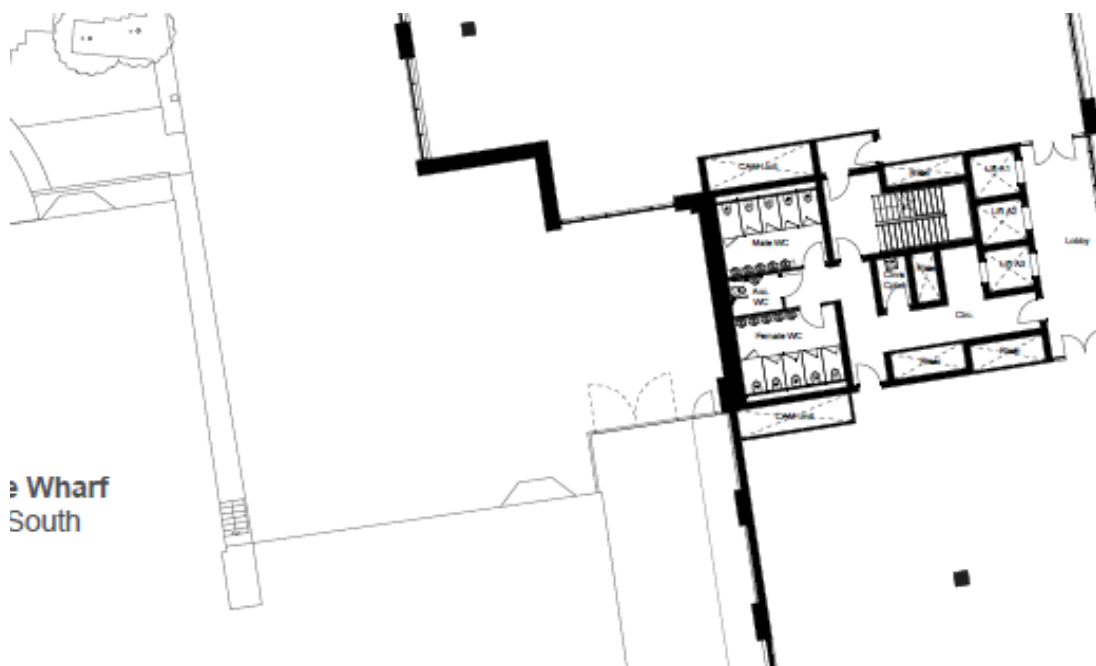


- 6.23 The 'cut away' corner adjacent to Ice Wharf is indicated below. The corner was removed under the June 2017 revision following discussions with Officers which had been informed by suggestions from neighbouring residents. The revision was intended to provide an improved relationship with Ice Wharf. This floorspace reinstated at the ground, first and second floor level under the October 2017 revision and a larger 'cut-away' was provided at third floor level, as indicated below.

Initial proposal



Typical ground to fourth floor excerpt – June 2017 revision



Third Floor Plan - October 2017 Revision (Office floorspace reinstated below)



7. RELEVANT HISTORY

- 7.1 The planning history at the site is not relevant to this application and comprises a range of applications for minor works, including the replacement of air conditioning units and exhaust flues.

Pre-application Advice

- 7.2 Pre-application discussions took place with Officers which commenced in April 2016 and included five formal meetings.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 483 adjoining and nearby properties on 22 December 2016 and further letters were sent on 9 June 2017 and 31 October 2017 following receipt of the revised proposals. A site notice and a press advert were displayed on 22 December 2016 and 15 June 2017. The public consultation of the application therefore expired on 21 November 2017. 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 large number of objections had been received from the public with regard to the application which are summarised below.

Objections

- Excessive height, scale and massing; Overdevelopment; Over-dominant appearance; Overbearing visual impact (including from dwellings within Ice Wharf) from excessive height, scale and massing; Rooftop block (fifth floor and above) to Building A is excessive and will appear overwhelming from Ice Wharf properties; Upper floors should be set back / removed; Rooftop Block to Building A should be reduced in height and set back further from Ice Wharf;

Building A should be stepped back from Ice Wharf at a 45 degree angle; Infilling of courtyard should be substantially reduced in height; Height and bulk of development is unsympathetic to surrounding area; Roof level plant rooms will be very visible from Thornhill Bridge and York Way Bridge; Roof extension to eastern end of No. 10 Regents Wharf overpowers historic gable end of the building; Removal of 4th floor mezzanine in Building B and lowering of rooftop plant to this level would improve the scheme; Canyon effect from increasingly high canal-side development; King's Place development does not provide justification for scale of development; National Council for Voluntary Organisations (NVCO) at No. 8 Regent's Wharf were advised that they couldn't increase height of their building in 2012.

- Harm to character and appearance of Conservation Area; Dormer windows to Building B are inappropriate and out of keeping with the host building; Destruction of industrial heritage; Proposal is contrary to Regents Canal West Conservation Area Design Guidelines; Dormer windows to Building B are an original feature, contrary to the assertion within the application document, and should be retained; Extensions to Building B harm architectural integrity of the existing buildings; rooftop plant will be visible from surrounding area.
- CGIs of proposed development are misleading.
- Significant loss of daylight and sunlight at neighbouring properties including 1-3 All Saints Street, Ice Wharf, Thornhill Bridge Wharf, Copenhagen School and dwellings on Treaty Street; Overshadowing; Loss of daylight and sunlight to large number of neighbouring dwellings is well in excess of BRE recommendations; Height should be reduced to address daylight/sunlight impact; 5th and 6th floors should be moved away from Ice Wharf; Loss of light to Ice Wharf courtyard; Lawn and plants in courtyard will be deprived of light; Enclosure of courtyard; Loss of light to canal; Loss of light at canal moorings and this should be assessed; Daylight and Sunlight Report is inadequate; Conclusions of Daylight and Sunlight Report are unreasonable; Assertion that if NSL test is passed then poor VSC levels are acceptable is incorrect and not in line with BRE Guidelines; Selective interpretation of BRE Guidelines; Overshadowing study should be undertaken; Inaccurate survey information relating to 67-77 Treaty Street.
- Overlooking and loss of privacy at dwellings within Ice Wharf and Treaty Street; Windows directly overlook Ice Wharf South living rooms with 6m separation; Increased proportions of glazing will result in increased overlooking; Proportions of glazing should be reduced with introduction of opaque panels; Loss of privacy from increased employment density.
- Loss of outlook, including from Ice Wharf properties; outlook will be harmed by dark coloured bricks.
- Loss of views of the canal from Ice Wharf properties
- Increased noise, disturbance and vibration affecting residential properties from increased employment density, deliveries, servicing, retail / restaurant uses, external amenity areas and electricity sub-station; Noise disturbance affecting Copenhagen Primary School; Existing outdoor uses cause significant noise and disturbance in summer months; Restaurant and amenity areas should not be used late at night; External amenity areas should not be accessed by the public; Double doors from restaurant onto external canal-side area should be for fire escape only; External plant noise and noise from

restaurant unit(s) should be controlled by condition; Hours of use of unit(s) should be restricted through a condition.

- Noise, disruption and pollution from demolition and construction activity including vehicular activity; Noise, vibration and pollution at NVCO (No. 8 Regent's Wharf), including from works affecting shared structures; Noise monitoring equipment should be installed; Formal scheme of noise monitoring with triggers for cessation of works should be put in place / secured by condition; Loss of revenue for NVCO from hiring out meeting rooms and conference facilities during demolition and construction; Inadequate information on noise within Construction Management Plan.
- Increased traffic; Deliveries and servicing via access adjacent to Ice Wharf South is likely to result in increased noise and disturbance, particularly early morning or late night servicing; Deliveries and servicing should take place at eastern end of the building away from residential uses; Significant amount of servicing will take place overnight and this is unacceptable; Refuse vehicle manoeuvres could be dangerous; Hours of servicing should be restricted; Obstruction of vehicular access to Ice Wharf by vehicles servicing the development; Road infrastructure is inadequate to cope with increased demands; Loss of on-street car parking from removal of parking bays; Increased demand for on-street car parking; Detrimental impact on highway and pedestrian safety.
- Increased light pollution to dwellings within Ice Wharf; Elevations facing Ice Wharf should be amended to reduce the proportion of glazing; Automatic blinds system should be provided to reduce light pollution; Uplighters should not be used within external areas; External lighting should be controlled .
- Additional restaurant is not needed; Current buildings are adequate for business needs; Significant unlet office space within Kings Cross area.
- Impact and scale of development not made clear during developer's pre-application consultation
- Trees to be coppiced and replanted provide screening and privacy between Ice Wharf and Regent's Wharf and they should be retained in situ if at all possible; Council's arboriculturalist should consider evidence justifying removal of trees.
- Disruption to wildlife / harmful ecological impact
- Overshadowing of canal would result in harm to public amenity and harm health of pedestrians using canal towpath; Overshadowing will harm ducks and wildlife; Loss of light to reed beds within canal between site and Ice Wharf Marina; Any impact from overshadowing of canal (e.g. solar power generation on canal boats) should be mitigated; Overshadowing of external amenity area at Ice Wharf.
- Wind tunnel effect on canal
- Canal should be used for deliveries of materials and removal of construction waste; Applicant's justification for not using canal due to lack of navigable width and depth is incorrect; Detailed feasibility study and financial appraisal addressing use of barges for construction and demolition should be provided; Development should be futureproofed in order that refuse and recycling can be collected by boat

- Inadequate information regarding protection of river traffic during development; Appropriate measures should be put in place to protect canal and canal traffic during demolition and construction.

Representations in support

- Improvement to historic buildings.
- Overall design quality is high.

Second consultation

8.3 Discussions were held between the applicant and Officers following the above consultation response with a view to addressing some outstanding concerns raised by officers, local residents and the Council's Design Review Panel, in particular relating to the height, scale and massing of the proposed development. The applicant submitted revised plans to the Council on 9 June 2017 indicating a reduction and reconfiguration of the Building A floorspace at sixth floor level, with a corresponding reduction in the height, scale and massing of the building when viewed from the canal-side and a slight increase on the All Saints Street elevation. The dormer windows to Building B were also reduced in scale. As noted above a second consultation was undertaken on 9th June 2017. The representations received reiterated a points detailed within the above summary and the additional issues raised can be summarised as follows:

- Revised scheme has changed little and does not address earlier heritage and design concerns; Height remains excessive; Dormer windows are still out of character with the Conservation Area
- Revised scheme does not address loss of light to neighbouring properties; Suggestion that loss of light is due to the design of Ice Wharf is disingenuous; Height of building adjacent to Ice Wharf remains excessive and should be reduced; Use of ADF test with balconies removed is not in line with BRE Guidelines.
- Projecting windows or other features should be avoided on western elevation which are 6m and 10m away from Ice Wharf South and North respectively.
- Visual impact from dark coloured bricks; Loss of light from use of dark coloured bricks.
- Loss of light will affect ability to move around (disabled resident) and increase electricity bill due to lighting.
- Inaccurate daylight/sunlight survey information for 67-77 Treaty Street has not been addressed in revised report; 56-63 Treaty Street have been mis-labeled.
- Loss of open space between the buildings.
- Proposals to use roads rather than waterways for removal of demolition waste have not changed.
- Swept path diagram for refuse vehicles demonstrates tight manoeuvres which will be noisy; Large vehicle servicing should take place from lay-by on All Saints Street; Need for second gate is queried and will lead to increased noise and disturbance; Gates should be fitted with rubber to limit noise; Second gate should be relocated; Second gate should not be connected to Ice Wharf South without permission; Second gate may have spikes which will be unsightly; Restaurant servicing should not take place from western entrance.
- Light pollution concerns have not been addressed.

- Noise and disturbance concerns have not been addressed.
- Waste plan has not been presented.
- Reduction in property values.
- Separation distances between Ice Wharf dwellings and proposed offices will be less than 18 metres required in Islington's Development Management Policies Document.
- Mature trees should be secured by condition to mitigate overlooking
Comment in support
- Revised scheme is an improvement.
- Institute of Physics will be working with the Council to create the Islington Borough Science Corridor and are pleased to learn of the aspirations for the Regent's Wharf development

Third Consultation

8.4 Further discussions were held between the applicant and Officers following submission of the revised proposals as Officers remained concerned that the proposed development would have an unacceptable impact on the daylight amenities of some occupants of Ice Wharf, in particular the occupants of flats 313, 323, 333 and 343. The applicant subsequently revised the proposed development to indicate the removal of the 6th floor office accommodation and some additional office floorspace at fifth floor level. Revised plans were submitted on 27 October 2017 and a third consultation was undertaken on 31st October 2017. The representations received reiterated a points detailed within the above summaries and the additional issues raised can be summarised as follows:

- Revised scheme has changed little and still does not address earlier heritage and design concerns; Corner near to Ice Wharf South and Ice Wharf North that was cut away in June revision has been reinstated; amendments are a backwards step; precedent for further, taller buildings.
- Revised scheme does not address loss of light, loss of outlook and overbearing visual impact at neighbouring properties; protruding bay type windows to ground floor on western elevation of Building A should be flush against the wall.
- Loss of privacy; Overlooking of Ice Wharf has not been addressed despite concerns previously raised.
- Light Pollution Assessment: demonstrates unacceptable impact upon dwellings within Ice Wharf; makes unrealistically low assumptions about light levels from proposed development; demonstrates light spillage onto and across the canal which will disturb wildlife and be intrusive within dwellings on the north bank; clearly demonstrates increased light pollution on the canal which conflicts with recommendation of ecology report.
- Light pollution, noise and disturbance from deliveries and servicing and details of gates should be addressed though conditions; use of external amenity areas should be controlled by condition.
- Light pollution assessment indicates unacceptable levels of light pollution; Developer does not undertake to implement any recommendations of Light Pollution Assessment.
- Start-up businesses will involve long hours of working; Hours of use of offices should be restricted by condition

- Office floorspace has increased by 833m² from first proposal.
- Demand for new office floorspace has plummeted post Brexit.
- Numerous catering businesses have failed in the area.
- Wind tunnelling impacts have not been assessed.
- Increased height of buildings will affect mobile phone and television signals.
- Increased numbers of people on the site will place increased pressure on mobile phone infrastructure.
- Lighter coloured bricks should be secured by condition.
- Community has endured enough construction activity in recent years.
- Loss of spring and autumn sunlight on north bank of the canal.
- Scheme has not been revised to address objections from amenity societies.

Herrington Consulting Ltd Review

8.5 The residents of Ice Wharf instructed Herrington Consulting Ltd to provide an independent review of the Daylight and Sunlight Report prepared by GIA Chartered Surveyors which accompanied the application. The review considers the appropriateness of the methodologies employed in the assessment of the impact of the proposed development and the way in which best practice guidance has been interpreted. It does not include additional analysis of the numerical outputs from GIA's model or a technical audit of the computational model used to derive these.

8.6 The report assesses the results of the GIA study and criticises the analysis. The commentary is not detailed here as a detailed analysis of the results is provided later within this report. The conclusions of the review are summarised as follows:

- A reduced VSC target value has been adopted based on the argument that the occupants of the impacted buildings should expect no more daylight than a typical window in the more densely developed areas of the City - this approach is disputed.
- Even when the reduced target value is used, 44 windows have VSC values that fall below this reduced target.
- Alternative assessment methods have been used to quantify the retained daylight within each room and to demonstrate that neighbouring rooms would retain adequate daylight with the development in place - without full details of the internal layout and dimensions of each room (which is the case for at least some of the rooms) this methodology should not be used.
- Poor daylighting in some rooms under existing conditions is blamed on the architectural design of the building - the BRE Guidelines are clear that, when this assumption is made, the impact of the development both with and without these architectural features should be tested to confirm that this is the case - this analysis has not been undertaken.
- The No Sky Line contour plots have been omitted from the report, which make interpretation of the results difficult.
- In view of the above it is evident that the proposed development will have a significant impact on the daylight currently enjoyed by the occupants of the neighbouring buildings.
- The GIA report quotes the BRE Guidelines in its support of a 'flexible' approach to the interpretation of the numerical analysis but there is a limit to

this flexibility and the report repeatedly moves way beyond what would be considered as the acceptable boundaries for a technical assessment.

- The report concludes that, with the development in place, all rooms would be left with adequate daylight and any breach of compliance due to the architectural design of the affected building - whilst exploring the potential for the design of the building itself to exacerbate the impact of the development could be accepted as looking at the results in a flexible way, justifying a situation whereby a room is left with no daylight whatsoever cannot.
- The GIA assessment does not robustly demonstrate that neighbouring buildings would retain reasonable levels of daylight, particularly given that the report shows the lounge/kitchen/dining room, (i.e. the main living space within Flat 313) (model reference number R9/101) would be left with no daylight whatsoever.

8.7 The updated documents submitted on 9th June 2017 included a revised Daylight and Sunlight Report prepared by GIA and a further review was submitted by Herrington Consulting Ltd which considered the updates and revisions within the applicant's report. The conclusions to the updated review are summarised as follows:

- GIA suggest that a retained VSC value in the when the proposed development is in place and conclude that a VSC in the 'mid-teens' would be acceptable but, for the Ice Wharf building alone, there are 19 windows with a VSC value less than 10% - when assessed against GIA's own target these 19 windows would be deemed to have unacceptable levels of daylight with the proposed development in place.
- The report goes on to justify these low values by applying the No Sky Line (NSL) test and on the basis of passing this test alone, concludes that a very poor VSC value is acceptable - this is not in accordance with the BRE Guidelines which state that both tests should be passed.
- Just under a third of the windows tested for Ice Wharf South have reductions greater than 20% whilst 6 windows that experience reductions in excess of 60% - these results also demonstrate that the changes made to the massing of the current scheme represent only a marginal improvement.
- 4 rooms are shown to have very significant daylight impacts and, in an attempt to justify these, Average Daylight Factor (ADF) tests are undertaken with the balconies above the windows removed - the BRE Guidelines are very clear that balconies can be removed as part of the VSC test (as it is a qualitative test not a quantitative one), however there is no justification for carrying out an ADF test with balconies removed.
- The ADF value for Room R9/101 (with balconies included) is 0.1% against a BRE Guidelines recommendation of 2% - the daylight will be equivalent to standing 0.5m away from a single candle in a darkened room – this is not an acceptable level of natural daylight no matter how flexibly the Guidelines are interpreted.

8.8 The revised documents submitted on 27 October 2017 included a revised Daylight and Sunlight Report prepared by GIA and a further review was submitted by Herrington Consulting Ltd which considered the updates and revisions within the applicant's report. The review reiterates comments previously made and the conclusions to the updated review are summarised as follows:

- There have been some small improvements to the daylight received by the most critically affected windows / rooms within Ice Wharf South.
- Serious concerns remain in relation to the retained levels of daylight within Ice Wharf South and previous concerns are reiterated.
- 27 windows will have a VSC value below 15% and 15 of these will have a VSC value below 10% - these fail against GIA's suggested criteria.
- There are numerous instances where the 'flexible' interpretation of guidance has been pushed way beyond what is reasonable.
- Justification for daylight impacts is flawed.
- The ADF value for Room R9/101 (with balconies included) is 0.3% against a BRE Guidelines recommendation of 2% - the daylight will be 15 lux which is equivalent to one three hundredths of the light from a standard overcast sky.
- Balconies are a permanent feature of Ice Wharf and should be treated as such.

Applicant's Consultation

8.9 The applicant carried out a consultation exercise with local residents in June, July and November 2016. Public exhibitions were held on 30 June 2016, 4 July 2016 and on 7 and 8 November 2016. Approximately 3,165 newsletters were delivered ahead of each exhibition. The consultation is detailed within a Statement of Community Involvement that accompanied the planning application.

External Consultees

8.10 Metropolitan Police (Crime Prevention) – no objections raised.

8.11 Thames Water – no objections raised.

8.12 London Fire and Emergency Planning Authority – no objections raised.

8.13 Transport for London – TfL have previously requested a financial contribution for cycle hire expansion in the area and note that the applicant believes it would be most beneficial to provide an extension to the nearby docking station on Killick Street, which is borough highway.

8.14 Historic England (Greater London Archaeological Advisory Service) – No objections subject to conditions securing a programme of archaeological investigation.

8.15 Greater London Industrial Archaeology Society – raise objections which are summarised as follows:

- The former Thorley's Cattle Food Mill buildings (No. 10 Regent's Wharf) are distinctive and relatively unaltered industrial buildings which are the star feature of the Regent's Canal West Conservation Area which retains a special character and composure from the way that 19th- and early-20th-century industrial buildings have been retained and the way in which the recent buildings are relatively sympathetic in scale, massing and the colours of their materials. The locally listed buildings illustrate some of the industrial past of

the Regent's Canal and the component elements, forms and scale of an 1890s milling complex.

- Additional and enlarged windows were introduced in the office conversion but comfortably fitted in to the original facades whilst the defining forms of the eaves, roofs and dormers were retained unaltered.
- The applicant's Heritage Statement tries to cast doubt on the original presence of dormers their current appearance is unaltered (the dormers were centred over the grain silos for lighting and ventilation).
- The original canal-side buildings were smartly designed in the functional tradition - it is very likely that the flat roof of Building 12 was and is original, in the fireproof, filler-joist construction of the 1900s.
- The late 20th-century changes to the heritage buildings were modest compared with the current proposals - the Heritage Statement's assertion that the previous alterations have greatly reduced legibility of the form, former use and identity of the buildings is not accepted.
- The proposed scheme is detrimental to the historic buildings as follows:
 - It introduces large modern dormers to the canal-side elevation of No. 10, set forward in a tall roof that are completely alien to the historic character.
 - It destroys its distinctive original dormers and the roof structure.
 - In the canal facade of No. 12, the traditional blind giant arcade is altered grotesquely, with raised-up and out of proportion upper windows (and small and clumsy extra windows) in the new double-height top storey - these fight against the building's character and mislead as to its original scale.
 - The original (c.1900) roof structure to No. 12 is lost.
- The townscape of the Conservation Area as seen from the Canal will be harmed by:
 - Loss of authenticity in the appearance and fabric of key historic buildings.
 - The increase in height of Buildings 12 and 18 make these already dominant facades extra dominant.
 - The large dormers on Building 10c dominate in size, position and style.
 - Roof level structures would be higher than existing plant rooms and would be visible from the towpath above the raised roof.
 - These raised walls and features behind will destroy the character of a previous age that this short section of canal still uniquely possesses.
- Sixth floor of Building A will remain prominent in views from the canal.
- Harm to character of All Saints Street by reason of height, design and materials of new buildings which will overpower No. 10.
- Greater public access is not needed to the waterside as the canal towpath is nearby.
- Fifth floor extension to No. 10 will have a crushing effect on the host building and the replacement of the existing mis-coloured parapet is little compensation.
- Balconies on the courtyard elevation, along with increased building heights and reduced courtyard size, will make the yard feel unpleasantly cramped.
- Proposal is contrary to Regent's Canal West Conservation Area Guidelines regarding building heights and scale

- Revisions to scheme do not address concerns.

8.16 Islington Society and Islington Archaeology and History Society – object to the proposal on grounds of overdevelopment and excessive height of the development and harm to historic character of the retained buildings contrary to the conservation area guidance. The views expressed by the Victorian Society and the Greater London Industrial Archaeology Society are supported.

8.17 Canal and River Trust – no objections raised. Comments are summarised as follows:

- It is noted that there is no consideration in the Daylight and Sunlight Assessment of potential increased overshadowing of the waterspace or the towpath. It is requested that the assessment be amended to include consideration of this, and that any impact is mitigated through, for example, ecological enhancements.
- There are reed beds floating in the canal adjacent to the site are understood to be retained and we would be supportive of future site occupiers taking on some maintenance of these, given their ability to access them from within the site
- Light spillage onto the canal is unacceptable and may affect biodiversity.
- A condition is requested to secure details of external lighting to ensure that canal-side lighting is kept to a minimum so as to avoid any adverse impact on foraging bats and other wildlife
- There should be no trees without appropriate root protection close to the canal wall, and species should be chosen appropriate to this location, so as not to cause future damage to the wall.
- The extent of any ground or groundwater contamination has not yet been established and therefore details of drainage proposals should be secured through a Construction Environmental Management Plan condition to ensure that no surface water is discharged into the canal
- Appropriate provision should be made in the enablement phase of construction for a programme of archaeological investigation of the site, which could be secured by condition
- An assessment of the feasibility of waterborne freight should be carried out and, if feasible, demolition waste and bulk materials should be removed from and delivered to the site by barge.

8.18 Commercial Boat Operators Association (CBOA) – the Commercial Boat Operators Association (CBOA) represents water freight carriage by barge on the UK's inland and estuarial waterways and is accepted by the Government as the representative industry body. The CBOA's comments are summarised as follows:

- Carriage of freight by barge can: relieve road congestion; reduce exhaust emissions and pollution; lower fuel consumption; lower noise on highways; lower risk of road accidents / fatalities; reduce highway wear and tear from HGVs.
- Each barge can carry 2 or more lorry loads.
- The Regents Canal has always been used for freight traffic, albeit more irregularly in recent years, and is fully capable of allowing deeply loaded full

size barges and other special purpose craft to navigate carrying waste from construction work and also construction materials to site.

- Full use of the Regents canal for assisting with freight to and from site should be recommended, and a report should be requested demonstrating how this can be achieved.
- Barges can also provide is additional storage area for materials awaiting use on site, where space is limited.

8.19 Victorian Society – raise objections which are summarised as follows:

Initial submission

- Proposed development would erode of the special interest of the historic Regent's Wharf group and harm the character and appearance of the conservation area
- Existing buildings make a significant and positive contribution to the character, appearance, setting and views of the conservation area and contribute considerably to an appreciation of the history and development of this important waterway.
- Nos. 10 and 12 are the oldest and most characterful of the group but Nos. 14-18, in their general scale, form and materiality, respect the historic buildings and create a sense of architectural congruence whilst the previous alterations effected to Nos. 10 and 12 were relatively modest, certainly by comparison with the present proposals.
- The block is clearly visible from the canal and the form and treatment of the roof, including its attractive dormers, appears to be original and not altered in the 1980s, as the application suggests - the loss of the roof and dormers would seriously erode the character and appearance of the building.
- Harm to No. 10 would be compounded by the insertion of large dormers that, by virtue of their scale, form and general aesthetic, would be incongruous and jarring, and would undermine the visual prominence of the easternmost bay.
- New roof to No. 10 would also dramatically and detrimentally alter the proportions of the building.
- Creation of additional windows and the enlargement of others in the canal-side façade of building 12, which would entail the loss of historic fabric and the further erosion of its robust, historic character.
- Proposed new buildings would be excessively high, would detract from the character and coherence of the historic buildings and would compete intrusively in important views along the canal.
- Proposed new buildings would not comply with Regent's Canal West Conservation Area Guidelines regarding scale of new development.
- Architectural idiom of new buildings is typically commercial and not suitably responsive to the character of the buildings on the site or the wider conservation area
- Proposal would permanently and unjustifiably erode the special interest of landmark, locally listed buildings and would harm the general coherence of the existing group of buildings - it would fail to preserve or enhance the character and appearance of the Conservation Area and would harm its significance.

Revised scheme

- The improvements represented by the amendments are acknowledged but they do not go far enough – concerns remain in relation to the loss of the roof and dormer windows on No. 10 as well the increase in its height.
- Enlargement of the top floor windows to No. 12 also remains a concern.

8.20 Greater London Authority (GLA) – the application was referable to the Greater London Authority as it falls under the categories 1B (development which comprises or includes the erection of a building or buildings in Central London and with a total

floorspace of more than 20,000m²) of the schedule to the Town and Country Planning (Mayor of London) Order 2008. The Council received the Mayor of London's Stage 1 response on 23 January 2017 which is summarised as follows:

Land Use Principles

- Scheme has significant potential to contribute to the diversity of workspace and business and is supported;
- Provision of 5% of the overall office floorspace as affordable workspace is strongly welcomed;

Urban Design

- Scheme seeks to activate the All Saints Street frontage through design and the introduction of ground floor uses and this is strongly supported;
- Courtyard concept will help turn a rather stoic office environment into a vibrant new employment hub – the proposed layout is supported and welcomed;
- Proposed height and massing is supported and presents no strategic issues;
- Proposed architectural approach is welcomed;
- Proposal will better reveal the historic form and significance of Nos. 10 & 12 Regent's Wharf whilst the new build elements are sensitively designed – the proposal would not harm the character and appearance of the Conservation Area or the locally listed buildings;

Inclusive Design

- Applicant has demonstrated that the principles of inclusive design have been incorporated throughout the scheme and this is welcomed;

Climate Change

- Proposed carbon dioxide savings exceed London Plan requirements;

Flood Risk

- Proposals comply with London Plan Policy 5.2 (Sustainable Drainage);

Urban Greening

- Proposals seek to incorporate new green infrastructure through the landscaping and green roof and this is strongly supported;

Blue Ribbon Network and biodiversity

- Regent's canal is part of London's Blue Ribbon Network (BRN) and a Site of Metropolitan Importance for Nature Conservation - the introduction of soft landscaping and improvements to the relationship with the canal are welcomed;

Transport

- Removal of 37 existing car parking spaces is supported given the high PTAL;
- Detailed design of long stay cycle parking should be secured by condition;
- £15,000 should be secured through the Section 106 legal agreement for Legible London signage to enhance wayfinding in the area;
- A Travel Plan, Delivery and Servicing Plan and Construction Logistics Plan should be secured by condition.

Internal Consultees

8.21 Access Officer – some detailed concerns are raised which can be adequately addressed through conditions.

8.22 Design and Conservation Officer – no objections raised. Comments as follows:

'The scheme has benefitted from substantial pre-application discussions and DRP reviews. Considerable amendments have been made, most recently and most substantially the reduction in the height, bulk and massing of the rooftop additions which previously had a significant impact on key views.

The scheme generally now comprises of high-quality contextual new buildings, infill and roof extensions utilising high quality, robust contextual materials.

One area remains where improvement could be made, this being the visual impact of the plant screening above the main historic building although it is accepted that the visual impact may be limited to small localised areas of public realm. Nevertheless, this visual impact should be reduced if possible.

Page 47 of the Design and Access Statement explains that the existing dormers are not historic and the top floor, above the dormers, has no outlook and suffers from a lack of light and overheating. The proposed contemporary style dormers are a striking modern addition that respect the strong industrial character of the historic building while being justified in terms of allowing the top floor to be a high quality useable floor space. Even if you were to consider the dormer windows to cause some harm this harm would be at the lower end of the scale and you should weigh any public benefits against this harm.'

- 8.23 Energy Conservation Officer – no objections raised.
- 8.24 Public Protection Division (Land Contamination) – no objections raised subject to a condition securing a land contamination investigation and any necessary remediation.
- 8.25 Public Protection Division (Noise) – no objections raised subject to a condition restricting plant noise levels.
- 8.26 Spatial Planning and Transport (Transport Officer) – no objections raised.
- 8.27 Sustainability Officer – no comments received.
- 8.28 Nature Conservation Manager – no objections raised subject to conditions to secure the recommendations detailed within the applicant's Ecology Report.

Other Consultees

- 8.29 Design Review Panel – the initial proposal (i.e. prior to the submission of revised plans indicating a reduction and reconfiguration of the sixth floor accommodation and revised dormer design) was considered by the Design Review Panel on 8 February 2017. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The Panel's observations are attached at **Appendix 3** and are detailed below:

Impact on Heritage Assets

The Panel maintained its position that the bulk and massing of the roof extension along with the proposed dormers should be reduced. At present, it is seen to be too overbearing and dominant, creating an uncomfortable relationship between old and new. Panel members suggested that rethinking the location of the plant could be a way to reduce the required floor space at this level. Some panel members advised that it was undesirable, architecturally, for a roof extension to appear to straddle two separate buildings, one historic and one new. The height and bulk of the extension to the locally listed building when viewed from the street was also considered excessive.

The Panel advised that a massing model would be useful, along with more views from the tow path on the other side of the canal.

Officer note: the revised proposals submitted on 9th June 2017 indicated a reduction in the height, scale and massing of the proposed development when viewed from the canal and these amendments considered to go a long way towards addressing the above concerns. The roof extension straddling historic and new buildings will be considerably less visible as a result of the amendments.

Courtyard and landscaping

As previously stated, the Panel considered the proposals for the courtyard to be very good, with only some fine tuning of the design suggested. In terms of the elevational treatment, the dialogue between the new and old buildings was thought to be effective. However, it was advised that the spandrels of the floor plates should not be expressed in the glazed strip that separates the two elements as they did not line up with the historic windows.

The Panel also welcomed further information from the applicant's Arboriculturist, however, questioned the decision to coppice and then root-ball the existing Alder trees, which would then be rehabilitated for the duration of the construction period. It was advised that root-balling trees in an urban environment is very difficult and unlikely to be cost effective or energy efficient. The Panel therefore recommended that buying new mature trees would be a better and more justifiable solution; these could be planted in clusters. However, panel members did emphasise that the existing Alder trees would ideally be preserved in situ because it would take a relatively long time before new trees would reach a similar height and therefore provide the same amenity.

The Panel also commented that the planting to the courtyard should be suitably robust for the area and should not clutter the, already small, environment.

Officer note: The comment regarding the spandrels of the floor plates on the glazed strip was made in response to the courtyard CGI which was presented to the panel. The applicant advises that there is an opportunity to develop the design of this detail through detailed design, but that as far as the planning application drawings are concerned there would not be any material difference. A condition is recommended to secure more detailed drawings at detailed design stage. The applicant has indicated that they are willing to revise the landscaping proposals in discussion with

Officers and an appropriate scheme of landscaping will be secured through the landscaping condition.

Sustainability and building performance

The development of this aspect of the scheme since the last review was deemed to be very encouraging by the Panel. Panel members made some comments regarding the management of the natural ventilation system and queried how this was going to work in practice. Further details were requested regarding the functionality of the full height windows and the Panel also encouraged thought to be given to an effective ventilation management strategy for future occupiers. Panel members additionally pointed out that some areas of the building were excessively glazed so would be very uncomfortable on sunny days and lead to high cooling demand. Moderation of the glazed areas or possible introduction of louvres (without limiting daylight) was suggested to remedy this and could add character to the glazing. Finally, the Panel did not think that the proposed dormer windows would be very practical as a source of natural ventilation.

Officer note: The applicant has submitted further information in relation to sustainability and building performance and the Council's Energy Conservation Officer is satisfied with the proposals.

Summary

The Panel were generally pleased with the scheme and lauded the additional work done to develop the building's performance and efficiency. However, there were other elements of the proposals where the Panel felt that there was room for further improvement. They remained concerned in particular about the detailing and bulk of the proposed rooftop extension, including the dormers. The Panel felt that this aspect of the design had not moved on as much as the improved sustainability, which was obviously the result of careful thought, and recommended that the same level of development for these issues would greatly benefit the scheme. Furthermore, the viability of the proposed tree relocation was questioned by the Panel and alternatives were strongly advised. In light of these observations, panel members therefore considered that the quality, of what is generally a very good scheme, could be further improved.

8.30 It is considered that the concerns raised by the Panel have been substantially addressed by the revisions to the scheme since it was presented in February.

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 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.3 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

Development Plan

- 9.4 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy (2011) and Development Management Policies (2013). The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.5 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013:
- Employment Growth Area (General)
 - Kings Cross and Pentonville Road Key Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 10.1 EIA screening is not required by this development, as the site is less than 0.5 hectare.

11. ASSESSMENT

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

- Land use
- Design
- Accessibility
- Landscaping, trees and biodiversity
- Neighbouring amenity
- Sustainability, energy efficiency and renewable energy
- Highways and Transportation
- Planning obligations/mitigations.

Land-use

Office use

11.2 Policy 4.1 of the London Plan is concerned with Developing London's Economy and states, inter alia, that:

'The Mayor will work with partners to:

- a1) promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises, including the voluntary and community sectors
- d) support and promote the distinctive and crucial contribution to London's economic success made by central London and its specialist clusters of economic activity
- e) sustain the continuing regeneration of inner London and redress its persistent concentrations of deprivation.

11.3 Policy 4.2 of the London Plan is concerned with Offices and states, inter alia, that 'the Mayor will and boroughs and other stakeholders should:

- a) support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises.
- c) encourage renewal and modernisation of the existing office stock in viable locations to improve its quality and flexibility
- d) seek increases in the current stock where there is authoritative, strategic and local evidence of sustained demand for office-based activities in the context of policies 2.7, 2.9, 2.13 and 2.15–2.17'

11.4 Policy 4.10 of the London Plan is concerned with new and emerging economic sectors and states, inter alia, that 'The Mayor will, and boroughs and other relevant agencies and stakeholders should:

- a) support innovation and research, including strong promotion of London as a research location and encourage the application of the products of research in the capital's economic development
- c) work with developers, businesses and, where appropriate, higher education institutions and other relevant research and innovation agencies to ensure availability of a range of workspaces, including start-up space, co-working space and 'grow-on' space
- e) promote clusters of research and innovation as focal points for research and collaboration between businesses, HEIs, other relevant research and innovation agencies and industry
- f) support the evolution of London's science, technology, media and telecommunications (TMT) sector, promote clusters such as Tech City and Med City ensuring the availability of suitable workspaces including television and film studio capacity.

- 11.5 Policy CS6 of the Core Strategy is concerned with King's Cross and states, inter alia, that:
- A. Business floor space in the King's Cross area will be protected from change of use. The King's Cross area will be expected to accommodate estimated growth in jobs of approximately 3,200 from B-use floorspace...Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and accommodation for small enterprises will be particularly encouraged.
 - F. Much of King's Cross has significant character value, and the area contains a number of heritage assets, including the Regent's Canal. The area's historic character will be protected and enhanced, with high quality design encouraged to respect the local context of King's Cross and its surroundings.
- 11.6 Policy DM5.1 (New Business Floorspace) of the Council's Development Management Policies Document states, inter alia, that:
- 'A. Within Town Centres and Employment Growth Areas the council will encourage the intensification, renewal and modernisation of existing business floorspace, including in particular, the reuse of otherwise surplus large office spaces for smaller units. Within these locations proposals for the redevelopment or Change of Use of existing business floorspace are required to incorporate:
 - i) the maximum amount of business floorspace reasonably possible on the site, whilst complying with other relevant planning considerations, and
 - ii) a mix of complementary uses, including active frontages where appropriate.
 - F. New business floorspace must be designed to:
 - i) allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business accommodation, particularly for small businesses...'
- 11.7 Policy CS13 of Islington's Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development should provide jobs and training opportunities, including a proportion of small, micro and/or affordable workspace or affordable retail space.
- 11.8 Paragraph 3.4.3 of the Core Strategy notes that employment in Islington is expected to increase by around 35,000 to 45,000 jobs between 2012 and 2027. Furthermore, it notes that the Islington Employment Study 2008 projected that just over 50% of these jobs will be provided within B-use floorspace.

11.9 The Islington Employment Land Study (2016) notes at paragraph 7.8.1 that:

‘For the period 2014-2036, employment as a whole in Islington is projected to increase by 50,500. Continued high levels of growth are projected for the future. Islington is forecast to have high levels of employment growth in the types of professional and technical services sectors that generate demand for office space. The London Office Policy Review 2012 had a guideline figure of 433,000 sq m over the period 2011-2036, and our revised forecasts come out with broadly the same figure. Once we have adjusted for the current low vacancy rate our forecasts in total give a planning target of 400,000 sq m of office floorspace for the period 2014-2036 to meet forecast demand and allowance of an 8% vacancy factor.’

11.10 Against the backdrop of an identified requirement to deliver new office floorspace Islington Council’s Annual Monitoring Reports (AMR) have identified consistent net losses in office floorspace over recent years as follows:

Reporting Period	Net loss Class B1(a) floorspace (m ²)
1 April 2011 – 31 March 2012	4,630
1 April 2012 – 31 March 2013	7,923
1 April 2013 – 31 March 2014	7,705
1 April 2014 – 31 March 2015	15,635

11.11 The site currently provides comprises 8,916m² (GIA) inefficiently arranged Class B1 floorspace (this figure includes the ancillary canteen area). The proposal would result in the delivery of 12,823m² (GIA) new and refurbished office floorspace including high quality floorspace suitable for occupation by larger tenants and flexible workspace which can adapt to the requirements of multiple occupiers, including co-working and SME space. The office floorspace will contribute towards meeting an identified need with corresponding economic and employment benefits. Significant weight can therefore be attached to the benefits of the delivery of the 12,823m² new and refurbished office floorspace.

Affordable workspace

11.12 Policy DM5.4 is concerned with the size and affordability of workspace and states, inter alia, that:

A. Within Employment Growth Areas and Town Centres, major development proposals for employment floorspace must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises.

C. Where workspace is to be provided for small or micro enterprises, but is not within physically separate units, the applicant will be required to demonstrate that the floorspace will meet the needs of small or micro enterprises through its design, management and/or potential lease terms.

D. Where affordable workspace is to be provided, evidence should be submitted demonstrating agreement to lease the workspace at a peppercorn rate for at least 10 years to a council-approved Workspace Provider.

11.13 The scheme would provide 5.38% of the overall office floor space as affordable workspace, in excess of the Council's policy requirement of 5%. The workspace will be located on the first, second and third floors in a south facing part of the building and will share the main entrance with the remainder of the office accommodation. The affordable workspace will be provided to an Islington approved affordable workspace provider at a peppercorn rent for a period of 15 years, in excess of the Council's policy requirement of 10 years. The provision of affordable workspace in excess of the Council's policy requirements would represent a significant benefit of the proposed development.

Flexible Uses

11.14 The proposed development would provide 985 sqm (GIA) flexible use floorspace suitable for retail use at ground floor level.

11.15 Retail and restaurant uses are defined as 'main town centre uses', within the NPPF. Paragraph 24 states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing town centre and are not in accordance with an up-to-date Local Plan.

11.16 Policy CS14 (Retail and services) and Policy DM4.4 (Promoting Islington's Town Centres) seek to maintain and enhance the retail and service function of the borough's town centres through focussing major new retail and proposals in designated town centres. Policy DM4.4 states at Part B that:

'The council will seek to maintain and enhance the retail and service function of Islington's four Town Centres

A. Applications for more than 80m² of floorspace for uses within the A Use Classes, D2 Use Class and for Sui Generis main Town Centre uses should be located within designated Town Centres. Where suitable locations within Town Centres are not available, Local Shopping Areas or edge-of-centre sites should be chosen. Where this is not possible, out-of-centre sites may be acceptable where:

- i) Alternative sites within Town Centres, Local Shopping Areas and edge-of-centre locations have been thoroughly investigated;
- ii) the development would not individually, or cumulatively with other development, have a detrimental impact on the vitality and viability of Town Centres and Local Shopping Areas within Islington or in adjacent boroughs, or prejudice the prospect for further investment needed to safeguard their vitality and viability; and
- iii) the development would be accessible to all by a sustainable choice of means of transport, and would not prejudice the overall aim of reducing the need to travel.'

11.17 The nearest Town Centre to the site is approximately 500m to the east along Upper Street whilst the nearest Local Shopping Centre is on Caledonian Road, approximately 100m to the east and south.

11.18 The proposal has not satisfied the requirements of the NPPF and Policy DM4.4 and the applicant has provided a statement in support of the proposed flexible uses as follows:

- Proposal will provide an increased quantum of employment floor space with a corresponding increase in employees on the site - there is currently very limited retail or restaurant provision within the immediate locality for these employees.
- Retail units will also provide a valuable amenity for local residents
- The scale of the proposed retail / restaurant floor space is considered to be appropriate in the context of the scale of the site and for this location.
- Case law has established that, when applying the sequential test and reviewing potential sequentially preferable sites that the proposal as a whole should be considered – the proposal seeks to provide a campus office environment, and there is no alternative site in the vicinity that could deliver the proposed development in its current form.
- A key benefit of the existing site location is its location on the Regent’s Canal, which provides an attractive setting for the proposed restaurant which would not be available at an alternative location.
- Quantum of flexible floorspace is considered to be minor development, well below the default 2,500m² NPPF threshold, whilst the units represent only a small proportion of the total floorspace provided by the development.

11.19 The applicant also notes that the provision of retail and restaurant floor space meets an identified need as set out within the Islington and London Plan evidence base. The most up to date London wide retail need study prepared by Experian (Consumer Expenditure and Comparison Goods Floorspace Need in London Summary Report (October 2013)) has identified that there is significant capacity for comparison floor space arising within Islington, totalling approximately 67,150m² by 2036. The retail study identifies capacity arising in the both town centres and non-central areas to support future retail floor space growth. It is further noted that the Islington Retail Study Update (2008) also identifies retail capacity within Islington’s non-central areas.

11.20 It can be accepted that the proposed retail floorspace will complement the proposed office use, particularly given the number of employees who will be accommodated on the site and the lack of restaurant provision in the immediate locality. The applicant’s argument set out above can be accepted and is therefore considered that the proposed floor space will not have a detrimental impact upon the vitality and viability of the existing Local Shopping Areas in proximity to the site, both of which are well established.

11.21 Policy DM4.3 (Location and Concentration of Uses) states that proposals for cafés, restaurants and other similar uses will be resisted where they: i) Would result in negative cumulative impacts due to an unacceptable concentration of such uses in one area; or ii) Would cause unacceptable disturbance or detrimentally affect the amenity, character and function of an area.

11.22 The application notes that the proposed restaurant replaces an existing canteen and the principle of an area where food is purchased and eaten in this location is therefore already established. The site is an out of centre location and the proposed restaurant would not result in an overconcentration of uses in one area. The opening hours of the restaurant would be controlled via a condition to ensure that there are no adverse impacts upon residential amenity. The restaurant would support the function of the area and of the development itself and is considered acceptable.

Design & Appearance

11.23 Paragraph 63 of the NPPF states that ‘in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design generally in the area.’

11.24 London Plan Policy 7.4 is concerned with Local Character and states, inter alia, that:

‘Buildings, streets and open spaces should provide a high quality design response that:

- a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
- b) contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area
- c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings
- d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.’

11.25 London Plan Policy 7.6 is concerned with architecture and states, inter alia, that:

‘Buildings and structures should:

- a) be of the highest architectural quality
- b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c) comprise details and materials that complement, not necessarily replicate, the local architectural character
- d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- e) incorporate best practice in resource management and climate change mitigation and adaptation
- f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g) be adaptable to different activities and land uses, particularly at ground level
- h) meet the principles of inclusive design
- i) optimise the potential of sites.’

11.26 Policy DM2.1 (Design) requires all forms of development to be of a high quality, to incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Development which fails to take the opportunities available for improving the character and quality of an area and the way that it functions will not be supported.

- 11.27 Section 72(1) of the Planning (Listed Buildings and Conservation Areas Act (1990) states: ‘In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.
- 11.28 London Plan policy 7.8 is concerned with heritage assets and states, inter alia, that ‘development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.’
- 11.29 Policy 7.30 of the London Plan is concerned with London’s Canals and other rivers and waterspaces and states, inter alia, that:
- ‘A. Development proposals along London’s canal network and other rivers and waterspace (such as reservoirs, lakes and ponds) should respect their local character and contribute to their accessibility and active water related uses, in particular transport uses, where these are possible.
 - B. Development within or alongside London’s docks should protect and promote the vitality, attractiveness and historical interest of London’s remaining dock areas by:
 - a) preventing their partial or complete in-filling (see paragraph 7.103)
 - b) promoting their use for mooring visiting cruise ships and other vessels
 - c) encouraging the sensitive use of natural landscaping and materials in and around dock areas
 - d) promoting their use for water recreation
 - e) promoting their use for transport.’
- 11.30 Policy CS9 of the Core Strategy is concerned with ‘Protecting and Enhancing Islington’s Built and Historic Environment’ and states, inter alia, that:
- ‘High quality architecture and urban design are key to enhancing and protecting Islington’s built environment, making it safer and more inclusive.
 - B. The historic significance of Islington’s unique heritage assets and historic environment will be conserved and enhanced whether designated or not. These assets in Islington include individual buildings and monuments, parks and gardens, conservation areas, views, public spaces and archaeology.’
- 11.31 Policy DM2.3 of the Council’s Development Management Policies document is concerned with Heritage and states, inter alia, that:
- A. Conserving and enhancing the historic environment
Islington’s historic environment is an irreplaceable resource and the council will ensure that the borough’s heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive

contribution to Islington's local character and distinctiveness will be encouraged.

B. Conservation Areas

i)...new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted

11.32 The Regent's Canal West Conservation Area Design Guidelines (January 2002) state at paragraphs 17.7 – 17.8 and 17.13-17.16 that:

'17.7 All new buildings must be on a scale appropriate to their location and any adjacent buildings of conservation value. Building heights recently approved (and now largely implemented) should be regarded as a maximum for any future redevelopment in the conservation area. New buildings should present an appropriate frontage to the canal or basin and reflect the character of canal buildings.

17.8 Buildings of greater scale, height or bulk than those existing will be out of keeping with the character of the conservation area. Canal and basin warehouse facades have a particular architectural character which can easily be diminished or spoilt by inappropriate new development.

17.13 With refurbishment proposals which involve alterations or extensions, the original design and period of the building must be respected, including scale, proportion, architectural style, fenestration and materials.

17.14 The canal warehouse buildings have a distinctive architectural character which is easily destroyed in converting them for modern uses. Considerable care is therefore needed to ensure this is done without serious loss of their original character. Some materials are alien to the area and unlikely to be acceptable.

17.15 All plant rooms and lift over-runs, radio and satellite equipment, air conditioning units and other plant should be located so as to be invisible from the canal towpath, basin edges and in long views from the canal bridges.

17.16 Long views are particularly susceptible to being spoilt in canal areas, particularly from the bridges along the towpath or across the Basin. Projecting plant rooms form no part of the original character of canal buildings and can significantly spoil the roof lines of canalside buildings.'

11.33 It is noted that the heritage value of No. 10 Regent's Wharf was significantly enhanced following the previous renovation, as can be appreciated from the image below.

No. 10 Regents Wharf prior to renovation



- 11.34 It is proposed to demolish the existing modern buildings on the site. These buildings are considered to be of little architectural and/or historic merit and their demolition is considered acceptable.
- 11.35 The proposals involve the removal of louvres and modern additions from the courtyard elevations and refurbishment them to make the historic fabric of the buildings more visible. Glazed breaks are proposed where the new building connects with the existing building to allow the historic fabric to run into the new buildings and remain visible. Replicas of historic windows that were removed in the 1980s refurbishment will be installed. It is also noted that the courtyard will become publicly accessible as a result of the proposed development. It is therefore considered that the he proposed works to the courtyard elevations along with public access will reveal their significance and significantly enhance the contribution the courtyard elevations make to the character and appearance of the conservation area.
- 11.36 Representation have been received from parties including the Victorian Society and the Greater London Industrial Archaeology Society (GLIAS) raising concerns in relation to the loss of the existing dormer windows to No. 10. The Design and Access Statement suggests that the dormer windows are not a historic feature of the building, whereas GLIAS suggest that they are an original feature of the building installed to provide light into the grain silos when the building was a cattle feed warehouse. GLIAS have submitted photographs taken in 1975 which indicate the dormers in place. However, there is no evidence to conclusively establish whether the dormer windows are original features or not.

- 11.37 The Design and Access Statement advises that the dormer windows currently provide little benefit and the top loft floor space is uncomfortable, suffering from poor daylighting and overheating. The location, scale and proportions of the proposed dormer windows has been the subject of extensive discussions between the design team and the Council's Design and Conservation Officer. The Council's Design and Conservation Officer advises that the dormers are a striking modern addition that respect the strong industrial character of the historic building while being justified in terms of allowing the top floor to be a high quality useable floor space.
- 11.38 The proposals refurbish and enhance the locally listed buildings which will allow greater legibility of their historic form and in doing so will reveal their significance. The new extensions to the locally listed buildings within the conservation area better reveal the form and relationship between the retained historic buildings, reinstating identity. The new building elements outside of the conservation area offer improved architectural forms and character to what currently exists, enhancing the contribution of the site to the setting of the conservation area.
- 11.39 The top storey of office accommodation and plant enclosure is set back to minimise the impact of the additional massing in views along All Saints Street and Regent's Canal.
- 11.40 The Heritage and Townscape Assessment concludes that there is a negligible level of harm which is offset by the improved architecture and the benefit of securing the optimum viable use of a heritage asset in support of its long term conservation.
- 11.41 The provision of a publicly accessible central courtyard and public restaurant will increase the permeability of the site. The proposed landscaping will enhance the appearance of the site.
- 11.42 The proposed new building will replace an existing building of limited architectural merit which makes a negligible contribution to the character and appearance of the area. It is considered that the replacement building represents a high standard of architectural design which will enhance the appearance of the area.

Accessibility

- 11.43 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances.
- 11.44 The Council's Access Officer has raised some detailed concerns which can be adequately dealt with through conditions and an update will be provided at the committee meeting

Landscaping, Trees and Biodiversity

- 11.45 Islington Development Management Policy DM6.5 maintains that new developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of a development site and surrounding area, including protecting

connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitat and support the council's Biodiversity Action Plan.

11.46 Policy 7.28 of the London Plan is concerned with Restoration of the Blue Ribbon Network and states, inter alia, that:

A. Development proposals should restore and enhance the Blue Ribbon Network by:

- b) increasing habitat value. Development which reduces biodiversity should be refused
- c) preventing development and structures into the water space unless it serves a water related purpose
- f) protecting the open character of the Blue Ribbon Network.

11.47 The application is accompanied by an Ecology Report which makes a number of recommendation which are summarised as follows:

- Any lighting associated with the new development should not exceed current levels on the canal side of the building
- The development should avoid dust deposition into the canal during demolition and contamination of the water in the canal
- The trees, small hedgerow and ivy will be retained, or if this is not possible, replacement features included in the development
- Steps should be taken to minimise possible establishment of breeding black redstart during construction phase - rubble should be cleared as soon as possible or covered over; nest boxes erected away from the site construction during construction phase. If these measures are not possible, then black redstart surveys should be undertaken by a qualified ecologist.
- The design of the new buildings should include measures to enhance the site for black redstarts including a brown roof, use of native plants and provision of black redstart boxes.
- A landscape and ecology management plan should be produced to include management of vegetated areas and maintenance of bird boxes.
- Bird and bat boxes should be provided within the new development.
- Plants on the roof garden should be selected for their potential benefit to wildlife.

11.48 The Council's Nature Conservation Manager has reviewed the Ecology Report and recommends that the above recommendations be secured by condition.

11.49 The proposed development includes a landscaping scheme and further details will be secured by condition to ensure a scheme which enhances biodiversity and the setting of the proposed development.

Neighbouring Amenity

- 11.50 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 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.
- 11.51 Daylight and Sunlight: In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 11.52 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).

- 11.53 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to proposed residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.
- 11.54 Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.
- 11.55 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.

- 11.56 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasizes 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.
- 11.57 The application site is located within an accessible 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.
- 11.58 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.
- 11.59 The Daylight and Sunlight Report notes that the BRE Guidelines are predicated upon a suburban development model and the 'ideal' baseline target values they set out are based upon a suburban situation i.e. the level of light that would be expected in a situation with two storey dwellings facing one another across a reasonable width road.
- 11.60 Paragraph 1.3.45-46 of the Mayor of London's Housing SPD states that:

'Policy 7.6Bd requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently

experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.’

11.61 Daylight and Sunlight Losses for Affected Properties Analysis: Residential dwellings within the following properties have been considered for the purposes of daylight and / or sunlight impacts as a result of the proposed development:

- 34-52, 53-66, 67-77 & 78 Treaty Street
- Copenhagen Primary School
- 28, 30 & 31 Thornhill Bridge Wharf
- 1-3 All Saints Street
- 18-19 New Wharf Road
- Ice Wharf South
- 101-105 Ice Wharf
- 201-278 Ice Wharf

11.62 The following properties were assessed and it was established that they will achieve full BRE compliance in terms of the VSC and APSH. The daylight and sunlight impact is therefore considered acceptable and no further assessment is required:

- 34-52, 53-66 & 78 Treaty Street
- Copenhagen Primary School
- 28, 30 & 31 Thornhill Bridge Wharf
- 18-19 New Wharf Road
- 101-105 Ice Wharf.

67-77 Treaty Street

11.63 The Report advises that the assessment has been based upon reasonable assumptions as to the internal configurations. All windows will achieve full compliance with the BRE recommendations in relation to the VSC and NSL assessments. One ground floor rooms which is served by a window located underneath a balcony will experience a noticeable loss of sunlight and this is detailed below.

Room / Window	Room Use	Annual APSH			Winter APSH		
		Existing	Proposed	% loss	Existing	Proposed	% loss
Gnd floor R2 / W2	LKD	14	11	21.43	4	1	75


11.64 Room 2 is also served by Window 3 and overall the room will receive 62% APSH (against a 25% target) and 4% Winter APSH (1% short of the 5% target). In view of the architectural form of the building this can be considered reasonable.


Ice Wharf South

11.65 The assessment has been based upon floor plans for the property. 55 of the 91 windows relevant for assessment show full compliance with the VSC recommendations stated within the BRE Guidelines.

11.66 The windows which do not achieve BRE for **either** the VSC or the NSL form of assessment are detailed within the table below.

Daylight losses in excess of BRE recommendations (indicated in **bold**)

 Achieves compliance with BRE Guidelines for one method of assessment – no real noticeable loss of daylight

 Does not achieve compliance with BRE Guidelines for either VSC or NSL – noticeable loss of daylight

Room / Window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)			
		Existing (%)	Proposed (%)	Factor of former value (target: 0.8)	Whole room m ²	Previous m ²	Proposed m ²	Factor of former value (target: 0.8)
Ice Wharf South								
1 st Floor R1 / W2	LKD	13.1	9.6	0.73	36.62	34.80	34.77	0.99
1 st Floor R2 / W3	LKD	11.9	4.9	0.41	36.27	26.84	23.97	0.89
1 st Floor R2 / W4	LKD	15.1	7.4	0.49				
1 st Floor R3 / W5	Bedroom	21.9	16.5	0.75	8.37	7.90	7.76	0.98
1 st Floor R4 / W6	Bedroom	20.9	16.4	0.78	9.54	9.24	8.77	0.95
1 st Floor R7 / W10	Bedroom	2.9	2.5	0.86	9.92	2.71	1.91	0.71
1 st Floor R8 / W11	Bedroom	13.4	8.7	0.65	8.91	8.01	5.51	0.69
1 st Floor R9 / W12	LKD	10.1	4.2	0.42	39.60	29.64	8.76	0.30
1 st Floor R10 / W13	Bedroom	20.8	13.3	0.64	7.64	7.49	5.47	0.73
1 st Floor R11 / W14	LKD	21.4	13.6	0.64	31.01	30.51	27.73	0.97
2 nd Floor R1 / W2	Unknown	17.7	11.8	0.67	36.62	34.76	34.74	0.99
2 nd Floor R2 / W3	LKD	16.3	6.5	0.40	36.27	28.65	24.13	0.84
2 nd Floor R2 / W4	LKD	17.4	9.0	0.52				
2 nd Floor R3 / W5	Bedroom	25.0	19.2	0.77	8.37	8.10	7.91	0.98
2 nd Floor R7 / W10	Bedroom	3.2	2.9	0.91	9.92	2.95	2.19	0.74
2 nd Floor R8 / W11	Bedroom	14.8	10.1	0.68	8.91	8.16	5.97	0.73
2 nd Floor R9 / W12	LKD	12.3	6.4	0.52	39.60	30.59	9.61	0.31
2 nd Floor R10 / W13	Bedroom	23.8	16.1	0.68	7.64	7.57	6.02	0.80

2 nd Floor R11 / W14	LKD	24.5	16.3	0.67	31.01	30.63	27.88	0.91
3 rd Floor R1 / W2	LKD	25.3	14.4	0.57	36.62	34.76	34.75	0.99
3 rd Floor R2 / W3	LKD	23.9	9.0	0.38	36.27	32.85	24.55	0.75
3 rd Floor R2 / W4	LKD	21.0	12.0	0.57				
3 rd Floor R3 / W5	Bedroom	28.5	22.5	0.79	8.37	8.17	8.0	0.98
3 rd Floor R8 / W11	Bedroom	16.3	11.8	0.72	8.91	8.14	7.49	0.92
3 rd Floor R9 / W12	LKD	14.4	8.6	0.60	39.61	31.98	12.99	0.41
3 rd Floor R10 / W13	Bedroom	27.2	19.4	0.71	7.64	7.48	7.20	0.96
3 rd Floor R11 / W14	LKD	28.0	19.6	0.70	31.01	30.91	28.97	0.94
4 th Floor R1 / W2	LKD	34.4	17.3	0.50	36.62	36.41	34.75	0.95
4 th Floor R2 / W3	LKD	33.4	12.1	0.36	36.27	34.95	25.11	0.72
4 th Floor R2 / W4	LKD	24.5	15.6	0.64				
4 th Floor R8 / W11	Bedroom	18.0	13.9	0.77	8.92	8.31	8.31	1.0
4 th Floor R9 / W12	LKD	16.5	11.0	0.67	39.61	33.18	16.76	0.51
4 th Floor R10 / W13	Bedroom	30.8	23.4	0.76	7.64	7.56	7.56	1.0
4 th Floor R11 / W15	LKD	31.7	23.4	0.74	30.99	30.98	29.52	0.95
5 th Floor R1 / W2	LKD	38.5	21.9	0.57	36.62	36.61	34.78	0.95
5 th Floor R2 / W3	LKD	38.0	17.0	0.45	36.31	35.55	26.43	0.74
5 th Floor R9 / W12	LKD	27.7	22.9	0.83	39.60	34.80	23.91	0.69
6 th Floor R2 / W5	LKD	36.9	25.1	0.68	49.87	49.51	49.51	1.0
6 th Floor R2 / W6	LKD	36.7	22.7	0.62				

11.67 25 of the 36 windows which do not comply with the BRE Guidelines for VSC achieve compliance with the Guidelines for daylight distribution, and therefore these rooms should not experience a noticeable loss of daylight. 11 windows will not achieve compliance in relation to either the VSC or NSL form of assessment.

11.68 Room 2 on the 3rd, 4th and 5th floor (Flats 334 and 344 and 354) are lounge/kitchen/diners each served by 2 windows which will experience a significant reduction in daylight under the VSC assessment. However, the rooms will experience a reduction in daylight distribution of 25%, 28% and 26% respectively (against a 20% target) and will retain 67.7%, 69.2% and 72.8% daylight distribution, which may be considered reasonable in an urban context.

- 11.69 Room 8 (Window 11) on the 1st and 2nd floor (Flats 313 and 323) are bedrooms which will experience VSC reductions of 35% and 32% and NSL reductions of 32% and 27% respectively. It can be noted that the windows are located in a tight corner of the property adjacent to a flank elevation and these architectural features restrict daylighting receipt to the rooms. It is further noted that the adjacent bedroom windows (Window 10) face immediately onto a flank wall and achieve BRE compliance by reason of the exceptionally low existing levels of daylight (the VSC for the first floor window is 2.9%) and further VSC and NSL reductions below 20%.
- 11.70 Room 10 (Window 13) on the first floor (Flat 321) is a bedroom which will experience a 36% reduction in VSC and a 27% reduction in daylight distribution, in excess of the BRE recommendations.
- 11.71 The applicant's surveyors have also measured the ADF impact on neighbouring dwellings to further inform the assessment of the impact of the proposed development. As noted above, this test is normally applicable to proposed residential units, but can be used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties. The ADF results for Rooms 8 and 13 above are as follows:

Average Daylight Factor

Room	Room use	Total ADF (Existing)	Total ADF (Proposed) Target 1%	ADF Reduction (%)
First Floor R8	Bedroom	1.4	1.1	21.4
First Floor R10	Bedroom	2.4	1.8	25.0
Second Floor R8	Bedroom	1.6	1.2	25.0

- 11.72 It is noted that the rooms would comply with the BRE recommendations in relation to the ADF assessment.
- 11.73 The most significant losses of daylight occur within Room 9 which is a lounge/kitchen/diner on the first to fourth floors (Flats 313, 323, 333, 343), with the greater losses occurring within the lower floor units. The existing VSC for these windows ranges from 10.1% (1st floor) to 16.5% (4th floor). The windows currently face onto an open courtyard and the proposed development therefore results in a significant reduction in VSC. The worst affected unit will be Flat 313 which will experience a VSC reduction of 58% and an NSL reduction of 70%.
- 11.74 Revisions to the height and massing of the proposed development are detailed within Section 6 of this report above. The June 2017 revision was sought by Officers to address outstanding design concerns and to seek improvements to daylight impacts on dwellings within Ice Wharf. The October 2017 revision was sought to achieve further improvements to the daylight impacts on dwellings within Ice Wharf. The improvements in relation to the VSC assessment on Window 12 (1st to 4th floors) as a result of the revisions are detailed within the table below.

VSC Results for initial and revised proposals (Room 9 – 1st to 4th Floors)

Room window /	Room use	Vertical Sky Component - Factor of former value (target: 0.8)		
		Dec. 2016 proposal	June 2016 proposal	Current proposal
1 st Floor R9 / W12	LKD	0.25	0.34	0.42
2 nd Floor R9 / W12	LKD	0.34	0.44	0.52
3 rd Floor R9 / W12	LKD	0.43	0.52	0.60
4 th Floor R9 / W12	LKD	0.50	0.59	0.67

11.75 The above demonstrates that, whilst these windows will experience a significant reduction in VSC as a result of the proposed development, the impact has been reduced as a result of the revisions to the scheme.

11.76 The ADF results for Room 9 (1st to 4th Floors) are as follows:

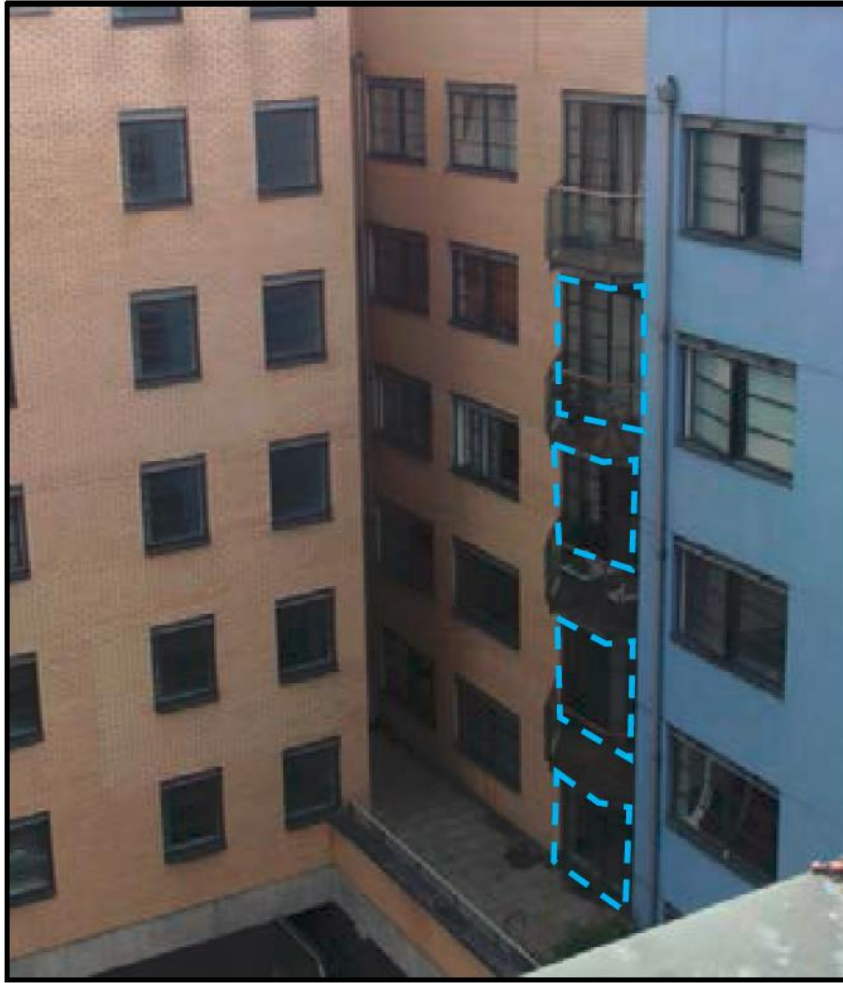
Average Daylight Factor

Room	Room use	Total ADF (Existing)	Total ADF (Proposed) Target 2%	ADF Reduction (%)
First Floor R9	LKD	0.7	0.3	57.1
Second Floor R9	LKD	0.7	0.4	42.9
Third Floor R9	LKD	0.8	0.5	37.5
Fourth Floor R9	LKD	0.9	0.7	22.22

11.77 It is noted that the existing and proposed ADF is significantly below the 2% recommended within the BRE Guidelines.

11.78 The four windows are located below balconies as indicated in the photograph below.

Room 9 (1st to 4th floor)



11.79 The BRE Guidelines state at Paragraph 2.2.11:

‘Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct sunlight...’

11.80 Paragraph 2.2.12 goes on to state:

‘A larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it, or is recessed into the building so that it is obstructed on both sides as well as above.’

11.81 Paragraph 2.2.11 also states that:

‘One way to demonstrate this would be to carry out an additional calculation of the VSC and area receiving direct sunlight, for both the existing and proposed situations, without balconies in place.’

11.82 The applicant’s surveyors have therefore carried out an assessment of the impact of the proposed development in a scenario with the balconies removed.

VSC and NSL - with balconies

Room / Window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)			
		Existing (%)	Proposed (%)	Factor of former value (target: 0.8)	Whole room m ²	Previous m ²	Proposed m ²	Factor of former value (target: 0.8)
Ice Wharf South								
1 st Floor R9 / W12	LKD	10.1	4.2	0.42	39.60	29.64	8.76	0.30
2 nd Floor R9 / W12	LKD	12.3	6.4	0.52	39.60	30.59	9.61	0.31
3 rd Floor R9 / W12	LKD	14.4	8.6	0.60	39.61	31.98	12.99	0.41
4 th Floor R9 / W12	LKD	16.5	11.0	0.67	39.61	33.18	16.76	0.51

VSC and NSL - without balconies

Room / Window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)			
		Existing (%)	Proposed (%)	Factor of former value (target: 0.8)	Whole room m ²	Previous m ²	Proposed m ²	Factor of former value (target: 0.8)
Ice Wharf South								
1 st Floor R9 / W12	LKD	15.8	9.8	0.62	39.60	30.01	10.27	0.34
2 nd Floor R9 / W12	LKD	17.8	11.8	0.66	39.60	30.85	10.45	0.34
3 rd Floor R9 / W12	LKD	20.4	14.5	0.71	39.61	32.25	13.65	0.42
4 th Floor R9 / W12	LKD	23.4	17.9	0.76	39.61	33.64	17.49	0.52

11.83 Whilst it is noted that the removal of the balconies would not result in a BRE compliant scheme it can be acknowledged from the above results that the architectural form of Ice Wharf South restricts the receipt of daylight within the above flats.

11.84 The ADF results with the balconies removed are as follows:

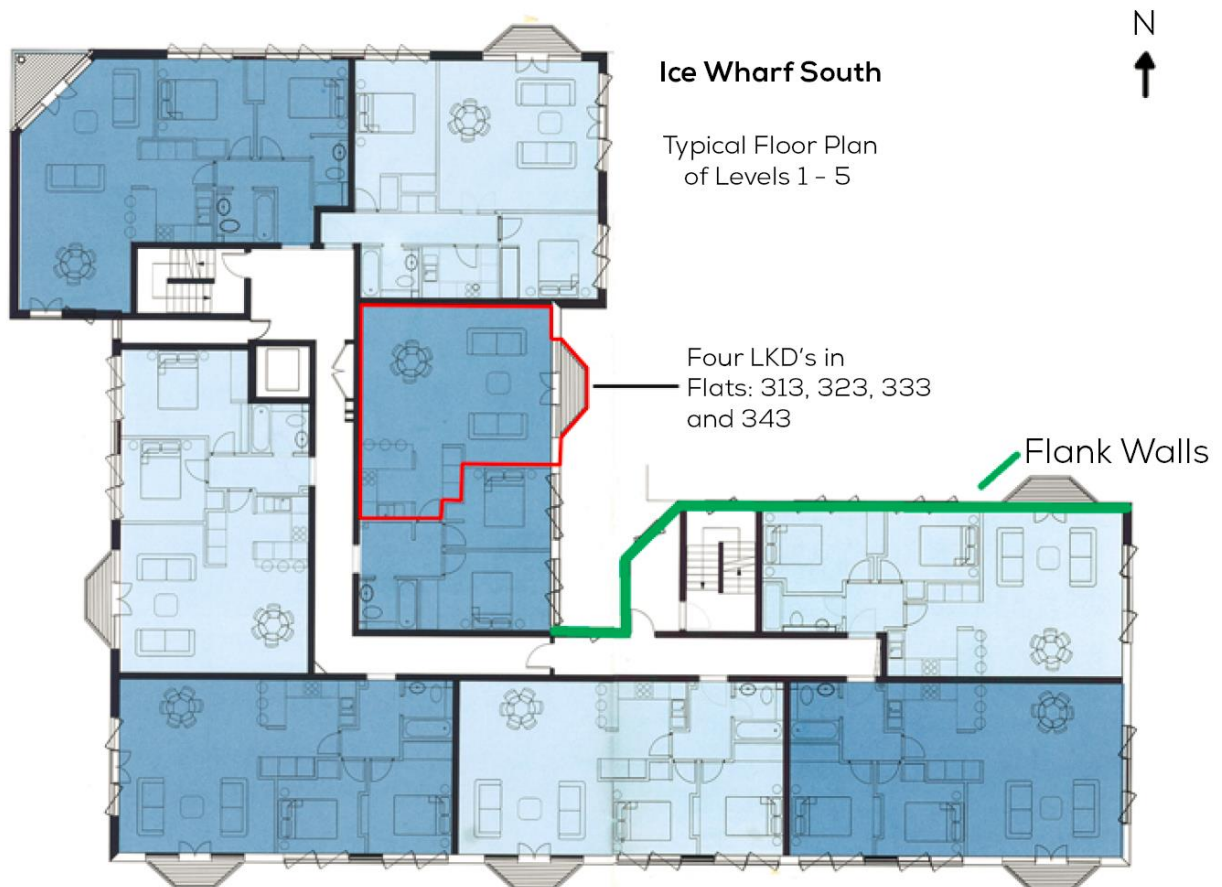
Average Daylight Factor – Balconies removed

Room	Room use	Total ADF (Existing)	Total ADF (Proposed)	ADF Reduction (%)
First Floor R9	LKD	1.1	0.9	18.2
Second Floor R9	LKD	1.1	0.9	18.2
Third Floor R9	LKD	1.2	1.0	16.7
Fourth Floor R9	LKD	1.3	1.1	15.4

11.85 The reduction in ADF with the balconies removed would be a relatively low 0.2%, which can be considered to further demonstrate the limitations imposed by the design of the building.

11.86 The Daylight and Sunlight Report also notes that flank walls and internal configuration presently self-limits the availability of daylight to these rooms, as indicated in the floor plan below.

Typical floor plan 1st to 5th floor



11.87 Paragraph 2.3.1 of Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (the BRE Guidelines) states that:

'From a daylighting standpoint it is possible to reduce the quality of adjoining development land by building too close to the boundary. A well designed

building will stand a reasonable distance back from the boundaries so as to enable future nearby developments to enjoy a similar access to daylight. By doing so it will also keep its own natural light when the adjoining land is developed’.

- 11.88 As will be noted from the site plan below, Ice Wharf North and South are built either on or very close to the boundary and the above guidance would suggest that this layout represents poor design in terms of daylighting. It is therefore the case that an appropriate balance should be struck between maintaining a reasonable level of daylight at to dwellings within Ice Wharf and requiring the applicant to compensate for this poor design by accommodating a generous daylight buffer on the application site.

Site plan extract indicating boundary



- 11.89 All of the windows and rooms assessed for sunlight in Ice Wharf South achieve full compliance with the BRE Guidelines.

- 11.90 In summary, there will be a significant loss of daylight to the main living areas of Flats 313, 323, 333 and 343 and this can be partly attributed to the disadvantageous siting and architectural form of Ice Wharf South. Notable improvements in terms of the daylight impact which have been achieved through the two revisions to the proposed development. However, the proposed development will result in harm to the daylight amenities of these dwellings as well as harm to other dwellings within

Ice Wharf and this harm is weighed in the overall planning balance at the conclusion to this report.

201-278 Ice Wharf

11.91 64 of the 65 windows assessed for VSC within 201-278 Ice Wharf will achieve full compliance with the BRE Guidelines. One bedroom window will experience a 25% reduction in VSC but will retain 19.6% VSC, which can be considered reasonable in a built up urban context. The room will experience a 2% reduction in daylight distribution and therefore, overall, should not experience a noticeable loss of daylight.

Room / Window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)			
		Existing (%)	Proposed (%)	Factor of former value (target: 0.8)	Whole room m ²	Previous m ²	Proposed m ²	Factor of former value (target: 0.8)
201-278 Ice Wharf								
4 th Floor R8 / W9	Bedroom	26.2	19.6	0.75	16.05	15.92	15.68	0.98

11.92 44 rooms are relevant for Annual Probable Sunlight Hours assessment and 39 of these rooms demonstrate full compliance with the BRE Guidelines. The remaining five rooms demonstrate retained levels of APSH between 28 and 37 (against a target of 25%) but fall short of the 5% target for winter APSH due to the existing low levels of winter sunlight.

201-278 Ice Wharf – Annual Probable Sunlight Hours


Room / Window	Room Use	Annual APSH			Winter APSH		
		Existing	Proposed	% loss	Existing	Proposed	% loss
Gnd floor R7 / W5	Bedroom	35	28	20	2	0	100
Gnd Floor R8 / W6	Bedroom	35	28	20	2	0	100
Gnd floor R8 / W7	Bedroom	35	28	20	2	0	100
1 st floor R6 / W6	Unknown	39	34	12.82	4	3	25
1 st floor R7 / W7	Bedroom	43	37	13.95	3	2	33.33
1 st floor R8 / W8	Bedroom	40	35	12.5	2	1	50


11.93 In view of the built up urban context of the site and the relatively minor alterations against the recommendations within the BRE Guidelines it may be considered that the loss of sunlight to dwellings within 201-278 Ice Wharf is considered acceptable.

1-3 All Saints Street

- 11.94 1-3 All Saints Street is located on the opposite side of All Saints Street to the south. The applicant's surveyors have made a visit to the building and have been able to understand some of the internal uses which has informed reasonable assumptions about the internal configuration and use of the rooms.

Daylight losses in excess of BRE recommendations (indicated in **bold**)

 Achieves compliance with BRE Guidelines for one method of assessment – no real noticeable loss of daylight

 Does not achieve compliance with BRE Guidelines for either VSC or NSL – noticeable loss of daylight

Room / Window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)			
		Existing (%)	Proposed (%)	Factor of former value (target: 0.8)	Whole room m ²	Previous m ²	Proposed m ²	Factor of former value (target: 0.8)
1-3 All Saints Street								
Gnd Floor R1 / W2	Assumed Kitchen	13.3	8.9	0.67	15.73	7.79	7.19	0.92
Gnd Floor R2 / W3	Assumed Bedroom	12.5	8.2	0.66	18.08	2.98	1.88	0.63
Gnd Floor R4 / W5	Assumed Kitchen	13.3	9.9	0.74	14.09	8.76	5.15	0.59
Gnd Floor R5 / W6	Assumed Bedroom	13.9	10.8	0.78	14.30	8.22	5.14	0.63
Gnd Floor R7 / W8	Assumed Bedroom	11.8	9.9	0.84	17.7	4.79	3.0	0.63
1 st Floor R1 / W2	Assumed Kitchen	17.0	11.0	0.65	15.73	8.43	7.49	0.89
1 st Floor R2 / W3	Assumed Bedroom	16.3	10.4	0.64	18.08	4.40	2.42	0.55
1 st Floor R5 / W6	Assumed Kitchen	16.7	12.2	0.73	14.09	9.11	5.78	0.63
1 st Floor R6 / W7	Assumed Bedroom	17.2	13.1	0.76	14.30	9.18	5.72	0.62
1 st Floor R9 / W10	Assumed Bedroom	14.5	12.2	0.98	17.70	5.46	3.58	0.66
2 nd Floor R1 / W2	Assumed Kitchen	21.5	13.4	0.62	15.73	11.06	8.63	0.78
2 nd Floor R2 / W3	Assumed Bedroom	20.7	12.9	0.62	18.08	6.42	3.22	0.50
2 nd Floor R5 / W6	Assumed Kitchen	20.8	14.8	0.71	14.09	9.79	6.69	0.68
2 nd Floor R6 / W7	Assumed Bedroom	21.0	15.8	0.75	14.30	11.41	6.90	0.60
2 nd Floor R9 / W10	Assumed Bedroom	17.6	14.8	0.84	17.70	6.64	4.36	0.66

3 rd Floor R1 / W2	Assumed Kitchen	26.5	16.3	0.62	15.73	13.54	9.76	0.72
3 rd Floor R2 / W3	Assumed Bedroom	26.1	16.1	0.62	18.08	8.81	3.73	0.62
3 rd Floor R5 / W6	Assumed Kitchen	25.7	17.9	0.70	14.09	10.72	7.53	0.70
3 rd Floor R6 / W7	Assumed Bedroom	25.5	18.9	0.74	14.30	12.37	7.59	0.61
3 rd Floor R9 / W10	Assumed Bedroom	21.6	18.4	0.85	17.70	7.51	5.00	0.67

11.95 14 of the 31 windows assessed will not comply with the BRE Guidelines in relation to the VSC and NSL method of assessment. Based on the assumed layouts the affected rooms are bedrooms and kitchens which are generally considered less sensitive than living rooms. Four rooms will experience a 38% reduction in VSC. It may be considered that the retained levels of VSC for the rooms to the upper floors are not unusual in a built up urban environment whilst the existing VSC levels in the ground floor units are low. A kitchen and two bedrooms will experience a reduction in NSL between 40% and 50%.

11.96 It is considered that there will be a harmful loss of daylight to dwellings within 1-3 All Saints Street and this harm is weighed in the overall planning balance at the conclusion to this report.

Overshadowing

11.97 The application is accompanied by an Overshadowing Assessment to demonstrate the impact of the proposed development on the Regent's Canal and neighbouring properties. The Assessment was submitted with the June 2017 revision of the application and the height of the proposed development was further reduced and the proposed scenario may now be improved from that indicated in the Assessment. Hourly shadows were mapped for the 21st March (Spring Equinox), 21st June (Summer Solstice) and 21st December (Winter Solstice). On 21st June, the sun is at its highest and the shadows cast are shortest, therefore this date represents a best-case scenario in terms of overshadowing. On 21st December, the sun is at its lowest point causing long shadows to be cast and represents the worst case scenario in terms of overshadowing.

Transient Overshadowing

11.98 21st March (Spring Equinox) The shadows cast by the proposed development onto the canal would be unchanged from the existing scenario. The increased massing of the proposed buildings would result in shadows extending slightly further on the northern shore of the canal. Marginal additional shadows are cast by the proposed development onto Ice Wharf gardens before 9 am and the report notes that the gardens are unlikely to be utilised at this time whilst the majority of their area is overshadowed by the existing urban grain.

11.99 Slightly longer shadows are cast on the amenity area to the south of Copenhagen Primary School from 1 pm to 4 pm. These will affect just the southern part of the amenity area whilst the report notes that this portion of the amenity space is likely to be overshadowed by the trees to the south. The Transient Overshadowing assessments demonstrate that all the playground area will receive more than two hours of sunlight, with the southern portion of the playground receiving sunlight from

8 am to 11 am and the northern portion at different times between 9 am and 3 pm. The southern façade and gardens of 67-77 Treaty Street will be overshadowed by the massing of the proposed development from 10 am to 12 pm whilst in the later hours they are overshadowed in the existing scenario.

- 11.100 21st June (Summer solstice) The proposed development will start casting shadows on the canal at 10 am, however due to the height of the sun in the sky the shadows will be short and the difference between the existing and proposed scenarios will be hardly noticeable. Before 8 am, the proposed development will cast marginal additional shadows onto Battlebridge Basin. Between 8 am and 10 am, the proposed development will cast a slightly increased shadow on Ice Wharf gardens and this will have moved away by 11am. The shadows will not reach the northern shore of the canal and 67-77 Treaty Street will not be affected.
- 11.101 21st December (Winter solstice) The shadows cast by the Proposed Development on 21st December do not reach Battlebridge Basin or Ice Wharf Gardens. As the sun produces long shadows on this date the area to the north of the site is in permanent shadow in the existing scenario and there will be no additional shadow cast by the proposed development.

Sun Hours on the Ground

- 11.102 Sun Hours on Ground and Sun Exposure Assessments have been undertaken in order to assess the extent of additional overshadowing on the two gardens of 67-77 Treaty Street. The results show that 95.1% of the western garden currently receives at least two hours of direct sunlight and this would be reduced to 60.9% following the proposed development. The Sun Exposure Assessment demonstrates that the number of hours when sunlight will reach the majority of the garden will be reduced from more than six to around three. The BRE's recommendation of 50% of the area receiving two or more hours of direct sunlight would continue to be exceeded. The entire eastern garden receives two or more hours of direct sunlight on 21st March and this would be reduced to 94.9% of the garden following the proposed development.
- 11.103 The report concludes that, overall therefore, when compared to the existing scenario, the proposed development will cast additional shadows for a limited amount of time throughout the year and occupants will still be able to enjoy sunlight levels in excess of BRE recommendations.

Light Pollution

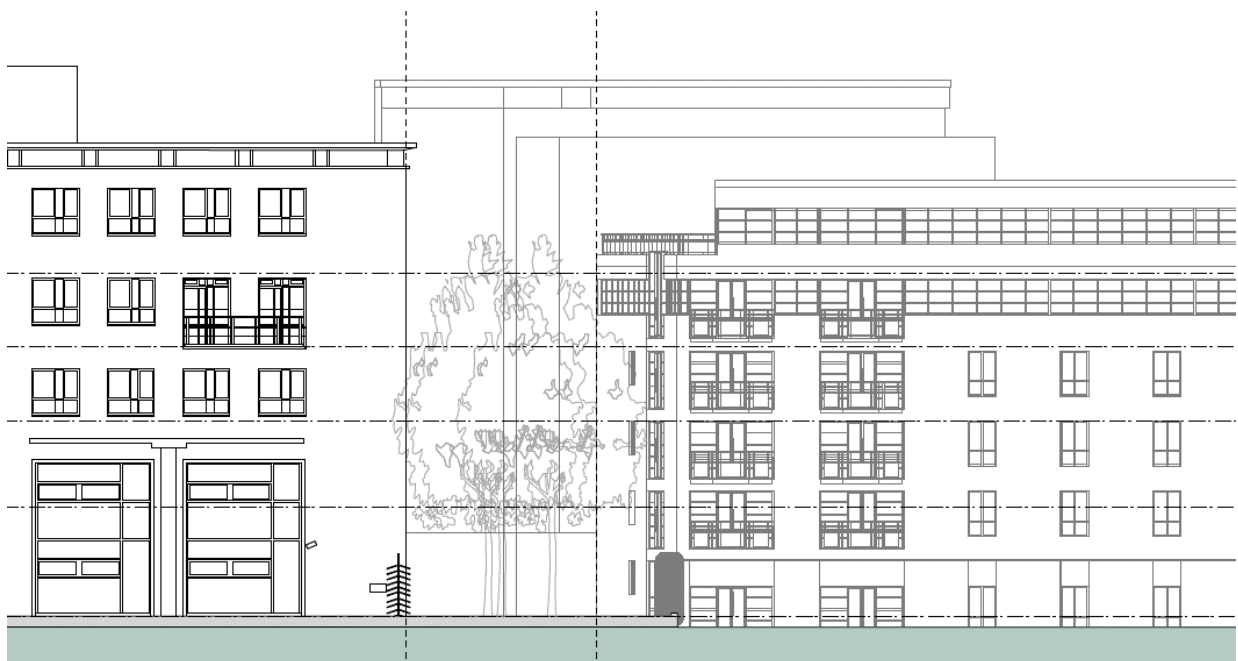
- 11.104 The application is accompanied by a Light Pollution Assessment based upon a 3D computer model which assesses light intrusion assessment at: Ice Wharf; 1-3 All Saints Street; 18-19A Lavina Grove; 53-66 Treaty Street; 67-77 Treaty Street; Copenhagen Primary School; and the Regent's Canal.
- 11.105 The results are considered against relevant policies, legislation and guidance including the Guidance Notes for the Reduction of Obtrusive Light (2011) prepared by the Institution of Lighting Professionals (ILP). The ILP Guidelines provide guidance for varying environmental zones and the application site is identified as being located within Environmental Zone 4 (high district brightness areas: town/city centres with high levels of night time activities).

- 11.106 The Assessment demonstrates that pre-curfew the artificial lighting spillage from the proposed development will be below the ILP threshold for Environmental Zone 4 on all tested receptors. Should the proposed office spaces be occupied after 11 pm there will be light intrusion greater than the maximum recommendation which will affect two windows on the east façade of Ice Wharf South. These windows will receive approximately 15 lux, which exceeds the maximum recommendation of 5 lux. Five windows on the north façade of 1-3 All Saints Street will be affected by artificial light spillage and will receive between 7.5 and 10 lux. Part of the Regent's Canal immediately to the north of the site will receive up to 15 lux of light intrusion whereas the illuminance levels on the northern shore of the canal and on the pathway will be in line with the post-curfew recommendation.
- 11.107 The Assessment proposes mitigation measures should the proposed offices be occupied after 11 pm. These could include: roller blinds fitted in the proposed office spaces; lighting strategies that reduce the output of luminaires closer to the façades; light fittings controlled through the use of sensors which switch on and off the light according to office occupancy or on a timer; and external fins located in specific areas where the levels of light trespass are higher.
- 11.108 Outlook / Sense of Enclosure: 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 with key factors in this assessment being the local context and arrangement of buildings and uses.
- 11.109 A significant number of objections raise concerns in relation to loss of outlook and visual impact upon dwellings within Ice Wharf, in particular as a result of the increased height of the proposed development. A number of concerns have been specifically raised in relation to the impact upon dwellings within 201-278 Ice Wharf. The existing relationship is indicated in the photograph and elevation below.

Photograph - 18 All Saints Street and 201-278 Ice Wharf



Elevation -18 All Saints Street and 201-278 Ice Wharf



11.110 The proposed elevation is indicated below. The June and October 2017 revisions are indicated as some residents have raised concerns that the October 2017 revision indicated an increase in the height of the block.

Elevation – proposed Building A and 201-278 All Saints Street (June 2017 revision)



Elevation – proposed Building A and 201-278 All Saints Street (October 2017 revision)



- 11.111 The flank wall of the Building A will not be sited any closer to 201-278 Ice Wharf than the existing 18 All Saints Street. However, the building will be higher and will therefore result in a greater visual impact and some loss of outlook, in particular affecting flats on the upper floors with east facing windows. The fifth floor and rooftop plant area is set back and the rooftop PV panel area is set further back.
- 11.112 It is noted that the height of the rooftop plant area has increased following the October revision. Accordingly, a condition is recommended to secure revised details of rooftop plant in this location with a view to reducing the height and massing of the enclosure adjacent to 201-278 Ice Wharf. The applicant has been advised that Officers would look favourably upon a discount to the carbon offset financial contribution if it were satisfactorily demonstrated that any reconfiguration of plant involving the removal of rooftop PV panels would facilitate an improved relationship with 201-278 Ice Wharf.
- 11.113 It should be noted that the height and massing of Building A was significantly reduced following the June 2017 revision which involved the removal of part of the sixth floor adjacent to 201-278 Ice Wharf.
- 11.114 Having regard to the urban context of the site it is considered that the impact upon the residential amenities of the occupants of 201-278 Ice Wharf as a result of increased visual impact and loss of outlook would not be unduly harmful so as to warrant refusal of planning permission. Any harm should be considered as part of the planning balance which is assessed at the conclusion to this report.

11.115 The proposed development will also result in an increase in height adjacent to Ice Wharf South which includes units with east facing living room windows with an approximately 6m separation to the proposed existing building and the proposed development, as indicated below.

Existing All Saints Street elevation



Proposed All Saints Street elevation



11.116 It should again be noted that this relationship has been significantly improved following the October 2017 revision which involved the removal of the sixth floor. The fifth floor accommodation and rooftop plant area will again be set back and the rooftop PV panel area is set further back.

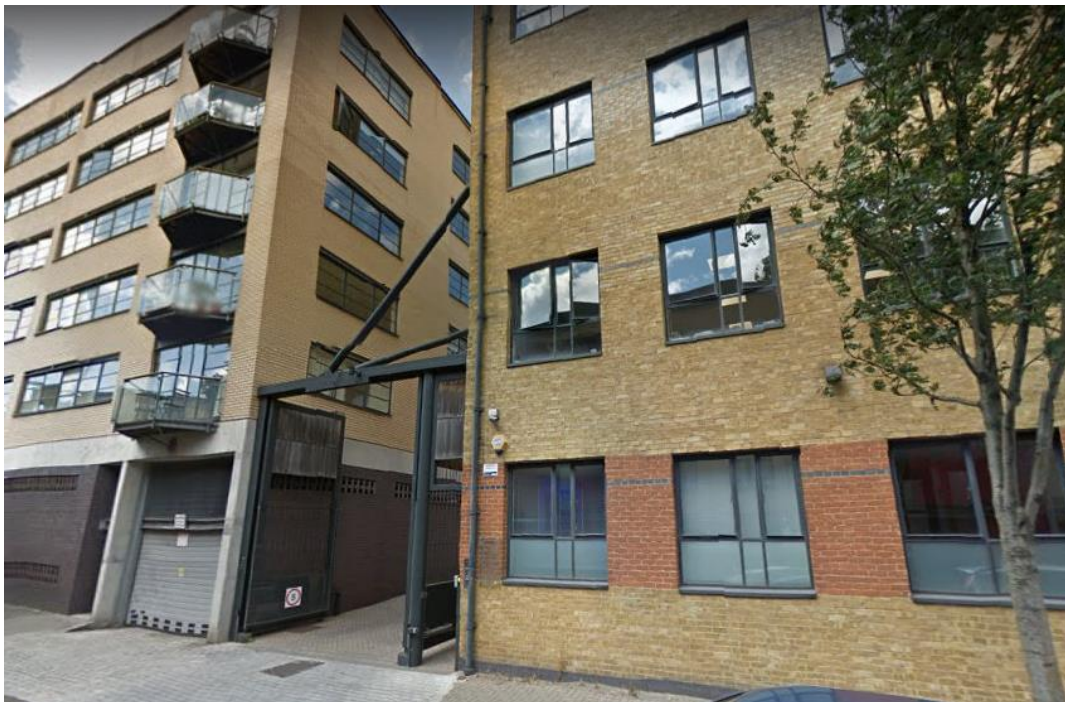
11.117 It is again considered that, having regard to the urban context of the site, the impact upon the residential amenities of the occupants of Ice Wharf South as a result of

increased visual impact and loss of outlook would not be unduly harmful so as to warrant refusal of planning permission. Any harm should again be considered as part of the planning balance which is assessed at the conclusion to this report.

11.118 Overlooking / Privacy: Development Management Policy 2.1 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 habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm. Habitable rooms provide the living accommodation of the dwelling. Habitable rooms are defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, or similar spaces are excluded from this definition. However, service/utility/store rooms larger than 8sqm within single dwellings will normally be considered as habitable rooms.

11.119 Ice Wharf South features windows to living areas which face immediately onto the proposed block, with an approximately 6m separation, as indicated below.

Ice Wharf South east facing windows



11.120 There are also windows within 201-278 Ice Wharf which would face onto the proposed development. In particular, there is significant proportion of glazing to units at fourth and fifth floor level.

201-278 Ice Wharf – east facing windows



11.121 The proposed block features windows facing onto the two nearest Ice Wharf blocks as indicated below.

Proposed Building A – western elevation



11.122 There are proposed windows facing immediately onto the nearest Ice Wharf South windows and these should be obscure glazed in order to ensure that there will be no unduly harmful overlooking.

11.123 The northern end of the western elevation has been designed to avoid some direct overlooking of dwellings within 201-278 Ice Wharf. However, some obscure glazing will be required in order to ensure adequate privacy for occupants of 201-278 Ice

Wharf, in particular occupants of dwellings on the fourth and fifth floors. Accordingly, a condition securing details of obscure glazing to the western elevation of Building A is recommended.

- 11.124 **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 is required to comply with the Council's Code of Construction Practice. Compliance would need to be secured as part of a section 106 agreement together with a payment towards the monitoring of the site to ensure its neighbourliness. This payment is considered to 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. The submission of a method statement for the construction phase and a construction logistics plan would also be required.
- 11.125 To further address any concerns over noise and disturbance resulting from the construction of the development, a planning condition would be required to secure details to address the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception).

Noise

- 11.126 The application is accompanied by a Noise Impact Assessment which proposes suitable noise level limits for plant installed as part of the proposed development.
- 11.127 The Council's Environmental Health (Pollution) Officer has raised no objections to the proposal subject to a condition restricting plant noise levels.
- 11.128 Objections have been received from neighbouring residents raising concerns that the restaurant use will result in increased noise and disturbance. A condition restricting the hours of opening of the restaurant in order to protect the residential amenities of occupants of neighbouring dwellings is recommended. A Delivery and Servicing Plan would be secured by condition to ensure that servicing arrangements are acceptable in terms of noise.

Sustainability, Energy Efficiency and Renewable Energy

- 11.129 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 11.130 Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise 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 at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

- 11.131 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

BE LEAN

Energy efficiency standards

- 11.132 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The proposed U-values for the development are: external walls = 0.20w/m²k, roof = 0.14w/m²k, exposed floors = 0.17 w/m²k and glazing = 1.3w/m²k. These U-values are generally close to the values suggested in the Council's SPD. The air permeability would be 3m³/m²/hr.

- 11.133 Low energy and LED lighting with occupancy and daylight sensor control systems are proposed and these measures are supported.

- 11.134 The proposed energy efficiency measures slightly exceed the required targets.

BE CLEAN

District heating

- 11.135 Policy DM7.3B requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.

- 11.136 The site is within 500m of the King's Cross energy network. However, the applicant has demonstrated that the actual route to reach the network would run to 640m as it would need to avoid the Regent's Canal. It would also need to cross York Way and the mainline north of King's Cross Station. In view of the distance and complexity of this route and the expected heat loads on the site it is accepted that it is not presently feasible to connect to the King's Cross network.

SHARED HEAT NETWORK

Combined Heat and Power

11.137 Policy DM7.3(D) requires that ‘Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.’ It is not proposed to connect to a shared heat network and the Council’s Energy Advisor does not believe that there is currently significant potential for a shared network in the immediate area.

BE GREEN

Renewable energy technologies

11.138 The Energy Strategy indicates that photovoltaic arrays covering an area of 275m² would be provided on roof and which would produce an output of 58.03kWp and would deliver a saving of 17.73tCO₂ per year. The renewable energy proposals are supported. Further details of renewable energy technologies will be secured by condition should planning permission be granted.

11.139 The proposed development is expected to achieve a BREEAM rating of ‘Excellent’ and this is supported.

11.140 Carbon Emissions: Policy CS10A states that the promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

11.141 Paragraph 2.0.7 of the Council’s Environmental Design states that the Council’s ‘CO₂ reduction targets apply to all major developments, including refurbishments. It is accepted that some schemes, particularly refurbishment schemes, may struggle to reach the relevant target. In such instances the onus will be on the applicant to demonstrate that CO₂ emissions have been minimised as far as reasonably possible.’

11.142 Paragraphs 2.0.8 – 2.0.10 detail the Council’s energy hierarchy which should be followed in meeting the Council’s CO₂ emissions reduction target. The final stage of the hierarchy requires developers to:

‘...offset all remaining CO₂ emissions (Policy CS10) through a financial contribution, secured via a Section 106 agreement, towards measures which reduce CO₂ emissions from the existing building stock (e.g. through solid wall insulation of social housing). For all major developments the financial contribution shall be calculated based on an established price per tonne of CO₂ for Islington. The price per annual tonne of carbon is currently set at £920, based on analysis of the costs and carbon savings of retrofit measures suitable for properties in Islington.

11.143 The applicant proposes a reduction on regulated emissions of 37.4% compared to a 2013 baseline target, which exceeds the London Plan target of 35%. The development is predicted to achieve a reduction in total emissions of 31.0% compared to a 2013 Building Regulations Baseline, which exceeds the Islington requirement of 27%. The scheme proposes significant improvements in unregulated energy through achieving good practice benchmarks for installed equipment against

typical practice represented in the baseline. The Council's Energy Conservation Officer advises that this is welcomed. As office areas would be fitted out by tenants the applicant should, wherever possible, secure these improvements through a Green Lease or other means, and this can be addressed through a condition. In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £457,838 would be required.

- 11.144 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.
- 11.145 The applicant has provided evidence to demonstrate how the lower levels of the cooling hierarchy have been maximised and it is accepted that active cooling would be required within the development.
- 11.146 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate', where feasible.
- 11.147 The proposed development will incorporate SUDS for the collection of rainwater and waste water. The rainwater system will discharge of 50% of overall rainwater to the canal and the remainder will be discharged to the local authority system. Green roof and landscaped areas will be provided to retain water and therefore provide further attenuation. A successful application has been made to the Canal and Rivers Trust (CRT) to discharge rainwater to the canal and a license will be obtained from the Environment Agency. A condition is recommended to secure details of Sustainable Urban Drainage System measures including the proposed green roofs.
- 11.148 Thames Water raise no objections to the proposal in relation to foul or surface water drainage.
- 11.149 Green Performance Plan: This would be secured through the Section 106 legal agreement.
- 11.150 Site Waste Management Plan: The application is accompanied by a Site Waste Management Plan (SWMP) which details proposals for waste reduction, waste monitoring and recycling of demolition, construction and operational waste. The SWMP has been reviewed by the Council's Environmental Health (Pollution) Officer and is considered acceptable.
- 11.151 Contaminated Land: The application is accompanied by a Preliminary Risk Assessment which identifies the possibility of ground contamination on the predominantly associated with the presence of made ground from previous phases of development as well as potential offsite sources of contamination (associated with

fill material from Regent's Canal construction). The Council's Environmental Health (Pollution) Officer has raised no objections to the proposal subject to a condition securing a land contamination remediation verification report.

Archaeology

- 11.152 The site does not lie within a designated Archaeological Priority Area. However, the application is accompanied by a Historic Environment Assessment which concludes that the impact of the proposed scheme would be on archaeological remains of no more than low significance, and in view of this no further archaeological work is recommended.
- 11.153 Historic England (Greater London Archaeological Advisory Service (GLAAS)) have commented that the site lies within an area of 19th century industrial archaeological interest associated with the Regents Canal, and specifically with the nearby Horsfall (now Battlebridge) Basin which opened in 1822. The applicant's archaeological desk-based assessment notes high potential for remains of 19th/early 20th century buried structural remains associated with documented uses of the site as a timber yard, cement works and cattle feed mill as well as limekilns and residential properties. Although not covered in the assessment, the extant warehouses also form part of this canal industry heritage the historical interest of which is recognised in the Regents Canal West Conservation Area. The application involves the demolition and conversion of historic buildings and excavation for a new basement all of which would harm the industrial archaeology (buried and standing).
- 11.154 Historic England (GLAAS) advise that they do not accept the recommendations of the applicant's assessment there should be no further work and instead recommend further investigation of above and below ground remains. It is therefore recommended that a programme of archaeological and historic building investigation is secured by condition. The Canal and Rivers Trust have also recommended the same condition.

Highways and Transportation

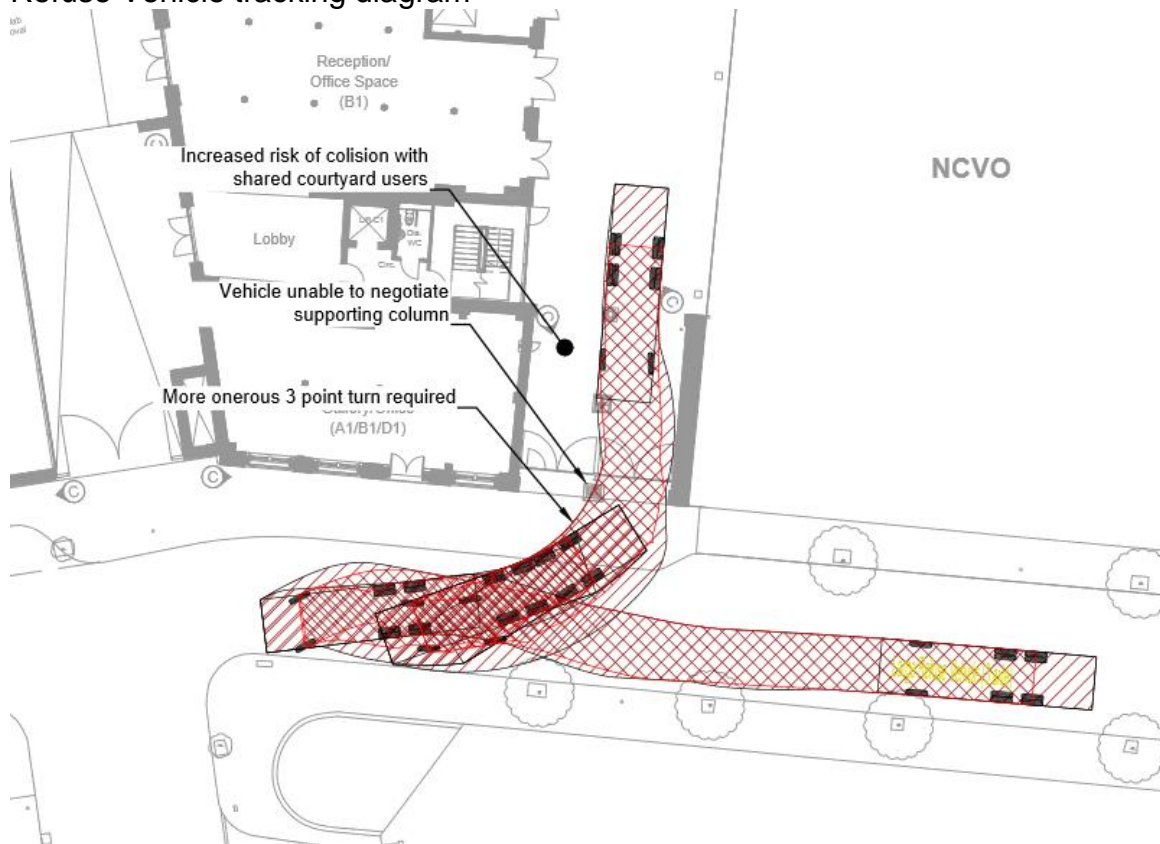
- 11.155 The site has a PTAL rating of 6b (the highest rating), primarily due to its proximity to Kings Cross Saint Pancras railway and underground station.
- 11.156 The application is accompanied by a Transport Assessment (TA) prepared by Odyssey Markides which concludes that the proposed redevelopment and introduction of new uses at the site will lead to negligible impact on the local highway network, with a reduction in the number of vehicle trips to the site due to the reduction in onsite parking.
- 11.157 Cycle access and parking: Development Management 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. Appendix 6 of the Development Management Policies document requires cycle parking to be provided at a rate of 1 space per 60m² (GIA) for Class A uses and 1 space per 80m² (GIA) for office uses, which equates to a requirement for 161 cycle parking spaces. The initial proposal was designed to meet London Plan cycle parking standards which give rise

to a requirement for 178 long stay cycle parking spaces and 34 short stay visitor spaces along with 12 showers and associated changing areas. The revised proposal indicated a reduction in the proposed office floorspace and therefore a reduction in the proposed cycle parking requirements of 6 long stay and 1 short stay space. However, the proposed cycle parking remains unchanged and therefore now exceeds both Islington and London Plan requirements.

- 11.158 TfL have advised that the proposed long stay cycle parking should be provided in accordance with London Cycle Design Standards (LCDS 2014) and it is recommended that this is secured through a condition.
- 11.159 Discussions have taken place between the applicant, TfL and the Council in relation to the potential extension of the existing Killick Street Cycle Hire Docking Station or the provision of an alternative facility within 300m walking distance of the application site. It is noted that the extension of the Killick Street docking station (which is located on Islington highway) or the installation of a new docking station would require planning permission and the agreement of the relevant highways authority. The Council's Highways Officer has indicated that any agreement to the loss of on-street parking to accommodate additional docking facilities would be subject to consideration of parking surveys. TfL have requested that a financial contribution of £200,000 be secured through the Section 106 agreement towards a docking station which could be released in the event that no suitable site is identified.
- 11.160 Servicing, deliveries and refuse collection: the proposed development provides a servicing bay on-site, to the west of Building A. This bay will be used for refuse collection and larger delivery vehicles servicing the office accommodation. Refuse will be stored within the basement and brought up to ground floor for collection by the management team.
- 11.161 It is also proposed to provide an on-street recessed loading bay and blue badge bay along the frontage of the development on All Saints Street. This would be achieved by removing the existing 20m stretch of residents permit holder bay and re-providing it two 11m sections. One section would be at the far western extent of All Saints Street along existing single yellow line and a second section would be provided on New Wharf Road. It is anticipated that smaller delivery vehicles and taxi drop-offs will use the on-street loading bay. The arrangement has been agreed in principle with the Council's Highway officers.
- 11.162 Deliveries for the restaurant will be undertaken either within the layby or on-street, adjacent to the eastern courtyard, where there is currently a section of single yellow line with loading permitted Mon-Fri 08:30-18:30 and Sat 08:30-13:30.
- 11.163 The application is accompanied by a Delivery and Servicing Plan detailing the proposed servicing arrangements. A condition is recommended to secure a revised Delivery and Servicing Plan in order to secure satisfactory servicing arrangements and in particular to ensure that on-site servicing takes place at times which do not result in undue harm to the residential amenities of Ice Wharf by reason of increased noise and disturbance.

- 11.164 The applicant has responded that the current location of the refuse collection bay and crossover is most suited to the far western frontage of the development in terms of highways impact. This location is an established vehicle crossover and operatives / passers-by are familiar with this conflict point and the undertaking of refuse collection from this area as this is the present solution for the existing buildings at Regent's Wharf, alongside all deliveries and the use of the car parking bays.
- 11.165 The applicant advises that alternative locations for the refuse collection bay have been considered as part of the design process. It was considered that the relocation of the crossover and refuse loading bay in the main courtyard would create a crossroads arrangement with All Saints Street and Killick Street which would result in potential highway safety concerns. Furthermore, waste collection from the main courtyard which is also the most used by pedestrians would create an unacceptable conflict point.
- 11.166 The applicant advises that relocation of the refuse collection bay in the eastern courtyard would result in a very difficult manoeuvre for the refuse collector due to the existing building columns of the heritage building above. Even if these original heritage columns could be removed / negotiated the refuse vehicle would have to carry out a three or four point manoeuvre which would increase the time and disturbance involved in the collection process. The applicant has submitted a vehicle tracking diagram to demonstrate this.

Refuse Vehicle tracking diagram



- 11.167 Vehicle parking: Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. The proposed development involves the removal of

37 car parking spaces and will be car free on site. TfL advise that this is welcomed. A new layby is proposed on All Saints Street which will include one disabled parking space.

- 11.168 The applicant has agreed to make a contribution of £18,000 towards the provision of accessible transport initiatives, to be secured through a Section 106 agreement.
- 11.169 Construction Management Plan: The application is accompanied by a draft Construction Management and Site Waste Management Plan which provides the strategy in terms of managing traffic movements during demolition and construction. It is recommended that a full Construction Management Plan and Construction Logistic Plan be secured by condition should planning permission be granted.
- 11.170 Travel Plan: The application is accompanied by a draft Framework Travel Plan which details proposals to promote sustainable travel amongst future occupiers of the building. It is recommended that a full Travel Plan be secured through the Section 106 legal agreement, should planning permission be granted.
- 11.171 Transport for London: TfL raise no objections to the proposals subject to conditions securing a Delivery and Servicing Plan, a Travel Plan and a Construction Management Plan. TfL have also requested that £15,000 be secured towards Legible London signage in order to improve wayfinding in the area.
- 11.172 Spatial Planning and Transport: The Council's Spatial Planning and Transport Officer has advised that the proposals are generally considered acceptable in highways and transport terms, subject to appropriate conditions.

Waterbourne Freight

- 11.173 Policy 7.26 of the London Plan is concerned with increasing the Use of the Blue Ribbon Network for freight transport and states, inter alia, that development proposals close to navigable waterways should maximize water transport for bulk materials, particularly during demolition and construction phases.
- 11.174 Representations have been received from parties including the Canal and River Trust and the Commercial Boat Owners Association suggesting that the canal should be used for carriage of freight to and from the site during the demolition and construction phases of development. The applicant has indicated a willingness to investigate the feasibility of carriage of freight by barge and a condition is recommended to secure a feasibility study and, if feasible, a logistics plan involving the carriage of freight by canal barge.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 11.175 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.

11.176 The Section 106 agreement would include the following agreed Heads of Terms:

- Contribution of £457,838 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 carried out by LBI Highways. Condition surveys may be required;
- Compliance with the Code of Employment and Training;
- Facilitation of 4 work placements during the construction phase of the development, lasting a minimum of 26 weeks, or a fee of £20,000 to be paid to LBI;
- Compliance with the Code of Local Procurement;
- Compliance with the Code of Construction Practice, including a monitoring fee of £13,000;
- Provision of 9 additional accessible parking bays or a contribution of £18,000 towards provision of on-street bays or other accessible transport initiatives;
- Submission of a Green Performance Plan and a post occupation Green Performance Plan;
- Submission 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;
- Submission of a final post occupation Green Performance Plan;
- Payment of Council's fees in preparing and monitoring the S106;
- Future proofing in order that the development can be connected to a local energy network if a viable opportunity arises in the future;
- Relocation of parking bays (if required) or compensation for the Council's loss of income
- Provision of affordable workspace
- Payment towards employment and training of local residents of a commuted sum of £51,077.
- Payment of £200,000 to TfL towards extension of existing Killick Street Cycle Hire docking station or provision of an alternative facility within 300m walking distance of the site.
- Payment of £15,000 to TfL towards Legible London signage to improve wayfinding in the area.

11.177 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.

National Planning Policy Framework

11.178 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.

12. SUMMARY AND CONCLUSION

Summary

- 12.1 The proposal is intended to provide a sustainable campus of workspace for the creative industries that encourages inter-sector collaboration and catalyses business growth. The site is located in an Employment Growth Area where the intensification, renewal and modernisation of existing business floorspace is encouraged and the maximum amount of business floorspace reasonably possible on the site, whilst complying with other relevant planning considerations, is sought. A mix of complementary uses, including active frontages where appropriate, is also sought. The intensification of the business use, including office floorspace suitable for small to medium sized enterprises and with a complementary mix of uses is therefore strongly supported in policy terms.
- 12.2 5.38% of the overall office floor space will be designated as affordable workspace, in excess of the Council's policy requirement of 5%. The workspace will be located in good quality accommodation on the first, second and third floors in a south facing part of the building and will share the main entrance with the remainder of the office accommodation. The affordable workspace will be provided to an Islington approved affordable workspace provider at a peppercorn rent for a period of 15 years. The provision of affordable workspace in excess of the Council's policy requirements represents a significant benefit of the scheme.
- 12.3 The applicant has removed the sixth floor of the block during the application process which is considered to have resulted in a significant improvement in terms of bulk and massing of the building when viewed from the canal and has resulted in some improvements to the daylight amenity of occupants of Ice Wharf. The proposal represents an increase in the height, scale and massing of built form on the application site. However, the CGIs which accompany the application are considered to demonstrate that the proposed development would not appear excessive. The proposal involves the replacement of existing buildings which are considered to be of limited architectural merit with new buildings which are considered to represent a high standard of design and which will enhance the character and appearance of the area.
- 12.4 The proposal has resulted in a substantial volume of objections, with strong objections from residents of the adjacent Ice Wharf development notably in relation to loss of light, loss of privacy, visual impact from excessive height, scale and massing, and noise and disturbance from servicing.
- 12.5 The elevations of Ice Wharf which face onto the application site are either very close to the site boundary or immediately adjoin it. It is therefore the case that dwellings within Ice Wharf rely on the application site for daylight amenity. New development should not cause undue harm to the residential amenities of occupants of neighbouring dwellings. However, an assessment of harm within the planning balance should include an acknowledgement that to achieve a BRE Compliant development would significantly limit the development potential of the site.
- 12.6 It is considered that objections regarding loss of privacy can be satisfactorily addressed through a condition requiring details of a scheme of obscure glazing to

the western elevation of Building A. It is considered that concerns regarding noise and disturbance from delivery and servicing activity can be addressed through a Delivery and Servicing Plan which includes appropriate measures to minimise noise and disturbance to occupants of Ice Wharf, in particular during night time hours.

- 12.7 It is considered that, having regard to the urban context of the site, the increased visual impact and loss of outlook from dwellings within Ice Wharf as a result of the increased height, scale and massing of the proposed development would not be unduly harmful so as to warrant refusal of planning permission.
- 12.8 The proposal is considered to result in harm to the residential amenities of occupants of Ice Wharf and 1-3 All Saints Street by reason of losses of daylight, which are significant in some cases. The proposal would result in the delivery of high quality new and refurbished floorspace on the site, including space suitable for occupation by small and medium sized enterprises, which would facilitate a significant increase in the employment density with corresponding economic benefits. The proposal would deliver 5.38% of the overall office floorspace as affordable workspace at a peppercorn rent for a period of 15 years, in excess of the Council's policy requirements. The proposed development is considered to represent a high standard of design.
- 12.9 It is considered that, on balance, and having regard to relationship of the site with adjacent development, that the significant benefits of the proposal outweigh the harm to neighbouring properties. It is recommended that planning permission be granted.

Conclusion

- 12.10 The proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1– RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission 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. Contribution of £457,838 towards offsetting projected residual CO2 emissions of the development;
2. 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;
3. Compliance with the Code of Employment and Training;
4. Facilitation of 4 work placements during the construction phase of the development, lasting a minimum of 26 weeks, or a fee of £20,000 to be paid to LBI;
5. Compliance with the Code of Local Procurement;
6. Compliance with the Code of Construction Practice, including a monitoring fee of £13,000;
7. Provision of 9 additional accessible parking bays or a contribution of £18,000 towards provision of on-street bays or other accessible transport initiatives;
8. Submission of a Green Performance Plan and a post occupation Green Performance Plan;
9. Submission 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;
10. Submission of a final post occupation Green Performance Plan;
11. Payment of Council's fees in preparing and monitoring the S106;
12. Future proofing in order that the development can be connected to a local energy network if a viable opportunity arises in the future;
13. Relocation of parking bays (if required) or compensation for the Council's loss of income
14. Provision of affordable workspace
15. Payment towards employment and training of local residents of a commuted sum of £51,077.
16. Payment of £200,000 to TfL towards extension of existing Killick Street Cycle Hire docking station or provision of an alternative facility within 300m walking distance of the site.
17. Payment of £15,000 to TfL towards Legible London signage to improve wayfinding in the area.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, 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>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 (Compliance and Details)
	<p>Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the works commence on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Metal panels; b) Window and doors; c) Green procurement plan for sourcing the proposed materials; d) Any other external facing materials to be used. <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 interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Construction Environmental Management Plan (Details)</p> <p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase 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 and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>THE CEMP should pay reference to BS5228:2009, LBI's Code of Construction Practice, the GLA's SPG on construction dust and emissions (including the Non-Road Mobile Machinery register) and any other relevant guidance.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
5	<p>Construction Environmental Management Plan – Canal (Details)</p> <p>CONDITION: Prior to the commencement of the development hereby permitted, a revised Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include details of:</p> <ol style="list-style-type: none"> 1. Proposed surface water arrangements (either via drains or surface water run-off) during the demolition/construction works, and during site occupation; 2. A feasibility study for waterborne freight during the demolition/construction phase. <p>REASON: To ensure the proposed construction works do not have any adverse impact on the safety of waterway users and the integrity of the Regent's Canal, and to ensure the development maximises water transport for bulk materials.</p>
6	<p>Demolition Construction Environmental Management Plan (Details)</p> <p>CONDITION: A Demolition Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition works commencing on site. The report shall assess impacts during the demolition phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The Plan should include measures to avoid dust deposition into the canal during demolition and to avoid contamination of the water in the canal</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>THE Demolition CEMP should pay reference to BS5228:2009, LBI's Code of Construction Practice, the GLA's SPG on construction dust and emissions (including the Non-Road Mobile Machinery register) and any other relevant guidance.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
7	<p>BREEAM (Compliance)</p> <p>CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
8	<p>Green/Brown Biodiversity Roofs (Details)</p> <p>CONDITION: Notwithstanding the roof plan indicated on drawing reference RWG-HBA-00-07-DR-A-PL20-0109, details of biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); and b) planted/seeded with an agreed 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 used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) 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>
9	<p>Land Contamination</p> <p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority</p> <ul style="list-style-type: none"> a) A land contamination investigation. <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <ul style="list-style-type: none"> b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation. <p>The development shall be carried out strictly in accordance with the investigation</p>

	<p>and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).</p> <p>REASON: Given the history of the site the land, remediation is necessary to safeguard the health and safety of future occupants.</p>
10	<p>Fixed Plant (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: 2014.</p> <p>REASON: In the interests of neighbouring residential amenity.</p>
11	<p>Standby Generators (Details)</p> <p>CONDITION: This approval is subject to the prior written approval by the Local Planning Authority of a written code for the management of noise from emergency plant and equipment, the subject of this consent. The code shall be submitted to and approved prior to the commencement of the use to which this consent relates. The code shall be fully implemented and operated at all times in accordance with the approved details. The management code shall identify measures to reduce the impact of the noise on the community.</p> <p>The Management code shall include measures to address the following matters:</p> <ol style="list-style-type: none"> 1. The testing of equipment not to take place between the hours of 1800 and 0800 on any day, and not at any time on Sundays, Bank Holidays or after 1300 on a Saturday. 2. The duration of the testing to be commensurate with the test requirements and not to exceed one hour. 3. A list of potential residential receptors to be drawn up and those receptors to be given advance written notification of the time and date of the test. 4. The acoustic design and control of the fixed plant and equipment to meet a criterion of a rating level, measured or calculated at 1m from the façade of the nearest noise sensitive premises, of not more than 5dB(A) above the existing background noise level (LA90). The rating level to be determined as per the guidance provided in BS4142:1997. <p>A report to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the plant and machinery. The report is to be submitted to, and approved in writing by the Local Planning Authority, and any noise mitigation measures shall be installed before the commencement of the</p>

	<p>use hereby permitted and permanently retained thereafter.</p> <p>REASON: In the interests of neighbouring residential amenity.</p>
12	<p>Piling Method Statement (Details)</p> <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 water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.</p>
13	<p>Energy Efficiency – CO2 Reduction (Compliance/Details)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than an tbc% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013 as detailed within the Sustainability Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to the commencement of the development:</p> <p>A revised Energy Strategy, which shall provide for no less than a 18.5% onsite total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2010. This shall include the details of any strategy needed to mitigate poor air quality (such as mechanical ventilation).</p> <p>The final agreed scheme shall be installed and in operation 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 addressing climate change and to secure sustainable development.</p>
14	<p>Renewable Energy (Compliance)</p> <p>CONDITION: The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for no less than tbc% on-site regulated 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 tbc% onsite regulated CO₂ reduction, shall be submitted to and</p>

	<p>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>
15	<p>Solar Photovoltaic Panels (Details)</p> <p>CONDITION: Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Area of panels; and - Design (including elevation plans). <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
16	<p>Combined Heat and Power (Details)</p> <p>CONDITION: Details of the Combined Heat and Power facility and associated infrastructure, which shall provide for no less than tbc% regulated CO₂ reduction shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include location, specification, flue arrangement and operation/management strategy.</p> <p>The Combined Heat and Power facility and infrastructure shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure the facility and associated infrastructure are provided and so that it is designed in a manner which allows for the future connection to a district system.</p>
17	<p>Cycle Parking Provision (Details)</p> <p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage areas shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall provide for no less than 178 long stay and 34 short stay cycle spaces and shall include automated doors to the long stay cycle parking.</p> <p>The bicycle storage areas shall be provided strictly in accordance with the details so approved, provided/erected 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>

18	<p>Sustainable Urban Drainage System (Details)</p> <p>CONDITION: Details of surface drainage works 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 sustainable drainage system. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. 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 that sustainable management of water and minimise the potential for surface level flooding.</p>
19	<p>Nesting Boxes (Details)</p> <p>CONDITION: Details of bird and bat nesting boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details submitted shall include the number of boxes, the exact location, specification and design of the habitats.</p> <p>The nesting boxes shall be provided strictly in accordance with the details so approved, installed 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 development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
20	<p>Roof-top Plant and Lift Overrun</p> <p>CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <ul style="list-style-type: none"> • roof-top plant; • ancillary enclosures/structure; and • lift overrun <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 good design and also 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>
21	<p>Future Connection</p> <p>CONDITION: Details of how the boiler and associated infrastructure shall be designed to allow for the future connection to any neighbouring heating network shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The agreed scheme shall be installed prior to the first occupation of the development hereby approved. The</p>

	<p>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 facility is provided appropriately and so that it is designed in a manner which allows for the future connection to a district system</p>
22	<p>Construction Management Plan and Construction Logistics Plan (Details)</p> <p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</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>
23	<p>Refuse/Recycling Provided (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosures shown on drawing no. RWG-HBA-00-00-DR-A-PL20-0101 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>
24	<p>Construction Method Statement (Details)</p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ol style="list-style-type: none"> a. the parking of vehicles of site operatives and visitors b. loading and unloading of plant and materials c. storage of plant and materials used in constructing the development d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate e. wheel washing facilities f. measures to control the emission of dust and dirt during construction g. a scheme for recycling/disposing of waste resulting from demolition and construction works h. measures to prevent material, equipment and persons from falling into the canal. <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 the interest of pedestrian and highway safety and to ensure</p>

	satisfactory arrangements during the demolition and construction process.
25	<p>Landscaping (Details)</p> <p>CONDITION: A landscaping scheme, including details of landscaping to the roof terrace, 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 seek to maximize the urban greening potential of the development and shall include the following details:</p> <ul style="list-style-type: none"> a) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; b) proposed trees: their location, species and size; c) soft plantings including shrub and herbaceous areas; d) retention where possible of trees, small hedgerow and ivy; e) use of native plants to enhance the site for black redstarts; f) a landscape and ecology management plan; g) planting on the roof garden selected for its potential benefit to wildlife; h) hard landscaping; i) measures to promote water sensitive urban design; j) any other landscaping features forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
26	<p>Delivery and Servicing Plan (Details)</p> <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 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>
27	<p>Archaeological Investigation (Details)</p> <p>CONDITION: No demolition or development shall take place until a written scheme</p>

	<p>of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land and buildings which are included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and</p> <p>A. The programme and methodology of site and historic building investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</p> <p>B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.</p> <p>The historic building investigation should seek to establish the character, history, dating, form and development of the historic building. The investigations should integrate study of the buildings with below ground remains and historical sources to provide a history of the site which could also draw upon documentary sources to provide a social history context. It is recommended that you engage with the nearby London Canal Museum.</p> <p>REASON: The site has a high potential for post-medieval remains, which investigated under controlled conditions could contribute to an enhanced understanding of the early phases of industrial and commercial development of this canal-side site. Furthermore, the planning authority wishes to secure building recording in line with NPPF, and publication of results, in accordance with Section 12 of the NPPF.</p>
28	<p>Details of Ground floor Elevations (Details)</p>
	<p>CONDITION: Full details of the design and treatment of ground floor elevations shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the ground floor elevations.</p> <p>The details shall include: doors, sections, elevational and threshold treatments, all to be shown in context and to a scale of 1:50.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. The approved design/treatments shall be provided prior to the first occupation of the part of the development to which they form part.</p> <p>REASON: To ensure that the Authority may be satisfied with the access arrangements and the street level external appearance / interface of the buildings.</p>
29	<p>Lighting (Details)</p>
	<p>CONDITION: Prior to the occupation of the development hereby permitted, full details of the proposed external lighting shall be submitted to and agreed in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details unless otherwise agreed in writing.</p> <p>REASON: In order to prevent the development having any adverse impact on the</p>

	Regent's Canal by way of light pollution.
30	Drainage into Canal (Details)
	<p>CONDITION: If surface water run-off and ground water is proposed to drain into the waterway, details shall be submitted to and agreed in writing by the Local Planning Authority Prior to the commencement of the development hereby permitted, and thereafter implemented in accordance with the approved details.</p> <p>REASON: To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure.</p>
31	Foul Drainage (Details)
	<p>CONDITION: Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
32	Protection of Canal Lining (Compliance).
	<p>CONDITION: An inventory of materials and equipment shall be maintained during the demolition and construction process and any materials or equipment which fall into the canal shall be recovered.</p> <p>REASON: In order to avoid potential damage to the puddle clay canal lining.</p>
33	Enhancement of Black Redstart Habitat (Compliance)
	<p>CONDITION: Appropriate steps should be taken to minimise possible establishment of breeding black redstart during construction phase. Demolition rubble should be cleared as soon as possible or covered over and nest boxes should be erected away from the site construction during construction phase. If these measures are not possible, then black redstart surveys should be undertaken by a qualified ecologist.</p> <p>REASON: In the interests of biodiversity and to protect the black redstart population.</p>
34	Green Leases
	Wording to be confirmed
35	Cycle Parking (Details)
	<p>CONDITION: The cycle lifts and access to basement level cycle parking within the commercial building shall accord with TfL's London Cycle Design Standards unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure cycle parking is easily accessible on site and to promote sustainable modes of transport.</p>
36	Hours of Operation (Compliance)
	CONDITION: The ground floor flexible commercial units hereby approved shall not

	operate outside the hours of (to be confirmed). REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.
37	Details of gates - to include rubber pads or other noise reducing measures Wording to be confirmed
38	Internal and external lighting – details of means of managing light pollution Wording to be confirmed
39	Hours of use of external amenity areas Wording to be confirmed
40	Details of Micro pods Wording to be confirmed
41	Obscure glazing to western elevation Wording to be confirmed

List of Informatives:

1	Planning Obligations Agreement 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	Thames Water (Surface Water Drainage) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
4	Thames Water (Mains Water Pressure) 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.
5	Groundwater Risk Management Permit A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit

	<p>is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
6	<p>Waste Oil and Fat</p> <p>Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses .</p>
7	<p>CIL Informative</p> <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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and 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 payable on commencement of the development.</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 and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</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 2016, 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 2016 - 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 2.9 Inner London

3 London's people

Policy 3.2 Improving health and addressing health inequalities

4 London's economy

Policy 4.1 Developing London's Economy

Policy 4.2 Offices

Policy 4.12 Improving opportunities for all

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 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.18 Construction, excavation and demolition waste

Policy 5.21 Contaminated land

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

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 7.8 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

Policy 7.26 Increasing the use of the Blue Ribbon Network for freight transport

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 CS6 King's Cross

Policy CS8 Enhancing Islington's Character

Infrastructure and Implementation

Policy CS18 Delivery and Infrastructure

Policy CS19 Health Impact Assessments

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 CS19

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Employment

DM5.1 New business floorspace

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

5. Designations

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013:

- Employment Growth Area (General)
- Kings Cross and Pentonville Road Key Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Environmental Design SPD
- Inclusive Design in Islington SPD
- Planning Obligations SPD

London Plan

- Accessible London: Achieving and Inclusive Environment SPG
- The Control of Dust and Emissions

- Urban Design Guide SPD
- Regenerating King's Cross Neighbourhood Framework Document
- Environmental Design SPD
- Streetbook SPD
- Basement Development SPD
- during Construction and Demolition SPG
- Sustainable Design & Construction SPG
- Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy
- Planning for Equality and Diversity in London

APPENDIX 3: DESIGN REVIEW PANEL LETTER DATED 28.02.17



ATT: Melanie Wykes
dp9 Ltd
100 Pall Mall
London
SW1Y 5NQ

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/117

Date: 28 February 2017

Dear Melanie Wykes,

ISLINGTON DESIGN REVIEW PANEL

**RE: Regents Wharf, 10,12,14,16 and 18 All Saints Street, Islington, London
(planning application ref. P2016/4805/FUL)**

Thank you for attending Islington's Design Review Panel meeting on 8 February 2017 for a third review of the above scheme. The proposed scheme under consideration is for the redevelopment of the site at Regent's Wharf including the refurbishment and extension of 10-12 Regent's Wharf (including part one/part two storey roof extension) to provide additional Class B1 business floorspace with ancillary flexible Class A1/A3 (retail/restaurant) and flexible Class A1/B1/D1 (retail/business/non-residential institutions) floorspace at ground floor level; demolition of 14, 16 and 18 Regent's Wharf and erection of a part 5 and part 7 storey building with rooftop plant enclosure providing Class B1(a) office floorspace and flexible Class A1/A3/B1/D1/D2 (retail/restaurant & café/business/non-residential institutions/assembly & leisure) floorspace at ground floor; and associated hard and soft landscaping (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), Cristina Refolo, David Leech, Jonathan Ward, Richard Brown and Dorian Crone on 8 February 2017 including a presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. There was no site visit as this was a third review. Richard Portchmouth made a separate site visit as he had not been involved with the previous reviews. The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

Panel's observations

The Panel welcomed the return of the scheme for a third review and the provision of requested additional information, enabling them to see the scheme as a whole. Improvements to the design and sustainability of the site were commended; however, panel members suggested further areas where the proposals could be brought up to the same high standard overall. The Panel's comments are discussed in more detail below.

Impact on Heritage Assets

The Panel maintained its position that the bulk and massing of the roof extension along with the proposed dormers should be reduced. At present, it is seen to be too overbearing and dominant, creating an uncomfortable relationship between old and new. Panel members suggested that rethinking the location of the plant could be a way to reduce the required floor space at this level. Some panel members advised that it was undesirable, architecturally, for a roof extension to appear to straddle two separate buildings, one historic and one new. The height and bulk of the extension to the locally listed building when viewed from the street was also considered excessive.

The Panel advised that a massing model would be useful, along with more views from the tow path on the other side of the canal.

Courtyard and landscaping

As previously stated, the Panel considered the proposals for the courtyard to be very good, with only some fine tuning of the design suggested. In terms of the elevational treatment, the dialogue between the new and old buildings was thought to be effective. However, it was advised that the spandrels of the floor plates should not be expressed in the glazed strip that separates the two elements as they did not line up with the historic windows.

The Panel also welcomed further information from the applicant's Arboriculturist, however, questioned the decision to coppice and then root-ball the existing Alder trees, which would then be rehabilitated for the duration of the construction period. It was advised that root-balling trees in an urban environment is very difficult and unlikely to be cost effective or energy efficient. The Panel therefore recommended that buying new mature trees would be a better and more justifiable solution; these could be planted in clusters. However, panel members did emphasise that the existing Alder trees would ideally be preserved in situ because it would take a relatively long time before new trees would reach a similar height and therefore provide the same amenity.

The Panel also commented that the planting to the courtyard should be suitably robust for the area and should not clutter the, already small, environment.

Sustainability and building performance

The development of this aspect of the scheme since the last review was deemed to be very encouraging by the Panel. Panel members made some comments regarding the management of the natural ventilation system and queried how this was going to work in practice. Further details were requested regarding the functionality of the full height windows and the Panel also encouraged thought to be given to an effective ventilation management strategy for future occupiers. Panel members additionally pointed out that some areas of the building were excessively glazed so would be very uncomfortable on sunny days and lead to high cooling demand. Moderation of the glazed areas or possible introduction of louvres (without limiting daylight) was suggested to remedy this and could add character to the glazing. Finally, the Panel did not think that the proposed dormer windows would be very practical as a source of natural ventilation.

Summary

The Panel were generally pleased with the scheme and lauded the additional work done to develop the building's performance and efficiency. However, there were other elements of the proposals where the Panel felt that there was room for further improvement. They remained concerned in particular about the detailing and bulk of the proposed rooftop extension, including the dormers. The Panel felt that this aspect of the design had not moved on as much as the improved sustainability, which was obviously the result of careful thought, and recommended that the same level of development for these issues would greatly benefit the

scheme. Furthermore, the viability of the proposed tree relocation was questioned by the Panel and alternatives were strongly advised. In light of these observations, panel members therefore considered that the quality, of what is generally a very good scheme, could be further improved.

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 planning application stage, 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.

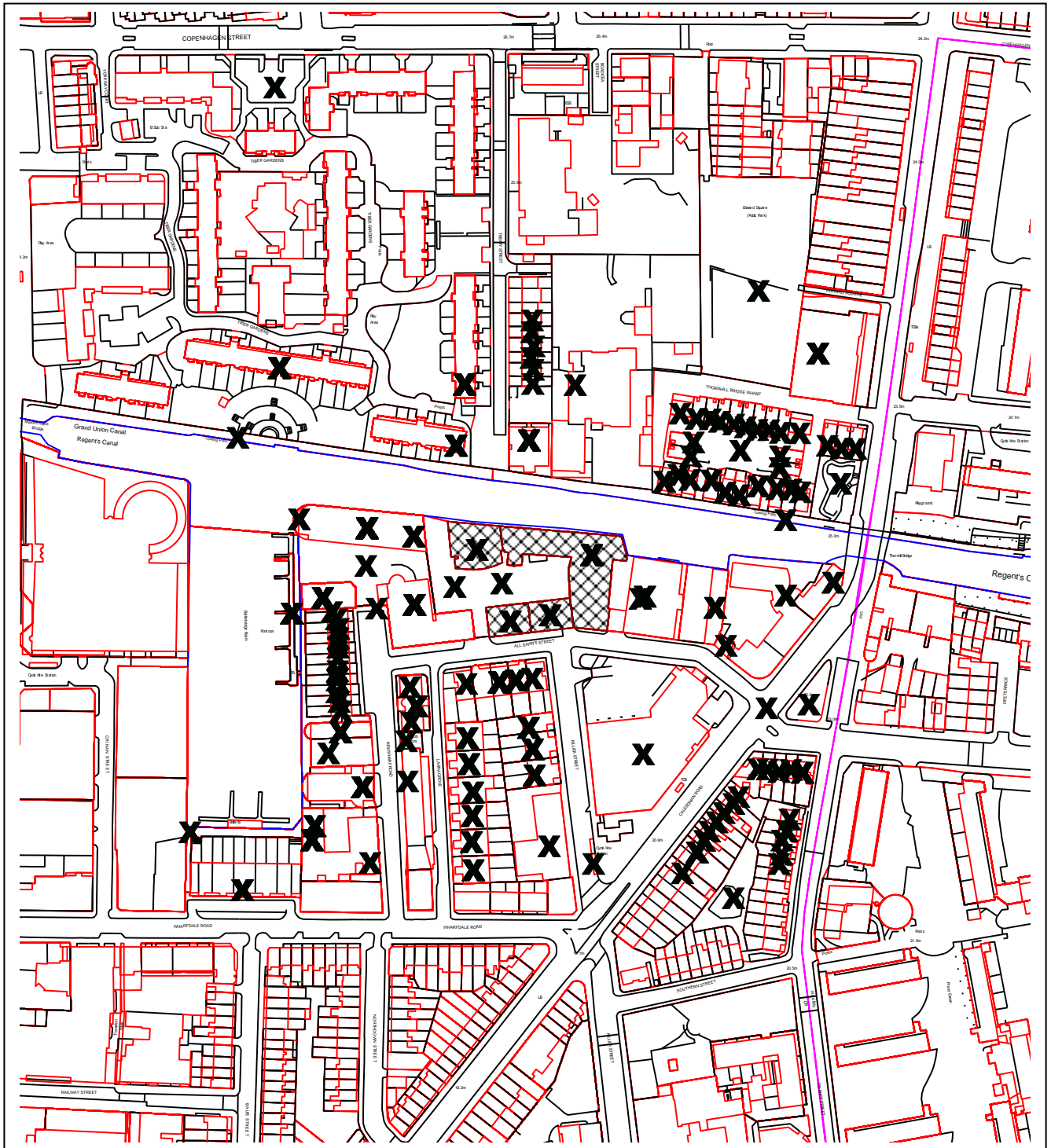
Yours sincerely,

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 SE GIS Print Template



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P2016/4805/FUL

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PLANNING COMMITTEE REPORT



ISLINGTON

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 3333
 222 Upper Street
 LONDON N1 1YA

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	5 December 2017	

Application number	P2017/3389/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No
Conservation area	Within 50 metres of the Hat and Feathers Conservation Area.
Development Plan Context	Core Strategy: CS7 - Key Area Bunhill & Clerkenwell Employment Priority Area (General) Central Activities Zone (CAZ)
Licensing Implications	None
Site Address	Gee Street, London EC1V
Proposal	Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 3,956 sqm (GIA) office (Use Class B1a) floorspace on part ground floor and Levels 1-6 and 94 sqm (GIA) retail floorspace on part ground floor.

Case Officer	Simon Greenwood
Applicant	Chait Investment Corporation Ltd
Agent	CBRE – Matt Gore

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1 of the attached 7 November 2017 report; 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 of the attached 7 November 2017 report.

2. DEFERRAL

- 2.1 The application was deferred at the Council's Development Control Committee meeting of 7 November 2017 in order that the applicant could address Members concerns that the scheme was not policy compliant with regards to the provision of retail or leisure floor space on the ground floor.
- 2.2 A copy of the previous Planning Committee Report is attached as Appendix 1 to this report.

3. APPLICANT'S RESPONSE

3.1 The applicant has prepared a detailed response which seeks to address the Committee's reasons for deferral as follows:

- Inclusion of a ground floor retail unit on part of the ground floor fronting Gee Street (Class A1);
- Relocation of the small and micro office workspace to part ground floor and part first floor. The level of small and micro floorspace is 203 square metres which is greater than 5% of the total employment floorspace of the whole development (retail and office); and
- Amendment to the ground floor element of the Gee Street elevation to provide a retail entrance.
- Update in cycle parking provision to reflect the revised mix of the development.

3.2 It is considered that the proposed revisions satisfactorily respond to the reasons for deferral.

Consultation

3.3 Consultation letters were sent out to all neighbouring residents consulted as part of the initial consultation on 14 November 2017 providing 14 days for further comments. The description of development was as follows:

Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 4,050 sqm (GIA) office (Use Class B1a) floorspace. PLEASE NOTE: You are being reconsulted on the above application as revised drawings have been submitted.

- 3.4 The description of development made clear that revised drawings had been received therefore any persons with an interest in the development would have been able to review the revised plans and understand that a retail unit was being introduced. However, the description of development did not make specific reference to the introduction of a retail unit.
- 3.5 One objection has been received which is summarised as follows:
- Gee Street does not need additional retail. The EC1V area has extensive retail units. Gee Street is primarily residential and is heavily used.
 - It is extremely concerning that this modification was not explicitly identified in the consultation letter. This is a major amendment to the scheme and residents should have been made aware that the proposal will now include a retail unit.
 - Will traffic calming measures be applied to Gee Street to mitigate the impact of this project?
- 3.6 It is unfortunate that the description of development in the consultation letters did not identify the introduction of the retail unit. It is noted that the retail unit comprises 94sqm (GIA) of the 4,059 (GIA) total floorspace proposed. It is not considered that any neighbouring residents have been unduly prejudiced as a result of the omission in the revised description of development. The corrected description of development is included in the above report title.
- 3.7 It is not anticipated that a 94sqm retail unit will result in additional vehicular movements which would give rise to a requirement for traffic calming measures on Gee Street.



PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 3333
 222 Upper Street
 LONDON N1 1YA

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	7 November 2017	

Application number	P2017/3389/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No
Conservation area	Within 50 metres of the Hat and Feathers Conservation Area.
Development Plan Context	Core Strategy: CS7 - Key Area Bunhill & Clerkenwell Employment Priority Area (General) Central Activities Zone (CAZ)
Licensing Implications	None
Site Address	Gee Street, London EC1V
Proposal	Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 4,050 sqm (GIA) office (Use Class B1a) floorspace.

Case Officer	Simon Greenwood
Applicant	Chait Investment Corporation Ltd
Agent	CBRE – Matt Gore

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 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.

2. SITE PLAN (site outlined in red)

Site location plan



3. PHOTOS OF SITE/STREET

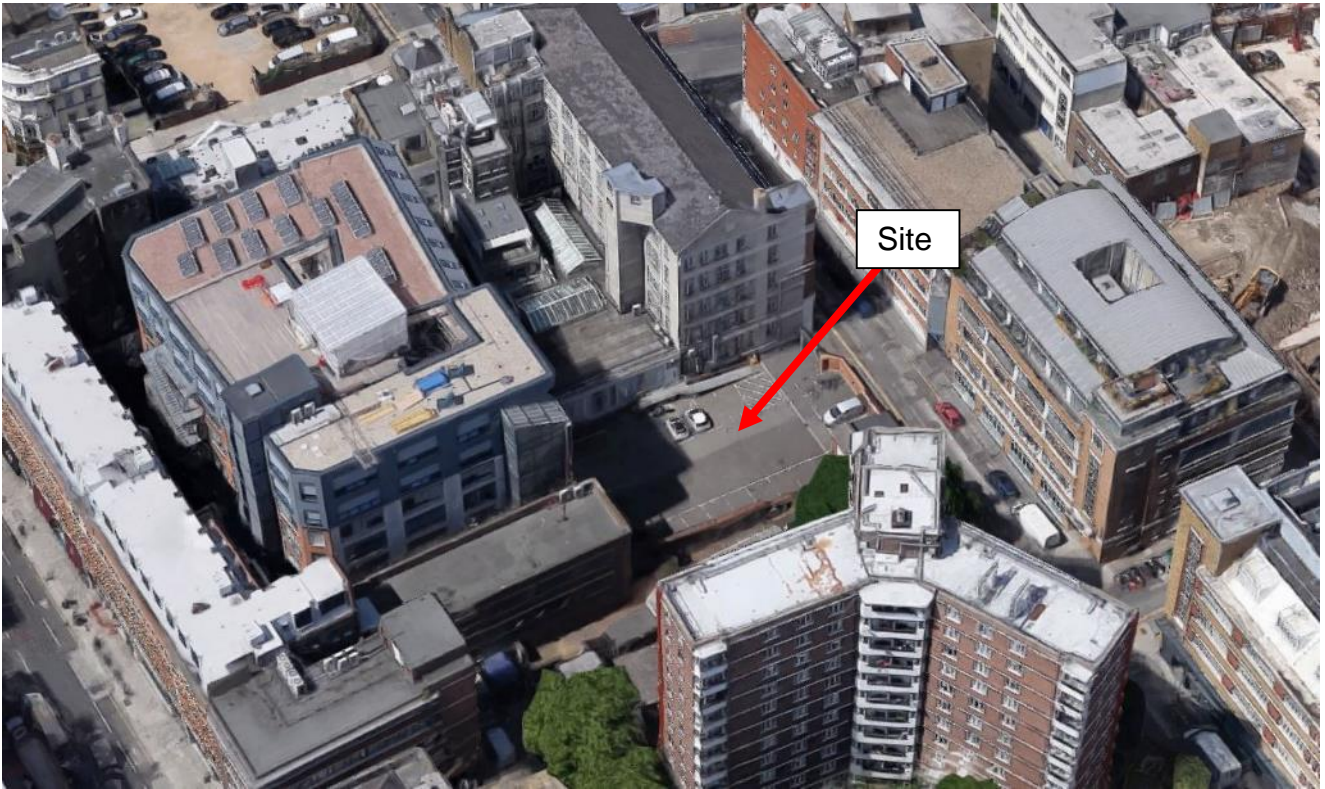
Aerial View



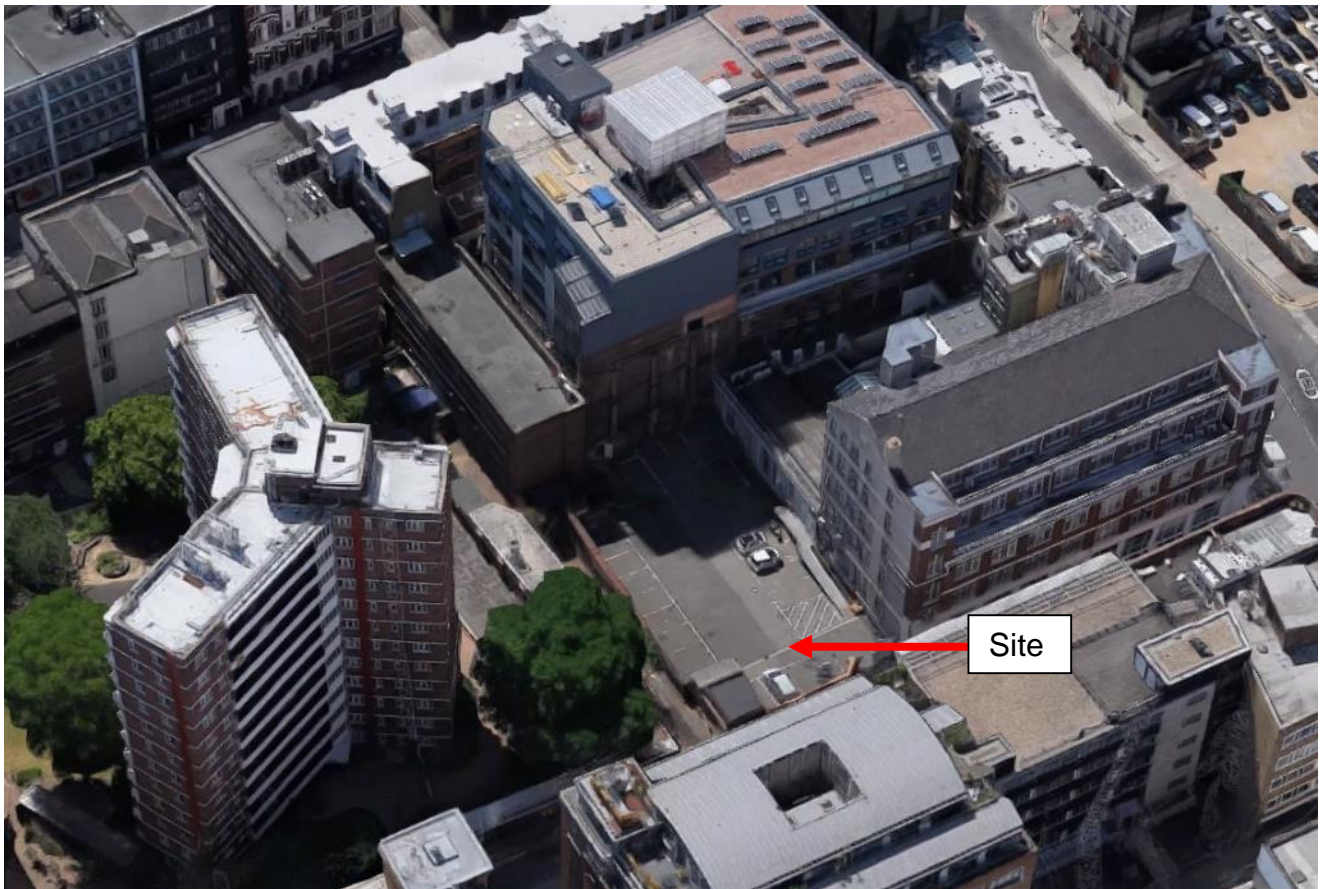
Birds eye view looking from south to north



Birds eye view looking from east to west



Birds eye view looking from north to south



View of site looking west down Gee Street (site indicated in red)



View of site from Goswell Road looking east down Gee Street (site indicated red)



4. SUMMARY

- 4.1 The 677m² site is located on the southern side of Gee Street and currently accommodates a car park along with an electricity sub-station. The site is located in a highly accessible location within the Central Activities Zone (CAZ) and within an Employment Priority Area (General).
- 4.2 It is proposed to relocate the existing substation to Harella House and erect a 7 storey office building (4,050m² GIA) fronting Gee Street with a courtyard adjacent to Harella House.
- 4.3 The policy framework along with the available evidence base provides a strong justification for the provision of new office floorspace in this location. The delivery of new offices on the site is therefore strongly supported.
- 4.4 There is a policy requirement for the delivery of on-site housing along with active, complementary uses at ground floor level. The applicant has satisfactorily demonstrated that a solely office scheme is appropriate in this instance. A payment in lieu of on-site housing of £648,000 is proposed.
- 4.5 207m² of ground floor office floorspace suitable for use by small and micro enterprises is proposed which represents 5.1% of the overall floor space and is in accordance with the Council's policy requirements.
- 4.6 The design approach is informed by the architectural and historic context of the site and the elevational treatment of the building features brickwork within a concrete, gridded frame and a glass and metal curtain walling system. It is considered that the proposed development represents a high quality of architecture and is supported in design terms.
- 4.7 The proposal is considered acceptable in terms of its impact upon the residential amenities of the occupants of nearby dwellings. Furthermore, the proposal is considered acceptable in relation to technical matters, subject to the recommended conditions.
- 4.8 The proposal would deliver flexible, high quality office accommodation in an area of high demand whilst enhancing the street scene and the character of the area. The proposal is considered acceptable in planning terms and it is recommended that planning permission be granted.

5. SITE AND SURROUNDINGS

- 5.1 The 677m² site is located on the southern side of Gee Street and currently accommodates a car park along with an electricity sub-station to its north-east corner. The five storey Harella House is located immediately to the west of the site at the junction of Gee Street and Goswell Road and is in office use.
- 5.2 To the north of the site on the opposite side of Gee Street is 100-102 Goswell Road which is a five storey office building and 15-27 Gee Street which is a 6 storey mixed use office and residential building.

- 5.3 To the south of the site is the Morelands complex which comprises offices and includes a five storey frontage building on Old Street (Nos. 5-23) and a six storey building to the rear with a windowless elevation adjoining the southern boundary of the application site. To the south-east of the site is 27 Old Street which is in office use and comprises a five storey frontage building and a three storey building to the rear with a windowless elevation adjoining the southern boundary of the application site.
- 5.4 There is service road immediately to the east of the site which leads to single storey buildings accommodating plant and caretaker facilities associated with the Stafford Cripps Estate. The Stafford Cripps Estate itself is further to the east and comprises three Y shaped 12 storey residential blocks set within generous grounds.
- 5.5 There is residential accommodation within the upper floors of 15-27 Gee Street (opposite the site) and within the upper floors of 86 Goswell Road (to the west of the site) whilst the remainder of the surrounding area predominantly comprises commercial and office uses.
- 5.6 The site is not located within a Conservation Area. However, the Hat and Feathers Conservation Area is located to the west (along Goswell Road and south along Old Street) and the site has some visibility from within the Conservation Area on Goswell Road. The St Luke's Conservation Area is located to the east and south of the site and the site cannot be viewed from this conservation area.
- 5.7 The site has a Public Transport Accessibility Level (PTAL) rating of 6a (excellent) which is the highest level of accessibility.
- 5.8 The site is located within the Central Activities Zone and is designated as an Employment Priority Area (General).

6. PROPOSAL (IN DETAIL)

- 6.1 It is proposed to relocate the existing substation to Harella House and erect a 7 storey office building (4,050m² GIA) fronting Gee Street with a courtyard adjacent to Harella House.
- 6.2 207m² of ground floor office floorspace suitable for use by small and micro enterprises, representing 5.1% of the overall floor space. The remaining office floorspace is intended to be flexible and therefore suitable for a single occupier or multiple occupiers.
- 6.3 The proposal includes access to external terraces on the fifth and sixth floors of the building which are intended to recess the building more into its frame, thereby mitigating some of the bulk of the building. The terraces will provide external amenity space for occupants of the building.
- 6.4 The proposal includes a courtyard entrance to the building accessed from Gee Street, which is inspired by similar features in the locality. The courtyard area is landscaped at ground level and provides access into an office reception and central core at ground level. A courtyard gate will be provided which will be open and discreetly located during

office hours and will be closed outside of office hours to ensure that the recessed courtyard is effectively managed. A stair core will be provided behind the courtyard and adjoining the rear wall of Harella House which is intended to be a visually attractive feature within the overall composition of the building.

- 6.5 The materiality of the scheme is intended to reflect the industrial built context of Clerkenwell. The eastern façade features textured pink brickwork within a gridded frame which is inspired by the gridded nature of exposed party walls in the surrounding area. The brickwork is recessed more into the frame and becomes lighter in colour as the height increases. A metal glazing system inspired by crittal windows in the surrounding area is proposed on the north facade.

7. RELEVANT HISTORY

- 7.1 Planning permission was refused in June 2015 for the change of use of the site from private car park (Use Class Sui Generis) to commercial car park (Use Class Sui Generis) (application reference P2015/1736/FUL) on the following ground:

‘The proposed public car park would represent an unsustainable use of the site by virtue of encouraging private car journeys which would increase unacceptably traffic movements around the site and surrounding area. The proposed development is considered contrary to Policy CS10 of the Core Strategy and Policy DM8.5 of Islington's Development Management Policies document, which seek to promote sustainable transport choices.’

Harella House

- 7.2 Planning permission was granted in February 2017 for minor external alterations to Harella House including the replacement of windows and entrance door, provision of relocated substation, removal of roof structures including plant room, remodelling of existing single storey rear extension, infilling of lower ground level rear lightwell, provision of consolidated plant enclosure, provision of new balustrade to terraces and other associated works (application reference P2016/5042/FUL).
- 7.3 The application granted approval for the relocation of the substation which is currently located on the application site.

Pre-application Advice

- 7.4 Pre-application discussions took place with Officers which commenced with a meeting in June 2016 and was followed by a further meeting in July 2016.
- 7.5 Following the meetings and in response to the Council's pre-application advice the scheme was revised to incorporate a reduction the overall height and bulk of the proposed block and to amend the way in which the elevations were articulated.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 296 adjoining and nearby properties on Bastwick Street, Gee Street, Goswell Road and Old Street on 11 September 2017. A site notice and a press advert were displayed on 14 September 2017. The public consultation of the application therefore expired on 5 October 2017. 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 1 objection and 1 representation expressing support for the proposal had been received from the public with regard to the application. The issues raised within the objection can be summarised as follows (with the paragraph(s) that provides responses to each issue indicated within brackets):

Objections

- Daylight and Sunlight Report does not assess the full impact on Parmoor Court as it only extends to the 6th floor and dwellings on the 7th and 8th floor will also be affected (paragraph 11.72)
- Increased pressure on on-street car parking (paragraphs 11.34-11.36)
- Dust pollution during construction period (paragraphs 11.78-11.79).

Applicant's Consultation

- 8.3 The applicant carried out a consultation exercise with local residents in March 2017. A public exhibition was held on Tuesday 28 and Wednesday 29 March 2017 and 400 newsletters were distributed to local residents, groups and businesses. The consultation is detailed within a Statement of Community Involvement which accompanied the planning application.

External Consultees

- 8.4 Metropolitan Police (Crime Prevention) – no objections raised.
- 8.5 Thames Water – no objections raised.
- 8.6 London Fire and Emergency Planning Authority – no objections raised.

Internal Consultees

- 8.7 Access Officer – the proposal has been revised to incorporate an accessible cycle parking space, an accessible shower and a mobility scooter parking space and charging point. No objections are raised in terms of accessibility.
- 8.8 Design and Conservation Officer – no objections raised to the principle of the development including its massing, height and general architectural approach. However, there are some outstanding concerns relating to the detailed architectural

design of the scheme. Accordingly, a condition (No. 3) should be attached to any planning permission to secure the following:

- Details of materials and elevational detailing including a suitable brickwork bond (preferably a Flemish bond) and satisfactory detailing at the junction of the eastern and northern elevations;
- Appropriate detailing to the courtyard gate on Gee Street;
- Satisfactory details of the appearance of the rooftop plant and plant screen.

8.9 Energy Conservation Officer – at the time of writing the applicant had responded to most of the queries and concerns raised by the Council's Energy Conservation Officer. The applicant has been requested to explore whether there are opportunities to further improve the energy efficiency of the building. A verbal update will be provided at the committee meeting.

8.10 Public Protection Division (Noise) – no objections raised subject to a condition restricting plant noise levels (No. 7).

8.11 Public Protection Division (Air Quality) – no objections raised subject to a condition securing measures to minimise future occupiers' exposure to air pollution (No. 14).

8.12 Highways Officer – no objections raised.

8.13 Sustainability Officer – no objections raised.

Other Consultees

8.14 Design Review Panel – The proposal was considered by the Design Review Panel at pre-application stage on 16 September 2016. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The Panel's observations are attached at **Appendix 3** and are detailed below:

Massing, height and design approach

The Panel felt that the design development had been very positive in relation to height and massing of the new building. They thought that the proposed height responded well to the surrounding context.

Panel members thought there were a lot of positive aspects in the design, in particular, the gap between Harella House and the proposed new building which would insert a lightwell between them with the stair, keeping the existing east elevation of Harella House exposed. This would serve both as a reminder of the historic gable end but also provide some detail relief.

However, there was some concern raised in relation to the different treatments and lack of integration of the front (north) and the side (east) elevations. They felt that the corner of the building needed to be better expressed and the junction between the two different treatments needed to be properly resolved. Further consideration should be given to how the building meets the ground; most buildings nearby have a clearly articulated plinth.

Officer note: Following the comments of the DRP the interface between the glazed Gee Street (north) façade and the brick side (east) facade has been revised and rationalised. The Crittal treatment of the northern elevation no longer wraps around the corner of the building. This allows a clear distinction between the differing elevational treatment. There is a subtle connection between the two facades on the second floor level where the horizontal precast concrete profile continues along the glazed Gee Street facade, wrapping into the entrance courtyard.

Elevational treatment and materiality

The Panel commended the design team for their presentation and approach to materiality. They thought the success of the scheme will be very much dependant on achieving the right detail and appearance.

In terms of the palette of materials, there was a general positive response in particular in relation to the east elevation. Panel members welcomed the proposed use of bricks, the expression of the frames, the set backs to assist in articulating the elevation, the introduction of the terrace. However, they thought clarification was needed on how the concrete frame would meet the ground.

In relation to the North façade, there were some concerns raised in relation to implementation and detail and whether the design would be technically successful. The Panel felt that whilst the initial inspiration may have been a crittal façade, it appeared that due to technical constraints, a different system would be used. Panel members were also unclear about the appearance of the slabs through the curtain walling and stated that details of floor slabs and spandrels needed to be further explored/clarified.

Officer note: To provide further clarity and confidence regarding the quality of the north façade further detailed design development of the curtain walling and the bespoke caps has been carried out. The cap profiles are C and T sections and additional detail is provided within the Design and Appearance section of this report. The application submission has included eastern elevation drawings which provide clarity on the appearance of the building at ground floor level.

The Panel commented on the proportions of Harella House north street elevation and the expression of bottom, middle and top. They felt the ground floor of the proposed building appeared squat and considered that the articulation of the base would benefit from relating more closely to Harella House.

Officer note: In response to comments made about the ground floor proportion, the number of glazing bars on ground and first floor is reduced. A horizontal precast concrete profile/banding has been introduced at second floor level which accentuates this architectural change as well as allowing greater transparency at street level. When the proposal is viewed from Goswell road the change also relates positively to the articulation of the adjacent Harella

House tying in with the proportions and banding of the render and brickwork treatment of this building.

Servicing and implications on design

The Panel felt that a major outstanding issue that needed to be resolved was the servicing/loading bay solution and how it would relate to the substation. Panel members noted that as currently proposed the proposed servicing did not comply with the requirements of the Council's Highways department and encouraged Highways and Planning to find a compromise that would suit both their requirements. The Panel commented that if the proposals were to change and the servicing were to be provided on the ground floor there may be sense in retaining the substation within the new building rather than moving it to Harella House.

Officer note: The Council's Highway advisor had initially raised concern over the servicing proposals. However, following further clarification over how and when servicing would take place, and taking account of the existing single yellow line marked in Gee Street opposite the site, the Highway officer retracted the concerns relating to servicing and deliveries and now supports the proposal.

Summary

The Panel felt that the redevelopment of the car park presented a positive opportunity to improve not only the site but its relationship with the public realm.

Panel members were positive in principle about the height, massing and general design approach. However, concerns were raised in relation to the detail of the front street elevation and the junction/integration between front and side elevations. The Panel also raised concerns about the uncertainty surrounding the servicing requirements as this could have a significant impact on the ground floor and the appearance of the building.'

Officer note: These outstanding matters of the front elevation, junction/integration between the front and side elevations of the building and the servicing arrangement have been responded to positively in the application submission as detailed above.

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

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy (2011) and Development Management Policies (2013) and Finsbury Local Plan (2013). The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.4 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013:

Islington Local Plan

- Bunhill and Clerkenwell Key Area
- Employment Priority Area (General)

London Plan

- Central Activities Zone (CAZ)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 10.1 EIA screening is not required by this development, as the site is less than 0.5 hectare.

- 10.2 The applicant team did not submit a request for an Environmental Impact Assessment (EIA) scoping opinion, however the general characteristics of the site and the proposed development are not considered to fall within Schedule 1 or 2 development as set out in the Environmental Impact Assessment Regulations (2017). In particular, the site is significantly less than 0.5 hectares in size and it is not in a sensitive area as defined by the Regulations (nor is it considered appropriate in this case to bring other, local designations into consideration as allowed for under paragraph 032 (ref: 4-032-20170728) of the NPPG). As such, the proposal is not considered to be EIA development.

11. ASSESSMENT

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

- Land use:
 - Office use
 - Lack of on-site housing
 - Lack of ground floor retail or leisure use
 - Loss of car park
- Provision of workspace suitable for small or micro enterprises
- Design and conservation
- Accessibility
- Neighbouring amenity
- Sustainability, energy efficiency and renewable energy

- Highways and transportation
- Planning obligations.

Land-use policy

Office use – planning policy and studies

- 11.2 Chapter 1 of the London Plan sets out the Context and Strategy and Table 1.1 details a projection that between 2011 and 2036 employment in Islington will have grown by 27.1%, from 196,000 to 249,000 jobs.
- 11.3 Policy 2.10 of the London Plan is concerned with the strategic priorities of the CAZ and states, inter alia, that boroughs should:
- ‘enhance and promote the unique international, national and Londonwide roles of the CAZ, supporting the distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world’s most attractive and competitive business locations.’
- 11.4 Policy 4.1 of the London Plan is concerned with Developing London’s Economy and states, inter alia, that:
- ‘The Mayor will work with partners to:
- a1) promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises, including the voluntary and community sectors
 - d) support and promote the distinctive and crucial contribution to London’s economic success made by central London and its specialist clusters of economic activity
 - e) sustain the continuing regeneration of inner London and redress its persistent concentrations of deprivation.’
- 11.5 Policy 4.2 of the London Plan is concerned with Offices and states, inter alia, that ‘the Mayor will and boroughs and other stakeholders should:
- a) support the management and mixed use development and redevelopment of office provision to improve London’s competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises.
 - d) seek increases in the current stock where there is authoritative, strategic and local evidence of sustained demand for office-based activities in the context of policies 2.7, 2.9, 2.13 and 2.15–2.17’
- 11.6 The Mayor of London’s Central Activities Zone Supplementary Planning Guidance (SPG) (2016) states at paragraph 1.1.3 that:

'The CAZ is an internationally and nationally significant office location, complemented by the north of the Isle of Dogs and Tech City. The density, scale and mix of business functions and activities in the CAZ is unique. This agglomeration results in exceptional levels of productivity which cannot be replicated elsewhere in the UK and provides national level benefits.'

11.7 The SPG further notes at paragraph 1.3.1 that 'The supply of sufficient office floorspace, in terms of type, size and cost within the CAZ...to meet growing demand are central to London's economic success.'

11.8 The Islington Core Strategy identifies the site as being located within the Bunhill and Clerkenwell Key Area and notes at paragraph 2.8.2 that 'Overall, it is estimated that the Bunhill and Clerkenwell area may need to accommodate an additional 14,000 B-use jobs and around 3,200 new homes by 2025.'

11.9 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states, inter alia, that:

'A. Employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy...Creative industries and Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and encouraged. Accommodation for small enterprises will be particularly encouraged.'

11.10 Policy CS13 of the Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business floorspace will be encouraged in the CAZ and town centres, where access to public transport is greatest. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development should provide jobs and training opportunities, including through a proportion of small, micro and/or affordable workspace or affordable retail space.

11.11 Paragraph 3.4.3 of the Core Strategy notes that employment in Islington is expected to increase by around 35,000 to 45,000 jobs between 2012 and 2027. Furthermore, it notes that the Islington Employment Study 2008 projected that just over 50% of these jobs will be provided within B-use floorspace. Paragraph 3.4.4 states that

'The CAZ is expected to continue to be the most attractive location for increases in B-use floorspace, accounting for around 75% of total growth. In terms of the Key Areas identified in the Spatial Strategy, Bunhill and Clerkenwell is expected to account for around 70% of the borough's new B-use floorspace'.

11.12 The Islington Employment Land Study (2016) notes at paragraphs 7.3.1-7.3.2 that:

'One consequence of the recent rapid growth in office employment in London is that vacancy rates are currently low. A vacancy rate of 8% is generally considered to be an optimal one, and the London Office Policy Review 2012 advises boroughs to factor in this level of vacancy in terms of planning for future

supply. This permits the market to function with an appropriate degree of choice or churn without applying significant upward or downward pressure on rents.

Where existing vacancy rates are below 8% then additional supply should be added to the forecast to account for this shortfall. At 2014, the base date for our forecasts, the estimated vacancy rate in Islington's CAZ area was almost 4%.'

11.13 The Study further notes at paragraph 7.8.1 that:

'For the period 2014-2036, employment as a whole in Islington is projected to increase by 50,500. Continued high levels of growth are projected for the future. Islington is forecast to have high levels of employment growth in the types of professional and technical services sectors that generate demand for office space. The London Office Policy Review 2012 had a guideline figure of 433,000 sq m over the period 2011-2036, and our revised forecasts come out with broadly the same figure. Once we have adjusted for the current low vacancy rate our forecasts in total give a planning target of 400,000 sq m of office floorspace for the period 2014-2036 to meet forecast demand and allowance of an 8% vacancy factor.'

11.14 Against the backdrop of an identified requirement to deliver new office floorspace Islington Council's Annual Monitoring Reports (AMR) have identified consistent net losses in office floorspace over recent years as follows:

Reporting Period	Net loss Class B1(a) floorspace (m ²)
1 April 2011 – 31 March 2012	4,630
1 April 2012 – 31 March 2013	7,923
1 April 2013 – 31 March 2014	7,705
1 April 2014 – 31 March 2015	15,635

11.15 The application is accompanied by a Market Demand Analysis which identifies that in May 2017 approximately 33,000m² of B1(a) floorspace was vacant and available in the EC1V postcode within which the site lies. The analysis also identified the following:

- The area has a vacancy rate of 4.8%, significantly lower than the optimal rate of 8% and the current vacancy rate of 5.7% found in the City as a whole;
- The market within this area is characterised by small units, with 87.5% of available units being less than 1,500m² in size - this presents little potential opportunity for large office occupiers to take space in this area;
- The quality of the office floorspace available is also limited with only two of the current 24 available units in the area being considered to provide good quality space;
- Historically, this area primarily provided floorspace for creative and 'tech' companies, with such companies taking 45% of total floorspace in 2006, whilst in 2017, this has reduced to 14% showing that the occupier market is becoming much more diverse and attractive;
- Across Central London active demand for space stands at circa 595,000m² - it is estimated that there is around 32,000m² of demand from office occupiers in the EC1V market.

11.16 It is therefore the case that, in land use terms, the policy framework along with the available evidence base provides a very strong justification for the provision of new, high quality office floorspace on the application site.

Requirement for mix of uses in the CAZ – planning policy

11.17 Policy 4.3 of the London Plan states that ‘Within the Central Activities Zone...increases in office floorspace...should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies within this plan’.

11.18 Core Strategy Policy CS12(B) makes clear that proposed development which results in the reduction of land supply for conventional housing will be refused.

11.19 Policy BC8 of the Finsbury Local Plan is concerned with achieving a balanced mix of uses and states, inter alia, that:

‘A. Within the Employment Priority Areas (General and Offices) designated on the Policies Map and shown on Figure 16:

ii. Proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.

B. Within the Employment Priority Area (General) designated on the Policies Map and shown on Figure 16, the employment floorspace component of a development or change of use proposal should not be unfettered commercial office (B1(a)) 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.

For proposals in excess of 10,000m² gross employment floorspace, the proportion of micro, small and/or affordable workspace or retail space to be provided should be equivalent to at least 5% of the total amount of proposed employment floorspace.

D. Throughout the area, 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 the provision of housing off-site.

I. New business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation; and should provide full separation of business and

residential floorspace where forming part of a mixed use residential development.’

11.20 Policy DM5.1 is concerned with New Business Floorspace and states, inter alia, that:

‘E. Within the Central Activities Zone (CAZ) 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 the provision of housing off-site.

F. New business floorspace must be designed to:

i) allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business accommodation, particularly for small businesses...’

11.21 The subtext at paragraphs 5.9-5.10 states, inter alia, that:

‘London Plan Policy 4.3 states that, within the CAZ, strategically important office developments should provide for a mix of uses, including housing. Policy DM5.1 quantifies this requirement by stating that major development proposals which would result in a net increase of office floorspace should also incorporate housing; and that the total amount of housing floorspace should be equivalent to at least 20% of the total net increase in office floorspace...Where it is not appropriate for housing to be provided on site, an equivalent financial contribution will be sought for the development of affordable housing off-site by the council. This will be determined based on the number of additional housing units that would be required on-site to achieve a genuine mixed use development...’

11.22 The proposal does not include housing or ground floor retail or leisure uses and would therefore fail to meet the requirements of Policies CS12, DM5.1 and BC8 and London Plan Policy 4.3. This matter is considered in the assessment of the proposed land use below.

Affordable Workspace - planning policy

11.23 Policy 2.7 of the London Plan identifies that the Mayor and boroughs should manage and improve the stock of industrial capacity to meet both strategic and local needs, including those of small and medium size enterprises, start-ups and businesses requiring more affordable workspace, including flexible, hybrid office/industrial premises.

11.24 Policy BC8 of the Finsbury Local Plan is detailed above and requires the provision of 5% of the uplift in office floorspace to be provided as affordable workspace. The policy indicates that the workspace can be provided as micro, small and/or affordable workspace.

11.25 The subtext at to Policy BC8 at paragraph 11.1.5 advises that, ‘Micro and small workspaces are considered to be workspaces in business use (B use classes) with a

gross internal floor area of around 90m² (gross) or less and which will be offered to occupants on favourable and flexible terms.'

11.26 Policy DM5.4 of the Council's Development Management Policies Document is concerned with the size and affordability of workspace and states, inter alia, that:

'A. Within Employment Growth Areas and Town Centres, major development proposals for employment floorspace must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises.

C. Where workspace is to be provided for small or micro enterprises, but is not within physically separate units, the applicant will be required to demonstrate that the floorspace will meet the needs of small or micro enterprises through its design, management and/or potential lease terms.'

11.27 Paragraphs 5.27-5.28 state, inter alia, that:

'The design of workspace for small or micro enterprises will vary, depending on the end occupier or sector. In general; however, applicants should demonstrate that workspace for small/micro enterprises incorporates:

- a basic, but good quality fit-out, which incorporates servicing to all areas of workspace;
- flexible internal arrangements that permit a number of different internal work areas to be accessed from shared spaces;
- good standards of internal sound insulation;
- a range of shared spaces and facilities, such as communal breakout space, kitchen areas, bike storage and goods lifts; and external space reserved for loading/unloading.'

11.28 The applicant proposes 207m² (5.1% of the total floor space) of small/micro workspaces in accordance with policies BC8 and DM5.4.

11.29 The applicant has advised that viability considerations informed the decision to provide small/micro units rather than affordable workspace. The application site is a cleared site and accordingly there is no existing floorspace on the site to discount against the proposed floorspace in calculating the Mayoral Crossrail levy and Islington Community Infrastructure Levy (CIL). The scheme gives rise to a requirement for a Mayoral CIL payment of £261,524.66, a Crossrail contribution of £305,475.34 and an Islington CIL payment of £390,426.78 as well as a payment in lieu of on-site affordable housing of £648,000. Furthermore, the applicant proposes to connect to the Bunhill District Energy Network in accordance with Policy DM7.3, which is understood to be more expensive than alternative options. As noted above, the provision of micro/small workspaces is policy compliant.

Land use assessment

Office floorspace

- 11.30 As noted above, the policy framework and available evidence base provides very strong support for the delivery of new office floorspace and employment growth in this location. The proposal would result in the delivery of 4,050m² new office floorspace to contribute towards meeting an identified need, with corresponding economic and employment benefits, and is welcomed.

Lack of on-site housing

- 11.31 The proposed development does not include residential floorspace. An alternative mixed-use scheme featuring four residential units on the 6th floor is detailed within the Design and Access Statement which accompanied the planning application. The details of the alternative scheme demonstrate that the provision of 20% of the GIA as residential floorspace would result in a less efficient scheme due to the requirement for a separate residential entrance, lobby, core, refuse and cycle storage which would result in a corresponding reduction in business floorspace. It is therefore proposed to make a £648,000 financial contribution in lieu of on-site housing. It is noted that if housing were proposed on-site it would not give rise to a requirement for on-site affordable housing as it would be below the 10 unit threshold indicated in Policy CS12. In this alternative scenario a financial contribution of £240,000 would be sought in accordance with the Affordable Housing Small Sites Contribution SPG, which is significantly lower than the £648,000 which would be secured under the application proposal.
- 11.32 In view of the fact that the applicant has demonstrated that a mixed use scheme would undermine the efficiency and functionality of the building, and given the evidence base and policies which lend strong support for the delivery of new office floorspace in this location, it is considered that there is sufficient justification in this instance to accept a payment in lieu of on-site housing.

Lack of ground floor retail or leisure use

- 11.33 Policy BC8(B) requires that new development of employment floorspace should include retail or leisure floorspace at ground floor level. The provision of retail or leisure floorspace would be at the expense of office floorspace, for which there is a demonstrably strong demand in this location. Gee Street is not located within a designated Town Centre or Shopping Frontages where retail and leisure uses are focused. Gee Street has the characteristics of a secondary street in the context of the surrounding area and does not feature any other examples of retail or leisure uses at ground floor level. Accordingly, the introduction of an active commercial retail or leisure use at ground floor level is considered out of keeping with the established character of Gee Street. The applicant also notes that the viability and long term success of such a unit is of question given its isolation from other similar uses and relative absence of significant footfall which helps sustain such uses, and this point is acknowledged. Accordingly, it is considered that there is sufficient justification in this instance to provide unfettered office floorspace within the proposed block.

Loss of car park

- 11.34 The scheme involves the loss of the existing car park. Core Strategy Policy CS10(H) seeks to minimise Islington's contribution to climate change by 'encouraging

sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use, and requiring that all new developments are car-free.’

- 11.35 Development Management Policies policy DM8.5(E) states that ‘proposals for the redevelopment of existing car parks for a different use shall be subject to the car-free restriction within this policy and the Core Strategy.’ The proposed loss of existing parking is in keeping with the borough’s car free strategy and is supported.

Relocation of substation

- 11.36 The existing substation detracts from the appearance of the street scene and its relocation to Harella House is considered beneficial in character terms.

Design & Appearance

- 11.37 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

- 11.38 London Plan Policy 7.4 is concerned with Local Character and states, inter alia, that:

‘Buildings, streets and open spaces should provide a high quality design response that:

- a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
- b) contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area
- c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings
- d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.’

- 11.39 London Plan Policy 7.6 is concerned with architecture and states, inter alia, that:

‘Buildings and structures should:

- a) be of the highest architectural quality
- b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c) comprise details and materials that complement, not necessarily replicate, the local architectural character
- d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- e) incorporate best practice in resource management and climate change mitigation and adaptation

- f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g) be adaptable to different activities and land uses, particularly at ground level
- h) meet the principles of inclusive design
- i) optimise the potential of sites.'

11.40 Policy DM2.1 (Design) requires all forms of development to be of a high quality, to incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Development which fails to take the opportunities available for improving the character and quality of an area and the way that it functions will not be supported.

Height of block

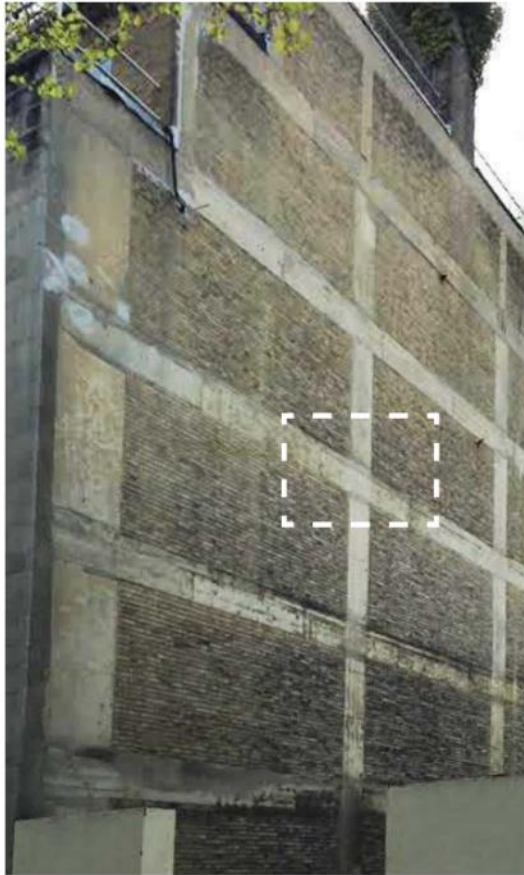
11.41 In terms of the context of the site, Harella House immediately to the west is 5 storeys high. 100-102 Goswell Road on the opposite side of Gee Street to the north is 5 storeys high whilst the adjoining 15-27 Gee Street is 6 storeys high. To the south of the site is the 27 Old Street which comprises a five storey frontage building and a 3 storey building to the rear which adjoins the south-east boundary of the application site. The adjoining Morelands complex comprises a 5 storey frontage building and a 6 storey building to the rear which adjoins the southern boundary of the application site. The buildings fronting Old Street effectively prevent views of the proposed new building from the south and southwest. The Stafford Cripps Estate to the east of the site comprises three 12 storey blocks and it is noted that these buildings benefit from a spacious landscaped setting.

11.42 In view of the context of the application site, the seven storey height of the proposed building is not considered excessive or to result in a building which is overly prominent, and is therefore considered acceptable.

Eastern facade

11.43 The principal elevations of the building visible from Gee Street would be the eastern facade and the front elevation facing onto Gee Street. The eastern facade is inspired by the gridded exposed party walls found in the locality and is composed of regular gridded brick bays and glazing.

Gridded exposed party walls in the locality



Gee Street, Clerkenwell



Kiffen Street, Shoreditch

Existing eastern elevation



Proposed eastern elevation



- 11.44 The eastern elevation will feature three shades of dusky pink brickwork laid in a running bond, lightening in colour to the upper floors. The design has been articulated and textured by varying the depth of the brick bays on the elevation, which creates shadows on the upper levels and reveals the chamfer of the façade frame. This approach is intended to present subtle shifts in the façade geometry and form and to create refinement and relief.

Variation in colour and varying depth of brick bays on the east elevation



11.45 When looking from the east to the west along Gee Street the proposed new building would appear quite prominent. The visual impact of the eastern elevation is moderated through the deeper reveals and setbacks in the elevation to the upper levels. It is considered that the pattern and rhythm of the bays on the east elevation is successful in breaking up its visual mass. The elevational treatment and use of materials on the eastern elevation is supported in design terms.

Northern facade

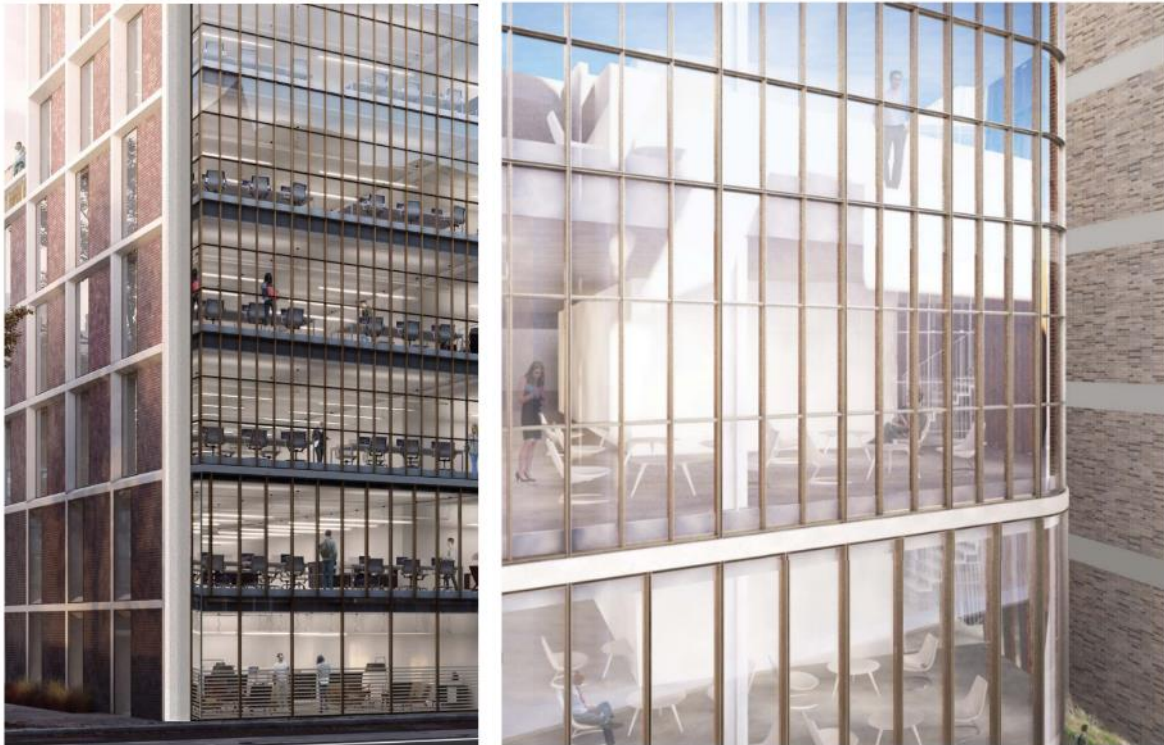
11.46 The proposed north elevation of the facade including where it turns into the courtyard space is a composed of glass and metal. The proportions and detailing of the facade are inspired by the industrial past of the surrounding area and by a number of old factory and warehouse style buildings in the area which feature crittal windows.

Crittall windows in the locality



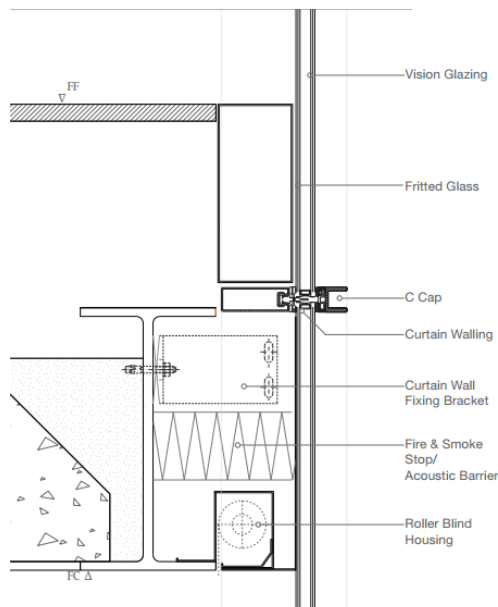
- 11.47 The northern façade will feature a curtain walling system which would appear as crittal window style glazing.

Northern façade elevational treatment



- 11.48 The application is accompanied by a detailed design for the curtain walling bespoke cap system. This responds to the comments from the DRP regarding potential technical constraints associated with the curtain walling system and its detailed appearance. The submission of this detailed design information is considered to satisfactorily address the DRP comments in this regard.

Curtain walling bespoke cap system – Detail section



Detail Section

11.49 The glazing would be set back to form a small courtyard where the proposed building adjoins Harella House and is inspired by examples of similar features in the locality. This approach is intended to integrate the proposed building with Harella House and allows the existing party wall to be seen and contribute positively to the entrance space. There would be a horizontal precast concrete profile at second floor level of the proposed building at a similar level to a horizontal band on Harella House and this is intended to provide a subtle connection between two buildings. It is considered that the design approach would provide a suitable interface between the eastern end of Harella House and the proposed office building.

Courtyard entrance and interface with Harella House



Views from the west

11.50 In views of Gee Street from the west, much of the proposal would be screened by Harella House.

Existing view from the west on Goswell Street



Proposed view from the west on Goswell Street



Conclusion

- 11.51 It is considered that there is a strong rationale and justification for the proposed design approach which has been informed by the architectural and historic context of the site. The height and massing of the proposed building is considered appropriate and the treatment of the eastern elevation is successful in mitigating against any impression of bulk. The treatment of the northern elevation in particular is considered to represent a high quality design approach. The proposed building has been carefully considered in architectural terms and represents a high quality of detailed architectural design.

Accessibility

- 11.52 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances.
- 11.53 The Council's Accessibility Officer observed that the proposed development did not include mobility scooter parking/charging points, accessible cycle parking and accessible shower facilities. The applicant has submitted an amended ground floor plan which satisfactorily addresses these matters. The proposed development is considered acceptable in terms of accessibility.

Neighbouring Amenity

- 11.54 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 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.
- 11.55 Daylight and Sunlight: In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 11.56 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).

- 11.57 The No Sky-Line or Daylight Distribution contour shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the

room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.

11.58 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to proposed residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.

11.59 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.

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

11.60 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasizes 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.

11.61 The application site is located within an accessible 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.

11.62 It is noted that the BRE Guidelines are predicated upon a suburban development model and the 'ideal' baseline target values they set out are based upon a suburban situation i.e. the level of light that would be expected in a situation with two storey dwellings facing one another across a reasonable width road.

11.63 The Mayor of London's Housing SPD is primarily concerned with the impacts of new residential development but can be considered more generally relevant in stating at paragraphs 1.3.45-46 that:

'Policy 7.6Bd requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to

privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.'


11.64 The following 4 properties contain residential dwellings which need to be assessed in terms of daylight/sunlight impacts:


- 1-60 Parmoor Court;
- Upper Floors of 86 Goswell Road;
- 100-102 Goswell Road;
- 3 Upper Floors of 15-27 Gee Street.

11.65 The assessment demonstrates that all of the rooms within 100-102 Goswell Road will experience no transgression beyond the BRE Recommendations in relation to any loss of daylight and sunlight.

11.66 The following table identifies all cases where there will be a loss of daylight which exceeds the BRE recommendations in terms of the VSC or the NSL method of assessment. As noted above, the BRE Guidelines indicate that there would only be a real noticeable loss of daylight in cases where there the loss would exceed the recommendations under both the VSC and the NSL method of assessment.

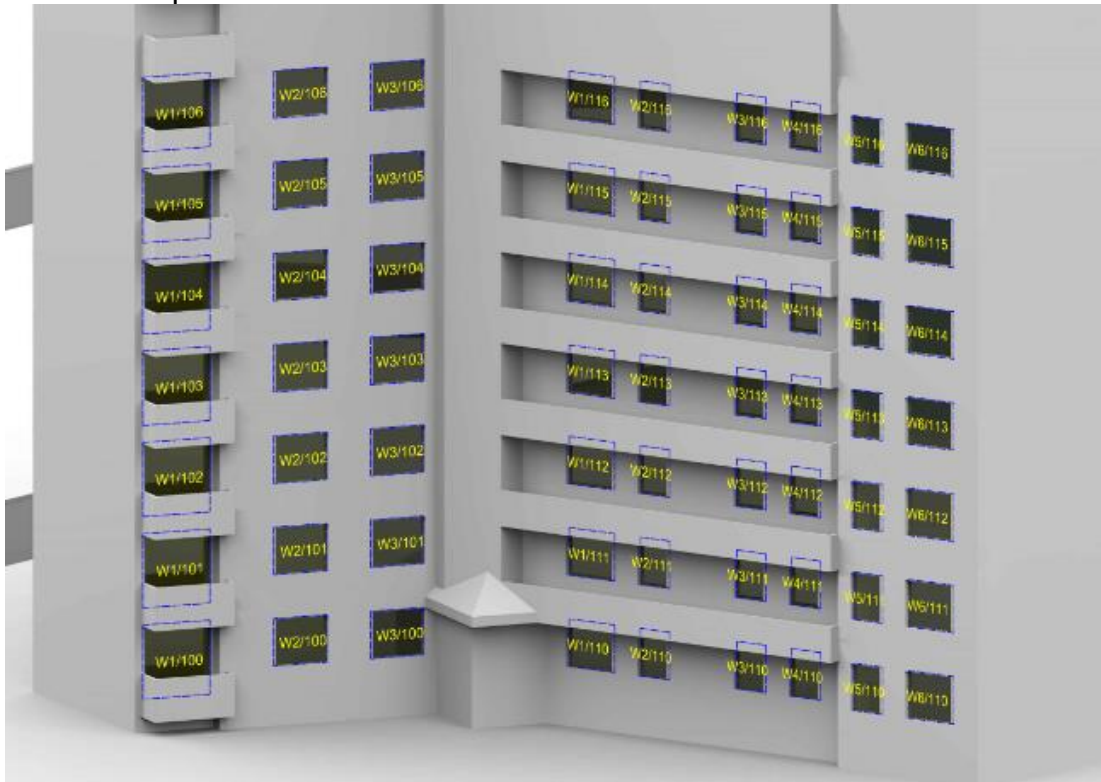
Daylight losses in excess of BRE recommendations (indicated in **bold**)

 Achieves compliance with BRE Guidelines for one method of assessment – no real noticeable loss of daylight

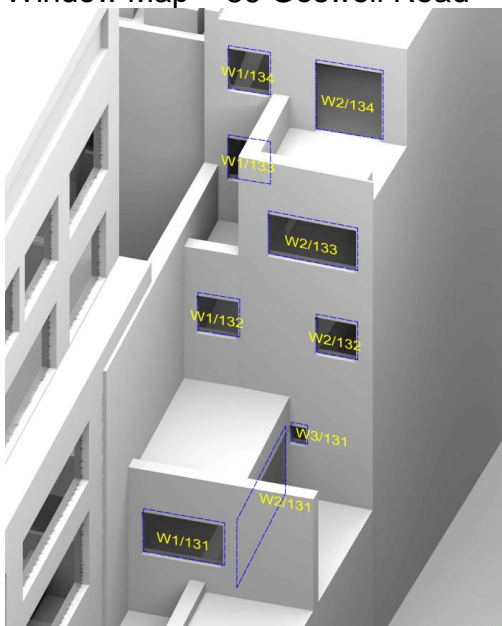
 Does not achieve compliance with BRE Guidelines for either VSC or NSL – noticeable loss of daylight

Room / Window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)			
		Existing (%)	Proposed (%)	Factor of former value (target: 0.8)	Whole room m ²	Previous m ²	Proposed m ²	Factor of former value (target: 0.8)
1-60 Parmoor Court								
R1/100 W1	Living Room	21.69	17.15	0.79	8.0	7.8	7.6	0.97
R1/110 W1	Kitchen	22.22	16.21	0.73	8.9	8.6	5.0	0.58
R3/110 W3	Bedroom	23.45	17.84	0.76	5.4	5.2	3.0	0.58
R4/110 W4	Bedroom	22.39	17.29	0.77	5.5	5.1	3.1	0.61
R6/110 W6	Kitchen	21.89	17.99	0.82	11.1	8.8	5.1	0.58
R2/111 W2	Kitchen	25.30	19.44	0.77	6.0	5.9	3.8	0.66
R3/111 W3	Bedroom	25.38	20.06	0.79	5.4	5.2	3.5	0.67
R4/111 W4	Bedroom	24.34	19.47	0.8	5.5	5.2	3.7	0.71
R6/111 W6	Kitchen	24.20	20.37	0.84	11.1	9.5	5.9	0.62
R2/112 W2	Kitchen	27.08	21.66	0.8	6.0	5.9	4.6	0.79
R6/112 W6	Kitchen	26.60	22.90	0.86	11.1	9.7	6.8	0.70
86 Goswell Road								
R1/131 W1	Unknown	11.20	7.91	0.71	33.0	15.2	7.8	0.51
R2/132 W2	Unknown	11.70	10.82	0.94	11.7	8.4	5.1	0.60
15-27 Gee Street								
R2/173 W2	Unknown	29.50	16.38	0.55	30.6	30.6	28.3	0.93
R3/173 W3	Unknown	29.45	21.37	0.73	32.0	32.0	0.0	1.0
R1/174 W2	Unknown	32.54	21.33	0.66	21.5	21.5	0.0	1.0
R1/174 W3	Unknown	32.41	23.86	0.74				

Window Map – 1-60 Parmoor Court



Window Map – 86 Goswell Road

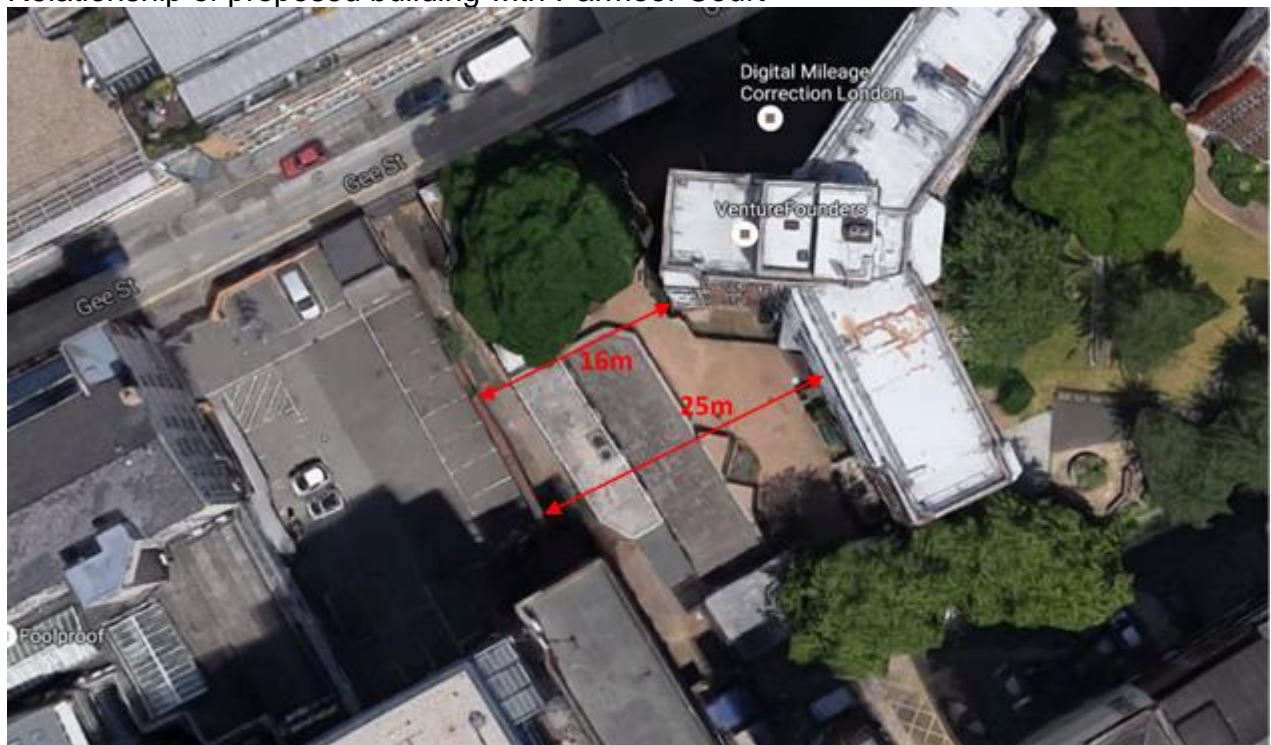


11.67 Two kitchens and three bedrooms at 1-60 Parmoor Court would experience a reduction in VSC and NSL in excess of the BRE recommendations. It is noted that the reduction in VSC for these units is not significantly in excess of the 20% reduction considered acceptable within the BRE Guidelines. It is also noted that the retained VSC levels are reasonable for dwellings in a built up urban context. The reductions in daylight distribution for these rooms is considered acceptable in view of the VSC results.

- 11.68 One window at 86 Goswell Road will experience a 29% reduction in VSC and a 49% reduction in daylight distribution. The report notes that this window is located directly adjacent to Moorlands and is therefore subject to a lower existing VSC level and therefore a 3.4% reduction reflects disproportionately as a percentage reduction.
- 11.69 Four windows serving 15-27 Gee Street will experience notable reductions in VSC but limited or nil reductions in NSL due to the size of the windows. The VSC test takes a calculation point from the centre of the window and therefore does not take into account the size of the window (which in this case are wide) whilst the NSL test considers the size of the window and the overall distribution of daylight within the room.
- 11.70 Only one room relevant for sunlight assessment would experience a transgression beyond the BRE Guidelines in terms of sunlight. Room R4/110 W4 located on the ground floor of 1-60 Parmoor Court would receive 23% APSH which is 2% below BRE Guidance and in view of the urban context is considered reasonable.
- 11.71 In view of the densely built up urban context of the site and given the above considerations it is considered that the daylight and sunlight impacts of the proposal would not be unduly harmful in planning terms.
- 11.72 An objection has been received from a resident of Parmoor Court that an assessment of the daylight and sunlight impact upon rooms to the 7th floor and above has not been carried out. On the basis that the impact to the lower floors is considered acceptable, and given that there will be less impact to the rooms at higher levels, it is not considered necessary to assess these rooms.
- 11.73 Overlooking / Privacy: The subtext to Policy DM2.1 at paragraph 2.14 sets out guidance to be applied in assessing overlooking of existing residential properties from new residential development. The proposed development will provide office floorspace which will generally be unoccupied at times when residential dwellings may be most intensively occupied, and accordingly the guidance is not directly applicable. The policy subtext can nevertheless offer a helpful guideline and it states 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’.
- 11.74 In the application of the above guidance it should be acknowledged that the nature of views between rooms can vary. For instance, where the views between rooms are oblique as a result of angles or height difference between windows, there may be no harm.
- 11.75 The proposal is considered acceptable in terms of overlooking of nearby office buildings to the south and west. There are residential units to the upper floors of 86 and 100-102 Goswell Road. However, these units are located approximately 30m from the proposed building and this is considered to be a sufficient distance to ensure that there will be no unduly harmful overlooking.

- 11.76 There are residential units to the upper floors of 15-27 Gee Street. However, any overlooking of these flats will occur across a public highway and would therefore not constitute an unacceptable loss of privacy.
- 11.77 The proposed eastern elevation of the proposed office building would have windows facing directly towards residential units within Parmoor Court. These flats are approximately 25m from the proposed building, which is considered a sufficient distance to ensure that no unduly harmful overlooking would occur. The north-western arm of Parmoor Court includes flats which have a south-westerly outlook towards the proposed building, albeit at an oblique angle. There are two windows and a balcony served by doors on each floor. The windows are located more than 18m from the site whilst the balconies are approximately 16m from the site. In view of the distance from the proposed building and the oblique angle of the balcony doors as well as the non-residential use of the proposed development it is considered that no unduly harmful loss of privacy will occur within the accommodation served by these doors.

Relationship of proposed building with Parmoor Court



Outlook / Sense of Enclosure: 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 with key factors in this assessment being the local context and arrangement of buildings and uses.

- 11.78 In view of the siting of the building in relation to neighbouring residential properties it is considered that the proposed development would not result in any unduly harmful loss of outlook or visual impact.

- 11.79 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 is required to comply with the Council's Code of Construction Practice. Compliance would need to be secured as part of a section 106 agreement together with a payment towards the monitoring of the site to ensure its neighbourliness. This payment is considered to 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. The submission of a method statement for the construction phase and a construction logistics plan would also be required.
- 11.80 The Council's Environmental Health (Pollution) Officer has recommended that a Construction Environmental Management Plan (CEMP) is secured by condition (No. 4), in particular to ensure that a satisfactory acoustic environment is maintained for hearings and procedures at the nearby Clerkenwell and Shoreditch County Court on Gee Street. The CEMP would also be required to address other environmental impacts including (but not limited to) air quality (including dust), smoke and odour, vibration and TV reception.
- 11.81 Noise: The application is accompanied by a Noise Report which sets out suitable noise level limits for plant installed as part of the proposed development.
- 11.82 The Council's Environmental Health (Pollution) Officer has raised no objections to the proposal subject to a condition restricting plant noise levels.
- 11.83 Air Quality: Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM6.1 of the Development Management Policies document requires that development should not cause significant harm to air quality, cumulatively or individually.
- 11.84 The application is accompanied by an Air Quality Report which advises that good practice measures will ensure any impact on air quality from construction activity will be reduced to an acceptable level. The Report further advises that, based upon the air quality assessment carried out, there will be no requirement for air quality mitigation measures during the operational stage of the development.
- 11.85 The Council's Environmental Health (Pollution) Officer does not accept the Report's recommendation that air quality mitigation measures would not be required for the operational stage of the development as the site is predicted to exceed annual mean nitrogen dioxide objective levels. Accordingly, it is recommended that measures to minimise future occupier's exposure to air pollution is secured by condition 9No. ??).
- 11.86 Subject to the above recommended conditions the proposal is considered acceptable in terms of air quality.

Sustainability, Energy Efficiency and Renewable Energy

- 11.87 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon

dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.

- 11.88 Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise 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 at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

BE LEAN

Energy efficiency standards

- 11.89 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The proposed U-values for the development are: external walls = 0.20w/m²k, roof = 0.13w/m²k, floors = 0.20 w/m²k and glazing = 1.5w/m²k. These U-values are generally consistent with the values suggested in the Council's SPD. The air permeability would be 3m³/m²/hr.
- 11.90 LED lighting with occupancy and daylight sensor control systems are proposed and these measures are supported.
- 11.91 The Council's Energy Conservation Officer notes that the development falls short of the London and Islington carbon reduction targets. It is therefore recommended that additional improvements to the energy demand reduction measures are targeted in order to deliver further CO₂ reductions. At the time of writing a response was awaited from the applicant and an update will be provided at the committee meeting.

BE CLEAN

District heating

- 11.92 Policy DM7.3B requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.
- 11.93 The applicant proposes connection to the Bunhill Heat Network and this is welcomed and supported. The applicant has also confirmed that the scheme will be futureproofed for connection to the Network if connection is not currently feasible.

BE GREEN

Renewable energy technologies

- 11.94 The Energy Strategy indicates that photovoltaic arrays covering an area of 24m² would be provided on roof and which would produce an output of 3kWp and would deliver a

saving of 1.47 tCO₂ per year. There is a very constrained area on the roof available for PV and it is not feasible to expand the area of the proposed system. The Council's Energy Conservation Officer has advised that, given that the development falls short of its emissions targets, the applicant should investigate the feasibility of increasing the output per area through greater panel efficiencies. At the time of writing a response was awaited from the applicant and an update will be provided at the committee meeting. Further details of renewable energy technologies will be secured by condition should planning permission be granted (condition 11).

- 11.95 The proposed development is expected to achieve a BREEAM rating of 'Excellent' with a score of 73.79% and this is supported (condition 5).
- 11.96 Carbon Emissions: Policy CS10A states that the promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.
- 11.97 Paragraphs 2.0.8 – 2.0.10 detail the Council's energy hierarchy which should be followed in meeting the Council's CO₂ emissions reduction target. The final stage of the hierarchy requires developers to:

'...offset all remaining CO₂ emissions (Policy CS10) through a financial contribution, secured via a Section 106 agreement, towards measures which reduce CO₂ emissions from the existing building stock (e.g. through solid wall insulation of social housing). For all major developments the financial contribution shall be calculated based on an established price per tonne of CO₂ for Islington. The price per annual tonne of carbon is currently set at £920, based on analysis of the costs and carbon savings of retrofit measures suitable for properties in Islington.

The applicant proposes a reduction on regulated emissions of 27.5% compared to a 2013 baseline target, which falls short of the London Plan target of 35%. The development is predicted to achieve a reduction in total emissions of 12.2% compared to a 2013 Building Regulations Baseline, which falls short of the Islington requirement of 39%. The scheme therefore gives rise to a requirement for a carbon offset contribution of £137,825.

- 11.98 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.

- 11.99 The applicant has provided evidence to demonstrate how the lower levels of the cooling hierarchy have been maximised and it is accepted that active cooling, provided via a centralised chiller plant, would be required within the development.
- 11.100 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate', where feasible.
- 11.101 The proposed development will incorporate a 29m² storage tank underneath the building in order to achieve a discharge rate of 50 l/s/ha into the public sewer on Gee Street.
- 11.102 The Council's Sustainable Design Officer has reviewed the proposals and raises no objection subject to further details to be secured by condition. Thames Water raise no objections to the proposal in relation to foul or surface water drainage. It is recommended that the Sustainable Urban Drainage System proposals are secured by condition (No. 13).
- 11.103 Green Performance Plan: This would be secured through the Section 106 legal agreement.

Highways and Transportation

- 11.104 The site has a Public Transport Accessibility Level (PTAL) rating of 6a indicating excellent accessibility.
- 11.105 Cycle access and parking: Development Management 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. Appendix 6 of the Development Management Policies document details a requirement for cycle parking to be provided at a rate of 1 long stay space per 80m² (GIA) for office uses, which equates to a requirement for 50 cycle parking spaces.
- 11.106 Table 6.3 of the London Plan details a requirement for cycle parking to be provided at a rate of one long stay space per 90m² and one short stay space per 500m² for the first 5,000m² and one space per 5,000m² thereafter. London Plan standards therefore give rise to a requirement for 45 long stay and 8 short stay cycle parking spaces.
- 11.107 It is proposed to provide 51 secure, covered cycle parking spaces at ground floor level including 1 accessible cycle parking space, in accordance with Islington's requirements. Five showers and cycle lockers will also be provided.
- 11.108 Servicing, deliveries and refuse collection: The proposed development will be serviced from a single yellow line area opposite the site on Gee Street. The single yellow line area restricts the parking of cars (not loading vehicles) between 8.30am and 6.30pm.
- 11.109 A refuse and recycling store would be provided at ground floor level and during collections the bins would be wheeled through the bicycle store to the entrance courtyard area on Gee Street.

- 11.110 In order to ensure satisfactory delivery and servicing arrangements it is recommended that a Delivery and Servicing Plan (DSP) is secured by condition should planning permission be granted (condition No. 18).
- 11.111 The Council's Highways Officer has raised no objections to the proposed delivery, servicing and refuse collection arrangements.
- 11.112 Vehicle parking: Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. Development Management Policies policy DM8.5(E) states that 'proposals for the redevelopment of existing car parks for a different use shall be subject to the car-free restriction within this policy and the Core Strategy.' The proposed loss of existing parking is in keeping with the borough's car free strategy and is supported
- 11.113 Disabled car parking is not proposed on-site and it was agreed at pre-application stage that this could be justified in highway safety and townscape terms and the need to make efficient use of the site. The applicant has agreed to make a contribution of £14,000 towards the provision of accessible transport initiatives, to be secured through a Section 106 agreement.
- 11.114 The proposals involve the removal of the existing crossover used to access the car park and this will be carried out under a Section 278 agreement, to be secured under the Section 106 agreement.
- 11.115 Construction Management Plan and Construction Logistics Plan: The Transport Statement proposes measures to minimise the highways impacts of the proposed development during the construction period. It is recommended that a full Construction Management Plan and Construction Logistics Plan be secured by condition (No. 16) should planning permission be granted.
- 11.116 Travel Plan: The application is accompanied by a Framework Travel Plan which details proposals to promote sustainable travel amongst future occupiers of the building. It is recommended that a full Travel Plan be secured through the Section 106 legal agreement, should planning permission be granted.
- 11.117 The Council's Highways Officer has raised no objections to the proposal and the proposal is considered acceptable in highways terms.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 11.118 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.

11.119 The Section 106 agreement would include the following agreed Heads of Terms:

- Contribution of £137,825 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 carried out by LBI Highways. 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 26 weeks, or a fee of £15,000 to be paid to LBI;
- Compliance with the Code of Local Procurement;
- Compliance with the Code of Construction Practice, including a monitoring fee of £4,050;
- Provision of 7 additional accessible parking bays or a contribution of £14,000 towards provision of on-street bays or other accessible transport initiatives;
- Submission of a Green Performance Plan and a post occupation Green Performance Plan;
- Submission 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;
- Submission of a final post occupation Green Performance Plan;
- Payment of Council's fees in preparing and monitoring the S106;
- Connection to the Bunhill Heat Network, or futureproofing for connection if it is not currently feasible;
- Provision of micro/small workspace;
- Payment towards employment and training of local residents of a commuted sum of £39,929;
- A contribution towards Crossrail of £567,000 (note: the Mayoral CIL liability is deducted from this sum);
- Contribution towards off-site housing of £648,000.

11.120 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.

12. SUMMARY AND CONCLUSION

Summary

12.1 The 677m² site is located on the southern side of Gee Street and currently accommodates a car park along with an electricity sub-station. The site is located in a highly accessible location within the Central Activities Zone (CAZ) and within an Employment Priority Area (General).

- 12.2 It is proposed to relocate the existing substation to Harella House and erect a 7 storey office building (4,050m² GIA) fronting Gee Street with a courtyard adjacent to Harella House.
- 12.3 The policy framework along with the available evidence base provides a strong justification for the provision of new office floorspace in this location. The delivery of new offices on the site is therefore strongly supported.
- 12.4 There is a policy requirement for the delivery of on-site housing along with active, complementary uses at ground floor level. The applicant has satisfactorily demonstrated that a solely office scheme is appropriate in this instance. A payment in lieu of on-site housing of £648,000 is proposed.
- 12.5 207m² of ground floor office floorspace suitable for use by small and micro enterprises is proposed which represents 5.1% of the overall floor space and is in accordance with the Council's policy requirements.
- 12.6 The design approach is informed by the architectural and historic context of the site and the elevational treatment of the building features brickwork within a concrete, gridded frame and a glass and metal curtain walling system. It is considered that the proposed development represents a high quality of architecture and is supported in design terms.
- 12.7 The proposal is considered acceptable in terms of its impact upon the residential amenities of the occupants of nearby dwellings. Furthermore, the proposal is considered acceptable in relation to technical matters, subject to the recommended conditions.
- 12.8 The proposal would deliver flexible, high quality office accommodation in an area of high demand whilst enhancing the street scene and the character of the area. The proposal is considered acceptable in planning terms and it is recommended that planning permission be granted.

Conclusion

- 12.9 The proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1–RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission 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. Contribution of £137,825 towards offsetting projected residual CO2 emissions of the development;
2. 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;
3. Compliance with the Code of Employment and Training;
4. Facilitation of 3 work placements during the construction phase of the development, lasting a minimum of 26 weeks, or a fee of £15,000 to be paid to LBI;
5. Compliance with the Code of Local Procurement;
6. Compliance with the Code of Construction Practice, including a monitoring fee of £4,050;
7. Provision of 7 additional accessible parking bays or a contribution of £14,000 towards provision of on-street bays or other accessible transport initiatives;
8. Submission of a Green Performance Plan and a post occupation Green Performance Plan;
9. Submission 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;
10. Submission of a final post occupation Green Performance Plan;
11. Payment of Council's fees in preparing and monitoring the S106;
12. Connection to the Bunhill Heat Network, or futureproofing for connection if it is not currently feasible;
13. Provision of micro/small workspace;
14. Payment towards employment and training of local residents of a commuted sum of £39,929;
15. A contribution towards Crossrail of £567,000;
16. Contribution towards off-site housing of £648,000.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, 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 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: 13505 AP L00 01 100; 13505 AP LXX 01 141; 13505 E LXX 01 142; 13505 E LXX 01 151; 13505 E LXX 01 152; 13505 E LXX 01 001; 13505 AP L00 02 100; 13505 P L00 00 100 Rev. A; 13505 P L01 00 101; 13505 P L02 00 102; 13505 P L03 00 103; 13505 P L04 00 104; 13505 P L05 00 105 Rev. A; 13505 P L06 00 106; 13505 P L07 00 107 Rev. A; 13505 A LXX 04 141; 13505 A LXX 04 142; 13505 A LXX 04 143; 13505 A LXX 05 151; 13505 A LXX 05 152; Daylight and Sunlight Report prepared by Point 2 Surveyors (May 2017) - amended version received 21 September 2017; Noise Report prepared by Applied Acoustic Design (16 June 2017); Air Quality Assessment prepared by Resource and Environmental Consultants Ltd (May 2017); Design and Access Report prepared by Piercy and Company (June 2017) (as amended by revised page 48 submitted by email on 17 October 2017) ; Draft Construction Management Plan prepared by CBRE (April 2017); Drainage Strategy (DMag-1608-DrSt1) prepared by Davies Maguire (October 2016); Market Demand Analysis prepared by CBRE (June 2017); Planning Statement prepared by CBRE (August 2017); Sustainable Design and Construction Statement prepared by Elementa (19.10.2017); Draft Green Performance Plan prepared by Elementa (October 2017) Transport Statement prepared by Steer Davies Gleave (May 2017); Framework Travel Plan prepared by Steer Davies Gleave (May 2017).</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 (Compliance and Details)
	<p>Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the works commence on site. The details and samples shall include:</p>

	<p>a) Brickwork, bond and mortar courses; b) Window treatment (including glazing, sections and reveals); c) Doors; d) Curtain walling; e) Balustrades; f) Terraces; g) Green procurement plan for sourcing the proposed materials; h) Courtyard gate; i) Plant screen; j) Roofing materials; k) Updated Green Procurement Plan for sourcing the proposed materials; l) Any other materials to be used.</p> <p>The Updated 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 interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Construction Environmental Management Plan (Details)</p>
	<p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase 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 and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
5	<p>BREEAM (Compliance)</p>
	<p>CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
6	<p>Green/Brown Biodiversity Roofs (Details)</p>
	<p>CONDITION: Notwithstanding the roof plan indicated on drawing reference 13505-A-L07-00-107 details of a lightweight biodiversity (green/brown) roof shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site unless it is satisfactorily</p>

	<p>demonstrated that it is not feasible. The biodiversity (green/brown) roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base (depth to be agreed); and</p> <p>b) planted/seeded with an agreed 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) unless it can be robustly demonstrated that this mix cannot be provided.</p> <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 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>
7	<p>Fixed Plant (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: 2014.</p> <p>REASON: In the interests of neighbouring residential amenity.</p>
8	<p>Piling Method Statement (Details)</p> <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 water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.</p>
9	<p>Energy Efficiency – CO2 Reduction (Compliance/Details)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than an 12.2% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013 as detailed within the Sustainability Statement shall be installed and operational prior to the first occupation of the development.</p>

	<p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to the commencement of the development:</p> <p>a) A revised Energy Strategy, which shall provide for no less than a 12.2% onsite total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulations 2013. This shall include the details of any strategy needed to mitigate poor air quality (such as mechanical ventilation).</p> <p>The final agreed scheme shall be installed and in operation 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 addressing climate change and to secure sustainable development.</p>
10	<p>Renewable Energy (Compliance)</p>
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for no less than 1.94% on-site regulated 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 1.94% onsite regulated 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>
11	<p>Solar Photovoltaic Panels (Details)</p>
	<p>CONDITION: Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Area of panels; and - Design (including elevation plans). <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p>

	<p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
12	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The long stay bicycle parking indicated on approved plan reference 13505-A-L00-00-100 Rev. A which shall provide no less than 50 long stay parking spaces and 1 accessible parking space shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
13	<p>Sustainable Urban Drainage System (Compliance)</p> <p>CONDITION: The development hereby permitted shall incorporate the Sustainable Urban Drainage Systems proposals detailed within the Drainage Strategy (DMag-1608-DrSt1 – October 2016) prepared by Davies Maguire unless otherwise agreed in writing by the Local Planning Authority. The drainage system will achieve a discharge rate of 50/l/s/ha (or 3l/s based on site area). The drainage system shall be installed/operational 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: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
14	<p>Air Quality (Details)</p> <p>CONDITION: Prior to the commencement of works on the development hereby permitted, a site report detailing steps to minimise the development's future occupiers' exposure to air pollution shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.</p> <p>REASON: In order to ensure satisfactory air quality for future occupants of the development.</p>
15	<p>Roof-top Plant and Lift Overrun</p> <p>CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <ul style="list-style-type: none"> • roof-top plant; • ancillary enclosures/structure; and • lift overrun <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 good design and also 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>

16	<p>Construction Management Plan and Construction Logistics Plan (Details)</p> <p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</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>
17	<p>Refuse/Recycling Provided (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosures shown on plan reference 13505-A-L00-00-100 Rev. A 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>
18	<p>Delivery and Servicing Plan (Details)</p> <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 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>
19	<p>Cycle Lockers and Showers (Compliance)</p> <p>CONDITION: Unless otherwise approved in writing by the local planning authority, changing facilities and showers, including no less than 5 showers (including 1 accessible shower) and 19 lockers, shall be provided in accordance with the drawings reference 13505-A-L00-00-100 Rev. A hereby approved and maintained throughout the life of the building for the use of occupiers of the building.</p> <p>REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters.</p>
20	<p>Retention of Current Architect (Compliance)</p> <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>
21	<p>Mobility Scooter Storage and Charging Facilities (Compliance)</p> <p>CONDITION: The mobility scooter parking space with charging points indicated on plan reference 13505-A-L00-00-100 Rev. A shall be made available prior to first occupation of the building unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interests of providing an accessible and inclusive development.</p>
22	<p>Construction Method Statement (Details)</p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved CMS shall accord with the Code of Construction Practice and be strictly adhered to throughout the construction period. The CMS shall cover:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. 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 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 development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
23	<p>Roof terraces (Compliance)</p> <p>CONDITION: The roof terraces of the development hereby approved shall not be used except between the hours of 09:00 and 19:00 Monday to Friday except in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To ensure that the amenity of neighbouring residential properties is not adversely affected in accordance with policies 7.6 and 7.15 of the London Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
24	<p>External pipes, cables and CCTV (Compliance/Details)</p> <p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved. Should CCTV or additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their</p>

	installation. REASON: To ensure that the resulting appearance and construction of the development is to a high standard.
25	Landscaping (Detail)
	<p>CONDITION: 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> <p>a) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</p> <p>b) proposed trees: their location, species and size;</p> <p>c) soft plantings: including grass and turf areas, shrub and herbaceous areas;</p> <p>d) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</p> <p>e) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>

List of Informatives:

1	Planning Obligations Agreement
	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.

4	Thames Water (Surface Water Drainage)
	With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
5	Thames Water (Mains Water Pressure)
	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	Groundwater Risk Management Permit
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .
7	Thames Water Main
	There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
8	Secured by Design
	You are advised that, where relevant, the development hereby approved should incorporate all of the 'Secured by Design' requirements detailed in the 'Commercial Developments 2015' Guide.
9	CIL 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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and 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 payable on commencement of the development.

Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.

Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/>

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 2016 - 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 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

3 London's people

Policy 3.2 Improving health and addressing health inequalities

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.12 Improving opportunities for all

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 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime Neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.14 Improving air quality

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

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)
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)

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

Employment

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development

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

D) Finsbury Local Plan June 2013

Role Within London's Central Activities Zone

BC8 Achieving a balanced mix of uses

Delivery and Monitoring

BC10 Implementation

3. Designations

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Bunhill and Clerkenwell Key Area
- Central Activities Zone (CAZ)
- Employment Priority Area (General)

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Planning Obligations and S106
- Urban Design Guide
- Environmental Design
- Inclusive Design in Islington

London Plan

- Accessible London: Achieving an Inclusive Environment
- The Control of Dust and Emissions during Construction and Demolition
- Shaping Neighbourhoods: Character and Context
- Sustainable Design & Construction
- Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy
- Central Activities Zone

**APPENDIX 3:
OCTOBER 2017**

DESIGN REVIEW PANEL LETTER DATED 7



ATT: Mr Joe Wilson
CBRE Limited,
St Martin's Court,
10 Paternoster Row,
London EC4M 7HP

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/100

Date: 7 October 2016

Dear Joe Wilson,

ISLINGTON DESIGN REVIEW PANEL

RE: Car Park Adjoining Harella House, Gee Street, London, EC1V 3RE (pre-application ref. Q2016/1770/MJR)

Thank you for attending Islington's Design Review Panel meeting on 16 September 2016 for a first review of the above scheme. The proposed scheme under consideration is for refurbishment works to the existing office (use Class B1) building known as Harella House, including installation of balustrades to the terraces facing Gee Street and redevelopment of the existing car park (ancillary to Harella House) to create a new 7 storey office building (use Class B1).

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), David Crookes, George Saumarez Smith, Shahriar Nasser and Martin Pearson on 16 September 2016 including a site visit, presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

Panel's observations

The Panel welcomed the principle of redeveloping the currently redundant car park and the potential for improvement of the public realm and relationship with the street. During their discussion, the Panel made the following observations:

Massing, height and design approach

The Panel felt that the design development had been very positive in relation to height and massing of the new building. They thought that the proposed height responded well to the surrounding context.

Panel members thought there were a lot of positive aspects in the design, in particular, the gap between Harella House and the proposed new building which would insert a lightwell between them with the stair, keeping the existing east elevation of Harella House exposed. This would serve both as a reminder of the historic gable end but also provide some detail relief.



However, there was some concern raised in relation to the different treatments and lack of integration of the front (north) and the side (east) elevations. They felt that the corner of the building needed to be better expressed and the junction between the two different treatments needed to be properly resolved. Further consideration should be given to how the building meets the ground; most buildings nearby have a clearly articulated plinth.

Elevational treatment and materiality

The Panel commended the design team for their presentation and approach to materiality. They thought the success of the scheme will be very much dependant on achieving the right detail and appearance.

In terms of the palette of materials, there was a general positive response in particular in relation to the east elevation. Panel members welcomed the proposed use of bricks, the expression of the frames, the set backs to assist in articulating the elevation, the introduction of the terrace. However, they thought clarification was needed on how the concrete frame would meet the ground.

In relation to the North façade, there were some concerns raised in relation to implementation and detail and whether the design would be technically successful. The Panel felt that whilst the initial inspiration may have been a crittal façade, it appeared that due to technical constraints, a different system would be used. Panel members were also unclear about the appearance of the slabs through the curtain walling and stated that details of floor slabs and spandrels needed to be further explored/clarified.

The Panel commented on the proportions of Harella House north street elevation and the expression of bottom, middle and top. They felt the ground floor of the proposed building appeared squat and considered that the articulation of the base would benefit from relating more closely to Harella House.

Servicing and implications on design

The Panel felt that a major outstanding issue that needed to be resolved was the servicing/loading bay solution and how it would relate to the substation. Panel members noted that as currently proposed the proposed servicing did not comply with the requirements of the Council's Highways department and encouraged Highways and Planning to find a compromise that would suit both their requirements. The Panel commented that if the proposals were to change and the servicing were to be provided on the ground floor there may be sense in retaining the substation within the new building rather than moving it to Harella House.

Summary

The Panel felt that the redevelopment of the car park presented a positive opportunity to improve not only the site but its relationship with the public realm.

Panel members were positive in principle about the height, massing and general design approach. However concerns were raised in relation to the detail of the front street elevation and the junction/integration between front and side elevations. The Panel also raised concerns about the uncertainty surrounding the servicing requirements as this could have a significant impact on the ground floor and the appearance of the building.

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.

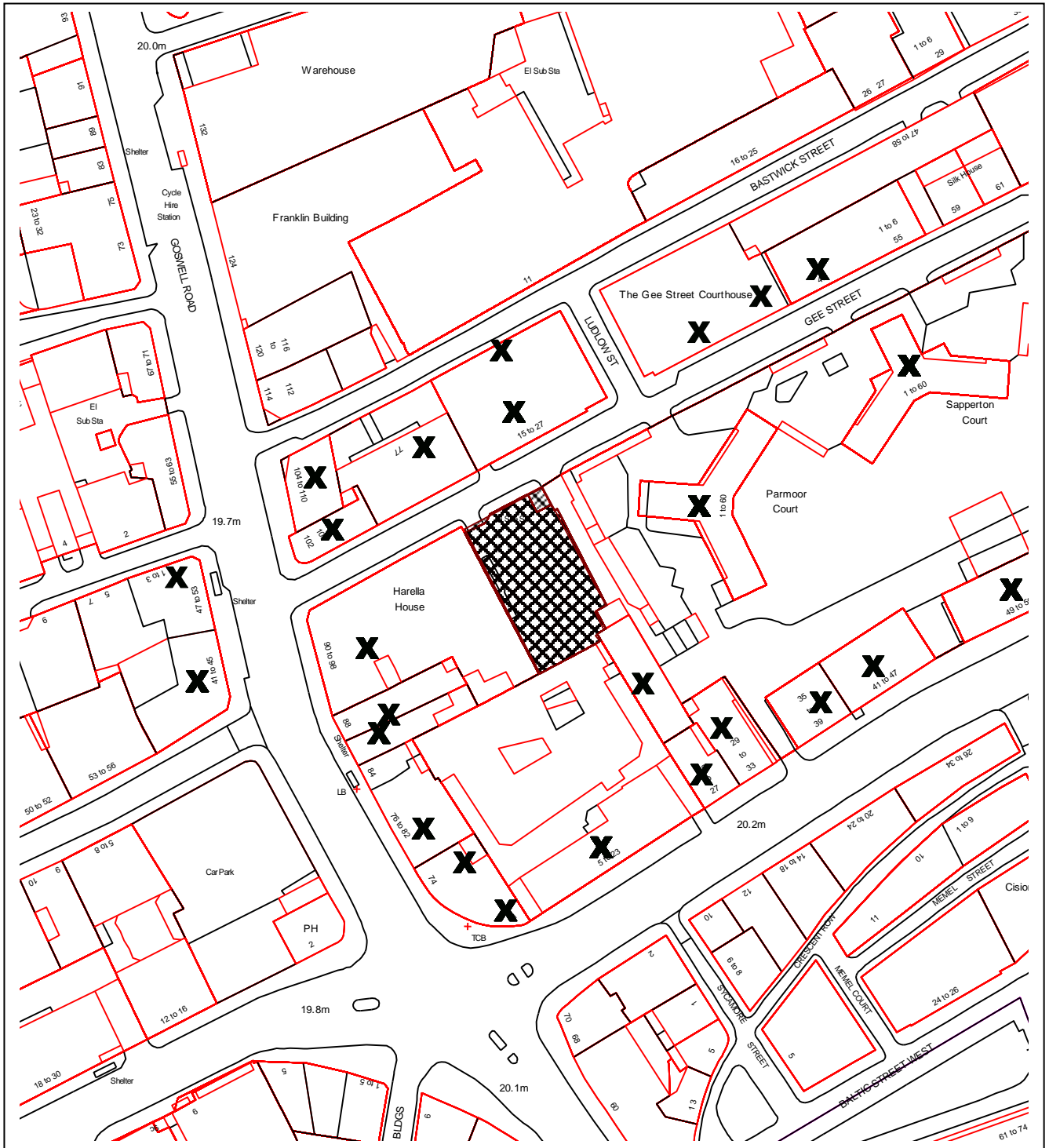
Yours sincerely,

A square box containing a handwritten signature in black ink. The signature appears to be 'Lucy' or 'Luciana' written in a cursive style.

Luciana Grave
Design Review Panel Coordinator
Design & Conservation Team Manager



Islington SE GIS Print Template



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