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## AGENDA FOR THE PLANNING COMMITTEE

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Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD on **18 January 2018 at 7.30 pm.**

**Yinka Owa**  
**Director – Law and Governance**

Enquiries to : Ola Adeoye  
Tel : 020 7527 3044  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 10 January 2018

**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](mailto:enquiriesplanning@islington.gov.uk).**


Committee Membership

Wards

Substitute Members

Councillor Khan (Chair)	- Bunhill;	Councillor Chowdhury	- Barnsbury;
Councillor Donovan-Hart (Vice-Chair)	- Clerkenwell;	Councillor A Clarke-Perry	- St Peter's;
Councillor Picknell (Vice-Chair)	- St Mary's;	Councillor Williamson	- Tollington;
Councillor Nicholls	- Junction;	Councillor Gill	- St George's;
Councillor Fletcher	- St George's;	Councillor Wayne	- Canonbury;
Councillor Court	- Clerkenwell;	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



<b>A.</b>	<b>Formal Matters</b>	<b>Page</b>
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	1 - 2
6.	Minutes of Previous Meeting	3 - 10
<b>B.</b>	<b>Consideration of Planning Applications</b>	<b>Page</b>
1.	10-14 WHITE LION STREET, LONDON, N1 9PD	11 - 86
<b>C.</b>	<b>Consideration of other planning matters</b>	<b>Page</b>

**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, 6 February 2018

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

**[www.democracy.islington.gov.uk](http://www.democracy.islington.gov.uk)**

## **PROCEDURES FOR PLANNING COMMITTEE**

### **Planning Committee Membership**

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

### **Order of Agenda**

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

### **Consideration of the Application**

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

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

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

### **What Are Relevant Planning Objections?**

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

**For further information on how the Planning Committee operates and how to put your views to the Planning Committee please call 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](mailto:enquiriesplanning@islington.gov.uk).**

**COMMITTEE AGENDA**

1 10-14

White Lion Street  
LONDON  
N1 9PD

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1 10-14

White Lion Street  
LONDON  
N1 9PD

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**Ward:** Barnsbury

**Proposed Development:** Demolition of the existing building and the construction of a seven storey, plus basement, building providing 6,369 sqm of B1 (business) floorspace, including 279sqm as 3no. flexible B1/D1 (non-residential institutions) SME units accessed from Angel Mews. Internal substation, cycle storage, and bin stores, roof level plant enclosure, photovoltaic panels, outdoor terraces, and associated works.

**Application Number:** P2017/0297/FUL

**Application Type:** Full Planning Application

**Case Officer:** Jan Slominski

**Name of Applicant:** . . .

**Recommendation:**

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London Borough of Islington

## Planning Committee - 5 December 2017

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 5 December 2017 at 7.30 pm.

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

### Councillor Robert Khan in the Chair

#### **342        INTRODUCTIONS (Item A1)**

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

#### **343        APOLOGIES FOR ABSENCE (Item A2)**

Apologies were received from Councillor Court.

#### **344        DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

There were no declarations of substitute members.

#### **345        DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

#### **346        ORDER OF BUSINESS (Item A5)**

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

#### **347        MINUTES OF PREVIOUS MEETING (Item A6)**

##### **RESOLVED:**

That the minutes of the meeting held on 7 November 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

#### **348        20 ROPEMAKER STREET, 101-117 FINSBURY PAVEMENT AND 10-12 FINSBURY STREET, LONDON, EC2Y 9AR (Item B1)**

## Planning Committee - 5 December 2017

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.

(Planning application number: P2017/3103)

In the discussion the following points were made:

- Members were informed that since publication of the agenda, a response had been received by Network Rail, who have requested a condition relating to drainage, method statements/APPM, earthworks/excavations and tunnels if planning permission is granted.
- The Planning officer also advised that since publication of the Officer's Report, the applicant had offered 955 square metres of SME workspace contained within the proposal, at a discounted rate of 60% of the market rental value for a period of 15 years.
- Members were advised that the scheme would provide suitable office floor space to be occupied by micro and small enterprises and the proposal would result in public realm improvements, widening of footway pavements and the introduction of a plane making tree at the junction of Ropemaker Street and Finsbury Pavement.
- With regards to housing provision, Members were informed that an off-site contribution of £4,639,680 is to be secured by legal agreement.
- In response to objectors concerns about the loss of light and lack of consultation, Members were advised that letters had been sent out including residents of the Heron building and the loss of light was minimal in the context of 5 windows being impacted at relatively low levels when weighed against the other advantages of the scheme.
- In response to the agent's assertion that the scheme would bring in business rates to Islington Council, the legal officer advised Members that this was not a material consideration.
- Members discussed the provision of employment at the site and the number of local jobs that would be created. A request for London Living Wage to be paid was requested by Councillor Kay with the applicant advising that was outside the scope of the development stage, but that a commitment during the construction phase for that to be paid would be made.
- A query regarding the net or gross job number increase was raised by Councillor Convery.
- Members welcomed the scheme as policy compliant, especially with its commitment on providing employment opportunities for apprentices.

Councillor Fletcher proposed a motion to grant planning permission. This was seconded by Councillor Ward and carried.



**RESOLVED:**

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report and the additional condition outlined above; 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 of the officer report as amended above 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.

**349 REGENTS WHARF, 10, 12, 14, 16 AND 18 ALL SAINTS STREET, LONDON (Item B2)**

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.

(Planning application number: P2016/4805/FUL)

In the discussion the following points were made:

- The Planning Officer advised that an objection had been received from Historic England and the key points are summarised as follows:
  - Some elements of the proposed scheme would result in small improvements to the locally listed buildings however the scheme would result in harm to the conservation area, and that the heritage benefits of the scheme are minor and would not balance this harm.
  - Scale and design of the new dormer windows to the canal side elevation of No. 10 would be extremely dominant and would introducing an entirely alien, prominent feature to the roofscape.
  - The large extensions at the south end of building 10 would have a detrimental impact on the appearance of the building.
  - Creation of an expanded upper storey to building 12 will mean a dominant area of the building does not relate to this historically functional building's original use.
  - Substantial alterations proposed to locally listed buildings would reduce the prominence of these important buildings in the street scene, and thereby reduce their legibility as industrial buildings and cause harm to the Regent's Canal West Conservation Area.
  - Revisions should be sought to reduce the harm caused by the proposed works, particularly regarding the design of the proposed canal side roof structure and fenestration to building number 10.
- The Planning Officer advised that a further representation had been received from the Greater London Industrial Archaeology Society (GLIAS) clarifying the extent of the windows on the canal-side elevations of buildings 10 and 12, as originally constructed. The GLIAS also referred to evidence that the dormer windows to the canal-side elevation of building 10 were original features. The Planning Officer advised that it is therefore likely that the dormer windows were original features of

## Planning Committee - 5 December 2017

the building. The Planning Officer further advised that the dormer windows currently provide little benefit in terms of daylight receipt to the existing accommodation and the top loft floor space is uncomfortable, suffering from poor daylighting and overheating. The proposed dormer windows would therefore provide for an improved quality of internal accommodation whilst their design is supported by the Council's Design and Conservation Officer.

- The Planning Officer reported that the Tree officer raises no objections to the removal of the alder trees which as they have reached their growth potential and represent a constraint to achieving a better overall landscaping scheme on the site. Furthermore, removal, coppicing and replanting of the trees is not a realistic option.
- The Planning Officer advised that detailed plans had been received which satisfactorily addressed concerns raised by the council's accessibility officer. A fire evacuation strategy should be secured by condition.
- The Planning Officer advised that a resident of Ice Wharf has raised concerns that the 4m high secondary gate to the vehicular access could provide unwanted access to his balcony. The applicant has reviewed this arrangement and has agreed that the gate can be reduced in height to 2.5m, with details to be secured by condition.
- The Planning Officer advised that further objections had been received raising concerns regarding noise and disturbance from the restaurant during the hours when the windows are open. Further objections had also been received from neighbours on grounds detailed in the reports including visual impact, excessive height, loss of daylight and sunlight, increased noise and disturbance, design that is out of character.
- The Planning Officer advised that a letter had been received from the local MP seeking an assurance that daylight and sunlight impacts will be fully considered in assessing the application.
- The Planning Officer highlighted typographical errors in the report, listed as follows:
  - Agenda Page 144, paragraph 11.52 –the BRE Guidelines stipulate that [delete the remainder and replace with] “diffuse daylighting of the existing building may be adversely affected. This will be the case if either:
    - The VSC measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value
    - The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.”
  - Top of page 148 – [delete] ‘no real noticeable loss of daylight’ [and replace with] ‘diffuse daylighting of the existing building may be adversely affected’. The same correction is required to the top of the table on page 157.
  - Page 146 paragraph 11.62 the properties listed also achieve full compliance with the NSL / DD and therefore these properties do achieve full compliance with the BRE as they pass both daylight tests and therefore accords with the correct application of BRE. In checking these, we have identified that there is one room within 31 Thornhill Bridge Wharf (Room 2) that would experience a loss of 24.35% of Daylight Distribution and therefore must also be reported for failing one of the BRE tests.
  - Paragraph 11.67 [delete] “and therefore these rooms should not experience a noticeable loss of daylight.”

## Planning Committee - 5 December 2017

- The Planning Officer advised that VSC/NSL tables are provided to identify that there are noticeable daylight losses in excess of BRE Guidelines to each window / room identified in the table. The ones shaded will experience transgressions under both the VSC and NSL assessments and will experience harmful loss of daylight. It was explained that, whilst greater discussion is given over to those windows / rooms that fail both tests that is because the impact will be most significant to those properties. It was confirmed that the tables identify all rooms or windows that fail the daylight and sunlight tests (plus the additional room at 31 Thornhill Bridge Wharf) and that the figures presented were all correct.
- In the discussion it was advised by officers that the losses of daylight were some of the highest levels of loss brought to Committee in recent years, but that the reason it was brought was due to the assessment that owing to the Ice Wharf properties' position in extreme closeness to the site boundary shared with the development site, those properties represented an unneighbourly relationship which when weighed against the benefits of the proposal including the 3000sqm uplift of commercial floorspace including 5.38% AWS for 15 years at peppercorn rent that for officers it tipped the balance towards a recommendation for approval.
- It was also specified by officers for further information purposes that the losses equal to or in excess of 40% of VSC to windows numbered 14. Two of those windows would experience losses of 62% and 64%. In terms of Daylight Distribution, a total of 4 rooms would experience losses of greater than 40% with losses of 49%, 59%, 69% and 70% all to combined living / kitchen dining rooms.
- In response to a question on whether the revised application had been referred back to the Design Review Panel for any updated comments, the Planning Officer advised that as most of the issues raised had been addressed through revisions to the scheme, Officers did not deem it necessary.
- Residents of the Ice Wharf developments requested that the application be deferred as there were concerns about the impact of the proposal with regards to loss of light, loss of privacy due to its size, height, scale and massing. An objector was concerned that the loss of light to over 36 windows in the Ice Wharf development would impact on their quality of life and their amenity if planning permission was granted. It was suggested that deferring the item would allow Members the opportunity to visit and assess the impact of the scheme on the amenity of neighbouring residents.
- With regards to concerns about the massing of the scheme, Members were advised that the applicant had removed the sixth floor from the previous scheme which represented a significant improvement to the scheme. Members were also advised that privacy concerns could be satisfactorily addressed through a condition if planning permission was granted.
- The applicant advised that in conjunction with Planning Officers, the scheme had been revised to address concerns regarding the height, scale and massing of the scheme. The applicant reiterated that the scheme would result in a high quality office development providing 5.38% of the overall office floor space as affordable workspace to be managed by a designated affordable workspace provider at a peppercorn rent for a period of 15 years.
- Members acknowledged the site constraints and its challenges for the developer and welcomed the provision of workspace for small businesses and employment

## Planning Committee - 5 December 2017

opportunities for local residents but had concerns in relation to the amenity of the Ice Wharf residents. Members considered that the level of harm to the residential amenities outweighed the benefits of the scheme as losses of daylight were significant.

- Members agreed that the item be refused planning permission on grounds relating to scale and massing, impact on neighbouring amenity and harm to the character and appearance of the conservation area.
- The Committee Members agreed that the exact wordings on reasons for refusal be delegated to the Planning Officer, to be agreed by the Chair.

Councillor Convery proposed a motion to refuse planning permission on reasons provided above.

This was seconded by Councillor Donovan-Hart and carried.

### **RESOLVED:**

That planning permission be refused for the reasons set out above, the wording of which was delegated to officers in conjunction with the chair.

Reasons for Refusal:

1. The proposed development, by reason of its inappropriate layout, height, massing and proximity to nearby residential properties would result in unacceptable harm to the amenity of these residential occupiers through loss of daylight and sunlight, loss of outlook and sense of enclosure. This harm makes the proposal contrary to Policy 7.6 of the London Plan (2016), Policy DM 2.1 of Islington's Local Plan: Development Management Policies (2013), as well as BRE 'Site layout planning for daylight and sunlight: a guide to good practice' (Second Edition 2011) and the benefits of the scheme are not considered to outweigh this harm.
2. The proposed development and in particular the visually prominent new roof and inappropriate dormers, the excessive height and massing and its visual prominence, would fail to relate positively to its surroundings, would be harmful to the local townscape and to the locally listed building, and would adversely affect the setting of the Regents Canal West Conservation Area. The proposed development is therefore contrary to policies 7.4 and 7.8 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.

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### **SITE OF ELECTRICITY SUB-STATION OPPOSITE 15-27 GEE STREET AND CAR PARK SPACES 90-98 GOSWELL ROAD, EC1 (Item B3)**

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.

(Planning application number: P2017/3389/FUL)

## Planning Committee - 5 December 2017

In the discussion the following points were made:

- Members were informed that item was deferred at the Committee on 7 November 2017 as there were concerns about the lack of provision of an active retail or leisure floor space on the ground floor.
- Members were advised that the applicant had addressed this concern through the introduction of a ground floor retail unit on part of the ground floor fronting Gee Street whilst the small/micro unit office workspace would be located partly on the ground floor and partly on the first floor.
- The Planning Officer advised that the Council has received a number of representations and that the Planning Service had been advised that the initial consultation letters produced in September were not received. The re-consultation was therefore the first notice received by some residents who had now written Accordingly, residents have raised concerns that they have not been provided with sufficient time to provide responses. Members were advised that the Council had fulfilled its statutory publicity requirements for major planning applications set out within The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- The Planning Officer advised that 8 further objections have been received which raise concerns which are summarised as follows. Excessive height, overbearing visual impact, loss of daylight, increased footfall, increased demand for on-street parking, out of character, overlooking and loss of privacy – in particular by reason of narrow road and excessive amount of glass, offices will overlook bedrooms and bathrooms, light pollution, measures to address light pollution don't work in practice. Objectors requested the Planning Committee visit flats at the rooftops (15-27 Gee Street to appreciate the impact of the proposed development).
- The Planning Officer also advised that a representation had been received from Clerkenwell and Shoreditch County Court raising concerns regarding noise and disturbance during the construction period affecting court proceedings and construction traffic impeding access to the court building by custody vehicles. It was therefore recommended that conditions 4 and 18 be revised to indicate that Her Majesty's Court and Tribunal service are consulted on the Construction Management Plan and Construction Logistics Plan and the Delivery and Servicing Management Plan.
- Objectors who addressed the Committee stated that the road width was 5.4m and that over this distance the potential for overlooking and loss of privacy was felt to be acute. They raised concerns over the length of the office working day to include cleaner's hours and raised concerns for safety. They did not consider curtains to be appropriate due to potential for them not to be used.
- In addressing these concerns, the applicant referred to the policy applying between facing residential habitable room windows and not to apply across a highway. However, the agent did advise that they would be willing to accept a planning condition to address overlooking requiring such features as blinds.
- Councillor Fletcher in her discussions felt that the massing was acceptable but that she held concerns regarding privacy and the provision of sheet glass opposite residents. It was queried what discussions regarding privacy took place with officers.

## Planning Committee - 5 December 2017

- Councillor Convery advised that the retail provision was satisfactory and referred to the Baltic Street application where obscure glazing / fins were provided to address privacy across the highway.
- The Committee agreed to defer the item so as to allow the applicant provide a more permanent solution to the issue of overlooking and loss of privacy. Suggestions of using obscure glazed windows was noted.

Councillor Kay proposed a motion to Defer. This was seconded by Councillor Fletcher and carried.

### **RESOLVED:**

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

The meeting ended at 9.40 pm

**CHAIR**

The meeting ended at 9.40 pm

**CHAIR**



Development Management Service  
 Planning and Development Division  
 Environment and Regeneration  
 Department  
 Islington Town Hall  
 Upper Street  
 LONDON N1 2UD

<b>PLANNING COMMITTEE</b>	<b>AGENDA ITEM NO:</b>	<b>B1</b>
<b>Date:</b> 18 <sup>th</sup> January 2018		

Application number	P2017/0297/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	N/A
Conservation area	N/A
Development Plan Context	Core Strategy Key Area: Angel and Upper Street Angel Town Centre Central Activities Zone (CAZ).
Licensing Implications	N/A
Site Address	10-14 White Lion Street, London N1 9PD
Proposal	Demolition of the existing building and the construction of a seven storey, plus basement, building providing 6,369 sqm of B1 (business) floorspace, including 279sqm as 3no. flexible B1/D1 (non-residential institutions) SME units accessed from Angel Mews. Internal substation, cycle storage, and bin stores, roof level plant enclosure, photovoltaic panels, outdoor terraces, and associated works.

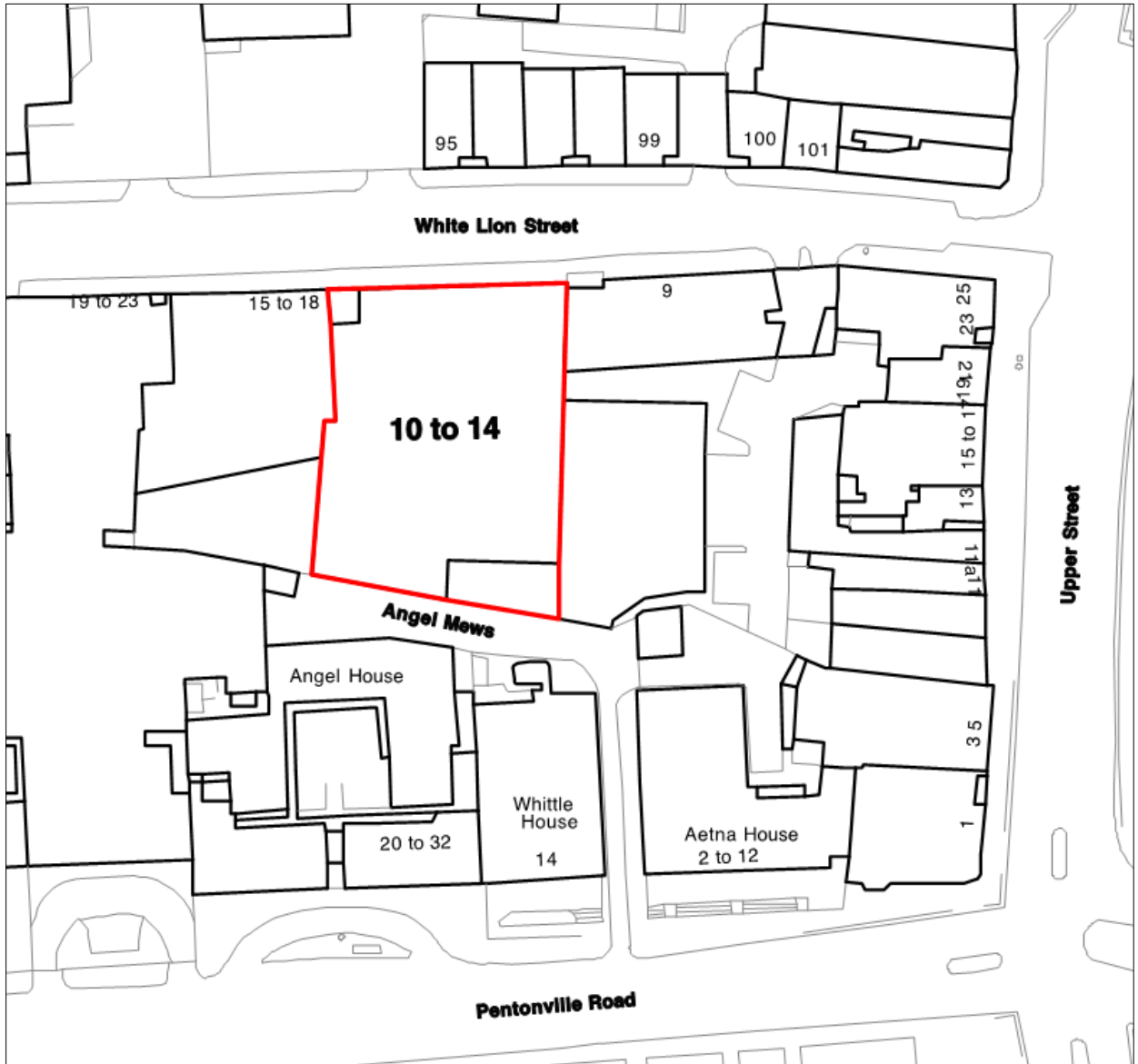
Case Officer	Jan Slominski
Applicant	C/O Agent
Agent	Maddox Associates

**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 on 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.

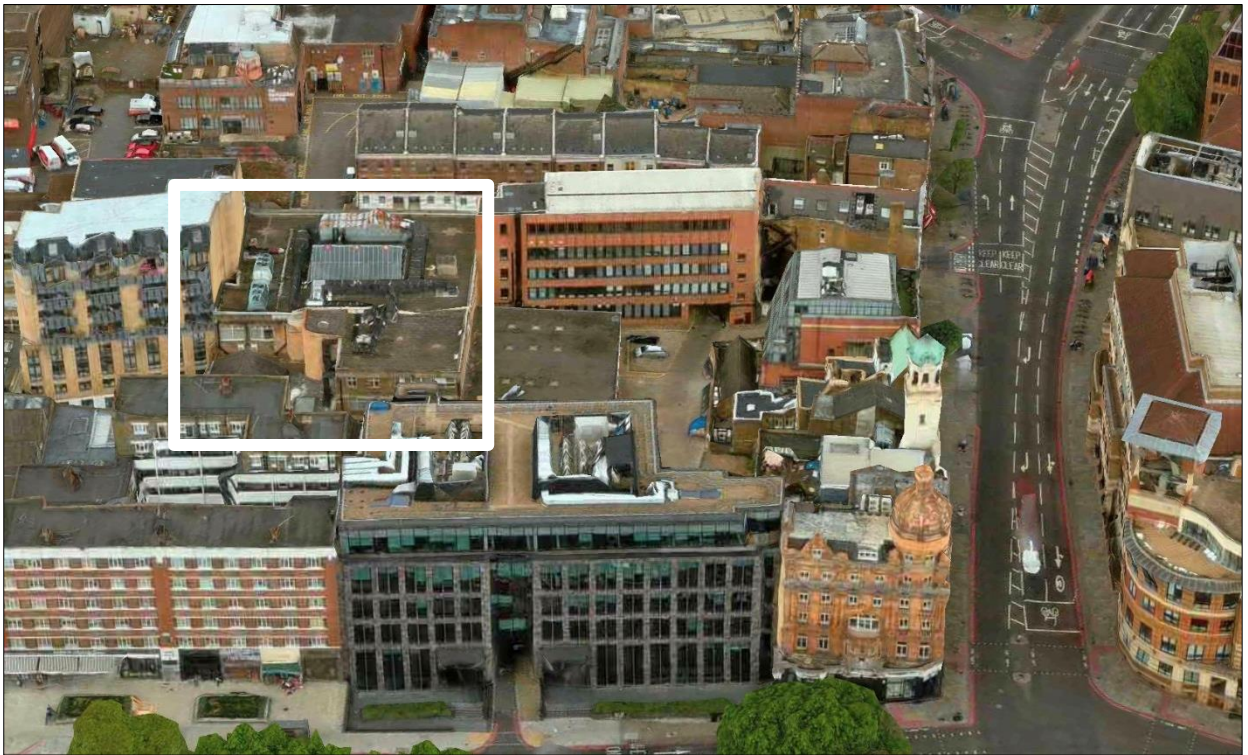
**2. SITE PLAN**



*Fig 2.1 Site Plan. Application site outlined in red.*



3. PHOTOS OF SITE AND SURROUNDINGS



*Fig 3.1 Aerial view*



*Fig 3.2 Front Elevation (looking east towards Angel)*



*Fig 3.3 Front Elevation (looking west away from Angel)*

#### **4. SUMMARY**

- 4.1 The proposed development would demolish the existing building on the site, which is currently in (unauthorised) use as the “Crystal Maze” entertainment facility. The building was built as an office building, and its lawful use is understood to be as an education and training centre (most recently as a private law school). Following demolition, the proposal is a 7 storey (plus basement) office building, with 5 storeys directly fronting White Lion Street, and 2 set-back storeys. It would be single storey fronting Angel Mews to the rear.
- 4.2 The loss of the existing education and training centre has been justified, and there is policy support for the proposed office use. The proposal would introduce a large office building to Angel town centre, which would be flexibility designed for a large organisation or several businesses on a floor-by floor basis. There would also be 3 separate SME/D1 units fronting Angel Mews to the rear. The proposed land use is considered, on balance, acceptable.
- 4.3 The proposal is acceptable in design terms, and would have a modern, contextual, brick façade with a simple design. The street frontage would be well considered with large openings and a legible entrance. The building would exceed the Council’s sustainability



standards, would not have unacceptable impacts on neighbour amenity, and would be serviced from the TFL managed White Lion Street, with the agreement of TFL. The proposed development would not include any housing, but would make a financial contribution of £849,200 towards off-site affordable housing.

- 4.4 The proposal would contribute towards the establishment of Angel town centre as an office location, and would be a sustainable and well-designed development. Approval is recommended subject to planning conditions and a s.106 agreement.

## **5. SITE AND SURROUNDINGS**

- 5.1 The site is located on the south side of White Lion Street and is approximately 0.12ha in area. The existing development on the site comprises a part 2, part 3 storey building with rear servicing area accessed from Angel Mews to the rear, via Pentonville Road which is south of the site. The building is understood to have been built as an office building (Use Class B1a) although planning permission for change of use to a “business training centre” was granted in 1987, and the building was subsequently in use as a training college by Kaplan Law School. Kaplan Law School have moved out of the building and it is now occupied by the Crystal Maze, the Use Class of which has not been evidenced.
- 5.2 The site is located within the Angel Town Centre, the Angel & Upper Street Key Area, and is within the Central Activities Zone (CAZ). The site is also within the Crossrail 2 Safeguarding Area. The site has a PTAL rating of 6b.
- 5.3 The surrounding area has a predominantly commercial character, with a mix of commercial, residential and community uses.
- 5.4 Adjoining the west of the site, at 15-18 White Lion Street, is a six storey mixed use (office /residential) building which was originally approved in 2004 (ref. P020662) with amendments to the internal layout approved in 2009 (ref. P051404).
- 5.5 Adjoining the east of the site, at 1-9 White Lion Street, is a 1980’s five storey commercial building, which comprises a restaurant at ground floor level with office accommodation on the upper floors. To the rear of the building is a separate single storey commercial / industrial building. 1-9 White Lion Street was recently subject to a planning application for a 7 storey rear extension, and an additional storey over the existing building for mixed retail (A1), restaurant and café (A3), office (B1a) and residential (C3) uses. That application was considered by the 20th July 2017 Planning Committee and a final decision issued granting approval on 30/10/2017.
- 5.6 To the north of the site, on the opposite side of White Lion Street, at 95-97 White Lion Street is a 1980s three storey terrace of office buildings. To the west of these properties is a vehicular access drive leading to the commercial premises at 94 White Lion Street that is set back from the street.
- 5.7 To the south of the site is a small road known as Angel Mews. To the southeast of the site, on the opposite side of Angel Mews, is a five storey office building at 14-18 Pentonville Road. That building was constructed in the 1980s but was updated and extended following the grant of planning permission (ref. P110121) in 2011. To the

southwest of the site, on the opposite side of Angel Mews, is a six storey building (c. 1950s) at 20-32 Pentonville Road, known as Angel House. That building comprises commercial accommodation at ground floor level with five floors of residential accommodation above.

- 5.8 The site is located within the Central Activities Zone (CAZ), in an area characterised by a variety of uses comprising retail, business, hotel and leisure uses as well as some residential. It is also located within Angel Town Centre. It is not within an Employment Growth Area, but it is adjacent to the Baron Street Employment Growth Area (to the west).
- 5.9 Angel Conservation Area lies to the north/east of the application site, with the New River Conservation Area to the south. Chapel Market/Penton Street Conservation Area lies to the north of the application site. The site is not in an archaeological priority area.
- 5.10 No. 25 Islington High Street, which also lies to the east of the site, (2 doors away from the site) is a Grade II listed building.
- 5.11 The immediate area is characterised by a mixture of buildings in terms of age, style and height. The more historic buildings tend to be Victorian municipal buildings, but the surrounding buildings are mostly post-WW2, and are predominantly in office use with building heights ranging from between four and nine storeys.
- 5.12 White Lion Street connects Pentonville Road with Islington High Street in Angel Town Centre, and forms an important part of the local bus network along with a cycle route and forms part of the TFL Road Network.

## **6. PROPOSAL (IN DETAIL)**

- 6.1 The proposal would demolish the existing building on site, which comprises 1,800 sqm (GIA) of floorspace, built and designed for B1(a) office use, currently in unlawful use, but understood to have an established lawful use as an office-based training college within Use Class D1.
- 6.2 The existing building is not a heritage asset, and although not unattractive, it is a mid-century pastiche with no notable heritage value. The building has a small parking area to the rear. The building would be demolished and replaced by a larger building.
- 6.3 The proposed development would replace that building with a new 7 storey building, which would be predominantly in use for B1(a) Office use with an element of flexible SME units.
- 6.4 The proposed building would have a 5 storey front elevation, facing White Lion Street, with an additional storey set-back from the front elevation, and a further set-back storey and plant area above. To the rear, there would be a "rear wing" giving an L-shaped plan at first floor and above; that rear wing would be stepped down in height to avoid harm to neighbour amenity.
- 6.5 There would also be a basement storey, resulting in 8 storeys of accommodation in total, and 6,369 sqm (GIA) of floorspace.

- 6.6 The ground and basement floor would be entirely excavated/built over, and there would be continuous frontages aligned with the site boundaries and established building lines to the front (White Lion Street) and rear (Angel Mews) elevations.
- 6.7 The following images show the proposed development.

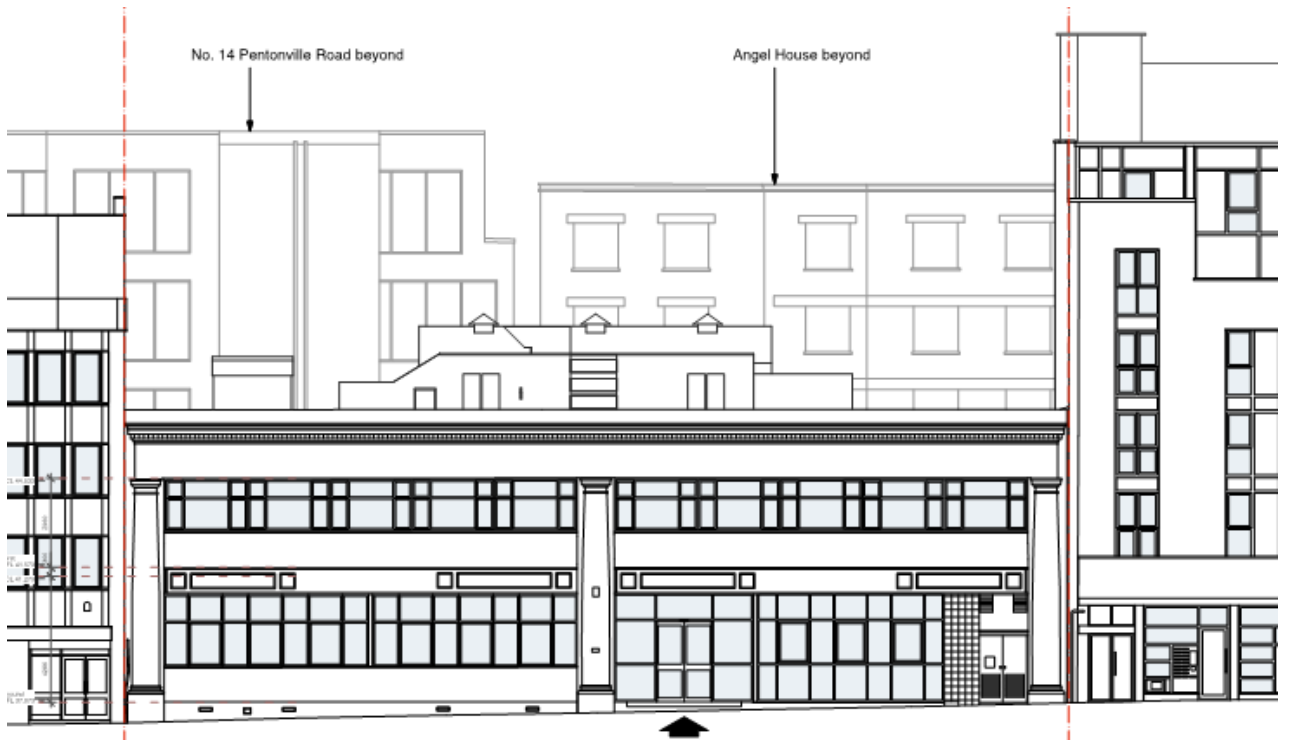


Fig 6.1 Existing Front Elevation (with existing context)



*Fig 6.2 Proposed Front Elevation (including approved scheme at 1-9 White Lion Street)*



*Fig 6.3 Proposed Computer Generated Image*

- 6.8 The building would have a simple, low-key design, with brick elevations in response to the comments provided by the Design Review Panel, metal clad set-back top storeys, and Glass Reinforced Concrete (GRC) lintels. The whole site would be built over, but there would be several small terrace/outdoor areas either within basement level courtyards, or at upper storey with privacy screens. The flat roofs would be biodiverse green roofs with photovoltaic panels.
- 6.9 It would include cycle storage and waste storage internally, and servicing would take place from the existing loading bay on White Lion Street. Plant would be located at basement level and within the top floor plant enclosure
- 6.10 There would be one circulation core, with at least 2 lifts and accessible WCs on each floor, allowing the building to be used by one large occupier, or several businesses (floor by floor). 5% of the floorspace would be provided at ground and basement (with light well courtyard) small units for small and micro enterprises (SMEs) in business or social infrastructure (B1 and D1) uses.

#### Revisions to the proposal

- 6.11 The proposal has been revised since the original submission. As originally proposed, the building would have been six storeys high. Following the approval of planning application P2016/4721/FUL at 9 White Lion Street (adjacent) for a seven storey building, the application was amended with an additional storey, increasing the height to seven storeys to match the adjacent consent. The additional storey would be set back 10.5m from the front elevation to avoid being visible from the street. Following the Design Review Panel meeting, changes were also made to the design of the elevations, and the stepped design of the rear elevation (designed to avoid unacceptable sunlight and daylight impacts) was rationalised, to avoid an overly tiered appearance. As a result of the changes, the amount of B1(a) office floorspace proposed has been increased from 6,206 sqm to 6,369 sqm (GIA).

## 7. RELEVANT HISTORY

- 7.1 The following history is considered most relevant to the application site.

### Planning History

- 7.2 P050507 Demolition of existing building and erection of new five storey office building with basement. Approved 05/07/2005 (Not implemented).
- 7.3 870252 Change of use from office to business training centre. Approved 18/06/1987.

### Pre application advice

- 7.4 Pre-application advice was provided in 2014, for a six storey mixed use office and residential scheme. The advice given was that the loss of authorised D1 use would need to be justified. Subject to that justification, Islington Core Strategy policy CS5 (Angel Town Centre) specifically identifies White Lion Street as a location for 'B' uses to be delivered, and there is a policy priority for business uses in this location. The proposed scale and massing was considered acceptable, although further detail was required, and it was suggested that the rear "wing" of the building drops down in scale to avoid harm to neighbouring amenity (in particular to 15-18 White Lion Street).

### Design Review Panel

- 7.5 Islington's Design Review Panel (DRP) considered a previous scheme on 9 June 2015, and their written comments are appended at Appendix 4. The current proposal was considered by the Panel on 12 September 2017, and written comments (issued on 29 September 2017) are appended as Appendix 3. The latest DRP comments are summarised as follows (*with officer comments in brackets*):
- 7.6 Height and massing: The Panel were supportive of the proposed height. However, some concerns were raised about the massing to the rear as the stepped nature looked as if it prioritised rights of light to neighbours over design. Panel members encouraged the design team to develop the rear of the proposed building further. (*Officer comment: The massing to the rear was rationalised and slightly reduced to maintain sunlight and daylight to neighbours whilst resulting in a simpler, cleaner design which is less "tiered."*)



*The rear elevation was also improved from a rear/servicing style entrance to a more glazed “active” frontage to improving the appearance of Angel Mews).*

- 7.7 Front elevation: A Panel member questioned the potential of retaining the existing façade and extending above it. Concerns were raised in relation to the proportions of the front elevation, as the double-height ground floor did not relate well to the rest of the building or street scene. Concerns were raised about the floor to ceiling windows due to visibility of internal clutter, and recommended a better ratio of solid to void in the façade and good detailing. The building was not considered sufficiently contextual and may be better placed in Mayfair than on White Lion Street, and design cues could be taken from the low key, low tech surroundings. *(Officer comment: The existing 2-storey façade is not a heritage asset, and the applicant felt that retaining it as part of a 7-storey building would result in a contrived appearance. The double height ground floor openings were omitted, and the ground floor-to-ceiling height was increased to 3.5m to improve the proportions. The glazing was reduced, and the proposed materials were improved; details to be secured by conditions, but brown/buff brick, with textured brick areas and GRC lintels are proposed to present a quieter, more modest frontage to better reflect the surroundings.)*
- 7.8 Public Realm and Servicing: The Panel believed an opportunity was missed to provide a public space and trees to the front of the building, some shelter or canopy to the front and cobbles and lighting to the mews to the rear, and it may be beneficial to link the mews with the public space at 1-9 White Lion Street. There appeared to be little consideration for the operation of other units at Angel Mews to the rear. The servicing and transport arrangement for the site were also questioned, with limited space for vehicles to turn to within Angel Mews. *(Officer comment: There is no space for a public space to the front and there are already 2 street trees. Neither Angel Mews nor 1-9 White Lion Street are within the applicants control, it would not be physically possible to link Angel Mews to the courtyard at 1-9 White Lion Street, and cobbles to the rear would be harmful to accessibility. The proposal has been amended to remove all proposed servicing from Angel Mews, and present an improved “active frontage” to Angel Mews, treating it as a public space rather than a service yard.)*
- 7.9 Quality of Office Space: Panel members raised concerns about the natural light within the office space at ground floor and basement levels and regarding the floor to ceiling heights. *(Officer comment: the proposal was amended with basement light wells, roof lights, and increased floor-to-ceiling heights prior to re-consultation).*
- 7.10 Summary: Panel members welcomed the improvements made to the scheme since the first review; applauding the simpler approach. They also felt that the height of the building was appropriate. However, improvements were suggested to the rhythm of the front elevation and the stepping to the rear. *(Officer comment: the proposed front elevation and massing to the rear were both amended in line with the feedback provided by the DRP.)*



## 8. CONSULTATION

### Procedural Matters

- 8.1 Following the initial consultation process, amendments were made to the scheme, and a second consultation exercise was carried out. Letters were sent to occupants of 242 adjoining and nearby properties twice; most recently on 23/10/2017. Site notices and a press notice were published on 26/10/2017. The public consultation of the application therefore expired on 16/11/2017; however, it is the Council's practice to continue to consider representations made up until the date of a decision.

### Public Consultation

- 8.2 At the time of writing, 8 objections were received from 6 neighbouring residents. 2 of those objections were received in response to the first consultation, and the other 6 were received in response to the second consultation (including second comments from both original respondents). One further objection was received from a local business. The issues raised were as follows (*with officer comments in brackets*):
- 8.3 Construction Impacts (*Officer comment: Conditions 20, 21, 22, and 28 are recommended to manage air pollution, basement construction, and construction impacts*).
- 8.4 Impacts on neighbour amenity, including privacy, daylight, sunlight/shading, noise, disturbance, overlooking and loss of privacy. (*Officer comment: These impacts are considered in paragraph 10.58 onwards. The scheme steps down towards the residential properties to minimise impacts, and a BRE sunlight and daylight demonstrates acceptable sunlight and daylight to all neighbours. The scheme was amended to omit an outdoor terrace near to residents at Angel House*).
- 8.5 The proposal would be unacceptably high density and would be overdevelopment. (*Officer comment: Land use is considered in paragraph 10.2 onwards. There is pressing need for office development, and the proposal would be a similar height to the surrounding buildings, taking a "design-led" approach to its envelope. The proposed height is considered in paragraphs 10.36 onwards. The proposal would maximise efficient use of land and there are no unacceptable impacts symptomatic of overdevelopment*).
- 8.6 The proposed 7 storey building is too tall, and not justified by the adjacent 6-7 storey buildings. (*Officer comment: The proposed building would sit well within the townscape, and its design was informed by the daylight and sunlight assessment, such that it steps down to the rear to avoid unacceptable amenity impacts*).
- 8.7 Increased traffic generation (*Officer comment: No vehicle parking is proposed, and there would be 80 cycle storage spaces with end-of-trip facilities. A travel plan and monitoring are to be secured by the s.106 agreement*).
- 8.8 Impact on adjacent property values. (*Officer comment: This is not a planning consideration*)
- 8.9 Loss of private views. (*Officer comment: Although loss of outlook is a consideration, loss of private views is not a valid reason to refuse a planning application*).

### External Consultees

- 8.10 Crime Prevention Officer: No objection. *(Officer comment: Guidance on detailed design was provided, in line with the Secured by Design Standards, and informative 14 is recommended to remind the applicant of the provisions of the Secured by Design Commercial Developments 2015 Guide.)*
- 8.11 Greater London Archaeological Advisory Service (GLAAS): No objection. As the proposal is adjacent to an archaeological priority area, a condition is recommended requiring site investigation and a watching brief. *(Officer comment: Condition 26 is recommended).*
- 8.12 Thames Water: No objection. *(Officer comment: Condition 24 is recommended requiring details of piled foundations, and informatives 8-10 are recommended setting out the advice from Thames Water)*
- 8.13 Transport for London: Originally responded raising points for consideration, and following amendments no objection was raised subject to conditions requiring a construction management plan and consideration of basement construction, and planning obligations requiring the travel plan and Crossrail s.106 payment *(Officer comment: Conditions 20 and 28 respectively are recommended, and the planning obligations include a travel plan and monitoring, and the Crossrail s.106 payment).*
- 8.14 Transport for London Crossrail Safeguarding: No objection subject to a condition requiring consideration of all ground and below ground installations in consultation with Crossrail 2. *(Officer comment: Condition 23 and Informative 15 are recommended).*
- 8.15 Islington Swifts: The building is in an area on the RSPB list for declining numbers of swifts, and the installation of swift boxes is recommended *(Officer comment: Condition 11 is recommended).*

### Internal Consultees

- 8.16 Planning Policy: If there is partial justification for the loss of D1 use against DM4.12 criteria, given that the former D1 use was a private educational provider rather than a more 'universal' social infrastructure use, a good quality B1 office scheme with affordable workspace could be balanced against the loss of that D1 use. *(Officer comment: Justification was provided for the loss of D1 use, and there would be flexible D1/B1 SME workspaces, affordable by virtue of their small sizes representing 5% of the total floorspace. The land use balance is considered in paragraph 10.2 onwards.)*
- 8.17 Inclusive Design: The site's high PTAL takes no account of accessibility of public transport options. Sensible parking options should be agreed with the highways team. All entrances should have step-free access, and all parts of the building should be fully accessible. There should also be accessible WCs provided, and the revolving entrance door is not acceptable. *(Officer comment: The proposal was amended to address the inclusive design comments, with additional lifts, level entrances, accessible WCs and shower. Condition 27 is recommended requiring accessible cycle storage, and condition*

5 is recommended requiring the proposed lifts, accessible WCs and shower to be provided prior to occupation. Condition 3 also requires revised details for an accessible main entrance).

- 8.18 Design: No concerns regarding height or bulk. The proposed aluminium panel at ground/first floor should be omitted and brickwork used. *(Officer comment: The proposal was amended in response to the design officer and DRP comments, omitting the aluminium panel, improving the ground floor proportions, and resulting in a contextual brick building).*
- 8.19 Environmental Health: The site has potential contamination due to previous uses, but due to the proposed complete excavation of the site there is little potential for a pollution linkage. The phase 1 desktop study submitted is acceptable, but a watching brief should be kept in accordance with that study, to be secured by a condition. No objection subject to further conditions requiring a full air quality assessment and mitigation, plant noise limits to rooftop plant, and a construction and environmental management plan. *(Officer comment: conditions 19, 20, and 22 are recommended).*
- 8.20 Angel Town Centre Manager: Does not support the loss of D1 use, and stated that activity should be encouraged on the ground floor of buildings in White Lion Street. *(Officer comment: The proposed offices are a "town centre" use with an improved active frontage to White Lion Street, and the revised balance of proposed uses would include D1/SME floorspace.)*
- 8.21 Tree Officer: No objection subject to tree protection measures. *(Officer comment: condition 8 recommended).*
- 8.22 Energy Officer: The proposal would exceed the London Plan Carbon reductions target and BREEAM Excellent standards and follows the London Plan hierarchies. As originally submitted, it would have fallen short of the Islington Carbon reductions targets but following amendments it would comply with the Council's target reduction in regulated and unregulated emissions of 27%. *(Officer comment: the reductions in carbon emissions are considered to be maximised, a carbon offset contribution of £153,088 is to be secured through the s.106 agreement to offset the remaining emissions. Condition 15 requires compliance with BREEAM "excellent", details of roof level PV panels and an air source heat pump are to be secured by condition 18, and consideration of DEN connection is to be secured by the s.106 agreement and condition 13).*

## **9. RELEVANT POLICIES AND LEGISLATION**

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

### National Guidance

- 9.2 The National Planning Policy Framework (NPPF) 2012 is a material consideration which seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. 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 (amended), Islington's Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The relevant Development Plan policies are listed in Appendix 2.

### Designations

- 9.4 The site has the following designations under the London Plan 2016 (amended), Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations June 2013:

- Core Strategy Key Area: Angel and Upper Street
- Angel Town Centre
- Crossrail 2 Safeguarding Area
- Central Activities Zone (CAZ)

### Supplementary Planning Guidance (SPG) / Document (SPD)

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

### Environmental Impact Assessment (EIA)

- 9.6 No request for an Environmental Impact Assessment (EIA) scoping opinion was submitted, however the site is significantly less than 1 hectare in size and it is not in a sensitive area as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations (2017). As such the proposal is not considered to fall within the development categories of Schedule 1 or 2 of the EIA Regulations and an EIA is not considered necessary.

## **10. ASSESSMENT**

- 10.1 The main issues for consideration are:

- Land-Use
- Design (and Heritage)
- Neighbouring Amenity
- Accessibility
- Sustainability
- Highways and transportation

### **Land Use**

#### Loss of D1 Floorspace

- 10.2 The lawful use of the existing building is as a training college, which falls within Use Class D1 and the definition of "social infrastructure" as defined within the local development plan.

- 10.3 Policy DM4.12 (part ii) sets out sequential tests in order to determine whether the loss of a D1 use is acceptable. If the specific use is no longer required on site, the applicant must provide evidence demonstrating:
- a) that the proposal would not lead to a shortfall in provision for the specific use within the local catchment;
  - b) that there is either no demand for another suitable social infrastructure use on site, or that the site/premises is no longer appropriate for social infrastructure uses; and
  - c) any replacement/relocated facilities for the specific use provide a level of accessibility and standard of provision at least equal to that of the existing facility.
- 10.4 The information provided with the application explains that Kaplan Law School, which previously occupied the site, vacated the building in 2016 as a result of a decline in demand. The building was surplus to its requirements and its facilities were amalgamated into other sites in and around the City, including on Holloway Road, Islington. In terms of alternative Law School provision, City University of London and the University of Law are both nearby and within the borough. Both schools provide the GDL and LPC qualifications, and the University of Law provides an online law degree. Officers do not consider that the development would “lead to a shortfall in provision for the specific use within the local catchment,” so the proposal complies with part (a) of Policy DM4.12(ii).
- 10.5 Prior to the departure of Kaplan Law School, the site was marketed by The Lorenz Consultancy and Colliers International in 2015. The premises were marketed on the basis of a B1/D1 offering on flexible lease terms at a rent of £35 per sqft. The details provided with the application were subject to independent appraisal by BPS and Crossland Otter Hunt, who advised that D1 rents in the locality are approx. £32.50 per sqft. This indicates that the marketing figure would be reasonable for D1 users.
- 10.6 During the marketing campaign, the premises was marketed for approximately four to six weeks prior to securing a tenant, during which time it was advised that ten to twelve enquiries were received, largely from B1 office users. There were only a couple of enquiries regarding the D1 use, although they did not seek the whole building and were looking for much smaller spaces (40-280sqm). Lorenz Consultancy and Collier’s advised that D1 occupiers are either larger occupiers seeking premises in closer proximity to existing campuses, or smaller units in tertiary locations. The building was originally designed and used for offices, and the “social infrastructure” use was limited to an office-based training centre. The design of the building would not easily lend itself to subdivision. Alternative D1 operators such as schools, religious organisations etc. require outside space and/or car parking or drop off facilities. Due to the built up nature of the site there is limited potential for outdoor space, and White Lion Street is a TFL red route with no provision or potential for parking or drop off facilities. The marketing exercise was limited and should accordingly be afforded limited weight, but the information provided does serve to demonstrate the unsuitability of the site for other social infrastructure uses.

- 10.7 The limitations of the existing building (and site) in relation to the provision of outside areas, car parking, availability of smaller floor plates and location close to existing campuses limit the potential of the site to accommodate alternative social infrastructure uses, and the loss of the previous social infrastructure use (the Law School) has been justified.
- 10.8 In order to maintain an element of flexibility, and in line with the evidence provided relating to the demand for smaller D1 units, it is proposed that 279 sqm of floorspace (5%) is provided as small units for flexible D1/B1 units. This would result in some re-provision of social infrastructure floorspace, which would accommodate the identified demand in this location.
- 10.9 The proposal demonstrates that the site/premises is not suitable for other social infrastructure uses, apart from smaller units which would be provided. In this respect, the application partially complies with part (b) of Policy DM4.12(ii).
- 10.10 The proposal does not include any replacement/relocated facilities for the specific use, as the previous user's accommodation has been consolidated into other buildings. The existing building is relatively poor quality, and the loss of the building for D1 Use will not result in the loss of a building with a high level of accessibility and standard of provision. All new accommodation would be built to modern standards, including compliance with the Council's Inclusive Design SPD. In this respect, the proposal complies with part (c) of Policy DM4.12(ii).
- 10.11 Loss of existing D1 uses is usually resisted by the Council's planning policies, but it has been demonstrated that the proposal would not result in a shortfall in the specific (lawful) provision, and the existing building and site have limited suitability for other social infrastructure uses. Furthermore, the proposal would re-provide an element of D1 floorspace which is suitable for the identified demand of smaller units rather than for the whole building. The loss of the D1 use needs to be balanced alongside the other benefits and impacts of the scheme.

#### Proposed Office Use

- 10.12 The site is located in the Central Activities Zone (CAZ). Policy CS13 supports intensification of offices within this location, as do Policies CS6, DM5.1, DM5.2, and DM5.4. Due to its location within the CAZ, the Angel town centre, and with excellent public transport accessibility the site is considered to be capable of accommodating a diverse range of businesses and enterprises.
- 10.13 The Council's recent Employment Land Study (2016) estimate that employment in the borough will increase by approximately 50,000 jobs up to 2036, identifies a shortfall in the current pipeline of office supply (when compared to projected needs) of around 400,000sqm (approx. 18,000sqm annually on average) in order to meet forecast demand. The need to deliver office space has become even more pressing given the large scale loss of B1a space to permitted development rights in Islington. The study states the southern end of Islington within the CAZ will be the most attractive location for office occupiers, particularly for the professional, scientific and technical services activities

which have been expanding rapidly in London and which are projected to experience further substantial growth.

- 10.14 The proposed development would provide a total of 6,369sqm GIA of new office floorspace, which is a significant amount and would contribute substantially to the presence of flexible and/or large scale office accommodation within Angel Town Centre. The building has been designed such that it could be let as a single “headquarters” type building, or floor by floor.
- 10.15 The policy priority in land use terms is therefore to secure uplift and intensification of employment floorspace in order to support the borough’s potential for jobs growth, and the significant increase in employment floorspace would be supported by the Council’s policies.
- 10.16 Condition 7 is recommended to remove permitted development rights, to ensure that the proposed office floorspace delivers the above employment benefits.

#### Affordable Workspace

- 10.17 Policy DM5.4 addresses the affordability and suitability of employment floorspace for small and micro enterprises. Part A states that “Within EGAs 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.”
- 10.18 As set out in paragraph 5.25 of the DMP, the figure of 5% of gross floorspace should be taken as the starting point for provision. The space should either be provided as separate small units for SME businesses (affordable by virtue of their size) or let to the council as Head Leaseholder at a peppercorn rent for at least 10 years; (in such cases the council will then engage with approved workspace providers to manage the space and ensure it is occupied by target sectors).
- 10.19 The proposal would include 279sqm (NIA) of the overall floorspace as SME units, of 57 to 130sqm. Normally SME units are considered to be those of 90sqm or less, but the larger unit would be a 93sqm workspace with a 37sqm entrance/meeting space and is considered suitable for SMEs.
- 10.20 The SME units would have a separate entrance, with a lift and staircase giving level access for each unit. The units would be at basement and ground floor level, but the basement floor to ceiling height would be generous at 4.0m, and each unit would have access to daylight; either via a 10 or 18sqm courtyard, or a double height ground/basement space. The SME units would be accessed from Angel Mews, thus operating separately to the main building units, and would result in a small SME cluster within the Mews. The proposed SME units would represent 5% of the total floorspace.
- 10.21 SME businesses may be office users, social infrastructure providers, or other users. Given that the evidence provided to support the loss of D1 floorspace identified limited demand for smaller D1 units (50-300sqm), it is recommended that the SME units are secured by condition 6 as flexible D1/B1 units to ensure flexibility and to re-provide an element of social infrastructure floorspace.

## Housing in the Central Activities Zone

- 10.22 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, and 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. LP Policy 4.3 states that within the CAZ increases in office floorspace should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan. In the supporting text to this policy, paragraph 4.15 states that London’s economic growth depends heavily on an efficient labour market and this in turn requires adequate housing provision to sustain it.
- 10.23 In order to achieve the requirement for housing to be delivered alongside business uses, Part E of Policy DM5.1 states that within the CAZ, major development proposals that would result in a net increase in office floorspace should incorporate housing, and where less than 20% of the total net increase in office floorspace is not housing, an equivalent contribution will be sought for the provision of housing off-site. The supporting text (paragraph 5.9) states that 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 (para. 5.9).
- 10.24 Given the policy priority for office floorspace in this location, the weight of evidence provided by the Employment Land Study, and the previous concerns highlighted in response to the suitability of a mixed use (including residential) scheme at pre-application stage, no objection is raised to the omission of residential units. However, an equivalent financial contribution towards the provision of off-site affordable housing is to be secured by the s.106 agreement. Based on 20% of the B1 floorspace and the calculation set out in the Planning Obligations SPD, the contribution to affordable housing is £849,200.

## Delivery and Infrastructure

- 10.25 Policy CS 18 (Delivery and infrastructure) states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. The proposed development would be subject to s.106 obligations to ensure that appropriate education and training opportunities arise from the development, which would require a local employment and training contribution and a construction training placement during the construction period. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.

## Land Use Summary

- 10.26 Although there is policy support for the retention of social infrastructure uses, evidence has been provided to demonstrate that the loss of the existing building for Law School use would not result in a shortfall of that specific use, and the building is unlikely to provide useful floorspace for an identified D1 need, due to its location and design



constraints. Furthermore, 279sqm floorspace would be retained as small units which would be suitable for SME B1 or D1 users.

- 10.27 The proposed development would provide a significant amount of B1 office space, for which there is high demand and a significant shortfall, and would contribute substantially to the stock of office floorspace both within the borough, and within Angel Town Centre specifically.
- 10.28 The proposal would also make a significant financial contribution to affordable housing, of £849,200.
- 10.29 Justification has been put forward for the loss of the D1 floorspace, including that there will be no resultant shortfall in Law School provision, and that SME units for smaller D1 users (in line with the identified demand) will be provided. Although that justification is not in itself overwhelming, it needs to be balanced against the pressing demand for office floorspace and the suitability of the site to provide a significant amount of flexible and high quality office floorspace. Where there are competing demands for land, the NPPF advises that Local Planning Authorities need to plan for a sustainable mix of uses, taking account of the needs of the residential and business communities.
- 10.30 The proposed development is considered to comply with the overarching land use priorities for the area, would deliver improved and additional office floorspace including provision for small and micro enterprises, would retain a proportion of D1 units, and would provide a policy compliant financial contribution towards affordable housing elsewhere in the borough.
- 10.31 On balance, it is the view of officers that the proposed development would be acceptable in principle, subject to compliance with the other development plan policies.

### **Design and Heritage**

- 10.32 The NPPF Core Planning Principles (Paragraph 17) include that planning should always seek to secure high quality design, and paragraph 56 states that good design is a key aspect of sustainable development and indivisible from good planning.
- 10.33 London Plan Policies 7.4, 7.5, 7.6, 7.7 and 7.11 require buildings to make a positive contribution to their public realm and streetscape, to be of the highest architectural quality and to be of proportions, composition, scale and design which enhances and appropriately defines the public realm. Buildings should not cause unacceptable harm to surrounding amenity and should make the public realm comprehensible at a human scale, particularly at ground level. These policies are supported locally by Islington Policies CS8 and CS9 which encourage traditional street patterns and sympathetic building designs, and DM2.1 and DM2.3 which require development to be of high quality contextual design and to conserve or enhance the conservation area's significance (where the proposal would affect the setting of a conservation area).
- 10.34 London Plan (2016) Policy 7.7 states that tall buildings should be limited to designated sites, relate well to the form and character of surrounding buildings and contribute to improving the legibility and permeability of the site and wider area.

### Loss of the Existing Building

- 10.35 The existing 2-3 storey building is a mid-20<sup>th</sup> century design, which has been altered over time. The building is a pastiche design, with classical detailing (Roman Doric order columns and dentil cornicing), but without classical proportions, instead divided into two large bays. The building is not listed, locally listed, or within a conservation area. There is no design objection to its demolition, subject to appropriate replacement.

### Height, Scale and Massing

- 10.36 Although the front part of the building (facing White Lion Street) is 2 storeys high, the storey heights are generous and the rear part of the building has 3 storeys. The adjacent buildings are at least 1-2 storeys higher, and 1-9 White Lion Street has planning permission for extensions up to 7 storeys high.
- 10.37 The proposed building would be 5 storeys on the elevation facing White Lion Street. The parapet would be a similar height to the adjacent 15-18 White Lion Street, and 1 storey higher than that of 1-9 White Lion Street. There would be a stepped back additional storey, and an additional further stepped back storey and plant area. Due to the back land nature of this part of the application site, the additional height would not be visible from Pentonville Road, Islington High Street or White Lion Street.
- 10.38 The design of the rear of the building is stepped to avoid unacceptable harm to sunlight and daylight at the nearby residential properties and was amended during the lifetime of the application. Although the approved building at 1-9 White Lion Street has a very tiered appearance, the tiered nature of the proposed building has been reduced to avoid excessive visual clutter.
- 10.39 The comments of the design officer raised no immediate concerns in relation to the height or bulk of the building as it appears to relate to 1-9 White Lion Street in terms of height and bulk. The scale, particularly the ground floor, is considered to relate well to the street and adjoining buildings. The rear elevation has been designed as a continuous frontage to Angel Mews, which treats the taller elements of the building as “set-back” elements. This would result in a positive relationship with Angel Mews, and creates a high quality and intimately scaled mews setting for the SME/D1 units, whilst avoiding treating the mews as a servicing yard.
- 10.40 The proposed building would have appropriately scaled street frontages, with a neatly designed and visually upper storey massing to maximise efficient use of land whilst avoiding visual clutter. The height, scale and massing would be acceptable.

### Heritage impacts

- 10.41 The Planning (Listed Buildings and Conservation Areas) Act 1990 (amended) requires planning authorities to preserve or enhance the significance of heritage assets through the planning process. The NPPF places strong emphasis on the desirability of sustaining and enhancing the significance of heritage assets, and affords great weight to the asset’s conservation. The NPPF defines a “heritage asset” as: “A building, monument, site place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest”.

10.42 The site is not within a Conservation Area and there are no adjacent listed buildings. However, the New River Conservation Area, the Angel Conservation Area, and the Chapel Market Conservation Area are nearby, and the former White Lion Inn on the corner of Islington High Street and White Lion Street is Grade II listed (from which the name “White Lion Street” drew its name).

In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF there is a duty to preserve and/or enhance the character of the Conservation Areas.

10.43 The proposal has been considered within the context of the nearest Conservation Areas: The New River Conservation Area, the Angel Conservation Area, and the Chapel Market Conservation Area. Those conservation areas are not adjacent to the site, and it is not considered that there would be any harm to the settings of those Conservation Areas. The proposal would also fall into line with the frontages on White Lion street and would not dominate the townscape on the approach to the Angel Conservation Area, and would avoid detracting from the setting of the Grade II listed former White Lion Inn (now “Lion House”).

10.44 The site is not within any London Plan viewing corridors or assessment areas, and is not within an Archaeological Priority Area. There is however an Archaeological Priority Area to the east, and following the consultation response from GLAAS, condition 26 is recommended to ensure correct working methods, excavation and records to avoid loss of archaeological value.

The proposal would not result in any harm to the character or setting of any other nearby heritage assets.

#### Detailed Design and Materials

10.45 The proposed building would have brick facades, with deep window reveals and a vertical emphasis on the front elevation. The building would be broken into vertical bays, with large windows, but would reflect the solid nature of the surrounding buildings with an appropriate solid-to-void ratio and the predominant use of brick. The upper set-back floors would have metal cladding to appear visually lightweight. Following amendments in response to the comments provided by the DRP and the Council’s design officer, there would also be elements of textured brickwork between windows, and the ground floor would be taller than those above, establishing a contextual visual hierarchy.

10.46 The ground floor would have full height glazing, except for the area adjacent to the west elevation, which is needed to accommodate the bin store. That bin store would be integrated to the design and proportions of the front elevation glazing, in order to maintain a neat appearance and free up the rest of the frontage for glazing. The proposal would have an active frontage, and an improved relationship with the pedestrian environment, as presented in fig 10.1.



*Fig 10.1: Proposed front entrance CGI*

- 10.47 To the rear, the building would be presented as a single storey continuous frontage to Angel Mews, with the taller elements of the building set-back. This would result in active frontages and an appropriately scaled ground/first floor to ensure that the relationship with Angel Mews is positive and would create an attractive mews style environment (rather than a servicing yard).
- 10.48 The proposed elevations and materials are considered to be contextual, well related to their respective townscape environments, and of high quality.

#### Design and Heritage Summary

- 10.49 The proposed design is considered to be appropriate to the townscape and setting of the site, with the materials and detailing being of high quality. The height and massing would be in keeping with surrounding properties, whilst maximising the efficient use of land, and the resulting development would not be harmful to any neighbouring heritage assets.
- 10.50 The proposal is considered to be acceptable in terms of its design and heritage impacts.

#### **Accessibility**

- 10.51 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with

no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.

- 10.52 Islington Policy DM2.2 requires all new developments to demonstrate inclusive design, including that all developments should demonstrate that they provide for ease of and versatility in use, deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. All development needs to be assessed against this policy background to ensure genuinely inclusive design from the outset and for the lifetime of the development.
- 10.53 The existing building has no step-free access, and was not built to high accessible design standards. The new building would essentially remove all of the inherent accessibility barriers with the existing building, and by providing well located entrances, WCs, circulation, and internal spaces would result in an accessible building to modern standards.
- 10.54 The proposal would result in the equivalent requirement of 10 additional blue badge parking spaces, and a financial contribution of £20,000 is to be secured through the s.106 agreement to enable the location of this space, or other accessibility improvements within the immediate vicinity. It is noted that there are blue badge spaces directly outside the site, although only for 3 hours, thus suitable for drop-offs but not all-day parking.
- 10.55 The council's inclusive design officer provided feedback, and the applicants have responded by amending the plans to include step free access to all floors, including accessible WCs, and amending the entrance designs. The outstanding matter is accessible cycle storage; although the cycle store has a cycle lift and accessible shower, no details of accessible cycle storage were provided so condition 27 is recommended to secure this.
- 10.56 The inclusive design and access measures proposed would be secured by an appropriately worded condition (no.5).
- 10.57 Following the amendments to the scheme and subject to the above conditions and planning obligation to facilitate accessible transport access, officers consider that the proposal would result in a good standard of inclusive design.

### **Neighbour Amenity**

- 10.58 All new developments are subject to an assessment of their impact on neighbouring amenity; including in terms of daylight, sunlight, privacy, increased sense of enclosure, noise and disturbance as required by London Plan Policies 7.14 and 7.15 and Development Management Policy DM2.1.

#### BRE Guidance: Sunlight and Daylight:

- 10.59 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.

10.60 BRE Guidelines (2011) paragraph 1.1 states:

*“People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by”. Paragraph 1.6 states: “The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local 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”.*

BRE Guidance: Daylight to existing buildings

10.61 The BRE Guidelines stipulate that the diffuse daylighting of the existing building may be adversely affected if either:

- the VSC (Vertical Sky Component) measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value (or reduced by more than 20%), known as “the VSC test”.
- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value (or reduced by more than 20%), known as the “No Sky Line” (NSL) or “Daylight Distribution” (DD) test.

10.62 At paragraph 2.2.7 of the BRE Guidelines it states:

*“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”*

10.63 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

10.64 At paragraph 2.2.8 the BRE Guidelines state:

*“Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.*



10.65 Paragraph 2.2.11 states:

*“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 skylight.”*

The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.

10.66 The BRE Guidelines at its Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is:

*“in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”*

10.67 Paragraphs 1.3.45 and 1.3.46 of the Mayor of London’s Housing SPD state 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.”*

BRE Guidance: Sunlight to existing buildings

10.68 The BRE Guidelines state in relation to sunlight at paragraph 3.2.11:

*“If a living room of an existing dwelling has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected.”*

10.69 This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours (APSH), or less than 5% of annual (winter) probable sunlight hours between 21 September and 21 March (WPSH) and
- Receives less than 0.8 times its former sunlight hours (or a 20% reduction) during either period and
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

10.70 The BRE Guidelines state at paragraph 3.16 in relation to orientation:

*“A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.”*

10.71 The Guidelines go on to state (paragraph 3.2.3):

10.72 “... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.”

10.73 BRE Guidance: Open spaces:

10.74 The Guidelines also state that it is good practice to check the sunlighting of open spaces where it will be required and would normally include:

*“gardens to existing buildings (usually the back garden of a house), parks and playing fields and children’s playgrounds, outdoor swimming pools and paddling pools, sitting out areas such as those between non-domestic buildings and in public squares, focal points for views such as a group of monuments or fountains”.*

10.75 At paragraph 3.3.17 the guidelines state:

*“It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March.”*

10.76 BRE Guidance: New buildings

10.77 For new residential properties, paragraph 2.1.8 of the BRE guidance states:

*“Daylight provision to new rooms may be checked using the average daylight factor (ADF). The ADF is a measure of the overall amount of daylight in a space.”*

10.78 British Standard BS 8206-2 “Code of Practice for Daylighting” recommends the following minimum ADF levels for new housing:



- Bedrooms: 1% ADF
- Living Rooms: 1.5% ADF
- Kitchens: 2% ADF

10.79 The BRE guidelines also note at paragraphs 2.1.10 and 2.1.11 that where there are multiple windows, the ADF due to each one can be added together, and that interiors with very high ADFs (over 6%) sometimes have problems with summertime overheating or excessive heat loss in winter.

#### Daylight and Sunlight Assumptions for neighbouring residential properties

- 10.80 The majority of surrounding uses are offices or other commercial uses. The nearest residential properties are 15-18 White Lion Street adjacent to the east, and Angel House (20-32 Pentonville Road) to the south west.
- 10.81 Plans for 15-18 White Lion Street are available on the Islington Council website, and these were used for the daylight and sunlight tests, thus the results can be relied upon to a high degree of accuracy.
- 10.82 Angel House is an older building, and exact floorplans are not available so an assumption has been made that all rooms are 4m deep. Officers have spot checked floorplans within the sales particulars for individual units at Angel House, and confirm that it appears that most rooms are no more than 4m deep, other than where rooms have been knocked together, in which case those rooms are dual aspect with additional windows. Angel House building is approximately 8m deep and dual aspect with deck access, so the assumptions made are reasonable. It also appears that most (if not all) residential windows at Angel House facing the site serve living rooms or bedrooms (with kitchens and bathrooms facing the deck access away from the site).
- 10.83 Planning permission has also been granted for residential units at 1-9 White Lion Street to the east. The impacts on the residential units (or approved residential units) at those addresses have been assessed in detail below.

#### Assessment: Daylight to existing buildings

- 10.84 The proposed redevelopment would result in the potential for loss of daylight to neighbouring properties. To demonstrate the impacts, a sunlight and daylight assessment was submitted with the application. This considers the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines.
- 10.85 The daylight tests were applied to the above mentioned residential properties near to the site.
- 10.86 At Angel House there are 55 site facing windows, which were assessed. Of those, 13 would experience a loss in VSC of over 20% of their former value, which, according to the BRE guidelines, means that they would experience a noticeable impact. 3 of those windows would pass the Daylight Distribution test, so there would only be 10 windows to rooms which fail both daylight tests.

10.87 The following table details the windows at Angel House where there would be noticeable impacts on daylight.

Room	Window	Vertical Sky Component (Window)			No Sky Line / Daylight Distribution (Room)			
		Existing (%)	Proposed (target ≤ 27%)	Reduction (target: ≤20%)	Whole room ft <sup>2</sup>	Previous ft <sup>2</sup>	Proposed ft <sup>2</sup>	Reduction (target: ≤20%)
R1/81	W1/81	21	16	<b>22</b>	134	129	79	<b>39</b>
R2/81	W2/81	18	14	<b>25</b>	184	165	98	<b>41</b>
R4/81	W5/81	25	19	<b>26</b>	177	167	114	<b>32</b>
R5/81	W6/81	26	20	<b>24</b>	163	137	80	<b>42</b>
R6/81	W7/81	26	20	<b>22</b>	270	265	164	<b>38</b>
R8/81	W10/81	25	21	17	98	72	49	<b>32</b>
R9/81	W11/81	25	21	15	129	103	64	<b>37</b>
R1/82	W1/82	24	19	<b>21</b>	134	130	99	<b>24</b>
R2/82	W2/82	21	16	<b>24</b>	184	171	121	<b>29</b>
R4/82	W5/82	29	21	<b>26</b>	177	172	134	<b>22</b>
R5/82	W6/82	29	22	<b>23</b>	163	144	99	<b>32</b>
R6/82	W7/82	29	23	<b>21</b>	270	265	184	<b>31</b>
R8/82	W10/82	28	24	15	98	78	61	<b>21</b>
R9/82	W11/82	28	24	13	129	108	80	<b>26</b>
R2/83	W2/83	23	18	<b>22</b>	184	173	152	13
R4/83	W5/83	32	24	<b>23</b>	177	174	166	5
R5/83	W6/83	32	25	<b>20</b>	163	154	128	17

Table 10.1: VSC and DD test results for Angel House. Individual fails in **BOLD**, and windows which fail both tests in **GREY**.

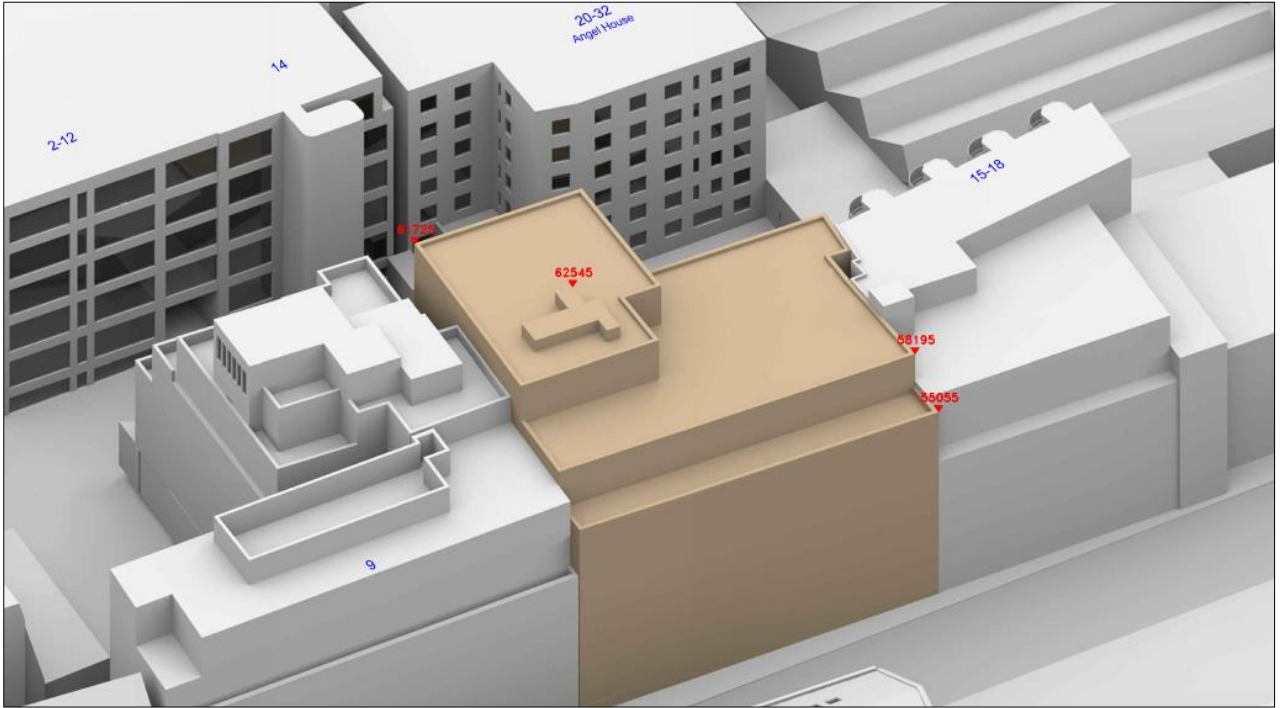


Fig 10.2: Relationship of proposed scheme with Angel House (including approved development at 1-9 White Lion Street to show cumulative impacts).

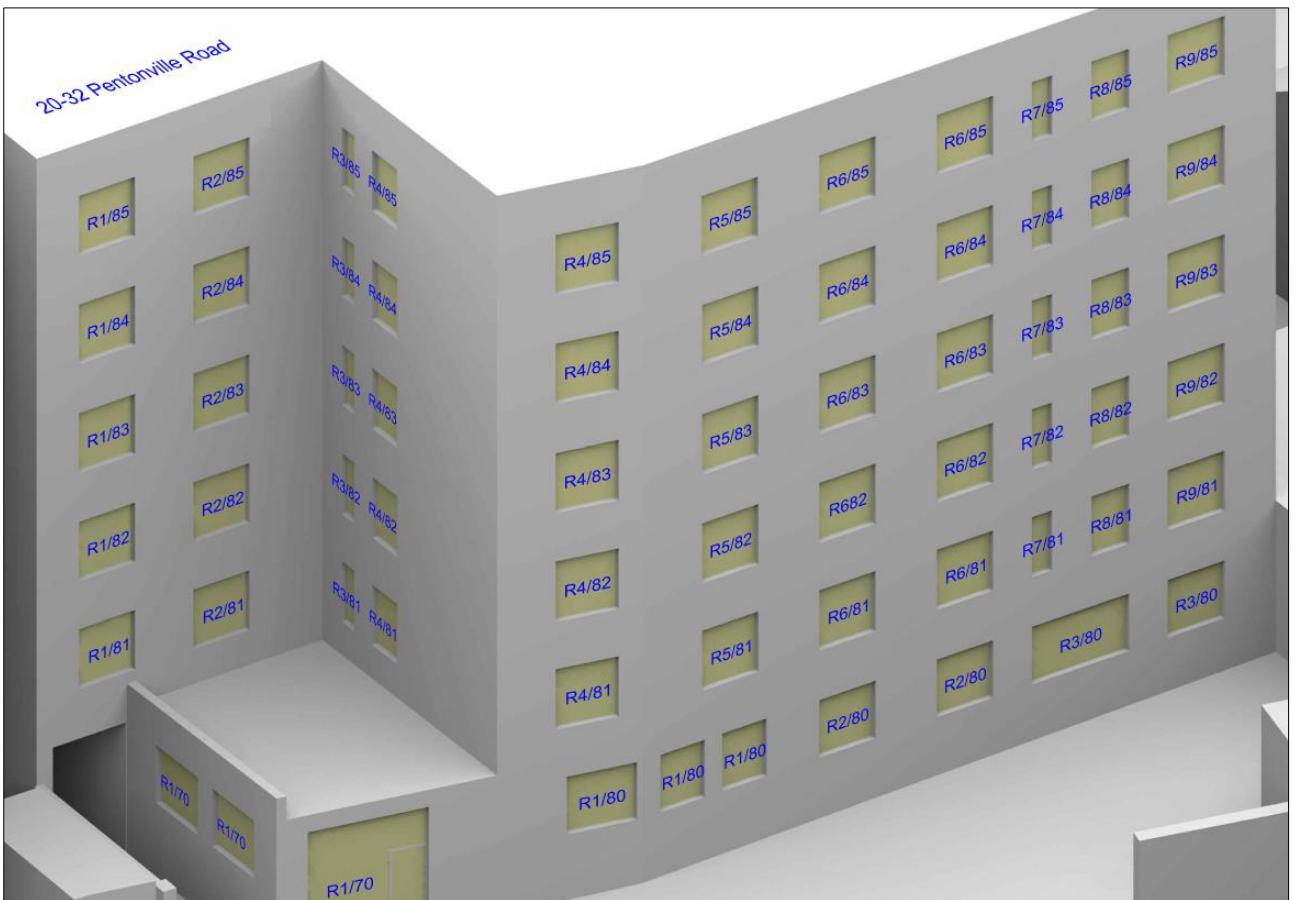


Fig 10.3: Labelled Window Map for Angel House / 20-32 Pentonville Road (for comparison with table 10.1).

- 10.88 Although noticeable, the resultant figures for VSC would all represent a relatively minor reduction from the former value, with the largest reduction being 26% (against a 20% target). This would be within an acceptable range. The resultant loss of daylight to the units at Angel House would not be unacceptable.
- 10.89 At 15-18 White Lion Street, all windows would pass the daylight tests (this is a logical conclusion as the windows face north or south, and not directly towards the site).
- 10.90 At 1-9 White Lion Street, there is planning permission for 9 residential units but they have not yet been constructed, thus there is no potential for “reductions” in daylight. Instead, the daylight levels to those new units have been assessed using the “average daylight factor” (ADF) test instead.
- 10.91 There would be 11 habitable rooms facing the site; six bedrooms and five Living room/Kitchen/Dining rooms (LKD). The ADF test was carried out and all the rooms within the approved development would achieve the requisite levels. It is noted that the developers for the 1-9 White Lion Street development were made aware of the current application, and that scheme was amended accordingly before it was considered by the planning committee, so it is logical that the resultant impacts are acceptable.
- 10.92 There would be no unacceptable losses of daylight to residential neighbours.

#### Sunlight to existing buildings

- 10.93 The site is to the north of Angel House, and none of the site-facing windows at Angel House are within 90 degrees of due south, therefore in accordance with the BRE guidance there will be no noticeable loss of sunlight to the residents of Angel House.
- 10.94 15-18 White Lion Street has north facing units overlooking White Lion Street which would not experience noticeable loss of sunlight. There are 72 windows serving 42 rooms, which will be affected by the development. All of those windows and rooms would pass the BRE tests for loss of sunlight, thus there would be no noticeable loss of sunlight.
- 10.95 The sunlight tests were also applied to the approved development at 1-9 White Lion Street. There are 5 rooms orientated within 90 degrees of due south, all of which would comfortably achieve the BRE APSH targets.

#### Daylight and Sunlight impacts on the Cubitt Gallery

- 10.96 The majority of surrounding uses are offices or other commercial uses, in addition to the Cubitt Gallery, a collection of 32 Artists’ studios and a gallery within Angel Mews.
- 10.97 Access to sunlight and daylight is considered beneficial for business uses although it is normal for this to be supplemented by artificial lighting so there are no particular standards for retained sunlight and daylight levels to business uses.
- 10.98 A consultation response was received in objection, on the basis of the impact on light available to the artists’ studios. Those studios rely primarily on even daylighting from north facing roof lights under a traditional saw-tooth roof. The proposed development would not result in loss of sunlight to the studios due to the site layout, but may result in some loss of reflected daylight (although the proposal is not opposite the saw-tooth roof

lights). There may also be an impact on the entrance within Angel Mews, but this would not result in a significant impact on the usefulness of the main studio spaces.

- 10.99 There are no provisions within the development plan for “amenity” impacts on the users of neighbouring employment uses, however the ability of neighbouring businesses to continue operating following the development is a material consideration, and it should be recognised that artists’ studios are more dependent on daylight than other business uses. The benefits of north-facing roof lights to art studios relate to the evenness and quality of north-facing daylight, rather than the amount or brightness of that light. The impacts on the Cubitt Gallery have been assessed; the proposal is unlikely to have a significant impact on the evenness or quality of daylight available to the north-facing saw-tooth roof lights, and any impacts on other parts of that building will not result in limitations in its use. Officers therefore do not consider that refusal of the application is warranted on that basis.

#### Daylight and sunlight summary

- 10.100 All the residential properties around the site will be fully BRE compliant for sunlight, and the reductions in daylight experienced by the residents at Angel House would be minor, and would not warrant refusing the application. The impacts on sunlight and daylight would not have an unacceptable impact on the most “light sensitive” nearby business (the Cubitt Gallery).
- 10.101 The proposal would have no unacceptable impact on sunlight and daylight to surrounding properties.

#### Privacy, enclosure and overlooking

- 10.102 Policy DM2.1 identifies a minimum distance of 18 metres between windows, other than those facing a highway, ‘to protect privacy for residential developments and existing residential properties. Standard 28 of the London Plan SPG Housing (2016) requires proposals to demonstrate that habitable rooms would have adequate levels of privacy in relation to neighbouring properties.
- 10.103 The proposal would be on the opposite side of Angel Mews, to Angel House. There is public access to Angel Mews, and therefore the nearest elevation of Angel House is a “street facing” elevation. However, it is a relatively private, “back land” mews, and consideration of neighbour privacy should reflect the quiet nature of the mews.
- 10.104 The proposed rear elevation windows at ground floor would have no greater impact than the existing building, and the rearmost elevation of the first and second floors would directly replace the existing building, so the resultant overlooking would be identical. At third floor and above (i.e. above the height of the existing building), all new windows would be more than 18m away from the nearest windows at Angel House. There would be new outdoor terraces with privacy screens, such that occupants on the terraces (directly opposite, or at a 45-degree angle) would be at least 18m away from the windows at Angel House. A previously proposed first floor terrace was omitted from the proposal to avoid overlooking.

- 10.105 At 15-18 White Lion Street, there are bay windows and balconies on the rear elevation. The side elevation windows of the proposed development would be more than 18m away from the nearest windows at 15-18 White Lion Street, and there would be screens to the small outdoor terrace areas to prevent return overlooking.
- 10.106 There would be no windows on the east elevation facing the approved development at 1-9 White Lion Street.
- 10.107 There would be no unacceptable impact on privacy, enclosure or overlooking to nearby residents.

#### Noise and Disturbance

- 10.108 The site is currently accessed via White Lion Street, with Angel Mews used for servicing. Following the development, there will be an entrance to the SME units on Angel Mews, although the majority of servicing will take place from the loading bay on White Lion Street, so there will not be a significant increase in activity, or resultant disturbance to neighbours, on Angel Mews.
- 10.109 Whilst the proposed terraces would not result in unacceptable overlooking impacts they do have the potential to result in additional noise. The proposal does not include the sale of alcohol, or any bar/restaurant areas, and the noise impacts arising from workers working, smoking, or having lunch outside are unlikely to be significant. No concerns were raised by the Council's environmental health officer. However, in order to avoid unacceptable harm to neighbours, condition 9 is recommended to limit use of the outdoor areas until 7pm every day, with no music or licensable activities permitted outdoors.
- 10.110 The external plant would be split across a lower ground floor plant room, and a plant area at roof level. A noise assessment was provided and no objection is raised to this subject to the imposition of condition 19 setting external noise limits at the nearest sensitive receptors (residential windows).
- 10.111 Officers consider that subject to the recommended conditions the proposal will not result in unacceptable impacts in terms of noise and activity.

#### Neighbour amenity summary

- 10.112 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity. The proposal is thus considered acceptable in accordance with London Plan Policies 7.6, 7.14 and 7.15, and Development Management Policy DM2.1.

#### **Biodiversity, Landscaping and Trees**

- 10.113 London Plan Policy 2.18 states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into the wider network, and Islington Policy DM6.5 states that Developments must protect, contribute to and enhance the landscape, biodiversity value, and growing conditions of the development site and surrounding area.

- 10.114 Policy DM6.5 states that developments should maximise the provision of green roofs and the greening of vertical surfaces as far as reasonably possible, and where this can be achieved in a sustainable manner, without excessive water demand. Developments should use all available roof space for green roofs, subject to other planning considerations. All roofs should be biodiversity based extensive substrate roofs with a minimum substrate depth of 80-150mm. The site does not include any green space or vegetation, and there would be no impacts on trees. The proposal would include biodiverse green roofs over all flat roofs, and condition 10 is recommended to secure these unless adequately demonstrated to be unfeasible.
- 10.115 The site is not within a conservation area, and there are no trees on the site. There is a tree near to the rear of the site, behind 4 & 10 Pentonville Road, and there are 2 street trees on White Lion Street. Although those trees would not be affected by the development, condition 8 is recommended to secure appropriate tree protection measures during the construction programme.

### **Security and External Lighting**

- 10.116 Policy DM2.1 requires developments to be designed to be safe and to demonstrate safety in design; including access, materials and site management. Policy DM2.2 requires developments to deliver safe, legible and logical environments.
- 10.117 Paragraph 125 of the NPPF requires developments to limit the impact of light pollution from artificial light on local amenity, dark landscapes and nature conservation. Paragraph 7.19 (Policy 7.5) of the London Plan (MALP) 2016 states that the lighting of the public realm also needs careful consideration to ensure places and spaces are appropriately lit, and there is an appropriate balance between issues of safety and security, and reducing light pollution. Poorly designed lighting has the potential to add to the existing Light Pollution levels in London, to cause harm to neighbour amenity, and to disturb dark corridors for wildlife.
- 10.118 No details of external lighting were submitted with the application, although given the proposed permeable elevation design and additional ground floor glazing, additional external lighting is unlikely to be necessary. A condition (no.14) is recommended requiring details of any external lighting to be approved by the Council, to avoid excessive light pollution and ensure a well-designed and safe environment in accordance with the above policies.

### **Health and Air quality**

- 10.119 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 requires developments to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote mental well-being, and

states that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.

- 10.120 An air quality assessment was submitted, which sets out the relevant policy background but does not include any technical analysis and does not fully consider the likely exposure of workers to elevated pollutant levels. It did not include an Air Quality Neutral Assessment, and did not consider pollutant levels against the GLA's Sustainable Design and Construction SPG benchmarks. Condition 22 is therefore recommended to secure an air quality assessment and appropriate mitigation if necessary.
- 10.121 Of additional concern cumulatively in London is the impact of the number of concurrent construction projects underway and the resultant harm to air quality. The proposal is relatively minor as it will not result in major demolition or excavation works, although there will still be construction dust, waste, machinery, material storage and vehicles which all have the potential to negatively impact air quality. The London Plan "Control of Dust and Emissions during Construction and Demolition" SPG requires low emission non-road mobile machinery (NRMM) to comply with low emissions standards and condition 21 is recommended to ensure that the proposal complies with these standards.

### **Highways and Transportation**

- 10.122 The site is well located in relation to public transport and has a Public Transport Accessibility Level (PTAL) of 6a (Excellent). The site is approximately 125 metres from Angel Underground Station, which provides train services on the Northern Line. It is located immediately adjacent to three bus routes (30, 73 and 476) that extend along Baron Street and White Lion Street. Pentonville Road is also nearby, with two further bus routes (205 and 214).
- 10.123 White Lion Street and Pentonville Road (which gives access to Angel Mews) both form part of the Transport for London Route Network (TLRN), therefore the highways and transportation impacts will fall almost entirely on roads managed by TFL.

#### Transport Statement and Travel Plan

- 10.124 A full travel plan is required for developments equal to or more than 2,500sqm. The application is accompanied by a Transport Assessment, updated by a letter dated 16<sup>th</sup> October.
- 10.125 Access to the building by pedestrians is mostly from White Lion Street, apart from the three SME B1/D1 units which will be accessed from Angel Mews/Pentonville Road. The addendum letter to the transport statement identifies ca. 800 trips a day, with the tube, trains (Kings Cross and Essex Road), and buses, as the main modes of transport. The development would be car free, with no car parking on-site. A framework travel plan was submitted, which prioritises walking and cycling to reduce reliance on public transport. The results of the Transport Assessment have been considered, and the aims of the framework travel plan are supported by officers, with a full travel plan to be secured by the s.106 agreement, as set out in the Planning Obligations SPD.



10.126 The Mayor of London's Community Infrastructure Levy (CIL) is applied to developments across London to help fund the delivery of the Crossrail underground railway line. Within the CAZ there is a further requirement for certain proposed developments to help fund Crossrail, set out within London Plan Policies 6.5, 8.2 and 8.3, and detailed by the Islington Planning Obligations SPD and GLA Crossrail Funding SPG. The requirement is for a financial contribution charged at £140 per square metres of office floorspace, which is offset against the Mayoral CIL payment. The proposed development would provide a payment of £551,320 towards Crossrail, to be secured by the s.106 agreement.

#### Cycling

10.127 The proposed cycle store would have 80 cycle stands, 80 lockers, and 7 showers, which would comply with the Islington Cycle Standards (Appendix 6 to the Development Management Policies), and would exceed the London Plan Standards. It would be located within the basement, but there would be direct access from Angel Mews via a cycle lift. The cycle store would have step free access and would be secured, attractive and sheltered. No details of accessible cycle storage were provided, but an accessible shower is proposed. Condition 27 is recommended to secure accessible cycle storage.

10.128 No short stay cycle storage is proposed for visitors, due to the relatively narrow pavement. This was agreed by TFL, and it is noted that there are Sheffield stands on White Lion Street and outside Angel Station, and there are TFL Cycle Hire stands on Torrens Street, Liverpool Road, and Claremont Square.

10.129 Conditions 5 and 27 are recommended to ensure that the cycle store and end-of-trip facilities are provided.

#### Servicing and refuse

10.130 Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200 square metres, 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). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.

10.131 The site does not currently allow vehicles to enter and exit the site in forward gear, but there is a small parking area to the rear accessed from Angel Mews. Smaller servicing vehicles are able to enter Angel Mews (via an undercroft which limits their size), turn around in the mews, and exit onto Pentonville Road in a forward gear. Details were originally provided with the application which showed that deliveries and servicing would take place both from Angel Mews (for smaller vehicles), and from an existing loading bay on White Lion Street (for larger vehicles). The servicing arrangement from Angel Mews was considered to be impractical and did not take into account the potential for other vehicle movements or loading on Angel Mews. As a result, it was agreed that all deliveries, servicing and waste collection could take place from White Lion Street and the proposal was subsequently amended.

- 10.132 There is a double length loading bay on White Lion Street, directly outside the site, which allows no stopping at peak hours (between 07:00 and 19:00 Monday to Saturday), and 20 minutes loading between these times. Collections and deliveries would be managed via that loading bay, and would be arranged to take place outside peak hours where possible. TFL have responded to the application and raised no objection to the use of this loading bay, and the proposed servicing arrangements.
- 10.133 For refuse and recycling storage, the Council's waste guidance note suggests 2,600L of waste storage per 1,000sqm of floorspace for B1a uses, based on collections occurring once a week. For the proposed floorspace, the number of Eurobins (1,100 litres capacity) required would be 15 Eurobins. The proposal was amended to include provision for 15 Eurobins within the building, adjacent to the loading bay. The proposed capacity and layout would be sensible and would comply with the Council's guidance on refuse and recycling storage.
- 10.134 The proposed arrangements are in draft form, as the end user is not known. Condition 29 is recommended to secure an updated servicing, delivery and waste management plan prior to commencement of use.

#### Vehicle parking

- 10.135 No vehicle parking is proposed on-site. A financial contribution of £20,000 is proposed to secure on-street blue badge parking bays, or alternative accessibility improvements to be agreed by the Council's highway officers. The financial contribution is to be secured by the s.106 agreement.

#### Construction impacts

- 10.136 A draft Construction and Environmental Management Plan (CEMP) was submitted, outlining measures for the routing, accommodation, loading and unloading of construction vehicles. The plan outlines a construction programme commencing in January 2017 and is out of date. A construction programme will be provided within the final CEMP and once a contractor has been appointed. This will set out indicative timescales for each phase of construction.
- 10.137 As the CEMP was drafted well in advance of construction works, this outlines headline impacts and intentions for minimisation of impacts, but does not include specific information on wider vehicle movements, dates of deliveries, or reference to other works, which may affect the site depending on timescales (for example the recent planning permission granted at 1-9 White Lion Street). A condition (no.9) is therefore recommended to secure an expanded and up-to-date (at the time of works) CEMP detailing specific measures, and expanded to take account of other nearby developments, highway works, and notification of neighbours.
- 10.138 Any requirement for the repair and re-instatement of the footways and highways adjoining the development which arises from construction impacts, should be resourced by the applicant, and secured by a s.106 obligation. This is committed to in the application documents and the cost is to be confirmed by LBI Highways and TFL, paid for by the applicant and the work carried out by LBI Highways and TFL.

- 10.139 Subject to compliance with an expanded construction management plan (and recommended condition 9), the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbour amenity, the wider environment, or the safe and efficient operation of the highway network.
- 10.140 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 also 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 of £6,369 towards monitoring. This payment is considered 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.

#### Highways and Transportation Summary

- 10.141 The application sets out adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. The proposal would be acceptable and would comply with Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM5.1, DM8.2, DM8.5 and 8.6; and the London Plan SPG Land for Industry and Transport (September 2012).

#### **Sustainability, Energy Efficiency and Renewable Energy**

- 10.142 Islington Core Strategy Policy CS10 seeks to minimise Islington's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life. This requires all development to achieve the highest feasible sustainability standard, and a sustainability statement was submitted which follows the structure suggested by the Mayor of London's Supplementary Planning Guidance (SPG) Sustainable Design and Construction, and London Plan Policy 5.3.

#### Flooding, Water Consumption, and Sustainable Urban Drainage Systems (SUDS)

- 10.143 Policy DM6.6 expects all major development to include details to demonstrate that SUDS has been incorporated and will be properly maintained.
- 10.144 The site is located in Flood Zone 1 and has low risk of flooding. The existing drainage within the vicinity of the site is to the combined sewer for both surface water and foul water. The existing building has no attenuation system for rainwater and all rainwater on the site flows into the existing combined sewer. As the proposal relates to an existing building on a built-over site, there is limited scope for a new SUDS. However, in order to maximise the potential to reduce pressure on the sewer network, the proposal would take opportunities to introduce facilities which would follow SUDS principles.
- 10.145 There would be a green roof over the roofs of the building which will provide an element of rainwater storage and slow drainage into the sewers. The drainage system will be designed to discharge into the combined sewer, but with there would also be a 30 cubic metre attenuation tank with a non-return valve to prevent overloading of the sewer and to reduce flood risk.

- 10.146 London Plan Policy 5.15 and Islington Policies CS10, DM6.6 and DM7.4 require developments to minimise water consumption and the pressure on the combined sewer network, by incorporating water efficiency measures. The submitted sustainable design and construction statement states that the potential for rainwater harvesting is being explored. Given that the proposal would not achieve a full SUDS, rainwater recycling should be provided unless it is demonstrated that it is not feasible to do so (as required by Policy CS10 and the Environmental Design SPD), so condition 17 is recommended to secure this.
- 10.147 Whilst the proposal would not incorporate full SUDS, it would make reasonable efforts to minimise pressure on the combined sewer. Condition 10 is recommended to ensure that the green roof is provided, and condition 16 is recommended to ensure that the measures set out in the Drainage Strategy are carried out. The net result is that following the development there would be less pressure on the existing public sewer network; the run-off rate would be reduced from 17.8l/s to 8.9l/s. Subject to maximisation of sustainable drainage measures, the proposal is considered acceptable in this respect.

#### Energy Efficiency, CO2 Emissions, and Renewable Energy

- 10.148 Policy DM 7.4A states “Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding”. The council’s Environmental Design Guide states “Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification.” The proposal would be a complete new-build development, and the Sustainable Design and Construction Statement sets out the principles of the BREEAM assessment and how the proposal would comply with the relevant criteria to achieve an “Excellent” rating. Condition 15 is recommended to secure this.
- 10.149 London Plan Policy 5.6B sets out a hierarchy for energy systems for major development proposals, prioritising connection to existing heating or cooling networks; over a site wide CHP network and communal heating and cooling. Islington Policy DM7.3B states “*all major developments within 500 metres of an existing or planned DEN.... are required to submit a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.*” The proposal does not intend to provide a CHP and there are no DENs within 500m. However, space has been allocated within the basement for the relevant DEN connection plant, and an obligation is recommended within the s.106 agreement to safeguard future connection if it becomes available and is feasible in future.
- 10.150 The proposal would take a fabric-first approach to CO2 savings, and would incorporate low U-values, low air permeability, solar PV panels, heat-recovery ventilation and air source heat pumps.
- 10.151 London Plan Policy 5.2B sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. Following revisions and discussion with officers, the proposal would exceed this and would achieve a 52.1% reduction.

- 10.152 Islington Policy CS10 A and Section 2 of the Environmental Design SPD set out targets that onsite total CO2 reduction targets (both regulated and unregulated) against Building Regulations 2010 are reduced by 40% where connection to a Decentralised Energy Network (DEN) is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to reductions of 39% where connection to a DEN is possible, and 27% where not possible. The proposal would achieve the 27% reduction requirement.
- 10.153 The proposal would exceed the London Plan Standard, comply with BREEAM Excellent, and the Islington target for unregulated and regulated emissions, and all reasonable practical measures have been proposed in order to maximise carbon reductions. The proposal would take all reasonable steps to minimise CO2 emissions and on that basis is considered acceptable.
- 10.154 In accordance with the Council's zero carbon policy, the council's Environmental Design SPD states that "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". 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."
- 10.155 The proposed works would minimise carbon emissions arising from the building. Following application-stage amendments the environmental performance of the proposal has improved, and in order to comply with the zero carbon policy it is proposed that the carbon offset contribution of £153,088 (see "Planning Obligations and CIL" below) is secured by the s.106 agreement.

#### Building Fabric

- 10.156 In accordance with Islington Policies CS10 and DM7.4, details on the materials selection based on lifecycle assessment for all major material components of the design should be provided e.g. structure, steel, brick, concrete etc. These details were not supplied with the application, so a green procurement plan is recommended to be required by condition 4.

#### Contamination

- 10.157 Paragraphs 120-122 of the NPPF state that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Planning decisions need to consider whether the site is suitable for its new use taking account of ground conditions and natural hazards or former activities such as pollution arising from previous uses; and in doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land. London Plan Policy 5.21 states that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination. Proposals

should include an assessment of existing ground conditions and identify appropriate remedial measures for any contaminated land prior to development commencing.

- 10.158 The existing building is located on or near to land which was previously used for a range of potentially contaminating uses. The submitted contaminated land assessment was considered by the Council's environmental health officer who noted that as the site would be completely excavated, it is likely that all pollutant linkages will be removed. It is noted however that there is contamination risk, and a watching brief is recommended (to be secured by condition 25) in accordance with the recommendations of the submitted details.

#### Sustainability Summary

- 10.159 In order to ensure that the building performs in accordance with the key sustainability indicators set out within the sustainability statement and energy strategy, a Green Performance Plan (GPP) is to be secured by the s.106 agreement (based on the draft GPP which was submitted with the application).
- 10.160 No overall objection is raised on sustainability grounds, and as set out above, it is recommended that the relevant sustainability requirements are secured by planning conditions and s.106 obligations.

#### **Fire Safety**

- 10.161 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire. The proposal includes wheelchair refuges on each floor and a compartmentalised staircase for fire escape. A fire safety strategy was provided, and an informative (no.10) has been included in the recommendation to remind the applicant of the need to consider the requirements of the Building Regulations in relation to fire safety at an early stage, and to pay particular regard to the provision of a sprinkler system.

#### **Substation**

- 10.162 The existing building includes a small substation adjacent to White Lion Street. This would be re-provided within the new building with an entrance from Angel Mews.

#### **Basement Development**

- 10.163 The Islington Basement Development SPD was adopted in January 2016 and sets out requirements for the Council's application of planning policies in relation to basements. This includes the need for planning applications to be accompanied by Structural Method Statements (SMS) signed by a chartered Civil Engineer (MICE) or Chartered Structural Engineer (MIStruct.E).
- 10.164 The proposal includes excavation within the forecourt to provide a new basement floor, and would result in the whole site being built over.

- 10.165 A SMS was submitted with the application which describes that the basement will be constructed using an embedded piled retaining wall which will act as both the temporary (construction stage) and permanent retention structure, with either piled or raft foundations. These would be designed to a maximum depth of 19m below ground level to ensure that they are outside of the exclusion and alignment adjustment zones stated by for the proposed Crossrail 2 tunnels (which are expected to be approx. 30m below ground).
- 10.166 No objections were raised by Crossrail 2 or Thames Water. The SMS was completed by engineers with the above qualifications, and explains in detail the design and construction process which are proposed in order to ensure that the basement construction has no significant adverse effect, with risks managed through all stages of construction.
- 10.167 The SMS demonstrates that proposed excavation could be constructed without unacceptable impacts on the surrounding land. Subject to condition 28 requiring the basement to be constructed in accordance with the SMS, condition 20 requiring a Construction and Environmental Management Plan, condition 23 requiring further consideration by Crossrail 2, condition 24 requiring further consideration by Thames Water, and the Code of Construction Practice (secured by the s.106 agreement) no objections are raised to the proposed excavation.

### **Planning Obligations and CIL**

- 10.168 If the application is approved and the development is implemented, a liability to pay the Islington Community Infrastructure Levy (CIL) and Mayor of London CIL will arise. CIL is intended to consolidate financial contributions towards the development's local infrastructure impacts, and additional separate contributions should not be sought towards the same infrastructure unless there is an exceptional and demonstrable need as a direct result of the proposed development.
- 10.169 Any further planning obligations which are not covered by the CIL payment should be sought through a legal agreement under s.106 of the Town and Country Planning Act, (1990, amended) and need to comply with the statutory tests set out in the NPPF and CIL Regulations 2010 (amended) to avoid unjustified double counting.
- 10.170 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a s.106 agreement.
- 10.171 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended, secured by a s.106 agreement.
- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
  - Compliance with the Code of Employment and Training

- Compliance with the Council's Code of Local Procurement
- 4 construction training placements (or if it can be demonstrated that this is not possible, a £20,000 contribution towards placements elsewhere).
- Local employment and training contribution of £55,778.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £6,369
- Accessible parking contribution of £20,000.
- Carbon Offsetting payment of £153,088 (index linked).
- Connection to a local energy network, if technically and economically viable. 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.
- Submission of, and compliance with, a Green Performance Plan
- Crossrail funding contribution of £551,320 (to be offset against the Mayoral CIL payment).
- Affordable housing contribution of £849,200
- Approval and compliance with a draft full travel plan to be submitted to the Council for approval prior to occupation; a full travel plan to be submitted to the Council for approval within 6 months of first occupation (including a full travel survey); and a travel plan update to be submitted to the Council for approval three years after first occupation.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

## **11. SUMMARY AND CONCLUSION**

- 11.1 As set out in the above assessment, the proposal has been assessed against the development plan and the comments made by residents and consultees.
- 11.2 Consequently, it is considered that the proposed development would comply with the relevant national, London Plan, and local planning policies (including the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents).
- 11.3 It is recommended that planning permission is granted subject to conditions and s106 legal agreement heads of terms as set out in 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:

- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- Compliance with the Code of Employment and Training
- Compliance with the Council's Code of Local Procurement
- 4 construction training placements (or if it can be demonstrated that this is not possible, a £20,000 contribution towards placements elsewhere).
- Local employment and training contribution of £55,778.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £6,369
- Accessible parking contribution of £20,000.
- Carbon Offsetting payment of £153,088 (index linked).
- Connection to a local energy network, if technically and economically viable. 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.
- Submission of, and compliance with, a Green Performance Plan
- Crossrail funding contribution of £551,320 (to be offset against the Mayoral CIL payment).
- Affordable housing contribution of £849,200
- Approval and compliance with a draft full travel plan to be submitted to the Council for approval prior to occupation; a full travel plan to be submitted to the Council for approval within 6 months of first occupation (including a full travel survey); and a travel plan update to be submitted to the Council for approval three years after first occupation.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

That, should the Section 106 Deed of Planning Obligation not be completed within 2 weeks from the date of the Planning committee meeting when a resolution to approve the application is reached (or a future date as agreed by officers and the applicant), 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	<b>Commencement (compliance)</b>  CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	<b>Approved plans list (compliance)</b>  CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  Approved Drawings:  Location Plans 416-EX.01; Site Photos 416-EX.02; Existing Basement Floor Plan 416A-EX.03; Existing Ground Floor Plan 416A-EX.04; Existing First Floor Plan 416A-EX.05; Existing Second Floor Plan 416A-EX.06; Existing Roof Plan 416-EX.07; Existing Front Elevation 416A-EX.08; Existing Rear Elevation 416A-EX.09; Existing Section AA 416A-EX.10; Existing Section BB 416A-EX.11; Proposed Basement Floor Plan 416A-PA.03 rev.F; Proposed Ground Floor Plan 416A-PA.04 rev.G; Proposed First Floor Plan 416A-PA.05 rev.G; Proposed Second Floor Plan 416A-PA.06 rev.G; Proposed Third Floor Plan 416A-PA.07 rev.I; Proposed Fourth Floor Plan 416A-PA.08 rev.I; Proposed Fifth Floor Plan 416A-PA.09 rev.I; Proposed Sixth Plan 416A-PA.10 rev.H; Proposed Front Elevation 416A-PA.11 rev.B; Proposed Rear Elevation 416A-PA.12 rev.F; Proposed Side Elevation 416A-PA.13 rev.D; Proposed Side Elevation 416A-PA.14 rev.D; Proposed Section AA 416A-PA.15 rev.E; Proposed Section BB 416A-PA.16 rev.D; Proposed Section CC 416A-PA.17 rev.C;

	<p>Proposed Section DD 416A-PA.18 rev.D. Proposed Roof Plan 416A-PA.19 rev.E.</p> <p>Approved Documents:</p> <p>Daylight and Sunlight Report P1488 (Point 2 Surveyors, October 2017); Energy Strategy 5287 (Metropolis Green, 17/10/2017); Sustainable Design and Construction Statement 5287 (Metropolis Green, 18/10/2017); Sustainability Statement 5287 (Metropolis Green, 28/04/2016); Planning Statement (including D1 Assessment and Economic Regeneration Statement) (Planning Sense, October 2016); Transport Assessment ref. TG/15-0713 TA v1.0.docx v1.0 (Gateway TSP, 19th February 2016) including Appendices A-J and updated by addendum letter ref. DM/17/0413 (16 October 2017); Construction Management Plan (Peligro, 18th February 2016); Noise Report “Impact of Road and Urban Noise Sources on Proposed Office Development in Support of Planning Application” ref. GA-2014-0027-R1-RevA (Grant Acoustics, 4th March 2016); Pre-planning Application Design and Access Document (excluding section 5) (GPAD, January 2016); EnviroSmart Plus report ref. 64634R1 (Geosmart information, February 2016); Report on Structural and Drainage Strategy Project No. 7314 (GDC Partnership, 29/03/2016); Fire Safety Summary Technical Note TN/14365/01 (IFC Group, 08/01/2018).</p> <p>The approved plans expressly listed within this condition shall take precedence over any plans referred to or appended to the documents listed in this condition.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Materials and detailing (Prior to superstructure)</b></p>
	<p>CONDITION: Details and samples of all detailing and facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works unless otherwise agreed in writing by the Local Planning Authority. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:</p> <ul style="list-style-type: none"> <li>a) External facing materials, including brickwork (brick, bond, mortar colour and pointing style), lintels, and cladding;</li> <li>b) roof level plant enclosure;</li> <li>c) details of the main entrance door onto White Lion Street, which notwithstanding the hereby approved plans shall be a wheelchair accessible entrance.</li> </ul>

	<ul style="list-style-type: none"> <li>d) windows and doors (including sections and reveals), including doors to the bin store and substation access;</li> <li>e) details of any louvres, ventilation panels or screens;</li> <li>f) any external handrails or balustrading, and terrace screens;</li> <li>g) copings, soffits, cills and reveals (and details of how these will be designed to avoid watermarks or staining to the surfaces below), the undersides of any projecting elements, and junctions of external materials including expansion gaps;</li> <li>h) Roof materials and edge details;</li> <li>i) Rainwater goods (including locations, fixings, material and colour);</li> <li>j) Details and locations of all internal and external soil, vent and waste pipes, which should (except for the termination) be constructed within the building;</li> <li>k) Details of any other equipment or devices to be installed on the external surfaces of the building including meter boxes, service connection access, aerials and satellite dishes;</li> <li>l) Any external boundary treatments, courtyard landscaping and/or gates;</li> <li>m) Any external signage;</li> <li>n) All other external materials.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>4</b>	<b>Green procurement plan (Prior to superstructure)</b>
	<p>CONDITION: Prior to the commencement of superstructure works, unless otherwise agreed in writing by the Local Planning Authority, a green procurement plan for sourcing the proposed materials shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to minimise the environmental impacts of the development.</p>

<b>5</b>	<b>Inclusive Design (Compliance)</b>
	<p>CONDITION: Notwithstanding the approved plans the scheme shall be constructed in accordance with the principles of Inclusive Design, and the following inclusive design features serving the accommodation hereby approved shall be installed and operational prior to the first occupation of the development hereby approved.</p> <p>2 lifts to each floor for the B1 Office building  2 wheelchair accessible WCs to each floor for the B1 Office building  One accessible shower  One lift between floors for the SME units  One accessible WC for each SME unit  Bicycle lift</p> <p>The development shall be carried out strictly in accordance with the details as approved, shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities, in accordance with policy 7.2 of the London Plan 2016, Policies CS7 and CS9 of the Islington Core Strategy 2011 and Islington’s Development Management Policy DM2.2.</p>
<b>6</b>	<b>SME Workspaces (Compliance)</b>
	<p>CONDITION: The three SME units (D1 or B1 use class) shown on the approved plans shall be provided prior to first occupation of the hereby approved building and maintained at all times.</p> <p>These units shall not be amalgamated nor shall they be incorporated into the remainder of the office floor area unless otherwise approved in writing by the Local Planning Authority..</p> <p>REASON: In the interests of ensuring that the proposed development contributes to a mixed and flexible employment base and specifically supports the ability of small and micro enterprises and social infrastructure providers to find suitable workspace.</p>
<b>7</b>	<b>Removal of PD rights (Compliance)</b>
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or the provisions of any Order revoking and re-enacting that Order, no change of use of the approved Use Class B1 and/or Use Class D1 floorspace shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the nearby residential units and the area generally, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of employment and social infrastructure floorspace</p>

	would have on the provision of employment and services in the borough.
<b>8</b>	<b>*Tree Protection (Prior to commencement)</b>
	<p>CONDITION: No works (including site clearance, preparatory work or development) shall take place until a scheme for the appropriate working methods (the Arboricultural Method Statement, AMS) in accordance with British Standard BS 5837 2012 "Trees in relation to design, demolition and construction" in relation to the protection of the nearby trees (with particular regard to the tree located to the rear of 4 &amp; 10 Pentonville Road) has been submitted to and approved in writing by the local planning authority.</p> <p>The development shall be carried out in accordance with the approved AMS unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>9</b>	<b>Roof Terraces (Compliance)</b>
	<p>CONDITION: The roof terraces of the development hereby approved shall not be used except between the hours of 09:00 and 19:00 on any day except in the case of essential maintenance or repair, or escape in case of emergency. No amplified music or licensable activities shall take place on the roof terraces unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the amenity of residents is not adversely affected</p>
<b>10</b>	<b>Biodiverse Roof (Compliance)</b>
	<p>CONDITION: Notwithstanding the hereby approved details, biodiverse roofs shall be installed over the flat roofs of the building prior to first occupation.</p> <p>The biodiverse roofs shall be installed on all flat roofs (other than those within the rooftop plant enclosure and those shown as terraces on the approved plans) unless a feasibility assessment and alternative biodiverse roof details are submitted to and approved in writing by the Local Planning Authority, in which case those alternative details shall be complied with.</p> <p>The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> <li>a) biodiversity based with extensive substrate base (depth 80-150mm); and</li> <li>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).</li> </ul> <p>The biodiversity (green/brown) roofs 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</p>

	<p>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>
<b>11</b>	<b>Bird Boxes (Prior to Occupation)</b>
	<p>CONDITION: Details of bird nesting boxes, including swift boxes, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the hereby approved development. The number and position of bird boxes needs to be determined on site by a qualified ecologist. The details shall include 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>
<b>12</b>	<b>Energy Efficiency – CO2 Reduction (Prior to Superstructure)</b>
	<p>CONDITION: Prior to the commencement of superstructure works, a revised Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The energy efficiency measures as outlined within the revised Sustainable Design and Construction Statement shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall achieve a 52.1% reduction of regulated carbon emissions against Building Regulations 2013, and a 27% reduction of regulated and unregulated carbon emissions against Building Regulations 2013.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, a revised Energy Strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p>



	REASON: In the interest of addressing climate change and to secure sustainable development.
<b>13</b>	<b>Future Connection (Prior to superstructure)</b>
	<p>CONDITION: Details of how the heating system and associated infrastructure shall be designed to allow for the future connection to any neighbouring heating and cooling network shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The agreed scheme shall be installed prior to the first occupation of the development hereby approved. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the facility is provided appropriately and so that it is designed in a manner which allows for the future connection to a district system.</p>
<b>14</b>	<b>External Lighting (Compliance/Prior to Specific Works)</b>
	<p>CONDITION: No external lighting shall be installed, unless details of external lighting across the site have been submitted to and approved in writing by the Local Planning Authority prior to the installation of any external lighting.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, and hours of operation. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
<b>15</b>	<b>BREEAM (Compliance)</b>
	<p>CONDITION: 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>
<b>16</b>	<b>SUDS (Compliance)</b>
	<p>CONDITION: The measures set out in the Sustainable Urban Drainage statement shall be installed and implemented prior to the first occupation of the hereby approved development, unless otherwise approved in writing by the Local Planning</p> <p>REASON: In order to secure sustainable urban drainage, reducing the risk of flooding and to mitigate the impacts of the development.</p>

<b>17</b>	<b>Rainwater Recycling (Prior to superstructure)</b>
	<p>CONDITION: Details of a rainwater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works, unless a feasibility study is submitted to and approved by the Local Planning Authority demonstrating that rainwater recycling is not feasible. The rainwater recycling system shall be carried out in accordance with the details so approved, shall be installed and operational prior to the first occupation of the building and shall be retained and maintained as such thereafter.</p> <p>REASON: To ensure the sustainable use of water.</p>
<b>18</b>	<b>Photovoltaic panels and Air Source Heat Pump (Prior to Occupation)</b>
	<p>CONDITION: Prior to first occupation of the development hereby approved, manufacturers' specifications and a scheme of the detailed designs and layout of the equipment and mechanical systems to be implemented in relation to the proposed PV panels and air source heat pump(s) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>These details relating to the PV panels shall include but not be limited to: location of PV panels; area of panels; and design (including section drawings showing the angle of panels in-situ, and elevation plans);</p> <p>The solar photovoltaic panels and external plant as approved shall thereafter be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interests of ensuring that the proposed mechanical plant would achieve the performance standards assumed by the approved sustainability statement, to avoid harm to neighbour amenity, to secure sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
<b>19</b>	<b>Plant Noise and Fixed Plant (Compliance)</b>
	<p>CONDITION: Notwithstanding the details approved, 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>The development shall be carried out strictly in accordance with the details as approved, shall be maintained as such thereafter unless otherwise approved in writing by the Local</p>

	<p>Planning Authority.</p> <p>REASON: To avoid unacceptable harm to neighbour amenity and to secure an appropriate residential environment for neighbouring occupiers.</p>
<b>20</b>	<p><b>*Construction and Environmental Management Plan (Prior to Commencement)</b></p>
	<p>CONDITION: Notwithstanding the details submitted with the application, an expanded construction management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The Method of Demolition and Construction Statement shall include details and arrangements regarding:</p> <ul style="list-style-type: none"> <li>a) The notification of neighbours with regard to specific works;</li> <li>b) Advance notification of any access way, pavement, or road closures;</li> <li>c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;</li> <li>d) Details regarding the planned demolition and construction vehicle routes and access to the site;</li> <li>e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;</li> <li>f) Details of waste storage within the site to prevent debris on the surrounding highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)</li> <li>h) Details of any proposed external illumination and/or floodlighting during construction;</li> <li>i) Details of measures taken to prevent noise disturbance to surrounding residents;</li> <li>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</li> <li>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</li> <li>l) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</li> <li>m) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</li> </ul>

	<p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the Transport for London controlled Pentonville Road and White Lion Street, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>No demolition or development shall begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning during the construction period in accordance with the approved details. The demolition and development shall thereafter be carried out in accordance with the details and measures approved in the Method of Construction Statement.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
<b>21</b>	<b>Non Road Mobile Machinery (Compliance)</b>
	<p>CONDITION: An inventory of all Non-Road Mobile Machinery (NRMM) must be registered on the NRMM register <a href="https://nrmm.london/user-nrmm/register">https://nrmm.london/user-nrmm/register</a>. All NRMM should meet as minimum the Stage IIIA emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIA equipment is not available. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.</p> <p>REASON: To comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2016) and to minimise air pollution.</p>
<b>22</b>	<b>Air Quality (Prior to Commencement)</b>
	<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: To comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2016) and to minimise air pollution.</p>
<b>23</b>	<b>Crossrail 2 (Prior to Commencement)</b>
	CONDITION: Prior to the commencement of works on the development hereby

	<p>permitted, detailed design and Construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling and any other temporary or permanent installations and for ground investigations shall be submitted to and approved in writing by the Local Planning Authority which:</p> <ul style="list-style-type: none"> <li>(a) Accommodate the proposed location of the Crossrail 2 structures including temporary works</li> <li>(b) Accommodate ground movement arising from the construction thereof,</li> <li>(c) Mitigate the effects of noise and vibration arising from the operation of Crossrail 2 within its tunnels and other structures.</li> </ul> <p>The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs 1(i), 1 (ii) and 1 (iii) of this condition on shall be completed, in their entirety, before any part of the building[s] hereby permitted is/are occupied. No alteration to these aspects of the development shall take place without the approval of the Local Planning Authority in consultation with Crossrail 2.</p> <p>REASON: To ensure that the proposed development does not adversely affect the delivery of Crossrail 2, and to ensure that the development is not adversely affected by underground infrastructure associated with Crossrail 2.</p>
<b>24</b>	<b>Thames Water (Compliance/Prior to Specific Works)</b>
	<p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.</p>
<b>25</b>	<b>Land Contamination (Compliance)</b>
	<p>CONDITION: The hereby approved development shall be carried out in accordance with the approved EnviroSmart Plus report ref. 64634R1 (Geosmart information, February 2016) and a watching brief shall be kept during the construction programme.</p> <p>Should any contamination remediation works be required, 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>

	<p>a) An intrusive land contamination investigation.</p> <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> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation 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 may be contaminated, investigation and potential remediation may be necessary to safeguard the health and safety of future occupants.</p>
26	<p><b>*Archaeology (Prior to commencement)</b></p>
	<p>CONDITION: No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing.</p> <p>The WSI shall include:</p> <ul style="list-style-type: none"> <li>(a) the statement of significance and research objectives;</li> <li>(b) the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and</li> <li>(c) the programme (including timescales) for post-investigation assessment and subsequent analysis, publication &amp; dissemination and deposition of resulting material.</li> </ul> <p>The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.</p> <p>The development and demolition shall thereafter be carried out solely in accordance with the approved details, and the investigation, assessment, publication &amp; dissemination and deposition shall be carried out in accordance with the timescales approved pursuant to part (c) of this condition, unless otherwise agreed in writing by the Local Planning</p>

	<p>Authority.</p> <p>REASON: In order to protect any hidden or buried archaeological artefacts or other heritage assets as may be found during construction works.</p>
<b>27</b>	<b>Cycle Parking Provision (Compliance)</b>
	<p>CONDITION: The cycle storage areas, cycle lift, and end-of-trip facilities shown on the hereby approved plans, shall be provided prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle and accessibility scooter parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>28</b>	<b>Basement Excavation Inspection and Monitoring (Compliance)</b>
	<p>CONDITION: The development shall be constructed in accordance with the approved Structural Method Statement unless otherwise agreed in writing.</p> <p>The certifying professional that endorsed the Structural Method Statement (or a suitably qualified Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E) with relevant experience shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design approved within the Structural Method Statement and by a Building Control body.</p> <p>REASON: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
<b>29</b>	<b>Deliveries and Servicing (Prior to occupation)</b>
	<p>CONDITION: A Delivery and Servicing plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the hereby approved development.</p> <p>The development shall be carried out and maintained in accordance with the approved details, unless otherwise approved in writing.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<b>30</b>	<b>Waste Management (Compliance)</b>
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans 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>





**List of Informatives:**

1	<p><b>S106</b></p>
	<p>SECTION 106 AGREEMENT</p> <p>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.</p>
2	<p><b>Superstructure</b></p>
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p><b>Community Infrastructure Levy (CIL) (Granting Consent)</b></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 <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. 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:  <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p><b>Pre-Commencement Conditions:</b></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><b>Car-Free Development</b></p>
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no</p>

	parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
<b>5</b>	<b>Roller Shutters</b>
	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.
<b>6</b>	<b>Roof top plant</b>
	The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.
<b>7</b>	<b>Construction works</b>
	Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a> ) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
<b>8</b>	<b>Thames Water (1):</b>
	<p>You are reminded of the following comments from Thames Water:</p> <p>“The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p> <p>“We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.</p> <p>“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</p>

	<p>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 <a href="mailto:ww.riskmanagement@thameswater.co.uk">ww.riskmanagement@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a>.</p>
<b>9</b>	<p><b>Thames Water (2):</b></p> <p>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.</p> <p>Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p> <p>Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> to determine if a building over / near to agreement is required.</p> <p>Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.</p>
<b>10</b>	<p><b>Thames Water (3):</b></p> <p>Water Comments: Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
<b>11</b>	<p><b>Highways Requirements (1)</b></p> <p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This</p>

	<p>relates, to scaffolding, hoarding and so on. All licenses can be acquired through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Section 50 license must be agreed prior to any works commencing.</p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p>
<b>12</b>	<b>Highways Requirements (2)</b>
	<p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a> Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.</p>
<b>13</b>	<b>Highways Requirements (3)</b>
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be</p>

	<p>borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact <a href="mailto:streetlights@islington.gov.uk">streetlights@islington.gov.uk</a></p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980</p> <p>Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
<b>14</b>	<b>Secured by Design:</b>
	<p>You are reminded to refer to the provisions of the Secured by Design Commercial Developments 2015 Guide (or any replacement guidance), in relation to the risk of crime within both the public and non-public areas of the proposed development, and preventative measures.</p>
<b>15</b>	<b>Crossrail 2:</b>
	<p>Applicants should refer to the Crossrail 2 Information for Developers available at <a href="http://crossrail2.co.uk">crossrail2.co.uk</a>. Crossrail 2 will provide guidance in relation to the proposed location of the Crossrail 2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to contact the Crossrail2 Safeguarding Engineer in the course of preparing detailed design and method statements.</p> <p>In addition, the latest project developments can be found on the Crossrail 2 website <a href="http://www.crossrail2.co.uk">www.crossrail2.co.uk</a> which is updated on a regular basis.</p>
<b>16</b>	<b>Fire Safety</b>
	<p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's</p>

<p>Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Andrew Marx on 020 7527 2045 or by email on <a href="mailto:andrew.marx@islington.gov.uk">andrew.marx@islington.gov.uk</a>.</p>
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## **APPENDIX 2: RELEVANT POLICIES**

This appendix lists all relevant development plan policies and guidance notes relevant to the determination of the 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's Core Strategy 2011, Islington's Development Management Policies 2013, the Finsbury Local Plan 2013 and Islington's 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 CAZ Strategic Priorities

Policy 2.11 CAZ Strategic Functions

Policy 2.12 CAZ Local Activities

Policy 2.18 Green Infrastructure

##### **3 London's people**

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.18 Education facilities

##### **4 London's economy**

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development

Policy 4.10 New and emerging sectors

Policy 4.12 Improving opportunities for all

##### **5 London's response to climate change**

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising emissions

Policy 5.3 Sustainable design & construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste net self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.20 Aggregates

Policy 5.21 Contaminated land

## **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 connectivity
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing traffic flow and tackling congestion
- Policy 6.13 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

## **B) Islington Core Strategy 2011**

### **Spatial Strategy**

- Policy CS5 (Angel and Upper Street)
- 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 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

## **8 Implementation, monitoring and review**

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Policy CS12 (Meeting the Housing Challenge)

Policy CS13 (Employment Spaces)

Policy CS 15 (Open Space and Green Infrastructure)

### **Infrastructure and Implementation**

Policy CS 18 (Delivery and Infrastructure)

Policy CS 19 (Health Impact Assessments)

Policy CS 20 (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

### **Shops, culture and services**

- DM4.12 Social and strategic infrastructure and cultural facilities

### **Employment**

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

### **Health and open space**

- DM6.1 Healthy development
- DM6.2 New and improved public open space
- DM6.5 Landscaping, trees and biodiversity
- DM6.6 Flood prevention

### **Energy and Environmental Standards**

- DM7.1 Sustainable design and construction
- 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

### **3 Designations**

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

- Central Activities Zone (CAZ)
- Core Strategy Key Area: Angel and Upper Street
- Angel Town Centre
- Crossrail 2 Safeguarding Area
- Central Activities Zone (CAZ)

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

The following SPGs and/or SPDs are relevant:

#### **Islington Local Development Plan**

- Affordable Housing Small Sites Contributions (October 2012)
- Basement Development (January 2016)
- Development Viability (January 2016)
- Environmental Design (October 2012)
- Inclusive Design in Islington (February 2014)
- Inclusive Landscape Design (January 2010)
- Islington Urban Design Guide (January 2017)
- Planning Obligations (Section 106) (December 2016)

#### **London Plan**

- Affordable Housing & Viability (August 2017)
- Crossrail Funding (March 2016)
- Housing (March 2016)
- Central Activities Zone (March 2016)
- Social Infrastructure (May 2015)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Town Centres (July 2014)
- Character and Context (June 2014)
- London Planning Statement (May 2014)
- Sustainable Design and Construction (April 2014)
- Use of planning obligations in the funding of Crossrail, and the Mayoral CIL (April 2013)
- Land for Industry and Transport (September 2012)
- All London Green Grid (March 2012)
- London's Foundations (March 2012)
- Planning for Equality and Diversity in London (October 2007)

ATT: Max Plotnek  
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E [Luciana.grave@islington.gov.uk](mailto:Luciana.grave@islington.gov.uk)  
W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: DRP/133

Date: 29 September 2017

Dear Max Plotnek,

**ISLINGTON DESIGN REVIEW PANEL**

**RE: 10-14 White Lion Street, London N1 9PD (planning application ref. P2016/0297/FUL)**

Thank you for attending Islington's Design Review Panel meeting on 12 September 2017 for a first review of the above scheme. The proposed scheme under consideration is for the demolition of existing building (formerly Kaplan Law School) and construction of 7 storey office building (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 Dominic Papa, Dorian Crone, Ben Gibson, Judith Loesing and David Leech on 12 September 2017 including a site visit and 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 acknowledged the improvements made since the previous scheme was presented to them in 2015, particularly in relation to the change of use. However, panel members also raised concerns in relation to the front elevation, the massing to the rear, the lack of public realm improvements and the quality of the office space provided. They provided the following comments:

Height and massing

The Panel were generally supportive of the proposed height of the building on the street frontage. However, some concerns were raised in relation to the massing to the rear and felt that the stepped nature looked as if it had been designed by a rights of light surveyor. As such panel members encouraged the design team to develop the rear of the proposed building further.

Front elevation

The Panel questioned whether the design team had considered the potential of retaining the existing façade and extending above it. They raised concerns in relation to the proportions of the front elevation, with some panel members unsure about the duality of the articulation and felt that this should be revisited. The Panel were also unconvinced by the double height ground floor and did not feel this related well to the proportions of the building or to the wider street scene. They also

raised some concerns in relation to the proposed floor to ceiling glazing and the likely clutter behind the glazing associated with multiple occupiers and office use. The proposed glazing also increases the risk to delivering quality; it would require a lot of attention to the detailing at the planning stage and assurance that it would be built as designed.

Some panel members felt that the design approach was confused and that it appeared that elements of different design precedents had been used and applied to this design, without sufficient consideration for the context. They felt that this approach did not tie in with the concept for the site, with low key, low tech office spaces with exposed services, and felt it may be better placed in Mayfair than on White Lion Street.

Panel members also commented on the proposed materials and felt that cues could be taken from the existing building and surrounding context to inform the proposals on the site. It was suggested that reference could be made to the tiles on the existing building to add interest to the frontage.

#### Public realm and servicing

The Panel felt that the design team were missing an opportunity in relation to public realm improvements. They did not feel that the scheme was giving much back to the street and that improvements could be provided such as, public space and trees to the front of the building, a better ratio of solid to void in the façade generally, some shelter or canopy to the front and cobbles and lighting to the mews to the rear. Panel members felt that there appeared to be little consideration for the impact of the proposals on the mews and on the operation of the other units on the mews. They also commented that it may be beneficial to link up the mews with the new public space proposed on the adjacent site.

The servicing and transport arrangement for the site were also questioned, with limited space for vehicles to turn to the rear.

#### Quality of office space

Panel members were worried about the natural light within the office space at ground floor and basement levels and questioned whether or not this had been tested. They wanted to see further details (e.g. details showing the basement and lightwell at ground floor level) demonstrating the interior conditions before they could comment on the acceptability of the proposals. Concerns were also raised regarding the low floor to ceiling heights. This would also need to be tested with layouts for multiple tenants where a corridor and partitions would reduce light even further.

#### **Summary**

Panel members welcomed the improvements made to the scheme; applauding the simpler approach and the change of use to office from residential. They also felt that the height of the building was appropriate to the front of the site. However, the Panel were not convinced by the current scheme and felt that further work was required in order for the proposed design to be considered acceptable. Namely, the rhythm of the front elevation and the stepping to the rear. They also encouraged broader enhancement across the site in terms of landscape and streetscape and to the mews to the rear. They felt that the driving ambition for the design was the maximisation of floorspace, which was detrimental to the quality of accommodation and public realm. The Panel commented that plans and sections showing how the building will be used and who it is for, as well as demonstrating the quality of the work environment should be provided. Panel members also felt that the scheme could have benefited from a review at an earlier stage (in addition to the first review in 2015).

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



ATT: Matt Bailey  
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Our ref: DRP/65

Date: 25 June 2015

Dear Matt Bailey,

### **ISLINGTON DESIGN REVIEW PANEL**

**RE: 10-14 White Lion Street in connection with application ref. P2015/0080/FUL**

Thank you for attending Islington's Design Review Panel meeting on 9 June 2015 for an assessment of the above scheme. The proposed scheme under consideration is for the demolition of existing part two, part three storey building and for the redevelopment of the site with erection of a part six, part seven storey building (plus part basement) to provide 2,979 sqm B1 office floor space and 30 residential units (comprising 5x 3-bed, 10x 2-bed and 15x 1-bed units). The development would provide 26 % affordable housing (for social rent) by habitable room and 27 % by unit.

### **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 Leech, Tim Ronalds, Charles Thomson, Ben Gibson, and Dorian Crone on 9 June 2015 including a site visit and a presentation from the design team followed by a question and answers 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**

#### Massing

The Panel expressed concern that the scheme was seeking to fit too much onto the site and that both the residential units and the office space had therefore been compromised. Panel members felt that the building was pushing out too much against the boundaries of the site, raising concerns over amenity and proximity to adjacent buildings. Of noticeable concern was the impact of the proposed rear section of the development - the affordable housing element addressing Angel Mews - in terms of both impact on neighbouring amenity and compromising the quality of the new development. The Panel recommended that alternative massing solutions should be explored that are more responsive and sympathetic to their context.



### Layout

The Panel considered that the location merited a much better quality of accommodation. The Panel expressed concern over the large number of single-aspect north-facing units as well as the depth of the units with regard to good amenity and provision of daylight. The Panel was also concerned with regard to the quality of the circulation space, the lack of clarity and generosity to the entrance spaces. It was suggested that an alternative layout should be explored that would address these concerns and provide more dual-aspect units. Panel members were also concerned over the quality of the office space, which they felt was very deep with a lack of outlook. The Panel requested details of alternative entrance arrangements for both intended and potential future tenants.

### Elevations

The Panel appreciated the attempt to reflect the uses in the front elevation, but found the result to be out of place with the prevalent hierarchy on the street and felt that the very pronounced ground-level treatment signalled a much larger building. They did not feel that the provision of such a grand level was appropriate in this location. The Panel questioned the two different treatments of the residential level and the balconies protruding at different angles. It was recommended that a different elevation that would better fit the hierarchy on the street (ground-middle-top) be explored.

### **Summary**

In conclusion, the Panel was unable to support the scheme as it stands and felt that the site merits a higher quality building than the scheme proposes. Panel members found it regrettable that the scheme had only been presented to them after a planning application had been made and suggested that an earlier discussion would have been more constructive.

The Panel recommended that the scheme should return to the Panel to be reviewed again once the scheme had evolved.

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,



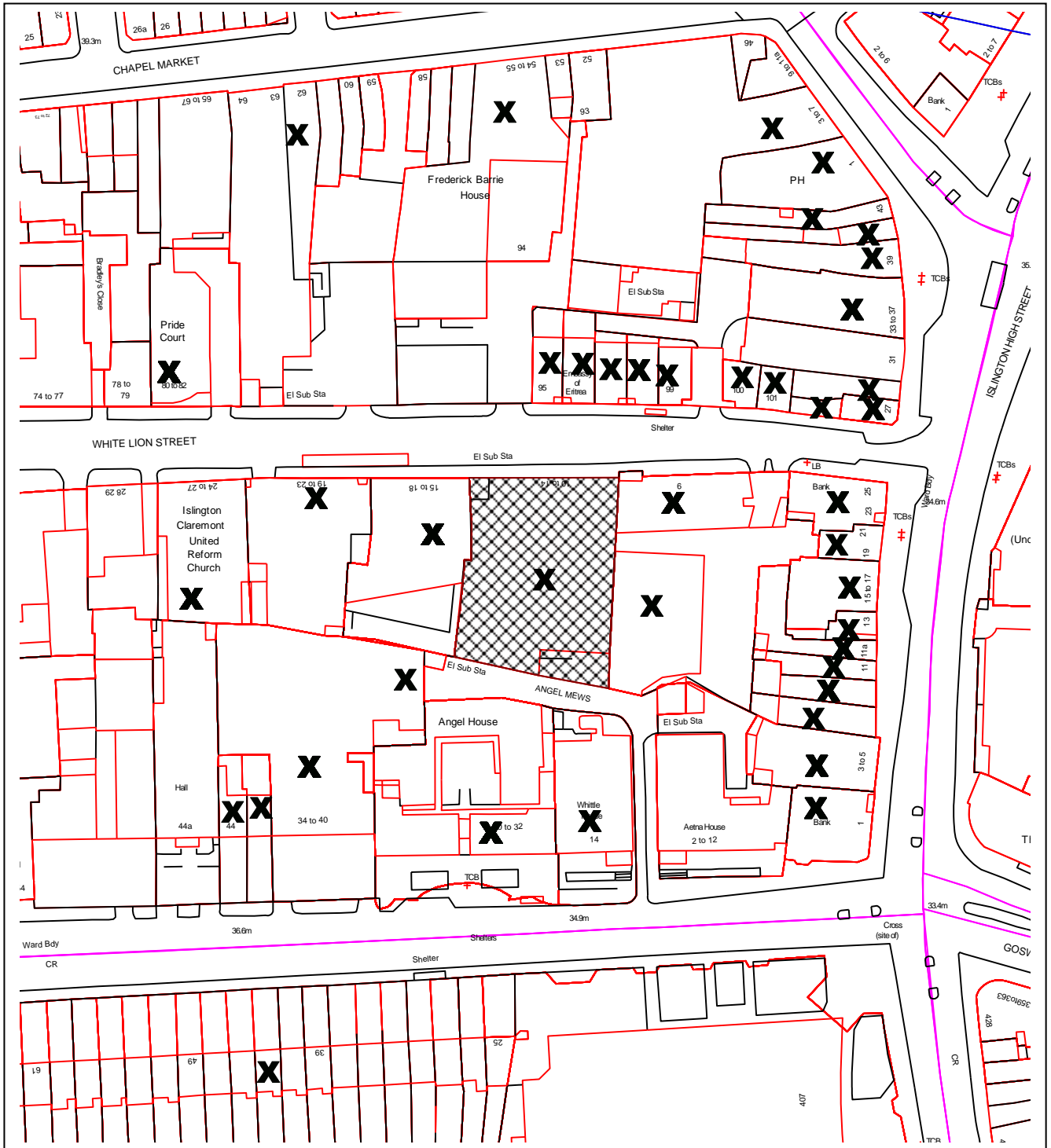
**Luciana Grave**

Design Review Panel Coordinator  
Design & Conservation Team Manager

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P2017/0297/FUL

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