



AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on **9 July 2018 at 7.30 pm.**

Yinka Owa
Director – Law and Governance

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Despatched : 1 July 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.**

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>	
Councillor Klute (Chair)	- St Peter's;	Councillor Poyser	- Hillrise;
Councillor Picknell (Vice-Chair)	- St Mary's;	Councillor Williamson	- Tollington;
Councillor Kay (Vice-Chair)	- Mildmay;	Councillor Chowdhury	- Barnsbury;
Councillor Convery	- Caledonian;	Councillor Wayne	- Canonbury;
Councillor Graham	- Bunhill;	Councillor Champion	- Barnsbury;
Councillor Khondoker	- Highbury West;	Councillor Webbe	- Bunhill;
Councillor Chapman	- Junction;	Councillor Hamitouche	- Barnsbury;
Councillor Cutler	- St Peter's;	Councillor Lukes	- Highbury East;
Councillor Woolf	- Canonbury;	Councillor Gantly	- Highbury East;
Councillor Nathan	- Clerkenwell;	Councillor Gill	- St George's;

Quorum: 3 councillors



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

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

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

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

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

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

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

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

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

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

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

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

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

5.	Order of Business	
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B.	Consideration of Planning Applications	Page
1.	36-44 Tabernacle Street, London, EC2A 4DT	7 - 62
2.	7-8 Wakley Street and 328 City Road, London, EC1	63 - 148

3. Grenville Works 2A inc. 1 Grenville Road and 500-502 Hornsey Road, London, N19 149 - 224

C. Consideration of other planning matters **Page**

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, 10 September 2018

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

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING COMMITTEE

Planning Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

For further information on how the Planning Committee operates and how to put your views to the Planning Committee please call Zoe Lewis on 020 7527 3486. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.

London Borough of Islington

Planning Committee - 7 June 2018

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 7 June 2018 at 7.30 pm.

Present: **Councillors:** Klute (Chair), Picknell (Vice-Chair), Kay (Vice-Chair),
Convery, Graham, Nathan, Khondoker, Chapman,
Cutler and Woolf
Also Present: **Councillors:** Ward

Councillor Martin Klute in the Chair

1 INTRODUCTIONS (Item A1)

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

2 APOLOGIES FOR ABSENCE (Item A2)

There were no apologies for absence.

3 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

4 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

5 ORDER OF BUSINESS (Item A5)

The order of business would be as per the agenda.

6 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 23 April 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

7 APPOINTMENT OF PLANNING SUB-COMMITTEES (Item A7)

Members noted the tabled paper proposing the memberships of the Planning Sub-Committees.

RESOLVED:

- a) That the Sub-Committees be confirmed as five member Sub-Committees and the Terms of Reference be noted.
- b) That it be noted that the allocation of seats was determined in accordance with the advice in the report.
- c) That Councillors Picknell, Cutler, Convery, Nathan and Graham be appointed as members of Planning Sub-Committee A for the current municipal year or until their successors are appointed.

- d) That Councillors Kay, Chapman, Klute, Kondoker and Woolf be appointed as members of Planning Sub-Committee B for the current municipal year or until their successors are appointed.
- e) That it be noted that Councillor Picknell had been appointed Chair of Planning Sub-Committee A and Councillor Kay had been appointed Chair of Planning Sub-Committee B for the current municipal year or until their successors are appointed.
- f) That Councillor Graham be appointed as Vice-Chair of Planning Sub-Committee A and Councillor Chapman be appointed as Vice-Chair of Planning Sub-Committee B for the current municipal year or until their successors are appointed.
- g) That it be noted that any member who was a member or substitute member of the Planning Committee could substitute at any meetings of either Sub-Committee if they had not been appointed as a member of the Sub-Committee.

8 N1 CENTRE AND CAR PARK [BASEMENT], PARKFIELD STREET, LONDON, N1 (Item B1)

Removal of the Angel Wings sculpture and kiosk, erection of a new kiosk and first floor bridge/outdoor restaurant seating area, and extended first floor balcony. Conversion of existing 100 space basement car park and reconfiguration of ground and basement level floorspace to provide a mix of retail units, including additional 1945sqm of flexible retail (A1) and leisure (D2) floorspace, retaining 27 parking spaces. Conversion and extension to first floor retail unit 5A (A1) to provide restaurant/café (A3). Partial demolition of 2 external staircases. Installation of first floor awnings. Partial external terracotta cladding and projecting windows to west elevation. Replacement hard and soft landscaping and associated works.

(Planning application number: P2017/2964/FUL)

In the discussion the following points were made:

- The planning officer advised of the following updates:
 - Condition 5 to be amended to enable details of (b) soft landscaping to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of external works
 - Condition 8 to be deleted;
 - Condition 26 to be amended to read,
“The public toilets within the development shall be open and available for use for the duration of the opening hours of the A1 (shops).”
 - Condition 29 to be deleted as the aspects were covered by Condition 15.
- In response to the chair’s question as to whether the scheme had been back to the Design Review Panel (DRP) since amendments were made, the planning officer advised that it had not been back, as the changes requested by the DRP were straight forward and were supported by planning and design and conservation officers.
- The planning officer confirmed that the outside space was designated as open space but was private land. The S106 required public access to be maintained but the space and Angel Wings sculpture belonged to the owners of the site.
- Members asked if the art work was required to be replaced with equivalent art work. This could be in terms of value, impact and quality. The planning officer advised that this could be a relevant factor and that the original agreement was sought to be amended which required a 1% spend of that original (1998) permission of the value of that development.
- The planning officer confirmed that officers had negotiated with the applicant on the Heads of Terms and the ones in the report had been agreed between the applicant and officers. However, the S106 had not yet been signed and could be amended.

Planning Committee - 7 June 2018

- In response to a member's question about landscaping, the planning officer stated that the site had limitations as it was above a car park so there were not many opportunities for new soft landscaping. It was proposed that planters would be used.
- A member asked whether wooden panels had been considered as a cladding material and the planning officer advised that a number of materials had been considered by the applicant and design officer. As timber and render did not age well, they were generally not supported on a large scale proposal. Terracotta was being proposed as it was a natural material.
- In response to a member's question about car parking accessibility, the planning officer reported that the proposals were based on a survey of existing use. At any time, no more than two accessible parking spaces were used. This figure was being doubled and £20,000 was being provided to improve accessibility elsewhere.
- The planning officer stated that the bridge would promote circulation, provide seating and mean the current dead end would be removed. The existing spiral staircase would be kept with the shape slightly amended.
- In response to a member's question about the DRP amendments regarding light, the planning officer advised that there had been a significant reduction in the width of the bridge and the overbearing, solid, unwelcoming kiosk would be replaced with a glazed kiosk. These measures would provide the outside space with more natural light.
- In response to a member's question, the planning officer advised that the proposed scheme would have more toilets than there were currently.
- A member raised concern that it was not known what the daylight/sunlight impact would be of the art work that would replace the Angel Wings. The planning officer advised that the proposed art work was subject to a separate planning application and this would be considered then.
- The applicants advised that they were trying to relocate the Angel Wings sculpture to another building in the Angel. They were currently unable to provide more information due to commercial sensitivity but would do their utmost to relocate the sculpture and would report progress to the council on a regular basis under one of the Heads of Terms.
- In response to a question from the chair about the meaning of "appropriate scale" in relation to the art work, the applicant's representative from the Contemporary Arts Society stated that the artist had been briefed to reference the existing halo artwork at the front of the shopping centre facing Upper Street. The artist was a renowned contemporary artist and the budget would be of a similar scale to the Angel Wings.
- In response to a member's question as to whether artificial grass would still be laid out in the summer, the applicant advised that it would continue to be laid out for events.
- The Chair stated that overall he considered that the development offered positive improvements. The committee had to consider whether the level of safeguarding for the Angel Wings sculpture was sufficient.
- The removal of car parking spaces was policy compliant.
- The proposed visual changes were good.
- A member raised concern that the design of the existing spiral staircase was not being changed and queried whether the bridge was required. He raised concern that the proposed art work seemed more like advertising than a piece of sculpture and suggested that the applicant could investigate whether it would be possible to raise the Angel Wings sculpture by 3 or 4 metres and put it on a building.
- The Angel Wings sculpture was perceived as a public landmark, had provided an identity for the Angel in the 20 years it had been in place and the sculpture was a striking, architectural piece with cultural significance. Objectors to the schemes wanted it retained on site or close by. The loss of the wings would undermine the sense of place of the Angel Town Centre.

Planning Committee - 7 June 2018

- More structural survey evidence should be provided as to why the Angel Wings sculpture could not be maintained on site.
- Evidence of the locations within the town centre that the applicant had examined with other landowners should be presented to the council.
- A mechanism should be sought to ensure that the Angel Wings sculpture was retained on site or near the site.
- The actual S106 wording regarding protection for the wings should be presented to the Planning Committee when this item was brought back for consideration.

Councillor Convery proposed a motion to defer the application. This was seconded by Councillor Klute and carried.

RESOLVED:

That consideration of the application be deferred for the following reasons:

- 1) To enable further investigation into the retention of the wings and structural evidence that demonstrated that the bridge could not be provided with the wings remaining
- 2) To require an agreement from applicants that the wings would not be removed until an alternative permanent location within the Angel area was identified
- 3) To enable the detailed wording of the S106 to be provided within the officer report (or the agreement appended in support of the application) when the scheme was next presented to the committee.
- 4) To address the following concerns:
 - There was concern that the existing Angel Wings was a local landmark for the area and had obtained a level of cultural significance. They supported the identity and permanent sense of place for the Angel Town Centre that the Angel Wings brought to the site. Their loss would undermine the sense of 'place' and identity established over the 20 years they have been in place. There was additional concern that the original legal agreement secured 1% of development value on public art and that the level of equivalence was not demonstrated by the alternative art strategy. In the event that the Wings were justified to be moved (into an alternative location within the Angel) a degree of equivalence of quality of art was currently lacking. Obligations should reflect the requirement for equivalence.

The meeting ended at 9.00 pm

CHAIR

COMMITTEE AGENDA

1 36 - 44 Tabernacle Street

London
EC2A 4DT

2 7 - 8 Wakley Street and 328 City Road

LONDON
EC1

**3 Grenville Works 2A inc. 1 Grenville Road &
500 - 502 Hornsey Road**

LONDON
N19

1 36 - 44 Tabernacle Street

London
EC2A 4DT

Ward: Bunhill

Proposed Development: Partial demolition of existing 4-storey B1(a) office building, and construction of a new part 5-, part 6-storey 3,592sqm B1(a) office building.

Application Number: P2018/1410/FUL

Application Type: Full Planning Application

Case Officer: Peter Munnelly

Name of Applicant: Mr A Person

Recommendation:

2 7 - 8 Wakley Street and 328 City Road

LONDON
EC1

Ward: Bunhill

Proposed Development: Demolition of all existing buildings and erection of part-1, part-2 and part-5 plus basement buildings to provide 3,330sqm of commercial (B1) floorspace and 670sqm of residential (C3) floorspace over 8-units. Associated refuse and cycle storage.

Application Number: P2018/0429/FUL

Application Type: Full Planning Application

Case Officer: Simon Greenwood

Name of Applicant: Musco (Wakley Street) Limited

Recommendation:

**3 Grenville Works 2A inc. 1 Grenville Road &
500 - 502 Hornsey Road
LONDON
N19**

Ward: Tollington

Proposed Development: Demolition of buildings and redevelopment of the land to provide 16 dwellings and 2215m² of commercial floorspace together with landscaping, service yards, cycle storage, bin storage and associated works across two sites. The north site (500-502 Hornsey Road) would provide 490sqm of B1 (business) floorspace at ground floor and 16 dwellings above (2x1 beds, 11x2 beds and 3x3 beds, Use Class C3) within a 3-4 storey building. The south site (Grenville Works, 2a Grenville Road) would provide 1725 sqm of B1 floorspace within a 4 storey building.

Application Number: P2017/3242/FUL

Application Type: Full Planning Application

Case Officer: Stefan Sanctuary

Name of Applicant: Grenville Northside

Recommendation:

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 3333
Islington Town Hall
London
N122UD

PLANNING COMMITTEE	AGENDA ITEM NO:	
Date: 9 July 2018	NON-EXEMPT	

Application number	P2018/1410/FUL
Application type	Full Planning Permission
Ward	Bunhill
Listed building	None
Conservation area	None (adjacent to Bunhill Fields/Finsbury Square CA)
Development Plan Context	Central Activities Zone, Central London Special Policy Area, City Fringe Opportunity Area, Archaeological Priority Area, Employment Priority Area (General),
Licensing Implications	None
Site Address	36 - 44 Tabernacle Street, Islington, London, EC2A 4DT
Proposal	Partial demolition of existing four storey B1(a) office building, and construction of a new part-5, part-6 storey 3592 sqm B1(a) office building.

Case Officer	Peter Munnelly
Applicant	Mr Cormac Dolan
Agent	Mr Kieran Rafferty

1. **RECOMMENDATION**

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

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

2. **SITE PLAN (SITE OUTLINED IN RED)**

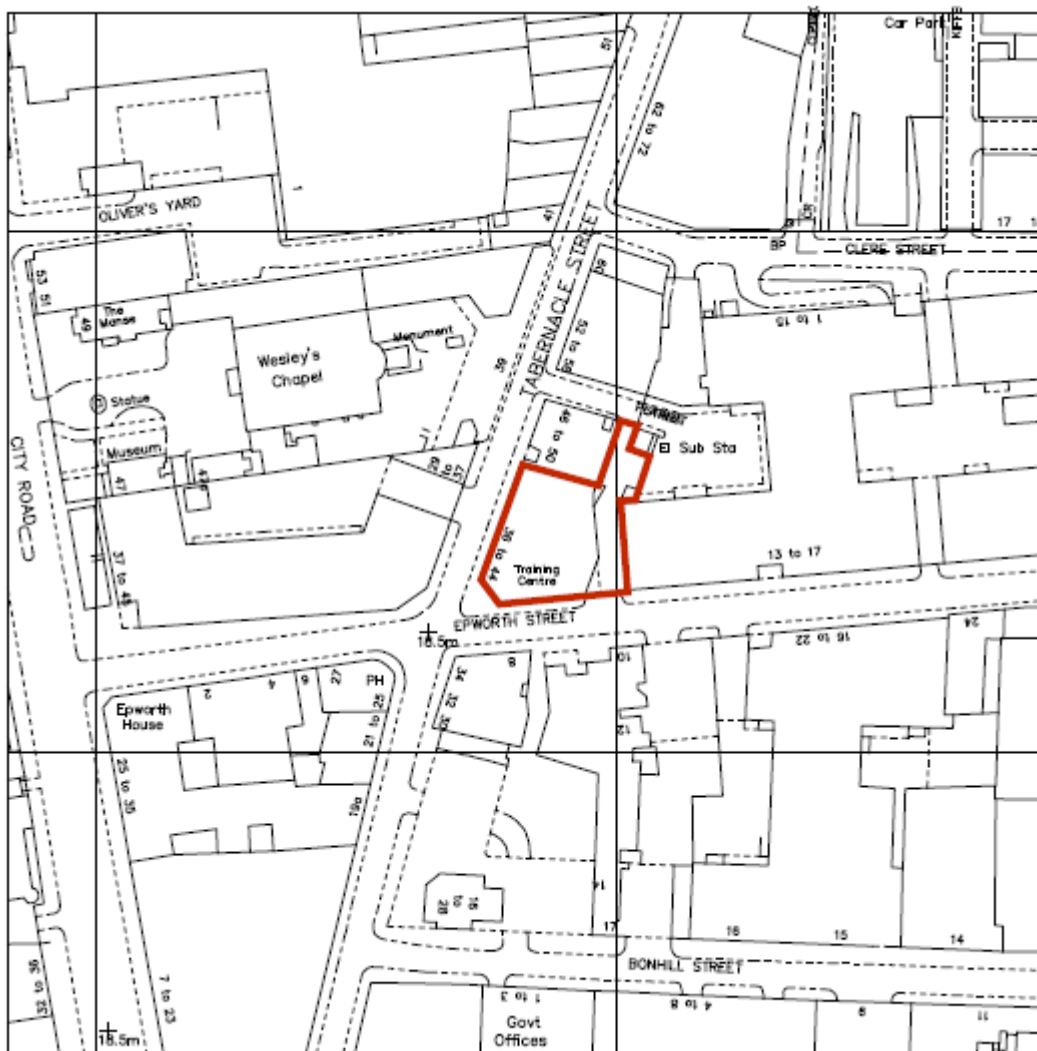


Fig.1 Site Plan

3. PHOTOS OF SITE/STREET



Fig 2: The site - at the apex of Tabernacle and Epworth Street



Fig 3: The site viewed from the corner of City Road and Epworth Street



Fig 4: Epworth Street looking west



Fig 5: Looking North along Tabernacle Street



Fig 6: Epworth Street looking east towards residential flats at 10 Epworth Street



Figure 7. View of the service yard from Platina Street (sub-station to left)

4. SUMMARY

- 4.0 The subject site comprises a four-storey office building and is located on the eastern side of Tabernacle Street at its junction with Epworth Street. The existing building is bordered on its north, west and most of its southern sides by the Bunhill Fields/Finsbury Square Conservation Area which practically envelops the site located within the Bunhill Ward of the Borough.
- 4.1 The proposal involves a significant amount of demolition of the existing rather utilitarian office building retaining its slab and column elements. Each existing floorplate above the ground floor will be extended to allow consistency with that ground floor and wholly new fifth and sixth storeys will be added with the uppermost storey being set back. There will be new façade treatments and fenestration and re-arranged service and delivery arrangements at ground floor with on-street servicing and deliveries taking place from Tabernacle Street and refuse and recycling taking place off Epworth Street.
- 4.2 The building is currently used for Class B1a (office) purposes and the proposals will see the amount of office floorspace more than doubled (1308 sq m GIA to 3370 sq m GIA). As the site is within the London Plan's Central Activities Zone and the Council's (General) Employment Priority Area there are no land use issues associated with the uplift.
- 4.3 Amenity concerns have been mainly restricted to how the enlarged building envelope will impact on daylight to residential property opposite the site on Epworth Street (No.10). A Daylight Assessment has revealed loss of daylight will be less than significant as a result of the scheme, that it is the existing walkways which have the most deleterious effect on light to the residents at No.10 and that living rooms and external amenity space serving the flats is located on the southern and unaffected side of the flats to the south.
- 4.4 The proposed development is considered to be of a high quality of design, resulting in much improved building lines in relation to adjoining buildings particularly on Tabernacle Street. The proposal improves the setting of the adjacent conservation area and a locally listed building. Subject to appropriate conditions on details and materials as well as a maintenance strategy (s106) the proposal is acceptable in design and heritage terms and in accordance with London Plan Policy 7.6, Policy CS7 of the Islington Core Strategy, Development Management Policies DM2.1 and DM2.3 as well as Policies BC3 of the Finsbury Local Plan.
- 4.5 The transport and amenity impacts resulting from the development have been suitably minimised and are considered acceptable subject to appropriate conditions. The resulting building is considered to be inclusively designed and is considered to meet sustainability objectives, in accordance with relevant planning policy. Finally, the applicant has agreed to pay contributions towards social and physical infrastructure, notably towards affordable housing and carbon offsetting.

5. SITE AND SURROUNDINGS

- 5.1 The application site is currently occupied by a 4 storey, curtain- wall glazed office (Use Class B1a) building on the corner of Tabernacle Street and Epworth Street comprising 1076m² GIA floorspace. As already indicated the existing office building is functional in appearance terms and has little or no architectural merit appearing to date from the 1970's.
- 5.2 The ground floor of the building broadly conforms to the Tabernacle Street building line and sits marginally in front of the adjoining building on Epworth Street whilst the upper storeys of the building are set significantly back giving the building a disjointed, incongruous appearance. There is an external service yard area to the rear of the building, with vehicular access onto Platina Street to the north and Epworth Street to the south.
- 5.3 Bounding the site to the north is the locally listed office building at 46- 50 Tabernacle Street. The rear of a large office building, Maple House (Nos. 37-45 City Road) lies directly to the west and, to the north of this, 39 Tabernacle Street, a modern glazed office building with an open ground floor which makes partly visible the Grade I and II* listed Wesley's Chapel complex. Directly opposite to the south occupying the corner of Epworth Street and Tabernacle is No. 30-34 Tabernacle Street, a part-5, part-6 storey office building and 10 Epworth Street which is a notable in that it is a purpose built residential building. It is five storeys in height and presents walkways, access cores and a recessed ground floor to Epworth Street which has non-residential use. It is understood the basement is used for commercial storage purposes. Directly to the east of the site at 13 -17 Epworth Street is an architecturally non-descript 3/4 storey office building, Castle House.
- 5.4 The site is not within, but is directly adjacent to, on three of sides (north, west and south) the Bunhill Fields and Finsbury Square Conservation Area. The site is also within an Archaeological Priority Area and the London Plan's Central Activities Zone.

6. PROPOSAL

- 6.1 The proposal involves part-demolition of the existing office building retaining its existing core structure, namely its concrete slab floors and supporting columns. Each existing floorplate above ground floor will be extended to replicate the ground floor footplate with wholly new fifth and sixth storeys added and the uppermost storey being set back. There will be new façade treatments, fenestration and re-arranged service and delivery arrangements at ground floor. Currently, although the building has its own service yard accessible from both Epworth Street and Platina Street, it is believed most servicing takes place on-street. The scheme would see this formalised with a dedicated service bay on Tabernacle Street and refuse collections taking place from Epworth Street only. The proposed use of the building is Class B1(a) office. The existing building features 1308 sq. m (GIA) of floorspace, and an increase of 2,062 sq. m (GIA) of office B1(a) floorspace.) is proposed representing a 61% uplift in floorspace (consented scheme being equivalent to 45%)



Figure 8. Proposed scheme at apex of Tabernacle St. and Epworth Street.

7. RELEVANT HISTORY:

P052343 - Change of use of the whole building/ground - third floor from training centre (D1) to offices (B1). Approved 14/11/2005

P050889 - Certificate of lawfulness in connection with existing D1 (training centre) use providing IT training to business and individuals, with ancillary office space. Approved 28/04/2005

P050577 - Change of use from Class B1 Business (office) use to D1 Non-Residential Institution (training centre) use. Regularisation of existing unauthorised use. Refused 14/04/2005.

P2016/1655/FUL - Partial demolition of existing four storey B1(a) office building, and construction of a new part-5, part-6 storey 2369 sqm B1(a) office building. Approved 23/02/17 subject to Section 106 agreement.

P2017/3088/FUL - Partial demolition of existing four storey B1(a) office building, and construction of a new part-5, part-6 storey 3592 sqm B1(a) office building. Application appealed under non-determination and currently awaiting start Planning Inspectorate start date.

8. PRE-APPLICATION ADVICE

- 8.1 The application is a duplicate of the above 2017 referenced appealed application. No pre-application process was undertaken for either the appealed application or that which is the subject of this report. The earlier 2016 scheme was subject to pre-application discussions which focused largely on land use, the design of the proposal and its relationship to the adjacent Conservation Area. The design of the 2016 proposal was seen to have been significantly improved as a result of the pre-application dialogue. The current application under consideration is an iteration of the 2016 scheme granted permission in 2017.
- 8.2 The scheme, a modification of the 2017 permission, was not presented to the Design Review Panel. It is understood the 2017 permission was not presented to the Panel either on account of the applicant's wishes.

9. CONSULTATION

Public Consultation

- 9.1 Letters were sent to occupants of 139 adjoining and nearby properties on Tabernacle Street, Paul Street, City Road, Epworth Street, Clere Street and Bunhill Street on the 3rd May 2018. Site notices and press adverts were displayed on the 10th May 2018. The public consultation of the application therefore expired on the 24th May 2018, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 9.2 At the time of the writing of this report one response had been received. The letter was from an occupant of a neighbouring sheltered housing development, who raised concerns regarding:
- Construction noise (see condition 14)
 - Noise from air-conditioning units (see condition 12)
 - Overlooking and loss of privacy (see para 11.63 and condition 18)
 - Loss of light (see paras 11.40 -11.62)

External Consultees

- 9.3 Transport for London (TfL) welcomes the long and short stay visitor cycle parking, cycle storage, the absence of any on-site parking and the content of the CMP. In summary it offers no objection to the scheme.
- 9.4 London Fire and Emergency Planning Authority did not offer comment on the current application (no objection to 2016 scheme).
- 9.5 Thames Water raised no objection to the proposal subject to specific informatives on waste, surface water drainage and water.
- 9.6 The Metropolitan Police, The London Borough of Hackney and the City of London were consulted on the application and offered no response. The Crime Prevention officer commenting on the 2016 application offered no objection subject to access control details being provided within the CMP (these were secured as part of the legal agreement). It is considered that the same clause would therefore be appropriate.

- 9.7 Historic England (GLASS) noted that the proposals are unlikely to have a significant effect on the heritage assets of archaeological interest and therefore recommended no archaeological requirement.

Internal Consultees

- 9.8 Inclusive Design Officer welcomed the provision of space for ambulant disabled cyclists, the provision of storage and charging facilities for mobility scooters and accessible shower and toilet facilities on the upper floors. Conditions attached to any planning permission will need to secure the following:
- Fully accessible shower and toilet facilities across all levels;
 - Sufficient toilet facilities for ambulant disabled occupiers and visitors
 - An emergency evacuation Strategy for the evacuation of disabled people.
- 9.9 Design and Conservation Team Manager notes that although the site is deliberately excluded from the conservation area boundary (given the appearance of the existing building), it is very much part of an area of a very defined character of Victorian warehouses with a strong established parapet line and consistent fenestration pattern. She acknowledges that the site is very sensitive being on the boundary of the Bunhill Fields/Finsbury Square Conservation Area and very close to the highly significant historic enclave of Wesley's Chapel. It is asserted that, although the demolition and replacement of the existing building is acceptable in principle, the design and appearance of the proposed building needs to positively respond to its strong surrounding character.
- The Officer notes that the scheme appears to be very much in the same style and form as the consented scheme with the exception of an increase in height/bulk on the Epworth Street elevation. The officer concludes that in terms of impact on townscape, character and appearance and setting of heritage assets no objection is raised although this would be subject to satisfactory quality of materials and detailing being achieved on matters such as brick panels, window detail, soffits, roof structure, junction with adjoining buildings, facing materials and how masonry meets the ground.
- 9.10 Energy Conservation Officer currently objects seeking further improved U-values and Air Permeability for the building, exploration of use of passive features to reduce reliance on mechanical ventilation systems and further feasibility work into possible connection to District Energy Network (DEN) connection on first replacement of heating/cooling plant. An updated Energy statement has been provided in response to these matters and the update is currently being considered.
- 9.11 Street Environment Services Team indicated that the proposals were acceptable for waste and recycling collections.
- 9.12 Transport. The Transport Engineering Manager has responded by indicating that an arrangement set around refuse collection from Epworth Street and servicing only from Tabernacle Street would be acceptable and this would be achieved through the provision of a dedicated service bay.
- 9.13 The Council's Planning Policy, Public Protection and Sustainability Teams were consulted and have offered no comment at the time of writing of this report.

10.0 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

10.1 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (*Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.*)
- *As the development affects the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;*
- *As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).*

10.2 National Planning Policy Framework (NPPF): Paragraph 14 states: *“at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay.*

10.3 At paragraph 7 the NPPF states: *“that sustainable development has an economic, social and environmental role”.*

10.4 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

10.5 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other

opinion, national or social origin, association with a national minority, property, birth, or other status.

- 10.6 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 10.7 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

National Guidance

- 10.8 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.
- 10.9 Since March 2014, Planning Practice Guidance for England has been published online.
- 10.10 **Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the development plan documents set down below.**

Development Plan

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

Designations

- 10.12 The site has the following designations under the London Plan 2016 and Islington Local Plan suite of documents which consist of the Islington Core Strategy 2011, Development Management Policies 2013, Site Allocations June 2013 and the Finsbury Local Plan: Adjacent to Bunhill Fields and Finsbury Square CA;
- Employment Priority Area (General);

- Archaeological Priority Area (Moorfields);
- Bunhill and Clerkenwell Core Strategy Key Area;
- Within 100 m of an SRN;
- Cycle routes (local);
- Finsbury Local Plan Area;
- City Fringe Opportunity Area;
- Central Activities Zone;
Article 4 Directions (A1-A2, B1c-C3)

Supplementary Planning Guidance (SPG) / Document (SPD)

10.13 The SPGs and SPDs which are considered relevant are listed in Appendix 2.

Environmental Impact Assessment

10.14 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.

11 ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Land Use;
- Demolition of buildings (or parts of) within a Conservation Area;
- Design and Conservation;
- Neighbour amenity;
- Transport and Access;
- Sustainability and energy efficiency;
- Planning Obligations

Land Use

11.2 London Plan Policies 2.10 and 2.11 encourage development proposals to maximize office floorspace within the Central Activities Zone and seek solutions to constraints on office provision and other commercial development imposed by heritage designations without compromising local environmental quality. Moreover, Policy 4.2 of the London Plan encourages the renewal and modernisation of the existing office stock in viable locations. The site is also within the City Fringe as designated in 2015's Opportunity Area Planning Framework. The Framework's primary aim is to ensure that there is sufficient development capacity for financial and business services and also the diverse cluster of digital-creative businesses in an expanding 'Tech City' part of which is within the Borough boundary.

11.3 Islington Core Strategy Policy CS7 states that employment development within Bunhill and Clerkenwell will contribute to a diverse local economy, which supports and complements the central London economy. Moreover, Policy CS13 encourages new employment floorspace to locate in the CAZ where access to public transport is greatest, and for new office provision to be flexible to meet future business needs.

The site is in a highly accessible location and the proposed office accommodation has been designed so that it can be let either to a single occupant, multi-let by floor or let to multiple occupiers on each floor. The same policy also requires major development to provide for on-site construction opportunities and more general jobs and training opportunities for local residents.

- 11.4 36-44 Tabernacle Street falls within an Employment Priority Area (General) as designated by Policy BC8 of the Finsbury Local Plan (FLP). The application site also falls within the area covered by FLP Policy BC3. The policy states that proposals at this location should exhibit a scale, massing and design, which enhances neighbouring heritage assets, while incorporating design measures that enhance the biodiversity value of adjacent areas.
- 11.5 The application involves substantial demolition, refurbishment as well as the provision of an additional two storeys at roof level, and eastern extensions to the building floorplates. As the existing building features 1308 sq.m (GIA) of floorspace, an increase of 2,062 sq. m (GIA) of office B1(a) floorspace.) represents a 61% uplift (consented scheme being equivalent to 45%). Policy BC8 of the FLP requires proposals to incorporate the maximum amount of business floorspace reasonably possible on site. There are constraints on the site related to design and conservation and amenity (daylight), which impacts the ability to provide further additional business floorspace. Given this, it is considered that the proposed amount of business floorspace has indeed been maximised, taking into account physical and policy constraints.
- 11.6 Part B of Policy BC8 states that the employment floorspace component of a development should not be unfettered office (B1a) use and must, where appropriate, include retail or leisure uses at ground floor alongside specified other uses such as non-B1 business or business-related floorspace (e.g. workshops, galleries); and/or small retail units/offices; and/or affordable workspace. Drawings show two Small/Medium Enterprise (SME) Units facing Epworth Street at Ground floor totalling 188 sq.m (94 sqm and 94 sq.m). 'Micro and Small' workspaces are considered to be workspaces in B-Class use with a gross internal floor area of around 90 sq.m. The dedicated ground floor SME floorspace is considered to be of a size that would accord with policy definition of SME workspace.
- 11.7 Part D of the Policy states that where major development proposals result in a net increase in office floorspace, housing should be included. In this instance, providing housing on site is not considered to be preferable due to the necessity of providing separate cores and entrances which would compromise the quality of the office space. If the proposed housing comprises less than 20% of the total net increase in office floorspace, an equivalent off-site contribution will be sought. In this case, the policy position is clear and the requirement applies to the specific office (B1a) floorspace uplift proposed in the application (2,062 sq.m), using the formula in the Planning Obligations SPD. The application thus includes a contribution towards the provision of affordable housing off-site of £329k
- 11.8 In line with the above referred Policy CS13(C) (Employment Spaces) the development will see contributions totalling £22k secured through S106 for local employment and training opportunities together with either on-site construction work placements or an in-lieu contribution.

- 11.9 Although a completely new building is not proposed in this application, there is substantial refurbishment and redevelopment and extension proposed with a significant increase in office floorspace.
- 11.10 The proposed substantial demolition, refurbishment of and extension to 36-44 Tabernacle Street for office use is considered to be acceptable in land use terms, and accords with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8, subject to the provision of small business units, a housing contribution to secure compliance with the mixed use CAZ policies, planning conditions and all other necessary obligations set out later in this report.

Design, Conservation and Heritage Considerations (including Archaeology)

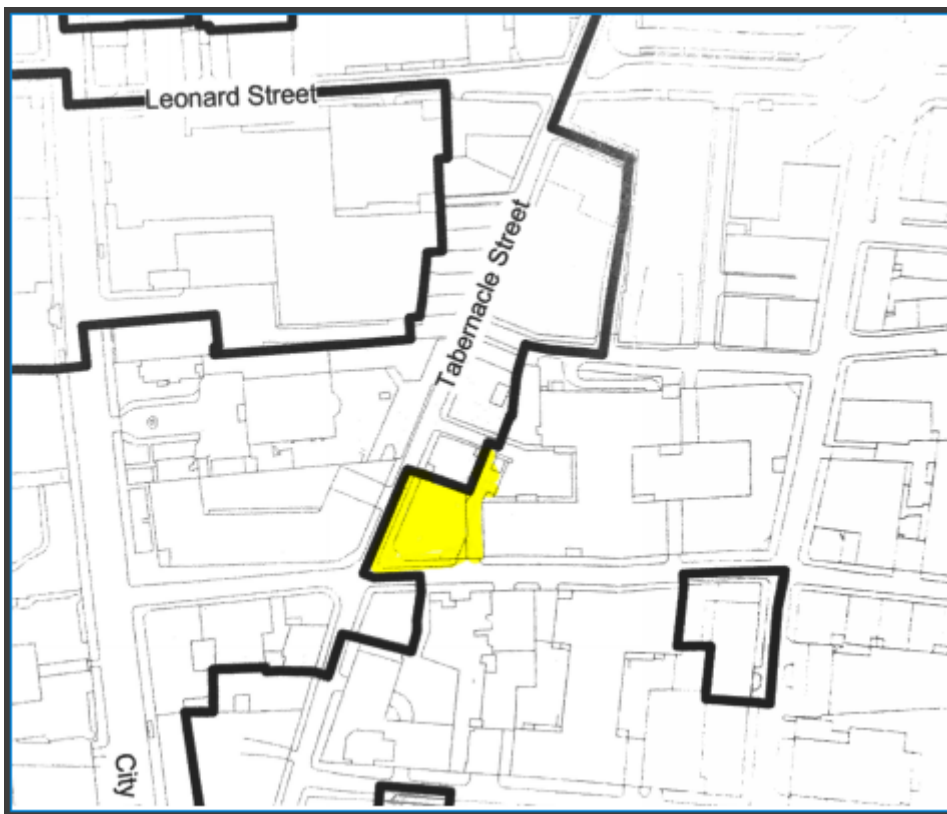


Figure 9: Bunhill Fields/Finsbury Square Conservation Area (west of app site)

- 11.11 The following requirements are necessary for Local Planning Authorities when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area Section 72(1) Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.
- 11.12 Section 72(1) of the Act states: *'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the*

provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

11.13 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.

11.14 In terms of the NPPF it addresses the determination of planning applications affecting designated and non-designated heritage assets at paragraphs 128-135 which state, inter alia, that:

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...'

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal...'

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification...'

11.15 Relevant Development Plan Guidance is provided by London Plan Policy 7.8 which is concerned with heritage assets and states, inter alia, that 'development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.'

11.16 Equally the Council also attach great importance to design and heritage impacts. Policy DM2.3 on heritage encourages development that makes a positive contribution to Islington's local character and distinctiveness. More general design guidance is put forward in Development Plan policies, Policy DM2.1 which states that all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. To emphasise this Policy CS7 of the Islington Core Strategy states that the character-defining attributes of Bunhill and Clerkenwell will be protected and enhanced. Core Strategy Policy CS9 states that high quality

architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive.

Impact on Heritage Assets

- 11.17 34-44 Tabernacle Street is very sensitively located. It adjoins a locally listed building at 46-50 Tabernacle Street and the Bunhill Fields/Finsbury Square Conservation Area. It also lies opposite the Wesley's Complex which comprises several important heritage assets, including 2 Grade I listed buildings (Wesley's Chapel and John Wesley's house), a Grade II* listed building (the tomb of John Wesley) and several Grade II listed buildings.
- 11.18 The local area is characterised by a diverse mixture of building styles including a number of famous and historic buildings and open spaces possessing a special character. While buildings of quality are largely scattered, there is a special cohesive character of Edwardian grandeur and Victorian commercialism, which relates well to the spaces and streets because of its scale, materials and ornament.
- 11.19 Having already concluded that the existing building impacts negatively on the Conservation Area it is necessary to assess how the proposal will impact on the character and appearance of the Conservation Area, the adjacent No.46-50 Tabernacle Street, an undesignated heritage asset and also on the setting of the nearby Wesley's Chapel group of listed buildings.
- 11.20 The proposal would sit adjacent to the Conservation Area on 3 of its sides (see Figure 7 above). The main views into the Conservation Area where the new building would be clearly visible would be looking north and south along Tabernacle Street. The scheme in height, bulk and mass terms aligns with No. 46-50 Tabernacle Street, a locally listed building (or undesignated heritage asset) and is relatively consistent in terms echoing the traditional design approach of its historic commercial neighbour. Proposed architectural detailing and finish is also of a sufficiently high quality to allow officers to conclude that the character and appearance of the conservation would in all likelihood, given the existing building, be enhanced by the scheme.
- 11.21 Although the extensive group of listed buildings centred around Wesley's Chapel are not immediately adjacent to the application site, being situated on the west side of Tabernacle Street, behind a modern office building (although visible from Tabernacle Street through an undercroft arrangement), it can still be held that their setting includes No. 36-44. Officers have considered relevant statutory provisions and, acknowledging the high architectural quality of the proposed scheme and the rather convoluted architectural arrangement of the Wesley's Chapel group of buildings, means the setting of these buildings would be preserved in accordance with the 1990 Act.
- 11.22 Given the above conclusions offered officers are naturally confident that the proposed development would have a positive impact on the undesignated heritage asset immediately to the north of the application site, namely No.46-50 Tabernacle Street. The relationship between the two buildings has been carefully considered and the significance of the asset remains unharmed. In this regard the application scheme can be said to accord with the relevant principles laid down in the NPPF and the Development Plan.

Design and Appearance

- 11.23 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 11.24 London Plan Policy 7.4 is concerned with Local Character and states, inter alia, that: *'Buildings, streets and open spaces should provide a high quality design response that:*
- a) *has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass*
 - b) *contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area*
 - c) *is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings*
 - d) *allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.'*
- 11.25 London Plan Policy 7.6 is concerned with architecture and states, inter alia, that: *'Buildings and structures should:*
- a) *be of the highest architectural quality*
 - b) *be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm*
 - c) *comprise details and materials that complement, not necessarily replicate, the local architectural character*
 - d) *not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.*
 - e) *incorporate best practice in resource management and climate change mitigation and adaptation*
 - f) *provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces*
 - g) *be adaptable to different activities and land uses, particularly at ground level*
 - h) *meet the principles of inclusive design*
 - i) *optimise the potential of sites.'*
- 11.26 Policy DM2.1 (Design) requires all forms of development to be of a high quality, to incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Development which fails to take the opportunities available for improving the character and quality of an area and the way that it functions will not be supported.
- 11.27 Policies CS8, CS9 and CS10 in Islington's Core Strategy are also relevant. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (The

Setting of Heritage Assets), the council's Urban Design Guide SPD and Conservation Area Design Guidelines for the Bunhill Fields/Finsbury Square Conservation Area, and the Mayor of London's Character and Context SPG are also relevant to the consideration of this application.

Site layout and context

- 11.28 The existing building has large areas of dead frontage with poor access arrangements. The existing building is comprised of a glazed cube at an obtuse angle set above a ground floor plinth which occupies the majority of the site. The building relates very poorly to the adjacent buildings, with little respect to the historic building line particularly with regard to Tabernacle Street.
- 11.29 The proposal is designed to relate to the site's context and the neighbouring properties. While the frame of the existing building is to be largely retained, a number of significant alterations and additions are proposed in order to improve the building's design and its setting. First of all, the proposal includes normalising of the building line to the principal elevations in order to unify them with the rest of the street. The proposed elevational treatment would be brick based, more in keeping with the Georgian and Victorian makeup of the area, which is considered to be a great improvement over the unsympathetic glazed form of the existing building.

Height, bulk and massing

- 11.30 The main body of the proposed development would be 5 storeys in height, with an additional set-back storey at 5th floor level (G + 5) making an overall 6 storey height. The main five storey bulk of the proposed building would match the parapet line of 46 – 50 Tabernacle Street. The set-back fifth floor would broadly match the mansard roof height of 46-50 Tabernacle Street and the overall height of the development would actually be less than the neo-post-modern office building at 30-34 Tabernacle Street which stands at the corner of Epworth Street and Tabernacle Street. In terms of Epworth Street, the six storey height is higher than the adjacent building at 13-17 Epworth Street which has a three storeys and a set-back upper fourth storey. Notably the building also has a substantial amount of plant and lift housing on top of this set back fourth storey.
- 11.31 In assessing any appropriate height it can also be noted that the 2017 permission also allowed for a recessed sixth storey thereby setting a clear and recent benchmark. Although design policies, like all others, in the London Plan are currently being updated, general thrust and objectives remain the same as do other relevant design policies within the development plan suite of documents which have not changed since assessment of the previous scheme.
- 11.32 With this overall height in mind and taking into account the buildings on the south side of Epworth Street (Nos. 10 and 16-22) which are five storeys and seven storeys respectively, and the effectively five storey 46-50 Tabernacle Street building, it is considered that the proposed height of the development is acceptable in design and streetscape terms, and, given the haphazard and ungainly existing arrangement, would create a positive contribution to the area.
- 11.33 The bulk and massing of the scheme which is the subject of this report is increased from that that was granted planning permission in 2017. This is because the 2016/17 scheme retained a service yard area between the existing site building and

No.13-17 Epworth Street. Vehicles could access via a crossover on Epworth Street or the quieter Platina Street to the north. The current scheme will see this area largely built over and the ground floor space given over to covered bicycle parking and refuse/recycling storage. The infill will, in both height and building line terms, be consistent with the extant scheme. However, it is obliged to take account of a small single storey electricity substation which stands adjacent the service entrance on Platina Street and a glazed stairwell on the western flank of the adjoining building at No.13-17 Epworth Street. The new building envelope cuts back from both of these elements.

- 11.34 Notwithstanding the need to take account of the stairwell and substation which will be largely unseen, the updated scheme will provide an element of consistency to the streetscape on this section of Epworth Street allowing a continuous building line – at least from ground floor to third floor and this consistency will be enhanced through careful choice of materials.



Figure 10: Proposal looking south along Tabernacle Street with 46-50 in foreground

Detailed Design

- 11.35 The proposed materials palette and design ethos of the development has taken its inspiration correctly from the nearby Victorian buildings. These feature London Stock brick facades, detailed risers and cross beams with recessed brickwork and windows featuring deep reveals. The building's new façades will be primarily brick with extensive glazing on its main street elevations. It is not considered that the

colour need exactly replicate either of the adjacent buildings and the submitted plans show a light London stock grey colour which would be finessed through submission of sample (Condition 3).

- 11.36 The proposed windows on Epworth Street, Tabernacle Street and on the building's chamfered corner would be doubly recessed and present a long narrow form with the ground and first floors appearing to be 'double height' by the introduction of an internal, horizontal metal beam separating the floors. The unashamedly contemporary uppermost recessed storey would be largely glazed on its south and west elevations with an expressed metal frame. To its east face it would utilise 'blocking panels' to allow for internal services at this point and to reduce solar gain. Due to the set back and its height it is unlikely the roof storey would be visible from street level with perhaps only the furthest reaches of Epworth Street to the east offering any views.
- 11.37 A bio-diverse green roof would be installed in that section of flat roof at fifth floor provided by the recess and across the whole of the sixth storey roof where there would also be a large photo-voltaic array. In overall terms the proposed design of the building is considered to be acceptable, in keeping with surrounding properties and the adjacent Conservation Area. As stated a condition seeking details and samples of all facing materials would be added to any grant of planning permission to ensure a high quality of building finish.
- 11.38 The Design & Conservation Team are supportive of the proposal and consider it to be well designed significantly improving the setting of the adjacent Conservation Area and neighbouring heritage assets thereby meeting the statutory tests. The design and appearance of the proposed development is considered to be high quality, to enhance the character and functioning of the area and to better reveal the significance of heritage assets in the immediate area.

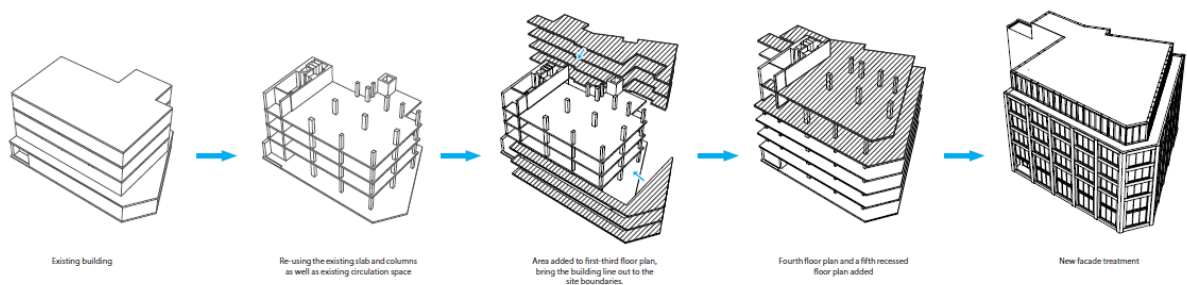


Figure11: Construction stages



Figure 12: View looking west along Epworth Street with flats at 10 Epworth street on the left



Figure 13: Looking north along Tabernacle Street

Neighbouring Amenity

- 11.39 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, outlook, privacy and sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.
- 11.40 **Daylight and Sunlight:** In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 11.41 BRE Guidelines 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'*.
- 11.42 Daylight: 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;*
 - *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.'* (No Sky Line / Daylight Distribution).
- 11.43 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 lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.'*
- 11.44 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

- 11.45 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.'*
- 11.46 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.
- 11.47 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 degree. 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.'*
- 11.48 **Sunlight:** The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11: *'If a living room of an existing dwelling has a main window facing within 90degrees 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. This will be the case if the centre of the window:*
- *Receives less than 25% of annual probable sunlight hours, or less Than 5% of annual probable sunlight hours between 21 September and 21 March and*
 - *Receives less than 0.8 times its former sunlight hours during either period and*
 - *Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.'*
- 11.49 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.'*
- 11.50 It goes on to state (paragraph 3.2.3): *'... 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.'*
- 11.51 **Assessment:** Before any detailed consideration of the Daylight/Sunlight Study that was submitted as part of the application there are a number of related matters on the subject to note. Significantly a Sunlight/Daylight Report was provided and

assessed as part of 2016/17 planning application process (P2016/1655/FUL). The report understandably focussed on the nearest residential accommodation at 10 Epworth Street which feature Housing Association flats at first, second, third and fourth floors managed by Habinteg. The flats are orientated north/south with living rooms and amenity space located on the south side of the flat layouts and kitchens and bedrooms to the north, facing Epworth Street. Walkways and an access core also front Epworth Street.

- 11.52 A number of these kitchen/bedroom windows facing Epworth Street are already obstructed by overhanging the aforementioned deck access walkways. The BRE guide acknowledges that existing windows with balconies or existing obstructions above them typically receive less daylight because the existing obstruction already restricts light receipt. In such cases even a modest obstruction can result in a large impact on VSC. Both the previous study and the current assessment undertook analysis on the basis of the impact of the proposed development if the overhanging balconies are removed. Both sets of analysis indicated that the relevant windows would pass the VSC test, with a no-balcony scenario demonstrating that it is these features that prevent the test being fully met rather than an unreasonable level of obstruction caused by the nearby development.
- 11.53 The overall conclusions from the 2017 Daylight/Sunlight Assessment were that there are existing infractions of the traditional current BRE tests for VSC and these affect bedroom windows which face onto Epworth Street. The report concluded however that the proposed development would see only small percentage of reductions in daylight as a result of the redevelopment and the overall infringement levels were not of a value or sufficiently extensive to be considered significant. Officers concurred with this view.
- 11.54 In terms of the current report and windows and amenity areas considered, the assessment considered those windows serving flats at 10 Epworth Street and facing the application site. The 2016/17 Daylight/Sunlight Report reviewed all windows serving those other buildings which surround the site. Other than 10 Epworth Street all other windows were found to serve non-domestic properties and in overall terms no commercial building was deemed to have suffered a significant loss of daylight or sunlight as a result of the extant scheme. Bearing this in mind and noting the low number of commercial property windows still likely to be affected by the current scheme it was therefore deemed acceptable for the current assessment to concentrate on the residential property at 10 Epworth Street alone. The only commercial windows likely to be significantly affected are a series of flank windows on the west elevation of 13-17 Epworth Street which serve a stairwell. A lightwell has been incorporated into the application scheme to allow light to still reach the windows and officers have also taken account of the fact that the windows serve a circulation area rather than usable office space.
- 11.55 It can also be noted that the current report does not include testing for direct sunlight on those residential windows at 10 Epworth Street. This is because none of the directly north facing habitable room windows face within 90 degrees of due south and, as indicated above, BRE guidance therefore indicates there is no need for any testing as direct sunlight is unlikely to reach these windows in any case.

11.56 **Vertical Sky Component (VSC).** As indicated 10 Epworth is confirmed as being a building in residential use. A total of 89 windows were tested – all those facing Epworth Street.



Figure 14: Assessed windows to the north west of 10 Epworth Street

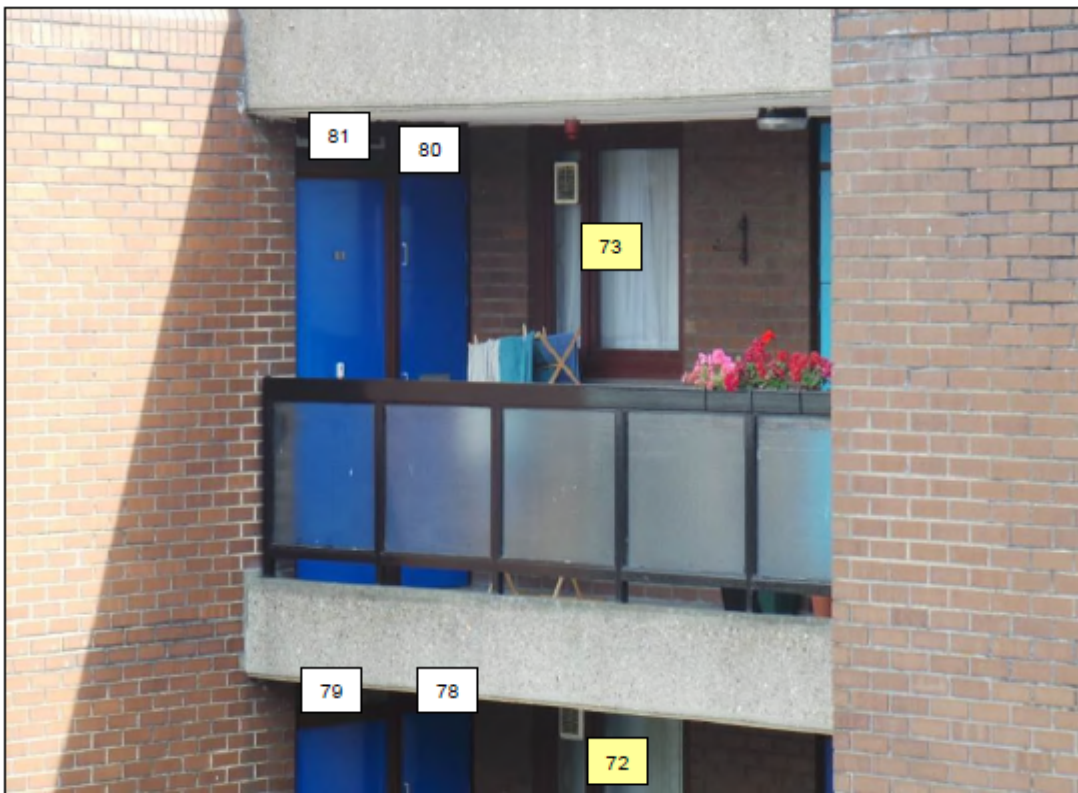


Figure 15:

Assessed windows to the north east of 10 Epworth Street



Figure 16: General window/door arrangements at balcony level – 10 Epworth St.

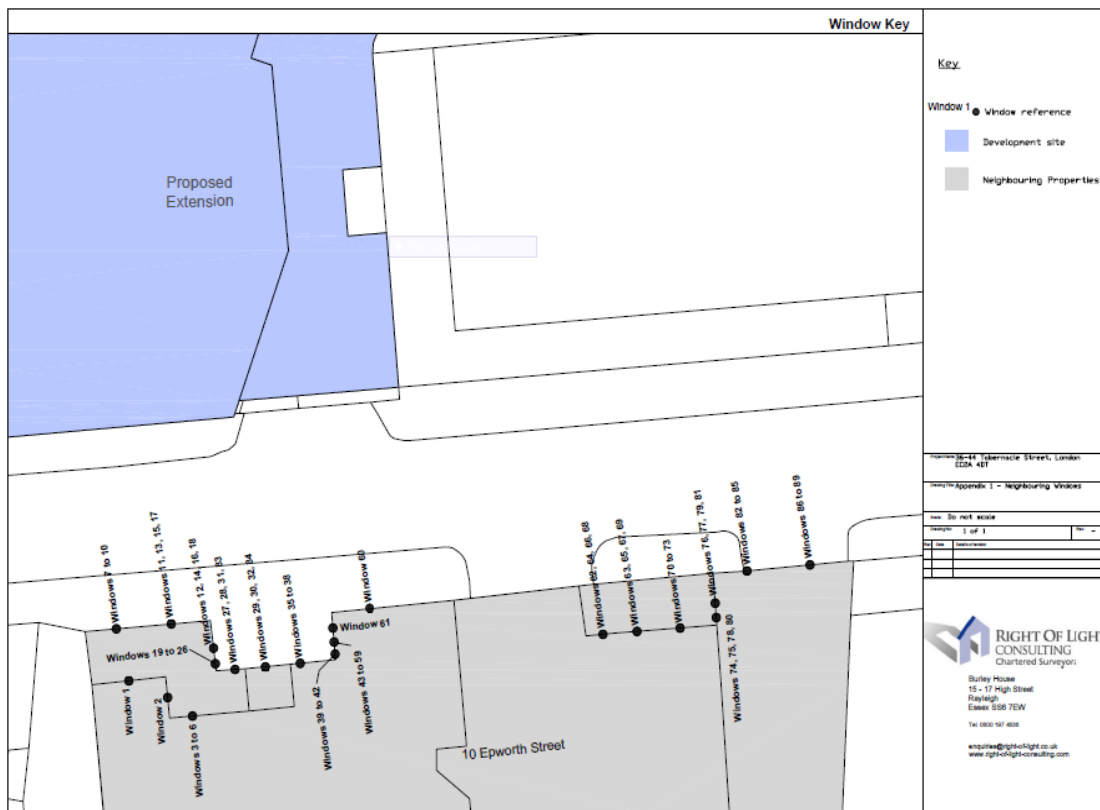


Figure 17. Window Key for 10 Epworth Street

11.57 A total of 14 out of 89 windows tested at 10 Epworth Street do not fully meet the BRE Vertical Sky component test (windows 7 to 9, 11, 13, 15, 35 to 38 and 70 to 73) (see

Figures 8,9,10 & 11 above). However, it can be noted that the 14 windows that fall short of the guidelines as a result of the proposed scheme are the same windows that also fall short as a result of the previously approved scheme (P2016/1655/FUL). It is also the case that the BRE guide contains special provisions in specific situations. For example, in the case of urban development sites or, as is the case at 10 Epworth Street, where neighbouring windows are already significantly obstructed by overhanging balconies, or where urban design considerations suggest a greater level of obstruction is desirable or appropriate.

11.58 Review of the daylight analysis confirms that 8 of the 14 windows (windows 35 to 38 and 70 to 73) are obstructed by overhanging deck access walkways (a number of these windows are highlighted in yellow in Figures 9 & 10). BRE guidance acknowledges that existing windows with balconies or existing obstructions above them typically receive less daylight as the existing obstruction cuts out light from the top part of the sky and that even a modest obstruction opposite may result in a large relative impact on the VSC. The guide goes on to explain that an additional calculation may be carried out assuming that the existing obstructions do not exist. If the windows meet the targets on this basis, then this indicates that it is the existing obstruction that prevents the targets from being met as opposed to any new nearby development. Analysis shows Kitchen Windows 36 to 38 and 70 to 73 pass the Vertical Sky Component test without the overhanging balconies in place (see Figure 12 below). Window 35 falls only marginally short of the alternative VSC test (achieving a reduction ratio of 0.79 against the BRE target of 0.8). The eight windows that are affected by the overhanging deck access in this application were understandably the same eight windows that were affected as a result of the previously approved scheme (P2016/1655/FUL). The VSC shortfall to the balcony windows is marginally larger in the proposed scheme but the difference between the two schemes would not be considered to be materially noticeable for the occupants.

**Appendix 3 - Alternative Vertical Sky Component (Excluding Balconies)
36-44 Tabernacle Street, London EC2A 4DT**

Reference	Use Class	Vertical Sky Component			
		Before	After	Loss	Ratio
<u>10 Epworth Street</u>					
Window 35	Kitchen	28.0%	22.2%	5.8%	0.79
Window 36	Kitchen	31.3%	25.7%	5.6%	0.82
Window 37	Kitchen	34.1%	28.5%	5.6%	0.84
Window 38	Kitchen	36.6%	32.1%	4.5%	0.88
Window 70	Kitchen	27.0%	24.5%	2.5%	0.91
Window 71	Kitchen	29.9%	27.2%	2.7%	0.91
Window 72	Kitchen	32.7%	30.6%	2.1%	0.94
Window 73	Kitchen	35.7%	33.9%	1.8%	0.95

Figure 18: VSC results for balcony windows (excluding balconies)

11.59 For completeness, an equivalent review of VSC for the same windows ‘with balconies’ included in the analysis provides clear evidence of the acute impact of these features on the kitchen windows with a significantly lower VSC ‘before’ figure than as shown above in Figure 12. The impression of daylight lost as a result of the

introduction of scheme will, because of the low baseline point and the balconies, may be more perceptible but it is the clearly the distinction between the balcony and no balcony VSC figures that should be highlighted.

Reference	Use Class	Vertical Sky Component			
		Before	After	Loss	Ratio
10 Epworth Street					
Window 35	Kitchen	0.3%	0.1%	0.2%	0.33
Window 36	Kitchen	2.0%	0.1%	1.9%	0.05
Window 37	Kitchen	3.3%	0.1%	3.2%	0.03
Window 38	Kitchen	2.3%	0.1%	2.2%	0.04
Window 70	Kitchen	1.7%	0.9%	0.8%	0.53
Window 71	Kitchen	3.3%	1.9%	1.4%	0.58
Window 72	Kitchen	4.8%	3.2%	1.6%	0.67
Window 73	Kitchen	3.4%	2.3%	1.1%	0.68

Figure 19. VSC results for balcony windows (including balconies)

11.60 The remaining 6 windows (Nos. 7,8, 9, 11, 13 &15) which also fell short of the VSC guidelines in the submitted report are, predictably, the same as those which fell short as a result of the 2017 approved scheme (P2016/1655/FUL) (windows 7 to 9 serve small kitchens and windows 11, 13 & 15 serve bedrooms). The coloured green columns in Figure 13 below show comparison failure values of these windows set against the approved and proposed schemes. The results confirm that both the impact of the approved scheme on daylight levels to these windows is low and that any additional reduction in these levels when the impact of proposed scheme is analysed is negligible.

Appendix 4 - Vertical Sky Component (Approved/Proposed Comparison)
36-44 Tabernacle Street, London EC2A 4DT

Reference	Use Class	Vertical Sky Component						
		Before	After (Approved)	Loss (Approved)	Ratio (Approved)	After (Proposed)	Loss (Proposed)	Ratio (Proposed)
10 Epworth Street								
Window 7	Kitchen	24.6%	16.1%	8.5%	0.65	15.4%	9.2%	0.63
Window 8	Kitchen	29.6%	19.4%	10.2%	0.66	18.3%	11.3%	0.62
Window 9	Kitchen	33.6%	23.6%	10.0%	0.7	22.6%	11.0%	0.67
Window 11	Bedroom	25.5%	17.9%	7.6%	0.7	15.9%	9.6%	0.62
Window 13	Bedroom	30.3%	21.1%	9.2%	0.7	19.5%	10.8%	0.64
Window 15	Bedroom	34.0%	25.0%	9.0%	0.74	23.1%	10.9%	0.68

Figure 20. Approved/Proposed VSC comparison

11.61 The BRE guide states that where room layouts are known, the impact on the daylighting distribution can be established by plotting the 'no sky line'. For the 6 (no-balcony) windows which fall short of the VSC test, the Daylight Distribution test was also applied. The results confirmed that the rooms served by windows 7, 8, 9 and 11, 13 & 15 have their direct skylight reduced to less than 0.8 times their former value. Notwithstanding this, similar to the VSC calculations, the results of the Daylight

Distribution test demonstrate only small distinctions between the previously approved and proposed schemes. The results confirm that 6 rooms fall short of the test as a result of the proposed scheme, whereas 5 out of the 6 rooms fall short of the test as a result of the previously approved scheme (window 15 being the exception). The coloured blue columns below (see Figure 14) provide an indication of the daylight distribution changes to the above 10 Epworth Street windows when reviewing both the approved and proposed schemes. It is the view of officers that the occupants of the rooms affected would not necessarily notice any difference between the impact of the current scheme and the approved building.

Appendix 4 - Daylight Distribution (Approved/Proposed Comparison)
36-44 Tabernacle Street, London EC2A 4DT

Reference	Use Class	Daylight Distribution						
		Before	After (Approved)	Loss (Approved)	Ratio (Approved)	After (Proposed)	Loss (Proposed)	Ratio (Proposed)
<u>10 Epworth Street</u>								
Window 7	Kitchen	96%	63%	33.0%	0.66	45%	51.0%	0.47
Window 8	Kitchen	98%	66%	32.0%	0.67	51%	47.0%	0.52
Window 9	Kitchen	98%	75%	23.0%	0.77	70%	28.0%	0.71
Window 11	Bedroom	96%	67%	29.0%	0.7	44%	52.0%	0.46
Window 13	Bedroom	97%	70%	27.0%	0.72	49%	48.0%	0.51
Window 15	Bedroom	97%	79%	18.0%	0.81	69%	28.0%	0.71

Figure 21 Approved/Proposed Daylight Distribution values to 10 Epworth Street

11.62 **Summary:** From the analysis presented within the Daylight Report it is concluded that the proposed development will result in some losses greater than often advised by the BRE recommendations. However, resulting daylight levels would not be dissimilar to those enjoyed elsewhere by residential flats in this central part of the Borough. Furthermore, there are a number of factors which need to be considered when assessing any impact. These are the extant and implementable permission on the same site (noting that the application scheme performs in a similar fashion against the BRE recommendations when compared to the consented scheme and there are no new windows affected as a result of the proposed scheme), the existence of the overhanging walkways at 10 Epworth Street, which, it has been demonstrated, are a significant reason for reduced light to kitchen windows of a number of flats and the relatively low number of impacted windows (14 out of 89) across the Epworth Street flats on this northern elevation. Perhaps most significantly an assessment of layouts of flats at 10 Epworth Street reveals all have living rooms and main bedrooms orientated south away from any possible development impact. An external communal podium/garden area is also sited on the south elevation of the building and will be unaffected by the proposed development. The loss in daylighting and the infringements of the BRE guidance is therefore not considered to be significant and officers are of the view that the minor reductions in amenity levels to a small number of flats are offset by the marked improvements in townscape that would result with repair of the street frontage and the removal of a poor quality building adjacent to a conservation area.

11.63 **Overlooking/Noise:** An objection has been raised with regard to possible overlooking to a flat at 10 Epworth Street. It is acknowledged that with the proposed building marginally stepping forward and the creation of additional storeys there could

be a perception of increased overlooking from the new office building for residents of flats at 10 Epworth Street.

- 11.64 Officers would highlight the fact that the window to window distance would be approximately 16 metres across a highway and that Paragraph 2.14 of the supporting text to DM Policy 2.1 indicates that overlooking across a public highway does not constitute an unacceptable loss of privacy. Nevertheless, in order to prevent any possible loss of privacy or sense of loss a condition will be attached requiring treatment of those windows within the new development on the Epworth Street elevation to prevent direct overlooking into any of the flat windows. This might include louvres, frosting or internal blinds. The condition will also seek to ameliorate against any light pollution from the new office building which could be quite pronounced when it is dark.
- 11.65 Noise impacts as a result of the development would be subject to suitably worded conditions requiring any noise from plant or equipment to be minimised. In addition, the impacts of construction would be controlled by a Construction Management Plan secured through condition as well as a Code of Construction Monitoring arrangement secured through Section 106.

Transport and Servicing

- 11.66 Policies relevant to highways and transportation are set out in section 4 of the NPPF and chapter 6 of the London Plan. Islington's Core Strategy policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Detailed transport policies are set out in chapter 8 of Islington's Development Management Policies.
- 11.67 The application site is in a central London location, with very good links to public transport and a Public Transport Accessibility Level of 6b, the highest rating. The existing office building includes a service and delivery yard but the applicant has indicated that this has ceased to be used and that all delivery vehicles currently serve the site on-street from Tabernacle Street. A site visit and desktop analysis revealed no reason to dispel this statement.
- 11.68 Tabernacle Street is a one-way single carriageway road which is approximately 4.7m in width and accommodates some on-street parking on the eastern side which reduces the effective width to approximately 2.7-2.9m in places. Vehicles are therefore required to give-way to other vehicles at these points.
- 11.69 Epworth Street is a one-way single carriageway road approximately 5.1m in width and accommodates on-street parking (in the form of a dedicated disabled bay) on the northern side which reduces the effective width to approximately 3.1-3.3m.
- 11.70 The Council is currently at the early stages of considering a scheme to improve the Epworth Street environment with particular regard to residents of 10 Epworth Street, some of whom are disabled. A feasibility study has been commissioned to provide an 'award winning street for disabled persons' and preliminary designs include much improved pedestrian facilities. It is likely that were a scheme to be brought forward it would result in extended footways and removal of historic parking/loading facilities outside the application site. Any planning permission would therefore need to be

'futureproofed' to ensure that these proposals could be easily implemented and not conflict with proposed servicing and delivery arrangements for 36-44 Tabernacle Street.

- 11.71 The application proposals entail the removal of the existing site service and delivery yard/road which runs from Epworth Street through to Platina Street. This area will be given over to a total of 48 covered cycle parking spaces (accessed from Platina Street) and a refuse storage area allowing the refuse to be collected from Epworth Street. Servicing and delivery of the development will therefore be obliged to take place 'on-street' from both Epworth Street and Tabernacle Street. A separation of refuse and delivery arrangements has been tabled. It is proposed that given the new internal refuse and recycling store will be located adjacent to the existing crossover on Epworth Street - that refuse vehicles alone will use this road. Proposed arrangements show vehicles approaching the site from the west before making use of the northern kerblines to collect bins from the service area. There would be approximately 2.5m of clearance for vehicles to pass stationary refuse vehicles serving the site.
- 11.72 It is proposed that all non-refuse related service/delivery trips will involve the utilisation of Tabernacle Street. Drop-off and loading to and from the existing building is currently permitted using a relatively lengthy kerblines (27m) which has single yellow restrictions. It is envisaged that vehicles will approach from the south and depart in a northerly direction. A stationary, standard sized delivery vehicle parked on the eastern kerblines of Tabernacle Street will still leave 2.5m of clearance for other northbound vehicles to pass by, and this is considered to be sufficient.
- 11.73 In order to help ensure the separation of refuse vehicles and all other delivery vehicles serving the building from Epworth Street and Tabernacle Street, the Council's Highways officers have indicated a wish to see the introduction of a dedicated on-street servicing bay on Tabernacle Street - close to the proposed entrance. It is therefore proposed that as part of any Section 106 agreement the applicant shall be obligated, under traffic regulations, to make an application under Section 278 of the 1980's Highways Act which seeks to secure a new, dedicated unloading bay on Tabernacle Street.
- 11.74 A review of Service trip estimates has involved both assessment of the existing office building and the 2017 permission. Information submitted to secure that permission indicated that the existing office building generated a total of 18 (two-way) service trips. This is a nominal figure and attributable to the relatively low density existing building arrangement. The 2017 permission would see this figure increase to 28 (two-way) service trips. Predictions for the current scheme are estimated at 40 (two-way) service trips – this means the development will attract a total of 20 vehicles across the day. Although significantly more than the existing building, spread over 12 hours (0700 to 1900hrs) this would mean a likely maximum of 3 deliveries in any one hour.
- 11.75 Although Policy DM8.6 encourages all delivery and servicing to be off-street, particularly for commercial development of over 200sqm, it is considered that Tabernacle Street would be able to satisfactorily accommodate the anticipated service vehicle numbers referenced above. Delivery vehicles will continue to be able use the relatively lengthy eastern kerblines on Tabernacle Street which is wide enough to accommodate multiple vehicles at any given time including transit/panel vans and 10m rigid vehicles. The dedicated loading area on Tabernacle Street will further

ensure that any potential conflict with vehicles servicing other buildings in the area will be reduced. This is supported by the Councils Highway Officer as being acceptable.

- 11.76 A Delivery and Servicing Management Plan condition is proposed to be attached to any planning permission. Aside from setting out how any building management plan will ensure the above described arrangements will be implemented, the plan will also need to incorporate standard measures to reduce the impact of delivery trips, improve the efficiency of movement around the site and ensure nearby residential occupiers remain unaffected. Such measures may include use of low or no emission vehicles, making drivers aware of appropriate routing and unloading/loading arrangements, any restrictions and 'smart' booking for larger or longer deliveries. It is anticipated that such measures will help alleviate activity associated with the operation of the building addressing some of the concerns outlined by the objector residing at 10 Epworth Street.
- 11.77 The application includes a dedicated cycle storage facility that can accommodate 48 cycles and associated end of trip facilities including a shower. The provision is in line with the amount required as a result of the increase in floorspace proposed and accords with current Islington policy.
- 11.78 It can also be noted that the applicant will also be obliged through a Section 106 clause to submit a Framework Travel Plan. This Travel Plan will describe the means by which users of the development shall be encouraged to travel to the site by sustainable modes of travel and will be monitored and reviewed on an annual basis.
- 11.79 In summary, the proposed scheme and highways and transport arrangements in the form of distinct on-street points for refuse collection and servicing secured by Section 106/S278 Agreements and a robust evaluation of any Delivery and Service Management Plan and Framework Travel Plan required through attached conditions will ensure that the development will not have an adverse impact on the surrounding road network from a capacity or safety aspect or cause any loss of amenity to local residents. Subject to conditions and clauses within the Section 106 legal agreement, the development therefore meets the objectives of Core Strategy Policy CS10, which aims to encourage sustainable transport choices by maximising opportunities for walking, cycling and public transport use. This is further reinforced by Development Management Policy DM8.2, which requires new developments to maximise safe, convenient and inclusive accessibility to, from and within developments for pedestrians, cyclists and public transport users.

Accessibility

- 11.80 The relevant policies are 7.2 of the London Plan 2016 and Development Management Policy DM2.2, which seeks inclusive, accessible and flexibly designed accommodation throughout the borough. The London Plan Policy requires all new development in London to 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.

- 11.81 Islington's Development Management Policies require all developments to demonstrate that they provide for ease of and versatility in use; that they deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. Any development needs to be assessed against this policy background to ensure that they are genuinely inclusive from the outset and remain so for the lifetime of the development.
- 11.82 Including the 2017 permission the proposal has been amended a number of times since the initial submission and now includes level access throughout and appropriately sized lifts to enable access to all parts of the building for those with mobility impairments. The new office floorspace would also include accessible toilet and shower facilities. Further details of all-inclusive design features would be secured by condition to ensure that they are provided for the lifetime of the development, in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.

Sustainability and Energy Efficiency

- 11.83 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.
- 11.84 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Carbon dioxide calculations must include unregulated, as well as regulated, emissions, in accordance with Islington's policies.
- 11.85 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 11.86 Islington Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

- 11.87 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.
- 11.88 Development Management Policy DM 7.4D states that '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'.

BE LEAN

Energy Efficiency Standards

- 11.89 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation
- 11.90 Although most of the U-values are welcome Air permeability of $5\text{m}^3/\text{h}/\text{m}^2$ is proposed, which is insufficient as mechanical cooling is proposed. If mechanical cooling is necessary as supported by thermal modelling, then an air permeability of $3\text{m}^3/\text{h}/\text{m}^2$ is necessary. A condition will require details to be provided of how this figure will be met. Mechanical Ventilation with Heat Recovery has been proposed.

Proposed passive design features included in the scheme and to be welcomed include:

- high performance solar control glazing is to be used;
- On the lower floors windows are set back 415mm from the facade face by expressing a series of brick piers and panels, which helps to provide significant shading to the windows;
- On the fifth floor, there are a series of deep metal frames around the windows functioning as shading fins.
- LED lighting is to be used throughout, with Automated lighting controls and daylight dimming;
- exposed thermal mass within the office areas, specifically by having an exposed concrete soffit which will provide additional thermal capacity.

BE CLEAN

District Heating

- 11.91 Policy DM7.3B requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.
- 11.92 Although there is the Citigen DEN within 500m of the site a feasibility study has indicated that because of the energy profile of the proposed scheme (low heat demand), practical difficulties of making physical connections across City Road, nearby Heritage assets and therefore viability issues connection to the Citigen network is not realistic at this moment. A relevant clause within the S106 agreement requires additional exploration of the feasibility of future connection, to ensure that any necessary futureproofing works can be incorporated into the development. The Council's Energy Team accept the findings in regard to District Heating

Shared Heating Network

- 11.93 Policy DM7.3(D) requires that 'Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.'
- 11.94 The accompanying Energy Statement concludes that the scheme does not have energy demands large or diverse enough for it to act as an energy hub for it and surrounding buildings. Accordingly the emphasis has been on minimising on-site energy demand and maximising the performance of on-site generation. The Council's Energy Team accept the findings of the Energy Statement in regard to possible connection to a Shared Heating Network.

Combined Heat and Power

- 11.95 The Council's Environmental Design Guide (page 12) states "Combined Heat and Power (CHP) should be incorporated wherever technically feasible and viable. Large schemes of 50 units or more, or 10,000sqm floor space or more, should provide detailed evidence in the form of an hourly heating profile (and details of electrical baseload) where the applicant considers that CHP is not viable; simpler evidence will be accepted on smaller schemes."
- 11.96 A demand profile has been provided. As the development is not a major development, and the heat load appears relatively modest (less than 5,000 kWh) – a CHP is deemed unnecessary. An Air Source Heat Pump has been proposed for the site with hot water provided through electric water heaters and this is supported by the Council's Energy Officers

BE GREEN

Renewable energy technologies

- 11.97 The Mayor's SD&C SPD states 'although the final element of the Mayor's energy hierarchy, major developments should make a further reduction in their carbon

dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible.’ The Council’s Environmental Design SPD (page 12) states ‘use of renewable energy should be maximised to enable achievement of relevant CO₂ reduction targets.’

- 11.98 The applicant had originally proposed a 149 sq.m photovoltaic (PV) roof array area which would have saved an estimated 7.5 tonnes of CO₂ emissions per year. After further assessment the roof area has been fully maximised for PV with an additional 15% in roof space utilised securing additional CO₂ emissions savings. This has been welcomed by the Council’s Energy Team.

Carbon Emissions

- 11.99 Policy CS10A states that the promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution of £920 per tonne of CO₂ towards measures which reduce CO₂ emissions from the existing building stock.
- 11.100 The applicant proposes a reduction on regulated emissions of 54.3% compared to a 2013 baseline target, which exceeds the London Plan target of 35%. The development is predicted to achieve a reduction in total emissions of 27% compared to a 2013 Building Regulations Baseline, which falls short of the Islington requirement of 39%. The scheme therefore gives rise to a requirement for a carbon offset contribution of £82,984.

Sustainable Design Standards

- 11.101 Development Management Policy DM7.4 requires the achievement of BREEAM ‘Excellent’ on all non-residential major development. Major developments are also required to comply with Islington’s Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards. The applicants have committed to achieving a BREEAM rating of ‘Excellent’ through a BREEAM score of 71.96% and the pre-assessment which accompanies the application demonstrates that the building would achieve this ‘Excellent’ rating. The BREEAM methodology assesses developments on the basis of credits for a set of performance criteria covering issues such as energy, transport, water materials, waste, pollution, health and well-being, management and ecology. A condition will be attached to secure this rating (Condition 9)
- 11.102 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires for development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details and specifics are provided within Islington’s Environmental Design SPD, which is underpinned by the Mayor’s Sustainable Design and Construction Statement SPG.
- 11.103 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water

run-off to a 'greenfield rate' (8 litres/second/hectare), where feasible. Where it is demonstrated that a greenfield run-off rate is not feasible, rates should be minimised as far as possible, and the maximum permitted run-off rate will be 50 litres per second per hectare. The proposed development will incorporate extensive areas of green roof and conditions will be attached to secure further detail on green roof and on drainage of the site (Conditions 10 and 11)

- 11.104 The Council's Sustainable Design Officer has reviewed the proposals and raises no objection subject to further details of SUDS to be secured by condition.
- 11.105 In order to ensure that the building performs in accordance with the key sustainability indicators set out within the Energy strategy, a Green Performance Plan (GPP) is to be secured by the s.106 agreement.
- 11.106 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

- 11.107 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 was considered by London Fire Brigade and no objections were raised. A fire safety strategy was provided, and an informative (no.12) 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, with particular regard to the provision of a sprinkler system.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 11.108 The proposal seeks to increase the amount of floorspace through extensions and layout changes. The additional capacity would accommodate additional employees and those additional people would introduce impacts on the surrounding infrastructure that must be mitigated.
- 11.109 The heads of terms that have been agreed with the applicant would suitably mitigate any impacts of the development. They are considered to be fairly and reasonably related in scale and kind to the scale and nature of the proposals. None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured. The full list of contributions is set out at Appendix 1 of this report.
- 11.110 These obligations sought by the Council satisfy the statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (and paragraph 204 of the NPPF), as set out below:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.

12 SUMMARY AND CONCLUSION

Summary

- 12.1 The proposal involves the substantial demolition (retaining only the shell of the existing building) and refurbishment of the existing office building. Two additional floors will be added with the uppermost largely glazed storey set back on the main elevations. There will be a full height extension to the east of the site on what is currently a service yard and new façade and fenestration arrangements.
- 12.2 The proposed refurbishment of, and extension, to the existing premises maximises the commercial floorspace on site and would provide an active frontage at ground floor level and thus is considered to be acceptable in land use terms, (with a financial contribution secured in lieu of housing being provided within this office uplift scheme) in accordance with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8.
- 12.3 There are marginal losses of sunlight and daylight to the residential units at 10 Epworth Street but these are not considered to be severe and, on balancing the townscape and other benefits against the sunlight and daylight losses, the minor reduction in amenity is considered acceptable and in accordance with relevant BRE guidance and Development Plan policy.
- 12.4 The proposed development is of a high standard of design resulting in a building which relates significantly better to its surroundings than the existing feature and improves the setting of adjoining period properties and heritage assets. The building is fully accessible and inclusive in its design. The building will meet energy and sustainability requirements and, subject to submission of further detail on such matters as façade materials, plant noise, servicing and sustainability accords with London Plan Policies 7.2, 7.6, Policy CS7 of the Islington Core Strategy, Development Management Policies DM2.1 and DM2.3 as well as Policies BC3 of the Finsbury Local Plan.
- 12.5 The transport and amenity impacts resulting from the development have been suitably minimised and are considered acceptable subject to appropriate conditions. The resulting building is considered to meet important sustainability objectives, in accordance with relevant planning policy. Finally, the application includes contributions towards social and physical infrastructure, notably towards affordable housing and carbon offsetting.

Conclusion

- 12.6 The application would deliver a high quality scheme that is in accordance with planning policy. It is thus recommended that planning permission be APPROVED as set out in Appendix 1 – RECOMMENDATIONS, subject to Section 106 agreement and planning conditions

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 Area Team Leader:

- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 2

Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04'15). If these placements are not provided, LBI will request a fee of £10,000.

- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £3,370 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of an additional number of accessible parking bays: 4, or a contribution towards bays or other accessible transport initiatives of £8000.
- The securing of a dedicated service/delivery bay on Tabernacle Street.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: £82,984
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases

(whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.

- Submission of a Green Performance Plan.
- Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
- Payment towards employment and training for local residents of a commuted sum of £21,943:
- A contribution towards Crossrail of £288,680;
- For proposals with an increase in office floorspace in the Central Activities Zone, the provision of a mix of uses including housing or a contribution towards provision of off-site affordable housing where it is accepted that housing cannot be provided on site. A contribution towards provision of off-site affordable housing of £329,920;
- Details of 180 m2 of floorspace suitable for SME's to be approved by the Council within 52 weeks of the date of the agreement, and prior to first occupation of the development.

All payments to the Council are to be index linked from the date of Committee and are due upon implementation of the planning permission.

That, should the **Section 106** Deed of Planning Obligation not be completed within the timescales set within the Planning Performance Agreement, the Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development 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, Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader 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:

<p>1</p>	<p>Commencement</p> <p>CONDITION: The development hereby permitted shall begin no later than the of 3 years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<p>2</p>	<p>Approved plans list</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved drawings and information:</p> <p>TS-NP-00-PL (July '17); TS-NP-01-PL Rev A (Feb '18); TS-NP-02-PL Rev A (Feb '18); TS-NP-03-PL Rev A (Feb '18); TS-NP-04-PL Rev B (Feb '18); TS-NP-05-PL (July '17); TS-NP-06-PL Rev A (June '17); TS-NP-07-PL Rev A (Mar '17); TS-NP-08-PL Rev A (Mar '17); TS-NP-09-PL (Mar '17); TS-NP-10-PL (Mar '17);</p> <p>Design and Access Statement dated July 2017; Built Heritage and Townscape Assessment by CgMs dated July 2017; Archaeological Desk based Assessment by L-P Archeology ref. LP2089L-DBA-v1.8 dated April 16; BRE Daylight and Sunlight Study by Right of Light Consulting dated 6 October 2017; Construction Management Plan dated 2 August 2017; Energy Statement by buildenergy ref. BE0624 dated 15 September 2017; Drainage Strategy by buildenergy ref. BE0624 dated 15 September 2017 Revision 5; Proposed Roof Drainage Plan by buildenergy; Transport Statement Report by Ardent ref. 160401-01 dated August 2017; BREEAM Pre-Assessment by Malcolm Hollis ref. 61040/PW/SB dated 14 August 2017.</p> <p>REASON: For the avoidance of doubt and in the interests of proper planning.</p>
<p>3</p>	<p>Materials and samples</p> <p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any new elevational treatment being installed on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) new brickwork (including brick panels and mortar courses); b) window treatment (including sections and reveals); c) roofing materials; d) Glazing details (including laminated glazing to the ground floor elevations facing Tabernacle Street and Epworth Street) e) balustrading treatment (including sections); and f) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

<p>4</p>	<p>Roof-level structures</p> <p>CONDITION: Full details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any such structure/enclosures being erected on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <p>a) roof-top plant; b) ancillary enclosures/structure; and c) lift overrun.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
<p>5</p>	<p>Access</p> <p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. Plans and details confirming that these standards have been met shall be submitted to and approved in writing by the Local Planning Authority prior to any new superstructure works commencing on site. The details shall include:</p> <ul style="list-style-type: none"> • The provision of at least two cycle racks that are accessible to ambulant disabled cyclists • The provision of an accessible WC and shower at ground floor level. • The provision of a detailed emergency evacuation plan, to meet the needs of all potential building users. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.</p>
<p>6</p>	<p>Security & General Lighting</p> <p>CONDITION: Details of any external general or security lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the site.</p> <p>The details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such permanently thereafter.</p> <p>REASON: In the interest of protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill, as well as protecting the setting of important heritage assets.</p>

<p>7</p>	<p>Energy Reduction</p> <p>CONDITION: The energy efficiency measures/features and energy technology(s) as detailed within the Energy Statement (15 September 2017 and updated 18 June 2018) and all subsequent LPA Energy Officers Internal Advice shall be installed and operational prior to the first occupation of the development.</p> <p>The agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
<p>8</p>	<p>Cycle Storage</p> <p>CONDITION: Full details of the internal bicycle storage area(s) which shall be covered, secure and provide for no less than 48 bicycle spaces as well as the provision of showering, changing and locker facilities shall be submitted to and approved in writing prior to any works commencing on the site.</p> <p>The details shall confirm that the facilities are accessible to ambulant disabled persons and include details of mobility scooter charging locations and facilities</p> <p>The approved bicycle storage details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<p>9</p>	<p>BREEAM</p> <p>CONDITION: The development shall achieve a BREEAM Office (2015) rating of no less than 'Excellent' in accordance with the BREEAM pre-assessment submitted.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development, in accordance with Development Management Policy DM7.4.</p>
<p>10</p>	<p>Green / Brown Roofs</p> <p>CONDITION: The biodiversity (green/brown) roof(s) shall be constructed and occupy the set back at 5th floor level. Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the new reception works commencing on site.</p> <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 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, in accordance with Development Management Policy DM6.6 and DM7.1.</p>

<p>11</p>	<p>Sustainable Urban Drainage System</p> <p>CONDITION: Details of a drainage strategy including the green roof and drainage of the site (following the principles of Sustainable Urban Drainage) shall be submitted to and approved in writing by the Local Planning Authority prior to any such works commencing on site. The drainage system shall be installed / operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water in accordance with Development Management Policy DM7.4.</p>
<p>12</p>	<p>Plant Noise</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level Laeq Tr arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<p>13</p>	<p>Lifts</p> <p>CONDITION: All lifts serving the office shall be installed and operational prior to the first occupation of the office floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the office floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
<p>14</p>	<p>Demolition and Construction Management Plan & Construction Logistics Plan</p> <p>CONDITION: No development shall take place unless and until a Construction Management Plan (CMP) (including details of demolition) and Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority following consultation with Transport for London.</p> <p>The CMP and CLP shall update the Draft Construction Management Plan as submitted as part of the application hereby approved, while also providing the following additional information:</p> <ol style="list-style-type: none"> 1. identification of demolition and construction vehicle routes; 2. how demolition and construction related traffic will turn into and exit the site 3. Details of how disruption to nearby residential occupants will be minimized during demolition and construction. 4. details of banksmen to be used during construction works 5. the parking of vehicles of site operatives and visitors; 6. loading and unloading of plant and materials; 7. storage of plant and materials used in constructing the development;

	<p>8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;</p> <p>9. wheel washing facilities;</p> <p>10. measures to control the emission of dust and dirt during construction;</p> <p>11. a scheme for recycling/disposing of waste resulting from demolition and construction works.</p> <p>The report shall assess the impacts during the construction phases of the development on the Transport for London controlled City Road, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In order to secure highway safety and free flow of traffic on City Road and Old Street, local residential amenity and mitigate the impacts of the development.</p>
15	Delivery and Servicing Management Plan
	<p>CONDITION: A delivery and servicing management plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with TfL, prior to the first occupation of the development.</p> <p>The plan shall include details of all servicing and delivery requirements including waste and recycling collection.</p> <p>The development shall be carried out strictly in accordance with the details so approved.</p> <p>REASON: In order to secure highway safety and free flow of traffic on City Road and surrounding streets, protect local residential amenity and mitigate the impacts of the development.</p>
16	No external piping
	<p>CONDITION: Other than any pipes shown on the plans hereby approved, no additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional pipes be considered necessary the details of those shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such pipe.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
17	Archaeology
	<p>CONDITION: No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of:</p> <p>A) a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing.</p>

	<p>No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under part A).</p> <p>B) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.</p> <p>REASON: Heritage assets of archaeological interest are expected to survive on the site. The investigation is required in the interests of archaeology.</p>
18	Internal Lighting
	<p>CONDITION: Details of measures to adequately mitigate light pollution and potential for overlooking affecting neighbouring residential properties shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted. These measures might include:</p> <ul style="list-style-type: none"> - Frosted glazing or privacy fins - Automated roller blinds; - Lighting strategies that reduce the output of luminaires closer to the façades; - Light fittings controlled through the use of sensors. <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings</p>

List of Informatives:

1	S106
	<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	Superstructure
	<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	Surface Water Drainage
	<p>It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is</p>

	recommended that the applicant should ensure that storm flows are attenuated or regulated into the 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 at the final manhole nearest the boundary. Connections are not permitted for removal of groundwater. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4	Sustainable Sourcing of Materials
	Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
5	Car-Free Development
	All new developments are to be car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
6	Roller Shutters
	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.
7	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-commencement conditions 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>
8	Highways Requirements (1)
	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 relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk .

	<p>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 streetworks@islington.gov.uk.</p> <p>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 streetworks@islington.gov.uk.</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 streetworks@islington.gov.uk.</p>
9	Highways Requirements (2)
	<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 highways.maintenance@islington.gov.uk 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 streetworks@islington.gov.uk. 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>
10	Highways Requirements (3)
	<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 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</p>

	<p>contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site.</p> <p>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 streetlights@islington.gov.uk</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 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
11	Crossrail 2
	<p>Applicants should refer to the Crossrail 2 Information for Developers available at crossrail2.co.uk. 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 www.crossrail2.co.uk which is updated on a regular basis.</p>
12	Fire Safety
	<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 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 andrew.marx@islington.gov.uk</p>
13	Thames Water (Assets)
	<p>The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>

14	Thames Water (Groundwater Risk Management Plan)
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .
15	Thames Water (Mains Water Pressure)
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

APPENDIX 2 – RELEVANT POLICIES

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

1. NATIONAL GUIDANCE

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. Since March 2014 planning practice guidance for England has been published online.

2. DEVELOPMENT PLAN

The Development Plan is comprised of the London Plan 2016, Islington'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 2.11 Central Activities Zone – strategic functions

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

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.4 Retrofitting

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

6 London's transport

Policy 6.1 Strategic approach

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

Policy 7.13 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 5.18 Construction, excavation and demolition waste

Policy 7.19 Biodiversity and access to nature

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)

Policy CS8 (Enhancing Islington's Character)

Policy CS13 (Employment Spaces)

Policy CS14 (Retail and Services)

Policy CS15 (Open Space and Green Infrastructure)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS20 (Partnership Working)

C) Islington's Development Management Policies 2013

DM2.1 (Design)

DM2.2 (Inclusive Design)

DM2.3 (Heritage)

DM2.5 (Landmarks)

DM4.3 (Location and concentration of uses)

DM4.5 (Primary and Secondary Frontages)

DM4.8 (Shopfronts)

DM5.1 (New Business Floorspace)

DM5.4 (Size and Affordability of Workspace)

DM6.1 (Healthy development)

DM6.2 (New and Improved Public Open Spaces)

DM6.5 (Landscaping, trees and biodiversity)

DM6.6 (Flood prevention)

DM7.1 (Sustainable design and construction)

DM7.3 (Decentralised Energy Networks)

DM7.4 (Sustainable design standards)

DM7.5 (Heating and cooling)

DM8.1 (Movement hierarchy)

DM8.2 (Managing transport impacts)

DM8.3 (Public transport)

DM8.4 (Walking and cycling)

DM8.5 (Vehicle parking)

DM8.6 (Delivery and servicing for new developments)

DM9.1 (Infrastructure)

DM9.2 (Planning obligations)

D) Finsbury Local Plan 2013

BC3 (Old Street)

BC8 (Achieving a balanced mix of uses) considerations for building heights)

BC10 (Implementation)

BC27 (Site Allocation: 37-45 City Road, Maple House)

3 Designations

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

- Adjacent to Bunhill Fields and Finsbury Square CA
- City Fringe Opportunity Area
- Central Activities Zone
- Article 4 Directions (A1-A2, B1c-C3)
- Finsbury Local Plan Area
- Employment Priority Area (General)
- Archaeological Priority Area
- Bunhill and Clerkenwell Core Strategy Key Area
- Within 100 m of an SRN

4 Supplementary Planning Guidance (SPG) / Documents (SPD)

The following SPGs and SPDs are relevant:

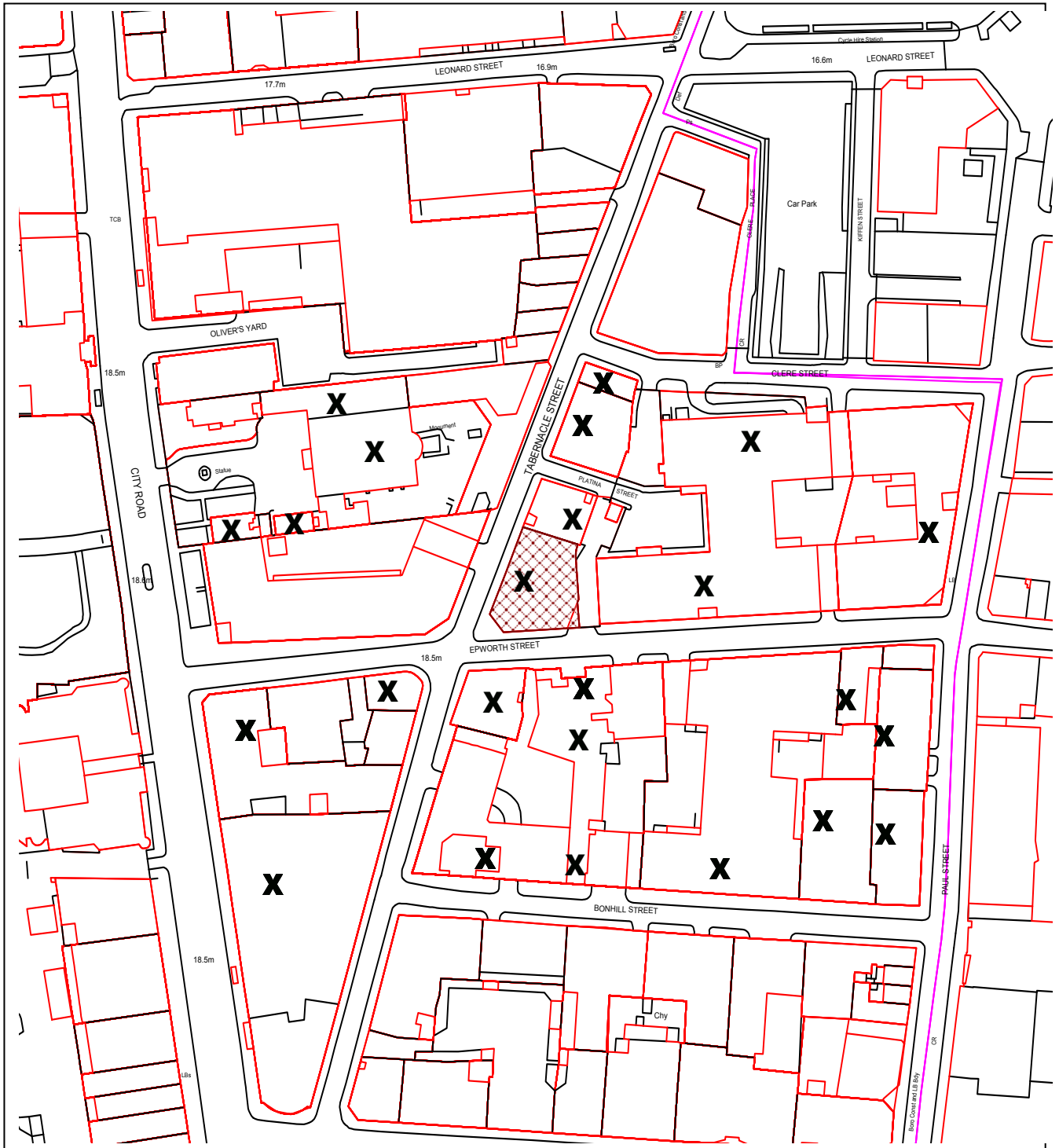
Islington Development Plan

Conservation Area Design Guidelines
Sustainable Transport Planning Guidance
Note
Sustainable Design and Construction
guidance
Environmental Design SPD
Inclusive Landscape Design SPD
Planning Obligations (Section 106) SPD
Streetbook SPD
Urban Design Guide

London Plan

Accessible London: Achieving an
Inclusive Environment SPG
Sustainable Design and Construction
SPG
Shaping Neighbourhoods: Play and
Informal Recreation Supplementary
Planning Guidance SPG
Planning for Equality and Diversity in
London SPG

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 3333
 Town Hall
 Upper Street
 LONDON N1 2UD

PLANNING COMMITTEE	AGENDA ITEM NO:
Date: 9 th July 2018	

Application number	P2018/0429/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No, but several in relatively close proximity
Conservation area	Duncan Terrace/Colebrooke Row Conservation Area (part of site)
Development Plan Context	Bunhill and Clerkenwell key area Central Activities Zone Employment Priority Area (General) Within 100m of Transport for London Road Network Within 50m of New River Conservation Area Adjacent to Site Allocation BC48 – Angel Gate (to the east)
Licensing Implications	None
Site Address	7-8 Wakley Street and 328 City Road London EC1V 7QE
Proposal	Demolition of all existing buildings and erection of part-1, part-2 and part-5 plus basement buildings to provide 3,330sqm of commercial (B1) floorspace and 670sqm of residential (C3) floorspace over 8-units. Associated refuse and cycle storage.

Case Officer	Simon Greenwood
Applicant	Musco (Wakley Street) Limited
Agent	Rolfe Judd Planning – John Osbourne

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in red)

Site location plan



3. PHOTOS OF SITE/STREET

Aerial view of site and surroundings



Wakley Street frontage



City Road frontage



4. SUMMARY

- 4.1 The application site comprises vacant offices and was previously occupied by the National Children's Bureau. The site is within the Central Activities Zone (CAZ) and an Employment Priority Area (General). Part of the site (328 City Road) is within the Duncan Terrace / Colbrooke Row Conservation Area.

- 4.2 The applicant proposes the demolition of all buildings on site, and the erection of part 1, part 2 and part 5 storey buildings with basement accommodation to provide 3,330m² (GIA) of commercial (B1) floorspace and 670m² of residential (C3) floorspace (8-units) with associated refuse and cycle storage.
- 4.3 The redevelopment of the site is welcomed in principle, and the application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 4.4 Planning permission was previously granted in April 2016 for demolition of the existing buildings and erection of buildings of 1 to 5 storeys (plus lower ground floor level) to provide 26 residential units and office accommodation (2,038m² GIA) with associated refuse and cycle storage (application reference P2014/3572/FUL).
- 4.5 The demolition of 328 City Road, whilst regrettable, was previously considered acceptable in view of the limited value of this heritage asset, the public benefits of the redevelopment, and the quality of the proposed replacement building. It is again considered that this is the case.
- 4.6 The proposal would result in the redevelopment of a presently under-used site which provides poor quality office accommodation to provide replacement high quality and flexible office floorspace, including an uplift of 1,292m² (GIA). The proposal also includes the provision of two 66m² small/micro units which would be offered at a maximum of 75% of market rent for a period of 5 years and would be permanently retained as small/micro units thereafter.
- 4.7 The proposal would result in a reduction of 18 residential units which were previously identified to contribute to the borough's future housing supply. However, the proposal would result in an increased provision of flexible, modern and high quality office floorspace in the CAZ, for which there is strong support in policy terms.
- 4.8 A total of 8 dual aspect residential units (5 one bedroom and 3 two bedroom flats) are proposed which are policy compliant in terms of space standards and private amenity space requirements, and which would provide a good quality of residential accommodation. In accordance with the Council's Affordable Housing Small Sites Contributions Supplementary Planning Document a financial contribution of £480,000 towards the provision of off-site affordable housing would be secured through a Section 106 agreement.
- 4.9 The proposed development would result in some harm to the residential amenities of the occupants of neighbouring dwellings, including by reason of loss of daylight and sunlight and loss of outlook. However, the proposed consented development involves a revised siting and configuration for the central block within the site which is intended to reduce its impact upon adjacent residential properties. Accordingly, the proposed development would represent an improvement over the previous scheme in terms of daylight amenity and outlook from neighbouring properties, in particular flats at Nos. 9-10 Wakley Street, and would represent a more neighbourly development. In view of the central urban location, the need to make efficient use of the site and having regard to the impacts of the consented scheme it is considered that the proposed

development is acceptable in terms of its impact upon the residential amenities of the occupants of nearby dwellings.

- 4.10 The proposal is considered largely acceptable in terms of land use, transportation and servicing, the quality of the residential accommodation, sustainability and energy, subject to conditions and an appropriate Section 106 agreement. Appropriate Section 106 Heads of Terms have been agreed with the applicant to mitigate the impacts of the development and secure compliance with the Development Plan.
- 4.11 In conclusion, given the proposed development's level of compliance with planning policies (including those of the NPPF and the London Plan), it is recommended that planning permission be granted.

5. SITE AND SURROUNDINGS

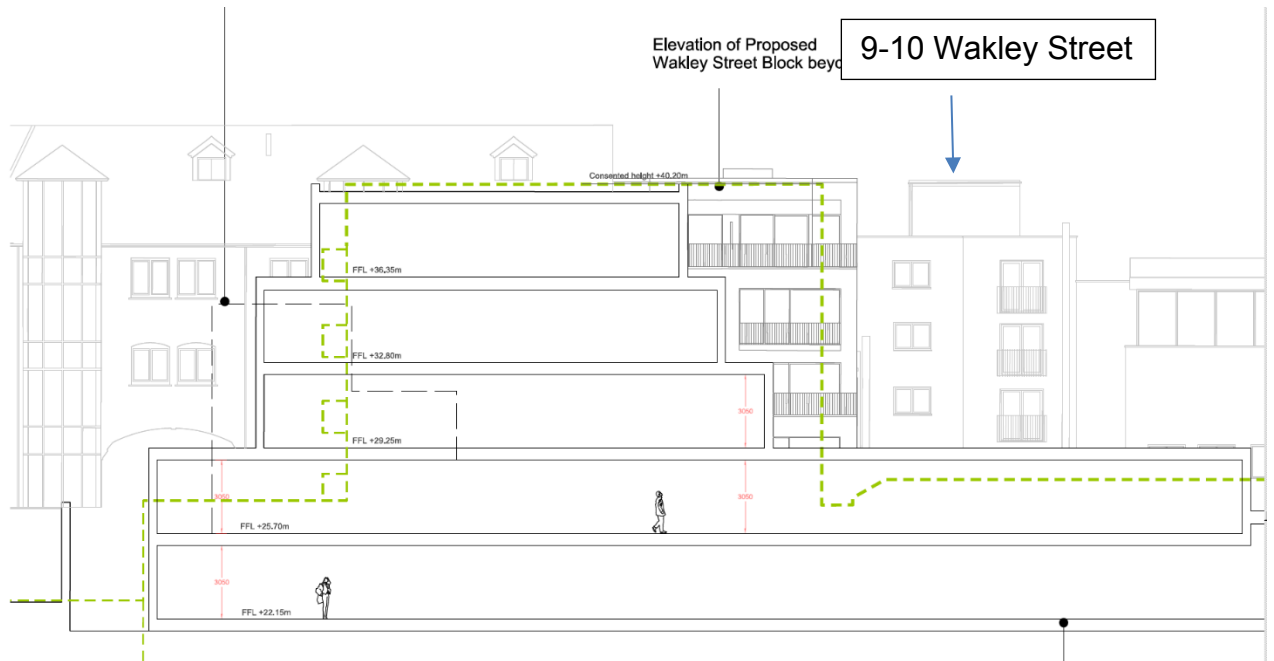
- 5.1 The application site is 0.16 hectares in size, has an irregular shape and has limited street frontages. An existing 3-storey office building fronts Wakley Street behind which is a 1 and 2-storey office building covering the majority of the site. The site includes 328 City Road, which presents 6 storeys (including lower ground floor) to the street. The existing floorspace totals 2,037m² GIA (1,422m² NIA), in office (B1a) use.
- 5.2 The northern part of the site (328 City Road) is within the Duncan Terrace / Colebrooke Row Conservation Area. The site does not include any listed buildings, however the buildings at 320-326 City Road immediately to the east of the site boundary are Grade II listed.
- 5.3 Most surrounding buildings, including all of the Angel Gate development to the south and east of the application site, are in office use. However, there are residential properties along the north and west boundaries of the site at 9-10 Wakley Street, 14 Wakley Street and Angel Point (330-336 City Road). Other residential buildings nearby include 319 City Road and Langdon Court to the north.
- 5.4 City Road is a busy TfL-controlled red route lined with buildings between 3 and 6 storeys in height. Wakley Street is a 1-way street (also a red route) leading from City Road to Goswell Road, with loading bays on its east side and buildings between 3 and 7 storeys in height. 328 City Road currently has a steep forecourt, sloping into the site from the back of the pavement.
- 5.5 The site is located within the Central Activities Zone (CAZ) and an Employment Priority Area (General). The Angel Gate development adjoining the application site is the subject of Site Allocation BC48, which is allocated for predominantly business floor space with some residential.
- 5.6 The application site has no trees or significant areas of soft landscaping. However, a mature London Plan tree stands close to the site in the grounds of 326a City Road, and there are trees close to the site boundaries within the grounds of the Angel Gate development.

6. PROPOSAL (IN DETAIL)

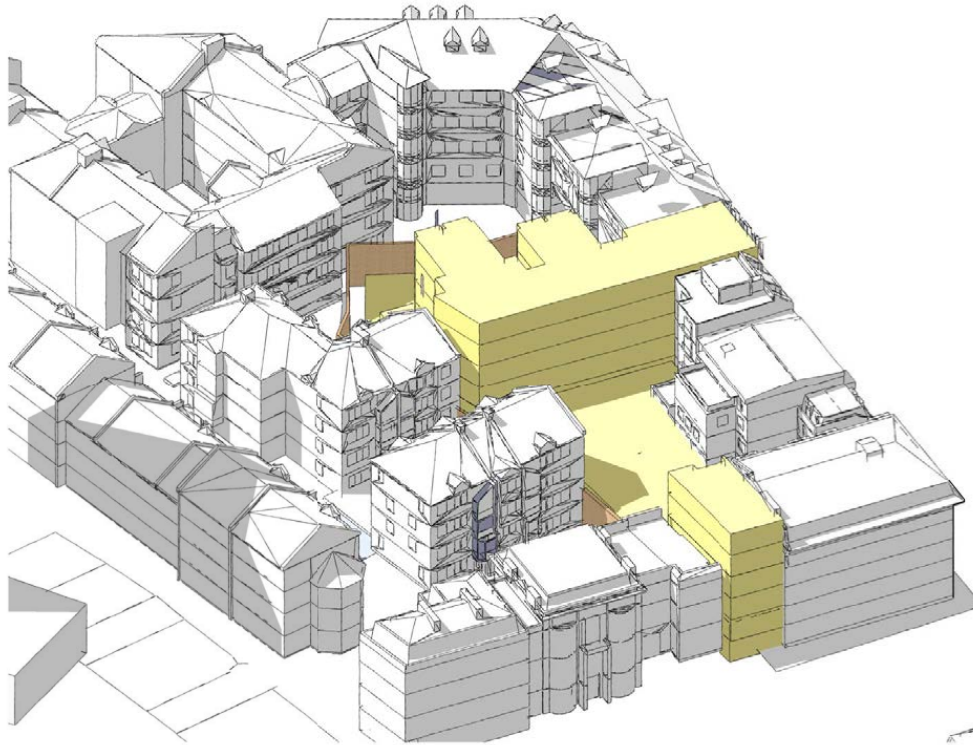
- 6.1 The application states that the viability of the previously consented scheme is undermined by the cost of the basement, the quality of the commercial accommodation, the quality and amenity of the residential accommodation, and light issues. The design quality of the central residential block was also identified as having scope for improvement. The currently proposed scheme seeks to respond to these issues.
- 6.2 The applicant is an operator of serviced business centres for small and medium sized enterprises (SMEs) which the proposed development is intended to accommodate. The commercial floorspace has been designed to be easily subdivided in order to provide flexibility for future occupants.
- 6.3 The proposed development will provide a 3,330m² (GIA) serviced office/business centre featuring accommodation including meeting rooms, break out areas and executive suites as well as a range of office sizes.
- 6.4 The proposal will provide an uplift of 1,293m² (GIA) over the existing 2,037m² (GIA) office floorspace and an uplift of 1,292m² (GIA) over the 2,038m² (GIA) approved under the previous scheme.
- 6.5 The proposed development will provide 8 residential units within a block fronting Wakley Street, which represents a reduction of 16 units from the previously approved scheme. The height of the proposed development would remain as previously approved whilst the massing of development within the central, 'backland' part of the site would be moved southwards, away from the rear of residential units at 9-10 Wakley Street. The number of floors (above ground) within the central block would be reduced from 6 to 5 as a result of a raised lower ground floor datum and the increased floor to ceiling height requirements for office accommodation.
- 6.6 A residential entrance lobby will be provided within the ground floor of the Wakley Street block along with a secondary entrance to the office accommodation and access to the commercial and residential bin storage. 1 one bedroom flat and 1 two bedroom flat would be provided on the first to third floors and 2 one bedroom flats would be provided on the fourth floor, which has been set back in order to maintain daylight amenity to neighbouring properties. Each flat would benefit from a dual aspect and a private balcony.
- 6.7 The building fronting City Road would provide the main entrance to the commercial buildings. The ground floor plan will feature light wells to provide light and aspect to the lower ground floor accommodation. A reception area is provided at ground floor.
- 6.8 The block to the central part of the site will provide office accommodation in place of the previously permitted residential accommodation. The geometric form of the building has been developed in consultation with the applicant's daylight and sunlight consultants. The height of the block is broadly consistent with the consented scheme whereas the massing would be moved further south in order to improve light to the residential accommodation at 9-13 Wakley Street and to the Angel Gate office blocks

to the east. The block can provide dual aspect office accommodation which would facilitate cross ventilation to provide cooling in summer months. The following section plan and drawings provide a comparison of the previously consented and proposed developments.

Section Plan indicating mass of building moved away from residential dwellings at 9-10 Wakley Street

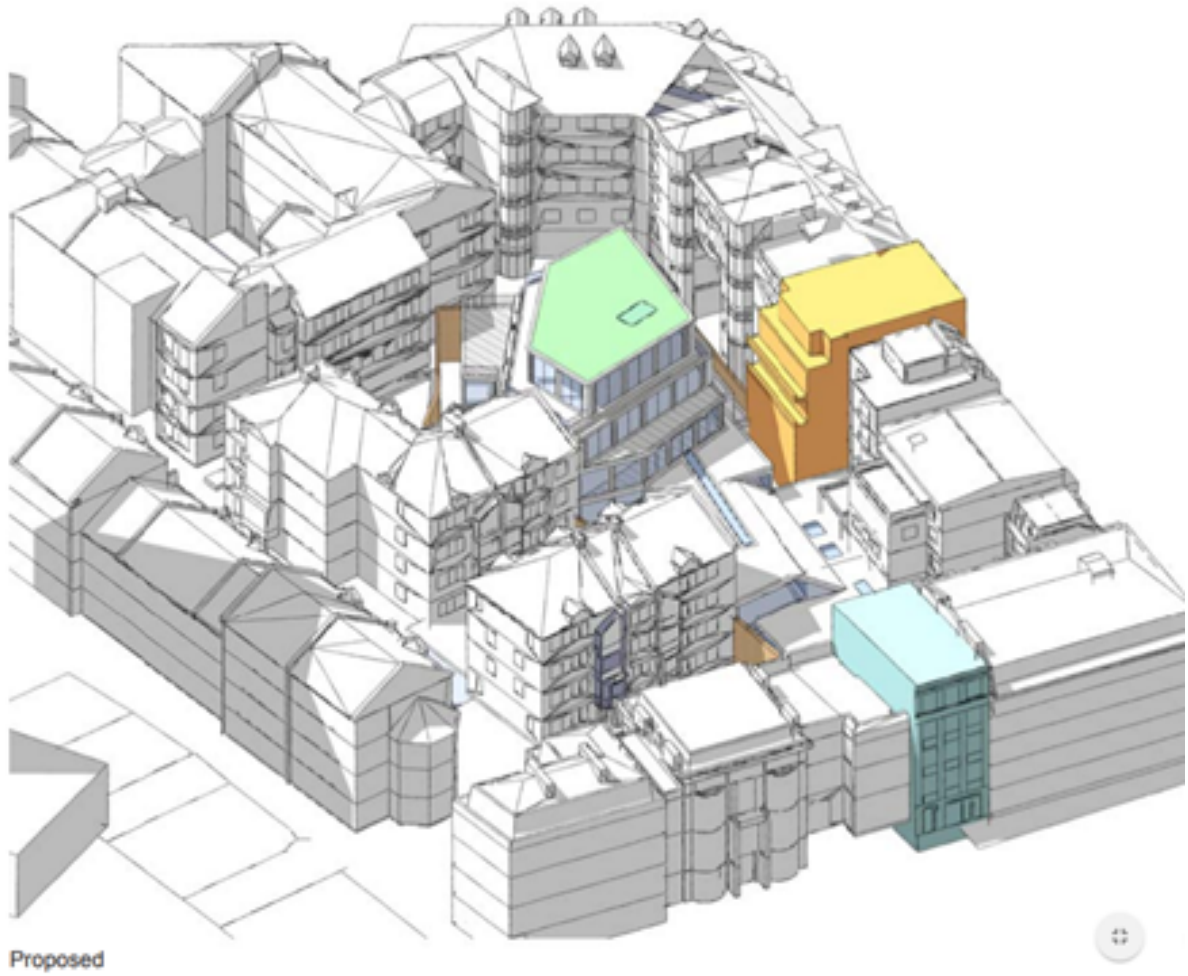


3D drawing of previously consented scheme



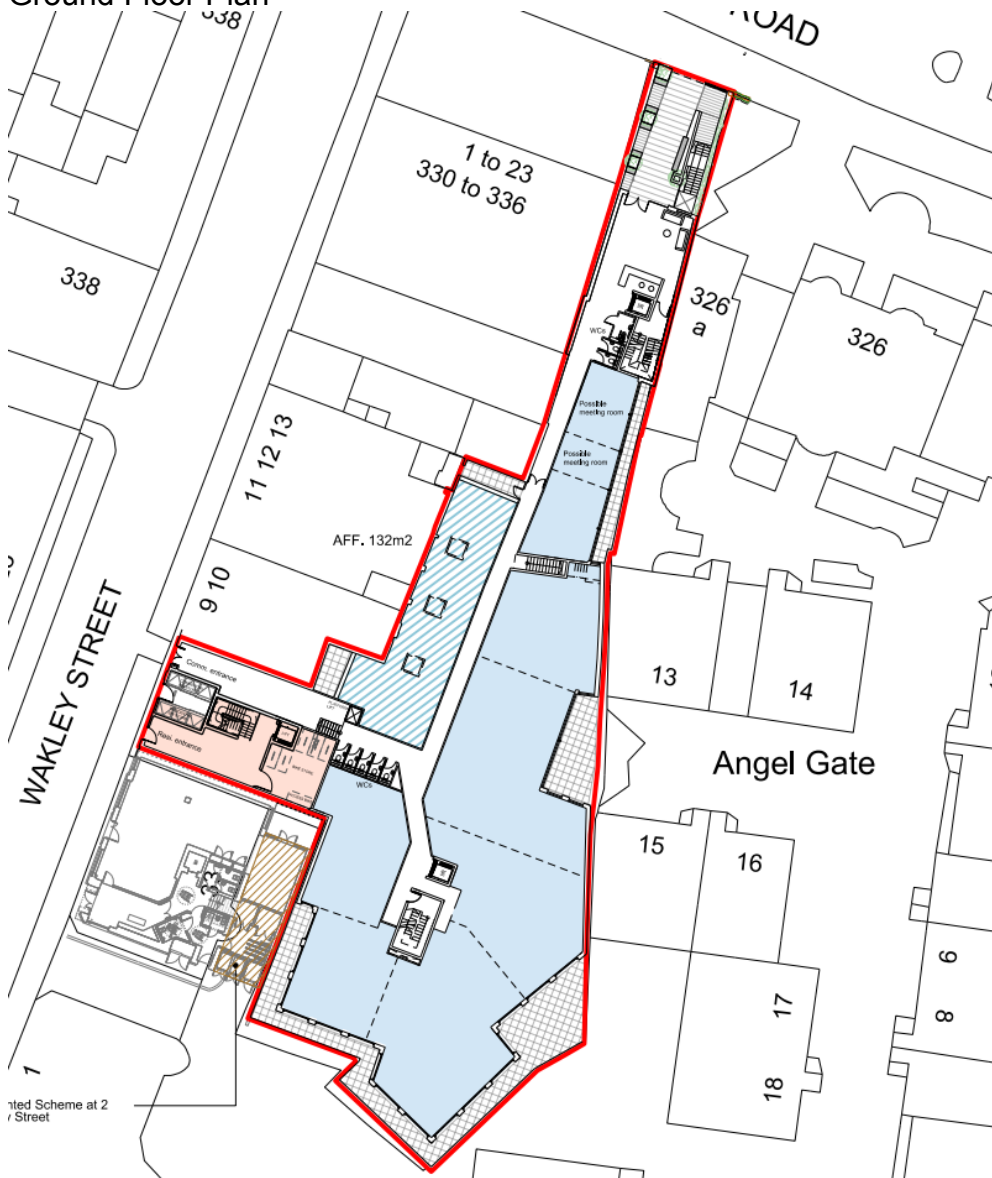
Consented

3D drawing of proposed scheme

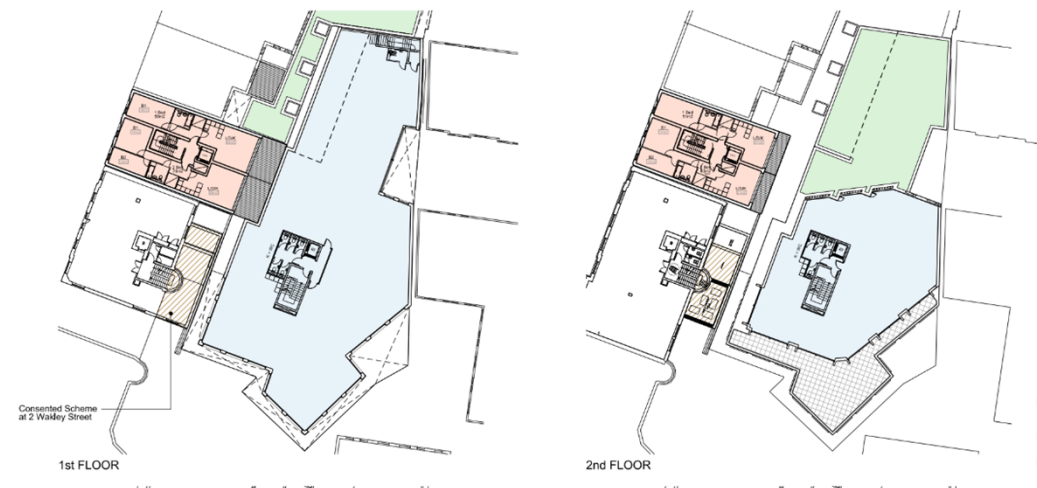


- 6.9 The ground floor accommodation would extend across the majority of the site whilst the first floor would be reduced in scale with the central block rising to five storeys in height to the south of the site, as indicated within the floor plans and aerial images below.

Ground Floor Plan



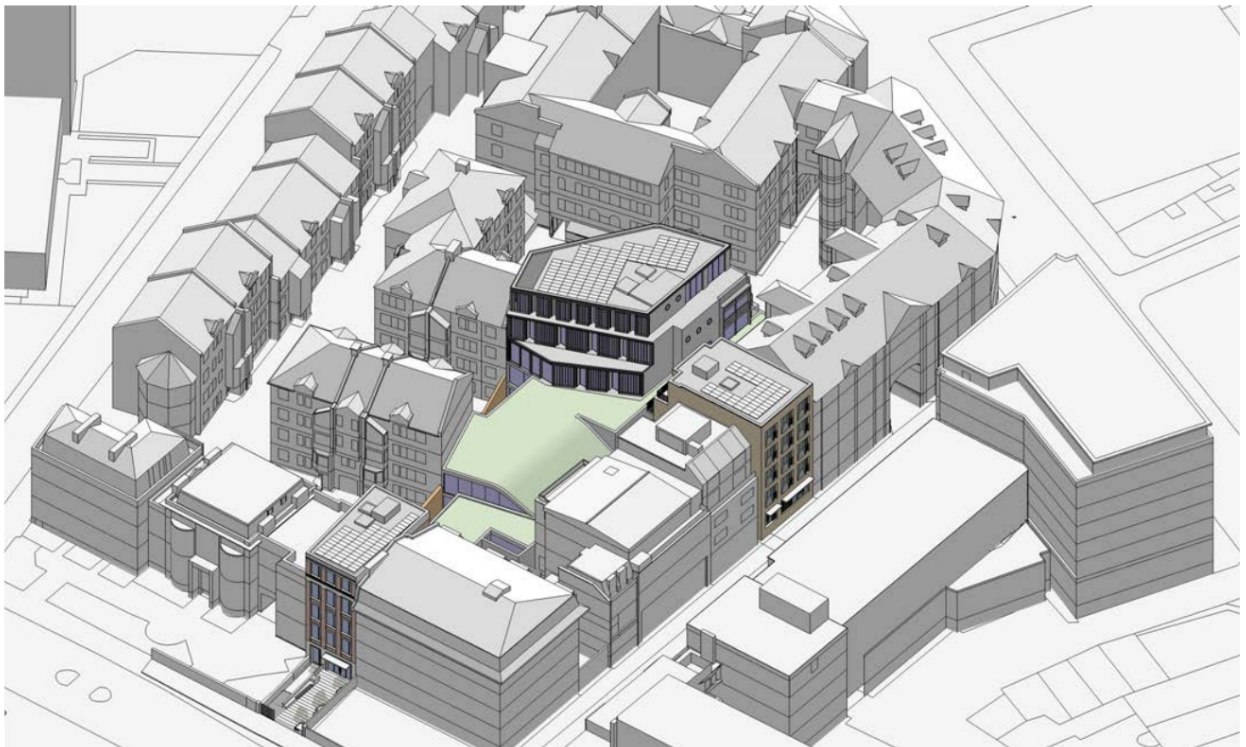
First and second floor plans



Aerial View from south east



Aerial view from north west



7. RELEVANT HISTORY

Planning Applications

- 7.1 Planning permission was granted in November 1987 for the refurbishment and alteration of the front elevation at 7-8 Wakley Street (application ref. 871674).
- 7.2 Planning permission was granted in April 2016 for demolition of existing buildings and erection of buildings of 1 to 5 storeys (plus lower ground floor level) to provide 26 residential units and office accommodation with associated refuse and cycle storage (application ref. P2014/3572/FUL).

CGI of approved residential block within central part of the site



Enforcement

- 7.3 None relevant.

Pre-application Advice

- 7.4 Pre-application discussions took place with officers on 3 July 2017 and 25 August 2017. The overall strategy for the site was broadly accepted and various detailed design matters were discussed.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 387 adjoining and nearby properties on City Road, Goswell Road, Angel Gate, Wakley Street, Elia Street, Sidney Grove, Hall Street on 7 March 2018. A site notice and a press advert were displayed on 15 March 2018. The public consultation of the application therefore expired on 5 April 2018. However, it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report a total of 14 objections had been received from the public with regard to the application. The issues raised within the objection can be summarised as follows (with the paragraph(s) that provides responses to each issue indicated within brackets):

Objections

- Excessive height (11.48-11.82)
- Reduction of central block from 6 to 5 storeys presents opportunity to reduce height of block rather than increase floor to ceiling heights internally. *Officer note: Paragraph 5.10 of the Council's Development Management Policies document indicates a requirement for greater floor to ceiling heights for business floorspace.*
- Loss of daylight and sunlight. (11.98-11.123)
- Revisions to scheme do not address overshadowing of Wakley Street roof terrace and if height is increased then the impact would be more severe (11.124-11.125)
- Very little detail on proposed rooftop structures (lift overrun, plant, etc.) (11.130)
- Loss of outlook / Visual impact / Increased sense of enclosure (11.126-11.132)
- Loss of enjoyment of balcony (11.126-11.132)
- Overlooking / Loss of privacy (11.133-11.140)
- Noise, disruption, air pollution and vibration during construction period which is anticipated to be 2-3 years / Construction impacts should be managed through planning conditions / Construction on Saturday morning should not be permitted / Construction Management Plan should be revised to secure more rigorous management of the construction process. (11.143)
- Oversupply of housing in the area. (11.22)
- Lack of demand for business floorspace. (11.4-11.21).
- Lack of public transport capacity. (11.191-11.209)
- Inadequate parking in the locality. (11.199-11.203)
- Detrimental impact on highway and pedestrian safety (11.191-11.209)
- There is an easement to the side of 9-10 Wakley Street but the plans indicate a wall blocking doorways leading to the existing alleyway. *Officer note: this is not a material planning consideration.*
- Loss of rental income / marketability of property severely harmed by previous planning permission. *Officer note: this is not a material planning consideration*
- Redevelopment of the site could be the subject of further delay. *Officer note: this is not a material planning consideration.*

External Consultees

- 8.3 Thames Water – no comments received. However, previously Thames Water raised no objections in relation to sewerage and water infrastructure capacity. A condition securing an impact piling method statement (No. 22) was requested.
- 8.4 London Fire and Emergency Planning Authority – no objections raised. It is strongly recommended that a sprinkler system be considered for the development.

- 8.5 Transport for London: No objections raised subject to securing a Delivery and Servicing Plan, cycle parking and a Construction Logistics Plan by condition (Nos. 8, 15 and 27) and securing a full Travel Plan through the Section 106 agreement.

Internal Consultees

- 8.6 Access Officer – no objections raised subject to conditions securing the mobility scooter charging point, accessible cycle parking spaces and accessible and adaptable (Category 2) residential units (Nos. 12, 14 and 15).
- 8.7 Design and Conservation Officer – no objections raised subject to conditions to secure appropriate materials and a suitable scheme of landscaping scheme to the City Road frontage (Nos. 3 and 16). It is unfortunate that a bin store entrance is proposed at ground floor level on the Wakley Street elevation but it is acknowledged that there is no feasible alternative. A high quality frontage treatment to the bin store should be secured by condition (No. 3).
- 8.8 Energy Conservation Officer – no objections raised. It is acknowledged that the site is not within 500m of a District Energy Network (DEN) and the applicant is not required to investigate the feasibility of connection. An investigation into the feasibility of developing a Shared Energy Network with neighbouring developments should be secured (condition 24). A carbon dioxide offset payment of £70,958 will be required. Details of future-proofing of the development for future connection to a (DEN) should be secured through the Section 106 agreement.
- 8.9 Public Protection Division (Contaminated Land) – no objections raised subject to a condition securing a land contamination investigation and any necessary remediation (No. 32).
- 8.10 Public Protection Division (Noise) – no objections raised subject to conditions securing sound insulation and noise control measures to ensure satisfactory living conditions for occupants of the residential dwellings (Nos. 30 and 31).
- 8.11 Public Protection Division (Air Quality) – no objections raised subject to a condition securing mechanical ventilation to the residential units (No. 29).
- 8.12 Highways Officer – no objections raised. TfL are the highways authority and should be consulted.
- 8.13 Planning Policy – Policy CS12 states that proposed developments which result in the reduction of land supply for conventional housing will be refused. Concerns are therefore raised that the proposal results in the loss of 16 residential units which form part of the Council's 5 year supply of housing. However, it is acknowledged that there is strong policy support for the delivery of new office floorspace in this location.
- 8.14 Sustainability Officer – no objections raised subject to a condition to address surface water drainage.

Other Consultees

8.15 Design Review Panel – The proposal was considered by the Design Review Panel at pre-application stage on 14 November 2017. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The Panel’s observations are attached at **Appendix 3** and are detailed below:

Land use

Without prejudice to the Council’s land use policies being complied with, panel members welcomed the change in emphasis of the current proposals in comparison with the previously approved scheme as, in their opinion, a commercial/office led scheme appears to be a more comfortable fit on the site.

They felt that the scheme offered a great opportunity to create better workspace in this location and to improve on existing office provision overall. They indicated that they were generally comfortable with the proposed quantum and disposition of the massing on the site.

Layout and circulation

Although the Panel appreciated that the development team had tried to create a more legible and comfortable layout for the overall scheme, they encouraged them to develop this further. In particular, panel members felt that there was additional opportunity for bigger and more successful floorspace: they thought that the lower ground floor plan area allocated (*at the time*) for affordable work space looked compromised and suggested an additional courtyard or an open walkway from Wakley Street to improve the quality of the accommodation in this part of the development.

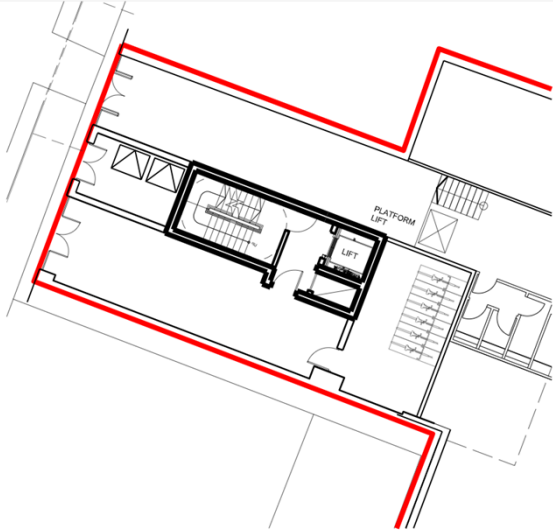
Officer note: A second lightwell has been introduced to significantly improve daylight levels in this space.

They also felt that the entrance sequence and circulation could be improved to enhance legibility. In their opinion the access to the second core from a long corridor felt convoluted and could compromise the occupation of the building. Although they appreciated that being the main arterial road, the entrance from City Road made sense, they felt it generated a complicated access sequence. For this reason, they suggested the development team should explore an alternative/improved entrance off Wakley street.

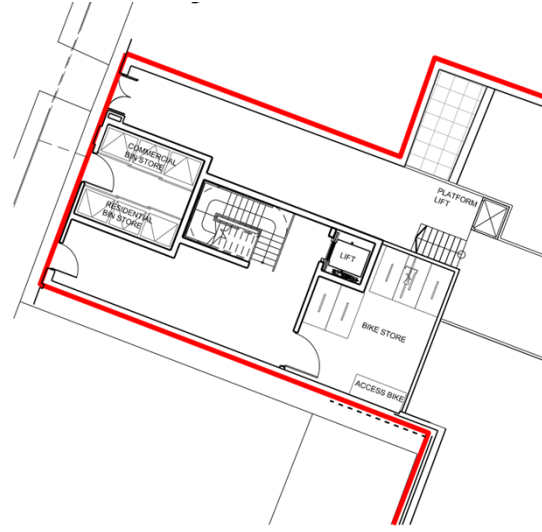
Officer note: Refuse storage has been relocated to the Wakley Street block in order to de-clutter the City Road forecourt, creating a clearer legibility and hierarchy of spaces.

Ground floor Wakley Street block

DRP Presentation

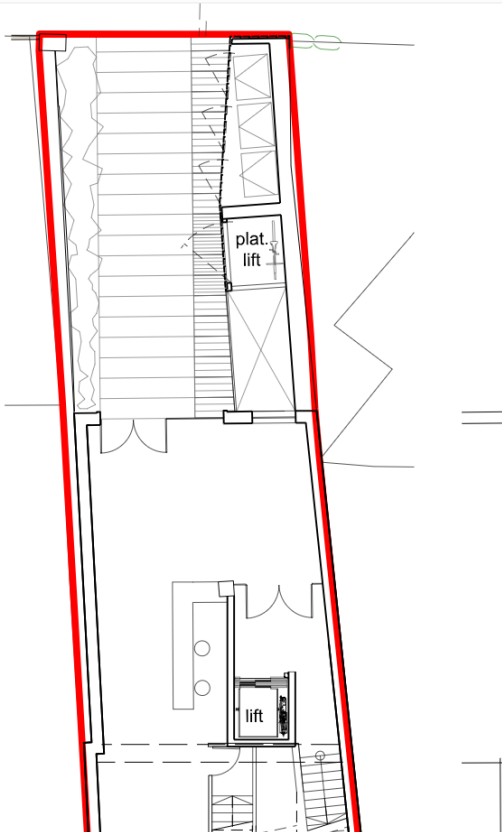


Application proposal

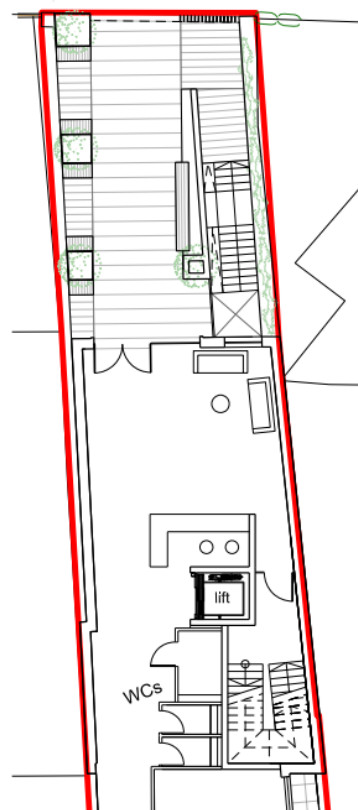


Ground floor City Road block

DRP Presentation



Application proposal



On Wakley Street, there were concerns that the residential lobby appeared to be small and the Panel encouraged the development team to re-organize it to allow a more generous lobby space.

Officer note: The entrance lobby has been widened and the refuse store location adjusted to provide a more generous entry, as indicated above.

Inner Block

In terms of the design approach for the inner block, panel members generally supported the proposal for a light material and felt the amended massing would be more generous to the surrounding buildings than the previously approved scheme was. The Panel noted that currently the design presents large areas of south and west facing glazing and the design needs to incorporate integrated measures for dealing with solar gain which will influence the elevational design.

Officer note: A series of vertical and horizontal building-integrated shading devices have been developed to address the risk of overheating.

They emphasised the importance of the treatment of the roof, particularly of the lower part as it will be visible from surrounding buildings and welcomed suggestions of a green roof treatment.

Officer note: The roofscape has been carefully considered, with roof mounted plant strategically positioned to be out of sight from neighbouring properties, with substantial amount of green roof.

Wakley Street elevation

The Panel identified the aggressive environment to this frontage and were concerned about the impact of noise on the quality of the accommodation with the bedrooms being located to the front. They highlighted the importance of developing a robust strategy to deal with the noise and pollution. They also raised concerns about the proximity with the office at the back and stressed the importance of providing privacy to the proposed residential amenity area on the rear elevation of the Wakley Street block.

Officer note: The massing of the central block was stepped and angled to afford both privacy along with a decent aspect from the amenity space of the 1st floor residential units. Air quality and noise are addressed later within this report and conditions (Nos. 29, 30 and 31) have been recommended by the Council's Public Protection Officer in order to ensure satisfactory living conditions for occupants of the proposed residential development.

City Road frontage

Generally, the Panel was supportive of a high quality replacement building particularly in the context of the previously approved scheme. However, they felt that the current scheme should explore the opportunity to enhance this elevation further.

On the City Road frontage, the Panel's heritage specialist highlighted that one of the merits of the existing building is its high quality red brick and emphasised the importance of the replacement building utilising appropriate materials and detailing, with a strong reference to the existing. The importance of an appropriate treatment to the flank wall which adjoins the listed building was also brought up. Another suggestion

was to explore reducing the vertical proportions of the windows at the top floor which may give the elevation a better sense of hierarchy and proportion.

Officer note: A red brick that is appropriate to the conservation area context has been proposed, and the height of the top floor window openings has been adjusted in line with these comments.

There was a general consensus that the management of the front forecourt area needed to be resolved. The Panel raised strong concerns in relation to the positioning of the bins in this area, and felt that it did not result in an attractive frontage. They felt that the success of the scheme will be very much dependant on how this area will be treated. They, therefore, suggested relocating the bins and providing appropriate landscaping which should include high quality boundary treatment and the reinstatement of soft landscaping.

Officer note: The refuse store has been relocated to the Wakley Street block, and the City Road landscaping proposal has been refined.

Summary

The Panel was generally supportive of the principles of the scheme and welcomed it on the basis of the opportunity it brought to improve on the previous consent on the site. However, they raised some concerns and made some suggestions which they felt should be addressed in order to further enhance the proposals.

In particular, they felt that further work could be done in relation to the access and circulation as well as the office floor layout. They also made suggestions on improvements to the lobby area of the residential block fronting Wakley Street and stressed the importance of providing a better front area to the City Road frontage.'

Officer note: It is considered that the applicant has satisfactorily responded to the concerns raised by the DRP, as detailed above.

9. RELEVANT STATUTORY DUTIES, DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

9.1 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:

To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);

To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

9.2 The NPPF states at paragraph 14 that:

'at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-

taking. For decision-taking this means: approving development proposals that accord with the development plan without delay...'

9.3 It further states at Paragraph 2 that:

'Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.'

9.4 It states at paragraph 7 that sustainable development has an economic, social and environmental role.

9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

9.7 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.

9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to:

1. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

National Guidance

- 9.9 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.10 Since March 2014 Planning Practice Guidance for England has been published online.

Development Plan

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

Designations

- 9.12 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Plan:
- Bunhill and Clerkenwell key area
 - Central Activities Zone
 - Employment Priority Area (General)
 - Duncan Terrace / Colebrooke Row Conservation Area (part of site)
 - Within 100m of Transport for London Road Network
 - Within 50m of New River Conservation Area.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

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

11. ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Principle of development
- Land use
- Provision of workspace suitable for small or micro enterprises
- Design and conservation
- Inclusive Design
- Neighbouring amenity
- Quality of residential accommodation
- Dwelling mix
- Sustainability, energy efficiency and renewable energy
- Highways and transportation
- Contaminated land and air quality
- Planning obligations.

Principle of Development

11.2 The site's existing buildings are under-used, inefficient, and offer very poor accessibility to people with disabilities. Whilst part of the site sits within a conservation area, the acceptability of the loss of that building is assessed later within this report. Redevelopment of the site is considered acceptable in principle, as it provides an opportunity to re-provide business floorspace to a better standard than currently exists, to provide residential accommodation, and to use this relatively central and accessible site more efficiently. These are benefits of the proposed development which weigh positively in the balance of planning considerations relevant to this application.

11.3 The above in-principle position regarding redevelopment of the site accords with the National Planning Policy Framework's presumption in favour of sustainable development.

Land-use

Employment floorspace

11.4 As noted above, the site is located within the CAZ and an Employment Priority Area (General). The existing buildings on the site comprise office accommodation (2,037m² (GIA) and 1,422m² (NIA)) and were most recently used by the National Children's Bureau (NCB). The site's existing buildings offer poor quality and inaccessible business floorspace.

11.5 The proposed development would provide an uplift of 1,272m² (GIA) over the existing 2,037m² (GIA) office floorspace and would deliver higher quality and more accessible and flexible employment floorspace.

11.6 Chapter 1 of the London Plan sets out the Context and Strategy and Table 1.1 details a projection that between 2011 and 2036 employment in Islington will have grown by 27.1%, from 196,000 to 249,000 jobs.

11.7 Policy 2.10 of the London Plan is concerned with the strategic priorities of the CAZ and states, inter alia, that boroughs should:

‘enhance and promote the unique international, national and Londonwide roles of the CAZ, supporting the distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world’s most attractive and competitive business locations.’

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

‘The Mayor will work with partners to:

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

11.9 Policy 4.2 of the London Plan is concerned with offices and states that boroughs should support the mixed use development and redevelopment of office provision to improve London’s competitiveness and to enhance its varied attractions for businesses of different types and sizes, including small and medium sized enterprises. The supporting text of London Plan policy 4.2 identifies a need for significant increases in office floorspace in the years to 2031.

11.10 The Mayor of London’s Central Activities Zone Supplementary Planning Guidance (SPG) (2016) states at paragraph 1.1.3 that:

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

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

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

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

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

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

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

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

11.16 The Islington Employment Land Study (2016) identifies at paragraph 7.8.1 a planning target of 400,000m² of office floorspace for the period 2014-2036 to meet forecast demand.

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

Reporting Period	Net loss Class B1(a) floorspace (m²)
1 April 2011 – 31 March 2012	4,630
1 April 2012 – 31 March 2013	7,923
1 April 2013 – 31 March 2014	7,705
1 April 2014 – 31 March 2015	15,635

11.18 Policy BC8 of the Finsbury Local Plan is concerned with achieving a balanced mix of uses and requires that within the Employment Priority Areas (General) proposals should incorporate the maximum amount of business floorspace reasonably possible on the site as part of mixed use developments. Part I requires that

‘New business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of

business accommodation; and should provide full separation of business and residential floorspace where forming part of a mixed use residential development.'

- 11.19 The above requirement is reiterated within Policy DM5.1(F).
- 11.20 The proposed business floor space would have open floor plans and adequate floor-to-ceiling heights, allowing for a flexible fit out, shared use of space and subdivision. The residential and business uses would have separate entrances and adequate separation.
- 11.21 It is therefore the case that, in land use terms, the policy framework along with the available evidence base provides strong support for the provision of new, high quality office floorspace on the application site. The proposal would result in the delivery of 3,330m² high quality modern office floorspace (representing an uplift of 1,272m²) to contribute towards meeting an identified need, with corresponding economic and employment benefits. Accordingly, the proposed office floorspace is welcomed in land use terms.

Residential Use

- 11.22 The London Plan identifies a minimum target of 42,389 net additional homes to be provided within London each year. In order to assist in meeting this target Islington has been set a target to deliver a minimum of 12,641 homes to be delivered during the period 2015-2025.
- 11.23 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states (inter alia) that:
- 'D. The area is home to a significant residential community. Housing growth will be sought across the area to meet the needs of the current population and to cater for increased demand. A wider range of dwelling types, affordable tenures and family-sized homes will be encouraged to ensure that a mixed community can be accommodated.'

- 11.24 Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets.
- 11.25 Accordingly, it is noted that there is strong policy support for the delivery of new housing. Subject to the residential quality considerations set out later in this report, the introduction of residential use to this site is considered acceptable in principle. Residential use is normally compatible with adjacent B1(a) office floorspace, and the hours of use of office floorspace do not normally need to be restricted for neighbour amenity reasons.

Mix of Uses within the CAZ

- 11.26 Policy 4.3 of the London Plan states that 'Within the Central Activities Zone...increases in office floorspace...should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies within this plan'.
- 11.27 Policy DM5.1 is concerned with New Business Floorspace and states, inter alia, that:

'E. Within the Central Activities Zone (CAZ) major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.'

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

'D. Throughout the area, major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.'

- 11.29 The proposal would provide 670m² residential floorspace which represents 52.7% of the total net uplift in office floorspace. The proposed development is therefore in accordance with the requirements of the above policies.

Non B1(a) Uses at Ground Floor Level

- 11.30 Part B of policy BC8 of the Finsbury Local Plan states that in the Employment Priority Area (General), the employment floorspace component of a development proposal should not be unfettered commercial office uses, but, where appropriate, should include retail or leisure uses at ground floor level, along with a proportion of non-B1(a) business or business-related floorspace, and/or office or retail floorspace that may be suitable for accommodation by micro and small enterprises, and/or affordable workspace.

- 11.31 In view of the character of these parts of City Road and Wakley Street, and the constraints of the site (in particular, its limited street frontages), it is not considered appropriate to secure non-B1(a) uses at this site.

Affordable Housing

- 11.32 Core Strategy Policy CS12 (G) states, inter alia, that Islington will meet the housing challenge by:

'requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough.' *The footnote to this sentence states that the formula for calculating financial contribution will be set out in a supplementary planning document (i.e. the Affordable Housing Small Sites Contributions SPD).*

- 11.33 The headline to Part 4 of the Small Sites SPD states that: 'All minor residential developments resulting in the creation of one or more additional residential unit(s) are required to provide a commuted sum of £50,000 per unit, towards the costs of providing affordable housing units on other sites within the borough. For sites located south of Pentonville Road/City Road, this figure will be £60,000.'

11.34 The applicant has agreed to make a financial contribution of £480,000 (8 x £60,000) in accordance with Policy CS12(G) and the Small Sites SPD.

Reduction of land supply for housing

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

11.36 The development previously granted planning permission would have delivered 26 residential units whereas the currently proposed scheme would deliver 8 units. The proposal would therefore represent a loss of 16 units which had been identified within the Annual Monitoring Report to form part of the Council's 5 year supply of new housing.

11.37 It is therefore noted that there is strong policy support for the delivery of new housing and Policy CS12(B) makes very clear that development which results in the reduction of land supply for conventional housing should be resisted. However, this protection afforded for identified sources of housing supply should be considered alongside the strong policy support and evidence base supporting the delivery of commercial floorspace within the CAZ. Weight should also be given to the applicant's proposal to provide the two proposed small/micro units at a discount to market rent for a period of 5 years.

11.38 It should be noted that the applicant is a different developer to the previous applicant, with different aspirations for the site. It should also be noted that the housing proposed under the scheme previously granted planning permission was somewhat compromised in its quality. In particular, 18 of the 26 units would not have benefited from a true dual aspect (i.e. windows on opposite elevations), whilst 18 rooms would have fallen short of the BRE Guidance for daylight, as measured by the Average Daylight Factor method of assessment. The quality of the currently proposed residential accommodation is considered later within this report, but is overall much higher than that previously approved.

11.39 It should further be noted that the currently proposed scheme would have a more neighbourly relationship with adjoining residential development, in particular the nearest dwellings at 9-10 Wakley Street.

11.40 The proposal would result in a relatively modest overall reduction to identified housing supply which should be considered in the context of strong policy support for the delivery of new office floorspace within the CAZ and the overall improved quality and neighbourliness of the proposed development. This is weighed in the overall planning balance at the conclusion to this report.

Small/Micro Workspace units

11.41 As noted above, Policy BC8(B) requires office floorspace which may be suitable for accommodation by micro or small enterprises and/or affordable workspace. The policy indicates that, for proposals in excess of 10,000m² gross employment floorspace, at least 5% should be provided as small/micro units. The proposal would provide 3,330m² gross employment floorspace which is significantly below this threshold.

11.42 The subtext to Policy BC8 at paragraph 11.1.5 advises that, 'Micro and small workspaces are considered to be workspaces in business use (B use classes) with a gross internal floor area of around 90m² (gross) or less and which will be offered to occupants on favourable and flexible terms.'

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

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

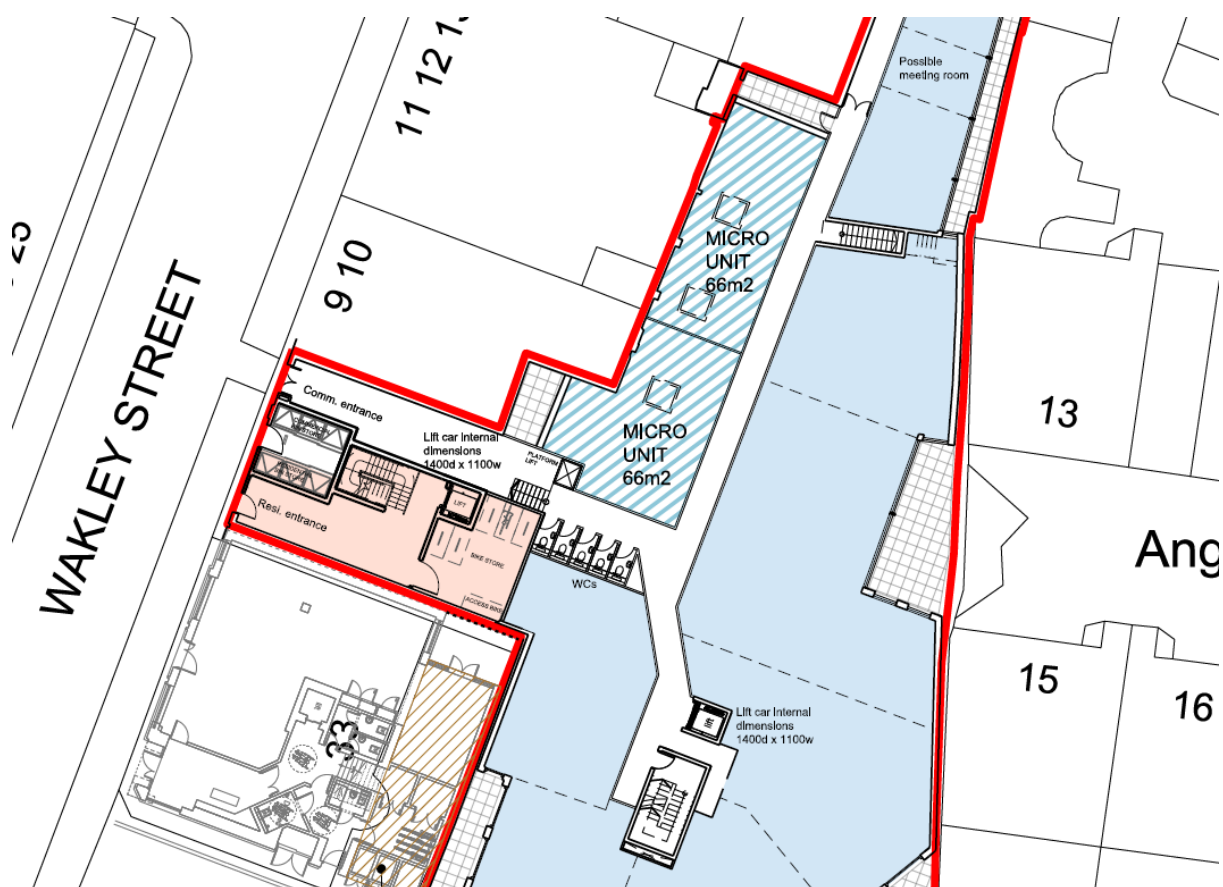
11.44 Paragraphs 5.27-5.28 state, inter alia, that:

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

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

11.45 The application proposes two 66m² small/micro units which represents 4% of the total proposed commercial floorspace and 10.4% of the uplift in commercial floorspace. The units would be provided at a maximum of 75% of market rent for a period of 5 years and would be permanently retained as small/micro units thereafter. The provision of the small/micro units at a discount to market rent is welcomed.

Proposed affordable workspace units



Other land use considerations

- 11.46 The application site is within Flood Zone 1 (and has a low probability of flooding), is less than 1 hectare in size, and is not within a Local Flood Risk Zone. The applicant was not required to submit a Flood Risk Assessment with the application. Sustainable urban drainage is considered in the Sustainability section of this report.

Conclusion

- 11.47 The proposal would replace the site's existing substandard, poor quality office accommodation at the site with a greater quantum and quality of useable business floor space, and would introduce residential accommodation. As such, it is considered that the proposal is acceptable in land use terms.

Design & Appearance

- 11.48 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 11.49 London Plan Policy 7.4 is concerned with Local Character and states, inter alia, that:

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

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

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

‘Buildings and structures should:

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

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

11.52 Policies CS8, CS9 and CS10 in Islington’s Core Strategy are also relevant. Historic England’s Historic Environment Good Practice Advice in Planning Note 3 (The Setting of Heritage Assets), the council’s Urban Design Guide SPD and Conservation Area Design Guidelines for the Duncan Terrace / Colebrooke Row Conservation Area, and the Mayor of London’s Character and Context SPG are also relevant to the consideration of this application.

11.53 The northern part of the site (328 City Road) is located in a sensitive location within the Duncan Terrace / Colebrooke Row Conservation Area. It is sited close to a row of listed buildings at 320-326 City Road (listed by Historic England under the single address “326, City Road”), a locally listed building at 14 Wakley Street (identified in some documents as 14-15 Wakley Street) and fronts a major thoroughfare (City

Road). The site presents other challenges, given its irregular shape and neighbouring residential properties in close proximity to its boundaries.

Demolition of existing buildings

- 11.54 On 01/10/2013, under the Enterprise and Regulatory Reform Act 2013, the need for Conservation Area Consent for the demolition of unlisted buildings in conservation areas was removed. Such works now require planning permission.
- 11.55 The demolition of the existing buildings on the site was previously considered acceptable under planning permission reference P2014/3572/FUL. The existing building fronting Wakley Street is not located within a conservation area and has very little historic interest and accordingly its demolition is considered acceptable. The 1- and 2-storey office accommodation behind it has no historic or architectural interest and there is no objection to its demolition.
- 11.56 328 City Road lies within the Duncan Terrace/Colbrooke Row Conservation Area (which itself is a designated heritage asset) and is highly visible in views from City Road and Nelson Terrace. Although significantly altered at lower ground and upper ground floor levels, it is a relatively attractive early 20th century building which makes a positive contribution to the conservation area.
- 11.57 Part B of Development Management Policy DM2.3 states that the council will require the retention of all buildings and structures which make a positive contribution to the significance of a conservation area.
- 11.58 It was noted under application ref. P2014/3572/FUL that the demolition of 328 City Road would result in some harm to the significance of the conservation area, and would be contrary to policy DM2.3. However, it was considered that the positive contribution made by the building is limited by the fact it has been significantly altered and does not reflect the prevailing character, appearance and age of other buildings in the Duncan Terrace / Colbrooke Row Conservation Area. Accordingly, it was considered that its loss would cause less than substantial harm to the significance of the conservation area. Paragraph 134 of the NPPF was therefore applicable and states this harm should be weighed against the public benefits of the proposal. The loss of 328 City Road was considered acceptable on the basis of the quality of the replacement building and the overall public benefits of the scheme.
- 11.59 The currently proposed scheme is similar in appearance to the previously approved scheme on City Road and is considered to represent an improvement in design terms, whilst the proposed palette of materials is considered to represent an improvement. The harm from the demolition of the building and the overall benefits of the proposal, including landscaping improvements to the City Road frontage, are considered as part of the final balance of planning considerations at the conclusion to this report.

Heights and massing

- 11.60 5 storey buildings are proposed in the site frontages to Wakley Street and City Road. The heights of these buildings are unchanged from the previously granted scheme.
- 11.61 Buildings on Wakley Street vary in height from 3 to 6 storeys. 7-8 Wakley Street itself is flanked by a 5-storey building (9 Wakley Street) and a 4-storey (plus attic storey)

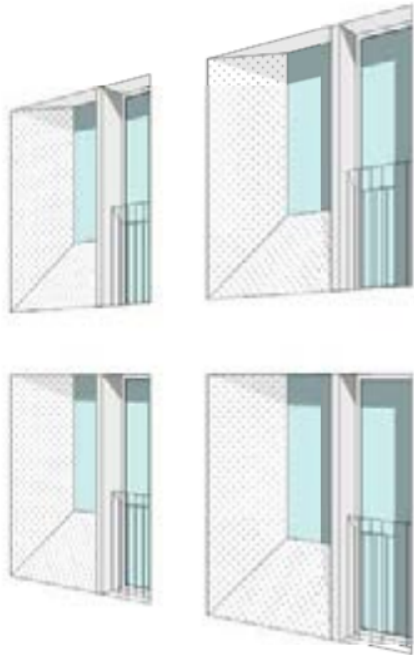
building (Edward House, part of the Angel Gate development). On the site's City Road frontage, 328 City Road is flanked by a 3-storey listed building (326a City Road) and a 4-storey (plus lower ground floor and attic storey) residential building at 330-336 City Road (Angel Point).

- 11.62 It was previously considered that the new building fronting City Road, although prominent and over 1 storey taller than the listed building at 326a City Road, would not appear unduly obtrusive or over-dominant in views from street level. It is also noted that the proposed height would be similar to the building to be demolished.
- 11.63 The building on the Wakley Street frontage was previously considered to relate comfortably next to its immediate neighbours. Notwithstanding the amenity impacts discussed later in this report, it is considered that the proposed heights demonstrate sufficient sensitivity to the site's context.

Architecture and elevations

- 11.64 Core Strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. This Core Strategy policy goes on to state that new buildings should be sympathetic in appearance to the local identity, should be based on coherent street frontages, and should fit into the existing context of facades. Finally, part G of policy CS9 notes that high quality contemporary design can respond to relevant challenges as well as traditional architecture, and that innovative design is welcomed.
- 11.65 The proposed front elevations to both City Road and Wakley Street would generally respect the existing front building lines of both streets.
- 11.66 The overall proportional composition of the building fronting Wakley Street is consistent with that of the previously consented scheme. A yellow London stock brickwork façade is proposed and the windows would feature a full height element to one side with openable door and Juliet balcony, and angled perforated metal reveal to the other side that returns to form the upstand to the central window. The more vertical emphasis in the elevation, along with the increase in height of this block, is intended to create more comfortable proportions than the horizontal focus of the existing facade. It is considered that the current proposals represent an improvement over the previously consented scheme.

Wakley Street block window arrangement



- 11.67 The ground floor frontage of the Wakley Street building would provide an entrance for the residential dwellings and a secondary entrance to the offices via a corridor along the ground floor of the block. The residential and commercial bin store would also be accessed from a central door on the ground floor frontage. It is regrettable that no active uses or commercial floorspace are proposed at ground floor level. However, it is accepted that there is no scope to provide this, given that this narrow elevation must accommodate commercial and residential entrances, as well as access to the bin store.

Previously consented scheme



Proposed scheme



- 11.68 The rear elevation features London stock brickwork with full height aluminium framed glazing across the majority of the elevation which is intended to maximise daylight within the proposed dwellings. Vertical metal railings are proposed to the balconies and terraces.
- 11.69 The application explains that the retention of the existing City Road frontage building as well as the retention of its façade only was explored and discounted due to its low floor to ceiling heights and its irregular arrangements. Furthermore, the construction access is required from City Road.
- 11.70 The existing building features a steep forecourt which slopes down into the site from the back of the pavement to the existing building's lower ground floor level. The proposed building would provide level entry from City Road through to the lower ground floor within the building behind. The replacement of the existing building would facilitate increased floor to ceiling heights of 3.24m at ground floor level and 2.94m to the upper floors.
- 11.71 The overall design approach for the front elevation of the City Road building is intended to make reference to the existing building. The main commercial entrance on the City Road elevation will feature a glazed area within a stone frame, reflecting the existing arrangement. Red brickwork is proposed to reference the existing building and shorter windows are proposed to the top floor to respond to the Georgian buildings along City Road and to respond to DRP comments. The window arrangement is intended to ensure that the strong sense of verticality is retained, with a secondary horizontal emphasis kept by re-introducing the white stucco bands in the same locations as the existing facade. The window openings have increased to include bronze inset panels and an angled perforated metal panel to better emphasise the distinction between brick grid and opening, and to increase the sense of openness reflecting the commercial nature of the uses behind. The ground and upper ground floor levels are treated as a single volume with double height space behind to give a sense of entrance and proportional hierarchy at ground.
- 11.72 The rear elevation would feature a similar but more simplified design. Profiled metal panels are proposed to mimic the glazing proportions on the front elevation whilst providing shading to address the risk of overheating to this south facing elevation.
- 11.73 The previously consented scheme featured a two bay façade whilst the currently proposed scheme features a three bay arrangement which is intended to acknowledge the positive contribution of the existing building. It is considered that the proposed elevational treatment of the building fronting City Road would represent an improvement over the previously consented scheme, subject to securing appropriate materials by condition (No. 3)

Currently proposed (left) and previously consented (right) City Road block



Previously proposed City Road block



Currently proposed City Road block



- 11.74 The proposed central, 'backland' block would have a contemporary appearance and its sculptured form and appearance represents a response to the various site constraints, in particular light and aspect requirements at neighbouring properties. The block would feature lightweight and reflective materials including stainless steel and substantial proportions of glazing which would contrast with the more solid character of the street facing blocks, which are set within a clear urban context. The south and north elevations would feature vertical and horizontal louvres/ brise soleil which are intended to mitigate against overheating to the south and overlooking of neighbouring residential properties to the north.

View of central block from Angel Gate



- 11.75 It is proposed to retain the existing brick wall which forms the boundary of the central part of the site.
- 11.76 Landscaping is proposed to the City Road frontage of the site which will feature planters and informal seating/ benches, black metal flat railings and Yorkstone paving.

Impacts on heritage assets

- 11.77 The height, design and materials of the proposed City Road block are considered appropriate in the way they would relate to the statutory listed buildings at 320-326 City Road, and accordingly it is considered that the proposed development would not detract from the significance of these buildings.
- 11.78 Notwithstanding the loss of the existing building at 328 City Road, the impact of its replacement building on the Duncan Terrace / Colebrooke Row Conservation Area would also be limited, given its appropriate height and materials. These aspects of the proposed design, together with its vertical emphasis, would ensure the development would complement its historic context to the north and west.
- 11.79 The application site is within 50m of the New River Conservation Area and the Wakley Street block would be visible from this conservation area at an oblique angle. In view of the design and appearance of the block and its location in relation to the

conservation area it is considered that the proposed development would not result in harm to this designated heritage asset.

- 11.80 The locally-listed building at 14 Wakley Street has a rear yard between its rear elevation and the application site boundary. Given the limited massing proposed to the rear of this heritage asset, and the intervening buildings between its front elevation and the proposed new frontage to Wakley Street, it is considered that the significance of 14 Wakley Street would not be adversely affected by the proposed development.
- 11.81 A parish boundary stone dated 1852 currently exists on site. This is set into the boundary wall between the application site and the Angel Gate development, and is visible in a meeting room in the existing 1- and 2-storey office building. The applicant proposes to relocate it to the boundary wall between 326a and 328 City Road, in a more accessible location (albeit not visible from the pavement) along the historic parish boundary. The relocation of this heritage asset is considered acceptable, subject to the approval of a method statement relating to its removal, any necessary repair, and reinstallation. It is recommended that a method statement be secured by condition (No. 9).

Conclusion

- 11.82 It is considered that the proposed development represents an improvement over the previously consented scheme in terms of the appearance of the Wakley Street and City Road blocks and, in particular, in terms of the relationship of the central block with surrounding development. Furthermore, it is considered that, whilst the form and massing of the central block is informed by a requirement to maintain light to neighbouring properties, this fact is not obvious in the design and appearance of the building. The proposed development therefore has considerable merit when compared to the previously consented scheme and is supported in design terms.

Density

- 11.83 Policy 3.4 of the London Plan states that development should optimise housing output taking into consideration local context and character, design principles and public transport capacity, appropriate to location within the relevant density range shown in Table 3.2. Table 3.2 and London Plan Policy 3.4 suggest that a density level of 650-1100 habitable rooms per hectare (215-415 units per hectare) is appropriate in a central location, which are defined as follows:

‘Areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.’

- 11.84 In view of the high density character of much of the built development within the locality it is considered reasonable to identify the site as within a ‘Central’ area.
- 11.85 Paragraph 3.28 of the London Plan states that the ranges set out in Table 3.2 should not be applied mechanistically and local context and other considerations should be taken into account when considering the acceptability of a specific proposal.
- 11.86 It should be noted that the density matrix has been deleted from the Draft London Plan and it refers to a design led approach.

11.87 The residential component of the scheme would occupy the building fronting Wakley Street which has a footprint of 0.018ha. With 19 habitable rooms proposed within 8 units the proposed development would achieve a density of 444 units per hectare and 1055 habitable rooms per hectare. The density therefore exceeds the parameters set out in Table 3.2 in terms of unit numbers but falls within the parameters indicated for habitable room numbers. Habitable rooms can be considered a more accurate measure of density and therefore, subject to neighbour amenity impacts and other considerations set out in this report, the proposed density is considered appropriate for this central and accessible site.

Inclusive Design

11.88 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances.

11.89 London Plan Policy 3.8 states there should be genuine housing choice which meets requirements for different sizes and types of dwellings in the highest quality environments. These requirements are reinforced by Islington Core Strategy CS12 and the Mayor's Accessible Housing SPD.

11.90 Development Management Policy DM2.2 requires all new developments to demonstrate inclusive design whilst Policy DM3.4 provides housing standards for all types of residential developments. The Council's Inclusive Design SPD sets out guidelines for the appropriate design and layout of dwellings, including wheelchair accessible units.

11.91 The National Standard for Housing Design is enshrined as an enhancement of Part M of the Building Regulations which will be enforced by Building Control or an Approved Inspector. The new National Standard is broken down into 3 categories: Category 1 (Visitable Dwellings), Category 2 (Accessible and Adaptable Dwellings, similar to Lifetime Homes) and Category 3 (Wheelchair Accessible dwellings, similar to Islington's present wheelchair accessible housing standard).

11.92 London Plan Policy 3.8 (Housing Choice) to require that 90% of new housing be built to Category 2 and 10% to Category 3.

11.93 The 8 residential units are designed to Approved Document Part M, Category 2 – Accessible and Adaptable.

11.94 The applicant has submitted revised plans at application stage to indicate accessible cycle parking spaces for the residential and commercial uses, accessible toilets to all floors within the office accommodation, and a mobility scooter parking and charging space for the office use.

11.95 The Council's Accessibility Officer raises no objections to the proposed development subject to conditions securing the Category 2 housing, accessible cycle parking and mobility scooter charging space (Nos. 12, 15 and 14).

Accessible parking

- 11.96 No accessible parking is proposed on-site. This is considered acceptable, given the site's constraints, and in particular its narrow street frontages which need to accommodate entrances. Off-site, on-street provision would instead be appropriate, however it is noted that the streets surrounding the application site are TfL-controlled red routes, and there may be limited scope for on-street provision within 75m of the development's dwelling entrances. Recommended condition 13 requires the submission of a survey to ascertain where such spaces could be provided. Should on-street provision not be possible, a financial contribution towards accessible transport initiatives can be accepted.

Neighbour Amenity

- 11.97 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

Daylight and sunlight

- 11.98 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

- 11.99 BRE Guidelines 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.*'

- 11.100 Daylight: 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

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." (No Sky Line / Daylight Distribution).

- 11.101 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value achievable is almost 40% for a completely unobstructed vertical wall.
- 11.102 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 lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.'*
- 11.103 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.'*
- 11.104 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 is the development or the balcony itself causing the most significant impact.
- 11.105 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.'*
- 11.106 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to proposed residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.
- 11.107 Sunlight: The BRE Guidelines (2011) 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. This will be the case if the centre of the window:

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

11.108 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.'*

11.109 They go on to state (paragraph 3.2.3): *'... 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.'*

11.110 The application site is located within an accessible location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.

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

Assessment

11.112 The applicant tested the following properties in respect of the daylight and sunlight impacts of the proposed development and these are detailed within the Daylight and Sunlight Report prepared by GIA which accompanied the application:

- 9-10 Wakley Street
- 14 Wakley Street
- 330-336 City Road (Angel Point)
- 319 City Road
- 1-36 Langdon Court, City Road

11.113 The locations of the above properties (with the exception of 319 City Road) are indicated within the photograph below.

View north from Angel Gate indicating adjacent residential properties



11.114 The Report indicates that there will be no material daylight and sunlight loss to the following residential properties:

- 14 Wakley Street
- 319 City Road
- 1-36 Langdon Court, City Road.

Daylight

11.115 The daylight results for 9-10 Wakley Street and 330-336 City Road and are set out in the table below. The table only identifies rooms where there would be a loss of daylight in excess of the BRE Guidelines (indicated in bold):

Floor	Room / Window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)		
			Existing (%)	Proposed (%)	Percentage reduction in VSC	Existing %	Proposed %	Percentage reduction in Daylight in Daylight Distribution
9-10 Wakley Street								
2603	Room 1 / Window 1	Bedroom	29.9	22.3	25.42	91.0	89.7	1.43

330-336 City Road								
2899	Room 4	Living Room	8.3	7.8	6.02	38.8	25.9	33.25
	Room 5	Bedroom	16.4	15.5	5.49	72.9	55.2	24.28
	Room 6	Living Room	11.9	10.3	13.45	64.1	44.7	30.27
2900	Room 4	Living Room	17.1	15.8	7.60	84.5	66.4	21.42

11.116 The applicant's Daylight and Sunlight report identifies that 1 residential unit at 9-10 Wakley Street would experience a reduction in VSC of 25.42%. However, the retained VSC would be 22.3% which is considered reasonable within a built up urban location whilst there would be a very minor reduction in daylight distribution (1.43%). Accordingly, it is considered that this impact is acceptable.

11.117 For 330-336 City Road (Angel Point), the applicant's report identifies that all of the rooms would comply with the BRE guidance in terms of VSC. 4 rooms would have a reduction in NSL of over 20%, contrary to BRE guidance. Two of the rooms would experience losses under 25% and two would experience losses over 30%, with the greatest loss of NSL being 33.25%. In view of the extent of the reduction in NSL and the high level of VSC compliance it can be considered that the reduction in daylight to these properties would not be unduly harmful.

Sunlight

11.118 The applicant's assessment demonstrates full compliance with the BRE recommendations for sunlight in respect of 14 Wakley Street, 330-336 City Road, 319 City Road and Langdon Court.

11.119 The sunlight results for 9-10 Wakley Street are set out in the table below. The table only identifies the 8 rooms (of the 9 assessed) where there would be a losses of sunlight, with losses in excess of the BRE Guidelines indicated in bold:

Floor	Room / Window	Room use	Existing Total APSH	Proposed Total APSH	Total % Loss	Existing Winter APSH	Proposed Winter APSH	Winter % Loss
2601	Room 1 / Window 1	Lounge / Diner	18	17	5.56	1	0	100
	Room 2 / Window 2	Lounge / Diner	42	32	23.81	9	1	88.89
2602	Room 1 / Window 1	Lounge / Diner	38	21	44.74	1	1	0
	Room 2 / Window 2	Lounge / Diner	50	40	20.00	13	4	69.23
2603	Room 1 / Window 1	Bedroom	55	29	47.27	17	2	88.24
	Room 2 / Window 2	Bedroom	55	49	10.91	16	10	37.5
2604	Room 1 / Window 1	Kitchen	54	36	33.33	17	6	64.71
2604	Room 4 / Window 6	Living Room	21	9	57.14	4	0	100

11.120 Five of these rooms would achieve BRE compliance on the basis that they would retain total APSH in excess of the 25% target recommended by the BRE. One room would experience a reduction of winter APSH from 1 to nil (100%) but would comply with the

BRE Guidance on the basis that it would only experience a 5.56% reduction in total APSH. One room would experience a 44.74% loss of total APSH and nil loss of winter APSH but would retain 21 total APSH, which is 4 hours short of the BRE recommended target. One room would experience a 57.14% reduction in total APSH and a 100% reduction in winter APSH (from 4 to nil), and therefore would experience a reduction in sunlight in excess of the BRE recommendations.

11.121 The applicant notes that the eastern orientation of the windows on the rear elevation of 9-10 Wakley Street means that they are less likely/not expected to receive sunlight amenity in line with windows which face due south and the low trajectory of the sun in winter months results in a limited number of available sunlight hours during this time.

11.122 It should be noted that the currently proposed scheme represents an improvement over the previously consented scheme in terms of impact on daylight and sunlight amenity. The table below provides a comparison of the percentages of rooms achieving BRE compliance in relation to the VSC, NSL and APSH forms of assessment for daylight and sunlight.

Property	Daylight				Sunlight	
	VSC		NSL		APSH	
	Consented Scheme	Proposed Scheme	Consented Scheme	Proposed Scheme	Consented Scheme	Proposed Scheme
9-10 Wakley Street	70%	90%	94%	100%	50%	50%
14 Wakley Street	100%	100%	80%	100%	100%	100%
330-336 City Road	97%	100%	69%	85%	100%	100%
319 City Road	100%	100%	100%	100%	100%	100%
1-36 Langdon Court, City Road	100%	100%	100%	100%	100%	100%

11.123 It is considered that, having regard to the built up urban location of the application site, the proposed development will not result in any unduly harmful impacts in terms of neighbouring daylight and sunlight amenities.

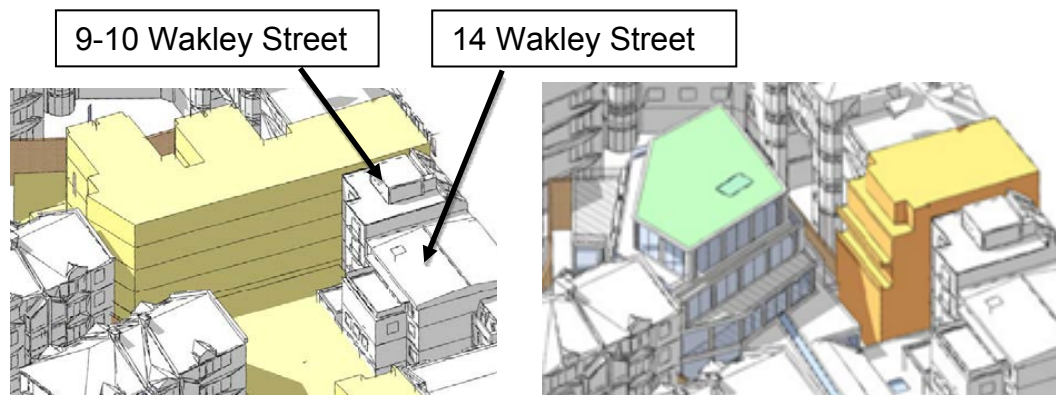
Overshadowing

11.124 The previous application was accompanied by an Overshadowing Assessment to demonstrate the impact of the proposal on the roof terraces at Nos.9 and 14 Wakley Street. The report predicted that the amount of the roof terrace to 9-10 Wakley Street (used by flats 5 and 6) which receives at least 2 hour's sunlight on 21st March would be reduced from 86.45% to 61.88%, post development. The report also identified that the outdoor amenity spaces to 14 Wakley Street which receive at least 2 hours of sunlight on 21st March would be reduced from 15.78% to 11.16%. The increased overshadowing was considered acceptable,

11.125 The current application is not accompanied by an Overshadowing Assessment. The proposed office block would be sited further from Nos. 9-10 and 14 Wakley Street and would be no higher than the previously consented block, as indicated in the drawings below. Accordingly, the proposed development would have no greater impact than

the previously consented scheme in terms of sunlight to the outdoor amenity spaces at Nos. 9-10 and 14 Wakley Street.

Comparison of previously consented and proposed scheme



Outlook

- 11.126 Outlook – the visual amenity provided by the immediate surroundings of a (usually residential) property, as experienced from its windows or outdoor spaces – can be affected by the close siting of another building or structure, which – depending on its proximity, size and appearance – can create an oppressive, increased sense of enclosure to the detriment of the amenities of rooms in a neighbouring property, particularly those of single aspect dwellings, or those that already have limited outlook. Outlook does not refer to views of a particular landmark or feature of interest, or long views over land not in the ownership of the viewer.
- 11.127 The City Road block would replace an existing building on City Road of comparable scale and mass, and would project out to align with the rear elevation of the existing building at 330-336 City Road (Angel Point) and would not adversely affect the outlook from any neighbouring properties. In view of the comparable scale of the proposed building and the significant distance from the residential properties to the north on the opposite side of City Road, the outlook from these properties would not be adversely affected.
- 11.128 It is proposed to replace an existing 3-storey building on Wakley Street with a 5-storey building. The new building would project beyond the setback front elevations at third and fourth floor levels at 9 Wakley Street, however this forward projection would not significantly reduce outlook from the adjacent balcony and windows.
- 11.129 An existing roof terrace (effectively at fifth floor level) at Flat 5, 9 Wakley Street currently benefits from an expansive outlook over Wakley Street, and over the existing 2 and 3 storey buildings that occupy the application site. Views from this roof terrace to the north are partly obstructed by the building's roof-level structure and screening. This outdoor amenity space would be flanked along its southern edge by the north elevation of the Wakley Street block, with the blank part of this new elevation standing approximately 2.8m taller than the surface of the roof terrace, consistent with the previously approved scheme. As previously noted, there would be a loss of amenity to the roof terrace, although the current proposal represents an improvement over the previously approved scheme in that the built form to the south east of the roof terrace will be set further away. It is also noted that the occupants of the roof terrace would

continue to enjoy unobstructed outlook from the roof terrace over the street and eastwards. It is therefore considered that, although the north wall of the Wakley Street block would result in a reduction in outlook from the roof terrace, the occupants of Flat 5 would continue to benefit from a good level of amenity.

- 11.130 The roof terrace of Flat 5 is accessed via a roof-level structure which features large south-facing windows and a glazed door, providing access from and light to the living space on the fourth floor below. Although the fifth floor of the Wakley Street block would be visible when using the staircase and in upward views from part of the fourth floor of Flat 5, the main outlook from the habitable fourth floor living space of the flat would not be adversely affected by the proposed development. The occupants of Flat 5 have raised concerns in relation to the installation of plant on the roof of the Wakley Street block. The application plans indicate an AOV, photovoltaic panels and a lift overrun. The architects have advised that, whilst a services engineer has not yet been appointed for the project, it is not anticipated that additional plant would be required on the Wakley Street block and that the space allowed for the lift shaft should be sufficient. It is recommended that details of all roof level structures be secured by condition (No. 5).
- 11.131 Outlook from the office buildings surrounding the application site would not be significantly affected by the proposed development, and it is noted that the amenities of such non-residential uses are not normally afforded the same level of protection as that appropriate to residential properties. 13 and 15 Angel Gate to the east present blank elevations to the application site, whilst the windows of 27 and 33 Angel Gate are a sufficient distance from the proposed development such that there should not be any significant loss of outlook. Outlook from offices at 11-13 Wakley Street and 326a City Road would not be significantly affected due to the limited increase in the height of the proposed 2-storey part of the development, compared with the heights of the site's existing buildings.
- 11.132 In summary, there would be some loss of amenity to the roof terrace of Flat 5 by reason of loss of outlook as a result of the north elevation of the Wakley Street block. However, the current proposal would represent an improvement over the previously approved scheme and the occupants of this flat would continue to enjoy a good level of amenity. It is otherwise considered that the proposed development would not be overbearing or lead to an unacceptable sense of enclosure for neighbouring occupiers.

Privacy

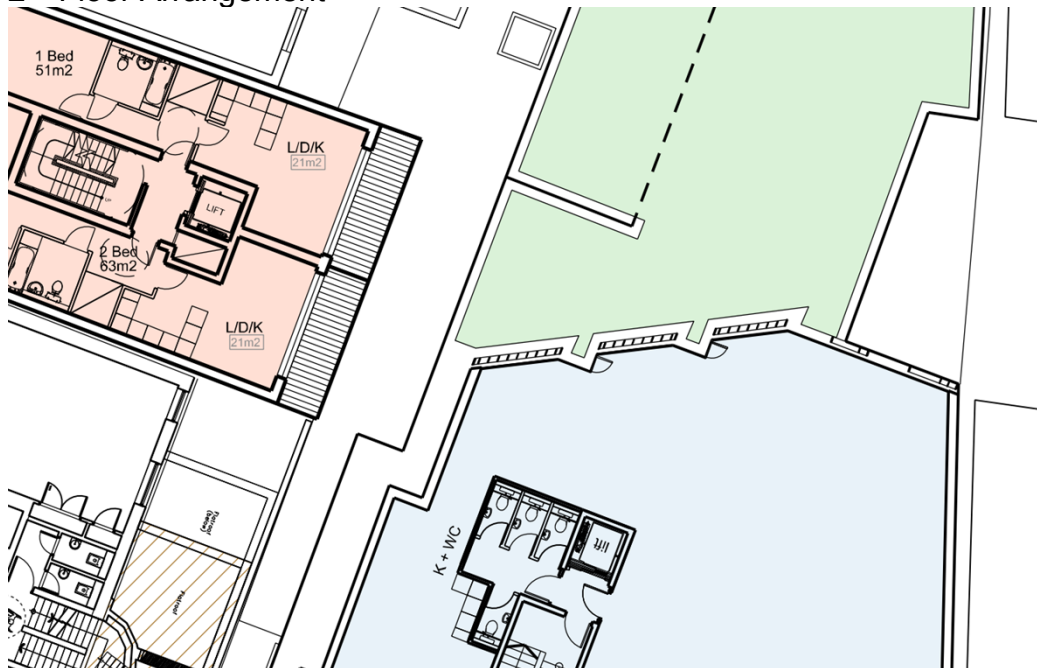
- 11.133 Paragraph 2.14 of Islington's Development Management Policies states that:

'To protect privacy for residential development and existing residential properties, there should be a minimum distance of 18m between windows of habitable rooms. This does not apply across the public highway – overlooking across a public highway does not constitute an unacceptable loss of privacy.'

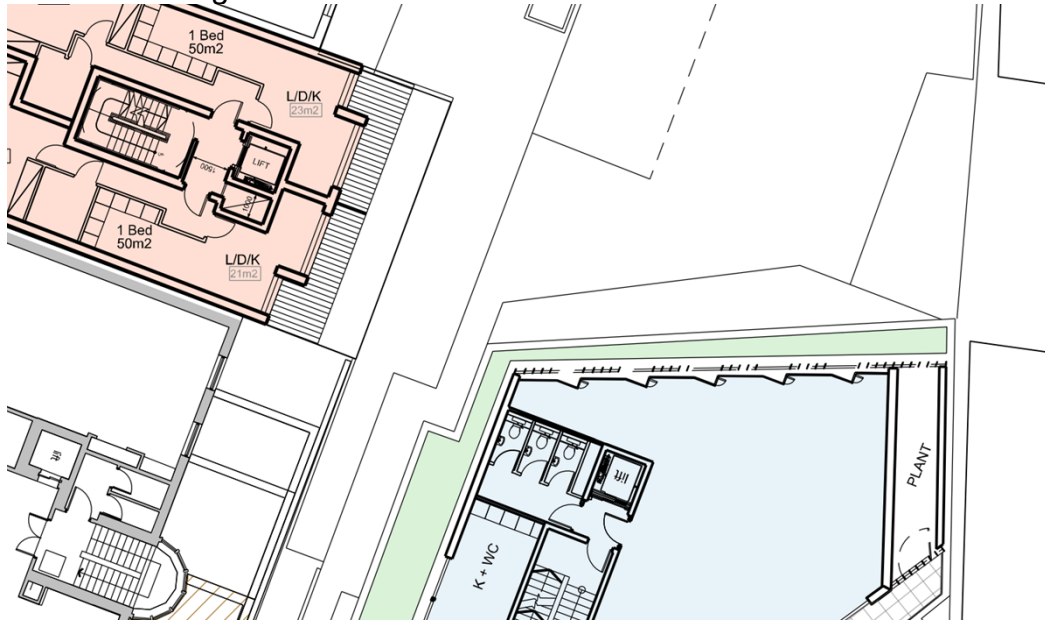
- 11.134 In the application of the above guidance it should be acknowledged that the nature of views between rooms can vary. For instance, where the views between rooms are oblique as a result of angles or height difference between windows, there may be no harm.

- 11.135 The proposed office floorspace may generally be occupied less intensively at times when residential dwellings may be most intensively occupied (e.g. weekends), and accordingly the above guidance is not directly applicable where office floorspace is proposed.
- 11.136 The residential windows on the proposed Wakley Street elevation would face a non-residential office building on the opposite side of the public highway and would not result in unacceptable overlooking.
- 11.137 The east facing rear elevation of the Wakley Street block would feature full height residential windows and balconies which would face towards the proposed office building with a minimum separation of approximately 6m. There would be no windows facing the rear of the Wakley Street block on the west elevation of the office building whilst the north elevation would feature narrow window openings and horizontal louvres / brise soleil to prevent overlooking, as indicated below. The nearest existing office windows which would have views towards the rear of the Wakley Street block would be approx. 52m distant.

2nd Floor Arrangement



4th Floor Arrangement



11.138 The City Road block would provide office accommodation whereas the previously permitted scheme featured residential windows and balconies on the south-facing rear elevation. The south facing elevation would not directly face any existing residential windows. There would be some limited oblique overlooking of the rear windows of Nos. 9, 11-13 and 14 Wakley Street and the ground level rear yard of 14 Wakley Street. It should be noted that the existing office building presents some opportunities for overlooking of these neighbouring properties. Furthermore, any increased opportunities for overlooking as a result of the increase in glazing and the increased rearward projection of the building would not be significant and would not add significantly to the overlooking already caused by the many rear windows and balconies of 330-336 City Road.

11.139 Roof terraces to the central office block are proposed to the southern end of the site. These would overlook neighbouring office accommodation and would not result in any overlooking of residential dwellings.

11.140 There will be ground floor access to small external areas which will be enclosed by the existing 3.9m-5.3m high solid brick boundary wall to the site. It is not anticipated that these arrangements will result in any loss of privacy.

Noise

11.141 The application site is located in an area subject to traffic noise, and a mix of commercial and residential uses located in close proximity to one another.

11.142 The proposed development includes rooftop plant in relatively close proximity to residential uses. The Noise Assessment advises that the amount and type of rooftop plant is not yet known as the proposed development has not yet reached detailed design stage. A condition is recommended relating to the provision of appropriate noise control measures (condition 30) to ensure that plant would not lead to unacceptable disturbance to neighbouring occupiers.

Other environmental impacts

- 11.143 Representations have been received raising concerns regarding potential disturbance and environmental impacts during construction. A condition (condition 8) is recommended requiring the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) to address noise, dust and other potential environmental impacts. The Section 106 agreement referred to in Appendix A would ensure that construction is carried out in compliance with the Code of Construction Practice. Outside planning control there are further controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.

Neighbour amenity summary

- 11.144 The previously approved scheme was considered acceptable in terms of impacts upon the residential amenities of the occupants of neighbouring dwellings. The currently proposed scheme has been designed to reduce the impact of the development on neighbouring residential properties through a revision of the siting and configuration of the central block. The proposal reduces the impact upon the daylight amenities and outlook from the nearby residential properties, in particular Nos. 9-10 Wakley Street. It is considered that the proposed development would not result in any undue harm to the residential amenities of the occupants of neighbouring dwellings.

Quality of Residential Accommodation

- 11.145 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, residential space and design standards will be significantly increased and enhanced from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards. In accordance with this policy, all new housing is required to provide functional and useable spaces with good quality amenity space, sufficient space for storage and flexible internal living arrangements.

Residential unit and room sizes

- 11.146 All of the proposed residential units comply with the minimum unit and room sizes as expressed within policy DM3.4 and the associated Tables 3.2 and 3.3, and the Government's nationally described space standards.

Aspect and outlook

- 11.147 Part D of policy DM3.4 states that "new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated".
- 11.148 All of the proposed residential units in the residential block fronting Wakley Street would benefit from true dual aspect (i.e. windows on opposite elevations, looking out onto different spaces), which is welcomed.
- 11.149 All of the rooms proposed in the Wakley Street block would have good levels of daylight, in excess of minimum standards.
- 11.150 Taking into account the points set out above, and in particular the location of the site in this relatively dense, inner urban area, it is considered that the proposed residential units would be provided with acceptable levels of amenity for future occupiers.

Amenity space

11.151 Development Management Policy DM3.5 states that all new residential development and conversions will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens. Part C of the policy states that the minimum requirement for private outdoor space is 5sqm on upper floors and 15sqm on ground floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors and an extra 5sqm on ground floors up to a minimum of 30sqm for family housing (3-bedroom residential units and above).

11.152 The 2 first floor flats would each benefit from a 16m² private outdoor amenity space whilst each flat on the second to fourth floors would benefit from a 7m² balcony. The proposed development would therefore meet or exceed the minimum policy requirements for private amenity space.

11.153 Given the size of the proposed development, the provision of new on-site open space is not required under Development Management Policy DM6.2.

Playspace

11.154 The proposal would result in nil child yield and accordingly would not give rise to a requirement for play space.

Noise

11.155 The residential element of the proposed development would front onto Wakley Street. The application is accompanied by a Noise Assessment which details ambient noise levels adjacent to the proposed development and identifies that ameliorative measures in the form of window arrangements will be necessary to mitigate against noise from the local road network. As windows for all façades of habitable rooms will need to remain closed to meet the internal target noise levels an additional means of ventilation (e.g. mechanical ventilation) will be required for the proposed façades.

11.156 A condition is recommended relating to the provision of appropriate sound insulation (condition 31) to ensure that future occupiers would not be subject to unacceptable levels of noise.

Air quality

11.157 The entire borough has been designated by the council as an Air Quality Management Area. The proposed residential dwellings would be exposed to nitrogen dioxide levels exceeding the council's objectives and as such mechanical ventilation would be required. It is recommended that measures to minimise residents' exposure to air pollution are secured by condition (no. 29).

Refuse and recycling

11.158 A dedicated refuse store for the residential and commercial uses would be provided at ground floor level within the Wakley Street block.

Dwelling Mix

11.159 Policy CS12 (part E) requires developments to provide a range of unit sizes to meet needs in the borough, and maximise the proportion of family accommodation in both affordable and market housing. In the Development Management Policies document, paragraph 3.14 (which supports policy DM3.1) states that developments should

provide for a mix of unit sizes in accordance with Table 3.1, which sets out the following required unit size/tenure mix:

Tenure	1 bed	2 bed	3 bed	4 bed+
Market	10%	75%	15%	0%
Intermediate	65%	35%	0%	0%
Social Rented	0%	20%	30%	50%

11.160 The proposed development would provide 5 one bedroom (62.5%) and 3 two bedroom (37.5%) units which does not closely match the requirements of Table 3.1. However, in this location, and given the constraints of the site, the provision of family-sized units is not considered essential and the proposed unit mix is accepted.

Sustainability, Energy Efficiency and Renewable Energy

11.161 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.

11.162 The council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Carbon dioxide calculations must include unregulated, as well as regulated, emissions, in accordance with Islington's policies.

11.163 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.

11.164 Islington Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

11.165 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport,

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

BE LEAN

Energy efficiency standards

- 11.166 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation.
- 11.167 The applicant has confirmed that the fabric of the residential and commercial buildings will meet the recommendations within the Council's Environmental Design SPD (external walls = 0.20w/m²k, roof = 0.13w/m²k, floors = 0.20 w/m²k and glazing = 1.5w/m²k). This is welcomed.
- 11.168 Low energy LED lighting with occupancy and daylight sensor control systems are proposed throughout the development and these measures are supported.

BE CLEAN

District heating

- 11.169 Policy DM7.3B requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.
- 11.170 The Energy Statement demonstrates that the DEN (Bunhill Network) is just over 500m away. As such, the applicant is not required to provide a feasibility assessment of connection. However, the Energy Statement concludes that it is not financially viable to connect to the Bunhill Network.

SHARED HEAT NETWORK

Combined Heat and Power

- 11.171 Policy DM7.3(D) requires that 'Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.'
- 11.172 The Energy Statement does not include any assessment of the potential to join neighbouring buildings with communal heating systems to form a Shared Energy Network. The Council's Energy Advisor has acknowledged that it is unlikely that an investigation would identify nearby developments which present an opportunity to develop a Shared Energy Network. In this case it is therefore considered that this

matter can be adequately addressed through a condition requiring an assessment of prior to the commencement of development (condition 24).

- 11.173 The Energy Strategy concludes that Combined Heat and Power (CHP) is not viable for the development due to the low heat demand from the 8 residential properties and the commercial units and the applicant has provided monthly heat loads to demonstrate that this is the case.
- 11.174 Individual gas fired boilers have been specified for heating and hot water within the residential properties whilst the non-residential element of the development will be heated using high efficiency boilers. The applicant has provided calculations demonstrating that individual gas boilers to the residential properties are more carbon efficient than connection to a communal boiler.

BE GREEN

Renewable energy technologies

- 11.175 The Energy Statement indicates that a 308 panel / 77kW solar photovoltaic (PV) array would be provided on a large proportion of the available roof space which is not given over to green roofs. The PV array would reduce CO₂ emissions by 22 tonnes per year. The Council's Energy Conservation Officer has indicated that this approach is considered acceptable.
- 11.176 The proposed development is expected to achieve a BREEAM rating of 'Excellent' with a score of 73.79% and this is supported (condition 23).
- 11.177 Carbon Emissions: Policy CS10A states that the promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution of £920 per tonne of CO₂ towards measures which reduce CO₂ emissions from the existing building stock.
- 11.178 The applicant proposes a reduction on regulated emissions of 36% compared to a 2013 baseline target, which exceeds the London Plan target of 35%. The development is predicted to achieve a reduction in total emissions of 30% compared to a 2013 Building Regulations Baseline, which falls short of the Islington requirement of 39%. The scheme therefore gives rise to a requirement for a carbon offset contribution of £70,958.
- 11.179 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.
- 11.180 The application is accompanied by an Overheating Assessment which demonstrates that the building as designed is not at risk of overheating in future weather scenarios.

A mechanical ventilation with heat recovery system with summer bypass function and natural ventilation are required to ensure that the building does not overheat in summer months.

- 11.181 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate' (8 litres/second/hectare), where feasible. Where it is demonstrated that a greenfield run-off rate is not feasible, rates should be minimised as far as possible, and the maximum permitted run-off rate will be 50 litres per second per hectare.
- 11.182 The proposed development will incorporate a green roof, permeable paving and underground surface water storage tanks underneath the building in order to reduce surface water run-off from the site.
- 11.183 The Council's Sustainable Design Officer has reviewed the proposals and raises no objection subject to further details of SUDS to be secured by condition (no. 19).
- 11.184 Green Performance Plan: The application is accompanied by a draft Green Performance Plan and a full Green Performance Plan would be secured through the Section 106 legal agreement.
- 11.185 BREEAM: A BREEAM pre-assessment for the non-residential element of the proposal has been submitted with the application which demonstrates that the development would achieve 73.99% equivalent to an 'Excellent' rating
- 11.186 Basement Development: The proposed development involves the construction of a basement. The submission of the previous application pre-dated the adoption of the Council's Basement Development SPD and accordingly a Basement Impact Assessment was not provided at application stage and was secured by condition.
- 11.187 The extent of the basement within the currently proposed scheme has been reduced from that previously permitted to address the financial viability of redevelopment of the site. A Basement Impact Assessment in this case would be required to include a Contaminated Land Assessment and a Structural Method Statement, whilst an Archaeological Assessment would not be required as the site does not lie within an Archaeological Priority Area. The application is accompanied by a Historic Environment Assessment which addresses the archaeological implications of the development and by a Phase 2 Geo-environmental Report which addresses ground conditions and contamination.
- 11.188 The applicant would be required to develop the design of the basement in consultation with London Underground to account for the infrastructure under the site. In view of the extent of the basement and the content of the submitted documents it is not anticipated that its construction would present any unusual challenges from a structural point of view. Accordingly, recommended conditions 20 and 21 secure the submission of details explaining how the proposed development would comply with the requirements of the SPD. London Underground have also requested that details of piling and foundation works be secured, and condition 22 is recommended accordingly.

Other matters

- 11.189 The application site has no trees, however a mature London Plane tree stands close to the site in the grounds of 326a City Road, and there are trees close to the site boundaries within the grounds of the Angel Gate development. These trees partly overhang the application site and some pruning may be required in connection with the proposed development. Recommended condition 17 requires details of such pruning.
- 11.190 It is recommended that measures to increase the site's currently-limited biodiversity interest, including through the installation of bird and bat boxes, are secured by recommended condition 16.

Highways and Transportation

- 11.191 Policies relevant to highways and transportation are set out in section 4 of the NPPF and chapter 6 of the London Plan. Islington's Core Strategy policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Detailed transport policies are set out in chapter 8 of Islington's Development Management Policies.
- 11.192 The site has a Public Transport Accessibility Level (PTAL) rating of 6a indicating excellent accessibility.

Existing conditions

- 11.193 Both City Road and Wakley Street are busy TfL-controlled red routes. Wakley Street is a one-way street, with traffic moving from north to south. A pedestrian crossing exists close to the site, outside 326 City Road. There are loading bays along the east side of Wakley Street.
- 11.194 The application site has a Public Transport Accessibility Level (PTAL) of 6a. It is within less than 500m walking distance of Angel underground station, and City Road is served by 5 bus routes. Bus and cycle lanes are marked along stretches of City Road.
- 11.195 Dropped kerbs exist directly outside both 7-8 Wakley Street and 328 City Road. The sloped forecourt outside 328 City Road can be used for temporary parking of servicing vehicles, and 7-8 Wakley Street is serviced from the street.
- 11.196 Cycle access and parking: Development Management Policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking.
- 11.197 Islington's cycle parking requirements are set out in Appendix 6 of the Development Management Policies document and give rise to a requirement for 11 long stay cycle parking spaces (including 1 accessible cycle parking space) for the residential use. It is proposed to provide 11 cycle parking spaces, including 1 accessible cycle parking space, at ground floor level within the residential building.
- 11.198 The proposed non-residential part of the development gives rise to a requirement for 42 long stay cycle parking spaces (including 2 accessible cycle parking spaces). These will be located at basement level and accessed from City Road by lift or stairs

with a wheeled ramp. Although cycle parking should normally be provided at ground floor level, it is accepted that the site's narrow street frontages and limited space at its ground floor entrances means provision has to be made at lower ground floor level. It is recommended that the cycle parking be secured by condition (No. 15).

- 11.199 Servicing, deliveries and refuse collection: The proposed development will be serviced from Wakley Street where there is an existing, extended loading bay.
- 11.200 A refuse and recycling store for both the residential and commercial uses would be accessed from Wakley Street.
- 11.201 TfL are the highways authority for Wakley Street and City Road and have raised no objections to the proposed servicing arrangements.
- 11.202 In order to ensure satisfactory delivery and servicing arrangements it is recommended that a Delivery and Servicing Plan (DSP), to be agreed in consultation with the highways authority (TfL), is secured by condition should planning permission be granted (condition No. 27).
- 11.203 Vehicle parking: Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. An appropriate clause in the Section 106 agreement would prevent residents of the proposed development from being eligible for Controlled Parking Zone (CPZ) permits. However, it must be noted that residents moving into the new homes would be eligible for a CPZ permit if they have already held an Islington CPZ permit for a period of at least a year.
- 11.204 Accessible car parking is discussed earlier in this report.
- 11.205 Construction Management Plan and Construction Logistics Plan: The Transport Statement proposes measures to minimise the highways impacts of the proposed development during the construction period. It is recommended that a Construction Environmental Management Plan, to include a Construction Logistics Plan, be secured by condition (No. 9) should planning permission be granted.
- 11.206 Travel Plan: The application is accompanied by a draft Travel Plan. This would encourage the use of more sustainable modes of transport. It is recommended that a full Travel Plan be secured through the Section 106 agreement should planning permission be granted.

Transport for London

- 11.207 The site is bounded by City Road to the north and Wakley Street to the west, both of which form part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN. TfL have made comments which are summarised as follows:
- The footway and carriageway on City Road and Wakley Street must not be blocked during the works and temporary obstructions must be kept to a minimum (Informative No. 10).
 - All vehicles associated with the works must only park/stop at permitted locations at permitted times (Informative No. 11).

- No skips or construction materials shall be kept on the footway or carriageway on the red route at any time (Informative No. 12).
- Car-free development is welcomed.
- It is noted that there may be limited scope to provide on-street accessible parking bays provision within 75m of the site and a condition (No. 13) securing the submission of a survey to ascertain whether such provision can be provided is considered acceptable. It is noted that, should on-street provision not be possible, a financial contribution to accessible transport initiatives would be secured through the Section 106 agreement.
- Cycle parking is acceptable and should be secured by condition (No. 15)
- The trip generation methodology and outcomes are acceptable.
- Delivery and servicing arrangements are considered acceptable subject to securing a Delivery and Servicing Plan by condition (No. 27)
- A Detailed Construction Logistics Plan should be secured by pre-commencement condition which TfL should be consulted on (Condition 8).
- A Full Travel Plan, including mode share targets, should be secured and monitored through the section 106 agreement.

Other highways considerations

- 11.208 It is likely that footway and highway reinstatement works would be necessary following completion of the proposed development. The highways directly outside the site are TfL-controlled, and TfL have requested that the developer be required to enter into a Section 278 agreement with TfL in relation to these works. This matter is referred to in the recommended Section 106 Heads of Terms.
- 11.209 The quality of the existing pedestrian environment surrounding the application site has been assessed by the applicant's consultant using PERS methodology, and the findings are set out within the submitted Transport Assessment. Although the consultant generally found the pedestrian environment to be positive, some deficiencies were noted, and these findings could inform future decisions as to where CIL moneys associated with the proposed development could be spent.

Archaeology

- 11.210 The application site is not within an Archaeological Priority Area. The previous application was accompanied by an Historic Environment Assessment which considered the archaeological potential of the site and recommended archaeological monitoring (and possible investigation) during works. Historic England recommended that the archaeological interest of the site should be conserved and a programme of archaeological investigation was secured through a condition attached to the planning permission.
- 11.211 The current application is also accompanied by a Historic Environment Assessment which notes the reduced extent of excavation for basement construction and concludes that the requirement for a condition securing a programme of archaeological investigation remains applicable. An appropriate condition is recommended (No. 11).

Contaminated Land and Air Quality

- 11.212 Given the potentially contaminating historic uses of the application site, the site's location within Source Protection Zone 2, and the introduction of residential

accommodation which would bring new receptors to the site, provisions relating to contamination would be necessary as per the applicant's own Phase 1 Environmental Assessment. Appropriate conditions (Nos. 32 and 33) are recommended.

- 11.213 As previously noted, the whole of the borough has been designated by the council as an Air Quality Management Area. It is recommended that, for the proposed development's construction phase, the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including in relation to air quality, dust, smoke and odour) be secured by condition (condition 8). This would ensure that the proposal would not detrimentally impact upon the amenity of the neighbouring occupiers with regard to air quality.

Fire Safety

- 11.214 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 was considered by London Fire Brigade and no objections were raised. Informatives (Nos.8 and 9) have 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, with particular regard to the provision of a sprinkler system.

Planning Obligations, Community Infrastructure Levy and Local Finance Considerations

- 11.215 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.

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

- A financial contribution of £480,000 towards affordable housing provision elsewhere in the borough
- Section 278 agreement to be entered into with TfL for the repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by TfL, paid for by the applicant and the work carried out by TfL (unless otherwise advised in writing by TfL). Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of 2 work placements. Each placement must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.75 as at 01/04/2017). If these placements are not provided, a fee of £10,000 to be paid to the council.
- Compliance with the Code of Local Procurement.

- Compliance with the Code of Construction Practice, including a monitoring fee of £2,072, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 4 additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of £8,000.
- Provision of two small/micro business units to be provided for a period of 5 years at a maximum of 75% of market rent and thereafter to be permanently retained as small/micro units.
- A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total amount: £70,958.
- Future proofing the development for connection to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Submission of a draft full Travel Plan for council approval prior to occupation, and of a full Travel Plan for council approval 6 months from first occupation of the development or phase (provision of Travel Plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Removal of eligibility for residents' parking permits
- Payment towards employment and training for local residents of a commuted sum of £18,430
- A contribution towards Crossrail of £178,080
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

11.217 All payments to the council would be index-linked from the date of Committee and would be due upon implementation of the planning permission.

11.218 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

12. SUMMARY AND CONCLUSION

Summary

12.1 The redevelopment of the site is welcomed in principle, and the application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.

12.2 The demolition of 328 City Road, whilst regrettable, was previously considered acceptable in view of the limited value of this heritage asset, the public benefits of the redevelopment, and the quality of the proposed replacement building. It is again considered that this is the case.

- 12.3 The proposal would result in a reduction of 18 residential units which were previously identified to contribute to the borough's housing supply. However, the proposal would result in an increased provision of flexible, modern and high quality office floorspace in the CAZ for which there is strong support in policy terms.
- 12.4 A total of 8 dual aspect residential units (5 one bedroom and 3 two bedroom flats) are proposed which are policy compliant in terms of space standards and private amenity space requirements, and which would provide a good quality of residential accommodation. In accordance with the requirements of the Council's Affordable Housing Small Sites Contributions Supplementary Planning Document a financial contribution of £480,000 would be secured through a Section 106 agreement.
- 12.5 The proposed consented development involves a revised siting and configuration for the central block within the site which is intended to reduce its impact upon adjacent residential properties. Accordingly, the proposed development would represent an improvement over the previous scheme in terms of daylight amenity and outlook from neighbouring properties, in particular flats at Nos. 9-10 Wakley Street.
- 12.6 The proposal would result in the redevelopment of a presently under-used site which provides poor quality office accommodation to provide replacement high quality and flexible office floorspace, including an uplift of 1,292m² (GIA). The proposal also includes the provision of two 66m² small/micro units which would be offered at a maximum of 75% of market rent for a period of 5 years and would be permanently retained as small/micro units thereafter.
- 12.7 The proposed development would result in some harm to the residential amenities of the occupants of neighbouring dwellings, including by reason of loss of daylight and sunlight and loss of outlook. However, the current proposal represents an improvement over the previously permitted scheme and would represent a more neighbourly development. In view of the central urban location, the need to make efficient use of the site and having regard to the impacts of the consented scheme it is considered that the proposed development is acceptable in terms of its impact upon the residential amenities of the occupants of nearby dwellings.
- 12.8 The proposal is considered largely acceptable in terms of land use, transportation, the quality of the residential accommodation, sustainability and energy, subject to conditions and an appropriate Section 106 agreement. Appropriate Section 106 Heads of Terms have been agreed with the applicant to mitigate the impacts of the development and secure compliance with the Development Plan.

Conclusion

- 12.9 The proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and Section 106 legal agreement heads of terms as set out in Appendix 1–RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. A financial contribution of £480,000 towards affordable housing provision elsewhere in the borough
2. Section 278 agreement to be entered into with TfL for the repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by TfL, paid for by the applicant and the work carried out by TfL (unless otherwise advised in writing by TfL). Conditions surveys may be required.
3. Compliance with the Code of Employment and Training.
4. Facilitation, during the construction phase of the development, of 2 work placements. Each placement must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.75 as at 01/04/2017). If these placements are not provided, a fee of £10,000 to be paid to the council.
5. Compliance with the Code of Local Procurement.
6. Compliance with the Code of Construction Practice, including a monitoring fee of £2,072, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
7. The provision of 4 additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of £8,000.
8. Provision of two small/micro business units to be provided for a period of 5 years at a maximum of 75% of market rent and thereafter to be permanently retained as small/micro units.
9. A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total amount: £70,958.
10. Future proofing the development for connection to a local energy network if a viable opportunity arises in the future.
11. Submission of a Green Performance Plan.
12. Submission of a draft full Travel Plan for council approval prior to occupation, and of a full Travel Plan for council approval 6 months from first occupation of the development or phase (provision of Travel Plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
13. Removal of eligibility for residents' parking permits

14. Payment towards employment and training for local residents of a commuted sum of £18,430
15. A contribution towards Crossrail of £178,080
16. Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of 3 years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans and documents list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents: 4380-PA-001; 4380-PA-100; 4380-PA-101; 4380-PA-102; 4380-PA-105; 4380-PA-106; 4380-PA-110; 4380-PA-111; 4380-PA-120; 4380-PA-200 Rev. C; 4380-PA-201; 4380-PA-202; 4380-PA-205 Rev. A; 4380-PA-210 Rev. B; 4380-PA-220; 4380-PA-220; 4380-PA-300; 4380-PA-301; 4380-PA-305; 4380-PA-306; 4380-PA-310; 4380-PA-311; 4380-PA-312; 4380-PA-313; 4380-PA-320; 4380-PA-420; 4380-PA-421; 4380-PA-422; 4380-PA-423; 4380-PA-424; 4380-PA-425; Design & Access Statement prepared by GML Architects; Planning Statement prepared by Rolfe Judd Planning; Energy Statement prepared by Greengage; Sustainability Statement prepared by Greengage; Transport Statement and Travel Plan prepared by Phil Jones Associates; Sunlight Daylight Report prepared by GIA; Air Quality Assessment prepared by Entran; Archaeological Desktop Report prepared by MOLA; Heritage Statement prepared by KM Heritage;</p>

	<p>Noise Report prepared by Entran; Arboricultural report prepared by Greengage; Environmental Assessment prepared by AP Geotechnics.</p> <p>REASON: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and samples (Details)</p> <p>CONDITION: A Green Procurement Plan for sourcing the materials to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste. The materials shall be procured and the development shall be carried out strictly in accordance with the Green Procurement Plan so approved.</p> <p>Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing. The details and samples shall include:</p> <ul style="list-style-type: none"> a) brickwork, bond and mortar courses (solid bricks to be used); b) metal cladding panels (including details of the edge and seams/gap treatments, method(s) of fixing, and any profiling); c) windows, doors and balustrades, including a revised elevational treatment to the bin store on the Wakley Street frontage; d) roofing materials; and e) any other materials to be used on the exterior of the development. <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and contributes positively to the significance of heritage assets.</p>
4	<p>Balconies – unauthorised alterations (Compliance)</p> <p>CONDITION: No bamboo screening or other items shall be fixed to the glass balustrades of the balconies and patios unless approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>

<p>5</p>	<p>Roof-level structures (Details)</p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on neighbouring amenity, the surrounding streetscene or the character and appearance of the area.</p>
<p>6</p>	<p>City Road cornice (Details)</p> <p>CONDITION: Details of the cornice to the City Road elevation (block A) shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</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: To ensure that the resulting appearance and construction of the development is to a high standard and contributes positively to the significance of heritage assets.</p>
<p>7</p>	<p>External pipes, cables and CCTV (Compliance and Details)</p> <p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>Notwithstanding the drawings hereby approved, no CCTV cameras or related equipment and installations are hereby approved.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>
<p>8</p>	<p>Construction Environmental Management Plan including Construction Logistics Plan (Details)</p>
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) including Construction</p>

Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to the commencement of development.

The CEMP including CLP shall include details and arrangements regarding:

- a) The notification of neighbours with regard to specific works;
- b) Advance notification of any access way, pavement, or road closures;
- 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;
- d) Details regarding the planned demolition and construction vehicle routes and access to the site;
- 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;
- f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- 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.)
- h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;
- i) Details of measures taken to prevent noise disturbance to surrounding residents;
- 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;
- k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- l) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and
- 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.
- n) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, 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>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</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>
9	Parish boundary stone (Details)
	<p>CONDITION: A method statement for the removal, any necessary repair, and reinstallation of the parish boundary stone (identified at paragraph 2.24 of the Heritage Appraisal (KMHeritage, January 2018) as part of the landscaping scheme to the front of the City Road block shall be submitted to an approved in writing by the Local Planning Authority prior to any works commencing.</p> <p>The development shall be carried out strictly in accordance with the method statement so approved.</p> <p>REASON: To ensure the heritage asset is appropriately conserved.</p>
10	Security and general lighting (Details)
	<p>CONDITION: Details of general or security outdoor lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
11	Archaeology (Details)
	<p>CONDITION: No development other than demolition shall take place on site unless and until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in consultation with Historic England. The Written Scheme of Mitigation shall include any temporary works which may have an impact on the archaeology of the site</p> <p>No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.</p>

	<p>REASON: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development.</p>
12	<p>Accessible and adaptable units (Details)</p> <p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, all of the residential units hereby approved shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 “Accessible and adaptable dwellings” M4 (2).</p> <p>Building Regulations Approved Plans and Decision Advice Notices, confirming that these requirements will be achieved, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works beginning on site.</p> <p>REASON: To secure the provision of accessible and adaptable homes appropriate to meet diverse and changing needs, and to ensure the development is of an inclusive design.</p>
13	<p>Disabled parking bays (Details)</p> <p>CONDITION: A survey identifying any appropriate and available locations for additional disabled parking bays within the vicinity of the site shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved.</p> <p>REASON: To ensure adequate provision of parking for residents with disabilities.</p>
14	<p>Mobility Scooter Storage and Charging Facilities (Compliance)</p> <p>CONDITION: The mobility scooter parking space with charging points indicated on plan reference 4380-PA-200 Rev. C shall be made available prior to first occupation of the building unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interests of providing an accessible and inclusive development.</p>
15	<p>Cycle parking (Compliance)</p> <p>CONDITION: The bicycle storage areas, which shall be secure and provide for no less than 11 bicycle spaces for the residential use (including one accessible parking space) and 42 bicycle spaces for the commercial use (including two accessible parking spaces) shall be provided prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The cycle parking shall demonstrate conformity with London Cycle Design Standards Guidance.</p> <p>REASON: To ensure adequate and suitable bicycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
16	<p>Landscaping and biodiversity (Details)</p>

	<p>CONDITION: Details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> • Soft planting, including details of any grass and turf areas, shrub and herbaceous areas; • Sufficient specification to ensure successful establishment and survival of new planting; • Enclosures, including types, dimensions and treatments of any walls, fences, screen walls, barriers, rails, retaining walls and hedges; • Hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; • Bat and bird nesting boxes / bricks and any other measures intended to improve and maximise on-site biodiversity; • A Landscaping Management Plan describing how the landscaping would be maintained and managed following implementation; • Any other landscaping feature(s) forming part of the scheme. <p>All landscaping so approved shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a maintenance/watering provision following planting and any trees or shrubs which die, become severely damaged or diseased within 5 years of planting shall be replaced with the same species or an approved alternative and to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details (including the Landscape Management Plan) so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainability, to ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to ensure the development is of an inclusive design, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
17	Tree pruning (Details)
	<p>CONDITION: Details of any proposed construction facilitation pruning of the London Plane tree in the grounds of 326a City Road shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The development shall be carried out strictly in accordance with the details so approved and in accordance with BS3998:2010.</p> <p>REASON: To ensure the retention of, and to avoid damage to, the retained trees on land adjacent to the site that represent an important visual amenity to the locality.</p>
18	Green roofs (Details and Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, details of green roofs to the development hereby approved (including details of the extent of green roofs, and the species to be planted/seeded) shall be submitted to and approved in writing by</p>

	<p>the Local Planning Authority prior to any superstructure works commencing. The green roofs shall be:</p> <ul style="list-style-type: none"> a) biodiversity-based roofs with extensive substrate bases (depth 80-150mm); and b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum) unless it can be robustly demonstrated that this mix cannot be provided <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to protect neighbouring privacy, and to ensure surface water run-off rates are reduced.</p>
19	Sustainable Urban Drainage System (Details)
	<p>CONDITION: Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To improve sustainability, reduce flood risk and reduce water runoff rates.</p>
20	Basement – Structural Method Statement (Details)
	<p>CONDITION: Prior to commencement of development a Structural Method Statement, prepared by a Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E), shall be submitted to and approved in writing by the Local Planning Authority in consultation with London Underground.</p> <p>The statement shall be in line with the requirements of Chapter 6 (Site investigations to inform design) and appendix B of Islington's Basement Development SPD 2016.</p> <p>REASON: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
21	Basement – inspection and monitoring (Compliance)

	<p>CONDITION: The certifying professional that endorsed the Structural Method Statement (or a suitably qualified person 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 a Building Control body.</p> <p>REASON: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
22	<p>Piling and foundations – London Underground & Thames Water (Details)</p> <p>CONDITION: No development (excluding demolition) shall commence until a piling and foundations design and method statement relating to all foundations, basements and ground floor structures and any other structures below ground level has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water and London Underground. The method statement shall:</p> <ul style="list-style-type: none"> • detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out; • accommodate the location of the existing London Underground structures and tunnels; • accommodate ground movement arising from the construction thereof; • mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels; and • include measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure. <p>The development shall be carried out strictly in accordance with the approved details.</p> <p>REASON: To ensure that the development does not impact upon existing London Underground Transport Infrastructure and Thames Water underground water utility infrastructure.</p>
23	<p>BREEAM (Compliance)</p> <p>CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than ‘Excellent’.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
24	<p>Shared Energy Network (Details)</p> <p>CONDITION: Prior to the commencement of development an investigation shall be carried out to establish the feasibility of forming a Shared Energy Network (SEN) with nearby development and the results of the investigation shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>If it is demonstrated that an SEN is feasible then a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p>

	<p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
25	<p>Energy/carbon dioxide reduction (Compliance)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than an 30% on-site total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulations 2013 as detailed within the Sustainability Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to the commencement of the development:</p> <p>a) A revised Energy Strategy, which shall provide for no less than a 30% onsite total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulations 2013. This shall include the details of any strategy needed to mitigate poor air quality (such as mechanical ventilation).</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
26	<p>Renewable Energy (Compliance)</p> <p>CONDITION: The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for no less than 29% on-site regulated CO₂ reduction as detailed within the 'Energy Strategy' shall be installed and operational prior to the first occupation of the development.</p> <p>Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</p> <p>a revised scheme of renewable energy provision, which shall provide for no less than 29% onsite regulated CO₂ reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p>

	<p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
27	<p>Delivery and Servicing Plan (Details)</p> <p>CONDITION: A Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
28	<p>Waste storage (Compliance)</p> <p>CONDITION: The dedicated refuse/recycling stores hereby approved shall be provided prior to first occupation of the development hereby approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure the necessary physical waste storage to support the development.</p>
29	<p>Air quality (Details)</p> <p>CONDITION: Prior to occupation of the development, full details of mechanical ventilation for the residential accommodation shall be submitted to and approved in writing by the Local Planning Authority. 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 residents' exposure to pollution is minimised.</p>
30	<p>Plant noise (Compliance and Details)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the façade 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>A report to demonstrate compliance with the above requirements and prepared by an appropriately experienced and qualified professional shall be submitted to and approved by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the scheme and report so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p>

	<p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
31	<p>Sound insulation (Details)</p> <p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <ul style="list-style-type: none"> • Bedrooms (23.00-07.00 hrs) 30 dB LAeq, 8 hour and 45 dB Lmax (fast); • Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour; and • Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour. <p>The sound insulation and noise control measures so approved shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment and to protect the amenities of the occupiers of the residential accommodation.</p>
32	<p>Site contamination (Details)</p> <p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A 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: Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water environment.</p>

33	Site contamination – unsuspected contamination (Details)
	<p>CONDITION: If during development contamination not previously identified is found to be present at the site no further development shall be carried out (unless otherwise agreed in writing with the Local Planning Authority) until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water environment.</p>
34	Privacy louvres (Compliance)
	<p>CONDITION: The privacy louvres on the north elevation of the central office block shall be installed in accordance with the approved plans and shall be permanently retained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of the Wakley Street block.</p>

List of Informatives:

1	Planning Obligations Agreement
	<p>SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Thames Water (Surface Water Drainage)
	<p>With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.</p>

4	Thames Water (Mains Water Pressure)
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
5	Groundwater Risk Management Permit
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .
6	Secured by Design
	You are advised that, where relevant, the development hereby approved should incorporate all of the 'Secured by Design' requirements detailed in the 'Commercial Developments 2015' Guide.
7	CIL Informative
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</p>
8	Fire Safety
	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 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 andrew.marx@islington.gov.uk
9	Sprinklers
	While fire safety and floor layout will be further considered though the building control process, you are strongly advised by the London Fire and Emergency Planning Authority to install sprinkler systems as these significantly reduce the damage caused by fire and the consequential cost to business and housing providers, and can reduce the risk to life.
10	City Road and Wakley Street footway and carriageway
	The footway and carriageway on City Road and Wakley Street must not be blocked during the works. Temporary obstructions must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on City Road or Wakley Street.
11	City Road and Wakley Street parking
	All vehicles associated with the works must only park/stop at permitted locations and within the time periods permitted by existing on-street restrictions.
12	Skips and Construction Materials
	No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time. Should the applicant wish to install scaffolding or a hoarding on the footway whilst undertaking this work or oversail the footway, separate licences would be required with TfL, please see: https://tfl.gov.uk/info-for/urban-planning-and-construction/highway-licences

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

3 London's people

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

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

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

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

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime Neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.14 Improving air quality

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

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

Policy CS12 (Meeting the Housing Challenge)
Policy CS13 (Employment Spaces)
Policy CS16 (Play Space)

Strategic Policies

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

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

C) Development Management Policies June 2013

Design and Heritage

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

Housing

DM3.1 Mix of housing sizes
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.6 Play space

Employment

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development
DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

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

Transport

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

Infrastructure

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

D) Finsbury Local Plan June 2013

Role Within London's Central Activities Zone

BC8 Achieving a balanced mix of uses

Delivery and Monitoring

BC10 Implementation

3. **Designations**

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

- Bunhill and Clerkenwell Key Area
- Central Activities Zone (CAZ)
- Employment Priority Area (General)

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Conservation Area Design Guidelines
- Planning Obligations and S106
- Urban Design Guide
- Environmental Design
- Inclusive Design in Islington
- Basement Development

London Plan

- Accessible London: Achieving an Inclusive Environment
- Housing
- The Control of Dust and Emissions during Construction and Demolition
- Shaping Neighbourhoods: Character and Context
- Sustainable Design & Construction
- Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy
- Shaping Neighbourhoods: Play and Informal Recreation
- Central Activities Zone

**APPENDIX 3: DESIGN REVIEW PANEL LETTER DATED 6
DECEMBER 2017**



CONFIDENTIAL

ATT: Grace Liu

Rolfe Judd Planning Ltd
Old Church Court
Claylands Road
London
SW8 1NZ

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

T 020 7527 2389
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E Luciana.grave@islington.gov.uk
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Our ref: Q2017/4290/DRP

Date: 6 December 2017

Dear Grace Liu,

ISLINGTON DESIGN REVIEW PANEL

RE: 7-8 Wakley Street, London, EC1V 7QE – pre-application ref Q2017/2783/MJR

Thank you for attending Islington's Design Review Panel meeting on 14 November 2017 for a first review of the above scheme. The proposed scheme under consideration is for the demolition of all existing buildings and erection of part-1, part-2, and part-5 plus basement buildings to provide 3,100sqm of commercial (B1) floorspace and 451m² of residential (C3) floorspace spread across 8-units (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (Chair), Paul Reynolds, Ben Gibson, Alec Forshaw and Stafford Critchlow on 14 November 2017 including a site visit in the morning and a presentation from the design team followed by a question and answers session and deliberations in the afternoon at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Panel welcomed the opportunity to review the scheme which they felt, generally, was a more appropriate response and an improvement on the previously approved scheme on the site.

Land use

Without prejudice to the Council's land use policies being complied with, panel members welcomed the change in emphasis of the current proposals in comparison with the previously approved scheme as, in their opinion, a commercial/office led scheme appears to be a more comfortable fit on the site.

They felt that the scheme offered a great opportunity to create better workspace in this location and to improve on existing office provision overall. They indicated that they were generally comfortable with the proposed quantum and disposition of the massing on the site.

Layout and circulation

Although the Panel appreciated that the development team had tried to create a more legible and comfortable layout for the overall scheme, they encouraged them to develop this further. In particular, panel members felt that there was additional opportunity for bigger and more successful floorspace: they thought that the lower ground floor plan area allocated for affordable work space looked compromised and suggested an additional courtyard or an open walkaway from Wakley street to improve the quality of the accommodation in this part of the development.

They also felt that the entrance sequence and circulation could be improved to enhance legibility. In their opinion the access to the second core from a long corridor felt convoluted and could compromise the occupation of the building. Although they appreciated that being the main arterial road, the entrance from City Road made sense, they felt it generated a complicated access sequence. For this reason, they suggested the development team should explore an alternative/improved entrance off Wakley street.

On Wakley Street, there were concerns that the residential lobby appeared to be small and the Panel encouraged the development team to re-organize it to allow a more generous lobby space.

Inner Block

In terms of the design approach for the inner block, panel members generally supported the proposal for a light material and felt the amended massing would be more generous to the surrounding buildings than the previously approved scheme was. The Panel noted that currently the design presents large areas of south and west facing glazing and the design needs to incorporate integrated considered measures for dealing with solar gain which will influence the elevational design. They emphasised the importance of the treatment of the roof, particularly of the lower part as it will be visible from surrounding buildings and welcomed suggestions of a green roof treatment.

Wakley Street elevation

The Panel identified the aggressive environment to this frontage and were concerned about the impact of noise on the quality of the accommodation with the bedrooms being located to the front. They highlighted the importance of developing a robust strategy to deal with the noise and pollution. They also raised concerns about the proximity with the office at the back and stressed the importance of providing privacy to the proposed residential amenity area on the rear elevation of the Wakley Street block.

City Road frontage

Generally, the Panel was supportive of a high quality replacement building particularly in the context of the previously approved scheme. However, they felt that the current scheme should explore the opportunity to enhance this elevation further.

The Panel's heritage specialist highlighted that one of the merits of the existing building is its high quality red brick and emphasised the importance of the replacement building utilising appropriate materials and detailing, with a strong reference to the existing. The importance of an appropriate treatment to the flank wall which adjoins the listed building was also brought up. Another suggestion was to explore reducing the vertical proportions of the windows at the top floor which may give the elevation a better sense of hierarchy and proportion.

There was a general consensus that the management of the front forecourt area needed to be resolved. The Panel raised strong concerns in relation to the positioning of the bins in this area, and felt that it did not result in an attractive frontage. They felt that the success of the scheme will be very much dependant on how this area will be treated. They, therefore, suggested relocating the

bins and providing appropriate landscaping which should include high quality boundary treatment and the reinstatement of soft landscaping.

Summary

The Panel was generally supportive of the principles of the scheme and welcomed it on the basis of the opportunity it brought to improve on the previous consent on the site. However, they raised some concerns and made some suggestions which they felt should be addressed in order to further enhance the proposals.

In particular, they felt that further work could be done in relation to the access and circulation as well as the office floor layout. They also made suggestions on improvements to the lobby area of the residential block fronting Wakley Street and stressed the importance of providing a better front area to the City Road frontage.

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

Confidentiality

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

Yours sincerely,

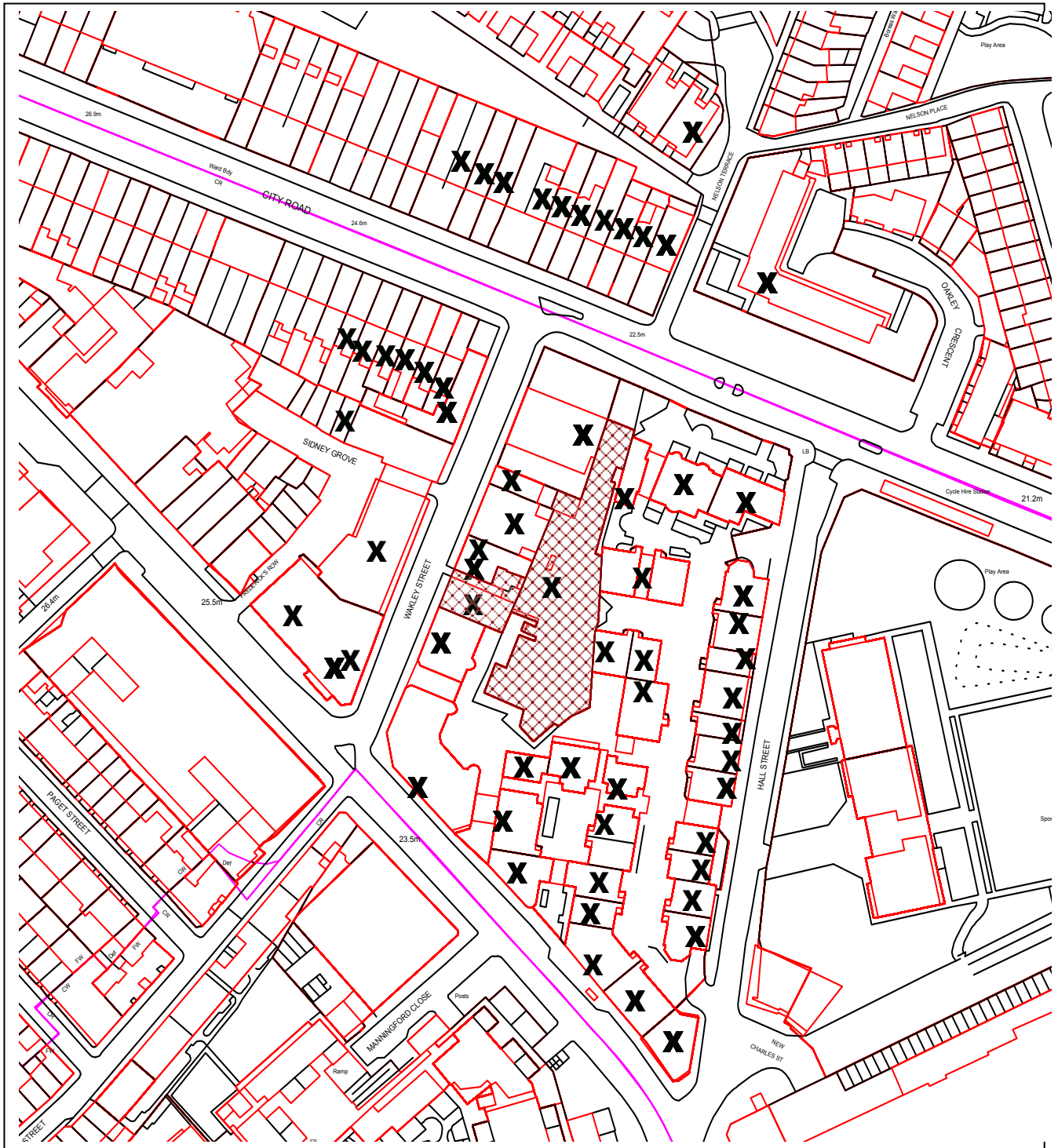
A handwritten signature in black ink, appearing to read 'Luciana', written in a cursive style.

Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager

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Islington SE GIS Print Template



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P2018/0429/FUL

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ISLINGTON

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

PLANNING COMMITTEE REPORT

PLANNING COMMITTEE	AGENDA ITEM NO:	B1
DATE: 9th July 2018	NON-EXEMPT	

Application number	P2017/3242/FUL
Application type	Full Planning Application
Ward	Tollington Ward
Listed building	None affected.
Conservation area	None affected.
Development Plan Context	Employment Growth Area. Article 4 Direction Office to Residential Cycle Routes (Local) Rail Land Ownership – Nation Rail Surface Adj to Site of Importance for Nature Conservation (SINC)
Licensing Implications	None.
Site Address	Grenville Works, 2A and 1 Grenville Road, and 500 - 502 Hornsey Road.
Proposal	Demolition of buildings and redevelopment of the land to provide 16 dwellings and 2215 sqm of commercial floorspace together with landscaping, service yards, cycle storage, bin storage and associated works across two sites. The north site (500-502 Hornsey Road) would provide 490sqm of B1 (business) floorspace at ground floor and 16 dwellings above (2x1 beds, 11x2 beds and 3x3 beds, Use Class C3) within a 3-4 storey building. The south site (Grenville Works, 2a Grenville Road) would provide 1725 sqm of B1 floorspace within a 4 storey building.

Case Officer	Stefan Sanctuary
Applicant	Dominvs Property Developments Ltd.
Agent	CgMs RPS

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 set out in Appendix 1.

SITE PLAN



Figure 0.1 Site Location Plan

1.0 SUMMARY

1.1 The application follows refused planning application P2016/1642/FUL, which is described fully in the “Planning History” section of this report. The reasons for refusal included:

- The proposed land use did not maximise employment potential or provide affordable workspace
- Inadequate servicing arrangements
- Excessive bulk, scale and massing
- Inadequate provision of affordable housing
- Poor quality of accommodation
- Harm to neighbouring amenity
- Planning obligations
- Carbon emissions

1.2 This application proposes demolition of buildings and redevelopment of the land to provide 16 dwellings and 2215 sqm of commercial floorspace together with

landscaping, service yards, cycle storage, bin storage and associated works across two sites. The North Site (500-502 Hornsey Road) would provide 490sqm of B1(a) (office) floorspace at ground floor and 16 dwellings above (2x1 beds, 11x2 beds and 3x3 beds, Use Class C3) within a 3-4 storey building. The South Site (Grenville Works, 2a Grenville Road) would provide 1725 sqm of B1(c) (light industrial) floorspace within a 4 storey building.

- 1.3 The proposal seeks to address the previous reasons for refusal and thereby proposes to replace the existing flexible B1 floorspace with a slight increase of new flexible B1 floorspace suitable as either conventional office floorspace, light industrial uses falling into use class B1 and / or small and medium enterprises. The financial viability of the proposal has been independently assessed and it can be concluded that no affordable housing can be viably provided on site. Based on the submitted viability appraisal, the recommendations by BPS and the policy context officers consider that the scheme cannot viably provide any affordable housing (either on site or with a financial contribution). On balance it is recommended that the scheme is acceptable without the provision of any affordable housing, but with a review mechanism to capture any additional uplift in value.
- 1.4 The architecture of the proposal is considered to make a positive contribution to a coherent streetscape and the buildings and structures are of a proportion, scale and orientation that enhance and appropriately define the public realm. The development is considered to be sympathetic in scale and appearance to the surroundings and is considered to incorporate high quality materials and design appropriate to its context.
- 1.5 The density and dwelling mix of the proposed residential accommodation is considered to be acceptable and in accordance with policy and the quality of accommodation proposed meets relevant policy guidance. The proposal is not considered to have unacceptable impacts on neighbouring residential amenity in terms of daylight, sunlight, privacy, noise and disturbance or an increased sense of enclosure.
- 1.6 The proposal is considered to protect the adjacent Site of Importance for Nature Conservation (SINC) and involves a net increase in trees. Finally, the application is considered to constitute a sustainable form of development in terms of energy efficiency, renewable energy and sustainable transport. For the reasons given above and explained in more detail in the subsequent sections of this report, the proposal is considered to be acceptable and in accordance with relevant planning policy and is therefore recommended for approval subject to a section 106 agreement to secure the necessary mitigation measures.

2.0 SITE AND SURROUNDINGS

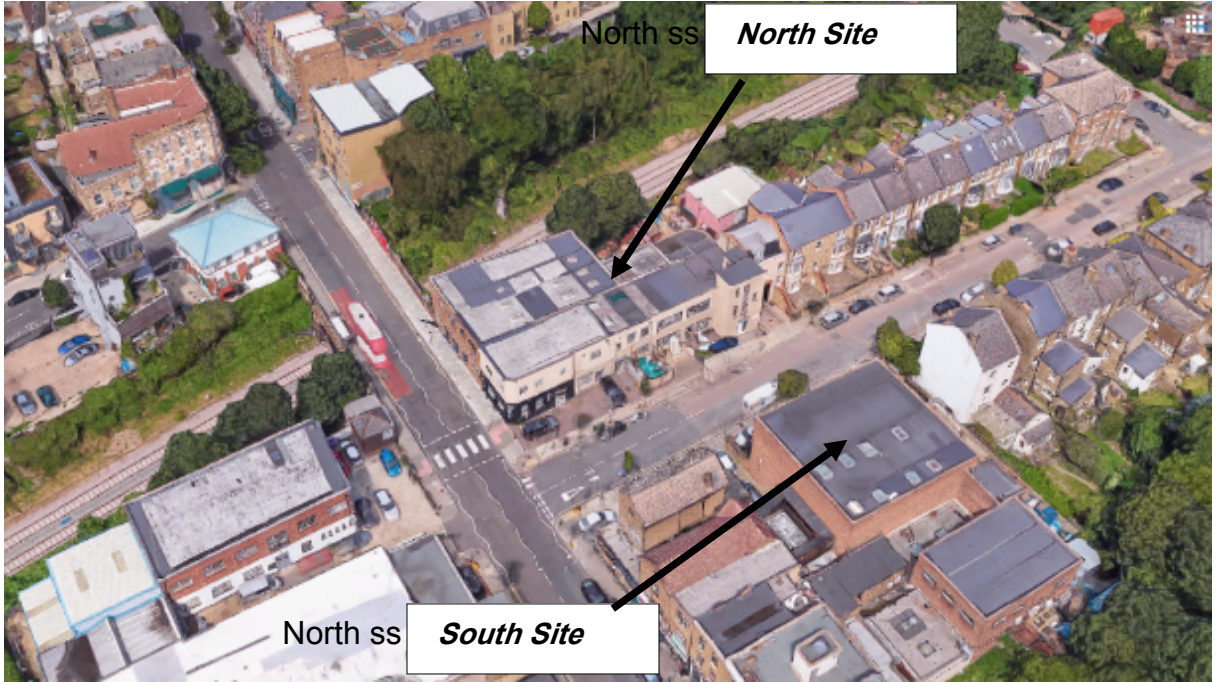
- 2.1 The application relates to two sites on either side of Grenville Road; the “North Site” and the “South Site”. The North Site (500-502 Hornsey Road) is 1033sqm in area, on the corner of Grenville Road and Hornsey Road, and is bound by the railway line to the north-west and 2-3 storey flats and houses to the north east. A 2-3 storey building occupies the site, housing a mix of small light industrial (Use Class B1(c)) and office units (Use Class B1(a)). The South Site (2A Grenville Road) is smaller at 941sqm and

is bound on the south west by the rear of the commercial/residential properties on Hornsey Road, and by residential gardens to the north-east and south-east. A two storey building accommodates a mix of small light industrial and office units, including a yoghurt factory.

- 2.2 The current buildings date from the early- to mid-20th Century and have an untidy appearance, but are functional and well-used by a mixture of small businesses. These are part of the cluster of employment uses which have grown organically on Hornsey Road and Fairbridge Road, and are designated as an Employment Growth Area. Permitted development rights allowing change of use to residential and town centre uses have been removed by Article 4 directions. The sites are in close proximity to shops and services within the Hornsey Road North Local Shopping Area to the north-west, with more comprehensive facilities at Archway, Finsbury Park and Nags Head town centres (all approx. 1km away).
- 2.3 None of the buildings on or adjacent to the site are listed (statutorily or otherwise) and the site is not located within a Conservation Area. The buildings on Hornsey Road are varied in height, rising to 3-4 storeys (including roof), and Grenville Road is a mostly residential side street with 2-3 storey terraced houses.
- 2.4 The sites' moderate Public Transport Accessibility Level (PTAL) of 3 reflects limited bus services on Hornsey Road (A103) (part of the local strategic road network), and access to national rail stations further afield at Crouch Hill and Upper Holloway. The sites are both accessed from Grenville Road which is within a Controlled Parking Zone (CPZ) with double yellow lines, and vehicles over 7.5t are banned (except for access). Both sites have narrow vehicle access to rear service yards, with forecourts used for parking and storage.
- 2.5 No landscaping or trees are present on either site (though a number of street trees line the pavement on both sides), but the railway line to the north-west (including land on either side) is part of a Borough Grade 1 Site of Importance for Nature Conservation (SINC).

3.0

PHOTOS OF SITE AND SURROUNDINGS



Aerial View of Site



Aerial View of Grenville Road Elevation (North Site)



Aerial View of South Site



View of North Site from Hornsey Road



View of North Site from Grenville Road



View of South Site from Grenville Road

4.0 PROPOSAL

4.1 The application is for full planning permission to demolish the existing buildings on both sites, and to construct a new building on each site. There would be a 3-4 storey mixed use employment (B1(a-c)) and residential (C3) building on the North Site, and a 2-4 storey building on the South Site providing 1,725 sqm of employment (B1(a-c)) floorspace.



Proposed Ground Floor Plan

North Site

- 4.2 The proposed building on the North Site would be a mixed-use building, with business units at ground level, and residential units above. There would be 490 sqm of B1(a) floorspace, arranged across 3 separate commercial units. A shared entrance onto Grenville Road is proposed, with a corridor giving access to a shared on-site servicing area at the rear of the building. At ground floor there would also be two residential entrances, giving access to separate cores, waste and cycle storage to the residential units above.
- 4.3 At first to third storey, the application proposes 16 residential units arranged as 2no. 1 bedroom flats, 11no. 2 bedroom flats and 3no. 3 bedroom flats. The building would be 4 storeys high fronting Hornsey Road, stepping down in height along Grenville Road to 3 storeys with a set-back top floor, and balconies or terraces on the front elevation.

South Site

- 4.4 The proposed building on the South Site would be 4 storeys tall fronting Grenville Road, including a set-back top storey under a pitched roof. The building would step down to 3 storeys to the rear, with a further 2-storey element at the rear of the site. The South Site would provide 1,372 (NIA) of B1(a-c) floorspace with the flexibility to be arranged as a mix of unit sizes. The existing vehicle access would be built over, and there would be an undercroft passage giving access to a rear courtyard, from which the individual units would be accessed.
- 4.5 There would also be a forecourt and servicing area on the front elevation, which would allow servicing and deliveries to take place on site. Finally, the application would provide a refuse store within the servicing area, and a sheltered cycle storage in the undercroft passage.

5.0 RELEVANT HISTORY

Planning Application P2016/1642/FUL

5.1 Planning application P2016/1642/FUL for development on the application site was refused under delegated powers on 12/09/2016 for 8 reasons. Although the current application is of different character and description, the recent reasons for refusal are material to the determination of the application.

5.2 The refused application was described as:

“Demolition of buildings and redevelopment of the land to provide 19 residential dwellings and 2539 sqm of commercial floorspace and associated landscaping across two sites comprising:

- 3 x 1-bed, 13 x 2-bed and 3 x 3-bed apartments and 702 sqm GIA of commercial floorspace in a five storey block served by 47 cycle spaces (North Site 500-502 Hornsey Road); and*
- 1832 sqm GIA of commercial floorspace in a four storey block served by 24 commercial cycle spaces (South Site - Grenville Works 2a Grenville Road).”*

5.3 The reasons for refusal were as follows.

Reason for refusal 1 (Failure to maximise employment use)

The proposal would fail to maximise the site's employment use; would not provide flexibly designed and adequately serviced floorspace to accommodate an appropriate mix of uses as expected within an Employment Growth Area; and would fail to provide affordable workspace to meet local needs. The proposal would thus cause unacceptable and unsustainable harm to the borough's supply of land to meet future sustainable economic development and innovation needs contrary to the NPPF (2012); London Plan (MALP) 2016 Policies 2.9 and 4.4; Islington Core Strategy (2011) Policy CS13; Islington Development Management Policies (2013) DM5.1, DM5.2; DM5.4 and DM8.6, and the London Plan SPG Land for Industry and Transport (September 2012).

Reason for refusal 2 (Inadequate servicing, waste, collection and delivery provision)

The application does not include adequate provision for on-site servicing, waste storage, operational parking, collections and deliveries, thus failing to demonstrate that the proposed commercial units would be capable of accommodating employment uses on the site without unacceptable harm to surrounding parking stresses and the safe and efficient operation of the highway contrary to 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).

Reason for refusal 3 (Design)

By virtue of its excessive height, bulk, scale and massing; uncharacteristic elevational treatment; uncharacteristic street frontages, and cluttered haphazard design appearance, the proposed development would cause unacceptable harm to the public realm and streetscape; contrary to Paragraphs 17 and 56 of the NPPF, London Plan 2016 Policies 7.4, 7.5, 7.6 and 7.7; Islington Core Strategy (2013) Policy CS8; and Islington Development Management Policy (2013) DM2.1.

Reason for refusal 4 (Failure to demonstrate maximum affordable housing provision)

The application fails to demonstrate that the proposed new dwellings would contribute to balanced and sustainable communities by providing the maximum reasonable affordable housing delivery taking into account of the borough-wide strategic target of 50% and the financial viability of the proposal, in line with the London Plan and the borough's strategic priorities contrary to London Plan (MALP) 2016 Policies 3.10, 3.11 and 3.12 and Islington Core Strategy (2011) Policy CS12, Islington Development Management policy DM2.1 and Islington's Planning Obligations SPD 2014 and Viability SPD 2016.

Reason for refusal 5 (Quality of accommodation and Inclusive Design)

Many of the proposed residential units are considered to provide substandard accommodation as there is a lack of single level wheelchair accessible units, there is a high proportion of single aspect units, units with windows solely facing the main road or railway, poor natural ventilation, lack of natural cooling, and poor passive surveillance to the public realm outside the residential entrance. The development would thus fail to provide good quality accessible accommodation or homes as a place of retreat which adequately responds to the identified housing needs and standards of the borough, in terms of quality of dwellings, contrary to London Plan (MALP) 2016 Policies 3.5 and 3.8; Islington Core Strategy (2011) Policy CS12; Islington Development Management Policies (2013) DM2.2, DM3.4 and DM7.5; and the London Plan SPD Housing (2016).

Reason for refusal 6 (Neighbour Amenity)

The application would result in unacceptable harm to the amenities of nearby residential units, through loss of privacy and outlook; disturbance from increased noise and activity; and sense of enclosure, contrary to London Plan (MALP) 2016 Policy 7.6 and Islington Development Management Policy (2013) DM2.1.

Reason for refusal 7 (No mechanism in place for securing planning obligations)

In the absence of an appropriate S106 legal agreement the proposed development fails to mitigate its impacts and secure compliance with the Development Plan. The proposal is therefore contrary to London Plan (MALP) 2016 Policy 6.9, Islington Core Strategy policy CS 18, Islington Development Management Policies (2013) Policy DM9.2 and Islington's Planning Obligations SPD (2014).

Reason for refusal 8 (Failure to minimise carbon emissions)

The application fails to demonstrate that the proposal would result in the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy (Be Lean, Be Clean, Be Green) contrary to London Plan (MALP) 2016 Policy 5.2, Islington Core Strategy (2011) Policy CS10 and Development Management (2013) Policy DM7.1; DM7.3; DM7.4; DM7.5; and the London Plan Sustainable Design and Construction SPG (2014) and Environmental Design SPD 2012.

Additional Planning Applications

- 5.4 In addition to the recent development proposal, the site has extensive planning history, dating back to the 1930s when applications were received for industrial uses.

5.5 The planning history of the site and its surroundings is available on the Council's website and has been reviewed by officers. The most relevant recent history is summarised below.

Application Site

5.6 P2014/1885/PRA (at the North Site) "Prior approval application for proposed change of use of part of the ground floor (unit nos. 19 & 24) and part of the first floor (unit nos. 20 & 22) of the building to create five flats, comprising one x three-bedroom unit, one x two-bedroom unit, and three x one-bedroom units." **Refused** for the following reason:

"REASON: In accordance with The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 and specifically the provisions of (amended) Paragraph N (2A), the Local Planning Authority refuses this application as in its opinion, the developer has provided insufficient information to enable the LPA to establish whether the proposed development complies with restriction J.1.(b) which requires that the use of the units contained within the application building subject to this application were all as B1(a) offices on or before 30 May 2013." It is noted that on 18 September 2014 an article 4 direction came into force removing permitted development rights for conversions of offices to residential uses, including the application site.

5.7 And the following Enforcement History:

- E09/04188. An enforcement complaint relating to unauthorised change of use to church (at the South Site) was investigated on several occasions in 2009 and no evidence came to light demonstrating that any unauthorised development had occurred so the case was closed.
- P040937 "Addition of rear extensions to ground floor and first floor of existing commercial building and erection of new second floor, all for B1 use. Erection of three storey residential infill block on land between existing building and the neighbouring terrace house at 9 Grenville Road, containing six 1 bedroom flats and one 2 bedroom maisonette and providing vehicle access to area at rear of commercial building via a gated archway entrance". Approved with conditions 11/03/2005, partially implemented, with extant permission for an additional storey at the North Site.

5.8 Relevant History of neighbouring sites:

504a Hornsey Road/20 Spears Road

- P032787 "Erection of a four storey building, comprising two shop units at ground floor and four 2 bed flats and two 1 bed flat on upper floors". **Refused** 08/03/2004.
- P031388 "Erection of a four storey building to provide shop and industrial unit at ground floor and three 2 bed flats and six 1 bed flats above". **Refused** 07/10/2003.

169-191 Fairbridge Road

- P052721 "Erection of a new four-storey building to provide two commercial units A1 (retail) / A2 (professional and financial services) to ground floor and six 2-bed self-contained flats to upper floors". **Approved** 06/01/2006.
- P081777 "Erection of two buildings comprising a part 2, 3 and 5-storey building and a 5-storey building providing for 80 dwellings at part ground and wholly to upper levels

and two ground floor units for flexible use: A1 (shop) / A2 (financial/professional services) / B1 (business) / D1 (non-residential institutions) / D2 (assembly and leisure), together with the formation of a new road, disabled car-parking and erection of an electrical sub-station". **Refused** 05/08/2009.

- P092517 "Erection of two buildings comprising a part 2, 3 and 5-storey building and a 5-storey building providing for 80 dwellings at part ground and wholly to upper levels and two ground floor units for flexible use: A1 (shop) / A2 (financial/professional services) / B1 (business) / D1 (non-residential institutions) / D2 (assembly and leisure), together with the formation of a new road, disabled car-parking and erection of an electrical sub-station". **Approved** 25/06/2010.
- P110762 "Minor material amendment application to planning permission P092517". **Approved** 20/07/2011. The amendments included internal reconfiguration of layouts, amendment to dwelling mix/affordable housing; amended cycle parking; inclusion of a CHP plant room; elevation changes; increased height (0.49-0.65m); relocation of sub-station; and amended road layout.
- P110762 Section 73 application to vary condition 23 of planning permission reference dated 20 July 2011, to allow occupation of residential units prior to completion of the northern section of the new road connecting Fairbridge Road and Courtauld Road. **Approved** 02/07/2012

2 Grenville Road

- P2016/4891/FUL Replacement of existing ground floor rear conservatory with a larger ground floor rear orangery-style extension. **Approved** 15/02/2017

Pre Application Advice

- 5.9 In 2013, prior to the submission of refused planning application P2016/1642/FUL, pre-application advice was given (reference Q2013/3280/MJR). The proposal was described as:

"Demolition of existing two storey B1 workshop building (1240sqm) and redevelopment through erection of part five, part four, part three storey building to provide a mixed use scheme comprising (1060sqm) B1 office / workshop space and 22 residential units."

- 5.10 The advice given was that the maximum building height should not exceed four storeys, that a robust brick building with inset (rather than projecting) balconies should be provided, and that the development should maximise employment floorspace as it is in an Employment Growth Area. A mixed use scheme including an element of residential accommodation (and taking account of the boroughs policies on affordable housing) was considered appropriate.

- 5.11 Following refused planning application P2016/1642/FUL, the applicant entered into pre-application discussions pending the submission of the current proposal. Several meetings took place with officers (including presentation to the Design Review Panel) to address the reasons for refusal.

6.0 CONSULTATION

6.1 Letters were sent to occupants of 183 adjoining and nearby properties on 3rd October 2017. Site notices and a press notice were published on the 12th October 2017. The public consultation period ended on the 2nd November 2017; however, it is the Council's practice to continue to consider consultation responses until the decision date.

Relevant Public Consultation Responses

- 6.2 At the time of writing, objections were received from 7 neighbouring addresses. The issues raised are summarised as follows (with officer comments in brackets):
- (i) The size of the building is not contextual [*paragraphs 7.20 – 7.30*].
 - (ii) The proposal would be harmful to amenity [*paragraphs 7.65 – 7.85*]
 - (iii) The proposal would be set back from the pavement, with some hard landscaping and trees, and the objector is concerned that this may result in vehicles parking on the pavement. (*Officer comment: the proposal does not include parking on the pavement*).
 - (iv) There is a concern that vehicles will drive through the pedestrian entrance to the south side. (*Officer Comment: that entrance is shown as gated, and re-instatement of dropped kerbs is required by the s.106 agreement*).
 - (v) Hard landscaping should be removed from the courtyard in the South Site (*Officer Comment: Hard landscaping is needed to be able to access the entrance. A landscaping plan is to be secured by condition 24 which refers to soft landscaping*).
 - (vi) There is no protection for pedestrians for vehicles entering and exiting the site over a dropped kerb. (*There is no particular highway risk arising from vehicles crossing a dropped kerb, and the impact would be no worse than the existing situation. A landscaping plan is however recommended by condition 24 to demarcate between vehicle and pedestrian entrances to avoid clashes where possible*).
 - (vii) It is not clear how the servicing arrangement will be policed (*A servicing and deliveries plan is to be secured by condition 28, and appropriate enforcement action can be taken if not complied with*).
 - (viii) There will be loss of privacy to neighbouring residential gardens and bedrooms [*paragraphs 7.77 – 7.85*].
 - (ix) The proposed B8 Use should be omitted due to its servicing impacts (*A full range of uses is proposed including B1a-c use, but B8 warehousing uses are not proposed*).
 - (x) The servicing strategy and future operators are not identified. (*Officer comment: the existing buildings operate as a small business centre, with several occupiers, and the proposal is similar in response to local market demand. Condition 28 is recommended to secure a servicing and deliveries plan prior to occupation*).
 - (xi) The construction works will result in traffic, noise, pollution and loss of privacy, and the Construction Management Plan is inadequate (*A construction-stage CEMP is to be secured by condition 4*).
 - (xii) The design is not high quality or sufficiently contextual [*paragraphs 7.20 – 7.35*].

- (xiii) It is beneficial to keep work places suitable for small businesses in this locality (*Officer comment: This was registered as an objection, but it is noted that the proposal would re-provide similar accommodation suitable for small and medium sized businesses*).
- (xiv) As residential buildings replace buildings of community, education and recreational facilities, there is becoming a shortage of such facilities. (*Officer comment: The buildings would re-provide the existing employment floorspace, and would not result in the loss of community, education and recreational facilities. There would be a CIL payment towards provision of social infrastructure*).
- (xv) The increased traffic and population will disrupt the animals, birds, bats and flora and fauna at the gardens of Hanley Road. (*The biodiversity impacts are considered in paragraphs 7.87 – 7.90 of this report*).
- (xvi) The development should be reduced to be smaller, and in keeping with the peaceful and green nature of the area. (*Officers consider the size of the proposed buildings acceptable in design terms. The site is in an Employment Growth Area, between residential streets and a busy main road. The proposal on the South Site would remove all existing vehicle traffic and servicing from the rear of the site, adjacent to residential gardens, and move it to servicing bays on the front of the building which allow vehicles to access and leave from Hornsey Road, reducing traffic on Grenville Road*).

Internal Consultation Responses

6.3 The following responses were received from internal consultees:

Inclusive Design: The 2no. Wheelchair Accessible Units (WAUs) are acceptable. Provision should be made for accessible cycle racks and scooters. (*Officer comment: to be secured by condition 12*).

Insufficient consideration made to the travel or transport needs of mobility impaired employees, residents and visitors. Provision should be made for the storage and charging of mobility scooters, accessible cycle racks, safe drop off etc. It is unclear whether the circulation spaces and door widths would all comply with the building regulations, and more detail is required to clarify accessibility requirements including WCs, lifts, and commercial cycle storage. The individual residential units appear to be acceptably designed. A fire evacuation strategy is also required for the south site (business uses) building in accordance with p23 of the Inclusive Design SPD. (*Officer Comment: Condition 21 is recommended requiring the residential units to be provided to Building Regulations Part M Categories M4.2 and 3 as designed; and condition 12 is recommended requiring an inclusive design statement and fire evacuation strategy to demonstrate that the relevant requirements would be complied with*).

Pollution Control: A response was provided raising no objections in principle, but raising issues around ground-borne noise and vibration from freight trains on the Gospel Oak to Barking railway line; environmental noise; separation of uses; contamination; and disruption from construction impacts including dust, smoke and odour, vibration and TV reception. Details around these issues to be secured by conditions (*conditions 5-9*).

Highways: No objection, subject to meeting certain requirements. Slight concern regarding proposed crossover to south site and the possibility of abuse by visitors. Insufficient information provided regarding construction programme. (*Officer comment: A Construction and Environmental Management Plan is required by condition 4, and a delivery and servicing plan is required by condition 28 with specific reference to the requirement for management provisions for the forecourt/parking areas.*)

Planning Policy: No objection received.

Refuse / Recycling: No objection received

Design & Conservation: No objection subject to satisfactory response to Design Review Panel comments. A response to the DRP comments has been made and this is considered in more detail in subsequent sections of this report.

External Consultation Responses

6.4 The following consultation responses were received from external consultees:

London Fire & Emergency Planning Authority: No objection subject to compliance with the Building Regulations (Informative).

Thames Water: No objection subject to conditions and informatives on surface water drainage, waste water, sewerage infrastructure and impact piling

Network Rail: No objections

Transport for London:

- The north site of the proposed development is adjacent to the National Rail Network; therefore, TfL suggests Network Rail is consulted on this application.
- The proposal is car-free with the exception of 2 Blue Badge spaces, with residents and staff not being eligible for on-street parking permits, and proposes delivery and servicing to be off-street which is welcomed.
- The application proposes to provide 33 long-stay cycle parking spaces for residential use and 28 for the commercial use. These spaces are compliant with the London Plan minimum standards and are to be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible, complying with the London Cycle Design Standards which is welcomed. This should be secured by condition (*condition 13*).
- The submitted Travel Plan includes objectives and targets focused on mode shift to active and sustainable travel and proposes a series of measures and an Action Plan with a monitoring strategy to achieve this. TfL welcomes this Travel Plan, to be secured through the legal agreement (section 106).

Subject to the above conditions/obligations being met, TfL has no objections to the proposal.

Design Review Panel

6.5 At application stage the proposal was considered by the Design Review Panel on the 16th February 2018. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The panel's observations are attached at Appendix 3 but the main points raised in the most recent review are summarised below:

- The Panel encouraged that the principal elevations should be given a simpler treatment and that the success of the scheme would be dependent on good detailing.

Officer comment: The proposed elevations have found a more logical expression and detailed elevations have been provided which show good detailing and simple treatment of the facades.

- The irregularity of the fenestration pattern and disconnect between the ground and upper floors of the elevations was not considered to be successful by the Panel. To remedy this, panel members suggested it should be given a more robust, grid-like treatment with larger openings that encompasses all floor levels so that they appear less disjointed and display more of a rhythmical quality.

Officer comment: Following amendments the fenestration and openings across ground and upper floors are now more consistent.

- Panel members were also not convinced that the proposed corner balconies fronting onto Hornsey Road were successful and strongly recommended that if they were to be provided in this location, they should be given greater solidity to hide inevitable visual clutter.

Officer Comment: The elevation to Hornsey Road has been re-designed to provide a rhythm of implied piers and major openings above an arcaded base. The corner balconies have been retained as they serve to lighten the corners of the block. The applicant considers that the open corners add to the "softening" and that introducing corner piers will coarsen the elevations, increase "heaviness" at the corners and, significantly reduce light into the habitable rooms - especially the living rooms on the corners which, in the current iteration, enjoy long diagonal views.

- Panel members suggested that the main residential lobby accessed from Hornsey Road should be swapped with the bins and bike storage, which would avoid the need to construct a small lower wall to the northern perimeter and would avoid difficult details as it connects to the existing bridge wall.

Officer comment: The access to Hornsey Road has now been amended as suggested by the DRP.

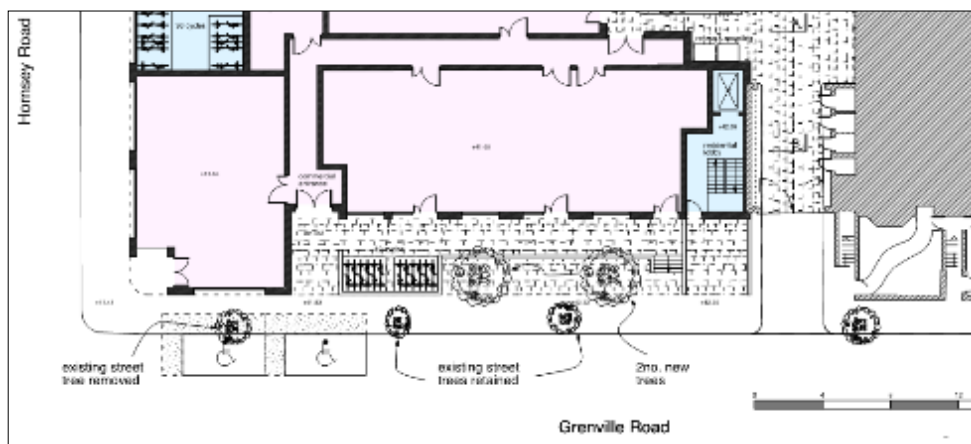
- The Panel felt that it should be possible to reduce the length of the communal corridors to the flats. They also questioned whether there may be a less convoluted solution than deck access and the provision of two access cores.

Applicant comment: The applicants have not amended the layouts and provided a justification, stating that the suggested layouts for the commercial units are indicative only, as it is not yet possible to determine whether the entire ground floor would be let to one business or divided into discrete units as shown - albeit the essential flexibility to allow this is demonstrated. Moreover, for the residential use,

it is not considered that the access is particularly convoluted as it does allow for some future flexibility in tenure arrangements and satisfies the LPA's current requirements in terms of lift provision.

- It was unclear from the information as to how the frontage onto Grenville Road (North Site) was being resolved. There seems to be some discrepancy between the perspectives that show a railing and low wall and the plans that show an external bin or bike store.

Officer comment: The landscaping to Grenville Road has been developed to include an approximately 1.5m high wall to shelter the bike storage area, which reduces in height and is topped by railings as it extends along the street frontage. The change in level between the pavement and the building ground floor is resolved behind this boundary which is also set back to allow a space for new street trees



- Panel members felt that the elevation fronting Grenville Road (South Site) should aim to reflect the established rhythm and regularity of the wider streetscape, which would help soften the impact of the new building.

Office comment: The design has been adapted to include revised fenestration within recessed brick panels and the introduction of deep expressed flat brick arches between the ground floor and the upper storeys. The structural bays are better defined and articulated with a heavier base pier tapering at the upper floors - providing balance and proportion. The introduction of brickwork into the recessed panels between the piers also serves to increase the visual connection with the adjoining houses.

- Panel members were concerned that there was little resolution to the front of the B1 units and how the screens, bays and forecourt would work in reality to mitigate against irregular parking and things being left out on view. They indicated there needs to be a balance between the functionality of the B1 units and the residential street character. Some panel members suggest that a landscaping strategy could be employed to discourage vehicles from parking in front of the proposed B1 Unit.

Officer comment: This point has now been addressed successfully and is considered in more detail in subsequent sections of this report.

7.0 ASSESSMENT

Key issues

7.1 The key issues are as follows:

- Land Use
- Affordable Housing (and financial viability)
- Design & Appearance
- Density & Dwelling Mix
- Quality of Accommodation
- Accessibility
- Neighbouring Amenity
- Landscaping, Trees & Ecology
- Energy & Sustainability
- Highways & Transportation
- Planning obligations / mitigation

Land use

Business use

Policy

- 7.2 Paragraphs 6 and 14 of the NPPF (2012) introduced a presumption in favour of sustainable development to the planning system with three dimensions; economic, social and environmental. The provision and protection of employment sites is key to ensuring that sufficient land of the right type is available in the right places and at the right time to accommodate economic growth and innovation.
- 7.3 London Plan (Policies 2.9 and 4.4) and the Mayor's SPG Land for Industry and Transport (2012) recognise that new sites for light industrial purposes are unlikely to come forward in future, and set out a rigorous approach to land allocation for industry and related uses, including Islington's designation as a restricted transfer borough (resisting loss of this land for other uses). These require LPAs to ensure the availability of appropriate workspaces, to support innovation and research, and to work with developers, businesses and other relevant research and innovation agencies to ensure availability of a range of workspaces.
- 7.4 Both sites are designated locally as part of an Employment Growth Area, in recognition of the ability of this cluster of sites to accommodate employment growth which may not be capable of being accommodated on other sites. Core Strategy Policy CS13 safeguards existing business floorspace, in particular the types and sizes suitable for SMEs (Small/Medium Enterprises).
- 7.5 Policy DM5.1 encourage intensification, renewal and modernisation of existing business floorspace within Employment Growth Areas. Redevelopment proposals are required to maximise business floorspace, whilst complying with other relevant planning considerations and incorporate a mix of complementary uses including active frontages where appropriate. This policy requires for full flexibility for a range of uses

and full separation between business and residential uses. The supporting text at paragraph 5.10 highlights the need for flexible design features including 3-5m ceiling heights, strategically laid out entrances, cores, loading facilities and building services equipment. Policy DM5.4 requires proposals for redevelopment of existing low value workspace within Employment Growth Areas to incorporate an equivalent amount of affordable workspace or workspace suitable for Small and Medium Enterprises (SMEs) (those of 90sqm or smaller) to adequately replace low value workspaces, and to ensure that new industrial floorspace is adequately served by off-street loading, servicing, delivery and access facilities

- 7.6 In order to adequately support business floorspace, Policy DM5.1 requires adequate off-street loading, goods lifts, access to the site, and servicing; and Policy DM8.6 requires deliveries and servicing to take place off-street.

Background

- 7.7 Both sites are currently in use for various employment uses, including office space; food production; storage and light manufacturing. The sites are well used and whilst the buildings are poor quality, their flexible layouts, low values and servicing areas (both forecourt and rear yard access) result in relatively productive, affordable and useful accommodation for small and medium sized local businesses. The existing units deliver benefits in terms of affordable workspace for small and medium sized businesses, start-up space, and adaptable accommodation which supports business expansion and economic growth.

- 7.8 One of the reasons for refusal on the previous planning application (P2016/1642/FUL) concerned the lack of suitable employment floorspace proposed. Specifically, that:

“the proposal would fail to maximise the site’s employment use; would not provide flexibly designed and adequately serviced floorspace to accommodate an appropriate mix of uses as expected within an Employment Growth Area; and would fail to provide affordable workspace to meet local needs. The proposal would thus cause unacceptable and unsustainable harm to the borough’s supply of land to meet future sustainable economic development and innovation needs”

- 7.9 The previous scheme mixed residential and B1 uses at ground, 1st and 2nd floors on the northern site and there were issues regarding the compatibility of these uses next to each other and the fact that the B1 floorspace was split between 3 floors and could not be flexibly used. Since then the scheme has been amended and the entire ground floor is now for B1 floorspace to the northern site. This overcomes the previous issues as the B1 floorspace can now be flexibly used, has level access to the servicing yard and is completely separate from the residential units on a different floor.

Quantity of floorspace

- 7.10 The proposal would not result in any net loss of employment floorspace, and instead would provide a slight increase in the Gross Internal Area (GIA) for B-Class uses from 2,165sqm to 2,215sqm, with 490sqm of B1 floorspace on the North Site and 1,725sqm of B1 floorspace on the South Site. This increase in floorspace is quite small in the

context of the policy requirement to maximise business floorspace, but it is acknowledged that on this site it is difficult to increase the business floorspace without there being an impact on the quality of the floorspace provided (as with the previous scheme). There are also viability issues, with the replacement B1 floorspace in the redevelopment being funded by the addition of residential units on site.

Quality of floorspace

7.11 The proposed commercial floorspace is considered to be suitable for SMEs, light industrial uses and more conventional office floorspace and would thus be re-providing flexible commercial floorspace of suitable quality, specifically:

- The commercial floorspace across the South Site has been designed to be suitable for uses with use class B1(c). The ground floor of the North Site has been designed to be flexible B1 floorspace and suitable for Small and Medium Enterprise (SME) companies who often require flexible and smaller scale units. The individual units range from 50sqm to 200sqm with a range of other possible subdivisions and/or amalgamations, providing flexibility for the end-user of the floorspace (SME space is secured with condition 15). This allows the employment opportunity arising from the site to be maximised, rather than providing the majority of the space as conventional office accommodation, which does not reflect latent demand within this location.
- The proposed plans show commercial ceiling heights (approx. 3.5 metres on the ground floor and 3m on upper floors) which would provide space suitable for light industrial as well as more conventional office uses
- The existing uses are partially serviced from the street, which currently causes congestion and objections and complaints have been raised to this during the neighbour consultation. The proposed floorspace has on-site servicing and waste storage as well as servicing and loading facilities in rear and front service yards and strategically planned service cores.

7.12 Although the North Site has been designed with more conventional B1(a) office floorspace in mind and the South Site has been designed for B1(c) light industrial floorspace, sufficient flexibility would be built into any permission to allow an appropriate mix of B1 operators to be accommodated. As such, condition (14) is recommended which requires a minimum 1,725sqm of B1(c) floorspace while at the same giving the applicant sufficient flexibility to the applicant on exactly where this goes on site.

Conclusion

7.13 On balance the re-provision of commercial floorspace is considered to be consistent with the Council's employment policies. The proposed floorspace would be flexible and can be adapted to meet the needs of prospective occupiers and particularly of SME business. The commercial space would be of high quality in accordance policies DM5.1 and DM5.2 of the Islington Development Management Policies (2013).

Residential Uses

- 7.14 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should normally approve applications for residential development, provided that there are not strong economic reasons why such development would be inappropriate.
- 7.15 Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy 3.4 (and table 3.2) seek to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity. The plan does however state that it is not always appropriate to apply table 3.2 mechanistically, and any development proposal would also need to take into account the site's specific local context, design characteristics and transport capacity.
- 7.16 It is therefore the case that there is a policy presumption in favour of the delivery of new housing, and the scheme would deliver 16 units which would contribute towards the Borough's targets.
- 7.17 Part F of Policy CS12 identifies that high levels of external noise and vibration may make residential development unacceptable unless appropriate mitigating measures can be provided to the required standard. There is potential for the relationship between residential and B-Class uses to cause undue harm to neighbour amenity and/or harm the ability of business to function unhindered by environmental health complaints. Officers note that the Employment Growth Area designation does not preclude mixed use developments, and that there are established residential and business uses on Grenville Road. Subject to appropriate minimisation of conflict (for example through layout and design) and appropriate conditions (*conditions 5-8*), no objection is raised in principle to the introduction of an appropriate proportion of residential uses on part of the site.

Affordable Housing (and Viability)

Policy

- 7.18 The London Plan, under Policy 3.11, identifies that boroughs should set an overall target for the amount of affordable housing provision needed over the plan period in their area with separate targets for social rented and intermediate housing that reflect the strategic priority afforded to the provision of affordable family housing. Point f) of this policy identifies that in setting affordable housing targets, the borough should take account of "the viability of future development taking into account future resources as far as possible."
- 7.19 Policy CS12 of the Islington Core Strategy sets out the policy approach to affordable housing. Policy CS12G establishes that "50% of additional housing to be built in the borough over the plan period should be affordable" and that provision of affordable housing will be sought through sources such as 100% affordable housing schemes by Registered Social Landlords and building affordable housing on Council own land". With an understanding of the financial matters that in part underpin development, the

policy states that the Council will seek the “maximum reasonable amount of affordable housing, especially social rented housing, taking into account the overall borough wide strategic target. It is expected that many sites will deliver at least 50% of units as affordable subject to a financial viability assessment, the availability of public subsidy and individual circumstances of the site. “

Viability assessment

7.20 The maximum reasonable amount of affordable housing is that which could be provided without rendering the development financially unviable. A Financial Viability Assessment (FVA) was submitted to the Council which was independently appraised by BPS Chartered Surveyors. The applicant’s financial appraisal concludes that the scheme cannot viably deliver any affordable housing (whether on site or with a financial contribution) and therefore, all the residential units are for private sale. The residual land value generated is £2.07m, which against their benchmark land value of £2.30m, gives a deficit of £230,000.

7.21 The applicant’s viability appraisal has been independently assessed by BPS who largely agree with the assumptions within it. BPS suggested increasing the sales values to £800/sqf but that would only increase the residual land value to £2.232m and therefore would still result in a deficit. Officers asked BPS to interrogate the viability information and explore whether there are any options or amendments that could be made to the scheme in order to result in a viable scheme that could provide affordable housing. BPS therefore advised that an increase in the amount of B1(a) office floorspace would increase overall values, but the scheme would not viably be able to provide affordable housing. In addition, any scheme that is either solely or largely B1(a) would be contrary to the policy requirement to provide flexible B1 floorspace suitable for light industrial uses.

Conclusion

7.22 Based on the submitted viability appraisal, the recommendations by BPS and the policy context officers consider that the scheme cannot viably provide any affordable housing (either on site or with a financial contribution). On balance it is recommended that the scheme is acceptable without the provision of any affordable housing. As this is below the policy target of 50%, a review mechanism is recommended within the S106 agreement which would capture any additional uplift in value, so that if there is any development surplus in the future the maximum reasonable affordable housing contribution will be secured.

Design & Appearance

Policy

7.23 The National Planning Policy Framework states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. All proposals for development in Islington are expected to be of good quality design, respecting their urban context in accordance with planning policy and guidelines.

7.24 London Plan Policies 7.4, 7.5 and 7.6 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.

7.25 Islington's Core Strategy Policy CS8 states that the scale of new development will reflect the character of a surrounding area. Policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. Moreover, where areas of Islington suffer from poor layout, opportunities will be taken to redesign them by integrating new buildings into surviving fragments of historic fabric and by reconfiguring spaces based on streets and perimeter blocks.

7.26 Islington's Development Management Policy DM2.1 requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place. Finally, Islington's Urban Design Guide (2017) provides guidelines and principles for good urban design, e.g. how buildings look and fit into their setting, the layout and organisation of public spaces and the appearance of street frontages.

Background

7.27 One of the reasons for refusal on the previous planning application (P2016/1642/FUL) concerned the height/bulk and detailed design proposed. Specifically, that:

By virtue of its excessive height, bulk, scale and massing; uncharacteristic elevational treatment; uncharacteristic street frontages, and cluttered haphazard design appearance, the proposed development would cause unacceptable harm to the public realm and streetscape; contrary to Paragraphs 17 and 56 of the NPPF, London Plan 2016 Policies 7.4, 7.5, 7.6 and 7.7; Islington Core Strategy (2013) Policy CS8; and Islington Development Management Policy (2013) DM2.1.

7.28 The scheme has since been amended with both buildings being reduced in height by 1 floor and the detailed design being simplified.

Height and Massing

7.29 The existing buildings are simple two storey light industrial buildings in the north of the borough. The North Site occupies a corner location at the end of a Victorian residential street of mostly two or three storeys plus roof (Grenville Road) and a main road (Hornsey Road), characterised by two and three storey Victorian and 20th century buildings. The South Site is on the south side of Grenville Road and comprises a detached two storey light industrial building sitting in between a three storey Victorian building on the corner of Hornsey Road and the three storey terrace along Grenville Road. The buildings in the wider surroundings are generally 2-3 storeys in height with occasional exceptions. The ground level slopes downwards to the west and south so

that the ground level decreases in the direction of the main road. Stroud Green and Tollington Park are the closest conservation areas but do not border the site and it is not considered that the development would affect these.

- 7.30 The application proposes a four storey building on the Grenville Road / Horney Road junction which is considered to be consistent and appropriate within the existing setting and the prevailing heights and massing of existing buildings on Hornsey Road. Hornsey Road has a variety of heights and frontages, though ultimately has a low-rise character with mainly three and four storey buildings. The proposed four storeys on Hornsey Road addresses this setting successfully and provides a building of human scale and proportion.



View of North Site from Hornsey Road

- 7.31 The built form proposed on the north side of Grenville Road is three storeys in height with a set-back fourth storey. From street-level this building reads as a three storey building, which is consistent with the residential two- and three-storey buildings further down Grenville Road. Similarly, on the south side of Grenville Road the application proposes a stand-alone part three-, part four-storey building which is consistent with the prevailing heights along Grenville Road.



View of South Site from Hornsey Road

Architecture

7.32 The building proposed on the north side of Grenville Road has frontage on both Hornsey Road as well as Grenville Road and is residential in design and character. The brick-built facades are punctuated with large windows with a coherent rhythm and pattern. The larger fenestration on the ground floor gives the ground floor a commercial character while the curved corner and inset balconies give the building a simple but elegant appearance. The set-back top floor on Grenville Road would be clad in metal, though the precise detail of materials would be reserved by condition. The Grenville Road frontage is set back from the street frontage in line with the existing residential terrace.



Detailed Elevation / Section North Site

7.33 The Design Review Panel had requested the submission of detailed drawings showing the bond of the brickwork, the depths of the window reveals and balustrades. These have now been submitted showing sufficiently deep window reveals (150-200mm),

stretcher bond, soldier courses and recessed brickwork to lend the building sufficient interest and articulation.

- 7.34 The Design Review Panel had also criticised the irregularity of the fenestration pattern and the disconnect between the ground and upper floors of the elevations and suggested that the building should be given a more robust, grid-like treatment with larger openings that encompass all levels to appear less disjointed. The proposal was amended and now includes a more coherent pattern of fenestration which also provides a better connection between the ground and upper levels.



Grenville Elevation North Site

- 7.35 Panel members also suggested that the main residential lobby accessed from Hornsey Road should be swapped with the bins and bike storage, which would avoid the need to construct a small lower wall to the northern perimeter and would avoid difficult details as it connects to the existing bridge wall. In addition, the Panel suggested that the second residential lobby needed to be a more generous space and should be usable as a main entrance (with its own bin and bike store) in order to future proof the building if required by the tenure mix.



Hornsey Road frontage

- 7.36 The main residential entrance onto Hornsey Road has indeed been swapped with the bin store, thereby more successfully resolving this corner; however, the secondary

residential entrance from Grenville Road remains quite tight with no direct access to bike and bin stores. Additional bike / bin storage at this location would remove some of the commercial floorspace at ground level and it is therefore considered acceptable for the refuse and cycle storage to be provided at the main entrance only.

7.37 In terms of the South Site, the DRP felt that the elevation fronting Grenville Road should aim to reflect the established rhythm and regularity of the wider streetscape, which would help soften the impact of the new building. The proposal has now been amended to reflect these comments and the building is split into four vertical sections which reflect the width of the existing terraced properties along Grenville Road. The height of the proposed building's eaves and ridge are also akin to the buildings on this side of Grenville Road resulting in a design that is compatible with its surroundings.



Grenville Road frontage - South Site

7.38 The architecture of the proposal is considered to make a positive contribution to a coherent streetscape and the buildings and structures are of a proportion, scale and orientation that enhance and appropriately define the public realm. The development is considered to be sympathetic in scale and appearance to the local aesthetic and is considered to incorporate high quality materials and design appropriate to its context. Samples of materials would be required by condition (3) in order to ensure that the development is built out to the highest quality. The proposal is considered to be in accordance with Policy 7.6 of the London Plan, Policy CS8 and CS9 of Islington's Core Strategy and the aims and objectives of Development Management Policies DM2.1 and DM2.3.

Density & Dwelling Mix

7.39 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The existing site has no residential uses on it and while 16 new units are proposed on the North Site, no residential units are proposed for the South Site. The North site is some 0.11ha in size and as such the 16 residential units would result in a density of 145 dwellings per hectare. This equates to 49 habitable rooms on the site. As such, the proposed development would result in a residential density on the site of some 445 habitable rooms per hectare.

7.40 In assessing the appropriate housing density for the application site and the wider estate it is also necessary to consider the London Plan in more detail, which notes that

it would not be appropriate to apply these limits mechanistically. In particular, the local context as well as design considerations should be taken into account when considering the acceptability of a specific proposal.

7.41 The site has a public transport accessibility level (PTAL) of 3. For urban areas with a PTAL of 3, the London Plan Policy 3.4 (Table 3.2) suggests that a density level of between 200 and 450 habitable rooms per hectare (or 55 to 145 units per hectare) would be most appropriate. This level of housing density, at 445 hr / hectare (or 145 units per hectare), is considered to be at the top end of the suggested range but is considered to be appropriate, given the appropriate heights of the proposed buildings and the quality of accommodation provided.

7.42 Part E of Policy CS12 of the Islington Core Strategy requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. In consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies. The policy also requires for provision to be made for intermediate or shared ownership housing.

7.43 The scheme proposes a total of 16 residential units with an overall mix comprised of 2 x 1-bed units, 11 x 2-bed units and 3 x 3-bed units. The housing mix is compared to policy aspirations for market housing below:

	1-bed	2-bed	3-bed	4-bed
Policy DM3.1	10%	75%	15%	0%
Proposed Mix	12%	69%	19%	0%

7.44 The proposed mix of unit sizes is considered to be in accordance with policy aspirations as set out in Policy DM3.1.

Quality of Residential Accommodation

7.45 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life for Islington residents, residential space and design standards will be significantly increased and enhanced from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards. In accordance with this policy, all new housing is required to provide functional and useable spaces with good quality amenity space, sufficient space for storage and flexible internal living arrangements.

7.46 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy. Part C of Policy 3.4 requires for floor-to-ceiling heights to be a minimum of 2.6 metres. All proposed units would meet this standard.

7.47 Aspect/Daylight Provision: Policy DM3.4 (part D) sets out that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'. All but two of the proposed units would provide dual aspect

accommodation. The two that would be single aspect would be south-west facing, would meet internal space standards and have access to a balcony.

- 7.48 Amenity Space: Policy DM3.5 of the Development Management Policies Document 2013 within part A identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. The policy in part C then goes on to state that the minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on the ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above).
- 7.49 All proposed units would have access to outdoor amenity space in the form of balconies or terraces, ranging in size from 6sqm to 24sqm, and would thereby comply with planning policy.
- 7.50 Playspace: Policy DM3.6 requires all housing development of more than 10 dwellings to make provision of play space based on anticipated child yield. The London Plan sets a benchmark standard of a minimum of 10sqm of suitable child playspace per child for new developments, with Islington's DM Policy 3.6 setting a minimum of 5sqm.
- 7.51 Given the lack of social housing and small number of family-sized units proposed, the development is only expected to have a child yield of some 5 children. Consequently, the need for child playspace is quite low at 25sqm in accordance with Islington's standards and policies.
- 7.52 Because of the commercial floorspace proposed on the ground floor, no child playspace is proposed. There is a policy requirement to provide flexible commercial floorspace with an element of light industrial floorspace with servicing and loading requirements which make the ground floor unsuitable for communal garden space and child playspace. Moreover, further down Grenville Road, not 100m away from the application site, are Timbuktu Adventure Playground and Grenville Road Gardens which together provide child playspace for younger and older children. Given the specifics of the development, site location and the relative small-scale nature of the development, the absence of child playspace on site can be accepted in this instance.
- 7.53 Noise: There are a number of potential noise and disturbance sources which need to be considered in the context of this planning application. The site is adjacent to the Gospel Oak to Barking railway, a heavily used passenger and freight line. The Noise and Vibration Report submitted with the planning application highlights the issue of groundborne noise particularly when the freight train passes. There will need to be further work carried out when the piled foundations are complete to finalise the specification and design to enable the internal noise criteria to be achieved. In the event that permission is granted, a condition (*condition 5*) requiring further details of noise and anti-vibration treatment would be required.

- 7.54 With environmental noise, the site is affected by road traffic noise along Hornsey Road along with the railway. The submitted report carries out a noise survey but should still carry out predictions and confirm the glazing, façade and ventilation details. This would be conditioned (see *condition 7*). Any permission would be suitably conditioned in order to require appropriate mitigation measures to ensure a good standard of residential amenity.
- 7.55 As the North Site has commercial and residential uses in the same block it is recommended that sound insulation between the two uses is of a higher standard than Building Regulations and should be conditioned as such (*condition 8*).
- 7.56 Air Quality: The NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.
- 7.57 In addition it states that planning policies should take into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. London Plan Policy 7.14 states that the Mayor recognises the importance of tackling air pollution and improving air quality to London's development and the health and well-being of its people. He will work with strategic partners to ensure that the spatial, climate change, transport and design policies of this plan support implementation of his Air Quality and Transport strategies to achieve reductions in pollutant emissions and minimize public exposure to pollution. The supporting text for Islington's Development Management Policy DM6.1 notes that the council will take into account the impact on air quality, including pollution, smells and fumes, when assessing development proposals. Air quality impacts from the operation of the development and any associated transport will be important considerations.
- 7.58 The air quality neutral assessment and vehicle emissions assessment has concluded that the proposed development will meet building and transport emission benchmarks. As such, no mitigation measures are required to reduce these emissions. The report concludes that the proposed development is considered acceptable in terms of local air quality impacts and that the development complies with the NPPF, London Plan Policy 7.14 and Development Management Policy DM6.1.
- 7.59 Refuse: Dedicated refuse and recycling facilities/chambers are provided for the residential uses. The location and capacity, and management of these facilities have been developed in consultation with the Council Street Environment Department and are considered acceptable (*condition 19*).
- 7.60 Other: In terms of land contamination, the site investigation report looks at the previous uses on site and carries out some onsite testing. The sampling contaminant levels are low across the site. There is still a requirement for a watching brief across the site to be dealt with along with the verification of any remediation. This would be conditioned (9).

Accessibility

- 7.61 London Plan 2016 Policy 3.8 Housing Choice requires that 90% of new housing be built to Category 2 standard and 10% to Category 3 standard (similar to Islington's present wheelchair accessible standards).
- 7.62 Development Management Policy DM3.4 'Housing Standards' provides various standards in housing including for accessibility and inclusive design. The policy states that the overall approach to all entrances should be logical, legible and level or gently sloping; and common entrances should be visible from the public realm, clearly identified and illuminated and have level access over the threshold. Moreover, the number of dwellings accessed from a single core should not be more than eight and communal circulation corridors should be a minimum of 1200mm wide. Finally, in terms of circulation within new homes, space for turning a wheelchair should be provided in living rooms, dining rooms and in at least one bedroom.
- 7.63 It can be confirmed that all new dwellings would meet Category 2 Housing standards. Moreover, 2No. of the new dwellings would be wheelchair accessible dwellings. This equates to 6 habitable rooms out of a total of 49 habitable rooms which exceeds the required 10% target. The wheelchair accessible dwellings are provided as follows: a 2B3P unit at first floor level referred to as Apt 1; and a 2B3P unit at second floor level referred to as Apt 7. In the event of planning permission being granted, this would be suitably conditioned (*condition 21*).
- 7.64 The applicant has submitted a Design and Access Statement and has outlined how inclusive design principles have been considered and addressed. It can be confirmed that level access is provided to all new dwellings, as described above. Moreover, standards relating to communal stairs and lifts, internal doors and hallways, circulation space and bathroom dimensions are compliant with national standards. Communal stairs have been designed to meet accessibility requirements and there is adequate space in front of lifts, stairwells and entrances to manoeuvre wheelchairs.
- 7.65 In terms of the commercial floorspace, there are a number of inclusive design standards that should be met. However, the plans provided show that the proposal falls short in terms of accessible WC provision, mobility scooter storage provision, accessible cycle storage, lifts and evacuation strategy.
- 7.66 In the event of planning permission being granted, the above measures would be secured by planning condition (*condition 12*) to ensure that the proposed development is accessible and meets inclusive design standards.

Neighbouring Amenity

- 7.67 One of the reasons for refusal on the previous planning application (P2016/1642/FUL) concerned impact on neighbour amenity. Specifically, that:

The application would result in unacceptable harm to the amenities of nearby residential units, through loss of privacy and outlook; disturbance from increased noise and activity; and sense of enclosure, contrary to London Plan (MALP) 2016 Policy 7.6 and Islington Development Management Policy (2013) DM2.1.

- 7.68 The principle concerns about this application related to the south building and the impact on 2a Grenville Road and the rear of the properties at 492-498 Horney Road. The scheme has since been amended with both buildings being reduced in height by 1 floor and the previously proposed rear service yard to the south building has been removed from the scheme.
- 7.69 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.
- 7.70 Daylight and Sunlight: In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 7.71 BRE Guidelines 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"*.
- 7.72 Daylight: 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;
 - 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." (No Sky Line / Daylight Distribution).
- 7.73 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 lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”

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

7.75 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”.*

7.76 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.

7.77 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 degree. 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”.*

7.78 Sunlight: The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11:

“If a living room of an existing dwelling has a main window facing within 90degrees 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. This will be the case if the centre of the window:

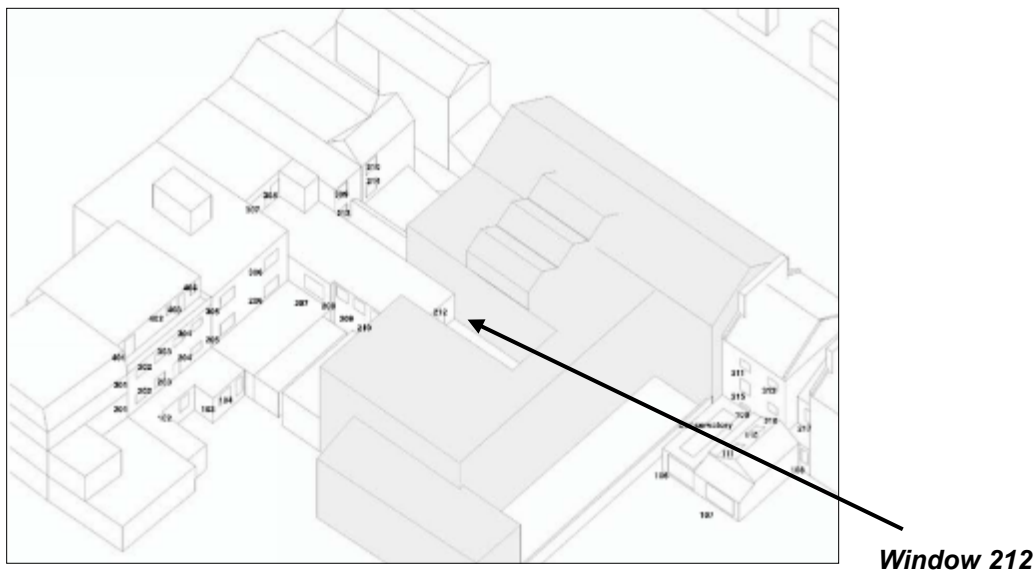
- *Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and*
- *Receives less than 0.8 times its former sunlight hours during either period and*
- *Has a reduction in sunlight received over the whole year greater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

7.79 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.”

7.80 It goes on to state (paragraph 3.2.3): “... 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.”

Assessment

7.81 The VSC has been assessed for all existing surrounding residential properties and it can be confirmed that none of the windows would fail the daylight test as measured by VSC. In all cases, affected windows either retain above 27% of their VSC or would not lose more than 20% of their former value. There is one window (Window 212 on the below diagram) that would lose more than 20% of its former value but this opening serves a commercial use and has a number of other windows that retain high levels of VSC.



Plan of windows neighbouring South Site

7.82 In terms of sunlight, the proposed buildings are generally not positioned south of the closest residential properties and thus sunlight is not affected. Only No. 2 Grenville Road would be affected but only to a limited extent that is well within acceptable limits in accordance with BRE guidance.

7.83 Overlooking / Privacy: Development Management Policy 2.1 identifies that ‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For

instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm.

- 7.84 The proposed residential accommodation on the upper levels on the North Site in general looks northwards over the railway line with no potential for overlooking existing neighbouring residential properties. There is an elevated access gallery to the rear, but this would be clad in a material which does not allow for views onto neighbouring properties. The balustrades are painted steel uprights with a timber handrail. To the west end of the walkways is a screen of angled vertical hardwood louvres to screen the oblique view into windows in the flats in Francis Court - the neighbouring building.
- 7.85 To the south and west, the proposed building faces the street and as overlooking across a public highway is not considered to constitute a loss of privacy, the North Site is considered to be acceptable in terms of its privacy impacts.
- 7.86 On the South Site, the windows in the proposed building on the whole face the street. However, there are windows on the upper levels of the rear section of the building that face west and south towards neighbouring properties. Whilst this does not introduce any new overlooking as there are windows in the existing building facing the same direction, the windows are larger in the proposed building and thus it would be considered appropriate to require further details of privacy screens or obscured glazing by condition in the event that planning permission be granted (*condition 20*).
- 7.87 Noise and Disturbance: adequate sound insulation would be provided to all new units to protect the amenities of existing and future residents and this is covered by Building regulations. Further details of screening around proposed roof terraces shall be provided to minimise noise and disturbance to surrounding residential occupiers (*condition 3*).
- 7.88 Construction: The whole borough of Islington is covered by an Air Quality Management Area (AQMA) thus the site also located within this management area. The supporting Air Quality Assessment prepared by GEM confirms that during the construction phase the impact of dust soiling and PM10 can be reduced to negligible through appropriate mitigation measures. The report recommends a number of mitigation methods to reduce the impact of the construction activities to an acceptable level including; removal of materials that have a potential to produce dust from site as soon as possible, unless being reused on site; ensuring all vehicles switch off engines when stationary; using enclosed chutes, conveyors and covered skips; and reusing and recycling waste to reduce dust from waste materials.
- 7.89 A condition (4) will be required to minimise construction impacts through the submission of a Construction and Environment Management Plan. Any CEMP should include reference to LBI's Code of Construction Practice, BS5228:2009+A1:2014, the GLA's SPG on construction dust and emissions and NRMM compliance register.
- 7.90 In summary, the proposal is not considered to result in an unacceptable impact on neighbouring residential amenity in terms of loss of daylight or sunlight, increased overlooking, loss of privacy, sense of enclosure or noise and disturbance subject to appropriate conditions mitigating impacts.

Landscaping, Trees and Ecology

- 7.91 Islington's Core Strategy Policy CS15 on open space and green infrastructure states that the Council will provide inclusive spaces for residents and visitors and create a greener borough by protecting existing local spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens. Policy DM6.5 reinforces these objectives, stating that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas.
- 7.92 Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. Furthermore, developments are required to minimise any impacts on trees, shrubs and other significant vegetation. At the same time any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits.
- 7.93 The site is adjacent to the Upper Holloway Railway Cutting Site of Importance for Nature Conservation (SINC) and thus any development on site may also need to consider this and propose measures to protect it. The existing site itself is largely composed of hardstanding with little or no ecological value.
- 7.94 The application is accompanied by an Ecological Appraisal, which confirms that the SINC represents an important non-developed green corridor within the urban landscape of Islington. Survey results however demonstrate that the section adjacent to the subject site was not considered to represent the high quality habitat. Although the proposal does constitute an intensification of the site, it is not considered that the development would directly affect the SINC and given the current developed nature of the site, it is considered unlikely that there will be new, indirect effects.
- 7.95 There are currently no trees on site, but three small street trees along the boundary of the North Site. The application proposes to remove one of these trees to allow for the provision of wheelchair accessible parking bays and proposes to provide two new trees on site. Trees adjacent to the site should be afforded appropriate protection during the construction phase, including protection for potential root zones, and this would be appropriately conditioned (*condition 25*). A number of other recommendations are made within the Ecological Appraisal. Appropriate ecological measures would be required by condition (*condition 24*).

Energy & Sustainability

- 7.96 The London Plan (2016) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.

7.97 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). The London Plan sets out a CO2 reduction target, for regulated emissions only, of 35% against Building Regulations 2013. In accordance with Islington Planning Policy, developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock (CS10).

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

Carbon Emissions

7.99 The applicant proposes a reduction in regulated emissions of 57.05% compared to a 2013 Building Regulations baseline. In terms of overall emissions (both regulated and unregulated) the development is predicted to achieve a reduction of 27.01%. In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £82,332.64 will be sought by way of section 106 agreement.

Energy Reduction (Be Lean)

7.100 The proposed U-values for the development are as follows: external walls = 0.18, sheltered walls = 0.2, roof = 0.15, floors = 0.13, and windows = 1.4. These are generally consistent with the values recommended in the Environmental Design SPD. The proposal also low energy lighting is proposed throughout the development, which is supported.

Low Carbon Energy Supply

7.101 London Plan Policy 5.6B states that Major development proposals should select energy systems in accordance with the following hierarchy:

1. Connection to existing heating or cooling networks;
2. Site wide CHP network
3. Communal heating and cooling

7.102 The applicant does not propose to connect to a District Heat Network as there is no planned and committed network within 500m of the application site. However, the site

is around 350m from Islington's Elthorne Estate district heating network. Suitable wording would be included in the section 106 agreement to ensure potential connection to either a future DHN or to the Elthorne Estate (DHN).

- 7.103 The submitted Energy Statement by NRG Consulting rules out the use of on-site CHP, on grounds that the development heat loads are too small to support and would be technically or economically unfeasible. It is considered that this conclusion is correct. Annual and monthly heating and hot water kWh loads have been provided to demonstrate that an on-site CHP is unrealistic.

Renewables

- 7.104 The Mayor's SD&C SPD states that major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible. The Council's Environmental Design SPD (page 12) states "use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets.

- 7.105 Based on 160 panels on the North Site and 35 panels on the South Site, the high efficiency panels proposed would generate an output of 52.65 kWp. The application also proposes air source heat pumps for the commercial units. The proposal maximises renewable energy output from solar PVs (*condition 22*).

Sustainable Design Standards

- 7.106 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.

- 7.107 The commercial units have been assessed for BREEAM certification with the pre-assessment showing a rating of "Excellent". It is proposed that this be conditioned in the event of planning permission being granted (*condition 17*).

Sustainable Urban Drainage System

- 7.108 The application site is Flood Risk Zone 1 and therefore has a low probability of flooding from tidal or fluvial sources. In terms of drainage, surface water for the entire site will be drained via large permeable surface areas. Through the use of permeable paving, attenuation tanks and brown roofs, the proposal would achieve a water run-off rate of 5l/s. The drainage and SUDS strategy including green roofs will be secured by condition (*15 and 16*) and the responsibility of maintenance placed on the applicant.

Green Performance Plan

- 7.109 A draft Green Performance Plan has been submitted as an acceptable draft. A final version would be required through the section 106 agreement.

In summary

- 7.110 The energy and sustainability measures proposed are considered acceptable given site constraints and would ensure a sustainable and green development that would minimise carbon emissions in the future.

Highways & Transportation

- 7.111 The application site has a moderate level of public transport accessibility (PTAL 3) given its relative proximity to Upper Holloway Overground Station and Finsbury Park Station. The site also has major and strategic cycle routes in close proximity as well as pedestrian routes providing access to a number of bus routes from Holloway Road.
- 7.112 In terms of cycle parking, a total of 68 cycle spaces will be provided across both sites for the residential and commercial occupiers (*condition 13*). For residential land use, Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of one (1) space per bedroom. The cycle parking would be conveniently located, safe and secure. The provision exceeds the required amount and is in accordance with policy. Half of the cycle parking spaces would be allocated to commercial occupiers in line with policy and guidance.

Servicing, deliveries and refuse collection

- 7.113 One of the reasons for refusal on the previous planning application (P2016/1642/FUL) concerned the lack of suitable servicing and waste storage. Specifically, that:
- The application does not include adequate provision for on-site servicing, waste storage, operational parking, collections and deliveries, thus failing to demonstrate that the proposed commercial units would be capable of accommodating employment uses on the site without unacceptable harm to surrounding parking stresses and the safe and efficient operation of the highway contrary to 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).*
- 7.114 The scheme has since changed and the southern site now provides serving areas to the front of the site accessed from Grenville Road.
- 7.115 Refuse and recycling facilities would be provided for new residents in line with Islington's refuse and recycling storage requirements and would be picked up from the street. (*condition 19*). On-site delivery and servicing is proposed for the commercial units on both North and South Sites.
- 7.116 The application is supported by a Transport Statement which illustrates an estimated 5-6 vehicles/day servicing the North Site and 17-18 vehicles/day servicing the South Site. It is proposed to provide dedicated off-street servicing / delivery facilities for both sites as shown below.



Proposed Servicing / Delivery

7.117 It is considered that the proposed double loading bays of each site, is sufficient to accommodate this demand. The servicing / delivery strategy is outlined in the submitted documents but further details would be required by condition (*condition 28*). The development is therefore considered to be acceptable in regards to its transport impact and is compliant with Policy DM8.6

Vehicle parking

7.118 Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. Development Management Policy DM8.5 (Vehicle parking), Part A (Residential parking) requires new homes to be car free, including the removal of rights for residents to apply for on-street car parking permits.

7.119 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking). Space for two accessible parking bays is shown on street on Grenville Road (section 106 agreement).

Fire Safety

7.120 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 was considered by London Fire Brigade and no objections were raised. 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, with particular regard to the provision of a sprinkler system.

Relevant statutory duties and development plan considerations and policies

- 7.121 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- 7.122 National Planning Policy Framework (NPPF): Paragraph 14 states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay. At paragraph 7 the NPPF states: "that sustainable development has an economic, social and environmental role". In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 7.123 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.*
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.*
- 7.124 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 7.125 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty

inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Planning Obligations / Mitigation

- 7.126 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 7.127 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 7.128 A number of site-specific contributions will be sought, which are not covered by CIL. None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.
- 7.129 The section 106 agreement will include the contributions listed in Appendix 1 of this report.

National Planning Policy Framework

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

Summary / Conclusion

- 7.131 The proposal seeks to address the previous reasons for refusal and thereby proposes to replace the existing flexible B1 floorspace with a slight increase of new flexible B1 floorspace suitable as either conventional office floorspace, light industrial uses falling into use class B1 and / or small and medium enterprises. The financial viability of the

proposal has been independently assessed and it can be concluded that no affordable housing can be viably provided on site. Based on the submitted viability appraisal, the recommendations by BPS and the policy context officers consider that the scheme cannot viably provide any affordable housing (either on site or with a financial contribution). On balance it is recommended that the scheme is acceptable without the provision of any affordable housing, but with a review mechanism to capture any additional uplift in value.

- 7.132 The architecture of the proposal is considered to make a positive contribution to a coherent streetscape and the buildings and structures are of a proportion, scale and orientation that enhance and appropriately define the public realm. The development is considered to be sympathetic in scale and appearance to the local aesthetic and is considered to incorporate high quality materials and design appropriate to its context.
- 7.133 The density and dwelling mix of the proposed residential accommodation is considered to be acceptable and in accordance with policy and the quality of accommodation proposed meets relevant policy guidance. The proposal is not considered to have unacceptable impacts on neighbouring residential amenity in terms of daylight, sunlight, privacy, noise and disturbance or an increased sense of enclosure.
- 7.134 The proposal is considered to protect the adjacent Site of Importance for Nature Conservation (SINC) and involves a net increase in trees. Finally, the application is considered to constitute a sustainable form of development in terms of energy efficiency, renewable energy and sustainable transport. For the reasons given above and explained in more detail in the main body of this report, the proposal is considered to be acceptable and in accordance with relevant planning policy and is therefore recommended for approval subject to a section 106 agreement and conditions to secure the necessary mitigation measures.

APPENDIX 1: RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted 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:

- an advanced stage financial review (on sale of 75% of market residential units), and the cost of that review to be met by the applicant.
- Section 278 agreement to be entered into with TfL for the repair and re-statement of the footways and highways adjoining the development. The cost is to be confirmed by TfL, paid for by the applicant and the work carried out by TfL (unless otherwise advised in writing by TfL). Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of 2 work placements. Each placement must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/2015). If these placements are not provided, a fee of £10,000 to be paid to the council.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £1,012, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 2 additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of £4,000.
- A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total amount: £82,332.64.
- Connection to a local energy network (Bunhill heat network), if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Permit free residential units
- Submission of a draft full Travel Plan for council approval prior to occupation, and of a full Travel Plan for council approval 6 months from first occupation of the development or phase (provision of Travel Plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).

- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

RECOMMENDATION B

That the grant of planning permission be granted subject to:

CONDITIONS

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: Existing Plans 4022-X.01; X.405_A; X.505_A; X.515_A; X.605; X.606; X.610; X.615; Proposed Plans 4022-P.405_B; P.406_A; P.407_A; P.408_A; P.410_A; P.415_A; P.505_B; P.506_A; P.507_A; P.508_A; P.510_A; P.515_B; P.516_A; P.517_A; P.520_A; P.521; P.605_A; P.606_A; P.607_A; P.608_A; P.610_A; P.615_A; P.616_A; P.617_A; P.620_A; P.621. Design & Access Statement by 4orm; Addendum Report Design Evolution; Skylight & Sunlight Report (amended 18th May 2018); Fire Strategy Report by 4orm; Affordable Housing Financial Viability Assessment by CgMs dated August 2017; Air Quality Assessment dated May 2017; Arboricultural Assessment by RPS dated June 2017; BREEAM Pre-Assessment by NRG Consulting dated June 2017; Construction Management Plan by West Gate Maintenance; Contaminated Land Preliminary Risk Assessment by Terragen; Ecological Report by Applied Ecology dated May 2017; Market Demand Assessment by Drivers & Norris dated May 2017; Noise & Vibration Report by Holtz Acoustics dated February 2017; Overheating Risk Analysis by NRG dated June 2017; Planning Statement by RPS Group dated August 2017; Schedule of Accessible Accommodation by 4orm dated May 2017; Site Waste Management Plan dated May 2017; Strategic Drainage Report by Conisbee dated June 2017; Sustainable Design & Construction Statement by NRG dated June 2017; Transport Statement by Conisbee dated June 2017; Travel Plan by Conisbee dated June 2017; Tree Constraints Plan JKK8918 - RPS-Figure 01.01; Tree Protection Plan JKK8918 A RPS-Figure 02.01</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and Samples (Details)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work of the relevant phase commencing on site. The details and samples shall include:</p>

	<p>a) Facing Brickwork(s); Sample panels of proposed brickwork to be used showing the colour, texture, pointing and textured brickwork and boundary walls shall be provided;</p> <p>b) Window details and balconies / balustrades;</p> <p>c) Roof materials;</p> <p>d) Metal cladding;</p> <p>e) Balcony detail including acoustic specification of screening;</p> <p>f) Doors and access points;</p> <p>g) Canopies;</p> <p>h) Elevated walkway;</p> <p>i) Green procurement plan; and</p> <p>j) Any other materials to be used.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>
4	<p>Construction</p>
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The CEMP shall include details and arrangements regarding:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; 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; d) Details regarding the planned demolition and construction vehicle routes and access to the site; 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; f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works; 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.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting; i) Details of measures taken to prevent noise disturbance to surrounding residents; 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; k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception) l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic using Fairbridge Road, Charles Street and Hornsey Road at all times, including emergency service vehicles; m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and n) 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. o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.

	<p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, 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>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</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>
5	Noise and Vibration
	<p>CONDITION: A scheme for noise and anti-vibration treatment of the foundations and services shall be submitted to the Council for written approval prior to the commencement of superstructure works, and implemented to the satisfaction of the Council to achieve the following internal noise targets:</p> <p>Internal vibration levels shall not exceed the category of "low probability of adverse comment" in Table 1 of Appendix A of BS 6472:2008.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
6	Vibration
	<p>CONDITION: Groundborne noise shall not exceed 35dB LAmax,Slow as measured in the centre of any residential room.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
7	Sound insulation
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast) Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
8	Commercial sound insulation
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed office and residential use of the Hornsey Road building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
9	Land Contamination
	<p>CONDITION: 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>a) 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>b) 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: Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water environment in accordance with paragraphs 109 and 121 of the National Planning Policy Framework, policies 5.14 and 5.21 of the London Plan 2016 and policy DM6.1 of Islington's Development Management Policies 2013.</p>
10	Roof-Level Structures
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene or the character and appearance of the area in accordance with policies 3.5, 7.4 and 7.6 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
11	External pipes, cables and CCTV (Compliance and Details)
	<p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>Notwithstanding the drawings hereby approved, no CCTV cameras or related equipment and installations are hereby approved.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard, and to ensure that the development is in accordance with policies 3.5, 7.4 and 7.6 of the London Plan 2016, Policy CS9 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
12	Inclusive design – business floorspace (Details)
	<p>CONDITION: Details including floorplans, sections and elevations of all business floorspace at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development's business floorspace. The details shall include:</p> <ul style="list-style-type: none"> • accessible WC provision; • public entrances including sections showing level access, door furniture and manifestations to glazing; • space for the storage and charging of mobility scooters; • details of accessible changing facilities for staff; • accessible cycle storage;

	<ul style="list-style-type: none"> • details of how the development would comply with the relevant parts of the Inclusive Design in Islington SPD; and • refuge area and management strategy in the event of fire evacuation. <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design in accordance with policy 7.2 of the London Plan 2016, policy CS12 of Islington's Core Strategy 2011, and policy DM2.2 of Islington's Development Management Policies 2013.</p>
13	Cycle Parking (Details / Compliance)
	<p>CONDITION: Details of bicycle storage shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The approved bicycle storage shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
14	Restriction of B1 Use (Compliance)
	<p>CONDITION: At least 500sqm (GIA) of B1(c) floorspace shall be provided. The B1(c) shall be strictly limited to uses within the use B1(c) use class and not for the purposes of Use Class B1a or B1b – of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order).</p> <p>REASON: To ensure that the use hereby approved is not able to change to B1(a) office via permitted rights allowed under the Town and Country Planning (Use Class) Order 1987 (As Amended) and in the interest of preserving the economic function of the Employment Growth Area.</p>
15	SME space
	<p>CONDITION: Details, including floorplans, of business accommodation suitable for occupation by micro and small enterprises shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development's business floorspace. The details shall confirm that no less than 5% of the development's business floorspace shall be suitable for occupation by micro and small enterprises, and shall confirm the terms under which this floorspace shall be offered.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>The business accommodation suitable for occupation by micro and small enterprises shall not be amalgamated with the remainder of the B1 floorspace in the development hereby approved.</p> <p>REASON: To ensure adequate provision of business accommodation suitable for occupation by micro and small enterprises in accordance with policy BC8 of the Finsbury Local Plan 2013.</p>
16	Green Roofs
	<p>CONDITION: Notwithstanding the plans hereby approved, details of green/brown roofs to the development hereby approved (including details of the extent of green/brown roofs, and the species to be planted/seeded) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The green roofs shall:</p> <ul style="list-style-type: none"> • form biodiversity-based roofs with extensive substrate bases (depth 80-150mm);

	<ul style="list-style-type: none"> cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. <p>An explanation as to why any areas of roof would not be covered with green roofs shall be included with the above details. Green roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to protect neighbouring privacy, and to ensure surface water run-off rates are reduced in accordance with policies 5.3, 5.10, 5.11, 5.13 and 7.19 of the London Plan 2016, policies CS10 and CS15 of Islington's Core Strategy 2011, and policies DM2.1, DM6.5, DM6.6 and DM7.1 of Islington's Development Management Policies 2013.</p>
17	Sustainable Urban Drainage (Details)
	<p>CONDITION: Prior to any works commencing on site a drainage strategy including full justification for any non-compliance with the requirements of Development Management Policy DM6.6 and London Plan Policy 5.13, and confirmation that best endeavours have been made to comply with these policies, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the drainage strategy so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development achieves appropriate surface water run-off rates in accordance with policy 5.13 of the London Plan 2016 and policy DM6.6 of Islington's Development Management Policies 2013.</p>
18	BREEAM
	<p>CONDITION: All business floorspace within the development hereby approved shall achieve a BREEAM (2018) New Construction Scheme rating of no less than "Excellent".</p> <p>REASON: In the interests of sustainable development and addressing climate change in accordance with policies 5.2 and 5.3 of the London Plan 2016, policy CS10 of Islington's Core Strategy 2011 and policy DM7.4 of Islington's Development Management Policies 2013.</p>
19	Energy Strategy
	<p>CONDITION: The proposed measures relevant to energy as set out in the Energy and Sustainability Statement hereby approved which shall together provide for no less than a 27.1% on-site total (regulated and unregulated) carbon dioxide reduction in comparison with total emissions from a building which complies with Building Regulations 2013 shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainable development and to ensure that the Local Planning Authority may be satisfied that the carbon dioxide reduction target is met in accordance with policies 5.2, 5.3 and 5.7 of the London Plan 2016, policy CS10 of the Islington Core Strategy 2011, and policies DM7.1 and DM7.3 of Islington's Development Management Policies 2013.</p>
20	Refuse / Recycling
	<p>CONDITION: The dedicated refuse/recycling stores, which shall incorporate facilities for the recycling of compostable waste hereby approved shall be provided prior to first occupation of the development hereby approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p>

	<p>REASON: To ensure the necessary physical waste storage to support the development is provided in accordance with policy 5.16 of the London Plan 2016, policy CS11 of Islington's Core Strategy 2011 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
21	<p>Obscured Glazing / Privacy Screens</p>
	<p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and / or privacy screens on the upper levels of South Site to prevent overlooking to neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents.</p>
22	<p>Accessible Housing</p>
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, 14 of the new residential units shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) and 2 units shall be constructed to meet the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Wheelchair user dwellings' M4 (3).</p> <p>A total of 2 x 2B3P units on the first and second floors of the North Site shall be provided to Category 3 standards.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON – To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs.</p>
23	<p>Solar PVs</p>
	<p>CONDITION: The proposed Solar Photovoltaic Panels shown on approved plan 4022-P.410_A, which shall provide for no less than a 52.65 kWp of energy, shall be installed and operational prior to the first occupation of the development. Should there be any changes to the proposed solar panels, then details showing the revised arrangement providing at least the same amount of output shall be submitted and approved by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Output of panels - Area of panels; and - Design (including elevation plans). <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
24	<p>Water Use</p>
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
25	<p>Landscaping</p>

	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species, size and section showing rooting area; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; g) biodiversity value of the proposed landscaping; h) inclusive design principles adopted in the landscaped features; i) phasing of landscaping and planting; j) bird and bat boxes; and k) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase. The landscaping and tree planting shall have a two-year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
26	<p>Tree Protection</p>
	<p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) including details of all tree protection monitoring and site supervision shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM Policy 2013 and pursuant to section 197 of the Town and Country Planning Act 1990</p>
27	<p>Lighting Plan</p>
	<p>CONDITION: Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the relevant phase of the development hereby approved.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minimised. 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>
28	<p>Lifts</p>
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site</p>
29	<p>Delivery / Servicing Plan</p>
	<p>CONDITION: Prior to any works commencing on site, a Delivery and Servicing Management Plan (DSMP), including a Waste Management Plan (WSP), shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The DSMP shall include details of how parking / traffic on the forecourt would be managed, of all servicing and delivery requirements, including details of how waste (including recyclable waste) would be transferred and collected, and shall confirm the timings of all deliveries and collections from service vehicles.</p> <p>The development shall be carried out strictly in accordance with the DSMP so approved.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development in accordance with policies 5.16, 6.3 and 6.14 of the London Plan 2015, policy CS11 of Islington's Core Strategy 2011, and policies DM2.1 and DM8.6 of Islington's Development Management Policies 2013.</p>

INFORMATIVES

1	<p>Planning Obligations Agreement</p> <p>You are advised that this permission has been granted subject to the completion of a section 106 agreement to secure agreed planning obligations.</p>
2	<p>Superstructure</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>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
4	<p>Car-Free Development</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 occupiers of the proposed development will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>
5	<p>Groundwater</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 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.</p> <p>Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
6	<p>Water Pressure</p> <p>INFORMATIVE: Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 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>
7	<p>Surface Water Drainage</p> <p>INFORMATIVE: 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>

	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.
8	Materials
	INFORMATIVE: In addition to compliance with condition 3 materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
9	Construction Management
	<p>INFORMATIVE: You are advised that condition 4 covers transport and environmental health issues and should include the following information:</p> <ol style="list-style-type: none"> 1. identification of construction vehicle routes; 2. how construction related traffic would turn into and exit the site; 3. details of banksmen to be used during construction works; 4. the method of demolition and removal of material from the site; 5. the parking of vehicles of site operatives and visitors; 6. loading and unloading of plant and materials; 7. storage of plant and materials used in constructing the development; 8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; 9. wheel washing facilities; 10. measures to control the emission of dust and dirt during construction; 11. a scheme for recycling/disposing of waste resulting from demolition and construction works; 12. noise; 13. air quality including dust, smoke and odour; 14. vibration; and 15. TV reception.
10	Sprinkler Systems
	INFORMATIVE: While fire safety and floor layout will be further considered though the building control process, you are strongly advised by the London Fire and Emergency Planning Authority to install sprinkler systems as these significantly reduce the damage caused by fire and the consequential cost to business and housing providers, and can reduce the risk to life.

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 2.18 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 3.3 Increasing Housing Supply

Policy 3.4 Optimising Housing Potential

Policy 3.5 Quality and Design of Housing Developments

Policy 3.6 Children and Young People's Play and Informal Recreation Facilities

Policy 3.8 Housing Choice

Policy 3.9 Mixed and Balanced Communities

Policy 3.13 Affordable Housing Thresholds

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development

Policy 4.4 Managing Industrial Land and Premises

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 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.15 Water use

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.19 Hazardous Waste

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 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime neighbourhoods
Policy 7.2 An inclusive environment
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands
8 Implementation, monitoring and review
Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS11 (Waste)
Policy CS12 (Meeting the Housing Challenge)
Policy CS13 (Employment Spaces)
Policy CS16 (Play Space)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

C) Islington's Development Management Policies June 2013

Design and Heritage

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

Employment

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development
DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.4 Sustainable design standards

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
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's Core Strategy 2011, Islington's Development Management Policies 2013 and the Finsbury Local Plan 2013:

Islington Local Plan
Employment Growth Area. Article 4 Direction Office to Residential Cycle Routes (Local) Rail Land Ownership – Nation Rail Surface Adjacent to SINC

4 Supplementary Planning Guidance (SPG) / Documents (SPD)

The following SPGs and SPDs are relevant:

Islington Local Plan

- Development Viability SPD
- Environmental Design SPD
- Inclusive Design in Islington SPD
- Planning Obligations (Section 106) SPD
- Streetbook SPD
- Urban Design Guide SPD

London Plan

- Accessible London: Achieving an Inclusive Environment SPG
- The Control of Dust and Emissions During Construction and Demolition SPG
- Planning for Equality and Diversity in London SPG
- Shaping Neighbourhoods – Character and Context SPG
- Shaping Neighbourhoods – Play and Informal Recreation SPG
- Sustainable Design and Construction SPG

APPENDIX 3: DESIGN REVIEW PANEL COMMENTS (DATE)



CONFIDENTIAL

ATT: Richard Gooden
4orm
1-5 Offord Street
London
N1 1DH

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

Our ref: Q2018/0271/DRP

Date: 12 March 2018

Dear Richard Gooden,

ISLINGTON DESIGN REVIEW PANEL

RE: Grenville Works 2A inc. 1 Grenville Road & 500 - 502 Hornsey Road (planning application ref. P2017/3242/FUL)

Thank you for attending Islington's Design Review Panel meeting on 16 February 2018 for a first review of the above scheme. The proposed scheme under consideration is for the demolition of buildings and redevelopment of the land to provide 16 dwellings and 2215m² of commercial floorspace together with landscaping, service yards, cycle storage, bin storage and associated works across two sites. The north site (500-502 Hornsey Road) would provide 490sqm of B1 (business) floorspace at ground floor and 16 dwellings above (2x1 beds, 11x2 beds and 3x3 beds, Use Class C3) within a 3-4 storey building. The south site (Grenville Works, 2a Grenville Road) would provide 1725 sqm of B1 floorspace within a 4 storey building.

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 (Chair), Stuart Piercy, Lotta Nyman, Jonathan McDowell and Dorian Crone on 16 February 2018 including a site visit, presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Panel welcomed the opportunity to comment on the proposals, however felt it was unfortunate to see the scheme at application stage rather than earlier on in the process. They made comments on the following issues:

Detailing generally

The Panel encouraged that the principal elevations should be given a simpler treatment and that the success of the scheme would be dependent on good detailing. It was therefore suggested that further information, shown as 1:5/1:10 drawings, on details such as the type of bond for the brickwork, the depths of the window reveals and balustrades, should be submitted as part of the planning application.

North Site

Elevational Treatment

The irregularity of the fenestration pattern and disconnect between the ground and upper floors of the elevations was not considered to be successful by the Panel. To remedy this, panel members suggested it should be given a more robust, grid-like treatment with larger openings that encompasses all floor levels so that they appear less disjointed and display more of a rhythmical quality. Panel members were also not convinced that the proposed corner balconies fronting onto Hornsey Road were successful and strongly recommended that if they were to be provided in this location, they should be given greater solidity to hide inevitable visual clutter. To this end, it was suggested that they should be of predominantly brick construction and could include a pier in the corner to add to the sense of robustness. Alternatively, balconies could instead be located on the opposite corners of the building.

The symmetrical composition of the elevation on Hornsey Road was also questioned. They felt that the resolution along the railway line end that required abutting the existing bridge was not satisfactory.

Residential entrances

Panel members suggested that the main residential lobby accessed from Hornsey Road should be swapped with the bins and bike storage, which would avoid the need to construct a small lower wall to the northern perimeter and would avoid difficult details as it connects to the existing bridge wall. Making it a gated entrance was also encouraged, as a means to reduce potential anti-social behaviour. In addition, the Panel suggested that the second residential lobby needed to be a more generous space and should be usable as a main entrance (with its own bin and bike store) in order to future proof the building if required by the tenure mix. As the corridor is already very narrow, it was considered that this may not be practical with mail boxes introduced.

Layout / Servicing

The Panel felt that it should be possible to reduce the length of the communal corridors to the flats. They also questioned whether there may be a less convoluted solution than deck access and the provision of two access cores.

Panel members considered the central corridor to the ground floor units to be wasteful and service access from the service yard to the southern unit may be possible via the external space on Grenville Road frontage.

Landscaping

It was unclear from the information as to how the front onto Grenville Road was being resolved. There seems to be some discrepancy between the perspectives that show a railing and low wall and the plans that show an external bin or bike store

South Site

Elevational Treatment

Panel members felt that the elevation fronting Grenville Road should aim to reflect the established rhythm and regularity of the wider streetscape, which would help soften the impact of the new building. Some panel members suggested that dividing the elevation to Grenville Road into 5 rather than 4 bays may enable the elevation to be articulated in a more contextual way. Some also suggested that it might not be necessary to have the bays articulated so literally at all and that large

Landscaping

Panel members were concerned that there was little resolution to the front of the B1 units and how the screens, bays and forecourt would work in reality to mitigate against irregular parking and things being left out on view. They indicated there needs to be a balance between the functionality of the B1 units and the residential street character. Some panel members suggest that a landscaping strategy could be employed to discourage vehicles from parking in front of the proposed B1 Unit.

Summary

Although the Panel did not raise objections to the overall height, massing and distribution on the site, they considered that greater clarity was needed for the main pedestrian and servicing entrances to the residential building, and suggested ways in which these could be improved upon. The Panel also suggested that the elevation treatment across both buildings should be given a simpler and more logical expression, and advised that greater thought needed to be given to detailing in order to move the scheme up to a sufficient level of quality.

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

**Grenville Studios North Site and South
Site, Islington, N19 4EH**

Independent Viability Review

Prepared on behalf of the London Borough of Islington

11th January 2018

Planning reference: P2017/3242/FUL



82 South Street, Dorking, RH4 2HD
www.bps-surveyors.co.uk
Tel: 01483 565 433

1.0 INTRODUCTION

- 1.1 We have been instructed by the London Borough of Islington to undertake a viability review in respect of an application to redevelop land at Grenville Studios:

Demolition of buildings and redevelopment of the land to provide 16 dwellings and 2215m² of commercial floorspace together with landscaping, service yards, cycle storage, bin storage and associated works across two sites. The north site (500-502 Hornsey Road) would provide 490sqm of B1 (business) floorspace at ground floor and 16 dwellings above (2x1 beds, 11x2 beds and 3x3 beds, Use Class C3) within a 3-4 storey building. The south site (Grenville Works, 2a Grenville Road) would provide 1725 sqm of B1 floorspace within a 4 storey building.

- 1.2 We provided a review in August 2016 in respect of an earlier version of the scheme (application reference P2016/1642/FUL). This review considered the original Viability Assessment by RPS dated June 2016.
- 1.3 We then provided advice in relation to the pre-application process of the current application (P2017/3242/FUL), and provided a report on 11th April 2017 in respect of the Viability Assessment that was undertaken by the applicant's advisers, CGMS. This has been prepared on behalf of Grenville Northside Ltd ('the applicant').
- 1.4 The previous application (P2016/1642/FUL) was refused consent, and the scheme has consequently been revised to address the reasons for refusal. The main change is that the scheme has been reduced from 19 units to 16 units. Scheme changes include, among others, the removal of one storey from the proposed North Site building, making all dwellings dual aspect, adding an additional residential core, and the removal of internal lifts from the wheelchair accessible dwellings.
- 1.5 The Site is 0.2 Ha in total and is comprised of two parcels of land: 500-502 Hornsey Road (known as the North Site), and Grenville Works (the South Site). The North Site extends to 0.11 Hectares (0.27 acres) and contains a two-storey 1,240 m² (GIA) commercial building which has B1 lawful use and is divided into individual units which are occupied by a number of businesses. The South Site is 0.09 Hectares (0.23 acres) and contains a two-storey building in commercial use with a GIA of 955 m², which likewise is multi-let.
- 1.6 The revised scheme seeks permission for delivery of 16 residential dwellings and 2,260 sq m of commercial floorspace. The North Site will include 2 one-bed, 11 two-bed, and 3 three-bed apartments, and 493 sq m GIA of commercial floorspace (B1) in a four-storey block; and the South Site will include 1,767 sq m GIA of commercial floorspace (B1) in a four-storey block.
- 1.7 Core Strategy Policy CS12 includes a site-specific requirement that developments should provide the maximum reasonable level of affordable housing taking into account the strategic target of 50% (by unit). This applies to all sites capable of delivering 10 or more units (gross).
- 1.8 The advice set out in this report is provided in the context of negotiating planning obligations and therefore in accordance with PS1 of the RICS Valuation Professional Standards (January 2014) (Red Book), the provisions of VPS1 - 4 are not of mandatory application and accordingly this report should not be relied upon as a Red Book Valuation. The Valuation Date for this Viability Review is the date of this

report, as stated on the title page. This Viability Review has been undertaken in accordance with the Terms & Conditions provided to the Council and with any associated Letters of Engagement, and should only be viewed by those parties that have been authorised to do so by the Council.

2.0 CONCLUSIONS & RECOMMENDATIONS

- 2.1 The CGMS appraisal concludes that the scheme cannot viably deliver any affordable housing, based on present-day costs and values. The residual land value generated is £2.07m, which against their benchmark land value of £2.30m, gives a deficit of £230,000. In this appraisal, all the residential units are for private sale, with no affordable housing delivery assumed. We understand that no affordable housing contributions are currently being offered.
- 2.2 The appraisal includes planning contributions of £163,781 which are stated in CGMS's report as being the sum total of the CIL contributions and S106 Contributions. A breakdown of these contributions is not provided. These contributions will need to be confirmed by planning officers as being at the correct levels.
- 2.3 With respect to the private sales values adopted, we have considered these in light of recent comparable sales evidence and growth in values in Islington over 2017. This indicates that prices adopted by CGMS (£727 per sq ft overall) are lower than can be achieved, in part because the sales value estimate was made in January 2017 thus does not factor in recent growth in values. We have adopted £800 per sq ft overall.
- 2.4 The Existing Use Value that we adopted in our 11th April 2017 report was £2.232m which is only marginally lower than the figure of £2.3m adopted by CGMS. This reflects our assessment of the quality of the existing facilities, which identified that the CGMS's assessment was somewhat optimistic given the specification and condition of the floorspace.
- 2.5 With respect to the rents and yields applied to the commercial space, these are at the same level as in the previous CGMS report, and we maintain the conclusion that these are reasonable.
- 2.6 In our April 2017 report we stated that, "*There is the potential for the proportion of offices to be increased, which could potentially improve scheme viability.*" In response, CGMS's latest appraisal has increased the proposed office floorspace, and this now amounts to 50% of the total non-residential floorspace. This is, however, insufficient to render the scheme viable in CGMS's appraisal.
- 2.7 Based on our viewing of the plans we see little reason why the South Site building would not be suitable for office use, other than perhaps the limited natural light on the ground floor. If the Council wishes to ensure that light industrial uses are retained, then this would need to be discussed such as ways to restrict the occupancy to light industrial tenants. CGMS have noted that,
- An increase in office floorspace would improve the viability of the scheme however this is entirely dependent upon the applicant receiving a genuine offer(s) for use of the space as bone-fide B1(a) floorspace. The LPA Employment Demand Study (January 2016) makes it quite clear that B1(a) office floorspace is not the type of employment accommodation that is needed to meet demand in this part of the borough.*
- 2.8 We consider 50% office floorspace to be a reasonable assumption, taking into account that some parts of the south building would provide substandard office

space. Whilst there is the potential for more of the south building to be offices, this would act to increase the level of refurbishment/costs costs, thus restricting the benefits of this change.

- 2.9 There is not any affordable workspace shown in the appraisal, and this is not mentioned in CGMS's report, but they have informed us that the applicant is willing to provide affordable workspace but is awaiting guidance from the Council as to the amount that will be required.
- 2.10 We have increased the sales values increased to £800 per sq ft when revising the Toolkit appraisal. In addition, we have taken the approach of adopting the figures that have been suggested by Geoffrey Barnett Associates and inputted this into the appraisal. These combined changes give a residual land value of £2,146,000 which indicates that the scheme is marginally in deficit when compared against our benchmark land value of £2.232m. This indicates that the scheme cannot viably make any affordable housing contributions, based on present-day costs and values. In spite of the improvements in viability resulting from increasing the proportion of office space, the requirement to reduce the number of residential units from 19 to 16 has had a negative impact and has eliminated any potential surplus.
- 2.11 Residual valuations are highly sensitive to changes in costs and values over time, therefore we recommend that the Council considers seeking agreement to a deferred contributions mechanism, based on outturn costs and values, so that if improvements in viability result in a profit surplus being generated, this can trigger the payment of affordable housing contributions.
-

3.0 ANALYSIS OF VIABILITY ASSESSMENT INPUTS

Sales values

- 3.1 The private housing revenues in the appraisal total £9.05m. These are based on the sales values are estimated of £727 per sq ft by Montagu Evans, in their January 2017 report. Since then, prices have increased 5% in Islington according to the Land Registry House Price Index (HPI), therefore it may be suitable for Montagu Evans to update their estimate. In our previous (11th April 2017) report we stated:

In conclusion, we maintain our previous conclusion that considerably higher values can be achieved for the two-beds, and we have increased RPS's January 2017 prices by 10%, which gives an average of £800 per sq ft, but do not consider values any higher than this to be realistic in view of the specification reductions made by the applicant's cost consultant, Artelier.

- 3.2 Increasing Montagu Evans' total by HPI would give £764 per sq ft. This is 4.5% lower than our estimate of £800 per sq ft thus is a minimal valuation difference, given the uncertainties inherent in valuations of new-build housing. We have, however, maintained our valuation of £800 per sq ft and have applied this in our revised appraisal.

- 3.3 We have considered recent comparable evidence:

- **No 6 Drayton Park** - 2 bedroom, 1st floor flat (857 sq ft) in a modern purpose built medium-rise block developed in recent years. This is a larger than average 2 bedroom flat comprising 857 sq ft, with an en-suite to the master bedroom. The property appears to be in a good condition and went under offer below the marketed price of £715,000 at £696,500 (**£813 per sq ft**) in July 2017. We consider this to be a superior location to the subject. Not new-build but is in superior location, thus on balance, we would not expect higher.
- **Hornsey Road Bath scheme, Tiltman Place** - 2 bedroom flat in the scheme comprising 709 sq ft completed in November 2016 at £550,000 (**£776/ sq ft**). This is new-build, and in marginally superior location. Allowing of HPI growth, this would give a present-day notional value of 822 per sq ft. Taking the inferiority of the application scheme into account, we consider c£800 per sq ft to be realistic for the proposed scheme.
- **The Joinery, Ruskin Court** - the development achieved an average of £670 per sq ft. Whilst these took place a while ago, in March 2016, and the values are lower than those of some of the other schemes we have viewed, this is still an important comparable given its close proximity to the application scheme.

The Joinery is part of a larger redevelopment by Family Mosaic which includes a large proportion of affordable housing. The private units are located in Ruskin Court and Hardy Court with the latter a conversion of a former industrial building. The units at this scheme have been, according to the particulars, completed to a good standard with units at Hardy Court benefiting from the warehouse features such as exposed brickwork. The achieved prices are detailed below:

Unit Ref	Floor	Beds	Sq m	Sq ft	Achieved Price	Price/Sq ft	Date
RC-11	1	1	54	581	£365,000	£628	Mar-16
RC-17	2	1	54	581	£370,000	£637	Mar-16
RC-20	3	1	59	635	£394,000	£620	Mar-16
Average 1 Bed			56	599	£376,333	£628	
HC-06	1	2	64	689	£485,000	£704	Mar-16
HC-08	1	2	67	721	£490,000	£679	Mar-16
HC-09	1	2	66	710	£491,000	£691	Mar-16
HC-10	2	2	65	700	£500,000	£715	Mar-16
RC-12	2	2	80	861	£555,000	£645	Mar-16
RC-13	2	2	73	786	£495,000	£630	Mar-16
RC-14	2	2	78	840	£540,000	£643	Mar-16
RC-18	3	2	76	818	£545,000	£666	Mar-16
RC-19	3	2	73	786	£530,000	£675	Mar-16
Average 2 Bed			71	768	£514,556	£670	

- 3.4 In conclusion, we consider our previous estimate of £800 per sq ft to remain a suitable figure. This gives £9,960,800

Development Costs

- 3.5 We have instructed Geoffrey Barnett Associates (GBA) to undertake a review of the cost plan that has been created by Artelia. The build costs in the Toolkit appraisal are summarised below:

Build costs in toolkit	
base build - residential	2,416,040
base build - commercial	3,343,000
net to gross adjustment	739,861
total base build	6,498,901
contingency	213,305
total inc contingency	6,712,206
professional fees - residential	639,915
professional fees - commercial	347,874
total professional fees	987,789
total including prof fees	7,699,995

- 3.6 The totals in the cost plan and the toolkit are compared below:

TOOLKIT COSTS	
Build costs in toolkit (inc prof fees and contingency)	7,699,995

COST PLAN COSTS	
sub total (north)	4,266,098
sub total (south)	2,970,712
contingency (north)	148,536
contingency (south)	213,305
total (excluding prof fees @ 15%)	7,598,651
professional fees	1,085,522
Total including prof fees	8,684,173

difference	984,178
------------	---------

- 3.7 CGMS are of the view that the differences between the appraisal and the Cost Plan is fully justified. We have requested an explanation and await a response. We understand that a number of items had been removed in order to aid overall viability, thus do not necessarily represent accurate costings for the scheme but rather the applicant's willingness to eliminate the deficit and show the development be deliverable.
- 3.8 We have taken the approach of adopting the figures that have been suggested by GBA and inputted this into the appraisal, with the exceptional development costs being wrapped up with the main build cost. As shown in Appendix One, the figure estimated by GBA is £8,212,000, which is inclusive of contingency and professional fees. We have removed the separate inputs for professional fees and contingency in the appraisal, and inputted the total inclusive cost figure. (Please note that the separate 'professional fees' stated for the commercial space in our revised Toolkit are in fact finance costs).
- 3.9 Professional Fees of £987,789 are included in the appraisal. These are equal to 15.2% of the base build cost, which is higher than the GLA Toolkit's default rate of 12% but nevertheless not unrealistic, and in any case given that the contingency is at 3.3% in the appraisal, overall these two inputs are reasonable.
- 3.10 Finance costs are calculated using the GLA Toolkit's default assumptions, including its 6.5% interest rate and 1.5 year construction period, therefore this is a reasonable approach as it is in line with these benchmark assumptions. This is applied to the residential space, whereas the commercial space a finance cost calculated at 5% of the commercial build costs, which is an acceptable approach.
- 3.11 The profit originally adopted by RPS is 20% on Gross Development Value (GDV) for the residential element. This figure is within the range of acceptable profit requirements. It has become common recently for profit levels 17-20% on GDV to be adopted, and these levels have been accepted by Planning Inspectors in a large number of recent appeal decisions. We have had regard to the Council's Development Viability SPD which states:

“Following the downturn of 2008/9, required profit levels increased notably reflecting greater risk and constraints on the availability of development finance. During that time, for market residential properties, much higher levels of profit were applied - typically 20% on Gross Development Value (GDV).....it is considered that current profit levels for private residential/commercial components of a scheme are likely to fall within a range of 15-20% on Gross Development Costs (GDC).

- 3.12 Taking the above SPD excerpt into account, and the improvement in the economy which have occurred since 2008/9, a profit of 20% on GDV can now be considered at the upper end of the range of values. The applicant has recently decided to reduce its profit requirement to 18% on GDV, which we agree falls within the range of acceptable profit requirements. The profit applied for the commercial is a realistic rate of 15% on GDV, which is in line with the level we have seen applied to other commercial floorspace.

Commercial values

- 3.13 The rent per sqm is £242 for the B1a and £129 per sq m for the B1c space.

Commercial valuation assumptions

Block	Use	Rent psm (psf)	Yield
North	Office B1a	£242 (£22)	7%
South	Light industrial B1c	£129 (£12)	7%

- 3.14 With respect to the rents and yields applied to the commercial space in the valuation, these are at the same level as in the previous CGMS report, and we maintain the conclusion that these are reasonable.

Benchmark land value

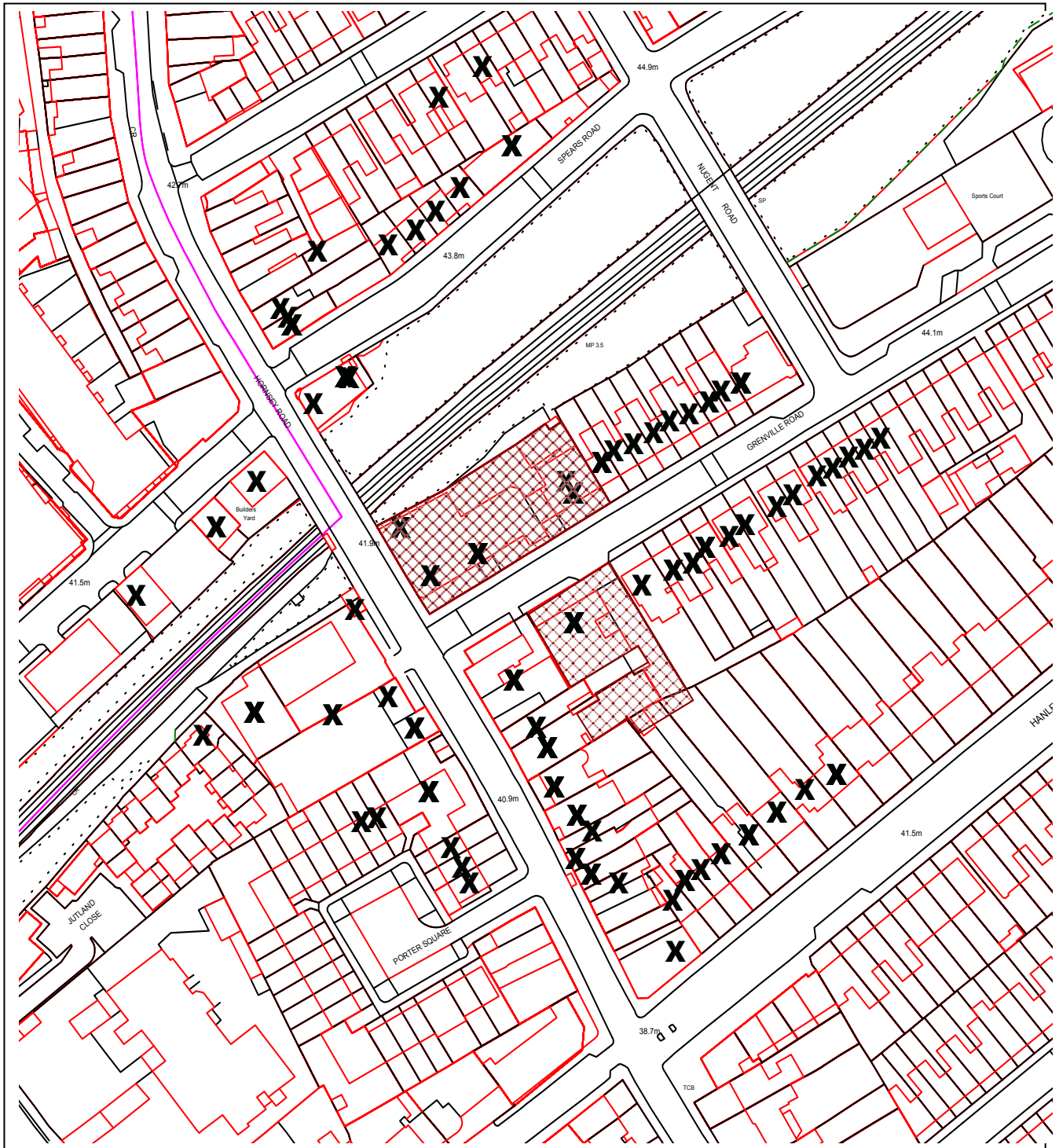
- 3.15 The Existing Use Value that we adopted in our 11th April 2017 report was £2.232m which is only marginally lower than the figure of £2.3m adopted by CGMS.
- 3.16 In their June 2016 viability assessment, RPS adopted a Site Value of £3.24m, which was based upon a £2.7m Existing Use Valuation ('EUV') to which a 20% landowner premium was added. In our September 2016 report, we concluded that this EUV was overstated, and we revised this to £1.86m. We accepted the use of a 20% landowner premium, thus applied it to reach a £2.232m Site Value.
- 3.17 We re-considered our August 2016 existing use value estimate in the light of further comments provided by the Council regarding the condition of the existing buildings:

“Having visited the site, the existing commercial units are poor quality, not built to modern standards, have poor servicing facilities and limited accessibility, and are coming to the end of their life so would benefit from redevelopment or refurbishment. The new units would have good accessibility and good quality accommodation with high ceilings, natural daylighting, goods lifts and off-road servicing areas - we have pushed for any redevelopment to provide high quality workspaces to address the problems with the existing units. In terms of quality and functionality this would be a substantial improvement”.

- 3.18 CGMS have informed us that the South Building is in B8 storage/B2 use predominantly, including a yoghurt manufacturer and an indoor plant grower. And the North Building is in a mixture of B1(c) light industrial use and B1(a) office use - with light industrial on the ground floor (including an upholsterer), and offices (including a lampshade designer) on the 1st floor.
- 3.19 The light industrial tenant in occupation are all businesses that will not be significantly impacted by the condition of the units, therefore while the buildings are in a 'tired' this does not mean they are not tenatable.
- 3.20 Given that the buildings are currently income producing and that there is good demand in this location from light industrial tenants, we consider this to still be a reasonably good asset, and view the premium of 20% as being realistic.
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