

PLANNING COMMITTEE REPORT

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

PLANNING COMMITTEE		
Date:	17 th January 2017	NON-EXEMPT

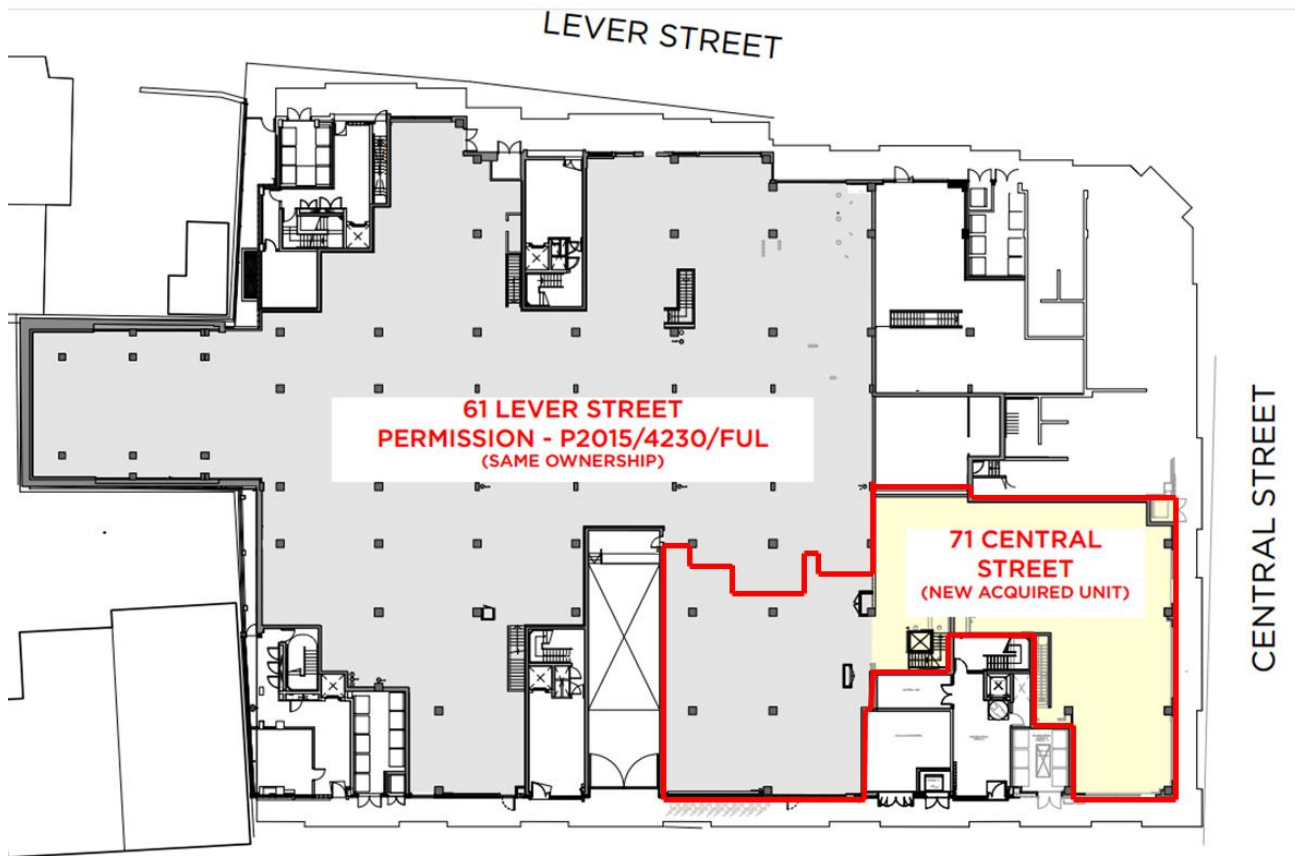
Application number	P2016/4469/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	Not listed
Conservation area	Not in a conservation area
Development Plan Context	<ul style="list-style-type: none">- Core Strategy Key Area (Bunhill and Clerkenwell)- Central Activities Zone- Major Cycle Route- Local Cycle Route- Within 50m of St Luke's Conservation Area
Licensing Implications	A new license application may be required
Site Address	61 Lever Street and 71 Central Street, London, EC1V 8BU
Proposal	Change of use of part ground floor and part basement from flexible use (B1a/A1/A2/A3/D1/D2) to part B1a office use and part flexible A1/A3 use, and change of use of part ground floor and part basement from flexible A1/A3 use to B1a office use.

Case Officer	Nathaniel baker
Applicant	C/O Agent
Agent	Marlon Deam – DP9

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1

2. **SITE PLAN (site outlined in red)**



3. **PHOTOS OF SITE/STREET**



Image 1: Aerial image of the site



Image 2: View of the south east corner of the site from Central Street

4. SUMMARY

- 4.1 The application seeks permission for the change of use of part of the basement and ground floor of the existing building known as Worcester Point from an A1/A3 use to B1a floorspace and from B1a/A1/A2/A3/D1/D2 to a B1A unit and an A1/A3 unit. The works relate to the areas fronting Seward Street and Central Street on the south east corner of the site and amount to 328 square metres of floorspace.
- 4.2 The proposal would result in a net increase (inclusive of flexible use floorspace) of 93 sqm of B1a floorspace at the site, in accordance with policy aims, while the proposed A1/A3 use would be relocated from its previously approved location on Seward Street to a corner site on Central Street and Seward Street. While the existing site can lawfully be used as flexible B1a/A1/A2/A3/D1/D2 and the proposal would reduce the potential flexible A2, D1 and D2 uses of the site, these are not currently in place and therefore their loss is not resisted. As such, the proposed use of the site is considered to be acceptable in land use terms.
- 4.3 A number of objections have been received regarding hours of use of the A1/A3 unit. The proposal would change the hours of use of the relevant part of the building from 08:00 – 23:30 Monday to Saturday and 10:00 – 17:00 hours Sundays and Bank Holiday to 07:00 – 23:00 hours Monday to Saturday and 07:00 – 22:00 on Sundays and Bank Holidays. These hours of operation have previously been established as acceptable at the site through various permissions and are considered to be acceptable.
- 4.4 No additional external ventilation/plant is proposed and a condition is recommended requiring details of sound insulation to be submitted. Furthermore, a condition is recommended requiring the development to be operated in accordance with a previously approved servicing and delivery plan for the site.
- 4.5 All other matters relevant to planning are considered to be acceptable. As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application site forms the ground and part basement of an existing building which comprises a part 6 part 7 storey building containing 162 residential units (76 x 1, 64 x 2 and 22

x 3 bedroom flats), together with B1 and flexible B1a/A1/A2/A3/D1/D2 uses at ground and basement levels. The site has 3 street frontages namely Central Street to the east, Lever Street to the north and Seward Street to the south.

5.2 The surrounding area is characterised by a mixture of residential, commercial, business and leisure uses.

6. PROPOSAL (IN DETAIL)

6.1 The application proposes the change of use of 328 sqm of A1/A3 floorspace to B1a floorspace and the change of use of 419 sqm of flexible B1a/A1/A2/A3/D1/D2 floorspace to 184sqm of B1a and 235 sqm of A1/A3 floorspace.

6.2 The proposal does not include any external works to the building.

7. RELEVANT HISTORY:

Planning Applications:

7.1 **P2016/4217/AOD** - Approval of Details pursuant to Condition 8 (full particulars and details of a scheme for sound insulation between the proposed ground floor uses and the residential use of the building) of Full Planning application reference: P2015/4230/FUL dated 14 October 2016 – **Condition Discharged** (18/11/2016).

7.2 **P2016/2579/NMA** - Non material amendment application to change elevational details to planning consent ref: P2015/4230/FUL - **Pending Consideration**.

7.3 **P2016/2636/FUL** - Replacement of existing ground floor glazed shopfronts and entrances with crittal style dark charcoal metal facade with matching louvres on Seward Street and Central Street, and the introduction of wall mounted lighting – **Granted Conditional Permission** (23/08/2016)

7.4 **P2015/4230/FUL** - Change of Use of ground floor and part basement level from conference centre (Sui Generis) to office (B1a) use, associated flexible A1/A3 use at ground floor, alterations to facades and entrances, and the addition of roof lights - **Granted Conditional Permission subject to Legal Agreement** (14/10/2016)

7.5 **P2013/2793/S73** - 'Variation of condition 2 (approved plans) to allow for changes to the facades and condition 6 (BREEAM) to allow for a change from 'excellent' to 'very good' of planning permission reference P122148 dated 22 January 2013.' The application also secured an amendment to the unilateral undertaking to allow for a financial contribution towards the provision of affordable workspace as an alternative to on-site provision - **Granted Permission subject to Legal Agreement** (31/10/2013)

7.6 **P2013/2792/AOD** - Approval of details pursuant to conditions 7 (sound insulation) and 10 (flexible units) of planning permission reference P122148 dated 22 January 2013 - **Condition Discharged** (31/10/2013).

7.7 **P2013/2558/FUL** - 'Erection of a canopy with downlighting above main entrance to Clerkenwell Conference Centre and associated works, and installation of 1 x internally illuminated sign' - **Granted Conditional Permission** (25/09/2013)

7.8 **P2013/2868/AOD** - Approval of details pursuant to condition 12 (management and servicing arrangements) to Planning application P122148 dated 17 January 2013 – **Condition Discharged** (31/10/2013)

- 7.9 **P2013/2553/FUL** - Alterations to ground floor facade to install ventilation louvres and relocate glazing - **Granted Conditional Permission** (09/10/2013)
- 7.10 **P122148** - Change of Use of ground floor and part basement level from operations within the B1 (office) use class and 81 square metres of A1 (retail) floor space to 2492 square metres sui generis conference centre and Masonic meeting venue floorspace to include or permit use for training, presentations, product launches, fashion shows, antique and collectors fairs, weddings, bar mitzvahs, funerals, receptions, private parties, the provision of music, dance, entertainment, bar and lounge area; and 595sqm of floor space for flexible B1(office) /A1(retail)/ A2 (financial and professional services)/ A3 (cafe and restaurant) /D1 (non-residential institutions)/ D2 (assembly and leisure) use - **Granted Conditional Permission subject to Legal Agreement** (17/10/2013)
- 7.11 **P121020** - Change of Use of the ground floor and part basement level from its current permitted use for operations within the B1 (office) use class and 81 square metres of A1 (retail) floor space to use of 2492 square metres of the floor space for a Sui Generis use as a conference centre and Masonic meeting venue to include or permit use for training, presentations, product launches, fashion shows, antique and collectors fairs, weddings, bar mitzvahs, funerals, receptions, private parties, the provision of music, dance, entertainment, bar and lounge area; and 595sqm of floor space for flexible B1(office)/A1(retail)/ A2 (financial and professional services)/ A3 (cafe and restaurant) /D1 (non-residential institutions)/ D2 (assembly and leisure) use - **Refused Permission** (//2013) - The reason for refusal was the unacceptable loss of the B1(a) office space.
- 7.12 **P120208** - Variation of condition 14 (renewable energy) and 30 (approved plans) of planning permission reference P102725 dated 15 July 2011 for the Minor material amendment application to vary condition 31 (approved plans) together with associated variation of condition 3, 4, 7, 8, 11, 15, 17, 20 and 24 of planning permission P072106 dated 29/02/2008 for the: 'Demolition of existing buildings and erection of a part 6, part 7 storey building over basement to provide for 161 residential units, 2587sqm of B1 (office) floorspace, 81sqm of A1 (shop/retail) floorspace and ancillary bicycle, motorcycle, and car parking provision at basement level' - **Granted Conditional Permission subject to Legal Agreement** (27/03/2012)
- 7.13 **P112417** - The erection of a part 6, part 7 storey building over basement to provide for 161 residential units; 2492sqm for use principally as a conference centre and Masonic meeting venue and ancillary to the main D1 use to include or permit use for training, presentations, product launches, fashion shows, antique and collectors fairs, weddings, bar mitzvahs, funerals, receptions, private parties, the provision of music, dance, entertainment, bar and lounge area; 595sqm of floorspace for flexible B1/A1/A2/A3/D1/D2 use; with associated bicycle, motorcycle and car parking spaces at basement level - **Allowed at Appeal** (20/09/2012) - This permission has been implemented, however the D1/D2 use did not commence.
- 7.14 **P102725** - Minor material amendment application to vary condition 31 (approved plans) together with associated variation of condition 3, 4, 7, 8, 11, 15, 17, 20 and 24 of planning permission P072106 dated 29/02/2008 for the: 'Demolition of existing buildings and erection of a part 6, part 7 storey building over basement to provide for 161 residential units, 2587sqm of B1 (office) floorspace, 81sqm of A1 (shop/retail) floorspace and ancillary bicycle, motorcycle, and car parking provision at basement level' – **Granted Conditional Permission subject to Legal Agreement** (15/07/2011)
- 7.15 **P072016** - Demolition of existing buildings and erection of a part 6, part 7 storey building over basement to provide for 161 residential units, 2587sqm of B1 (office) floorspace, 81sqm of A1 (shop/retail) floorspace and ancillary bicycle, motorcycle, and car parking provision at basement level - **Granted Conditional Permission subject to Legal Agreement** (29/02/2008)

- 7.16 **P061400** - Demolition of existing buildings and erection of a part 6, part 7 storey building over basement to provide for 161 residential units, 2587sqm of B1 (office) floorspace, 81sqm of A1 (shop/retail) floorspace and ancillary bicycle, motorcycle, and car parking provision at basement level - **Allowed at Appeal** (26/03/2007)

ENFORCEMENT:

- 7.17 **E12/06001** - Unauthorised brick cladding – **Case Closed** (17/02/2012)
- 7.18 **E/2015/0366** - Breach of condition 2 of planning permission P2014/4053 (maintenance of the green roof) – Repair works undertaken **Case Closed** (28/10/2015)

PRE-APPLICATION ADVICE:

- 7.19 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 253 adjoining and nearby properties at Central Street, Lever Street, Dance Square and Seward Street on the 18th November 2016. A site notice was displayed on 1st December 2016. The public consultation on the application therefore expired on 22nd December 2016. 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 13 objections had been received from the public with regard to the application. The issues raised can be summarised as follows:
- The extended hours are not acceptable (para 8.5 and 10.14 – 10.17);
 - Concern raised regarding extension of licensing hours (para 8.5 and 10.18);
 - The proposal for cycle storage on Seward Street is dangerous due to how narrow the street it and its proximity to a school (para 10.23);
 - Objection to the number of application submitted by the applicant (para 10.25);
 - Works have commenced on site without planning permission (para 10.26);
 - Works at the site are resulting in disturbance to residential occupiers (para 10.28); and
 - The proposal would the impact upon the character of the Bunhill Fields Conservation Area (para 10.30).

External Consultees

- 8.3 None

Internal Consultees

- 8.4 **Planning Policy:** No response received.

- 8.5 **Licensing:** The proposed hours of use are within licensing policy, which details that terminal core hours for restaurants are 11pm Sunday to Thursday and midnight Friday and Saturday.

Other Consultees

- 8.6 None

9. RELEVANT POLICIES

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

National Guidance

9.2 The National Planning Policy Framework 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.

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

Development Plan

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

Designations

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

- Core Strategy Key Area (Bunhill and Clerkenwell)
- Central Activities Zone
- Major Cycle Route
- Local Cycle Route
- Within 50m of St Luke's Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Neighbouring Amenity
- Highways and Transport

Land-use

10.2 The application proposes the change of use of two parts of the site. The first consists of a ground floor and basement area on the south side of the building fronting Seward Street that has an A1/A3 use as approved earlier this year (application ref: P2015/4230/FUL). The second consists of a ground floor and basement area to the south east corner of the site fronting both Seward Street and Central Street that has a flexible use comprising B1a/A1/A2/A3/D1/D2.

10.3 The proposed change of use to the south part of the site would be from A1/A3 use to B1a use and comprise 328sqm of floor area. The change of use to the south east part of the site would

be from a flexible B1a/A1/A2/A3/D1/D2 to 184sqm of B1a floor space and 235 sqm of A1/A3 use floorspace.

B1a use:

- 10.4 Development Management policy DM5.1 encourages the provision of business floor space within mixed use developments where this would enhance the character and vitality of the local area and would not detrimentally impact upon the residential amenity or compromise residential growth.
- 10.5 Finsbury Local Plan policy BC8 states that new business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation; and should provide full separation of business and residential floorspace where forming part of a mixed use residential development.
- 10.6 While the proposal would result in 512 sqm of dedicated B1a floor space, taking into account the flexible use of part of the site, which includes B1a use, the proposal would lead to a net increase of 93 sqm of B1a floorspace across the site. The principle of B1a use is established at the site and has previously been considered through a number of planning applications. Furthermore, the provision of the B1a space on the south side of the building is considered to be more appropriate than the current A1/A3 that would be relocated onto the busier Central Street.
- 10.7 The B1a floorspace would replace the existing A1/A3 unit on the south side of the site, and would be amalgamated with the larger B1a floor space approved under application ref: P2015/4230/FUL. This, together with the history of the site demonstrates the flexibility of the space and range of business accommodation which can be accommodated at the site.

A1/A3 use:

- 10.8 The proposal would involve the relocation of the previously approved A1/A3 unit (application ref: P2015/4230/FUL) to the south east corner of the site and result in a net loss of 93 sqm of A1/A3 floorspace at the site. The proposed location of the A1/A3 unit has a current flexible use that includes A1/A3 use and as such the use as A1/A3 is already established.
- 10.9 Whilst the loss of A1 floor space is resisted by Development Management Policy DM4.7 unless marketing evidence is provided and there is accessible provision of essential daily goods within a short walking distance, the flexible use of the site previously granted did not include any restrictions on the quantum of floor space for each of the flexible uses permitted. Subsequently the site could lawfully include no A1 or A3 uses and therefore it is not considered reasonable to object to the potential reduction in A1/A3 floor space.

Legal Agreement implications:

- 10.10 There are a number of outstanding legal obligations across the various permissions at the site. However, as these have been implemented these obligations still stand and are being pursued. The current proposal would not impact upon the previously secured obligations to provide financial contributions.
- 10.11 The previously approved application at the site relating to the ground floor B1a use (ref: P2015/4230/FUL) included a Unilateral Undertaking securing contributions to off-site affordable workspace provision. While the proposal would increase the provision of B1a floorspace across the site, due to the small scale of the increase it would not fall within thresholds for the further provision of affordable workspace.

Conclusion:

- 10.12 Although the proposal would result in the loss of flexible floor space that could potentially be used for A2, D1 and D2 uses, the current use of the relevant parts of the site do not include any of these uses and therefore the proposal would not constitute a loss of any of these uses. Furthermore, whilst a level of flexibility would be lost, at a site wide level the building would continue to have a mixed use ground floor with a number of varying uses with active frontages, in accordance with policy BC8 of the Finsbury Local Plan.
- 10.13 As such, the proposed use of the site is considered to be acceptable.

Neighbouring Amenity

- 10.14 The applicant has proposed the hours of operation for the A1/A3 unit to be 07:00 – 23:00 hours Monday to Saturday and 07:00 – 22:00 on Sundays and Bank Holidays. The previously approved A1/A3 use of 71 Lever Street (ref: P2015/4230/FUL) conditioned the hours of use of 07:00 – 22:00 hours.
- 10.15 However, the previously approved flexible B1a/A1/A2/A3/D1/D2 (ref: P122148) use of the south eastern part of the site had a condition restricting the hours of use to be 08:00 – 23:30 Monday to Saturday and 10:00 – 17:00 hours Sundays and Bank Holidays. Although it has been noted in representations that the previously permitted use was for a Masonic meeting venue, the permission included a conference centre use. This previous use therefore had permission to function in an A1/A3 use and cater for high numbers of site users.
- 10.16 Considering the flexible use of this part of the site, which includes A1/A3, the proposal would result in a reduction in the terminal hours of use Monday to Saturday by 30 minutes. Furthermore, the proposal would result in a reduction in the overall quantum of A1/A3 floorspace at the site and would relocate the A1/A3 use approved in 2016 (ref: P2015/4230/FUL) from 71 Lever Street to the south east corner of the site with the main shop frontage facing onto the more commercial Central Street.
- 10.17 However, the proposed hours of use would result in the earlier opening time of 07:00 hours every day and the later opening hour of 22:00 hours on a Sunday. These hours have previously been accepted for a larger A1/A3 unit at the site (ref: P2015/4230/FUL). While the hours of use would be increased at the site, the hours have previously been established as acceptable across two previous permissions at the site, which together with the safeguards in place for delivery and servicing, and any licenses that may be required, is considered to be acceptable.
- 10.18 A number of objections have been received that query the licensing hours at the site and raise concerns regarding the proposed increase in hours of use. Should the applicant wish to extend the hours of licensing at the site then a separate application would be required to be submitted to the Licensing Department who would assess the acceptability of any such increase in hours and take into consideration the sites location within a cumulative impact area. The Licensing Team have been consulted and do not raise objection to the application. Additionally, the proposal would result in a reduction in the potential quantum of the A3 floorspace at the site.
- 10.19 The proposal does not include any new extraction/ventilation system and it is proposed to use the existing system in place at the site for the proposed A1/A3 unit. Should the applicant wish to introduce any new extraction/ventilation system then planning permission would be required.
- 10.20 With regard to sound insulation, although conditions requiring sound insulation were attached to the previously implemented permissions at the site and the details of these have been approved (application ref: P2013/2792/AOD), these related to the entire floor area having a mixed use. Furthermore, it is not clear whether the sound insulation has been installed at the relevant part

of the application site. As such, a condition (5) is recommended requiring the submission of details of sound insulation to be submitted to and approved in writing by the Local Planning Authority.

- 10.21 It is therefore considered that the proposed change of use would not detrimentally impact upon the amenity of the neighbouring occupiers subject to condition.

Highways and Transportation

- 10.22 The proposed increase in the extent of B1 floorspace and reduction in the size of the A1/A3 unit and flexible uses would result in a net reduction in the quantum of A1/A3 floorspace across the site. As the proposal would result in a reduction in A1/A3 and flexible use floorspace, which would be likely to have a greater servicing demand, it is considered that the previously approved site wide servicing arrangements (application ref: P2013/2868/AOD) would be adequate and a condition is recommended to ensure that this is adhered to (Condition 4). The approved Servicing Document is detailed at Appendix 3.
- 10.23 It is noted that objections have been received regarding cycle parking at the site. The proposal does not include any changes to the level of cycle parking provision at the site, either through new cycle parking or a requirement to provide any further parking. Furthermore, the previous approval at the site (ref: P2015/4230/FUL) included a condition requiring the provision of 37 cycle spaces, as well as showering, changing and locker facilities. As this application has been implemented, the condition is required to be complied with.

Other

- 10.24 The proposal does not include any external alterations to the building and as such there are no design considerations.
- 10.25 Objections have been received based on the number of applications submitted by the applicant. The Council is obliged to consider any new application submitted where this is materially different to a previous application at the site.
- 10.26 It is noted that works are ongoing at the site and that representations have questioned whether these works are outside of planning control. The site has a number of extant permissions that could be implemented and as such the works could relate to these permissions. Notwithstanding this, the proposal does not include any external alterations. Where concern is raised the Council's Planning Enforcement Team are able to investigate the works.
- 10.27 The proposal includes no changes to the external access to the property and the internal layout of facilities remains as previously approved. As such, the proposal would not impact upon the accessibility of the building.
- 10.28 Objections have been received relating to disturbance from construction works at the site. Hours of construction and disturbance resulting from these are controlled by the Environmental Health Team.
- 10.29 A representation has been received that questions service charges if planning permission were to be granted. Service charges are not a material planning consideration and are therefore not assessed here.
- 10.30 It is noted that a number of objections have been received which consider the proposal to detrimentally impact upon the Bunhill Fields Conservation Area. While the site is not located within a conservation area, it is opposite the St Luke's Conservation Area to the east and the Bunhill Fields Conservation Area is located further to the west of the site. There are no

proposed external alterations to the site and the proposed use of the site and potential disturbance have been assessed above and are considered to be acceptable.

11. CONCLUSION

- 11.1 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved plans list CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans: Covering Letter (ref: DGM/MD/DP3876), 011, P03, P04, P05, P06 and Design and Access Statement. REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.
3	Hours of Use (Compliance) CONDITION: The ground floor and basement level A1/A3 use hereby approved shall not operate except between the hours of 07:00 – 23:00 hours Monday to Saturday and 07:00 – 22:00 on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority. REASON: To ensure that the operation of the A1/A3 unit does not unduly impact on the amenity of neighbouring residential occupiers.
4	Servicing and Delivery (Compliance) CONDITION: The servicing of the development hereby approved shall only be carried out in accordance with the approved servicing arrangements of application ref: P2013/2868/AOD (dated 31/10/2013) unless otherwise approved in writing by the Local Planning Authority. 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.
5	Sound Insulation (Details) CONDITION: Full particulars and details of a scheme for sound insulation between the proposed ground floor uses and the residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the use commencing on site. 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

	<p>Planning Authority.</p> <p>REASON: In the interest of preventing undue noise transfer between the office and residential units.</p>
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List of Informatives:

1	<p>Positive Statement</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

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

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

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

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

Policy 2.2 London and the wider metropolitan area

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

Policy 2.12 Central Activities Zone – predominantly local activities

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.16 Protection and enhancement of social infrastructure

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and

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 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

diverse retail sector
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 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals

Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes

8 Implementation, monitoring and review

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

B) Islington Core Strategy 2011

Spatial Strategy

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

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)

Infrastructure and Implementation

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

C) Development Management Policies June 2013

Design and Heritage

DM3.7 Noise and vibration (residential uses)

Shops, cultures and services

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

Employment

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

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
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 2013

BC7 Historic Clerkenwell

BC8 Achieving a balanced mix of uses

3. Designations

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

- Core Strategy Key Area (Bunhill and Clerkenwell)
- Central Activities Zone
- Major Cycle Route
- Local Cycle Route
- Within 50m of St Luke's Conservation Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Inclusive Design SPD

London Plan

- Accessible London: Achieving and Inclusive Environment
- Planning for Equality and Diversity in London

APPENDIX 3: SERVICING AND DELIVERY PLAN (REF: P2013/2868/AOD)

Deliveries Management Plan – July 2013
The Clerkenwell Centre
61 Lever Street
London
EC1V 3AR

Location: Worcester Point [Formerly: City Central Estate 89-93 Central Street, 61 Lever Street, 35-39 Seward Street] Central Street, Islington, London EC1

Application Type: Full Planning Application

Date of Application: 26 September 2012 Application Received: 26 September 2012
Application Valid: 01 October 2012 Application Target: 26 November 2012

CONDITIONS:

12. CONDITION: A plan detailing management and servicing arrangements including, but not limited to, the location, times and frequency of deliveries shall be submitted to and approved in writing by the Local Planning Authority) prior to the first occupation of the development hereby approved.

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.

REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic in accordance with policies: 6.11 and 7.15 of the London Plan 2011 and policies: Env16 and Env17 of Islington's Unitary Development Plan.

The Clerkenwell Centre Proposed Management Plan

1. In accordance with the Planning Decision Notice;
The ground floor uses hereby approved shall not operate except between the hours of:

08:00 to 23:30 Monday to Saturday
10:00 to 17:00 on Sundays
2. Condition 15 of the Premises Licence for the Clerkenwell Centre states that;
There shall be no waste collections or deliveries between 23.00 and 07.00 Mondays to Saturdays and none between 22.00 and 09.00 on Sundays and Bank Holidays.

3. To ensure that the Clerkenwell Centre is operated in accordance with these conditions all suppliers will be informed that no deliveries can be made until after 8.00am Monday to Saturday.

The management of deliveries will be as follows;

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Supplier	Products	Delivery Frequency	Delivery Days	Proposed Delivery Times
3663 Food Service	Grocery, fresh and frozen	5 Days per week	Monday to Friday	8am to 8.30am
Dairy Supplier	Milk	5 Days per week	Monday to Friday	9.00am to 9.30am
Meat supplier	Fresh Meat	3 Days per week	Monday Wednesday and Friday	8.45am to 9.15am
Fish Supplier	Fresh Fish	3 Days per week	Monday, Wednesday and Friday	10am to 10.30am
Fruit and Vegetables	Fresh fruit and vegetables	3 Days per week	Monday, Wednesday and Friday	10.45am to 11.15am
Linen/Laundry Supplier	Laundered Linen	3 Days per week	Monday, Wednesday and Friday	11.30am to 12.00 midday
Fullers Brewery	Alcoholic and non alcoholic beverages	2 Days per week	Wednesday and Friday	12.15 pm to 1.00pm
Coffee Supplier	Tea, coffee	2 Days per week	Tuesday and Thursday	9.45am to 10.15am
Stationary Supplier	Paper, print cartridges etc	2 Days per month	Tuesday and Thursday	11am to 11.30am
BOC Gas	Portable Gas to beer cellar	1 Day per month	Thursday	11.45am to 12.15pm

4. Location of Deliveries –

- a. All food items will be delivered to the Kitchen Supplies Entrance on Lever Street.
- b. All alcoholic, non-alcoholic beverages and BOC Gas supplies will be delivered to the Bar Delivery Entrance on Lever Street.
- c. All stationary supplies will be delivered to the Main Entrance on Lever Street.
- d. All deliveries are supervised by trained employees.