

## PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration  
 Department

<b>PLANNING SUB-COMMITTEE A</b>		
Date:	21 <sup>st</sup> March 2017	NON-EXEMPT

Application number	P2016/4155/FUL
Application type	Full Planning Application
Ward	Mildmay
Listed building	Not listed
Development Plan Context	Article 4 Direction – office to residential Archaeological Priority Area Employment Growth Area Local shopping area Rail Safeguarding Area Site Allocations Rail Safeguarding – Cross Rail 2
Licensing Implications	None
Site Address	1 Kingsland Passage, Islington LONDON E8 2BB
Proposal	External alterations comprising 360.2 sqm (GIA) of additional office floorspace (Use Class B1a) including part infill of the existing cycle yard, as a result of part four storey and part single storey extensions, with roof extension above, to the front/east elevation of the building to extend the building, with landscaping and disabled parking facilities, and other associated works. Internal refurbishments to the existing building including two storey infill of void on south elevation, alterations to the plant and ventilation system and installation of a wheelchair accessible lift to all floors

Case Officer	Daniel Jeffries
Applicant	Mr David Pearce
Agent	Carter Jonas LLP - Miss Jessica McSweeney

### 1. RECOMMENDATION

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

1. Subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in black)



### 3. PHOTOS OF SITE/STREET



Image 1: Aerial view of the application site



Image 2: Aerial view in northerly direction





Image 3: View towards the site from the east and Kingsland Passage



Image 4: View of the site from the south from Kingsland Passage



Image 5: View of the site from Kingsland Green facing south towards Balls Pond Road/Kingsland Passage

#### **4.0 SUMMARY**

- 4.1 Planning permission is sought for the erection of a part four storey and part single storey extension, with a single storey roof extension above, to the main front/east elevation of the building, with associated external alternations including part infill single extension of the existing cycle yard. This is to allow for an uplift of 360.2 sqm (GIA) of additional office floorspace (Use Class B1a) to an existing office building. Internal refurbishments to the existing building including infill of a void on second floor, alterations to the plant and ventilation system and installation of a wheelchair accessible lift to all floors, and alterations to the existing access.
- 4.2 The application is brought to committee because of one objection received and the proposal would result in an increase of over 250 sqm of business floorspace.
- 4.3 The issues arising from the application are the acceptability of providing additional business floorspace in land use terms, the design and its impact on the character and appearance of the host building and surrounding area, the impact on trees and archaeology within the application site, the impact on the neighbouring amenity of the adjoining and surrounding residential and commercial properties, and local highway network. In addition to ensuring that the proposal would provide accommodation which would comply with the Council's accessibility and sustainability objectives.
- 4.4 Whilst there are concerns in relation to the impact of the proposal on the existing trees within the application, on balance, given the mitigation provided and that the

existing trees are not protected and that the other material considerations are considered acceptable.

- 4.5 The proposal is therefore considered, on balance, to be acceptable and it is recommended that the application be approved.

## **5. SITE AND SURROUNDING**

- 5.1 The site comprises a part three storey part two storey office building. The three storey element of the host building, to the east of the site, has a flat roof, with 'grid-like' fenestration pattern to the front elevation. The two storey element is positioned and attached to the rear/west of the three storey building. It has a curved roof and shares its southern boundary with the properties along Ball's Pond Road. The entrance to the building is made from the east of the site from Kingsland Passage, where there is an area of hard standing used for car parking. This area is bounded by 2 metre high palisade fencing, with 5 no. existing trees positioned adjacent with two openings providing pedestrian and vehicle access to the site.
- 5.2 The surrounding buildings are of varying height, age and design. However, most of them are larger three storey buildings. The site is located within an Employment Growth Area, Archaeological Priority Area, Local shopping area, Rail Safeguarding Area and the building is subject to an article 4 direction restricting permitted development for the change of use of the building to residential. The site is part of Site Allocation OIS7 which includes the BT telephone exchange to the rear of 1 Kingsland Passage. The site is not within a conservation area nor is there are any listed buildings within proximity of the site.

## **6. PROPOSAL (in Detail)**

- 6.1 The application proposes the erection of part four storey part single storey extension to the main east element of the host building, with an associated roof extension to house plant equipment. In addition, there would be single storey infill extension to the south elevation of the building, with cycle storage area in an existing void space, with access from Kingsland Passage.
- 6.2 The proposed extensions would allow for the creation of 360.2 sqm of additional office floorspace, with associated internal reconfiguration and alterations to external elevations of the host building. One car parking space would be positioned to the front/east elevation of the site, which would be designated for disabled persons.
- 6.3 Further alterations include the removal of the existing palisade fencing, with the reconfiguration of the access to the site. This would involve the removal of one of the existing boundary trees and replacement of low level fencing, with one central access point for pedestrians and vehicles. Given the applicant has confirmed that the proposed fencing would measure 1m or less in height, planning permission would not be required for this part of the proposal (in accordance with the General Permitted Development Order (England) (2015) Schedule 2, Part 2 – minor operations).

- 6.4 The proposal would result in the loss of two of the existing five trees located to the east of the site, with crown reduction proposed on the other three trees.
- 6.5 The proposal includes the general upgrade of the area to the east of the site, with the existing plant equipment to be moved to the roof of the proposed four storey building. The existing bin enclosure to the north east of the site would be reconfigured, with the provision of timber decking to the rear/west of the host building.
- 6.6 During the assessment of the application, amended drawings were received. Initially to address the concerns over the design of the proposal, including the change of the materials of the roof element for the plant equipment and the reduction in height of the roof extension, and then to address the concerns in relation to trees.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS**

- 7.1 The following previous planning applications to neighbouring properties are considered particularly relevant to the current pre-application proposal:

Address: 26-28, Ball's Pond Road, Islington, London, N1 4AU

Application No.: P070292

Decision Date: 23/03/2007

Decision: Approve with conditions

Description: Construction 4 storey mixed development comprising 2 x ground floor shop units and 2 x 2 bed flats and 4 x 1 bed flats on first, second and third floors. (Amendment to scheme approved on 5th December 2006 under reference P062290)

Address: 22 Balls Pond Road, Islington, London, N1 4AU

Application No.: P072669

Decision Date: 03/06/2008

Decision: Approve with conditions

Description: Conversion and extension of public house and residential accommodation to create a retail unit and six flats.

### **PRE-APPLICATIONS**

- 7.2 Q2014/3753/MJR – Advice was provided relating to a comprehensive mixed use redevelopment of the site with an eight storey building to provide 2440sqm Class B1 (office) accommodation and 29 Class C3 (residential) units; and Prior Approval (Change of use from Class B1 (a) offices to C3 dwellinghouses) to provide 19 residential units). The advice provided was that the redevelopment of this site raises no concerns in principle, however several key considerations were to be resolved, and officers were of the view that a lower (up to 5-storey) proposal would be acceptable.



- 7.3 Q2015/4695/MIN – Advice was provided relating to external alterations comprising 776.4m<sup>2</sup> (GIA) of additional office floorspace (Use Class B1a) including minor part infill of the existing cycle yard, front and roof extensions to the frontage building to extend the building forwards and create a new fourth floor level. The creation of a new second floor to the rear building including a new raised roof. Internal refurbishments to the existing building including alterations to plant and ventilation systems and installation of a wheelchair accessible lift to all levels. The advice indicated that the principle of solely office development would be acceptable, subject to compliance with new business floorspace policies. The proposal would be acceptable in design terms, but it was stated that there were concerns over the visual impact of the prominent blank façade.

## **ENFORCEMENT**

- 7.6 None.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to 183 occupants of adjoining and nearby properties at Ball's Pond Road, Burder Place, Kingsland Passage, Kingsland Green and Boleyn Road on 15 November 2016. The public consultation of the application expired on 6 December 2016.
- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report a total of 1 no. objection had been received from the public. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):
- Loss of daylight/sunlight to the properties along Ball's Pond Road (paragraph 10.34)

### **Internal Consultees**

- 8.3 **Planning Policy:** Policies consequently seek to maximise opportunities for the provision of new business space, particularly within Employment Growth Areas (EGAs). This has been further magnified by a significant further loss of business floorspace as a result of permitted development rights. Policy CS13 places a strong emphasis on protecting and encouraging new business floorspace. The policy requires a range of unit sizes and types for business space, including those suitable for Small/Medium Enterprises (SMEs).
- 8.4 **Design and Conservation Officer:** No objection subject to alterations to the roof extension and the use of brickwork to the rear elevation. Amendments have been received to incorporate these changes.
- 8.5 **Inclusive Design:** No objections



- 8.6 **Transport:** Raised concerns in relation to the loss of car parking spaces to the front of the site.
- 8.7 **Sustainability:** No comment.
- 8.8 **Noise Officer:** No objections subject to condition.
- 8.9 **Refuse and recycling:** No comment.
- 8.10 **Tree Officer:** Raised objections, but considers impact on the remaining trees can be addressed through appropriate conditions.

### **External Consultees**

- 8.11 **Historic England (GLASS):** Raised no objections subject to a condition relating to a written scheme of investigation.

## **9. RELEVANT POLICIES**

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

### **National Guidance**

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

### **Development Plan**

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

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

- 9.3 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

- Design and Conservation
- Accessibility
- Neighbouring Amenity including sunlight/daylight and noise
- Highways and Transportation
- Archaeology
- Sustainability
- Trees

## **Land Use**

- 10.2 The proposal results in an overall uplift in B1 office floorspace across the site of 360.2 square metres, to create a total of 1522.8 square metres. This is achieved through a proposed part four storey, part single storey extension, to the east, and above the existing three storey part of the host building, respectively. In addition the proposal includes a two storey extension to the south within an existing void space.
- 10.3 The site is located within an Employment Priority Areas (General) and is identified as an important site within the Site Allocations (2013), in addition to the adjacent Telephone Exchange building to the north (Site OIS7).
- 10.4 The site has been identified, given its proximity to Dalston (in the London Borough of Hackney), as an area subject to significant growth/change over the next 10-15 years and has scope for intensification to provide for employment and housing. Given the proposal is to increase the existing business floorspace which would provide increased employment opportunities, it is considered that the proposal would be generally consistent with this site allocation in land use terms.
- 10.5 Part A of Policy DM5.1 sets out the requirements for new business floorspace within Town Centres and Employment Growth Areas stating that ‘the council will encourage the intensification, renewal and modernisation of existing business floorspace, including in particular, the reuse of otherwise surplus large office spaces for smaller units’.
- 10.6 It also states that ‘within these locations proposals for the redevelopment or change of use of existing business floorspace are required to incorporate:
- i) the maximum amount of business floorspace reasonably possible on the site, whilst complying with other relevant planning considerations, and
  - ii) a mix of complementary uses, including active frontages where appropriate’
- Given the proposal relates to an existing B1(a) business (office) and would provide additional floorspace part ii) does not apply in this instance.
- 10.7 The surrounding area is a mix of commercial and residential and in pure land use terms the uplift of office floorspace is considered to enhance the character and vitality of the local area. The issues of the impact on residential amenity will be addressed in a later section.
- 10.8 Part F of Policy DM5.1 sets out that new business floorspace must be designed to:
- i) allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business accommodation, particularly for small businesses, and
  - ii) provide full separation of business and residential floorspace, where forming part of a mixed use residential development.

- 10.9 The applicant has stated that given the size and layout of the building, it has always been let to a single occupier. Due to the layout and provision of services, they have considered that the building could not be practically split to provide smaller office units. They have considered that as the extension proposed is modest in terms of the uplift in floorspace, it is expected that the building will therefore continue to be let to a single occupier.
- 10.10 It is acknowledged therefore that the proposal would not strictly accord with the requirements of Policy DM5.1, and the needs of small or micro enterprises. However, given the proposal relates to an extension to an existing office building, in the event that the building is required to be used by more than existing single occupier, the building would be easier to subdivide.
- 10.11 The Council's Site Allocations (2013) identifies the key design considerations and constraints which include the following:
- Any proposal should also take account of the relevant principles, opportunities and constraints for development set out in the Dalston Area Action Plan (adopted by the London Borough of Hackney) which includes the area adjacent to the site;
  - New development should relate to the neighbouring Burder Close Estate, encouraging permeability between the estate and Kingsland Green. Development should be appropriate to and visually integrated with the surrounding area, respecting the amenity of adjacent residential properties.
- 10.12 The Dalston Area Action Plan (AAP) 2013 is a supplementary planning document adopted by the London Borough of Hackney, therefore whilst it does not form part of Islington's Local Plan documents, given its proximity to the boundary of this defined area and the proposed development of the application site it is considered relevant in the assessment of this application. The overall purpose of this document is to establish the basis for shaping the regeneration of the area and to ensure the continued and enhanced role of Dalston as a Major Town Centre.
- 10.13 The AAP has seven key objectives, which are as follows:
1. To strengthen local character and identity by enhancing the existing qualities that the local community cherish, in terms of heritage, vibrant street life, diversity of uses and a fine-grained townscape.
  2. To promote a mix of well-integrated uses that drive a dynamic local economy, flourishing community and strong cultural offer through balanced and managed expansion of retail, housing, employment, cultural/creative, community and third sector space aimed at a variety of users and accommodating a range of tenures and unit sizes.
  3. To revive the public realm by developing a network of new and improved public open spaces that are attractive, safe and accessible for people to enjoy.
  4. To support creativity, culture, community and the third sector to further promote Dalston as one of the city's premier cultural and creative areas whilst expanding the quality and range of community facilities to meet the needs of a growing population.

5. To facilitate ease of movement by improving the network of streets and footpaths to make walking and cycling as safe and pleasant as possible.
6. To make the most of public transport to facilitate ease of movement to bus and train access and interchange between different modes of transport.
7. To maximise energy efficiency and encourage the use of low carbon and renewable energy sources in order to reduce CO2 emissions and fuel poverty.

10.14 Whilst there are a number of issues, in relation to the proposal, including its visual appearance and design, amenity, transport and sustainability and energy efficiency impacts, which are assessed within the report below, the proposal is considered to be broadly consistent with the seven objectives of the AAP.

10.15 Overall, the proposal to provide additional business floorspace is considered acceptable in land use terms and meets policy objectives.

### **Design and Conservation**

10.16 The proposed extension would result in the building line of the existing three storey property being brought forward towards the east of the site. The Council's Urban Design Guide (UDG) 2017 states that 'the most successful streets and places are normally well defined by a consistent building line that delivers:

- A sense of enclosure.
- Coherent architectural identity and local distinctiveness.
- Occasional gaps that provide light to the rear of the property but that are secured within the private realm'.

10.17 In this instance, the proposal would result in the front/principle elevation, and the building line of the host building, increasing in depth by 4m, matching that of the adjacent building to the north, the Telephone Exchange Building, and the principle of extending the depth of the host building would therefore be acceptable in design terms.

10.18 The proposal would result in the host building increasing from an existing three storey flat roof building to a four storey building, from 9.8m to 12.6m in height, providing an additional floor of accommodation. The UDG states 'New development should create a scale and form of development that relates to the existing built form and provides a consistent and coherent setting for the space or street that it defines or encloses, while also enhancing and complementing the local identity of an area'. 'The relationship between the height of buildings and the street/space they flank is of critical importance. A balance must be found between the need for enclosure, surveillance and definition and the risk of creating overbearing development that starves the street of light and air'.

10.19 Whilst it is acknowledged that the adjacent buildings are predominately three storeys, these buildings are taller than the host building, and the increase in height would not be out of context in the area. The proposal would not extend the width of this element of the host building and retain the gap between the adjacent building to the north, the Telephone Exchange Building. Given this context the additional bulk is acceptable.



- 10.20 Above the four storey element of the building, the proposal would include an additional single storey roof extension to house the repositioned plant equipment. Following the submission of amendments to reduce the height and the materials, to match existing, the visual prominence of this element would be reduced and would be acceptable in design terms. In terms of the alterations to the external appearance of the host building, the UDG states that 'The front elevation, particularly the fenestration, should be designed so that it provides clear views onto the street from inside, and the interior should be organised so that there are active uses at the front, particularly on the ground floor'. The proposed fenestration pattern is considered to be similar to the existing situation creating a 'grid-like' pattern, albeit the proposal would reposition the entrance to the building to a central position, with two storey glazed surrounds.
- 10.21 The proposed materials for this element of the host building would replace the existing render, to the front and rear elevations, and incorporate brickwork to match the adjacent buildings, being London Stock brick. It is considered that the use of brick work rather than render would be an improvement on the existing situation, and is considered would be better visually integrate with the surrounding area.
- 10.22 The proposal includes an infill extension positioned to the south east corner of the existing two storey element of the host property. The scale of this extension is considered to be consistent with this element of the host building, given that it would match the depth and height of the two storey element of the host building, and would follow the shape of this element of the existing building. It is therefore considered subject to the use of matching materials this element of the proposal would be acceptable in design terms. In addition, adjacent to this extension there is a cycle enclosure, given its scale and that it would be modest enlargement of the existing structure it is considered acceptable in design terms.
- 10.23 Overall the proposal would improve the visual appearance of the host property and be appropriate to and visually integrated with the surrounding area. The proposal including the extensions and the removal of the existing palisade fencing, to be replaced by low level fencing, is acceptable in design terms.

### **Accessibility**

- 10.24 The proposal would incorporate one on-site car parking space to the front of the host building, designated for disabled persons. In addition the proposal would provide an area for cycle storage to the south of the site. The Inclusive Design SPD states that 'minor developments for extensions of 100m<sup>2</sup> or greater shall provide at least one accessible cycle parking space designated for an accessible bicycle (such as a tricycle), where the rider has priority use'. A condition has been attached to any approval restricting the car parking space to be used by disabled persons, and to provide at least 1 accessible cycle parking space, to accord with these requirements.
- 10.25 The proposal benefits from level access to the entrance to the site and to the host building including at ground level of the building. In addition a lift would be provided to allow for wheelchair access to the upper floors.

10.26 Given the site's constraints, the proposal is considered to generally conform to accessible standards set out within the Inclusive Design in the Islington Supplementary Planning Document and conform to Policy DM2.2 (Inclusive Design) of the Development Management Policies (2013).

### **Neighbouring Amenity including Sunlight and Daylight**

10.27 The proposal would result in the existing three storey element of the host building increasing in height to four storeys, and extending the existing building line eastwards. In addition the proposal would incorporate a two storey extension to the existing void space in the rear two storey element of the host building. The proposal also includes the provision of additional plant equipment to the north part of the proposed four storey building and external alterations to each elevation.

10.28 Part A section x of Policy DM2.1 requires new development to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

10.29 The property sits adjacent to the rear of 20-34 Ball's Pond Road which comprise of residential properties at first to second floor level. In addition to the east of the site there is believed to consist of existing residential units. There is an existing level of overlooking between the existing offices on the first floor, of the two second floor part of the building and the second floor of the three storey element.

10.30 Given that the proposal would result in additional office accommodation it is not considered that there would be a significantly harmful increase in overlooking of loss of privacy to neighbouring properties.

10.31 The proposed extension to the existing three storey building would be recessed from the south elevation of the site and the infill extension would be to an existing void space, within the two storey of the building. The additions are not considered to result in a significantly harmful impact on outlook, over dominance or sense of enclosure as to justify refusal of the application on this basis.

10.32 A Daylight and Sunlight Report was submitted with the application assessing the impact of the proposed works on the surrounding properties. This document was produced by the Building Research Establishment (BRE) and is the accepted methodology used by local authorities for assessing daylight and sunlight in relation to new developments. It provides methods for calculating the impact to daylight and sunlight within existing neighbouring buildings and for assessing the provision of amenity provided within new buildings. The guidance details three methods for calculating daylight; the Vertical Sky Component (VSC), the No-Sky Line Contour (NSC) and the Average Daylight Factor (ADF). The first two assessments are primarily used for the assessment of existing buildings, whilst the ADF test is used for the assessment of new buildings.

10.33 The assessments have shown that each of the surrounding residential properties, along Ball's Pond Road and Kingsland Passage, will retain levels of daylight and

sunlight in excess of the criteria suggested within the BRE guide, in terms of the Vertical Sky Component (VSC), the No-Sky Line Contour (NSC) and the Average Daylight Factor (ADF).

- 10.34 An objection has been received concerning loss of daylight and sunlight to the rear elevations of the properties at 20-22 Ball's Pond Road, and the loss of visible sky. The applicant has confirmed that the residential windows in the northern elevation of 20-22 Balls Pond Road have been considered in the daylight, sunlight report submitted in support of the application. The report confirms that all windows and rooms in the north elevation of 20-22 Balls Pond Road would achieve VSC and NSC daylight results in excess of the criteria within in the BRE's guidance; meaning that daylight levels will remain acceptable. As the outlook of these windows is due north, they are not relevant for sunlight assessment under the BRE's guidelines as the loss of sunlight would not be a concern, given relative position of the sun. In relation to the bathroom the BRE states "The guidelines given here are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed".
- 10.35 In terms of noise, the proposal would result in the repositioning of the existing plant equipment from its current location at ground floor to the north east of the site, to the roof of the proposed four storey building. Whilst the plant equipment would not be visible with screening around its perimeter, the Council's Acoustic Officer has requested a condition to be attached to any approval relating to noise. It is therefore considered given that the proposal relates to an existing office building and would be subject to Building Regulations in relation to noise mitigation, subject to this recommended condition the proposal would not have a significant noise impact to neighbouring properties.
- 10.36 The Council's Pollution Officer has also identified that the site is listed on the Council's contaminated land database but considers that the proposal would not result in any changes to the potential pollution linkage.
- 10.37 In summary the proposal would not conflict with Policy DM2.1 of the Islington's Development Management Policies with regards to the protection of neighbouring amenity or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm to residential amenity and is therefore acceptable in this regard.

### **Highways and Transportation**

- 10.38 To the front/east of the three storey element of the host building there is an area of hardstanding, which is used for car parking with capacity for 6 no. cars, with no marked spaces. The proposal would retain 1 no. car parking space which is allocated for disabled persons only.
- 10.39 Policy DM8.5 of Development Management Policies 2013 and Core Strategy 2011s policy CS 10 requires all new developments to be car-free, it does allow for limited parking providing it would be safe or cause traffic obstruction or nuisance, and be wheelchair accessible and where there is an identified need.

10.40 In this instance, the application site is within an area with moderate (PTAL 3) public transport provision.

10.41 The Council's Transport team have raised concerns relating to the loss of the car parking and the potential off-setting to surrounding streets. However, the application site falls within an existing Controlled Parking Zone (CPZ) (Mildmay) which restricts parking between the following hours:

- Weekdays 08:30-18:30 hours
- Weekends 08:30-1330 hours

The above restrictions are considered to cover the general office hours, with business car parking permits being required to park in the surrounding area. The application site is also in an accessible location, adjacent to a number of bus routes and overground stations in the surrounding Dalston area. Given the aforementioned car-free policies it is therefore considered that any loss of car parking would be acceptable in this instance.

10.42 The proposal would provide storage for a total of 24 cycles to the south of the host building. Given that Appendix 6 requires the provision storage of 1 cycle per 80 sqm, therefore requiring additional storage for 5 cycles, this additional provision is considered acceptable. It is therefore considered that the proposal would provide acceptable cycle storage and accords with Development Management Policy DM8.4 (Walking and cycling), subject to the requirements of the Council's Accessibility SPD stated above.

### **Archaeology**

10.43 The application site falls within the Kingsland Medieval Hamlet Archaeological Priority Area. It is therefore important that the proposal would not result in any significant impact on the archaeology within the application site, in compliance with Part F of policy DM2.3 of the Development Management Policies 2013.

10.44 The application has included a Historic Environment Assessment report which has provided an evaluation of the archaeological impact of the development. The report confirms that the main impacts on any buried heritage assets would be from the excavation of the proposed extension ground floor slab, along with any preliminary site strip, and from the pad foundations. It is considered that the impact would truncate or remove any archaeological remains locally, reducing the assets significance.

10.45 Following an evaluation of the aforementioned report, Historic England (GLASS) have raised no objections to the scheme subject to conditions relating to the submission of a written of scheme of investigation prior to the commencement of development. It is therefore considered subject to this condition the proposal would have an acceptable impact on the Archaeological Priority Area and accord with part F of DM2.3 of the Development Management Policies 2013.

### **Sustainability**



- 10.48 Policy DM7.1 provides advice in relation to sustainable design and construction. In accordance with part C of this policy, given that the extension would exceed 100 sqm, a Sustainable Design and Construction Statement has been submitted which sets out how the application complies with relevant sustainable design and construction policies and guidance.
- 10.49 The Sustainable Design and Construction Statement outlines the measures that would be incorporated to ensure compliance, which include the following:
- The alteration of the current heating system to a more efficient gas fired system will reduce energy consumption, carbon emissions and associated annual fossil fuel costs;
  - Upgrading the lighting in the building, by installing energy efficient fittings and providing a combination of automatic and intelligent lighting controls, will significantly reduce electricity consumption;
  - A suitable building energy management system will be installed to control services to match more closely the buildings internal occupational energy requirements.
- 10.50 It is considered that these measure would comply with Part A of this policy with proposals being required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development and the requirements of Policy DM7.2 requires developments to achieve best practice energy efficiency standards, in terms of design and specification. It is therefore considered that subject to condition securing the implementation of the above sustainability measures, prior to the occupation of the proposal it is considered acceptable in regard to sustainable design and construction.
- 10.51 It is acknowledged that Policy DM6.5 encourages the use of green roofs to maximise benefits for biodiversity, sustainable drainage and cooling. In this instance no green roof is incorporated within the proposal. However, it is considered that the lack of a green roof would not warrant refusal. A condition has been attached requiring the submission of details prior to the occupation of the development to confirm compliance with Part G of Policy DM7.4 in relation water efficiency.

### **Trees**

- 10.50 The application site has 5no. trees which are positioned along the eastern boundary. As a result, an Arboricultural Impact Assessment Report was submitted to assess the impact of the proposal, including the redesign of the front entrance, on these trees.
- 10.51 The report has identified that the proposal would require the removal of two of the trees, being identified as Tree 1 and Tree 5. Tree 1 has been identified as being in an unsustainable position close to the new frontage of the building, and Tree 5 is required to be removed as it would be within the location of the new bin enclosure. The other three trees would be retained but would result in crown reduction to enable construction access to the development. The report has identified that the alignment of the new building would not encroach into the Root Protection Areas

(RPAs) of the retained trees (trees 2, 3 and 4, Red Maple) and so there are no conflicts with the RPAs of the trees from the construction/demolition work

- 10.51 The two trees to be removed are a Red Maple (Tree 1) and White Beam (Tree 5), which are classified as low value (category C and U) and moderate value (category B) respectively. The other three trees to be retained are Red Maple (Trees 2, 3 & 4) and classified as category B trees. In mitigation, the proposal seeks to plant three Cypress Oak trees adjacent to, but within the site boundary on the Kingsland Passage frontage.
- 10.52 Category B trees are of moderate quality with an estimated remaining life expectancy of at least 20 years. Category C trees are of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm. Category U trees are in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.
- 10.53 The Council's Tree Officer has assessed the proposal, and reviewed the submitted Arboricultural Report. The officer has raised concerns in relation to the level of detail of the report, in terms of the full extent of tree pruning to facilitate construction, the existing and retained service plan, and the hard landscaping detail (eg bin stores boundary treatment, permeability of hard surfaces, lighting, surface water drainage are all within the RPA).
- 10.54 The Officer has concerns that given this is a constricted site, the cumulative impacts of construction activity, excavation for services, canopy proximity to windows and hard landscaping may result in inappropriate damage to the retained trees and ultimately the loss of amenity and foreshortening of useful life expectancy. It is also commented that with regards to the mitigating replanting, Islington is currently within the Forestry Commissions Oak Processionary Moth (OPM) management Zone. The effects that OPM will have on the management of oaks within the Borough is not fully understood but until we know more we are recommending that oak tree planting be restricted in public spaces for the next three years. Oak may therefore not be the best choice of tree for the site.
- 10.55 The Tree Officer's recommendation is that the application should be resisted. However, he considers that should the application be approved then pre-commencement conditions for an arboricultural method statement, arboricultural site supervision and tree planting scheme should be attached to any approval, to ensure that the existing retained trees are to have any chance to survive through construction.
- 10.56 Part B of Policy DM6.5 outlines the Council's approach to the protection of trees, including any loss or damage to existing trees. It requires that '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, must be agreed with the council and suitably reprovided. Developments within proximity of existing trees are required to provide protection from any damage during development'. Furthermore it states 'the council will refuse permission or consent for the removal of protected

trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees’.

- 10.57 The application site is not within a conservation area, nor are the affected trees subject to a Tree Preservation Order or have any other designation protection. It is considered therefore that given the Tree Preservation Officers assessment, that the proposal would result in loss and damage to the existing trees, it is important to assess the overriding benefits of the scheme, in accordance with the aforementioned policy advice.
- 10.58 As mentioned above the proposal for additional B1a business floorspace to an office building and would provide additional employment opportunities, which would be acceptable in land use terms, complying with its designations as an Employment Growth Area, and the Site Allocation advice (Site OIS7). The proposal is considered to have an acceptable design and amenity impact, complying with the accessibility and sustainable construction and design objectives of the Council. Furthermore the proposal would have an acceptable impact on the Archaeological Priority Area, subject to conditions.
- 10.59 Overall, given the general compliance with the Council’s policies and guidance, that the affected trees are not protected, and the mitigation provided, on balance, it is considered acceptable in this instance. The existing two trees to be removed (Class B, C & U) are considered to be of moderate and low value, and the other retained trees (Class B) of moderate value, the mitigation would be in the form of three new trees. Whilst the Tree Officer seeks to resist the loss of the aforementioned trees, he recommended that if the Council is minded to approve the application, on balance, prior to commencement conditions should be attached, for an arboricultural method statement, arboricultural site supervision and tree planting scheme. It is considered that these conditions would ensure that further detail is provided to the Council to protect the future of the existing trees to be retained and to ensure that any trees planted in mitigation are of appropriate species.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 Planning permission is sought for the erection of part four storey and part single storey extension, with roof extension above, to the main front/east elevation of the building, with associated external alternations including part infill two storey extension of the existing cycle yard. This is to allow for an uplift of 360.2 sqm (GIA) of additional office floorspace (Use Class B1a) to an existing office building (1522.8sqm in total). Internal refurbishments to the existing building including alterations to the plant and ventilation system and installation of a wheelchair accessible lift to all floors, and alterations to the existing access.
- 11.2 The application is brought to committee because of one objection received and the proposal would result in an increase of over 250 sqm of business floorspace.

- 11.3 The issues arising from the application are the acceptability of providing additional business floorspace in land use terms, the design and its impact on the character and appearance of the host building and surrounding area, the impact on trees and archaeology within the application site, the impact on the neighbouring amenity of the adjoining and surrounding residential and commercial properties, and local highway network. In addition to ensuring that the proposal would provide accommodation which would comply with the Council's accessibility and sustainability objectives.
- 11.4 There are concerns in relation to the impact of the proposal on the existing trees within the application site. However, given the mitigation proposed, and the application site not being in a conservation area or not subject to any other protected designation and that the other material considerations, the proposal is considered, on balance, to be acceptable.
- 11.5 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

### **Conclusion**

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



## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b>
	<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>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>1518-ST-ZZ-DR-A-4051_A2; 1518-ST-ZZ-DR-A-3052_A2; 1518-ST-ZZ-DR-A-3051_A2; 1518-ST-ZZ-DR-A-1001_A2; 1518-ST-XX-ZZ-DR-A-2036; 1518-ST-XX-XX-DR-A-9002_A2; 1518-ST-XX-DR-A-1101_A3; 1518-ST-RF-DR-A-2054_A2; 1518-ST-GF-DR-A-2051_A3; 1518-ST-02-DR-A-2053_A2; 1518-ST-02-DR-A-2052_A2; 1518-ST-XX-ZZ-DR-A-4251_A6; 1518-ST-XX-ZZ-DR-A-3252_A5; 1518-ST-XX-ZZ-DR-A-3251_A6; 1518-ST-XX-XX-DR-A-1201_A7; 1518-ST-XX-RF-DR-A-2255_A6; 1518-ST-XX-GF-DR-A-2251_A6; 1518-ST-01-DR-A-2252_A2; 1518-ST-02-DR-A-2253_A2; 1518-ST-03-DR-A-2254_A3; RP_1KINGSLNDPSG_3/B; Arboricultural Impact Assessment/Rev.2 dated January 2017; Sustainable Design and Construction Statement dated 13/10/2016; Planning Statement and Appendix dated October 2016; Heritage Assessment dated October 2016; Daylight Sunlight dated 07 October 2016; Design and Access Statement revision dated 23.12.16;</p> <p>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.</p>
<b>3</b>	<b>Materials (details)</b>
	<p>The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>
<b>4</b>	<b>Car Parking</b>

	<p>CONDITION: The hereby approved car parking space shall be marked for and used by disabled persons only, in accordance with the requirements of the details shown within Part 4.1 of the Council's Inclusive Design SPD (2014). This space shall be used solely for the benefit of the disabled occupants of the development and disabled visitors and for no other purpose and shall be permanently retained as such thereafter.</p> <p>Reason: To ensure adequate disabled parking provision.</p>
<b>5</b>	<b>Cycle Parking Provision Compliance</b>
	<p>CONDITION: Prior to the first occupation of the hereby approved extension, at least twenty secure bicycle storage spaces shall be provided, including at least one accessible cycle parking space designated for an accessible bicycle, within the site. These spaces shall be used solely for the benefit of the occupants of the development and their visitors and for no other purpose and shall be permanently retained as such thereafter.</p> <p>Reason: To ensure adequate cycle parking is available and easily accessible on site and promote sustainable modes of transport.</p>
<b>6</b>	<b>Construction Method Statement</b>
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ol style="list-style-type: none"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. loading and unloading of plant and materials</li> <li>iii. storage of plant and materials used in constructing the development</li> <li>iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>v. wheel washing facilities</li> <li>vi. measures to control the emission of dust and dirt during construction</li> <li>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</li> </ol> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
<b>7</b>	<b>Sustainable Design and Construction</b>
	<p>CONDITION: Prior to the occupation of the hereby approved development the measures identified within the submitted Sustainable Design and Construction Statement shall be implemented in full, and retained thereafter.</p> <p>REASON: To ensure a sustainable standard of design</p>

<b>8</b>	<b>Written Scheme of Investigation (WSI)</b>
	<p>CONDITION: No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and</p> <p>A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</p> <p>B. The programme for post-investigation assessment and subsequent analysis, publication &amp; dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI</p> <p>The written scheme of investigation shall be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.</p> <p>REASON: To protect the archaeological heritage of the area.</p>
<b>9</b>	<b>Arboricultural Assessment</b>
	<p>CONDITION: Prior to the commencement of the hereby approved development an arboricultural method statement, arboricultural site supervision and tree planting scheme, including species, shall be submitted and approved in writing. The approved scheme shall be implemented in full, with any planting carried in the following planting season and failures replaced within 5 years. No construction work will take place other than in accordance with the approved supervision scheme.</p> <p>REASON: To protect the existing and proposed trees.</p>
<b>10</b>	<b>Noise Levels of Plant Equipment</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq, Tr}</math> arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90, Tbg}</math>. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: For the protection of neighbouring residential amenity.</p>
<b>11</b>	<b>Car Free (Compliance)</b>

	<p>CONDITION: All future occupiers of the extension hereby approved shall not be eligible to obtain an on street residents parking permit except:</p> <p>i) In the case of disabled persons,</p> <p>REASON: To ensure that the development remains car free.</p>
<b>12</b>	<b>Water Efficiency</b>
	<p>CONDITION: Prior to the occupation of the hereby approved development, details shall be submitted and approved in writing, demonstrating compliance with the water efficiency requirements of Part G of Policy 7.4 of Development Management Policies (2013) and Environmental Design SPD. The approved measures shall be implemented in full and retained thereafter.</p> <p>Reason: To ensure the water efficiency of the development.</p>

### List of Informatives:

<b>1</b>	<b>Positive Statement</b>
	<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. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>Community infrastructure Levy (CIL)</b>
	<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 <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> and the Islington Council website at <a href="http://www.islington.gov.uk/cilinfo">www.islington.gov.uk/cilinfo</a>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/community-">http://planningguidance.planningportal.gov.uk/blog/guidance/community-</a></p>

	<a href="#">infrastructure-levy/</a> .
<b>3</b>	<b>Thames Water</b>
	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p> <p>With regard to surface water drainage 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 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 Ground Water. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required.</p> <p>If there are public sewers crossing this site and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Thames Water advises that they should be contacted directly should a building over / diversion application form, or other information relating to Thames Water's assets be required.</p> <p>Thames Water requests that the Applicant should incorporate within their proposal protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.</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 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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, 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**

Policy 7.4 Local Character

Policy 7.6 Architecture

Housing Supplementary Planning Guidance

Appendix 1 - Summary of the quality and design standards

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

##### Strategic Policies

Policy CS 8 – Enhancing Islington’s character

Policy CS 9 - Protecting and enhancing Islington’s built and historic environment

Policy CS 10 – Sustainable Design

#### **C) Development Management Policies June 2013**

- Policy DM2.1 – Design
- Policy DM2.2 – Inclusive Design
- Policy DM2.3 – Heritage
- Policy DM5.1 - New business floorspace
- Policy DM6.5 - Landscaping, trees and biodiversity
- Policy DM7.1 - Sustainable design and construction
- Policy DM7.2 - Energy efficiency and carbon reduction in minor schemes
- Policy DM7.4 – Sustainable Design Standards
- Policy DM8.4 - Walking and cycling
- Policy DM8.5 - Vehicle parking

### **3. Designations**

Archaeological Priority Area  
Employment Priority Areas (General)  
Local shopping area  
Rail Safeguarding Area  
Rail Safeguarding – Cross Rail 2

### **4. SPD/SPGS**

Urban Design Guidelines  
Environmental Design SPD  
Inclusive Design SPD  
Environmental Design SPD

### **5. Other**

Dalston Area Action Plan 2013 (adopted by London Borough of Hackney Council).