

# PLANNING COMMITTEE REPORT

<b>PLANNING COMMITTEE</b>		<b>AGENDA ITEM NO: B1</b>
<b>Date:</b>	9 October 2017	<b>NON-EXEMPT</b>

Application number	P2017/1739/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	N/a
Conservation area	Bunhill Fields and Finsbury Square (part)
Development Plan Context	<ul style="list-style-type: none"> <li>- Central Activities Zone</li> <li>- Bunhill &amp; Clerkenwell Key Area</li> <li>- Employment Priority Area (General)</li> <li>- Adjacent to the Bunhill Fields and Finsbury Square Conservation Area</li> <li>- City Fringe Opportunity Area</li> </ul>
Licensing Implications	Premises licence required
Site Address	210-218 Old Street, 70-100 City Road, 32-37 Featherstone Street & 13-15 Mallow Street, London EC1
Proposal	Change of use of 990sqm of office (Use Class B1(a)) floorspace at basement level beneath The White Collar Factory, and 177sqm of restaurant (Use Class A3) floorspace at ground floor level fronting Featherstone Street to create 1167sqm of Sui-Generis floorspace to provide a food and beverage based business enterprise and training company, along with the provision of 348sqm of existing office (B1(a)) floorspace at first and second floors of Building 3 of the White Collar Factory fronting City Road as affordable workspace for a period of 20 years.

Case Officer	Peter Munnely
Applicant	LMS (City Road) Limited
Agent	Jennifer Ross - Tibbalds Planning and Urban Design

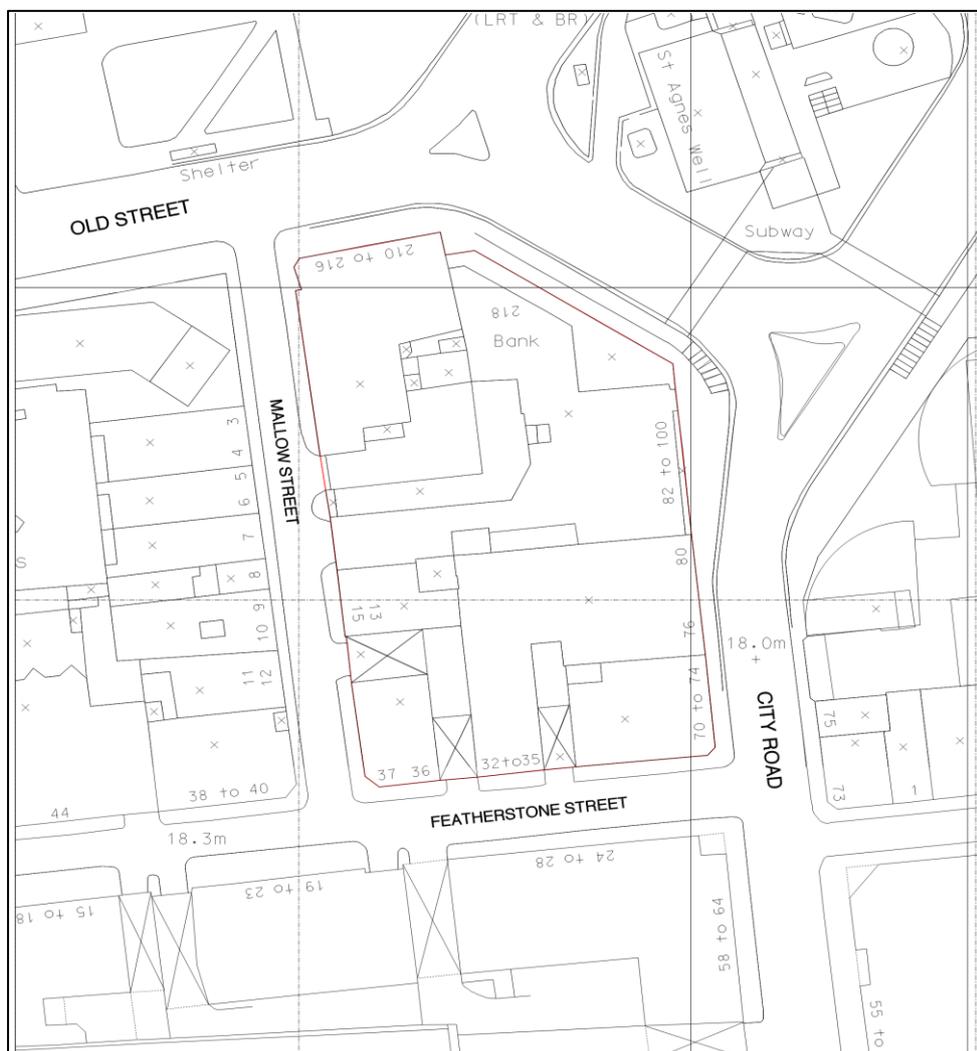
## 1.0 RECOMMENDATION

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

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

## 2.0 SITE PLAN

**Figure 1: Site Plan**



### 3.0 PHOTOS OF SITE/STREET

**Figure 2:** View of Ground Floor reception/entrance on Featherstone Street.



**Figure 3:** Courtyard from Old Street Yard



**Figure 4:** Rear elevation of Reception/Entrance Unit



**Figure 5:** View of Reception and entrance to courtyard from Featherstone Street

**Fig. 6:** View of the basement space



**Figure 7:** View of the basement space



## 4.0 SUMMARY

- 4.1 The White Collar Factory within which the development will be relocated is a recent office-led mixed use redevelopment scheme. First granted planning permission in March 2012 the site has subsequently been granted a series of permissions with work now complete and the development almost fully occupied. The development has frontages on Old Street, City Road, Mallow Street and Featherstone Street. Approximately two thirds of the site lies within the Bunhill Fields/Finsbury Square Conservation Area. The site also lies within the Central Activities Zone (CAZ) and City Fringe Opportunity Area (CFOA) and is within an Employment Priority Area (General).
- 4.2 This proposal involves the change of use of 990 sq m of part of the basement (existing Use Class B1a) beneath Buildings 1 and 4 and the 177 sq m of ground floor restaurant space (Use Class A3) fronting Featherstone Street. The scheme would see the basement space given over to *Sui-Generis* use to provide '*a supportive environment within which new and emerging young chefs will be able to develop and test their skills as part of an important stepping stone to opening their own restaurants*'. The proposed change of use would see a number of small stall kitchens, fitted out with catering equipment including cooking facilities and a counter area, a number of larger 'show kitchens' operated by restaurateurs who have been promoted from the stall kitchens, and a 'Tasting Room' operated by a single restaurateur with around 30 seats. The space, to be known as *The Long Table* would offer a number of informal seating and break out areas accessible for meetings during work hours (aimed at the business occupiers of the White Collar Factory and surrounding office workers), which would be used as additional restaurant seating over lunch periods and in the evenings. The ground floor space currently consented as a Class A3 unit would become the main entrance to the basement operation (from Featherstone Street) and would also feature a small reception/retail/café element with external seating to its rear within the courtyard area.
- 4.3 In terms of land use principles The 'Finsbury Local Plan' (Area Action Plan for Bunhill and Clerkenwell) adopted June 2013 identifies this site as being located within an Employment Priority Area (General). Policy BC8 of the Plan states that no net loss of business floorspace will be permitted, either through change of use or redevelopment, unless exceptional circumstances can be demonstrated, including through the submission of clear and robust evidence which shows that there is no demand for the floorspace. However, the policy also emphasises that the employment floorspace component should not be unfettered Class B1 office use but should also include retail or leisure uses on ground floors. The policy also stresses the importance of providing affordable workspace suitable for SMEs and managed for the benefit of occupants whose needs are not met by the market.
- 4.4 The White Collar Factory was built speculatively with the basement space designed in such a way that it could be used as ancillary support space in the event of the main building being taken by a single occupant. The building has however been let to multi occupants each with their own individual support/breakout/dining spaces. As a result, the need for a single, large support space has diminished. The floor space in question, being located within the basement, does not enjoy any outlook and only limited access to natural light through glazed floor bricks set within the courtyard space above and thus this has presented challenges in securing a B1(a) tenant.

- 4.5 The provision of an essentially new 'concept use' would not only provide beneficial commercial activity in a difficult to let space but importantly would also present clear opportunities for close synergetic relationships to be formed between the operator, the Council, local schools and the local community. These relationships would allow a range of training, work experience and employment opportunities targeted towards the hospitality industry to take place within the space which would be known as The Long Room. Officers are satisfied that the undertakings provided by the operator and the commitment to work in good faith and in partnership with Islington Council's 'iWork for Business' service will result in tangible employment opportunities for the local community.
- 4.6 In terms of actual numbers it is estimated that the existing B1(a) floorspace (990sqm) would accommodate approximately 80 full time employees (at a density of 1 employee to every 12sqm). A relatively small amount of employment would also be provided by the consented Class A3 unit at ground floor. Information provided by the applicant indicates that the operation will provide a total of 99 full time positions and that this will be complemented by a further 74 semi-permanent 'training' positions for support chefs and Commis chefs (for a duration of 4 months)
- 4.7 In addition to the arguments about the proposed use complementing the main business use of the building and the area, almost certainly providing employment numbers significantly above any figure that would be associated with standard Class B1(a) occupation of the same space, the applicant has also offered to provide 348 sq m of affordable on-site workspace to the Council at 15 years' peppercorn rent.
- 4.8 Officers consider that the applicant has provided a reasonably strong 'exceptional circumstances' argument as required by Policy BC8 of the Finsbury Local Plan based on the following:
- The unsuitability of the basement space as separate Class B1A space and the difficulty of letting the space evidenced by marketing material;
  - The complementary nature of the proposed use to the main Class B1a use of the White Collar building;
  - An actual increase in employment numbers within the space once the operation has commenced set against potential Class B1 office use numbers;
  - Provision of extensive training and employment opportunities within the hospitality industry for local young people;
  - Provision of affordable office workspace for local businesses for 20 years.

Officers are therefore, on balance, able to support the loss of the Class B1(a) space on the basis that 'exceptional circumstance' have been demonstrated. It can also be noted that should the sui generis use of the space subject to the planning application cease at any time then the floorspace will revert to Class A3 restaurant use at ground level and Class B1a office use at basement level and this will be captured in the legal agreement.

- 4.9 The development involves no external physical changes to the consented scheme and therefore in terms of the impact upon the amenity of neighbouring residential occupiers no further assessment in respect of daylight and sunlight, outlook or privacy is considered necessary. Whilst there is some small potential for the new

operation to result in noise and disturbance to nearby properties from comings and goings during the evening it is considered these impacts can be suitably mitigated by existing White Collar Factory planning permission conditions which restrict hours of use, the use of the courtyard and the imposition and adherence to a suitable Management Plan. Plant and air handling equipment serving the basement operation will be governed by the existing consented regime which includes conditions restricting noise levels and results in expulsion at roof level of Buildings 2 and 4 within the scheme.

- 4.10 The change of use is unlikely to have any additional adverse impacts in terms of deliveries and servicing over and above that created by the original proposal. The proposal meets the London Plan and local targets in respect of carbon emissions and is compliant with development plan policy on sustainability. Appropriate Section 106 Heads of Terms have been agreed with the applicant.
- 4.11 The benefits of the proposed development have been considered in the final balance of planning considerations, along with the shortcomings of the proposed development (which include loss of office space and the potential adverse impacts on neighbouring properties, which in officers' view can be suitably controlled by condition and effective management). On balance, it is recommended that permission is granted.

## **5.0 SITE AND SURROUNDINGS**

- 5.1 The site is located on a prominent position to the south west of Old Street roundabout. The roundabout provides the intersection of two major roads, Old Street and City Road and because of the volume of traffic on these roads the roundabout dominates the area. Old Street roundabout is considered a gateway location with the heart of the city to the south and Clerkenwell and the West End. The roundabout and its environs have become synonymous with start-up IT and Tech industries and this has been recognised by the other names given to the area such as Silicon roundabout and Tech City.
- 5.2 Surrounding the gyratory system are buildings which are increasingly large scale – the nine storey glazed Immarsat building occupies the south east side of the roundabout, a 16 storey high office building is on its north west side and is occupied by BT whilst the Bezier residential buildings are on its south east corner at 14 and 16 storeys. The remaining corner to the north-east is occupied by a local authority housing estate of little architectural merit. Slightly north of the roundabout and on the west side of City Road is the notable former Leysian Mission, now Imperial House, which is a significant building in the streetscape.
- 5.3 The site has an 'excellent' 6b PTAL rating, which is the highest achievable. This is due to its close proximity to Old Street station which is served by the City Branch of London Underground's Northern Line and by a regional rail service. The site is in walking distance to Liverpool Street and Moorgate Stations. There are numerous bus services in proximity to the site and a number of cycle routes in the vicinity.
- 5.4 A significant part of the site, fronting Mallow Street and Featherstone Street lies within the Bunhill Fields/Finsbury Square Conservation Area which was designated first in 1987 and extended in 1998 and again in 2002.

5.5 Existing site coverage is a 'campus' style development, The White Collar Factory, now complete and practically fully let. The development consists a total of six new and refurbished buildings at a range of heights (the tallest being of 16 storeys) that provide a mix of employment, residential, and café/retail/restaurant space. The buildings enclose a hard landscaped courtyard, Old Street Yard which is accessible to the public. The development has undergone a number of iterations since planning permission and conservation area consent were first granted to redevelop on the 30<sup>th</sup> March 2012. (Refs. P101833 & P101834).

## 6.0 PROPOSAL (IN DETAIL)

6.1 This proposal involves the change of use of 990sqm of office (Use Class B1(a)) floorspace at basement level beneath The White Collar Factory, and 177sqm of restaurant (Use Class A3) floorspace at ground floor level fronting Featherstone Street to create 1167sqm of *Sui-Generis* floorspace to provide a food and beverage based business enterprise and training facility. Additionally 348 sqm of existing office (B1(a)) floorspace at first and second floors of Building 3 of the White Collar Factory fronting City Road is to be given over as as affordable workspace for a period of 15 years.

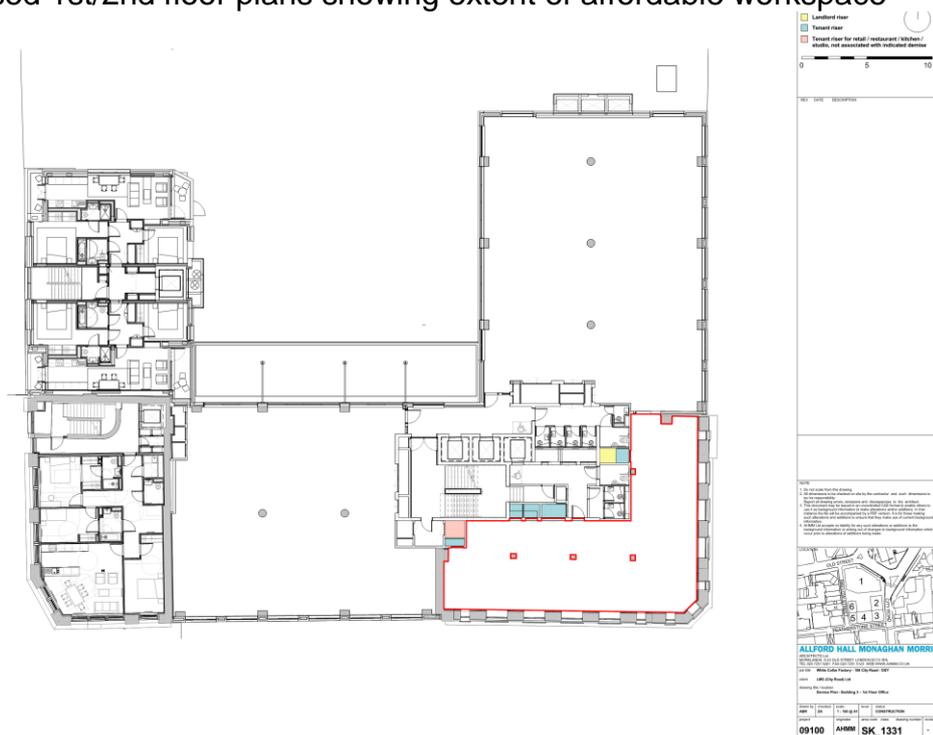
6.2 The operation is to be known as 'The Long Table' and the operator will seek to provide aspiring chefs (referred to as interns or cohorts in application material) with 'a supportive environment within which new and emerging young chefs will be able to develop and test their skills as part of an important stepping stone to opening their own restaurants'. The 17 no. operators will be provided with a small kitchen for a period of 3-6 months together with necessary equipment, apparatus, support staff and an operational support structure to commence trading and showcasing their work without the significant upfront costs that would normally be expected with opening and running a small restaurant or dining operation.

6.3 The operators will be advised on best practice by experienced specialists who will assist in developing ideas and formula for the open market. Costs will be minimised by a centralised buying system on food purchases allowing interns a better chance of initial commercial success. Specialists will also be on hand to provide a network of services such as digital media, commercial planning, PR and marketing. The interns will also benefit from exposure to more developed operators within the Long Room fostering relationships and sharing expertise and contacts. The proposed change of use would result in 8 no. of small stall kitchens, fitted out with catering equipment including cooking facilities and a counter area, the same number of 'show kitchens' which are larger and would be operated by restaurateurs who have been promoted from the stall kitchens and a 'Tasting Room' operated by a single restaurateur with around 30 seats located around a kitchen. The proposed change of use would offer a number of informal seating and break out areas accessible for meetings during work hours (aimed at the business occupiers of the White Collar Factory and surroundings), which would be used as additional restaurant seating over lunch periods and in the evenings.

6.4 In terms of physical layout the existing double height basement space will provide three tiers of operating space comprising the food stations, the larger show kitchens, and the tasting room set within a mezzanine with additional ancillary space used for bars, seating and meeting spaces.

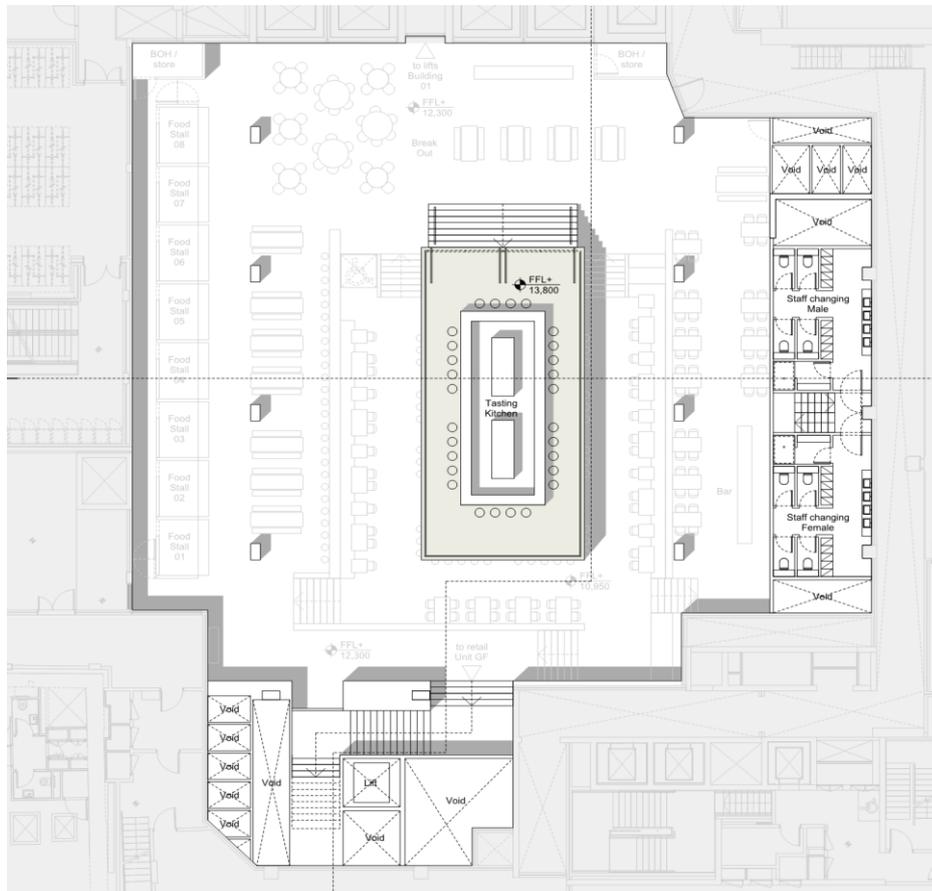
- 6.5 Significantly, training and employment links will be developed with educational institutions (such as the Central Foundation School for Boys and Mount Carmel School) and through the Council’s own Business and work service ‘iWork for Business’ to ensure that local young people are provided with sufficient opportunities to either work, train or gain work experience within the Long Room umbrella organisation or as intern or cohort operators themselves. These links will be secured through legal agreement and will also be subject to a regular monitoring to ensure the proposed local opportunities are being provided and maintained.
- 6.6 At ground floor, Unit 04 which fronts Featherstone Street will be given over to The Long Room and serve as the main entrance space/area for the public. As the Unit has been *granted* planning permission for Class A3 it will be required to be turned over to *sui generis* use as per the basement space and will also feature a reception area, a small retail/coffee shop element with some external breakout table space within the newly created courtyard known now as Old Street Yard and a staircase and lift down to the basement area. Access to the basement for those occupiers within the White Collar Factory will continue to be from the lifts of the main Building within the development (Building 1).
- 6.7 Part of the first floor and a similar part of the second floor in Building 3 of the wider development will be made available as affordable workspace. The space, amounting to 348 sqm (174 at first floor and 174 sqm on the second floor) is already consented as Class B1(a) and therefore the arrangement will be secured through legal agreement. The broad headline terms of the arrangement are that the owner will grant a lease to the London Borough of Islington for 15 years at a peppercorn rent with no rent review, the provisions of the landlord and tenant act to be excluded from the agreement and the London Borough of Islington through its ‘iWork’ arm will normally delegate occupancy and management to any one of a number of Affordable workspace providers who are on the Council’s approved provider list.

**Fig 8:** Proposed 1st/2nd floor plans showing extent of affordable workspace





**Figure10: Mezzanine layout**



## 7.0 RELEVANT HISTORY

7.1 The following history is considered relevant to this planning application.

### Planning applications

7.2 Although there had been a previous permission granted on appeal in 2007 (P061277) for a 39 storey, residential led tower, P101833 is considered to be the first clearly relevant planning permission. Permission was granted (with associated Conservation Area Consent reference P101834) (approved 30<sup>th</sup> March 2012) for the development of the site involving demolition of the existing structures except for 70 - 74 City Road (Building C) and 36-37 Featherstone Street; the change of use of the first to third floors of 36-37 Featherstone Street (Building E) from Class B1 office to Class C3 residential (3 units); the construction of four new buildings, Building A up to 90.09m high, Building B up to 40.39m high, Building D, up to 40.37m high and Building F up to 31.5m high to provide 32,625 sum of Class B1 floor space, 728 sum of mixed uses for Class A1/A2/A3/A4, creation of 6 residential units, alterations to an existing service access on Mallow Street, provision of new publicly accessible hard landscaped space and ancillary plant and equipment.

- 7.3 The planning permission was varied under application reference P2013/2704/S73 (approved 28<sup>th</sup> March 2014) which formed an application under s73 of the Town and Country Planning Act (1990) for the variation of condition 2 (approved drawings) of planning permission ref: P101833 dated 30 March 2012 that granted the ‘Development of the site involving demolition of the existing structures except for 70 - 74 City Road (Building C) and 36-37 Featherstone Street; the change of use of the first to third floors of 36-37 Featherstone Street (Building E) from Class B1 office to Class C3 residential (3 units); the construction of four new buildings, Building A up to 90.09m high, Building B up to 40.39m high, Building D, up to 40.37m high and Building F up to 31.5m high to provide 32,625 sqm of Class B1 floor space, 728 sqm of mixed uses for Class A1/A2/A3/A4, creation of 6 residential units, alterations to an existing service access on Mallow Street, provision of new publicly accessible hard landscaped space and ancillary plant and equipment’. The amendments sought included (summary):A) Increase in office floorspace by 4,199sqm (including insertion of a mezzanine floor); B) Reduction of mixed uses for Class A1/A2/A3/A4 by 88sqm; C) Relocation of uses to place retail uses at ground floor and office uses at basement level; D) Amendments (increase) in amount of green and brown roofs and solar PV panel areas; E) Increase in depth of basement level to accommodate plant equipment and additional floorspace; and F) Increase in height of buildings to accommodate additional plant equipment at roof level by: (Building A +2.66m), (Building B +1.185m) and (Building D +1.205m) and other associated works.
- 7.4 A further Section 73 application was approved in October 2014 under application reference P2014/2796/S73 in order to alter the detailed design and appearance of elevations, removal of kitchen extract ducts to north eastern crease and relocation of extract ducts to behind north facade cladding, change to alignment and increase in height of screen (Building A); the reconfiguration of reception and internalisation of vertical circulation core (Building's B, C & D); amendments to the sedum canopy on north facade at level one (Building D); the reconfiguration of PV panels and green/brown roofs (Building's B, C & E); an increase to the height of roof following balconies and ground floor openings (Building's B, C, D, E & F).
- 7.5 A Section 96A application (Ref. P2015/2550/NMA) relating to permission reference P2014/2796/S73 was approved on the 1<sup>st</sup> September 2015. This approved minor works in relation to the concrete façade and curtain wall, windows and transformer chamber doors, changes to the revolving doors at the main entrance and the removal of louvres on the façade of Building 2.
- 7.6 Alterations to the ground floor elevations fronting onto Mallow Street and Old Street and the introduction of new entrances onto Mallow Street and the replacement of an existing doorway with a window was secured via full planning permission P2015/5350/FUL on the 26<sup>th</sup> February 2016.
- 7.7 Practically all pre-commencement and pre-occupation conditions that were attached to the main permission have now been considered and discharged. There are ongoing operational requirements relating to matters such as waste, plant noise and landscaping which must be complied with. Condition 14 (Delivery and Service Plan) (Ref.2016/3314/AOD) is outstanding and currently being considered by officers.

## **Enforcement**

7.8 None.

### **Background to the application and Pre-application advice**

- 7.9 The White Collar Factory scheme was conceived as a high quality speculative development that was designed to deliver Class B1 office floorspace to meet the needs of the widest range of tenants from large corporate occupiers through to smaller creative/Media and Tech companies. Building 1 was originally designed to attract a single large corporate occupier whilst Buildings 2-5 were designed to attract smaller, more artisanal companies who may have needed a floor or possibly two (Buildings 5 and 6 featured 3 and 6 residential units respectively).
- 7.10 The proposals also included a double height basement space underneath Building 1. It was envisaged that the space would accommodate ancillary uses such as an office canteen or a gym that would support a large, single corporate occupier in the floors above. The space understandably receives little or no natural light and was therefore never identified as readily marketable office space in its own right.
- 7.11 In the period since planning permission was granted Building 1 has been multiply let on a floor by floor basis to a number of tenants and is now fully let. Each tenant has elected to provide any required ancillary space within their own demise and none has shown interest or expressed need for the large amount of ancillary/support space that the basement provides. Given this position the applicant has marketed the basement space in its own right. This exercise commenced in March 2015 until June 2016. Further commentary on the veracity of the marketing exercise carried out by Cushman Wakefield is provided later in this report.
- 7.12 With no lettings secured as a result of the marketing exercise the applicant looked to explore alternative uses that would be more attractive to tenants as a longer term concern, would still generally accord with the London Borough of Islington's land use policies and which would sit comfortably within both the White Collar Factory development and wider area.
- 7.13 The Long Table proposal emerged during the marketing period in 2016 with the applicant putting forward the suggestion that the proposed use offered a unique opportunity to provide a complementary use to the main development which would allow opportunities for local young people to train and work in the hospitality and catering industry.
- 7.14 Pre-application advice was issued in letter dated 22<sup>nd</sup> March 2017. Although officers broadly welcomed the proposals it was made clear that there was conflict with the Council's land use policies for this area which seek to maintain the amount of business floorspace in the Central Activities Zone which in turn is crucial in supporting London's role as the UK's and Europe's most significant hub of economic activity. To overcome this conflict, the requirements of Policy BC8 were emphasised to the applicant in that there would be a need to provide a detailed and robust set of exceptional circumstances – namely this would be evidence of a comprehensive marketing campaign to demonstrate that there was no demand for the use of the floorspace in question, as business space. The letter also outlined the need for a

Retail Assessment to be carried out to establish the impact of the proposals on the surrounding retail centres, and adequate management measures to mitigate against any possible impacts on surrounding residential amenity.

- 7.15 The applicant indicated that the proposals would lead to tangible local employment and training opportunities across the catering and hospitality sector. Officers requested that adequate supporting information and firm undertakings would need to be provided in order to secure this connection allowing the employment & training opportunities to be continue year on year through the life of the development.

## **8.0 CONSULTATION**

### **Public Consultation**

- 8.1 Individual letters were sent to occupants of over 300 adjoining and nearby business and residential properties on Mallow Street, Featherstone Street, Old Street, St Agnes' Well (Old Street roundabout) and within the Bezier apartments off Old Street on 15 May 2017. No consultation responses were received as a result of this exercise. A press advert was published and site notice displayed on 18 May 2017. The public consultation of the application expired on 8 June 2017 however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report only one telephone query had been received as a result of the publicity exercise. The resident who lived on Mallow Street sought clarification on where the small outside terrace to the former restaurant unit would be located and was assured by the fact that the terrace would be within the courtyard area of the development limiting any potential impact on surrounding residential amenity.

### **Applicant's consultation**

- 8.3 The applicant has carried out a regular consultation process with local businesses and residents since work began on the site in 2014. The principal form of consultation has taken the form of a newsletter which has been sent out in email and in hard copy form to local businesses and residents and Islington Council. Throughout the construction period the developer has also maintained a show suite at 1, Olivers Yard within which details of the scheme could be found.
- 8.4 The newsletter was used to promote a public exhibition on the proposals which took place on 8 February 2016 at the White Collar Factory Show suite. The exhibition consisted of the display of a number of A1 sized publicity boards with 4 staff in attendance to explain content and proposals. The exhibition was for 5 hours and two representations were received as a result. One being of support the other outlining concern about additional comings and goings to the new operation and the impact of building work.

### **External Consultees**

- 8.5 **London Fire and Emergency Planning Authority:** Although not a planning matter LFEP stressed the importance that the space be provided with a sprinkler system.
- 8.6 **Thames Water:** No comment.
- 8.7 **London Underground:** No comment.
- 8.8 **TfL:** Have requested that cycle parking for visitors must be provided in close proximity to the site in line with London Plan standards (31 additional spaces required), that a consolidated Deliveries and Service Plan for all operations within the site boundary including The Long Room be submitted and approved and that this Plan have particular regard to minimising impact of Friday deliveries and those during other morning and evening peak periods.

### **Internal Consultees**

- 8.9 **Access and Inclusive Design Team:** No comment.
- 8.10 **Energy Team:** No comment.
- 8.11 **Highways (Traffic and Engineering):** No objection.
- 8.12 **Planning Obligations Team:** No comment.
- 8.13 **Planning Policy (Sustainability):** No comment.
- 8.14 **Planning Policy Team:** Officers are of the view that the loss of office is a significant issue and are minded that it should be justified appropriately. Given the location and the implications that permitting such a change could have on ability to maximise office development in the area, DMP Appendix 11 criteria will need to be fully met.
- 8.15 **Public Protection (Noise Team):** No comment.
- 8.16 **Public Protection (Licensing):** No comment.
- 8.17 **Waste and Recycling:** No comment.

## **9.0 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 2016 (Consolidated incorporating Minor alterations), the Islington Core Strategy 2011, the Islington Development Management Policies 2013, the Finsbury Local Plan 2013 and the 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 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Plan 2013:

- Central Activities Zone
- Bunhill and Clerkenwell Core Strategy Key Area
- City Fringe Opportunity Area (CFOA)
- Employment Priority Area (General)
- Archaeological Priority Area
- Site Allocation BC22 (Finsbury Local Plan)

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

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

## **10.0 ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land use
- Neighbouring amenity
- Highways and transportation
- Energy conservation, sustainability and biodiversity
- Other planning issues
- Planning Obligations, Community Infrastructure Levy and local finance considerations

### **Land use**

*Loss of office floor space and change of use to restaurant/food outlet concept/training space; Retail Impact; Location and Concentration of uses*

10.2 Policy 4.2 of the London Plan encourages the development of office provision, including the renewal and modernisation of the existing office stock in viable locations. Policy CS13 (Part B) of the Islington Core Strategy provides that the council will safeguard existing business space throughout the Borough by protecting

against changes of use to non-business uses, particularly in the Central Activities Zone, unless exceptional circumstances can be demonstrated. This is also reflected in Policy DM5.2 (Part A) (Loss of Existing business floorspace) of the Islington Development Management Policies which provides that proposals resulting in a loss or reduction of business floorspace will be refused unless the applicant can demonstrate through exceptional circumstances, including through submission of clear and robust evidence, that there is no demand for the floorspace. This evidence must demonstrate that the premises have been vacant and continuously marketed for a period of at least two years. In exceptional cases related to site-specific circumstances, where the vacancy period has been less than two years, a robust market demand analysis which supplements any marketing and vacancy evidence may be considered acceptable.

- 10.3 Policy BC8 (Part A) (Achieving a balanced mix of uses) of the Finsbury Local Plan echoes these requirements referring to the need for exceptional circumstances to be provided including provision of comprehensive marketing evidence. However, in addition, Policy BC8 requires that, within Employment Priority Areas (General and Offices), the loss of business floorspace will only be permitted where the proposal would not have a detrimental individual or cumulative impact on the area's primary business role and would not compromise economic function/growth, or it can be demonstrated to the council's satisfaction that the site is no longer suitable for the provision of similar uses. It is therefore the case that there is a strong policy presumption against the loss of business use on this site. Policy BC8 Aii also requires that proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.
- 10.4 Notwithstanding the primary intention to maintain quality office stock and the overarching objective to support the role of the Central Activities Zone (CAZ) as the UK's most significant economic hub, Policy BC8 also however acknowledges that such office use needs to be supported by a range of ancillary or complimentary uses and that a monoculture of use is often detrimental to an area in terms of economic function and growth. To prevent this BC8 (B) states that in an area such as the application site 'the employment floorspace component of a development or change of use proposal should not be unfettered B1a uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside....(iii) affordable workspace, to be managed for the benefit of the occupants whose needs are not met by the market.' The Policy goes on to indicate that for proposals in excess of 10,000 sqm (which the White Collar Factory is) retail or leisure uses may be provided at ground level where an active frontage would enhance the street environment, or where these uses would complement or extend the offer of neighbouring clusters of retail or leisure uses.
- 10.5 In the context of the above policy objectives it can be considered that the White Collar Factory development has already made a significant contribution to the reinforcing the CAZ's role and function as a main business destination. The permission that has been built out provides approximately 36,000 sqm of new and part-refurbished Class B1A office space replacing a relatively small amount of outdated, tired office space that was previously on site. In this regard the development can be said to have incorporated a significant degree of business floorspace on site and therefore accords with BC8 Part Aii. Furthermore the development will support a variety of business and house around 2,500 employees who will all anticipate a range of support facilities to be available throughout the

working day. Particularly important will be somewhere convenient to eat, drink and socialise throughout the day which The Long Room will provide. The local community will also be able to utilise the space either through patronising the operation which is the subject of this application or through seeking to take advantage of the employment and training opportunities provided therein.

- 10.6 In accordance with Policy DM5.2 Part A) of the Islington Development Management Policies and Policy BC8 (Part A) of the Finsbury Local Plan the applicant has submitted an amount of evidence relating to marketing of the basement space. Appendix 11 of the Development Management Policies Document (2013) sets out the details and evidence that would be expected to be provided of a marketing exercise that had been undertaken prior to any change of use application from office use. In summary the Council set out what is considered to be 'active marketing', namely provision of marketing boards, use of a commercial property agent, the property to be marketed for an appropriate planning use at a 'reasonable' price. The guidance also requires that information also be submitted regarding the number and details of enquiries received, the number of viewings, the number, type, proposed uses and value of offers received, the reasons why offers fell through, the lengths of the marketing period and the vacancy period. There is a need for information about the rental values offered and a professional valuation from at least three agents to confirm this figure is reasonable.
- 10.7 The submitted evidence includes a summary of the wider marketing campaign of the White Collar Factory carried out by Cushman and Wakefield. Cushman and Wakefield report that they were initially instructed by Derwent London at the beginning of 2015 to secure a main pre-let of around 150,000 sq ft within the main White Collar Factory Building to a single office occupier (this would represent significantly more than half the available space – 239,000 sq ft - within the development as a whole). The Lower ground floor space, which is the subject of the current application, was proposed as part of this potential pre-let albeit it was envisaged the space would be used as ancillary Class B1 space (office canteen, auditorium, meeting room space, etc.).
- 10.8 The summary letter indicates that marketing commenced in mid-2015 however the nature of local market conditions dictated that a more multi-let approach be adopted and by September 2016, 7 different tenants had committed to taking 174,000 sq ft across the 12 lower floors of the development. This equated to a 75% pre-let development. During negotiations with these tenants no interest was expressed about taking on the lower ground floor and therefore marketing of this space alone became necessary. Cushman and Wakefield have provided evidence relating to the marketing of the lower ground floor. This is in the form of viewing statistics (across the whole White Collar Factory development) and an 'interest schedule'.
- 10.9 The Viewing statistics indicate that across a period of 14 months from March 2015 to May 2016 there were a total of 73 viewings by 49 potential occupiers who sought 1.81million sq ft. The Interest Schedule is more germane given it relates to the lower ground floor space only. It dates from June 2015 to July 2016 and provides detailed information of whom was actively interested in the floorspace, when and agent commentary as to why final terms were not agreed. The reasons given by a variety of potential tenants who represented Media/Tech and Gym Operators included the following:

- Short term let only required;
- Lower Ground/Mezzanine configuration inappropriate and insufficient natural light for office use;
- Space required immediately;
- Space was unlikely to be consented for Class D1 use;
- Open nature of the space not appropriate and self-contained options being pursued;
- Space considered too expensive.

10.10 On the basis of the marketing campaign as outlined above Cushman and Wakefield have provided a number of conclusions about the space:

- That its subterranean nature precludes a conventional office user;
- That its limited natural light (it has four rooflights) will further limit its suitability as office space;
- The convoluted access to the space through the main office building and no opportunity for self-contained access and signage rights are again negative points when looking to let to a conventional office user;
- The marketing campaign, which focussed on the central London office market was unsuccessful over a period which, assessing the exercise in its widest possible sense, could be said to have taken place from March 2015 to June 2016 (14 months). Interest was more pronounced from retail and leisure operators than office users suggesting that the space was more suitable for these sectors rather than the office market.

10.11 A subsequent request for additional information in line with that required within the relevant Marketing evidence Appendix (11) as set out above resulted in confirmation that the wider marketing campaign commenced in January 2015 and was ongoing until June 2016 when the Long Table first approached Derwent in June 2016 (17 months). It was confirmed that the studio space was included within the marketing collateral for the White Collar Factory. It was also confirmed that a pre-completion marketing brochure and website were created where further technical details, plans etc., could be downloaded. Given the unique nature of the space CGIs were also created to show how the space might be used as an ancillary office function e.g. Auditorium, staff canteen. In terms of rental values early advice for the space focused on an estimated rental value in the late £30's per sq ft. This compared with a rent achieved on the ground floor of £64 per sq ft.

10.12 Officers consider the information submitted as marketing evidence as helpful. Through the responses from potential tenants identifying the shortcomings of the space for Class B1a occupation it broadly satisfies the important requirement of Ai(b) of Policy BC8 of the Finsbury Local Plan wherein it must also be demonstrated to the Council's satisfaction that the 'site' is no longer suitable for the provision of similar uses i.e. office use.

10.13 It is relatively clear that over the period of construction and through the letting period for the White Collar Factory development there has been marketing of the application space. As referenced above the information provided would also overtly suggest that there has been little or no demand for the lower ground floor space for Class B1a office use purposes with the reasons for this being principally the below ground location, the lack of natural light, convoluted access and limited opportunity for any

self-containment. The fact that almost all of the upper floor space has now been successfully let adds a reasonable amount of weight to the applicant's argument that it is the location and nature of the lower ground space that has prevented successful B1 occupation.

- 10.14 With the marketing period not reaching 2 years the applicant has also provided what amounts to a Market Demand Analysis report supplementing marketing and vacancy evidence as requested in both Policy BC8 and Policy DM5.2. The report provides an overview of business floorspace in the Old Street area, current and likely future demand for such floorspace and existing rental levels achieved. The report adds credence to the argument put forward by the applicant that the basement space would be extremely difficult to let for a reasonable rental level and that likely employment levels within the space are likely to be significantly less than those achieved for standard above-ground commercial floorspace.
- 10.15 In summary the applicant has provided evidence relating to marketing for the floorspace which is the subject of the application. The evidence largely meets the requirements of the Council's adopted guidance, Policy BC8 of the Finsbury Local Plan, Policy DM5.2 of the Development Management Policies and particularly Appendix 11 of the Development Management Policies Document and officers are reasonably satisfied that sufficient bespoke marketing has taken place in respect of the space.
- 10.16 Both of the above policies explicitly refer to the need for the applicant to demonstrate exceptional circumstances to mitigate against any loss of office floorspace. The applicant has cited a number of material planning issues which are offered as exceptional circumstances and could be said to counterbalance the loss of the consented office floorspace. As set out at the beginning of this report these circumstances focus on the lack of demand from office occupiers which is considered above, enhanced employment and training opportunities to be generated as a result of the proposed use and the provision of a significant amount of affordable workspace on site.

#### *Exceptional circumstances – Employment and Training*

- 10.17 A key objective of the Council, and one of the exceptional circumstance threads presented by the applicant is how the change of use will help address poverty, tackle worklessness, and generate economic opportunities for local residents potentially leading to reduced social inequality. In order for this to happen residents will have to acquire the skills necessary to utilise any new opportunities that are provided and indeed Policy CS13 requires development to provide jobs and training opportunities including apprenticeships.
- 10.18 Detailed information provided by the applicant indicates that the operation will provide a total of 99 full-time positions on day 1 of operation. This figure will be complemented by a further 74 semi-permanent full-time 'training' positions for support chefs and Commis chefs. These 74 semi-permanent positions will be 'Cohort' operators and will exist on 4 month cycles. The operator will run a distinct training programme for these cohort operators invited to run kitchens/food offers aimed at developing the skills necessary to running a successful food business such as pricing, competitor analysis, building teams, menu engineering, finance and human resource issues. Upon graduation following the 4 month residency each

operator will continue to be supported by the Long Room through access to support staff, employment opportunities and preferential rates with specialist local service providers.

- 10.19 Based on the above figures therefore the total number of full-time positions provided will amount to 173 although an amount of these will be in effect, temporary. Nevertheless the figure compares very favourably to the estimate of 80 full-time employees that would be accommodated within approximately the same 1000 sqm of Class B1a floorspace (using a density estimate of 1 employee to every 12 sqm of floorspace) were the space to be used as per the extant permission. The 80 would be supplemented by a small number of employees who would have worked in the ground floor A3 unit which would also be turned over to *sui generis* use. It should also be noted that given the nature of the basement space, it is unlikely that it would provide those estimated numbers as referenced above as might a similar amount of space which was above ground, naturally lit, flexible, visible and easy to access.
- 10.20 Quite distinct from the training and pastoral care offered to the 17 no. cohort operators will be the 12 no. intern positions offered on 6 month cycles at all levels within the Long Room support team positions (24 positions per year). Intern roles are proposed to be offered at Commis Chef level, Commis Waiter level and as bar/waiting staff. These opportunities were discussed and welcomed at pre-application stage with planning officers and representatives of the Council's business and employment service – iWork for Business. The intern programme would need to be in association with 'Springboard UK' who assist young people in securing employment and training within the hospitality industry. A partnership engagement deal would need to be entered into and secured through an overarching legal agreement with the aim that any scheme offers provision of relevant Level 1 and 2 National Vocational Qualifications (NVQs). Such provision would be subject to stringent qualitative checks by the Council although would nevertheless be welcomed by officers who have been made aware of the acute recruitment issues facing the hospitality sector in the next 5 years which are likely to be exacerbated by Brexit. Evidence has been highlighted in multiple reports from the likes of the Institute for Public Policy Research, the Department for Work and Pensions and the GLA that the hospitality sector faces massive challenges in recruiting its workforce at all levels of the service – further highlighting the need for close co-operative relationships to be secured between the Council, hospitality industry operators and employment and training providers such as Springboard UK to allow routes for Islington residents to train for and enter the hospitality industry.
- 10.21 It is noted that in the draft Long Table Employment and Training Strategy which was submitted to support the application, reference is made to salaries for Intern staff being made up of the National Minimum wage (£7.20 per hour). However the Planning, Design and Access Statement indicates that 'the Long Table has also confirmed that that it is committed to ensuring staff receive a minimum level of earnings commensurate with the London Living Wage'. Any agreement in regard to internships with the Council's BEST, iWork and Springboard UK would be subject to the Islington Council's requirements as an employer who pays the London Living Wage (currently calculated at £9.75 per hour) and would be secured in any S106 legal agreement.
- 10.22 As part of any agreed Employment and Training Strategy an undertaking has been provided to set up working links with educational establishments such as Mount Carmel School and the Central Foundation School for Boys. Officers would expect

this partnership to enable work experience, along with possible Saturday jobs and eventual part or full-time positions. This outreach strategy would also involve talks and promotion to other youth group providers and hosting evenings for food tasting and talks to those interested in the hospitality industry. The exact nature of how this outreach strategy would manifest itself and continue for as long as the operation it would be associated with would need to be agreed with iWork for Business and detailed and secured within a legal agreement.

10.23 In summary, the argument that there are exceptional circumstances in regard to employment and training to allow the loss of business floorspace at lower ground level within the White Collar Factory, is accepted and considered valid. One strand of this argument is that the change of use will result in more people working within the space than would have been the case were it to have been occupied and used for Class B1 purposes. Further strands of the exceptional circumstances argument are the creation of a food operator academy within the Borough and that the job opportunities created will, through the proposed internship programme and links with local schools, allow young people from Islington to actively consider and potentially move into the hospitality industry. These arguments have been sufficiently evidenced although will require safeguarding for the life of the operation through the accompanying Section 106 legal agreement.

*Exceptional Circumstances – Affordable workspace*

10.24 Earlier permissions on this site including those granted in 2013 and 2014 obligated no affordable workspace provision within the development. Following negotiation with officers the applicant has agreed to provide an amount of affordable workspace to further bolster their 'exceptional circumstances' argument and help to deliver the Council's economic growth objective in this location.

10.25 Discussions with the Council's iWork for Business Team initially resulted in an offer to provide 215 sqm of affordable workspace space at basement and ground floor. This was then improved allowing 246 sqm within the first and second floors of the refurbished Building 3 (174 sqm at first floor and 72 sqm at second floor). Officers were concerned at the anomalous arrangement of the second floor provision set against the greater first floor provision and the final round of discussions has resulted in an increased offer of 174 sqm on the second floor taking the overall total to 348 sqm. This was offered on the proviso that the space will be made available to the Council at 15 years peppercorn rent. Relevant policy DM5.4 states that '*where affordable workspace is to be provided, evidence should be submitted demonstrating agreement to lease the workspace for at least 10 years to a Council –approved Workspace Provider.*' Based on these normal affordable workspace requirements the offer can be considered acceptable.

10.26 The Council has a bespoke affordable workspace methodology in that it seeks to be assigned the head-lease on the relevant space from the developer/owner. The lease will be granted at a peppercorn rent for a rent review free period, in this case for 15 years. This offer or obligation is then almost always passed on via a bidding/commissioning process to any one of a number of Affordable workspace providers who are on the Council's approved provider list. These providers, in agreement with the Council, will either place organisations within the space provided resulting in an amount of quality control as to the incoming tenants. Terms of any under-lease will include a genuinely affordable level of rent (no more than 80% of full

market level), a fit out to the same standard as the remaining open market office space, subsidisation of the estate service charges regime, no sub-assignment and the Council to have the ability to terminate the lease at any time on giving 6 months' notice.

- 10.27 Officers consider the offer of 348 sqm of affordable Class B1a space within Building 3's first and second floors acceptable. In terms of fit out the space is of a high standard and a site visit revealed no difference between these areas and other office space across the development. It is prominent, easily accessible through lift and stairs, subject to good natural light and could, if necessary, be subdivided. It is considered that this offer adds further weight to the 'exceptional circumstances' argument which the applicant has put forward by way of mitigation for loss of consented class B1a within the sub-ground space.

*The requirement for Complimentary Nature of the Proposed Uses*

- 10.28 Policy BC8 is underpinned by an overarching objective to support the role of the CAZ as the UK's most significant hub of economic activity. In pursuit of this objective the policy seeks to protect the loss of Class B1 and to a lesser extent the complimentary nature of the proposed uses to the principle consented Class B1 use and, as discussed above, sets out stringent requirements for the presentation of marketing evidence which would seek to justify any loss of Class B1 and subsequent change of use.
- 10.29 In order to support the role and function of the CAZ Policy BC8 also recognises the importance and contribution of other uses. Part B in particular sets out that within the Employment Priority Area (General) *'the employment floorspace component of a development or change of use or change of use proposal should not be unfettered commercial office B1A uses, but where appropriate must also include retail or leisure uses at ground floor ...'* This section of the policy also references other possible non-Class B1a uses that could be appropriate on lower floors such as workshops, galleries, retail and affordable workspace.
- 10.30 The applicant has referenced the fact that recent research undertaken by the New London Architecture organisation has highlighted the growing importance of integrating physical space and assets beyond the 'corporate' space into new working environments and how this has multiple benefits in terms of health and well-being of workers and visitors to that environment together with enhanced vitality. Such assets would include the provision of shops, restaurants, cafes, leisure facilities as well as high quality public realm and open space.
- 10.31 In line with these changing working practices and the clear suggestion in relevant development plan policy that some diversity of use could be supported, the applicant started to explore how the lower ground floor space could be positively used and how any alternative leisure or retail use could contribute to the functioning and attractiveness of the wider White Collar Factory campus. The use proposed by the Long Table at lower ground level and for part of the ground floor will provide a facility for the approximate 2,500 employees across the development and visitors and guests to eat and drink throughout the day and evening. As important is the fact that the space will also provide a unique academy style facility for the local community who, it is anticipated, will be able to use the facility as a training and learning

establishment. This, if it is consented can only reinforce the vitality and vibrancy of the development.

10.32 It can also be noted that the original White Collar Factory permission included around 3% of its overall floorspace of around 36,000 sqm as mixed use (Class A1/A2/A3). The proposal would see this mixed use figure rise to 6% of the total campus floorspace. Notwithstanding the in-principle protection of Class B1a space that exists, it is considered that this figure represents a relatively small increase given the headline Class B1 figure referred to above particularly when taking into account the employment advantages that the operation will deliver.

10.33 In summary it is contended that the scheme is in general accordance with that part of Policy BC8 which seeks to achieve a balanced mix of uses within Employment Priority Areas which will support the role and function of the CAZ. Officers have had regard to the proposed loss of business floorspace,(this is considered elsewhere in this report) but note the nature of the proposed new use and the potential benefits that it will bring to the area's economic vitality and viability.

#### *Retail Impact*

10.34 Policy DM4.4 (Part B) of the Islington Development Management Policies provides that proposals for more than 80m<sup>2</sup> of A3 floorspace within the Central Activities Zone must demonstrate that:

- i) the development would not individually, or cumulatively with other development, have a detrimental impact on the vitality and viability of Town Centres within Islington or in adjacent boroughs, or prejudice the prospect for further investment needed to safeguard their vitality and viability;
- ii) proposed uses can be accommodated without adverse impact on amenity; and
- iii) the proposal would support and complement existing clusters of similar uses within or adjacent to the Central Activities Zone.

10.35 London's CAZ has a unique role in the retail hierarchy containing significant clusters of retail premises, notably at Angel which is a designated Town Centre but also at Old Street and in places such as Whitecross Street which is a designated shopping parade. In response to DM4.4 the applicant has provided a retail statement from The Retail Group which aims to set out a rationale for, and quantum of any impact the proposed sui generis use might have not only on the Angel Town Centre, but also on the existing retail offer in and around Old Street and within the nearest designated shopping locations of Whitecross Street. In this regard the Retail Statement goes beyond what is considered necessary to meet policy requirements.

10.36 The Statement provides retail health reviews for an extensive area around the application site dividing Old Street and those main roads emanating from the roundabout into 5 sub-areas. The assessments are largely focussed on Food and Beverage (food & beverage) offer within these locations. Over such a wide area there is understandably a wide offer with the complete spectrum of the food &

beverage market catered for - from high end, bespoke operators aiming at the recently arrived tech and creative workers to shops that obviously cater more to the needs of local residents and established large, local employers such as Moorfields Eye Hospital. It suggests that across the identified sub-areas there are understandable variations in the physical environment (the Old Street to Shoreditch area is identified as relatively poor for example) but overall very few retail unit vacancies. The food & beverage offer within these areas, including the 19 units in Old Street Station itself, is dominated by daytime focussed catering, much of it independent led and with a 'street food' focus. The eat-in offer is relatively limited although improving and the aforementioned tech and creative employees around Old Street provide a growing market which could be exploited in this particular regard.

- 10.37 Separate assessments have been carried out on Whitecross Street Market and The Angel Town Centre. The report suggests Whitecross Street Market has recently been the subject of a renaissance with numerous hot/street food stalls now operating throughout the day. Approximately 7/8 minutes' walk from the application site it enjoys a reputation as one of London's leading hot food markets with the surrounding retail offer also now beginning to thrive and improve in qualitative terms. The market is very popular with workers and residents from The Barbican Estate.
- 10.38 The Retail Statement necessarily offers a view on the health of the Angel Town Centre, the primary retail centre within the Borough of Islington. The Statement concludes that it is a busy and popular retail and leisure destination with convenience goods and comparison goods offer, leisure and food & beverage. This offer is provided through a strong mix of chain and independent operators and the historic Chapel Market. The report concludes that customers/shoppers are unlikely to be shared between Old Street and Angel as the walk between the two locations is somewhere around 20-25 minutes.
- 10.39 The Statement includes an operator survey for the locations referred to which is generally positive and optimistic. A review of published data, existing policies and relevant reports highlights the economic strength of Islington and the Old Street area which is experiencing both a commercial and residential property boom. The location is benefitting from an increasing number of consumers and these consumers will increase demand significantly for a range of consumer goods, services and places to eat and drink.
- 10.40 The overall conclusions from the research carried out would identify that the application site is adjacent to one of the busiest transport interchanges in London, that many of the existing food & beverage operators trade well with brisk takeaway lunchtime trade, that demand is high for contemporary, high quality world food, that there is an emerging market for eat-in evening diners and that office workers dominate demand.
- 10.41 Most importantly, the Statement also provides a qualitative impact assessment that the Long Table kitchen concept might have on the surrounding f&b offer. The assessment has been made on the basis that the Long Table Operation would include 16 kitchens each with circa 25 covers and one larger signature kitchen with 50-70 covers, that trading would take place 7 days a week with lunch and dinner provided although dinner times would be the busier. The great majority of customers would be from the White Collar Factory development itself together with other local

workers and destination visitors. The anticipated split of customers is shown in the table below:

	<b>On-site WCF</b>	<b>Local</b>	<b>Destination</b>
Lunchtime	75%	15%	10%
Dinnertime	25%	30%	45%
Average	50%	22.5%	27.5%

- 10.42 Based on an average daily transaction number of 1,000, on-site WCF customers will therefore generate 500 transactions within the Kitchen operation, local customer 225 transactions and destination visitors 275 transactions.
- 10.43 With the White Collar Factory estimated to accommodate 2500 workers when it is fully occupied and assuming conservatively that the WCF office workers undertake 2-3 food & beverage purchases a day (e.g. coffees, snacks, lunch etc. locally), this equates to circa 6,250 purchases by on site workers and a much smaller number of visitors.
- 10.44 Based therefore on the above figures it can be estimated that the Kitchen concept operation will account for circa 500 of the total 6,250 purchases or circa 8% with the remaining 92% of daily transactions i.e. 5,570 transactions per day, taking place in the local area's alternative catering and food & beverage locations.
- 10.45 The report also estimates that most customers using the Long Table will be drawn from within a circa 8-minute walk. The retail report confirms that there are approximately 245,000 workers within wards that are accessible within an 8-minute area. Based on a conservative estimate that only 15% are within 8 minutes walk this still equates to 37,000 workers. Using the same purchasing rationale of 2-3 food & beverage transactions per day, this generates 92,000 transactions per day. The Long Table's estimated 225 transactions from the local workforce would therefore equate to a capture rate of only 0.24%.
- 10.46 In terms of overall conclusions it is considered that the retail study showed that the existing food & beverage sector in both Whitecross Street and Old Street is performing well, both areas are in good health and are enjoying an evolving offer driven by a growing local customer base. Both will benefit from customers generated by the White Collar Factory which itself will be, by some margin, a net contributor of additional customers and transactions for the local offer. The Retail study also concludes that Angel Town Centre would not be affected by the development given the distance between the two locations, the limited nature of the White Collar Factory offer and the size of the retail offer in Angel. The nearest designated town centre within the London Borough of Hackney, whose borough boundary lies close to Old Street, is over two miles away therefore it is considered highly unlikely that this development would have any adverse impacts on any of Hackney's town centres.
- 10.47 On the basis of these findings which are presented in the Retail Statement and which appear sound and reasonably robust, officers are of the view that the development would not individually, or cumulatively with other development, have a detrimental impact on the vitality and viability of nearby retail offer, in particular around Old Street, Whitecross Street or Angel Town Centre. The proposal is unique

in what it seeks to do and offers and will not prejudice the prospect for further investment needed to safeguard these areas' vitality and viability. Indeed, it is much more likely that the scheme once operational will encourage and act as a catalyst for further investment into the Old Street area. In the same vein, it is considered that the Retail Statement adequately demonstrates that the proposal, because of its nature would support and complement the existing clusters of f&b uses within the CAZ thereby meeting criterion (iii) of DM4.4. Furthermore it shall be demonstrated later in this report that the proposed use can be accommodated without adverse impact on amenity thereby meeting criterion (ii) of the same policy. The proposals can therefore be said to accord with all of the relevant sections of Policy DM4.4 of the Development Management Policies Document.

#### *Location and Concentration of Uses*

- 10.48 It is appropriate to consider, given the borough's densely developed, mixed-use nature, whether the introduction of an 'entertainment' use would be complimentary to that area and co-exist successfully with surrounding commercial and residential occupiers. A number of development plan policies seek to ensure that applications which harm the character, function or amenity of an area will be resisted.
- 10.49 Within Policy BC8 of the Finsbury Local Plan reference is made at (G) that '*New entertainment uses will only be allowed within designated Employment Priority Areas. Development Management Policies will be used to assess applications for new entertainment uses, in order to avoid unacceptable concentration of such uses*'. The proposed dining operation/concept within the lower ground floor space and ground floor unit, despite its *sui generis* tag is broadly related to leisure use. Significantly the site is within the Borough's General Employment Priority Area and therefore can be seen as being within an appropriate location subject to the Development Management Plan policies used to guard against unacceptable concentration of entertainment uses.
- 10.50 Policy DM4.3 (Part A) provides that proposals for cafés, restaurants, drinking establishments and other similar uses will be resisted where they would result in negative cumulative impacts due to an unacceptable concentration of such uses in one area, or would cause unacceptable disturbance or detrimentally affect the amenity, character and function of an area. Given the nature of the proposed use, it is considered appropriate to review the scheme against this policy.
- 10.51 As set out previously in this report, in use terms, the proposed operation is principally a dining and drinking facility. It will close earlier than most other licensed premises in the area (some of which are licensed until 2am or later) at 11.30 pm and this is controlled by condition. Although located within the Bunhill Cumulative Impact Area which has a high concentration of late-night licensed premises, there are relatively few drinking establishments or restaurants in the immediate vicinity of the site. There are no bars, pubs or restaurants on Featherstone Street where the main entrance to The Long Room is proposed. A public house, The Angel is sited opposite the site on City Road however the nearest clusters of bars and restaurants are either in Shoreditch within the London Borough of Hackney or further south or west along City Road or Old Street respectively. Extant conditions already attached to the earlier main permission for the White Collar Factory are designed to mitigate noise from commercial premises to any residential units on-site. Given the above circumstances, it is considered that this operation will not result in a

cumulative impact due to any concentration of such uses in this area. Furthermore, a robust Management Plan required by legal agreement will prevent unacceptable disturbance or behaviour that might detrimentally affect the amenity, character and function of the area. In this respect the scheme accords with Policy DM4.3.

10.52 Notably the council's licensing team have been consulted but have not made comments on this application.

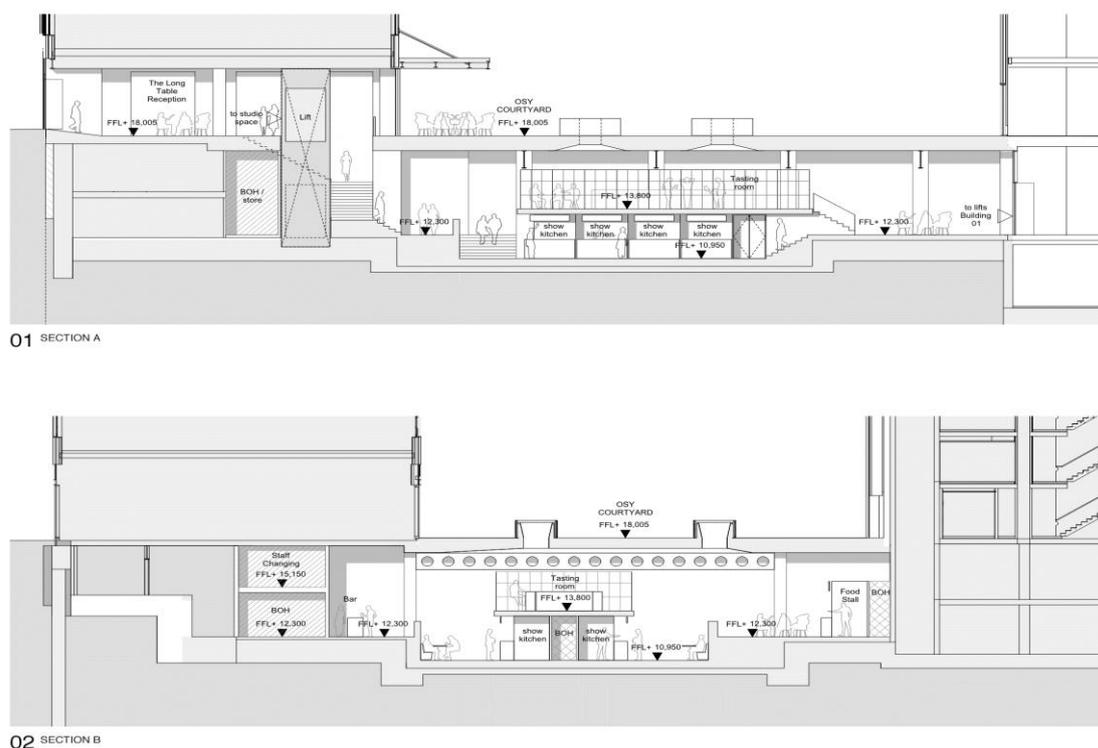
### **Design, Conservation and Heritage**

10.53 The application does not actually propose any material design changes to the scheme which has now been built out and implemented in accordance with planning permissions granted in 2012 and in 2014. All requirements relating to extraction, heating and cooling, fire escape, utilities and waste storage and disposal will be integrated into the existing White Collar Building approved infrastructure and those strategies which were the subject of planning conditions and have been subsequently discharged. The proposed development is therefore in accordance with policies CS9, DM2.1 and the relevant parts of DM2.3.

**Figure 11:** Basement space impression



**Figure 12: Sections**



### **Neighbouring amenity**

- 10.54 Policy 7.6 of the London Plan provides that development should not cause unacceptable harm to the amenity of surrounding properties, particularly residential buildings while Policy 2.12 (Central Activities Zone – predominantly local activities) encourages boroughs to develop policies that balance economic functions whilst affording protection to predominantly residential areas in the CAZ . These policies are reflected at local level in Policy DM2.1 of the Islington Development Management Policies, which requires developments to provide a good level of amenity, including consideration of noise, disturbance, overshadowing, overlooking, privacy, direct daylight and sunlight, over-dominance, sense of enclosure and outlook. Policy DM4.2 states that proposals for entertainment uses will need to demonstrate that they will have no adverse impacts on amenity. The supporting text to this policy suggests that such uses can contribute positively to the vitality and vibrancy of areas including enhancing perceptions of personal safety by providing informal surveillance for passers-by. The text goes on to state that ‘...if not properly managed, such uses can result in adverse effects on surrounding neighbourhoods, with adverse amenity effects generated from such factors such as noise and anti-social behaviour, particularly late at night’.
- 10.55 Given that there are no physical changes to the existing scheme it is considered that there will be no resulting issues of overshadowing, overlooking, privacy, daylight and sunlight, over-dominance, sense of enclosure or outlook. The matter of potential noise disturbance should however be carefully considered with particular regard to the consented residential properties within the White Collar Scheme itself (flats are located within the upper floors of Blocks 5 & 6) and existing residential occupiers

nearby, particularly those flats on Mallow Street and to the west of the site on Featherstone Street. The most likely source of noise will be from patrons accessing and leaving the premises particularly during the evening, servicing and delivery vehicles and extraction equipment. Servicing and delivery matters will be considered in more detail later in this report. Plant noise is already regulated by restrictive conditions attached to the earlier White Collar Building campus permissions and which are still extant (Condition 22 on Planning permission P02014/2797/S73).

#### *Noise and disturbance*

- 10.56 The applicant has provided information which indicates the number of evening/dinner covers for the lower ground floor studio area would be around 500 with an additional 20 covers within the ground floor and its terrace. These figures are across the whole evening and therefore estimating 2/3 sittings per evening session would see an approximate 200 diners at peak times within the studio and ground floor space. Although not an inconsequential number such a figure represents the capacity of a modest sized bar or pub and officers are confident that with an effective Management Plan in place as part of any S106 agreement, that any comings and goings of these patrons, particularly later in the evening will not present any significant amenity issues for neighbours.
- 10.57 It can be noted that the proposed closing time for the operation is 11pm with 30 minutes allowed to 'finish drinks'. This 11.30 absolute closing time is consistent with the closing time for the Class A3 ground floor units within the development and is significantly earlier than many surrounding establishments within the Bunhill Cumulative Impact Area, with 2am closing often allowed for entertainment premises. In assessing this impact officers have also taken into consideration the 'loss' of the consented A3 use within Unit 04 which becomes the reception space (with an ancillary retail element) for the Long Room.
- 10.58 The applicant has submitted a draft Management Plan relating to the Long Table operation. Its effective implementation will be a key part of the legal agreement that will be attached to any permission. This Draft Management Plan is designed to complement the Security Plan (Condition 13 on Planning permission P02014/2797/S73) the submission of which was required prior to the first occupation through a condition on the main planning permission. The Management Plan provides strategies on a number of issues including refuse and waste, deliveries and servicing and noise mitigation including dispersal and door control of patrons. It is proposed that the Management Plan will incorporate the following provisions which are specifically designed to mitigate noise and disturbance particularly in the evening:
- The main entrance is located on Featherstone Street away from the residential properties on Mallow Street;
  - The entrance space/reception is a generously proportioned area which can be used to avoid queues and waiting outside;
  - The reception area of the Long Table will be staffed by trained, professional staff at all times to manage visitors from early evening until the last customer leaves the premises;
  - Queuing will not be allowed outside the building. Robustly enforced policy will prevent patrons congregating in groups on Featherstone or Mallow Street;

- There will be clear signage at exit points to remind guests and staff to respect neighbours and leave quietly;
- Customer behavior will be closely managed on-site by the Operations Team and a designated duty manager;
- There will be challenge 25 policy and a responsible drinking strategy set in place;
- A preferred taxi-service arrangement will be set up and will be reached from the reception desk. This will lead to greater accountability and a taxi marshal at busy times will ensure that patrons wait within the building;
- No external waste disposal shall take place at night
- There will be a security management presence across the development 24 hours per day, 7 days a week and the campus site will be monitored by CCTV;

10.59 Officers are of the view that, properly enforced, the Management Plan will be more than sufficient in ensuring, amenity of residents both within the Campus development itself and in adjacent streets is adequately maintained. It should be noted that the landlord has an express interest in ensuring the different occupiers within the campus co-exist successfully, particularly residents and also office space occupiers many of whom are still likely to be working during the evening.

10.60 Possible noise nuisance can also result from plant and extract equipment and from service and delivery vehicles. The applicant has confirmed that the existing plant and extraction equipment will be utilised and no additional provision is required. As already mentioned at 10.53 this plant and extract equipment is subject to an existing, ongoing condition which specifically protects nearby residential amenity. Further conditions required specific sound insulation and noise control measures to be installed within the residential units on the development site to mitigate against any noise from commercial activity. Servicing and delivery arrangements will be considered in more detail later in this report however it can be noted that there is an extant condition which restricts deliveries to the approved service yard off Mallow Street outside of late evenings, Sunday mornings and banks holidays.

10.61 Cumulatively it is considered that Draft Management Plan and its proposed provisions which are to be captured in the accompanying legal agreement will, together with the extant noise conditions, ensure an acceptable level of amenity for neighbouring occupants and particularly residents. The proposals can therefore be said to be in accordance with Policies DM2.1 and DM4.2 of the Islington Development Management Policies Document which both seek to protect neighbouring amenity.

### **Highways and transportation**

10.62 Policy CS10 of the Core Strategy encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Policy DM8.2 of the Development Management Policies Document provides, inter alia, that development proposals are required to fully mitigate any adverse impacts on the safe and efficient operation of transport infrastructure, including pavements and any walking routes, and maximise safe, convenient and inclusive accessibility to, from and within developments for pedestrians and cyclists. DM8.4 provides that major developments are required to provide cycle parking which

is secure, sheltered, step-free and accessible. The development proposes cycle parking spaces in the basement while Policy DM8.5 (Part B) requires that new development shall be car-free. Policy DM8.6 provides that delivery and servicing should normally be provided off-street, but where on-street servicing is proposed, details must be submitted to demonstrate the need for on-street provision, and show that arrangements will be safe and will not cause a traffic obstruction.

- 10.63 The White Collar Factory development is car free apart from the creation of two on-street parking bays on Mallow Street, one blue badge and one electric car charging bay. There are pedestrian entrances on all sides to the development with the main entrance being from Old Street. Access to the Long Room will be principally through the ground floor reception unit on Featherstone Street (Unit 4) though workers within the development will also be able to access through an internal staircase and lift. There is an on-site servicing area of Mallow Street that will be able to accommodate up to two 10 metre rigid vehicles at a time and a transit van or a number of smaller delivery vehicles.
- 10.64 The applicant has provided a Transport Statement that aims to illustrate how the basement use will operate within the already accepted and approved transport strategy for the White Collar Factory. It considers the transport related impacts of trip generation, car parking, cycle parking, servicing and deliveries and refuse collection.

#### *Trip Generation*

- 10.65 The Statement considers principally the number of staff that would be at work at any one time (estimating 85 persons per shift) and looks at how these employees would most likely travel to work. The Statement references the 2011 census data and predicts that at least 80% of staff would be likely to travel by public transport to get to and from work. With a drive to recruit local residents it is also anticipated that walking and cycling options would also be relatively high out of the remaining 20%. The high number of staff who will almost certainly use public transport will not have a problem in reaching home after last shift with final northbound/southbound northern line trains leaving Old Street at 00.34 and 00.37 respectively. The night tube operates at weekends on the northern line as it does on the Central Line with Liverpool Street the nearest Station 10 minutes' walk away. Furthermore 4 out of the 14 local bus routes offer 24hr services.
- 10.66 The estimated number of Long Room diners/patron was considered earlier in this report under the assessment of possible noise sources. It was calculated that up to 200 diners/patrons may be within the Long Room at peak times. As stated above this is a relatively modest number and similar to the staff modal transport splits it is estimated the vast majority will use public transport to arrive and leave from the destination. This will principally be via the Underground at Old Street but also via the aforementioned bus routes which serve the site. Both modes will be able to easily accommodate any additional users given available capacity and likely numbers involved. Customers will use taxis, particularly later in the evening but this is not considered to be an issue given the stringent management strategy that will be set in place through a legal agreement.

#### *Car parking*

10.67 The White Collar Factory is ostensibly a car free development and the current application will not change that. The development does provide one blue badge parking space and one electric car charging space on Mallow Street. There is some limited on-street permit parking spaces on Featherstone Street and some Pay and Display bays on Mallow Street. There are a number of paid car parks within 10 minutes' walk however as indicated above it is anticipated that practically all staff and the great majority of patrons will desist from using private motor vehicles to either reach work or visit The Long Table.

#### *Taxi Travel*

10.68 The loading area off Mallow Street will also serve, particularly on an evening, as a taxi drop-off/pick-up area and this space will be carefully managed by the Operator and landlord to ensure existing residential amenity is unharmed. Taxis can also be caught on Old Street and City Road. It is anticipated that it will only be during the late evening when taxi demand might become anything more than inconsiderable as patrons arrive at or leave the Studio space.

#### *Cycle Parking*

10.69 Cycle parking for staff has been allocated within the general cycle store for the White Collar Factory at basement level -02. 12 dedicated spaces have been provided and are accessed via a staircase with a wheel gully. This figure is equivalent to spaces for 14% of the potential 85 staff members per shift and meets policy requirements in respect of entertainment use provision. A condition will be attached to any planning permission requiring further details of this allocation to be provided prior to any commencement of works.

10.70 In terms of visitor cycle parking spaces no upfront provision is proposed at this stage. TfL requested that a total of 31 additional visitor stands be provided and the applicant has indicated a willingness to provide such a number. This provision would be secured in the S106 agreement to allow the siting of cycle stands within the vicinity of the site. Discussions with the Council's Sustainable Transport officers are ongoing as to the most appropriate location and number of stands. It can be noted that there are a number of existing cycle stands close to the application site whilst anecdotal evidence suggests that the stands outside the Bezier development across the Old Street roundabout are underutilised.

#### *Deliveries and servicing*

10.71 Because of the nature of the operation the majority of deliveries to the Long Table are expected to take place Monday to Saturday between 7am-10am. Condition 26 of Planning Permission P02014/2796/S73 prevents deliveries prior to 0800 during weekdays and Saturdays however it is considered that given the proposed use the 0800 commencement would be excessively onerous. Information provided within the Transport Assessment indicates that there will be a daily average of 14 small delivery vehicles each day Monday to Thursday and Saturdays with up to 21 small vehicles on Fridays. Deliveries will take place from the already consented on-site loading area which incorporates a covered bay capable of accommodating a large, rigid delivery vehicle. There are also two uncovered bays within the on-site service area with distinct ingress and egress points from Mallow Street. The original Transport Assessment noted that the loading area could accommodate 4 vehicles at

a time (a 10 m rigid, 2 small vans and a 7.5t vehicle). With a duration stay of say 15-20 minutes this suggests the on-site loading area could accommodate 12-16 vehicles per hour.

- 10.72 Deliveries to the Long Table would be accommodated alongside the deliveries already expected for the White Collar Factory development. Again the original White Collar Factory Transport Assessment predicted 44 delivery vehicles per day to the consented scheme. During the morning peak hour (8am - 9am) it is estimated that the office element will generate 6-7 vehicles. Breaking down the anticipated Long Table deliveries at its busiest time (Friday morning) it is estimated that there could be up to 5-6 vehicles per hour.
- 10.73 With 6-7 delivery vehicles per hour morning peak associated with the office element and 5-6 associated with The Long Room and the loading bay able to accommodate 16 vehicles each hour, officers are confident that there is sufficient on-site capacity to accommodate the level of activity expected at peak morning times.
- 10.74 A condition requiring a detailed delivery and servicing plan covering the wider White Collar Factory site including the Long Room operation will be attached to any planning permission. The Plan or Strategy will be required to include details of anticipated movements, vehicle sizes, frequencies and how, through swept path analysis, vehicles will utilise the off-street servicing area. The Plan will also be required to demonstrate those staggering measures which will reduce servicing demand across peak times and be consistent with any approved Management Plan. A condition preventing the public square being used for parking is already attached to the last 2014 White Collar Factory permission.

#### *Refuse Collection*

- 10.75 There will be 3 separate weekly collections for glass, food waste, general and paper. Waste refuse and recycling facilities are already provided within the lower ground floor ancillary areas. Waste and recycling will be brought up from the basement by the operator to the loading bay for collection by refuse operators who will be able to either use the on-site bay or stop temporarily on-street on Mallow Street.
- 10.76 In summary the increase in servicing trips associated with the development is considered to be manageable, and would not have an adverse impact over and above that caused by the approved scheme. A condition requiring the submission of an updated Delivery and Servicing Plan (revising that which has already been submitted and approved as part of the White Collar Factory permission) will be required to ensure that the proposed scheduling of deliveries can be managed safely and efficiently on the existing highway network.
- 10.77 On the basis of the above assessment it is considered that the development accords with Policies DM8.2 (developments to ensure safe and efficient operation of transport infrastructure), DM8.4 (cycle parking), Policy DM8.5 (Part B) (development shall be car-free) and Policy DM8.6 which requires that delivery and servicing should normally be provided off-street.

#### **Accessibility/ Inclusive Design**

- 10.78 Policies 3.5 and 7.2 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design, and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies, which requires developments to demonstrate, *inter alia*, that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of a development from the outset and over its lifetime. Developers are also required to have regard to Islington's own Inclusive Design and SPD and the Mayor's SAPD on accessibility.
- 10.79 The application proposes wheelchair access from street level to the main dining area through an 8 person lift within the reception area at ground floor (also referred to as Unit 4). A smaller platform lift is also provided for access to the show kitchens at lower level within the studio space. Lift access to the dining area from the White Collar Building itself will be via the lift core of Building 1.
- 10.80 In terms of WC provision BS8300 and BS8300 customer WC's number 10 with 2 of these being disabled, unisex toilets. Staff toilets number 9 with 1 disabled unisex amongst that number whilst there will also be 2 shower cubicles for staff and both male and female changing rooms. Because these changing rooms are at mezzanine level, the proposals also include a separate shower room/changing cubicle which is fully accessible and located in the Back of House area.
- 10.81 These proposals are considered acceptable and in compliance with Policy DM2.2 of the Development Management Policies Document which as indicated above requires developments to demonstrate, *inter alia*, that they produce places and spaces that are convenient and enjoyable to use for everyone.

### **Energy conservation, sustainability and biodiversity**

#### *Energy*

- 10.82 The White Collar Factory is, through its main permission, already subject to a number of energy related conditions which are designed to be consistent with the original undertakings set out within the original 2012 Energy Statement and its 2013 Update. The new build element of the development was obligated through Condition 6 on the last main permission to achieve a BREEAM office rating (2011) of no less than 'Excellent' which has been achieved through more effective energy related specifications within the relevant buildings pertaining to services and lighting. As-built energy modelling validation has been completed demonstrating a significant reduction in carbon emissions over Building Regulations Part L and meeting the mandatory energy performance criteria for a BREEAM 'Excellent' rating. It is not considered that the change of use of the Ground floor unit or the lower ground studio space will have any deleterious implications in regard to this 'excellent' rating.
- 10.83 Officers have sought for the scheme to be connected to the nearby Bunhill District Energy Network or alternatively the Citigen scheme in the City of London. Due to the existing relatively small scale of the Bunhill scheme (which is more suited to residential supply) and the inability to provide 100% of heat demand, a connection was deemed non-viable at development and planning stage. Similarly although negotiations took place with Citigen, the excessive capital and operational costs made the scheme financially non-viable. Notwithstanding these difficulties

subsequent White Collar Factory planning permissions have included a condition which specifies that any building design and heating system must provide for possible future connection to a low carbon District Energy Network. To that end the on the 23 July 2014 the Council approved details submitted by the applicant pursuant to Condition 10 of planning permission P2013/2704/S73 (Ref.P2014/2793/AOD). With measures now installed principally in the basement of buildings 2-4 it is considered that connection could occur at that point when supply becomes financially viable. The proposed Long Room works will not harm or impact on the provision made which is largely restricted to existing plant areas.

### *Climate Change*

10.84 Council policy requires applications for major developments to include details of internal temperature modelling under projected increased future summer temperatures to demonstrate that the risk of overheating has been addressed. The wider White Collar Building development has a raft of integral building strategies and features designed to modify internal building temperature ranges as far as possible and provide a response to any future climate change influences. The key feature is the Concrete Core Cooling system which involves the building's concrete structure absorbing heat generated in the office with this heat then transferred through a system of chilled water pipes. As a part-passive system the energy savings are significant and the system works in conjunction with other features such as openable windows which provide natural ventilation and, generous floor to ceiling heights and facades designed to suit solar conditions. These inbuilt features are designed to allow the mechanical ventilation to be switched off for 50% of the year. Similar to the building energy performance it is not considered that the change of use of the Ground floor unit or the lower ground studio space will have impact on the passive design measures that have already been largely set in place to address to ensure adaptation to higher temperatures (taking climate change projections into account) and mitigation of overheating risk

### *Biodiversity & SUDS*

10.85 The original White Collar Factory designs had always featured provision for biodiversity opportunities on site, principally in the form of a biodiverse (green/brown) roof/s. The most recent 2014 permission allowed for a substantially increase in the size of that provision. The roofs will include a 'flower-rich sward attractive to wildlife', bird and bat boxes and habitats for invertebrates with requirements set in place relating to monitoring. As part of the main landscaping detail condition attached to the 2014 permission, a biodiversity statement was required to be submitted to and approved by the Council. These change of use proposals within the lower floors of the wider development will have no harmful impact on the approved biodiversity elements of the White Collar Factory development.

10.86 The 2014 S73 permission and its Sustainability Statement confirmed the most appropriate strategies for attenuating storm water were the incorporation of green roofs and storm water attenuation tank. Both of these elements have been installed with green and brown roofs provided at Buildings 2-4 and storm water tank installed at basement level. The White Collar Factory commercial elements (including that space which is subject to this application) will incorporate greywater harvesting to reduce the use of potable water for WC flushing. Any works associated with the

change of use will still be subject to the provisions and obligations of these sustainable strategies.

10.87 As already indicated originally a BREEAM rating (2011) of Very Good was targeted in relation Buildings 2-4. In actual fact at design stage an "Excellent" rating was achieved notably against the much more onerous BREEAM 2014 new construction scheme criteria. It is anticipated that the final certificate rating will also achieve an 'Excellent' rating with this uplift in target rating reflecting the improvements in addressing sustainability across the above referred issues.

### **Waste and Recycling Strategy**

10.89 It has been estimated that the change of use at ground floor and within the lower ground floor to dining (sui generis) use will increase waste production by 2.37m<sup>3</sup>/2,370 litres per week. This increase would, given the twice weekly scheduled refuse collections, require an additional 2no. 660 litre Eurobins of additional storage.

10.90 The application provides a more detailed breakdown of the additional waste that would be associated with an average number of covers per day approaching 1,250. It is estimated that there would be approximately 4 tons of glass waste per week, 1,750 kg of food waste per week, 1,050kg of cardboard waste per week and other waste which would need to be accommodated in 2 x 1100 Litre bins per day.

10.91 The applicant has provided a Waste Management Strategy which details how they will deliver adequate solutions to all types of waste generated on site with particular regard to sustainability and the amenity of neighbours and other occupiers of the development. More specifically the strategy would operate along the following lines:

- A glass crusher would be installed within the refuse room which is located within the basement area. The machine would minimise noise and reduce volume with the crushed glass being decanted into 4 x 240 L wheelie dedicated bins holding up to 640 kg of glass in total;
- It is proposed that every outlet will be provided with a compact food only waste container. The bins will be lidded to prevent odours and will be collected periodically from each outlet and decanted into 240 L wheelie bins in the refuse room. 2 x 240 L bins will be devoted to food waste in the refuse room;
- In terms of cardboard the proposal is to install a cardboard baler within the main storage area within the basement space. The baler will produce 50kg bales which will then be transported on wheels to either the refuse room or service bay for collection and recycling

10.92 On collection days all waste within the dedicated bin store will be transferred to the service/delivery bay via the goods lift located in Building 01. The calculations would, it is estimated require up to 12 collection vehicles per week (3xglass, 3xfood, 3xcardboard and 3 x general waste). There would be no tipping of glass bins as the collection would be on a bin swap basis with collections to be specifically arranged during the daytime.

- 10.93 A planning condition requiring the submission to and approval by the Council, of a formal waste and Refuse Strategy setting out the above provisions with additional detail will be attached to any planning permission

### **Planning Obligations, Community Infrastructure Levy and Local Finance Considerations**

#### *Community Infrastructure Levy*

- 10.94 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended) and in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014, the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would not be chargeable on the proposed development for change of use on grant of planning permission.

#### *Section 106 agreement*

- 10.95 A Section 106 agreement including relevant Heads of Terms would be necessary in order to mitigate the impacts of the proposed development. The key Heads of Terms, such as employment and training opportunities and provision of affordable workspace have been considered earlier within this report. It should be noted that the wider White Collar Factory development was subject to extensive S106 obligations. The majority of these obligations (including financial contributions) pursuant to the S106 Agreement dated 30 March 2012 (relating to P101833) and its subsequent 2014 variations (relating to P2013/2704/S73 & P2014/2796/S73) have already been met with a number of the non-financial measures already set in place by the applicant. The Council will continue to monitor and pursue any outstanding obligations relating to this agreement as a matter of course.
- 10.96 Heads of Terms relating to the change of Use application which is the subject of this report are largely distinct from those above and are listed, in full, in Appendix 1 (Recommendation A) below.

### **11.0 SUMMARY AND CONCLUSION**

- 11.1 The application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 11.2 The benefits of the proposed development (including the likely numbers to be employed within the space, the extensive formal training and job opportunities for local young people and a significant amount of affordable workspace) have been considered in the balance of planning considerations, along with the shortcomings of the proposed development (which include loss of office space and the potential adverse impacts on neighbouring properties, which in officers' view can be suitably controlled by condition). In the balance of planning considerations the positive aspects of the proposal significantly outweigh the disbenefits. On this basis, approval of planning permission is recommended.

#### *Conclusion*

11.3 It is recommended that planning permission be granted subject to conditions and S106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

## **APPENDIX 1 – RECOMMENDATIONS**

### **RECOMMENDATION A**

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

#### *Affordable workspace:*

- A total of 348 sq m at first and second floor will be made available on a 15-year peppercorn rent to the Council.

#### *Employment and training measures:*

- Compliance with the Code of Employment and Training;
- Submission and approval of Employment and Training Strategy. This Strategy will include clear undertakings, amongst other matters, to:
  - Facilitate, in partnerships with the Councils 'iWork for Business' service at commencement of operations, a total of 99 full time support positions –as listed on page 10 of the "Employment & Education" brief – (Employment and Training Strategy) supplied by the owner to the council with evidence of reasonable endeavours used to encourage local residents to apply for and secure these positions for the length of the operation
  - Facilitate, at commencement of operations, a total of 74 Cohort/Kitchen chef positions within the 17 trading stations with evidence of reasonable endeavours used to encourage local residents to apply for and secure these positions for the length of the operation;
  - Training programme for the length of the operation to be set in place to develop the skills of the cohort operators and to be agreed with Islington's 'iWork for Business' service;
  - Provision of 12 annual intern placements to be provided within the Long Room operation for local residents who may be identified or recommended by Islington's 'iWork for Business' service and/or Springboard UK for the length of the operation. The internship programme to be further developed and approved by the Council's 'iWork for Business' service and Springboard UK;
  - A written strategy to be provided detailing how the operator proposes to secure NVQs for intern placements and Cohort Chefs and how business links will be secured between the Long Room, local schools and other nearby youth organisations for the length of the operation;
  - Undertaking to pay all Long Room employees the minimum London Living Wage;

### *Other/Standard clauses*

- A Code of Construction Practice monitoring fee of £1,500, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection;
- Submission of a Management Plan specifically relating to the operation of The Long Room and mitigation strategies relating to security and door control, transport and trading;
- Submission of a Waste/Refuse Management Plan relating to the Long Room operation;
- Submission of an Updated/Consolidated Deliveries and Service Plan;
- Compliance with the Council's Code of Local Procurement;
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways
- Submission of a draft travel plan and full Travel Plan no later than six months after first Occupation of the Development.
- Submission of a Green Performance Plan.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement;
- Contribution (to be confirmed) towards Council provision of 31 public cycle stands within the vicinity of the site (final location to be confirmed).

That, should the Section 106 Deed of Planning Obligation not be completed within the Planning Performance Agreement timeframe, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

## RECOMMENDATION B

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

### List of Conditions:

<b>1</b>	<b>Commencement (Compliance)</b>  CONDITION: The development hereby permitted shall be begun not later than the expiration of 3 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).
<b>2</b>	<b>Approved plans and documents list (Compliance)</b>  CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:  <b>Location plans:</b>  MP [00] P002 REV P01 (Existing Site Plan); SK_1331 (Demise Plan – Building 3 – 1 <sup>st</sup> Floor Office); SK_1332 (Demise Plan – Building 3 – 2 <sup>nd</sup> Floor Office – West Unit 1)  <b>Proposed plans:</b>  1602_A_(00)_101 (Ground Floor Plan/Retail Unit 04); 1602_A_(00)_102 (Plan Mezzanine Level/Studio Unit); 1602_A_(00)_103 (Plan Lower Ground Level/Studio Unit); 1602_A_(00)_301 (Sections A & B)  <b>Other documents:</b> Planning, Design and Access Statement; Appendices Document (including Retail Statement, Marketing Evidence, Transport Statement, Public Consultation Material, Draft Long Table Employment and Training Strategy & Draft Management Plan)  REASON: For the avoidance of doubt and in the interest of proper planning.
<b>3</b>	<b>Green procurement plan (Details)</b>  CONDITION: Prior to the commencement of development a Green Procurement Plan will be submitted to and approved in writing by the Local Planning Authority. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability. The development shall be constructed in accordance with the approved Plan.

	<p>REASON: To ensure sustainable procurement of materials this minimises the negative environmental impacts of construction.</p>
<b>4</b>	<p><b>Delivery and Servicing Plan (Details)</b></p> <p>CONDITION: Notwithstanding the existing AOD application (Ref. P02016/3314/AOD) relating to submission of a Delivery and Service Management Plan pursuant to Application Ref. P02014/2796/S73 currently under consideration, an updated and consolidated Delivery and Servicing Plan detailing servicing arrangements pertaining to The Long Room and all other uses within the White Collar Factory site boundary shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the operation hereby approved.</p> <p>These details should include:</p> <p>a) location, vehicle sizes, swept path analysis, projected times and frequency; and  b) details of any proposed measures to decrease potential servicing demand across peak times  c) How deliveries may be affected by major TfL construction works on Old Street roundabout due to commence in 2018</p> <p>The development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety, free-flow of traffic and amenity of neighbouring occupiers.</p>
<b>5</b>	<p><b>Servicing Hours (Compliance)</b></p> <p>CONDITION: Notwithstanding Condition 26 of Planning permission P02014/2797/S73 no service vehicle movements relating to The Long Room may take place outside the hours 07.00 to 20.00 Mondays to Saturdays and 08.00 to 13.00 on Sundays</p> <p>REASON: To ensure that servicing arrangements do not adversely impact upon residential amenity.</p>
<b>6</b>	<p><b>Waste Management and Recycling Strategy (Details)</b></p> <p>CONDITION: Notwithstanding the requirement of Condition 11 of Planning permission P02014/2797/S73 (Waste Strategy compliance) details of the waste management and recycling strategy pertaining to The Long Room shall be submitted to and approved in writing by the Local Planning Authority prior to any occupation of the development. The development shall not be operated otherwise than in accordance with the details of the approved waste management and recycling strategy.</p>

	<p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
<b>7</b>	<p><b>Construction Management Plan (Compliance)</b></p> <p>CONDITION: All works of construction shall take place in accordance with a Construction Management Plan (which shall have specific regard to existing and proposed residential and commercial occupiers within the White Collar Factory development itself and those existing residential occupiers on Mallow Street) shall be submitted and approved in writing by the LPA unless otherwise agreed in writing with 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>8</b>	<p><b>Bicycle parking (Compliance)</b></p> <p>CONDITION: Notwithstanding Condition 15 of Planning permission P02014/2797/S73 (Bicycle Storage) which requires for provision of no less than 151 bicycle parking spaces (at basement level – 02) additional details shall be provided prior to the occupation of the development hereby approved indicating the location of the 12 allocated spaces for Long Room Employees. The bicycle store shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure an adequate amount of secure bicycle parking is available and easily accessible on site, and to promote sustainable modes of transport in accordance with policy 6.9 of the London Plan 2015, policy CS10 of Islington’s Core Strategy 2011, and policy DM8.4 of Islington’s Development Management Policies 2013.</p>
<b>9</b>	<p><b>Use of Unit 4 terrace (Compliance)</b></p> <p>CONDITION: The outside terrace of Unit 04 hereby approved shall not operate outside the hours of:</p> <p>07:00 - 23:00 on any day.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<b>10</b>	<p><b>Operational Hours (Compliance)</b></p> <p>CONDITION: The use hereby approved (Sui Generis) at basement level and within Unit 04 shall not be open to customers outside the hours of 07:00 – 23:30 on any day.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

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**List of Informatives:**

<b>1</b>	<b>Section 106 Agreement</b>
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
<b>2</b>	<b>Car-Free Development</b>
	All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.

## **APPENDIX 2 - RELEVANT POLICIES**

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

### **A) The London Plan 2016 - Spatial Development Strategy for Greater London, 1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

#### **2 London's places**

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

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

Policy 2.12 Central Activities Zone – predominantly local activities

Policy 2.13 Opportunity areas and intensification areas

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

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

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

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

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.5 London's visitor infrastructure

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.11 Encouraging a connected economy

Policy 4.12 Improving opportunities for all

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

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.4 Retrofitting

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 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 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.8 Coaches

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

## **7 London's living places and spaces**

Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.13 Safety, security and resilience to emergency  
Policy 7.14 Improving air quality  
Policy 7.15 Reducing noise and enhancing soundscapes  
Policy 7.19 Biodiversity and access to nature

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

Policy 8.1 Implementation  
Policy 8.2 Planning obligations  
Policy 8.3 Community infrastructure levy  
Policy 8.4 Monitoring and review for London

### **1 National Guidance**

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

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

### **2 Development Plan**

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

#### **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

##### **Infrastructure and Implementation**

Policy CS18 (Delivery and Infrastructure)  
Policy CS19 (Health Impact Assessments)  
Policy CS20 (Partnership Working)

Environment)  
Policy CS10 (Sustainable Design)  
Policy CS11 (Waste)  
Policy CS13 (Employment Spaces)  
Policy CS14 (Retail and Services)  
Policy CS15 (Open Space and Green Infrastructure)

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

#### **Design and Heritage**

**DM2.1** Design  
**DM2.2** Inclusive Design  
**DM2.3** Heritage  
**DM2.5** Landmarks

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

**DM4.2** Entertainment and the night-time economy  
**DM4.3** Location and concentration of uses  
**DM4.4** Promoting Islington's Town Centres

#### **Employment**

**DM5.2** Loss of existing business floorspace

#### **Health and open space**

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

#### **Energy and Environmental Standards**

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

#### **Transport**

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

#### **Infrastructure**

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

### **D) Finsbury Local Plan June 2013**

**BC8** Achieving a balanced mix of uses  
**BC10** Implementation

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

### **Islington Local Plan**

- Environmental Design
- Conservation Area Design Guidelines
- Planning Obligations and S106
- Urban Design Guide

### **London Plan**

- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction
- Planning for Equality and Diversity in London