

APPENDIX 4

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
Town Hall
Upper Street
LONDON N1 1YA

PLANNING COMMITTEE		AGENDA ITEM NO: B2
Date:	18 th July 2017	
Application number	P2016/3353/FUL	
Application type	Full Planning Application	
Ward	Bunhill	
Listed building	n/a	
Conservation area	Hat and Feathers Conservation Area	
Development Plan Context	Bunhill and Clerkenwell key area Central Activities Zone Employment Priority Area (General) Primary employment area Archaeological Priority Area Protected view 1A.2 (passes close to the site)	
Licensing Implications	n/a	
Site Address	9-12 Great Sutton Street, London, EC1V 0BX	
Proposal	Demolition of existing buildings and redevelopment to provide a 6-storey (plus basement) building accommodating 1,307sqm (NIA) office floorspace at basement and first to fifth floors, and a 243sqm (NIA) retail (A1 use) unit at ground level, together with associated cycle parking and refuse and recycling storage.	
Case Officer	Victor Grayson	
Applicant	Frella Global Ltd and Kallion International Ltd	
Agent	Savills	

1 RECOMMENDATION

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

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

2 SITE PLAN (SITE OUTLINED IN RED)



3 PHOTOS OF SITE/STREET



Photograph 1: aerial view of site and surroundings from the east



Photographs 2 and 3: views of Great Sutton Street



Photograph 4: front elevation of 9-10 and 11-12 Great Sutton Street



Photograph 5: rear view of application site from the east.

4 SUMMARY

- 4.1 The application site is 0.4 hectares in size and is currently occupied by two office buildings of four storeys. The site is within the Central Activities Zone, an Employment Priority Area (General), the Hat and Feathers Conservation Area, and an Archaeological Priority Area.
- 4.2 The applicant proposes the demolition of all buildings on site, and the erection of a six-storey (plus basement) building accommodating a total of 1,307sqm (NIA) of office (B1) floorspace at basement and first to fifth floors, and 243sqm (NIA) of retail (A1) at ground floor level.

- 4.3 The redevelopment of the site is considered acceptable in principle, and the application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 4.4 The proposal is considered largely acceptable in terms of land use, inclusive design, transportation and servicing, archaeology, sustainability and energy, subject to conditions and an appropriate Section 106 agreement.
- 4.5 Objections have been received from neighbouring residents on amenity and other grounds. Amendments have been made to the proposed massing during the life of the application, and it is considered that the proposals now strike the right balance between making full use of this accessible site and respecting neighbour amenity. Although some adverse impacts would occur in relation to natural light and outlook, the weight to be given to these impacts is limited, and refusal of permission on these grounds is not recommended.
- 4.6 Noting the statutory duty placed on the council by the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of the Hat and Feathers Conservation Area when determining this application, the proposed development is considered acceptable in terms of its design and impact upon heritage assets. The existing buildings do not currently make a significant positive contribution to the conservation area, and their demolition is considered acceptable given that a building of a high quality design would replace them.
- 4.7 Appropriate Section 106 Heads of Terms have been agreed with the applicant.
- 4.8 The benefits of the proposed development (including the re-use of an underused site, the replacement of the existing floorspace with office floorspace of a better quality, the introduction of an A1 retail unit at ground floor level, and surface water run-off improvements) are noted and have been considered in the final balance of planning considerations, along with the shortcomings of the proposed development (the abovementioned neighbour amenity impacts, and also the basement floor-to-ceiling height). On balance, it is recommended that permission be granted.

5 SITE AND SURROUNDINGS

- 5.1 The application site is 0.4 hectares in size, and is almost square-shaped. The site is currently occupied by two buildings accommodating a total of 1,190sqm (NIA) of office floorspace. 9-10 Great Sutton Street is a flat-roofed four-storey building with roof-level structures. Its front elevation is of brick, and its glazed ground floor frontage provides some activation to this part of Great Sutton Street. The ground floor extends to the back of the site, while the first, second and third floor rear wing (which is not full-width) is set back from the site's rear boundary. Parts of the roof of 9-10 Great Sutton Street are used as a roof terrace by office staff, and planters and other items have been placed on the roof. 11-12 Great Sutton Street is also four storeys in height, with a five-storey stair core in the northwest corner of the building, brick elevations, a ground floor that extends to the site's rear boundary, a substantial rear wing at first, second and third floors, and glazing in the ground floor street frontage. Both buildings have a basement.

- 5.2 Surrounding buildings are in office, other commercial, and residential use, and many are five storeys in height, although some buildings are taller or shorter. The nearest residential properties are the three apartments at 13-14 Great Sutton Street, the 15 apartments at 5-8 Great Sutton Street, and the five apartments at 18 Clerkenwell Road. There also appear to be serviced apartments at 46-47 Great Sutton Street.
- 5.3 The site is within a relatively sensitive location in terms of heritage assets. The Hat and Feathers Conservation Area covers the site and adjacent land, the nearby Hat and Feathers PH is Grade II listed, there are locally-listed buildings at 16 Great Sutton Street and 76-78 Goswell Road, and several other nearby buildings currently make a positive contribution to the Hat and Feathers Conservation Area. The site is in an Archaeological Priority Area.
- 5.4 Protected view 1A.2 (Alexandra Palace to St Paul's Cathedral) passes close to the site, over land to the west.
- 5.5 Double yellow lines exist directly outside the site. The site is within a Controlled Parking Zone. The site has a PTAL score of 6b (excellent). Both the site's buildings back onto a rear yard which has vehicular access from Clerkenwell Road and Berry Street, and from which several neighbouring buildings can be serviced.
- 5.6 The application site and its surroundings have no trees or significant areas of soft landscaping.
- 5.7 The site is located within the Central Activities Zone (CAZ) and an Employment Priority Area (General).

6 PROPOSAL (IN DETAIL)

- 6.1 The applicant proposes the demolition of the site's existing buildings, and the erection of a building of six storeys (plus basement). This would cover the entire site at ground and first floor level (except where a lightwell is proposed adjacent to 13-14 Great Sutton Street), however massing would retreat from the edges of the site in a series of setbacks from second floor upwards. The top (fifth) floor would be set back on its north, south and west sides. Part of the fourth floor, adjacent to 13-14 Great Sutton Street, would have a lower floor-to-ceiling height, however this would not be reflected in the proposed front elevation.
- 6.2 The proposed building would provide a total of 1,307sqm (NIA) of office (B1) floorspace at basement and first to fifth floors, and 243sqm (NIA) of retail (A1) floorspace at ground floor level. Each use would have its own front entrance and bin store.
- 6.3 No on-site car parking is proposed. Space for the parking of a total of 26 cycles, and space for accessible cycles and mobility scooters, is proposed.
- 6.4 A palette of materials including white stone, buff bricks, special rubbed/carved bricks, bronze balustrades and metal cladding is proposed.
- 6.5 Inset front balconies are proposed at first to fourth floors. Roof terraces are proposed at second floor (rear, southeast corner), third floor (rear, southeast corner) and fifth floor level (front and rear).

Revision 1

- 6.6 The amendments and information received on 08/12/2016, 24/01/2017, 10/04/2017 and 25/04/2017 included an amended Daylight and Sunlight Study, drainage information, archaeological information and revisions to the proposed use of the basement and its floor-to-ceiling height. An updated schedule of accommodation and drawings were submitted with the amendments.
- 6.7 Neighbouring occupants were consulted on these amendments and information on 04/05/2017.

Revision 2

- 6.8 The proposals were further amended, and additional information was submitted, on 09/05/2017, 02/06/2017, 08/06/2017 and 09/06/2017. These amendments deleted the previously-proposed rooftop plant enclosure, and reduced some of the proposed massing at second floor level. Internal amendments were also proposed, floorspace figures were corrected, and new drainage information, a new Overheating Assessment, and an updated and corrected Daylight and Sunlight Study were submitted. A further updated schedule of accommodation and drawings were submitted with the amendments.
- 6.9 Neighbouring occupants were consulted on these amendments and information on 09/06/2017.

7 RELEVANT HISTORY

Planning Applications

- 7.1 14/12/2016 – Advertisement consent issued for the installation of a projecting sign (ref: P2016/2605/ADV).
- 7.2 12/11/2013 – Planning permission granted for retention of decking and 1.1m high railings (ref: P2013/3151/FUL). Condition 2 restricts the use of the roof terrace to the hours of 08:00 to 20:00 Monday to Friday.
- 7.3 11/07/2013 – Planning permission granted for replacement of existing ground floor windows with new glazed shopfront (ref: P2013/1436/FUL).
- 7.4 27/10/2011 – Planning permission granted for extension of the time limit for implementation of planning permission ref: P080779 dated 15/09/08 for the erection of a part single-storey, part 2-storey addition to roof of existing building containing 3 new residential units, and refurbishment of Great Sutton Street elevation and communal stairwell (ref: P111455).
- 7.5 15/09/2008 – Planning permission granted for the erection of a part single-storey, part 2-storey addition to roof of existing building containing 3 new residential units, and refurbishment of Great Sutton Street elevation and communal stairwell (ref: P080779).
- 7.6 07/10/2002 – Planning permission refused for the erection of a 2-storey office rear extension at first and second floor level (ref: P021099).

- 7.7 15/02/2000 – Planning permission granted for the conversion of first floor from B1 office to form a self-contained flat (ref: 992581).
- 7.8 28/09/1999 – Planning permission granted for the erection of new fourth and setback fifth floor for use as a 2-bedroom maisonette, elevational alterations at ground to third floors including new fenestration, formation of new spiral escape stair at rear and modification of ground floor rear extension to include stair from roof of rear extension to rear courtyard level (ref: 991658).
- 7.9 16/06/1999 – Planning permission granted for the erection of new fourth floor and setback fifth floor for use as a 2-bedroom maisonette and conversion of second and third floors to form a 2-bedroom flat on each floor, elevational alterations at ground to third floors including new fenestration, and formation of balconies on rear elevation (ref: 982396).
- 7.10 15/07/1985 – Planning permission refused for the change of use from light industrial (ground and basement) and warehouse (first second and third floors) to offices and studios, conference room and stores (391sqm) with one floor of light industry (95sqm) (ref: 850808).
- 7.11 Of note, planning permission P080779 (and its renewal under application P111455) has not been implemented, and has expired. It is therefore not a material planning consideration relevant to the current application.

Enforcement

- 7.12 02/02/2015 – Officers considered a complaint regarding an air conditioning unit (ref: E/2014/0507) and resolved not to take enforcement action.
- 7.13 25/03/2014 – Officers considered a complaint regarding a roof terrace (ref: E/2013/0499) and resolved not to take enforcement action.

Pre-application Advice

- 7.14 The council issued a pre-application advice letter on 27/04/2016, and advice was provided by officers in various emails at pre-application stage, and verbally at a meeting on 26/01/2016, all in response to a proposal for a six-storey (plus basement) building accommodating 1,025sqm (NIA) office floorspace, a 520sqm (NIA) retail showroom, and a three-bedroom residential unit. The main points included in the advice of 27/04/2016 were:
- Loss of office floorspace contrary to policy. Reallocation of some of the proposed non-B1 floorspace would be necessary. Development should include the maximum amount of business floorspace reasonably possible.
 - Appropriate to include retail, leisure or other non-business uses at this site. New accommodation should be suitable for micro and small enterprises.
 - Provision of affordable workspace strongly encouraged.
 - Introduction of residential use acceptable in principle.
 - Retail element should not have a detrimental impact on the vitality and viability of Town Centres.
 - No need to submit a flood risk assessment.
 - No objection to demolition of existing buildings.
 - Officers satisfied that proposed development would generally be of a good design, appropriate to its context and to the conservation area. Vertical

element should be introduced to front ground floor elevation. Top floor balustrades should be pulled back from building edges.

- Archaeology must be addressed at application stage.
- Requirements of Basement Development SPD must be addressed.
- Full assessment of neighbour amenity impacts will be necessary.
- Level of failure against Vertical Sky Component and Average Daylight Factor tests is of concern. Applicant should explore how failures can be reduced. Queries raised regarding assumptions supporting applicant's testing methodology, and lack of No Sky Line / Daylight Distribution testing.
- Any elevated outdoor spaces should not adversely affect neighbour amenity.
- Explanation requested as to why only one residential unit proposed.
- Affordable housing small sites contribution of £60,000 would be payable.
- Any financial viability information will be published, and the requirements of the Development Viability SPD are noted.
- Policies regarding residential room sizes, amenity space, playspace, floor-to-ceiling heights, daylight and sunlight, noise and vibration and air quality must be complied with. True dual aspect of residential unit is welcomed.
- Development would be car-free, in compliance with policy.
- Biodiversity enhancements, greenery and green roofs required.
- Further information required regarding inclusive design, energy and sustainability, highways and transportation, and waste storage.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 194 adjoining and nearby properties on Berry Street, Charterhouse Square, Clerkenwell Road, Goswell Road, Great Sutton Street and Northburgh Street on 25/10/2016. A site notice and press advertisement were displayed on 03/11/2016. Following the receipt of further information and amended plans (Revisions 1 and 2) all neighbouring properties were reconsulted on 04/05/2017 and again on 09/06/2017. The public consultation period expired on 26/06/2017, however it is the council's practice to continue to consider representations made up until the date of a decision.
- 8.2 Objections to the proposed development from (or representing) a total of 16 unique addresses have been received from the public with regard to the application following the council's consultation. Objections from (or representing) 16 addresses were received following the council's initial consultation. Objections from five addresses were received following the council's first reconsultation, and from five following the council's second reconsultation.
- 8.3 The issues raised following the council's initial consultation can be summarised as follows (paragraph numbers refer to where the matter is addressed in this report):
- Development would be taller than existing buildings and would tower over neighbours. Disproportionate development project. Height of tallest building in the area would be exceeded. No precedent exists for such height, and a new precedent for height would be set. Existing variance in building heights would be lost. Height and width should be reduced. Height of existing buildings should not be exceeded (**paragraphs 10.35-10.38 and 10.54-10.55**);

- Harmful change to historic character and appearance of the area and conservation area. Proposal would not match the architectural heritage of the area, and would detract from architecturally sensitive area. Distinctiveness of Great Sutton Street would decrease. Industrial workshops character would be lost. Warehouses with elongated horizontal windows bring strong character to the area, and would be lost (**paragraphs 10.54-10.57**);
- New building would not be in keeping with existing buildings (**paragraphs 10.42-10.49**);
- Weak, uninformed design. Example of poor design (**paragraphs 10.42-10.46**);
- No objection to demolition and redevelopment (**paragraph 10.32**);
- Objection to loss of historic building. Existing building is over 100 years old (**paragraph 10.32**);
- Loss of attractive existing roof garden (**paragraph 10.32**);
- Loss of natural light to the 12 flats on the Clerkenwell Road side of the rear yard, flats 2, 8 and 9 (windows 29, 30 and 31) at 5-8 Great Sutton Street, all bedrooms at 5-8 Great Sutton Street, flats 1 and 6 at 2 Berry Street, flats 2 and 5 at 18 Clerkenwell Road, and second and third floor flats and windows 141-146 and 151-157 at flat 4 at 13-14 Great Sutton Street. Daylight and sunlight information inadequate due to assumptions regarding size of neighbouring rooms. In-person assessments of natural light impacts should be made. (**paragraphs 10.82-10.111**);
- Overlooking of / loss of privacy (from proposed unscreened roof terraces and a greater number of windows) to 12 flats on the Clerkenwell Road side of the rear yard, flats 9 and 15 at 5-8 Great Sutton Street, second floor flat at 13-14 Great Sutton Street, flats 1, 2 and 5 at 18 Clerkenwell Road, properties on Berry Street including flats 1 and 6 at 2 Berry Street, and outdoor amenity spaces. Elevations would be closer than the 18m specified in the council's guidance. Windows should be no larger or numerous than those of the existing buildings (**paragraphs 10.125-10.130**);
- Increased sense of enclosure to flats 1 and 6 at 2 Berry Street, flat 5 at 18 Clerkenwell Road, second floor flat and flat 4 at 13-14 Great Sutton Street, and rear yard. Outlook from windows 155-157 (flat 4, 13-14 Great Sutton Street) would be harmed, despite setbacks. Façade element at northwest corner of proposed development would further increase sense of enclosure. Outlook from windows 141-146 and 151-154 (flat 4, 13-14 Great Sutton Street) would be harmed, view of 5-8 Great Sutton Street from windows 141-146 would be replaced with new elevation (**paragraphs 10.117-10.122**);
- Light pollution to flats 1 and 6 at 2 Berry Street, flat 5 at 18 Clerkenwell Road and other properties across what is currently a dark rear yard (**paragraphs 10.131-10.132**);
- Noise from rooftop plant and unscreened roof terraces (**paragraphs 10.134-10.135**);
- Noise, dust, pollution, disturbance, inconvenience, vehicular movements and obstructed access during works over a long period. Work would be carried out at unsociable hours. Neighbours will already be affected by works at Hat and Feathers PH site. Adverse impacts of noise, vibration and dust on the work of the television production company at 13-14 Great Sutton Street. Recent works have been disruptive. Construction management proposals are generic and not specific to local issues (**paragraphs 10.136-10.139 and 10.189**);
- No work should be allowed before 09:00 or after 17:00, and no work should be allowed at weekends or on bank holidays. Proposed works between 17:00 and 18:00 on weekdays would be disruptive for children (**paragraph 10.139**);

- Proposed hours of works unacceptable as area is predominantly commercial – works should be carried out overnight (18:00 to 08:00 Monday to Friday) and at weekends (**paragraph 10.139**);
- Floor-to-ceiling heights should be reduced (**paragraphs 10.9-10.10**);
- Previous proposal (application P111455) was more aligned with neighbouring buildings and had less mass (**paragraph 7.11**);
- Temporary parking/loading restrictions during works would affect operation of nearby businesses. Agree that all construction deliveries should be pre-arranged with the site foreman and the car park at the Goswell Road / Great Sutton Street junction should be used (**paragraph 10.180**);
- Further details of site waste management are required (**paragraph 10.182**);
- Rear yard magnifies noise and creates wind (**paragraphs 10.136 and 10.140**);
- Development would adversely affect neighbours' ability to work from home (**paragraphs 10.134-10.138**);
- Additional sound insulation to 13-14 Great Sutton Street would be required. Background noise levels should be measured within 13-14 Great Sutton Street before works commence (**paragraph 10.134**);
- Health impacts of works (**paragraphs 10.136-10.138 and 10.189**);
- Damage to archaeological remains. Site has never been properly studied, and any construction/demolition here risks damaging this significant archaeological site (**paragraphs 10.61-10.66**);
- Potential damage to neighbouring properties. Adverse effect on stability of 13-14 Great Sutton Street (**paragraph 10.200**);
- Existing buildings may not be beautiful but serve their purpose and are occupied (**paragraph 10.32**);
- Many nearby commercial buildings have been refurbished and not demolished and replaced. Proposed development would set a precedent for other owners to do the same (**paragraphs 10.2-10.3, 10.6, 10.32 and 10.36**);
- New building would probably stand empty (**paragraph 10.8**);
- Tenants of flats sharing a party wall with the application site would be billed for a survey of the wall (**paragraph 10.201**);
- Inadequate consultation and communication with neighbouring residents (**paragraphs 8.1 and 8.6-8.7**); and
- Values of properties in the area would be reduced (**paragraphs 10.199**);

8.4 The issues raised following the council's first reconsultation (05/05/2017) can be summarised as follows:

- Previously-raised concerns reiterated regarding neighbour amenity, scale of development, character of the area, and noise and disturbance during works. Changes do not address previously-raised concerns.
- Detailed comparison (noting differences) between current proposals and previous scheme (ref: P111455) provided (**paragraph 7.11**);
- Windows 141, 143, 145, 151-153 and 155-157 have been omitted from the applicant's sunlight analysis (**paragraph 10.88**);
- Neighbours' sleep will be disrupted (**paragraphs 10.134 and 10.139**);
- Warm afternoon sun would be blocked, increasing the need for neighbours to use heating (**paragraphs 10.90-10.111**);
- Narrow street would lose sunlight (**paragraph 10.115**);
- Rear yard is intended for fire engine access, and not for more parked bicycles and waste storage (**paragraphs 10.176, 10.183 and 10.185-10.186**); and
- Residential use would be more appropriate (**paragraph 10.6**);

8.5 The issues raised following the council's second reconsultation (09/06/2017) can be summarised as follows:

- Previously-raised concerns reiterated regarding neighbour amenity, design and conservation, floor-to-ceiling heights and noise and disturbance during works.
- Addition of screening is welcomed, but revised proposals still fail to address neighbour amenity issues including loss of light, loss of privacy, light pollution, increased sense of enclosure and plant noise.
- Design of the proposal is poor, unfit, alien and repugnant (**paragraphs 10.42-10.49**);
- Offices in the area are becoming vacant as companies leave due to Brexit, and large office developments are progressing around Old Street. Housing is needed. Street is residential, and proposed development would reduce the number of existing flats (**paragraphs 10.6 and 10.8**); and
- Duration of works has not been specified (**paragraph 10.137**);

Applicant's Consultation

8.6 The applicant carried out local consultation at pre-application stage. The applicant's Planning Statement confirms that letters were sent to 77 neighbours occupying properties in Berry Street, Clerkenwell Road and Great Sutton Street, inviting them to a consultation event held at the Sutton Arms PH on Great Sutton Street on a Thursday evening (4pm to 8pm) on 28/04/2016. Two neighbours attended the event. According to the applicant, the occupant of flat 2, 13-14 Great Sutton Street sought general information about the proposed development and did not leave formal comments, while the occupant of flat 4, 13-14 Great Sutton Street expressed concerns regarding natural light, sense of enclosure, outlook and privacy impacts. The applicant notes that there then followed a further meeting and an exchange of emails with the occupant of flat 4, 13-14 Great Sutton Street.

8.7 Paragraph 8.48 of the applicant's Planning Statement sets out what changes the applicant made to the proposals in response to comments from neighbouring occupants. These include:

- Reduced massing at fifth floor level.
- Deletion of terraces from along boundary with 13-14 Great Sutton Street.
- Reduced floor-to-ceiling height along boundary with 13-14 Great Sutton Street.
- Provision of privacy screens to front and rear terraces at fifth floor level.

External Consultees

8.8 Historic England (Greater London Archaeology Advisory Service) (commented 15/05/2017) – The applicant's innovative approach to minimising archaeological impact is noted, as is the applicant's explanation as to how the development could be constructed with only minor harm to archaeological interest provided that conditions are applied to require implementation of this solution and a watching brief for the minor groundworks which would still be necessary. Two conditions (18 and 19) and one informative recommended. Archaeological fieldwork should comprise a watching brief, involving observation of groundworks and investigation of any features of archaeological interest that may be revealed, agreement of a working method (with contingency arrangements for significant discoveries), and the lodging of a report and archive.

- 8.9 London Fire and Emergency Planning Authority (commented 07/11/2016) – No objection, provided the proposals meet the requirements of the Building Regulations. Sprinklers should be installed.
- 8.10 Natural England (commented 03/11/2016) – No comment.
- 8.11 Thames Water (commented 26/10/2016) – Applicant should incorporate measures to avoid risk of backflow. Recommend condition requiring details of a piling method statement. Developer should demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Informative recommended regarding groundwater discharge. Developer is responsible for making proper provision for surface water drainage. No objection in relation to sewerage and water infrastructure capacity. Informative recommended regarding water pressure.
- 8.12 Transport for London (TfL) (commented 18/11/2016) – Car free development is welcomed subject to the council confirming that there is sufficient on-street blue badge parking provision (condition 12). TfL prefer servicing to be consolidated off-street and the council should carefully consider this matter. Delivery and Servicing Plan would need to be secured (condition 25). Construction Logistics Plan should be secured (condition 23) and TfL should be consulted on this document prior to discharge at conditions stage. Existing service vehicle access coincides with a bus stop on Clerkenwell Road and construction access therefore needs to be carefully considered to ensure there would be no harm to buses, pedestrians or cyclists. Proposed cycle parking is policy compliant, however short-stay parking should be provided on-street or in a publicly-accessible area. Lifts to basement cycle store should comply with dimensions set out in the London Cycle Design Guidance. Changing facilities for cyclists should be provided. The submitted draft Workplace Travel Plan is welcomed, and a full Travel Plan should be secured – this should include ambitious targets, particularly in relation to cycling uptake.

Internal Consultees

- 8.13 Building Control team (commented 04/07/2017) – No objections, however queries raised regarding means of escape (an alternative means of escape is required for every storey above 11m), the required separation of the single staircase between basement and ground level (the main staircase should not extend down to basement level), and the extent of unprotected area (justification and calculation will be required in relation to the extent of unprotected area in the proposed front elevation in relation to the street's width). Fire brigade access to more than 15% of the site's perimeter (from the street) would be available, and a protected firefighting shaft (core) is not required as no floor level is proposed above 18m (above street level). The proposed refuse/recycling and mobility scooter stores will need fire-rated enclosure and appropriate ventilation to the outside. The proposed external materials for the new building's elevations are not known to be flammable, however appropriate compartmentation will be necessary to inhibit fire spread.
- 8.14 Design and Conservation Officer (commented 04/11/2016) – No objections. The proposed building is a high quality contextual response to the conservation area and the applicant has responded positively to the pre-application advice. In a further comment made on 16/11/2016, the officer expressed support for the deletion of the rooftop plant enclosure from the proposals.
- 8.15 Energy Conservation Officer (commented 27/06/2017) – Proposed carbon dioxide saving is accepted. Carbon dioxide offset requirement would be £53,820. Proposed

development would achieve BREEAM “Excellent” (73%) which is considered appropriate. Proposed U-values show a good level of efficiency throughout the development, and are supported. Proposed air permeability is acceptable, but the applicant should seek to improve this. Regarding lighting, the proposed daylight and occupancy sensors, and LED technology, is supported. Mechanical cooling is not supported, however applicant’s information regarding overheating is accepted. The findings of the applicant’s Overheating Assessment satisfy the council’s requirements regarding thermal modelling. The applicant’s heat load and other information demonstrates that the proposed heating measures are appropriate, and that connection to the Bunhill DEN is not technically viable. Regarding future connection, the allocated space for a plate heat exchanger is welcomed, and adequate protected space for the pipework should be maintained. A lack of connection to (or establishment) of a shared heat network has been justified by the applicant. On-site combined heat and power (CHP) need not be provided. Proposed rooftop photovoltaic array (and its output) is welcomed. The submitted draft Green Performance Plan (GPP) is acceptable, however a full GPP will need to be submitted at a later stage.

- 8.16 Inclusive Design Officer (commented 13/12/2016) – The proposed accessible cycle storage spaces, provision of mobility scooter charging facilities, deletion of the previously-proposed spiral staircase, and confirmation of the proposed lift size is welcomed. The applicant’s information regarding refuge and evacuation are not accepted, as the proposed strategy effectively limits the number of mobility-impaired people permitted on a floor (other than the ground floor) to one (condition 11). Regarding the lobbies to the WCs on the upper floors, this space should be 1570mm deep and clear of any door swing.
- 8.17 Lead Local Flood Authority (commented 16/11/2016) – Noted that there was little to comment on, assuming that the applicant does not intend to amend the existing drainage on site. Queried what provisions are being made for the sub-surface areas of the building.
- 8.18 Nature Conservation Manager (commented 16/11/2016) – Satisfied from the ecologist’s report that this site has negligible ecological value. No conditions to recommend other than regarding bird/bat boxes and green roofs (15 and 16).
- 8.19 Pollution Team, Public Protection (commented 14/11/2016) – The site had previous potentially-contaminating uses, however the site is covered in hardstanding, and the proposal doesn’t include residential uses and would not change the sensitivity of receptors. Pollution Team would not necessarily recommend a specific condition relating to contaminated land. Condition regarding plant noise recommended (27). The site is within a densely developed area with commercial and residential uses close by. Previous development works along Great Sutton Street have given rise to complaints and the developer will need to fully consider the impacts of demolition and construction, and how these would be managed. Condition requiring a Construction Environmental Management Plan recommended (24).
- 8.20 Sustainability Officer (commented 10/02/2017) – Water efficiency measures are understood, however the opportunity to provide rainwater harvesting for landscaping elements should be fully explored, although it is noted that the proposals include little landscaping. Regarding materials, the commitment to achieve policy compliance is welcomed – this should be reflected in any BREEAM assessment submitted for this development (such as at conditions stage). The applicant’s additional information – and in particular the commitment to undertake a pre-demolition audit which would

inform the reuse of materials onsite – is welcomed. The proposed increase in the extent of green roof is encouraging, however an amended roof plan is needed. The applicant's information on internal design flexibility is accepted. Further comments were made regarding drainage on 27/06/2017. The applicant's efforts made so far are appreciated, and it is noted that the applicant intends to comply with the upper limit (50l/s/ha) of policy DM6.6, however the target is a greenfield run-off rate of 8l/s/ha. Officers appreciate that this is unlikely to be achievable at this particular site, however every effort to get as close as possible to it should be made. The potential for further improvements to run-off rates should be explored, and a clear l/s/ha figure for the development should be provided. In a final comment on 29/06/2017 the Sustainability Officer accepted the applicant's clarified and new information regarding drainage, and the proposed 35l/s/ha run-off rate.

9 RELEVANT POLICIES

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

National Guidance

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

Development Plan

- 9.4 The Development Plan comprises the London Plan 2016 (incorporating Minor Alterations), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.5 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Bunhill and Clerkenwell key area
 - Central Activities Zone
 - Employment Priority Area (General)
 - Primary employment area
 - Hat and Feathers Conservation Area
 - Archaeological Priority Area
- 9.6 Protected view 1A.2 (Alexandra Palace to St Paul's Cathedral) passes close to the site, over land to the west.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle of development
- Land use
- Design and conservation
- Archaeology
- Inclusive design
- Neighbour amenity
- Financial viability
- Sustainability, energy efficiency and renewable energy
- Highways and transportation
- Servicing
- Fire safety
- Contaminated land and air quality
- Planning obligations

Principle of Development

10.2 The site's existing buildings are dated, inefficient, and offer poor accessibility to people with disabilities. The site can accommodate a larger building, and is currently underused. Redevelopment of the site is considered acceptable in principle, as it provides an opportunity to reprovide office floorspace to a better standard than currently exists, and to use this relatively central and accessible site more efficiently. These are benefits of the proposed development which weigh positively in the balance of planning considerations relevant to this application.

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

Land Use

Office use

10.4 All parts of the site are, or were most recently, in B1(a) (offices) and ancillary use. Existing floorspace totals 1,474sqm GIA (1,190sqm NIA).

10.5 No site allocation applies to the application site, however it is located within the Central Activities Zone (CAZ) and an Employment Priority Area (General).

10.6 Planning policies relevant to this site safeguard existing employment floorspace, and generally encourage office development. The renewal and modernisation of existing office stock in viable locations is also supported. The supporting text of London Plan policy 4.2 identifies a need for significant increases in office floorspace in the years to 2031. Part B of policy CS13 of Islington's Core Strategy 2011 states that in relation to existing employment floorspace, development which improves the quality and quantity

of existing business floorspace provision will be encouraged. Part Aii of policy BC8 in the Finsbury Local Plan 2013 states that within Employment Priority Areas (General and Offices), proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.

- 10.7 The proposal would provide 1,756sqm GIA (1,307sqm NIA) of business floorspace in the basement and from first to fifth floors of the proposed development. The proposed uplift in office floorspace (282sqm GIA, 117sqm NIA) is welcomed and is considered policy-compliant. Given the constraints of the site and the need to provide other uses at ground floor level (discussed later in this report), officers accept that the development would incorporate the maximum amount of business floorspace reasonably possible, in compliance with part Aii of policy BC8 of the Finsbury Local Plan.
- 10.8 The proposal would provide a higher quality, more accessible and more flexible employment space than the existing buildings currently offer. There is no reason to believe the development – if completed – would remain unoccupied.
- 10.9 Floor-to-ceiling heights of over 3m are proposed for the office floorspace at first to fifth floors, in compliance with the standard set out at paragraph 5.10 of the Development Management Policies document. At basement level, however, a floor-to-ceiling height of only 2.4m is proposed. This substandard internal height suggests the basement floorspace should not be counted towards the development's total office floorspace figure, and the proposed floor-to-ceiling height is certainly a shortcoming of the proposed development that weighs negatively in the balance of relevant planning considerations. However, it is acknowledged that the existing basement is already substandard and that the proposed space would not be unusable. The reasons for the proposed 2.4m floor-to-ceiling height (discussed later in this report in relation to archaeology) are noted. Given these considerations, refusal of permission is not recommended in relation to the quality of the basement accommodation.
- 10.10 A small area of reduced floor-to-ceiling height is proposed at fourth floor level, however this is not considered so significant as to warrant refusal of planning permission.
- 10.11 It must also be noted that natural light to the proposed basement would be limited, although this is already the case in respect of the existing basement. Rooflights are proposed along the west edge of the site (at the bottom of a lightwell) and at the front (north edge) in the floor of the proposed retail unit. The natural light from the retail unit would essentially be borrowed, and would be reliant upon no obstructions being placed over or close to the rooflights within the retail unit – to ensure this does not happen, condition 7 is recommended.
- 10.12 The applicant's initial submission did not clarify how the proposed office floorspace would be suitable for occupation by micro and small enterprises by virtue of its size and design, and the submitted floor plans do not show parts of the proposed business floorspace divided into units of 90sqm (GIA) or smaller. It is noted, however, that parts of the proposed basement and/or upper floors could be subdivided to provide suitable accommodation for micro and small enterprises without the quality (including natural lighting) of the remaining business floorspace being compromised, although no separate street entrance or core could be provided due to the constraints of the site. To ensure the development would comply with part Bii of policy BC8 of the Finsbury Local Plan, condition 14 is recommended, requiring the submission of floorplans showing 5% of the office floorspace subdivided to provide accommodation for such enterprises.

- 10.13 No affordable workspace is proposed, despite the applicant being strongly encouraged at pre-application stage to include an element of such floorspace in the proposed development. Given the “and/or” wording of part B of policy BC8 of the Finsbury Local Plan, however, and given that the proposed development includes office floorspace that – subject to the details required by condition 14 – may be suitable for occupation by micro and small enterprises by virtue of its design and size (thus meeting part Bii of policy BC8), the council cannot insist upon the provision of affordable workspace on site as part of the proposed development.
- 10.14 Part I of policy BC8 of the Finsbury Local Plan requires new business (including office) floorspace to be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation. The proposed B1 floorspace would be accessed from a lift and stair core on the east side of the building, so that all of the B1 floorspace could be occupied by a single organisation, or each floor could be separately occupied. Further subdivision of each floor would also be possible, as open floor plans and adequate floor-to-ceiling heights are proposed at first to fifth floors, allowing for a flexible fit out. The retail and business uses would have separate entrances and adequate separation of ancillary spaces.
- 10.15 The 1,190sqm (NIA) of office floorspace in the existing buildings could accommodate between 92 and 149 employees (full time equivalent, or FTE), based on the Home and Communities Agency’s (HCA’s) ratios of one employee per 8-13sqm NIA of offices (note that different ratios are given for different types of offices: one employee per 8sqm in a call centre, one per 11sqm in the technology, media and telecom (TMT) sector, and one per 13sqm in corporate offices, for example). With the 1,307sqm (NIA) of offices now proposed, between 100 and 163 employees (FTE) could be accommodated, using the same ratios.

Retail use

- 10.16 Part B of policy BC8 of the Finsbury Local Plan states that in the Employment Priority Area (General), the employment floorspace component of a development proposal should not be unfettered commercial office uses, but must – where appropriate – include retail or leisure uses at ground floor level.
- 10.17 Given the size of the site, and the existence of retail units and showrooms at ground floor level in other properties on Great Sutton Street, it is considered appropriate to provide an A1 retail unit at this site. This use is considered compatible with the B1 office floorspace proposed above and below.
- 10.18 An A1 retail unit of 243sqm (NIA) is proposed at ground floor level, with its own separate entrance from Great Sutton Street. Although this unit would separate the B1 basement from the B1 floorspace in the new building’s upper storeys, all the B1 floorspace would still be accessed from a single entrance and core, and the partial separation of the basement could make it attractive as a workspace for small and medium-sized enterprises (SMEs) and start-ups.
- 10.19 Using the HCA’s employee density ratios, the 243sqm (NIA) of A1 retail floorspace proposed could accommodate between 12 and 16 employees (FTE).
- 10.20 As more than 80sqm (NIA) of A1 retail floorspace is proposed, Development Management Policy DM4.4 (part B) applies. Little information regarding retail impact has been submitted by the applicant, however officers are of the view that the proposed 243sqm (NIA) of retail floorspace in this location within the CAZ would not

individually (or cumulatively with other development) have a detrimental impact on the vitality and viability of Town Centres within Islington (particularly the nearest Town Centre, Angel) or in adjacent boroughs, nor would it prejudice the prospect for further investment needed to safeguard their vitality and viability. The amenity impacts of the proposed retail unit would be limited, and – given that the unit could be used as a retail showroom similar to others on Great Sutton Street, Clerkenwell Road and Goswell Road – the development could support and complement existing clusters of similar uses within the CAZ. Parts Bii and iii of policy DM4.4 would therefore be complied with.

Affordable housing contribution

10.21 With regard to the provision of residential accommodation as part of the development (as required by London Plan policy 4.3 and Finsbury Local Plan policy BC8), paragraph 11.1.6 of the Finsbury Local Plan confirms that proposals which would result in a net increase of office floorspace should provide at least 20% of the total net increase in floorspace as housing. In this case, with a total uplift in office floorspace of 282sqm (GIA) proposed, 56.4sqm of residential floorspace would be required.

10.22 Although the provision of residential floorspace would not be physically impossible at this site, given the requirements for ground floor uses set out under part B of Finsbury Local Plan policy BC8 and for full separation of uses in accordance with part I of the same policy, on-site residential use at this site is likely to result in an unacceptable reduction in B1 floorspace, or another significant compromise, unless the building envelope was increased further (which, as explained later in this report, is not considered possible). Instead, a financial contribution towards off-site affordable housing would be appropriate. This would be in lieu of on-site provision of residential accommodation and – in accordance with part D of policy BC8 and the formula on page 43 of the Planning Obligations (Section 106) SPD – officers have calculated this contribution to be £45,120.

Other land use considerations

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

Design and Conservation

10.24 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies relevant to design and conservation are set out in chapter 7 of the London Plan. Policies CS7, CS8, CS9 and CS10 in Islington's Core Strategy, policy BC7 in the Finsbury Local Plan, and

policies in chapter 2 of Islington's Development Management Policies, are also relevant. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (The Setting of Heritage Assets), the council's Urban Design Guide SPD and Conservation Area Design Guidelines for the Hat and Feathers Conservation Area, and the Mayor of London's Character and Context SPG are also relevant to the consideration of the current application.



Image 1: existing street view



Image 2: proposed street view

Site and surroundings

10.25 The site's existing buildings are described at paragraph 5.1 of this report

- 10.26 The context of the site must be noted. Directly to the east is a mixed use building comprising two blocks (“A” fronting Sutton Street and “B” fronting Clerkenwell Road, linked by a bridging glazed section) that rises to five, six and seven storeys. Beyond that building and further to the east is the car park / development site behind the Hat and Feathers PH. Abutting the application site to the west is 13-14 Great Sutton Street, which rises to six storeys including a setback fifth floor. 15 Great Sutton Street, at the corner of Berry Street, also rises to six storeys. Opposite the application site, to the north, most buildings are of five storeys, however 53 to 56 Great Sutton Street has six storeys (including a setback fifth floor). Behind the application site to the south is a five-storey building.
- 10.27 The site is within a relatively sensitive location in terms of heritage assets. The Hat and Feathers Conservation Area covers the site and adjacent land, the nearby Hat and Feathers PH is Grade II listed, there are locally-listed buildings at 16 Great Sutton Street and 76-78 Goswell Road, and several other nearby buildings currently make a positive contribution to the Hat and Feathers Conservation Area.
- 10.28 The Conservation Area Design Guidelines for the Hat and Feathers Conservation Area identify the characteristic features of the conservation area – these are discussed later in this report where relevant to the proposed development.

Demolition of existing buildings

- 10.29 On 01/10/2013, under the Enterprise and Regulatory Reform Act 2013, the need for Conservation Area Consent for the demolition of unlisted buildings in conservation areas was removed. Such works now require planning permission.
- 10.30 The Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the council to pay special attention to the desirability of preserving or enhancing the character and appearance of the Hat and Feathers Conservation Area when determining this application. Paragraph 138 of the NPPF states that the loss of a building which makes a positive contribution to the significance of a conservation area should be treated either as substantial or less than substantial harm, taking into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole.
- 10.31 Part C of policy BC7 in the Finsbury Local Plan states that new development should not result in the demolition or amalgamation of buildings with existing character value.
- 10.32 The site’s existing buildings date from the 1950s, are not of historic or architectural merit, and they currently do not make a significant positive contribution to the significance, character and appearance of the Hat and Feathers Conservation Area. The limited greenery (in planters) at roof level is not readily visible from public vantagepoints, and does not significantly enhance the conservation area. Given their contribution to the conservation area, and the high quality contextual design proposed by the applicant (considered in the following paragraphs), it is considered that the demolition of the site’s existing buildings is not in breach of paragraph 138 of the NPPF, is compliant with part B of Development Management Policy DM2.3, and is acceptable. Demolition of the site’s existing buildings would not set a precedent for the future demolition of other buildings within the conservation area – each case would continue to be assessed on its individual merits, specific site circumstances and relevant planning policies.

Height and massing

- 10.33 London Plan policy 7.4 states that development should have regard to the scale, mass and orientation of surrounding buildings, and that buildings should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. London Plan policy 7.6 states that buildings should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and should not cause unacceptable harm to the amenity of surrounding land and buildings. The Mayor of London's Character and Context SPG notes at paragraph 7.26 that "the key or essential characteristics of a place provide an important reference point against which change can be assessed or as a 'hook' for site planning and design".
- 10.34 At the local level, policy CS9 of Islington's Core Strategy sets out an aim for new buildings to be sympathetic in scale and appearance and to be complementary to local identity. Policy DM2.1 of Islington's Development Management Policies requires development to be based upon an understanding and evaluation of an area's defining characteristics, confirms that acceptable development will be required to respect and respond positively to existing buildings, and sets out a list of elements of a site and its surroundings that must be successfully addressed – this list includes urban form including building heights and massing. Part B of policy BC7 in the Finsbury Local Plan states that new buildings should be of a height, scale and massing that respects and enhances the immediate and wider context, consistent with the predominant building height.
- 10.35 Given the site's context, modest, medium-scaled development would be appropriate for this site.
- 10.36 The proposed height and massing is considered acceptable in townscape terms. The proposed six storeys above ground level (including a setback fifth floor) would respect and would sit comfortably within the site's context. Although the front parapet of the proposed building's fourth floor would stand half a storey taller than those of the neighbouring buildings, this would not be a significant interruption to the roofline of Great Sutton Street. The proposed fifth floor would be set back from this front parapet such that its visibility from street level would be suitably limited – although proposed elevation G200_E_N_001 rev A illustrates a building that would stand taller than its immediate neighbours, it would not appear unduly obtrusive or overdominant in views from street level. Height-to-width ratios along this part of Great Sutton Street would remain characteristic of this densely-developed part of the borough. There would not be a significant interruption to the pattern of heights common to perimeter block layouts, where the street block's tallest elements are normally found at its edges. A previously-proposed plant enclosure (above the fifth floor) has been deleted from the proposals. Notwithstanding the amenity impacts discussed later in this report, in terms of height and massing it is considered that the proposed development demonstrates sufficient sensitivity to the site's context, although it is likely that the height and massing proposed would be the maximum acceptable at this site. Approval of the proposed height would not set a precedent for the same height elsewhere in the conservation area – each case would continue to be assessed on its individual merits, specific site circumstances and relevant planning policies.
- 10.37 It is noted that a seven-storey development may yet (and could lawfully) be constructed at the Hat and Feathers PH site, which includes the empty land at 1-4 Great Sutton Street. The relevant permission for that site (ref: P010342) has

technically been implemented (commenced) with the sinking of foundations. This is a contextual consideration material to the current application for 9-12 Great Sutton Street.

- 10.38 The proposed height of the development is considered further in relation to impacts upon heritage assets later in this report.

Architecture and elevations

- 10.39 London Plan policy 7.6 states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It goes on to set out criteria against which planning applications should be assessed, stating that buildings should be of the highest architectural quality, should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and should comprise details that complement, not necessarily replicate, the local character.
- 10.40 Other policies are also relevant to architecture, including London Plan policy 7.4 (relating to local character) and Core Strategy policy CS9, which states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. This Core Strategy policy goes on to state that new buildings should be sympathetic in appearance to the local identity, should be based on coherent street frontages, and should fit into the existing context of façades. Finally, part G of policy CS9 notes that high quality contemporary design can respond to relevant challenges as well as traditional architecture, and that innovative design is welcomed.
- 10.41 Policies in chapter 2 of the Development Management Policies document are relevant to architecture and detailed design. In particular, policy DM2.1 states that all forms of development are required to be of high quality. Part B of policy BC7 in the Finsbury Local Plan states that new buildings should be of a high architectural quality and local distinctiveness, and that new development should reflect long established building lines, street frontages and plot widths. Part E of the same policy requires the use of vernacular and other high quality, complementary materials within new buildings. Further guidance is provided in Islington's Urban Design Guide SPD.



Image 3: existing street elevation



Image 4: proposed street elevation

- 10.42 The proposed front elevation to Great Sutton Street would respect and reinforce the street's existing (and historic) front building line. It would not be appropriate to set the building back from the pavement at this site.
- 10.43 For the proposed front elevation, images included in the submitted Design and Access Statement illustrate deep reveals to the proposed window apertures (between the proposed vertical elements) which would ensure adequate relief to the elevation. This relief would be augmented by the inset balconies at the northeast and northwest corners of the building.
- 10.44 Although the applicant proposes a balustrade close to the edge of the front elevation at fifth floor level, this is considered acceptable given that it would be of the same design as the balustrades to the inset balconies at first to fifth floor levels, and would therefore not appear as an isolated, incongruous feature at the top of the building.
- 10.45 For the rear of the proposed development, more simple, unadorned elevations are proposed – this is characteristic of the area, and is considered acceptable, however to ensure adequate relief is provided in these elevations, a condition requiring minimum reveal depths of 200mm is recommended (condition 5).



Image 5: existing rear elevation



Image 6: proposed rear elevation

- 10.46 In design terms the proposed A1 retail unit, and its extensive full-height glazing at ground floor level, is welcomed, as it would add interest and activation to the street in accordance with part Aii of Finsbury Local Plan policy BC7 and Islington's Urban Design Guide. Appropriate vertical elements have been included in the ground floor elevation, breaking up the proposed glazing.

Materials

- 10.47 Much thought has gone into the proposed palette of materials, which includes white stone for the horizontal elements proposed for the front elevations, buff bricks for the rear elevations, special rubbed/carved bricks for the vertical elements in the first to fourth floors of the front elevation, metal cladding to the setback fifth floor and inset panels adjacent to windows, and bronze balustrades. The submitted Design and Access Statement explains how the choice of these materials was inspired by nearby buildings, including 2 Old Street which has moulded brickwork which adds significant relief and interest to that building's elevations. A similar pattern (to that noted at 2 Old Street) is proposed in the special rubbed/carved bricks to the vertical elements of the

front elevation, and in the bronze balustrades. Little detail of the proposed metal cladding and inset panels has been provided, however the submitted elevations and images suggest that an appropriate bronze or brown colour is proposed. A high quality metal (such as anodised aluminium, and not powder-coated aluminium) can be secured by condition. Considered together, the proposed materials and their detailing are considered appropriate for this site, and they (particularly the special rubbed/carved bricks) are a benefit of the proposed development that weighs positively in the balance of relevant planning considerations. Without these materials, the proposed development would be of an inferior and less interesting design, and a different balance of planning considerations would apply.

- 10.48 Recommended condition 3 requires the submission and approval of details and samples of all external materials. Should inferior materials be proposed at conditions stage without convincing justification, officers would not be able to recommend the discharge of condition 3, as the quality of the materials currently proposed is a key consideration in the application-stage planning balance (and in officers' recommendation for approval of permission).
- 10.49 At paragraph 3.4.2 of the submitted Design and Access Statement the applicant suggests the proposed brickwork could be laid in a Flemish or English bond. This is considered appropriate for such a location within the Hat and Feathers Conservation Area, and an appropriate bond would help avoid the development's larger areas of blank brickwork (proposed to the rear of the building) appearing monotonous. Stretcher bond would not be appropriate for these elevations. It is recommended that Flemish or English bond be secured, and recommended condition 3 has been worded to reflect this.
- 10.50 Further wording to condition 3, requiring the submission of a Green Procurement Plan to demonstrate how the procurement of materials for the proposed development would promote sustainability, is also recommended.

Impacts on heritage assets

- 10.51 It is again noted that the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the Hat and Feathers Conservation Area when determining this application.
- 10.52 Policy DM2.3 states that new developments within Islington's conservation areas are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of Islington's conservation areas will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted. In relation to non-designated heritage assets such as the locally-listed buildings listed earlier in this report, proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted. Part C of policy BC7 in the Finsbury Local Plan requires the conservation and enhancement of heritage assets.
- 10.53 Section 12 of the National Planning Policy Framework, London Plan policy 7.8 and Core Strategy policy CS9 are also relevant.
- 10.54 The proposed development is considered appropriate in terms of its impact upon the Hat and Feathers Conservation Area. Regarding the proposed height and scale of the new building, although paragraph 1.21 the Conservation Area Design Guidelines for the Hat and Feathers Conservation Area note that "Most buildings in the area are

between three and five storeys high”, that “There are very few buildings over five storeys and most of these detract from the appearance of the area” and “Normally no new buildings or extension will be permitted above five storeys (about 18m above ground level)”, the immediate context of 9-12 Great Sutton Street, and the limited views that would be had of the proposed fifth floor, suggest that the proposed 6-storey building would be appropriate in this particular location. The proposal meets the general requirement of paragraph 1.20 of the conservation area guidance, which states that “New buildings... should conform to the height of existing development in the immediate area”.

- 10.55 Guidance provided at paragraph 1.24 (“New development should conform to the scale of existing buildings in the area”) would also be complied with. It is noted that, although the applicant proposes to replace two existing buildings with a single building, there would not be a significant loss of grain or character in this part of Great Sutton Street. The proposed development would have a footprint and plot width of a similar size to several other nearby buildings within the Hat and Feathers Conservation Area. Less than 3,000sqm (by any measurement) is proposed, and the new building would have a street frontage of less than 20m, therefore the requirement set out under paragraph 1.25 (for developments to be broken up into more than one building) does not apply.
- 10.56 The detailed design and materials of the proposed development are considered appropriate in the way they would relate to their context. The Conservation Area Design Guidelines for the Hat and Feathers Conservation Area note at paragraph 1.33 that the existing character and appearance of the area depends largely on the survival of a range of vernacular building materials, such as brick and stone, and adds that new buildings should blend in and reinforce this character. The proposed development would do so, with the proposed brick and stone complementing the materials of buildings immediately adjacent and opposite. The proposed grid-like treatment to the front elevation at first to fourth floors reflects nearby buildings, and the applicant correctly notes at paragraph 3.3.4 of the submitted Design and Access Statement that such an elevational treatment is characteristic of the conservation area.
- 10.57 The nearest listed building (the Hat and Feathers PH, which is Grade II listed) and locally-listed buildings (16 Great Sutton Street and 76-78 Goswell Road) are not immediately adjacent to the application site. The proposed development would not harm the setting of or detract from the significance of these heritage assets.

Other design considerations

- 10.58 The proposed development would not intrude into or crowd protected view 1A.2 (Alexandra Palace to St Paul’s Cathedral) which passes close to the site, over land to the west.
- 10.59 Part B of policy BC7 in the Finsbury Local Plan states that roof extensions, plant rooms and lift overruns should conform to prevailing building heights. Paragraphs 5.192 and 5.193 of Islington’s Urban Design Guide state that roof structures that are not an integral part of the building such as plant or railings should normally be avoided, particularly if they are visible from the public realm or would undermine residential amenity. If space for plant machinery is required this should be accommodated within the building envelope. Lift overruns that project above the roofline should be avoided. If this is not possible, they should be incorporated on the rear part of the roof, where they are not visible from the street. In accordance with this policy and guidance, the applicant proposes to accommodate plant at basement level, and no longer proposes a rooftop plant enclosure. Should it transpire that roof-level structures or installations

such as plant are required, approval of these would need to be sought pursuant to recommended condition 4. The same recommended condition requires details of the photovoltaic (PV) array proposed at roof level, to enable a full assessment of the visibility and impact of these installations to be made at conditions stage.

- 10.60 Officers advised the applicant that the proposed development did not need to be presented to Islington's Design Review Panel (DRP).

Archaeology

- 10.61 The application site is within an Archaeological Priority Area. The applicant's original and updated Historic Environment Assessments (the most recent dated January 2017) consider the archaeological potential of the site, noting that the site lies within the eastern part of the Pardon Churchyard, a 14th century burial ground used for victims of the plague and later incorporated into the precinct of the Charterhouse. The site is also adjacent to the conjectured course of a Roman road, and there may be post-medieval remains at the site.
- 10.62 In comments dated 24/11/2016 Historic England noted that the proposed development involved deepening the basement and new piling, which was likely to seriously harm or destroy surviving archaeological remains. Historic England therefore required further studies (including field evaluation involving the excavation of trial trenches) to inform the design of the proposed development. It was confirmed by Historic England that this matter could not be deferred to conditions stage, and that refusal of permission would be recommended if this archaeological information was not provided at application stage.
- 10.63 The applicant subsequently advised that trial trenches could not be dug at this stage, as the existing buildings cover all parts of the site at basement level, and the current basement tenant would not agree to excavations being carried out. The applicant therefore looked into an alternative way forward.
- 10.64 A Structural Engineer's Report (Sinclair Johnston, May 2017) was submitted by the applicant on 09/05/2017. This report explains that, in order to overcome Historic England's concerns regarding the impact of basement works upon buried heritage assets, the applicant now proposes to maintain the existing basement level, with the underside of the new basement slab to be no deeper than the underside of the existing slab (paragraph 3.2). The report states that the internal basement floor level would be raised by approximately 100mm to accommodate insulation and new finishes (although the submitted sections indicate that the floor-to-floor height would be slightly reduced from 2.95m to 2.9m). The existing pad foundations at the site would be reused, removing the need to excavate new pad foundations (which may have disturbed underlying archaeology).
- 10.65 In further comments dated 15/05/2017, Historic England noted the applicant's innovative approach to minimising archaeological impact, and also noted the applicant's explanation as to how the development could be constructed with only minor harm to archaeological interest provided that conditions are applied.
- 10.66 Two conditions related to archaeology (conditions 18 and 19) are recommended in the light of comments received from Historic England. These include a requirement for the submission of details of the final foundation design, and should the applicant's proposals be revised to include excavation, these requirements would ensure that the

development's archaeological implications would still be adequately assessed and addressed before works commence.

Inclusive Design

- 10.67 Paragraph 57 of the NPPF is relevant to the current proposal in relation to inclusive design. London Plan policy 7.2 requires all new development to achieve the highest standards of accessible and inclusive design, and refers to the Mayor's Accessible London SPG. At the local level, Development Management Policy DM2.2 requires all developments to demonstrate that they i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone; and iv) bring together the design and management of a development from the outset and over its lifetime. The Inclusive Design in Islington SPD is also relevant.
- 10.68 The proposed business floorspace would have lift access to each floor. Accessible WCs are proposed for the offices, and provision for the proposed retail unit would be secured by recommended condition 11.
- 10.69 Recommended condition 11 also requires the submission of other details relevant to inclusive design, to ensure the proposed office floorspace would comply with relevant planning policies and the relevant parts of the Inclusive Design in Islington SPD, including the requirements and guidance related to evacuation.

Accessible parking

- 10.70 No accessible parking is proposed on-site. This is considered acceptable, given the site's constraints and the impact on-site parking would have had upon the design of the proposed development. Applying the standard set out at page 39 of the Planning Obligations (Section 106) SPD (of one accessible parking bay required for the uplift in employee numbers divided by 33), with a likely total uplift of between 20 and 30 employees, one accessible parking space would be required. Noting that there may be limited scope for on-street provision close to the application site, recommended condition 12 requires the submission of a survey to ascertain where such a space could be provided. Should on-street provision not be possible, a financial contribution towards accessible transport initiatives can be accepted.

Neighbour Amenity

- 10.71 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.
- 10.72 London Plan policy 7.6 (part Bd) states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. Policy 7.15 (part B) states that development proposals should seek to manage noise by mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development; separating new noise sensitive development from major noise sources through the use of distance, screening or internal layout in preference to sole reliance on sound insulation; controlling and mitigating potential adverse effects through the application of good acoustic design principles; and promoting new technologies and improved practices to reduce noise at source and on the transmission path from source to receiver.

10.73 Development Management Policy DM2.1 (part Ax) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook. Paragraph 2.13 states that the design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing. This supporting text goes on to specifically reference relevant guidance prepared by the Building Research Establishment (BRE).

10.74 Officers have visited six neighbouring residential properties during the life of the application.

Daylight and sunlight

10.75 An updated and corrected analysis of the proposed development's impacts upon natural light received by occupants of neighbouring properties is provided in the applicant's Daylight and Sunlight Study dated 08/06/2017. This takes into account information regarding room sizes provided to the applicant by officers, and the massing amendments made by the applicant during the life of the application (Revision 2).

10.76 The submitted Daylight and Sunlight Study assesses impacts upon the following neighbouring properties:

- 5-8 Great Sutton Street
- 17 Clerkenwell Road
- 18 Clerkenwell Road
- 4 Berry Street
- 15 Great Sutton Street
- 13-14 Great Sutton Street
- 46-47 Great Sutton Street
- 48-49 Great Sutton Street
- 50-52 Great Sutton Street

10.77 The applicant's chosen methodology follows guidance provided by the BRE and used two tests to assess natural light impacts, namely the Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH) tests. Officers additionally asked the applicant to carry out testing using the No Sky Line / Daylight Distribution (NSL / DD) methodology. The applicant also provided the results of Average Daylight Factor (ADF) testing, however it should be noted that the ADF test is normally applicable to *proposed* residential units and in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties. Little weight can be attached to the applicant's ADF test results, as they rely on a range of inputs including assumptions regarding internal reflectivity, in addition to assumptions made regarding room sizes at some properties.

10.78 When using the BRE guidance to assist in the assessment of daylight and sunlight impacts, paragraph 1.6 of the BRE guidance must be noted. This confirms that:

"The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since

natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings”.

- 10.79 Regarding the weight to be attached to the BRE guidance, appeal decisions such as the decision dated 15/01/2014 relating to a major site in the south of the borough at Pentonville Road (ref: APP/V5570/A/13/2195285) generally indicate that closely adhering to BRE guidance is appropriate to ensure neighbour amenity is protected.
- 10.80 Regard must also be had to the scale and spacing of existing development in the area, and it must be noted that the application site at Great Sutton Street is a central location in a part of the borough which is characterised by dense development, and where it is reasonable to assume expectations of unusually high levels of amenity would be lower than in less dense, suburban areas.
- 10.81 With regard to daylight, the BRE guidance notes that where VSC figures are greater than 27%, enough daylight should still be reaching the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in daylight. Of note, the 0.8 figure is often expressed as a percentage in VSC analysis, such that a reduction of up to 20% would comply with this part of the BRE guidance if the 27% figure is also met.
- 10.82 The results of the applicant’s VSC testing can be summarised as follows:

Address	Number of windows tested	Windows failing 27% and 0.8x value test	Percentage of windows failing
5-8 Great Sutton Street	36	8	22%
17 Clerkenwell Road	13	10	77%
18 Clerkenwell Road	53	8	15%
4 Berry Street	7	0	0%
15 Great Sutton Street	11	0	0%
13-14 Great Sutton Street	72	40	56%
46-47 Great Sutton Street	30	2	7%
48-49 Great Sutton Street	19	15	79%
50-52 Great Sutton Street	74	5	7%
TOTAL	315	88	28%

Table 1: Summary of applicant’s VSC testing.

- 10.83 Many of the above tested windows have, however, been identified by the applicant as not serving habitable rooms. Using the applicant’s “use” categorisation, the VSC-failing windows can be further summarised as follows (figures for habitable room windows are shaded grey):

Address	Total VSC failures	Applicant’s categorisation	Windows failing VSC
5-8 Great Sutton Street	8	Non Domestic	6
		Habitable	2

17 Clerkenwell Road	10	Non Domestic	7
		Habitable	3
18 Clerkenwell Road	8	Non Domestic	3
		Habitable	5
13-14 Great Sutton Street	40	Non Domestic	7
		Non Habitable	2
		Reception room / kitchen	3
		Reception room / dining	8
		Habitable	9
		Bedroom	11
46-47 Great Sutton Street	2	Habitable	2
48-49 Great Sutton Street	15	Non Habitable	3
		Habitable	12
50-52 Great Sutton Street	5	Non Domestic	5

Table 2: VSC failures with applicant's room use categorisation

- 10.84 Of the windows that would fail VSC, 55 serve habitable rooms, according to the applicant's categorisation.
- 10.85 In situations where post-development VSC figures fail to comply with the levels suggested by the BRE, a further test can be carried out to measure the overall amount of daylight in a room. This is the Daylight Distribution (No Sky Line, or NSL) test. BRE guidance state that if the NSL moves so that the area of the existing room which does receive direct skylight is reduced to less than 0.8 times its former value, then this will be noticeable to the occupants, and more of the room will appear poorly lit. The 0.8 figure is often expressed as a percentage in NSL analysis, such that a reduction of up to 20% would be acceptable.
- 10.86 The applicant has provided NSL/DD test results but has set these out with reference to windows rather than rooms. The applicant's consultant has not visited neighbouring properties to ascertain room sizes and layouts, despite paragraph 2.2.8 of the BRE guidance stating that NSL/DD assessment is appropriate "Where room layouts are known". In addition, the applicant's consultant has apparently not referred to floor plans submitted with previous planning applications and held in the council's records. Instead, the applicant has used room dimension information provided by officers, and for other rooms has assumed depths of 3m. Much of the applicant's NSL/DD information therefore relies on unverified assumptions, which might call into question the accuracy of the applicant's results, however officers have visited several neighbouring properties and are of the view that enough is known about the most-affected neighbouring properties to enable an adequate assessment to be made.
- 10.87 The applicant's updated Daylight and Sunlight Study found no NSL/DD failures for residential habitable rooms at 5-8 Great Sutton Street, 17 Clerkenwell Road (actually block B of 5-8 Great Sutton Street), 4 Berry Street, 15 Great Sutton Street and 50-52 Great Sutton Street.
- 10.88 With regard to sunlight, the applicant has used the APSH test to ascertain whether the centre of adjacent windows (facing within 90° of due south) would receive 25% of annual probable sunlight hours, including at least 5% of those hours in the winter months between 21st September and 21st March. If the available sunlight hours are

both less than these amounts and less than 0.8 times their former value, occupants will notice a loss of sunlight.

- 10.89 Predictably, losses of sunlight would occur in the winter months to south-facing windows located to the north of the application site, and to the east-facing windows of 13-14 Great Sutton Street, however the greatest predicted impacts affect windows categorised by the applicant as non-habitable, and these impacts are not described in detail in the following paragraphs.

Property-by-property daylight and sunlight assessment

- 10.90 In Tables 3 to 11 below, the greatest daylight and sunlight impacts are indicated with cells shaded grey. In the case of daylight, this grey shading highlights the windows/rooms that would fail both the VSC and NSL/DD tests. In the case of sunlight, grey shading highlights the one window that would fail all (annual and winter) aspects of the APSH test.
- 10.91 The three lower floors of 5-8 Great Sutton Street are not in residential use. The upper storeys accommodate 15 flats ("The Roof Terrace Apartments"). Flats 4, 5, 6, 10, 11, 12, 14 and 15 are accessed via the core of block A which fronts Great Sutton Street, while flats 1, 2, 3, 7, 8, 9 and 13 are accessed via the core of block B which fronts Clerkenwell Road (but is also accessed from Great Sutton Street). Blocks A and B are connected by a predominantly-glazed bridging block which has residential windows facing east and west. Not all flats at 5-8 Great Sutton Street have windows facing the application site. The windows identified by the applicant as being within the rear (north-facing) elevation of 17 Clerkenwell Road are in fact in block B of 5-8 Great Sutton Street. Officers have visited four flats at 5-8 Great Sutton Street.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
6 (south-facing, third floor, residential)	16.9%	12.5%	0.74	55%	55%	1
15 (possibly not residential)	15.4%	10.5%	0.68	99%	99%	1
44 (third floor bedroom/study, flat 2)	14.3%	10.9%	0.76	96%	85%	0.89
45 (third floor bedroom/study, flat 2)	15.9%	11.2%	0.7	96%	85%	0.89
47 (fourth floor bedroom, flat 8)	21.1%	16.6%	0.79	58%	58%	1

Table 3: Daylight failure figures for 5-8 Great Sutton Street (including windows identified by applicant as 17 Clerkenwell Road)

- 10.92 Window 15 is a second floor west-facing window (to a room possibly not in residential use – the applicant's identification of this as a habitable room window is believed to be incorrect) in the building's glazed bridging block, and if that room's other daylight-compliant windows (16 and 19) are taken into account, an acceptable average VSC would be achieved. Flats 2 and 8 have other rooms with south-facing windows.

Window	Existing APSH	Proposed APSH	Factor of former value	Existing WPSH	Proposed WPSH	Factor of former value
6 (south-facing, third floor, residential)	44%	22%	0.5	9%	4%	0.44
7 (" ")	38%	29%	0.76	9%	6%	0.67
8 (fourth floor, residential)	54%	48%	0.89	16%	12%	0.75
15 (possibly not residential)	29%	21%	0.72	2%	0%	0.01
22 (third floor, residential, overhung)	35%	30%	0.86	4%	3%	0.75

Table 4: Sunlight failure figures for 5-8 Great Sutton Street

10.93 Window 15 also receives sunlight from windows 16 and 19.

10.94 At 13-14 Great Sutton Street a television production company (Zig Zag) occupies the basement, ground and first floor. There is no flat 1. Flat 2 occupies the second floor, and flat 3 occupies the third floor. Flat 4 is a duplex unit at fourth and fifth floors.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
126 (east-facing, second floor living room, flat 2)	8%	5.1%	0.64	44%	42%	0.95
128 (" ")	7.4%	4.4%	0.59	44%	42%	0.95
130 (" ")	6.9%	3.9%	0.57	44%	42%	0.95
133 (east-facing, third floor, flat 3)	18.3%	10.6%	0.58	74%	68%	0.92
135 (" ")	18%	9.8%	0.54	74%	68%	0.92
137 (" ")	17%	8.8%	0.52	74%	68%	0.92
141 (east-facing, fourth floor, flat 4)	27%	13.7%	0.51	100%	99%	0.99
142 (" ")	20.3%	15.7%	0.77	100%	99%	0.99
143 (" ")	25.9%	12.3%	0.47	100%	99%	0.99
144 (" ")	21.3%	15.7%	0.74	100%	99%	0.99
145 (" ")	23.5%	10.2%	0.43	100%	99%	0.99
146 (" ")	21.6%	15.2%	0.7	100%	99%	0.99
150 (east-facing, fifth floor, flat 4)	25.9%	19.4%	0.75	100%	100%	1
151 (" ")	34.3%	24.7%	0.72	100%	100%	1

152 (“ “)	34.3%	23.1%	0.67	100%	100%	1
153 (“ “)	34.3%	21.6%	0.63	100%	100%	1
154 (“ “)	24.3%	13.3%	0.55	100%	100%	1
155 (“ “)	34.5%	19.3%	0.56	100%	100%	1
156 (“ “)	24.6%	13.9%	0.57	100%	100%	1
157 (“ “)	34.7%	18.9%	0.54	100%	100%	1
161 (east-facing, second floor bedroom, flat 2)	5.3%	2.7%	0.51	21%	16%	0.76
162 (“ “)	6.7%	5.2%	0.78	21%	16%	0.76
163 (“ “)	4.6%	2.3%	0.5	21%	16%	0.76
164 (“ “)	7%	5.3%	0.76	21%	16%	0.76
165 (“ “)	3.9%	1.9%	0.49	21%	16%	0.76
167 (east-facing, third floor, flat 3)	14.7%	6.4%	0.44	96%	52%	0.54
168 (“ “)	14.1%	10.1%	0.72	96%	52%	0.54
169 (“ “)	13.3%	5.4%	0.41	96%	52%	0.54
170 (“ “)	14.8%	10.2%	0.69	96%	52%	0.54
171 (“ “)	11.5%	4.4%	0.38	96%	52%	0.54
172 (“ “)	14.9%	10%	0.67	96%	52%	0.54

Table 5: Daylight failure figures for 13-14 Great Sutton Street

- 10.95 Windows 126 to 131 form a group within a single aperture (serving a rear living room of flat 2), with obscure-glazed windows 126, 128 and 130 angled to face northeast, while clear-glazed windows 127, 129 and 131 face southeast. The northeast-facing windows would fail VSC, while the southeast-facing windows would pass. The living room would pass NSL/DD.
- 10.96 Further north along this east-facing elevation, windows 161 to 165 form another group of angled windows within a single aperture – these serve a bedroom. All these windows would fail VSC and NSL/DD.
- 10.97 No VSC figure has been provided for window 175 of flat 2, however this small window serves an open-plan kitchen and living room that also has north-facing windows.
- 10.98 For flat 3 (third floor), windows 167 to 172 are also angled and form a group within a single aperture. These serve a room identified by the applicant as habitable, and VSC and NSL/DD failures are predicted.
- 10.99 Some of the adjacent group of angled windows (133 to 138) would fail VSC, and are also categorised by the applicant as serving a habitable room which additionally receives light from south-facing window 132. This room is not predicted to fail NSL/DD.
- 10.100 For flat 4 (fourth and fifth floors), various windows are predicted to fail VSC, but the rooms would pass NSL/DD. Windows 141 to 146 are angled and serve a bedroom/study that also has south- and west-facing windows. At fifth floor level at flat 4, east-facing windows 150 to 157 would fail VSC, however these windows serve a large open-plan living room/kitchen also served by south-facing windows 147 and 148 (which would pass VSC), north-facing and west-facing windows.

Window	Existing APSH	Proposed APSH	Factor of former value	Existing WPSH	Proposed WPSH	Factor of former value
136 (east-facing, third floor, flat 3)	16%	12%	0.75	0%	0%	1
138 (" ")	18%	14%	0.78	0%	0%	1
168 (east-facing, third floor, flat 3)	19%	15%	0.79	1%	1%	1
170 (" ")	19%	15%	0.79	1%	1%	1
172 (" ")	19%	14%	0.74	1%	1%	1

Table 6: Sunlight failure figures for 13-14 Great Sutton Street

10.101 With regard to sunlight, APSH failures are predicted for five (but not all) of the east-facing windows serving flat 3, however winter failures are not predicted.

10.102 There are five flats at 18 Clerkenwell Road. These flats are understood to benefit from dual aspect, having north- and south-facing windows.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
52 (north-facing, second floor)	21.2%	16%	0.75	100%	61%	0.61
53 (" ")	23%	17.4%	0.76	100%	61%	0.61
55 (north-facing, third floor)	30.2%	23.9%	0.79	100%	97%	0.97
62 (north-facing, second floor)	25.1%	19.2%	0.76	100%	49%	0.49
63 (" ")	25.1%	19.6%	0.78	100%	49%	0.49

Table 7: Daylight failure figures for 18 Clerkenwell Road

10.103 All five of the windows listed above would fail VSC, and four of those would also fail NSL/DD.

10.104 Opposite the site, 46-47 Great Sutton Street are understood to be 14 serviced apartments.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
204 (south-facing, first floor)	16.5%	12.6%	0.76	98%	66%	0.67
205 (south-facing, second floor)	23.2%	17.6%	0.76	100%	85%	0.85

Table 8: Daylight failure figures for 46-47 Great Sutton Street

10.105 Window 204 would fail VSC and NSL/DD. Window 205 would fail VSC but would pass NSL/DD.

Window	Existing APSH	Proposed APSH	Factor of former value	Existing WPSH	Proposed WPSH	Factor of former value
190 (south-facing, first floor)	39%	31%	0.79	3%	3%	1
191 (" ")	40%	31%	0.78	3%	3%	1
195 (south-facing, third floor)	65%	58%	0.89	12%	9%	0.75
199 (south-facing, first floor)	42%	32%	0.76	3%	3%	1
204 (" ")	46%	33%	0.72	2%	2%	1
205 (south-facing, second floor)	59%	50%	0.85	7%	5%	0.71
206 (south-facing, third floor)	72%	63%	0.88	19%	13%	0.68

Table 9: Sunlight failure figures for 46-47 Great Sutton Street

10.106 For the four windows serving habitable rooms (as categorised by the applicant, although these units are understood to be serviced apartments) that would fail APSH, value differences are not significantly below the 0.8 target, and all these windows would still receive over 25% of annual probable sunlight hours. For three other windows, sub-target winter value differences are predicted, however these windows would still receive 5% of winter hours.

10.107 There is only one Council Tax record for 48 Great Sutton Street, and details of the use and internal layout of this property have not been provided by the applicant. At "48 to 49 Great Sutton Street" the applicant has assessed 19 windows, of which 16 are identified by the applicant as serving habitable rooms.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
210 (south-facing, first floor)	17.3%	12.7%	0.73	99%	58%	0.59
211 (" ")	18.2%	13.1%	0.72	99%	58%	0.59
212 (" ")	18%	12.9%	0.72	99%	58%	0.59
213 (south-facing, second floor)	24.3%	17.5%	0.72	99%	77%	0.78
214 (" ")	25%	17.7%	0.71	99%	77%	0.78
215 (" ")	25.1%	17.5%	0.7	99%	77%	0.78
216 (south-facing, third floor)	31.5%	24.1%	0.77	99%	99%	1
217 (" ")	32.1%	24.2%	0.75	99%	99%	1
218 (" ")	32.1%	23.9%	0.74	99%	99%	1
221 (south-facing, first floor)	18.3%	13.1%	0.72	100%	55%	0.55
222 (south-facing, second floor)	25.4%	17.8%	0.7	100%	68%	0.68
223 (south-facing, third floor)	32.3%	23.9%	0.74	100%	92%	0.92

Table 10: Daylight failure figures for 48-49 Great Sutton Street

10.108 Of the 12 windows listed in Table 10 above, VSC value differences are not significantly below the 0.8 target, and four would pass NSL/DD (another three would come close).

Window	Existing APSH	Proposed APSH	Factor of former value	Existing WPSH	Proposed WPSH	Factor of former value
210 (south-facing, first floor)	47%	34%	0.72	2%	2%	1
211 (" ")	51%	39%	0.76	3%	2%	0.67
212 (" ")	48%	36%	0.75	2%	2%	1
213 (south-facing, second floor)	59%	48%	0.81	8%	4%	0.5
214 (" ")	61%	48%	0.79	10%	4%	0.4
215 (" ")	62%	48%	0.77	11%	4%	0.36
216 (south-facing, third floor)	74%	61%	0.82	21%	11%	0.52
217 (" ")	75%	62%	0.83	22%	11%	0.5
218 (" ")	75%	62%	0.83	22%	11%	0.5
219 (south-facing, fourth floor)	81%	74%	0.91	28%	21%	0.75
221 (south-facing, first floor)	48%	36%	0.75	2%	1%	0.5
222 (south-facing, second floor)	61%	49%	0.8	11%	4%	0.36
223 (south-facing, third floor)	76%	63%	0.83	23%	11%	0.48

Table 11: Sunlight failure figures for 48-49 Great Sutton Street

- 10.109 Regarding sunlight, at first floor level and above, six windows would have an annual value difference of less than 0.8 (albeit not significantly less than), and no windows would receive less than 25% of annual probably sunlight hours. In terms of winter impacts, five windows would receive less than 5% of winter hours and would have a winter value difference of less than 0.8.

Daylight and sunlight summary

- 10.110 According to the applicant's testing, the majority of infringements against BRE daylight guidance would be minor. Difference values of 0.7 to 0.79 indicate that reductions in daylight would be noticed, however such reductions of between 20% to 30% are generally considered to be a lesser or minor infringement in dense urban areas such as this. It must also be noted that many of the affected habitable rooms are bedrooms, where BRE Guidance states that daylight is of less importance. Some of the affected rooms also have rooms on other elevations, and – if these had been fully taken into account by the applicant – lesser impacts on daylight may have been predicted. It must be noted, however, that some residents of flats in 13-14 Great Sutton Street currently keep curtains drawn behind some windows in order to overcome existing overlooking problems. The deletion of some massing from the rear of the proposed development at second floor level (Revision 2) has improved these impacts to a reasonable and acceptable level. Overall, it is recommended that the predicted impacts upon daylight be accepted.
- 10.111 Regarding sunlight, only one window definitely in residential use (window 6, which serves a third floor residential unit at 5-8 Great Sutton Street) would fail all (annual and winter) aspects of the APSH test. For the other tested windows, impacts are considered to be minor, due to failures being only marginally below the BRE's recommended value difference of 0.8, and/or because not all aspects of the APSH test would be breached (i.e., the BRE's standard for either annual or winter hours, but not both, would be breached). Some losses of sunlight would be experienced by occupants of neighbouring residential properties, however these losses are considered acceptable, and it is again noted that some adjacent properties currently have (and would continue to have) unusually high levels of amenity for such a central location. It is also again noted that the application site is located in a densely-developed part of the borough where some failures against BRE guidance can be accepted. It is not recommended that planning permission be refused on sunlight grounds.

Overshadowing

- 10.112 At paragraph 3.3.7 of the BRE guidance it is suggested that at least 50% of amenity areas should receive at least two hours of sunlight on 21st March, and that a two hours sun contour can be plotted on plans to illustrate a development's impact.
- 10.113 Despite the BRE guidance stating (at paragraph 3.3.3) that "The availability of sunlight should be checked for all open spaces where it will be required", the applicant at paragraph 4.6.1 of the updated Daylight and Sunlight Study has asserted that – as there are no nearby gardens or amenity areas directly to the north of the development – the proposed development would not create any new area which receive less than two hours of sunlight on 21st March. The applicant has not, therefore, carried out overshadowing testing.

- 10.114 While this lack of testing is regrettable, it is noted that the limited outdoor amenity spaces that do in fact exist close to the application site (namely, the roof terraces to the south and east sides of flat 4, 13-14 Great Sutton Street) are located such that they would continue to receive significant levels of natural light. The proposed fifth floor has been setback from the common boundary to limit impacts on these amenity spaces. Although some natural light would be lost, the unusually high level of amenity provided by these roof terraces (and the high level of amenity enjoyed by the residents of flat 4) limits the negative weight to be attached to this shortcoming.
- 10.115 Sunlight at street level is already limited, however some direct sunlight is likely to reach the road surface of Great Sutton Street in summer. The proposed development may result in some losses of this light, however this is considered unlikely to be so significant as to warrant refusal of permission.

Outlook

- 10.116 Outlook – the visual amenity provided by the immediate surroundings of a (usually residential) property, as experienced from its windows or outdoor spaces – can be affected by the close siting of another building or structure, which – depending on its proximity, size and appearance – can create an oppressive, increased sense of enclosure to the detriment of the amenities of rooms in a neighbouring property, particularly those of single aspect dwellings, or those that already have limited outlook. Outlook does not refer to views of a particular landmark or feature of interest, or long views over land not in the ownership of the viewer.
- 10.117 The proposed development would have greater height and massing than the two buildings it would replace. However, it would adhere to the site's existing front building line, and would be set back at fifth floor level. This part of Great Sutton Street has a façade-to-façade distance of approximately 10m. In this relatively densely-developed part of the borough, the proposed height and massing and resultant impact upon the outlook of residential properties to the north is not unusual, and is considered acceptable.
- 10.118 To the rear of the site, the yard's existing width (at ground floor level) of approximately 7.5m would be maintained. The proposed development, from second floor upwards, would be set back from the rear of the site boundary, and further setbacks are proposed at third, fourth and fifth floors. Given these setbacks, although neighbouring residents would look out onto greater massing than they currently do, it is not considered that the outlook of residential properties to the rear (south) would be significantly harmed by the proposed development. The rear yard would be more enclosed by the proposed development, however it is considered that this impact would not be so great as to warrant refusal of planning permission.
- 10.119 The southeast corner of the proposed development would extend beyond the rear building line of block A at 5-8 Great Sutton Street, however this rearward projection would not be significant at second floor upwards, where the neighbouring residential floors are located.



Image 7: existing third floor plan



Image 8: proposed third floor plan

10.120 To the west, habitable room windows and roof terraces face the application site. The proposed lightwell and setbacks, and the lower floor-to-ceiling height proposed for part of the fourth floor (although set behind a mock part of the front elevation at the site's northwest corner), would limit the massing along the site's western edge adjacent to 13-14 Great Sutton Street, however the proposed development would come slightly closer to these neighbouring windows and roof terraces and would rise higher than the existing building, and there would therefore be some loss of outlook which must weigh negatively in the balance of planning considerations relevant to this application. This negative weight, however, is limited by the fact that the abovementioned trimmed massing, lightwell and setbacks (including the significant setback at fifth floor level) would ensure that adverse impacts upon outlook would not be significant. It must also be noted that flat 4, 13-14 Great Sutton Street (a quadruple aspect duplex unit with roof terraces) has an unusually high level of amenity for such a central location, and that outlook from the roof terraces over the street and southwards would still be unobstructed. The two flats below would also continue to benefit from triple or quadruple aspect, and rear balconies.

10.121 Outlook from the non-residential buildings surrounding the application site would not be significantly affected by the proposed development, and in any case the amenities of such non-residential uses are not normally afforded the same level of protection as that appropriate to residential properties.

10.122 In summary, the proposed development would not be overbearing or lead to an unacceptable sense of enclosure for neighbouring occupiers, except – to an extent – in relation to 13-14 Great Sutton Street, where the impacts identified above must weigh negatively in the balance of planning considerations.

Privacy

10.123 Paragraph 2.14 of Islington's Development Management Policies states that "To protect privacy for residential development and existing residential properties, there should be a minimum distance of 18m between windows of habitable rooms. This does not apply across the public highway – overlooking across a public highway does not constitute an unacceptable loss of privacy". In the application of this policy,

consideration must be given to the nature of views between habitable rooms – for instance, where views between habitable rooms would be oblique as a result of angles or height differences between windows, there may be no harm.

- 10.124 Paragraph 2.3.36 of the Mayor of London's Housing SPG states that such minimum distances "can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density". This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor's guidance does not override Islington's Development Management Policies, and there remains a need to ensure that proposed developments maintain adequate levels of privacy for neighbouring residents.
- 10.125 The proposed development includes no residential accommodation or habitable rooms, therefore the 18m requirement does not necessarily apply. Nevertheless, there is potential for office windows to adversely affect the privacy of neighbouring residential properties.
- 10.126 For neighbouring residents to the north, the proposed development would increase the number of windows facing the street but would not bring office windows closer, and the façade-to-façade distance of approximately 10m would be maintained. It is therefore considered that the privacy of those properties – most of which are in non-residential use or are understood to be serviced apartments – would not be significantly reduced.
- 10.127 Residents to the south would look out onto an increased number of windows (as illustrated by images 5 and 6 in this report) and windows at levels where there currently are none. At parts of the site, proposed south-facing windows would come closer to neighbouring windows. Although this aspect of the proposed development raises the possibility of increased overlooking to the south, given the number of south-facing windows that already exist, and given likely hours that the proposed offices and the bedrooms opposite would be used (although it is noted that these hours would not be controlled), this risk and impact is not considered so great as to warrant refusal of planning permission.
- 10.128 To reduce overlooking of flats to the west at 13-14 Great Sutton Street, the applicant has proposed obscure glazing to six new windows (at second and fourth floors) that would face those existing residential habitable room windows, and no windows are proposed at third floor level, as illustrated in image 9 below. These measures are considered appropriate to ensure that the privacy of neighbouring residents is protected, and the retention of the obscure glazing would be secured by recommended condition 9.



Image 9: proposed west elevation



Photogra

- 10.129 Inset front balconies are proposed at first to fourth floors. These would not provide large areas for sitting out. The impacts of these outdoor spaces upon the amenities of properties to the north would be similar to those of the proposed front windows, and these impacts are similarly considered acceptable.
- 10.130 A roof terrace is proposed at second floor level at the rear of the proposed development, however this would not extend across the full width of the site to its southwest corner. A smaller roof terrace is proposed at third floor level at the site's southeast corner. Roof terraces are proposed at fifth floor level at the front and rear, and for these outdoor spaces 1.8m-high privacy screens are proposed approximately 5.5m away from the common boundary with 13-14 Great Sutton Street. Given the locations of the proposed terraces and privacy screens, given that parts of the roof of 9-10 Great Sutton Street are already used as a roof terrace by office staff, and given that conditions are recommended to ensure neighbouring amenity impacts are limited, it is considered that the proposed roof terraces are acceptable. Recommended condition 9 requires the retention of the abovementioned screening, condition 10 restricts the use of the roof terraces to the same weekday hours as those considered appropriate for the Farmiloe site on St John Street (and to fewer hours than those approved in 2013 for the existing roof terrace at 9-10 Great Sutton Street), and condition 16 restricts the use of the green roofs of the proposed development as outdoor amenity spaces for staff.

Light pollution

- 10.131 Residents have expressed concern that, given the proposed number and proximity of windows, light emanating from the proposed development (particular from the rear, affecting existing bedrooms surrounding the rear yard) would adversely affect neighbour amenity. It is noted that – for light pollution reasons – one resident of 13-14 Great Sutton Street already keeps curtains to her east-facing window closed when the existing offices are in use late at night.
- 10.132 Normal office hours are unlikely to require internal lighting of the proposed development late into the evenings, however – to enable flexible use of the proposed

office floorspace – it is not recommended that the hours of occupation of the development be restricted. This raises the possibility of late night light pollution occurring, should office staff need to work outside normal office hours. To address this, the applicant already proposes the use of daylight and occupancy sensors for the development's internal lighting, and blinds can additionally be used. Condition 8 requires the submission of details of such measures to address light pollution concerns.

Noise

- 10.133 The application site is located in an area subject to traffic noise. The area has a mix of commercial and residential uses located in close proximity to one another.
- 10.134 Although the proposed development would intensify the use of the site, the proposed development is not considered inappropriate in terms of the additional activity that would be introduced to the street and area, and the continued office use (and introduced retail use) of the site is considered appropriate, given the limited noise outbreak normally associated with such uses. Recommended condition 10 would limit noise nuisance related to the use of the proposed roof terraces. Additional sound insulation to 13-14 Great Sutton Street (beyond any that may be required under the Building Regulations) is not considered necessary.
- 10.135 To address potential noise caused by any rooftop plant that may be proposed in the future in relatively close proximity to residential uses, a condition is recommended. This relates to the provision of appropriate noise control measures (condition 27), to ensure that plant would not lead to unacceptable disturbance to neighbouring occupiers.

Other environmental impacts

- 10.136 It is acknowledged that – due to the constraints of the site, the narrowness and likely acoustics of Great Sutton Street and the yard behind the site, and the proximity of residential properties and other sensitive uses – there is certainly potential for demolition and construction works to significantly impact upon the amenities of neighbouring occupants.
- 10.137 To address potential disturbance and environmental impacts during construction (the duration of which has not been – and is not required to be – specified by the applicant), a condition (condition 24) is recommended requiring the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) to address noise, dust and other potential environmental impacts. The CEMP will also need to account for potential cumulative impacts, should any planning permissions for developments at nearby sites (such as the Hat and Feathers PH site) be implemented or progressed at the same time.
- 10.138 The Section 106 agreement referred to in Appendix A would ensure that construction is carried out in compliance with the Code of Construction Practice. Outside planning control there are further controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.
- 10.139 Neighbouring commercial and residential occupants have made differing comments as to what hours of works would be appropriate. The council's Code of Construction

Practice normally restricts noisy works to between 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays to ensure amenity impacts are limited. The comments of the television production company (Zig Zag) at 13-14 Great Sutton Street are noted, however the suggested overnight and weekend hours of works would significantly and unacceptably impact upon neighbouring residential amenity.

- 10.140 Although adjacent outdoor spaces (the street and rear yard) are narrow, given the proposed height of the proposed development, problems related to wind are not expected.

Neighbour amenity summary

- 10.141 The cumulative impacts caused by the proposed development must also be considered. Where a neighbouring property is predicted to lose natural light, that impact may be compounded or more acutely felt if the same property would also lose (or has limited) outlook, for example.
- 10.142 Regard must also be had, however, to the application site's central, dense location, where it is reasonable to assume expectations of unusually high levels of amenity would be lower than in less dense, suburban areas. In this context, and given the need to ensure efficient and optimised use of accessible sites, it is considered that some infringements of standards and requirements set out in relevant planning policies and guidance could be accepted. This reduces the weight to be attached to the proposed development's adverse impacts identified above.
- 10.143 Given the above assessment, while it is noted that the proposed development would cause some adverse impacts that must weigh negatively in the balance of planning considerations, it is not considered that they – either individually or cumulatively – are so significant as to warrant refusal of permission on neighbour amenity grounds. Many of the identified impacts are limited by site circumstances such as the unusually high levels of amenity provided by some neighbouring properties. Overall, a good level of neighbour amenity would be maintained by the proposed development. On the basis of this assessment, refusal of permission is not recommended on amenity grounds, however conditions and Section 106 clauses will need to be applied to protect amenity during both the development's demolition/construction and operational phases.

Financial Viability

- 10.144 At pre-application stage officers advised the applicant that no weight can be given to arguments for policy non-compliance on cost grounds unless financial viability information is submitted. No such information has been submitted with the current application.

Sustainability, Energy Efficiency and Renewable Energy

- 10.145 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.
- 10.146 Further planning policies relevant to sustainability are set out in chapter 5 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.

- 10.147 The council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Carbon dioxide calculations must include unregulated, as well as regulated, emissions, in accordance with Islington's policies.
- 10.148 Islington's Core Strategy policy CS10 (part A) states that all major development should achieve an on-site reduction in total (regulated and unregulated) carbon dioxide emissions of at least 40% in comparison with total emissions from a building which complies with the Building Regulations 2006, unless it can be demonstrated that such provision is not feasible. This 40% saving is equivalent to a 30% saving compared with the 2010 Building Regulations, and 27% compared with the 2013 Building Regulations. A higher saving (50% in comparison with total emissions from a building which complies with the Building Regulations 2006, which translates into a 39% saving compared with the 2013 Building Regulations) is required of major development in areas where connection to a decentralised energy network (DEN) is possible. Development Management Policy DM7.3 requires all major developments to be designed to be able to connect to a DEN, and connection is required if a major development site is within 500m of an existing or a planned future DEN.
- 10.149 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

Carbon dioxide emissions

- 10.150 The applicant's Energy and Sustainability Statement (Mecserve, issue 4.0, August 2016) and subsequent responses dated 08/12/2016, 13/02/2017 and 20/06/2017 confirm that the proposed development would achieve a reduction in regulated CO₂ emissions of 38.5% against the 2013 Building Regulations, and is therefore compliant with the relevant London Plan policy. For total (regulated and unregulated) emissions, a 29.4% reduction against the 2013 Building Regulations would be achieved, meeting the 27% saving required by Islington's policies (note that the 27% requirement, rather than the 39% requirement, is applicable as it is accepted that the development cannot connect to a DEN). This saving would be achieved through lowering U-values, improved airtightness, the installation of PV at roof level and other measures. In the light of comments from the council's Energy Conservation Officer, and given the constraints of the site, it is accepted that a greater saving could not be achieved.

- 10.151 Remaining carbon dioxide emissions would need to be offset with a payment of £53,820. It is recommended that this be included in a Section 106 agreement associated with any permission granted for the proposed development.
- 10.152 The Bunhill decentralised energy network (DEN) currently extends to within 150m of the application site. The applicant was therefore advised at pre-application stage that connection would be required. At application stage, however, the applicant explained that the proposed development would generate very little heating and hot water demand, that the efficiency of the proposed heating system is very high, and that the carbon emission rate of the DEN would not be significantly lower than that of the proposed on-site solutions (which include air source heat pumps). On the basis of this information, the council's Energy Conservation Officer has accepted that the proposed development's heat loads are too low to enable a viable connection to the DEN. It must be noted, however, that this conclusion has been based on technical viability information, rather than financial viability considerations (which cannot be taken into account without the submission of financial viability information by the applicant). It is recommended that future-proofing of the proposed development for future connection to the DEN be addressed and secured via the necessary Section 106 agreement. The applicant has confirmed that sufficient space can be reserved at basement level for the heat exchange plates and pipework required for future connection.
- 10.153 Given that no connection to the DEN is proposed, the applicant was required to explore the potential for a Shared Heating Network (SHN) linking nearby developments and/or existing buildings, as required by part D of Development Management Policy DM7.3. The applicant has provided information regarding the proposed development and its low heat demand, and the lack of sources of surplus heat in the surrounding area. This has been accepted by the Energy Conservation Officer as adequate justification for not establishing an SHN in connection with the proposed development.
- 10.154 In accordance with a request from officers, an Overheating Assessment, providing details of dynamic thermal modelling of the proposed development, was submitted by the applicant on 08/06/2017. The findings of this document are accepted.
- 10.155 Mechanical (active) cooling is proposed by the applicant. This would comprise reversible air source heat pumps. The use of active cooling is not usually supported unless evidence is provided to demonstrate that technologies from the higher levels of the London Plan cooling hierarchy cannot deliver sufficient heat control. The applicant has, however, submitted details of the passive cooling measures proposed as part of the development, and has argued that there would still be a residual risk of overheating that necessitates active cooling. The council's Energy Conservation Officer has accepted this argument, and it is noted that a high-efficiency active cooling system has been specified by the applicant.

Sustainability

- 10.156 The applicant proposes various measures in relation to sustainability and relevant planning policies, including a blue roof with a green roof surface at the top of the building, blue roofs beneath the proposed roof terraces, and measures relating to water efficiency. The applicant proposes to achieve BREEAM "Excellent", and a condition securing this is recommended (condition 21).
- 10.157 Additional commitments relating to sustainable materials were set out in the applicant's response (received 08/12/2016) to the Sustainability Officer's comments, and this response document is listed in condition 2 to ensure its commitments are secured. A

further condition (3) is recommended to secure the submission and approval of a Green Procurement Plan.

- 10.158 It is also recommended that the applicant be required (via a Section 106 agreement) to sign up to Islington's Code of Construction Practice.
- 10.159 A draft Green Performance Plan (GPP) has been submitted with the application. This is considered to be acceptable as a draft, however a full GPP would need to be secured via a Section 106 agreement.

Trees, landscaping and biodiversity

- 10.160 The application site has no trees, and there are no street trees immediately outside the site. The applicant's ecological site walkover report found that the site has negligible potential for breeding birds or bats, that the site's potential for protected species was negligible or none, and that the redevelopment of the site would have no impact on biodiversity.
- 10.161 Measures to increase the site's currently-limited biodiversity interest, including through the installation of log piles for invertebrates, and bird and bat boxes, are secured by recommended condition 15.
- 10.162 The submitted roof plan shows areas of green roof. In the response document received on 08/12/2016 the applicant confirmed that the green roof would extend beneath the PV array. A condition (condition 16) is recommended, requiring the maximisation of green roof provision, and requiring the green roofs to meet the council's standard requirements as set out in Islington's Environmental Design SPD. There is otherwise little scope for significant soft landscaping as part of the proposed development.

Drainage

- 10.163 The applicant's submission lacked detail regarding sustainable urban drainage. Development Management Policy DM6.6 requires major developments to incorporate Sustainable Urban Drainage Systems (SUDS) and to be designed to reduce flow to a "greenfield rate" of run-off (8 litres/second/hectare) where feasible. Where it is demonstrated that a greenfield run-off rate is not feasible, rates should be minimised as far as possible, and the maximum permitted run-off rate will be 50 litres/second/hectare (l/s/ha).
- 10.164 The applicant suggested that these matters be dealt with at conditions stage, however officers have consistently argued that drainage is a key consideration that should have informed the design of the proposed development, and it is noted that other applicants have experienced difficulty in meeting the requirements of policy DM6.6 at a later design stage. The applicant submitted a Storm Water Management report (IWS Design, issue 04, June 2017) on 28/06/2017. This states that a run-off rate of 35l/s/ha would be achieved, which exceeds the target greenfield run-off rate, but is within the upper limit (50l/s/ha) of policy DM6.6. This is considered acceptable given the constraints of the site, and it is accepted that a better run-off rate cannot be achieved in this particular case. It is noted that the proposed development would reduce the extent of the site covered by impermeable surfaces, and that the proposed green and blue roofs would certainly improve the site's existing run-off rate which is very poor. A condition (17) securing the applicant's proposed drainage measures (and run-off rate of 35l/s/ha) is recommended.

- 10.165 The improved run-off rate would go some way towards addressing the comments of Thames Water regarding surface water and ground water discharge.

Highways and Transportation

- 10.166 Policies relevant to highways and transportation are set out in section 4 of the NPPF and chapter 6 of the London Plan. Islington's Core Strategy policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Detailed transport policies are set out in chapter 8 of Islington's Development Management Policies.

Existing conditions

- 10.167 Great Sutton Street subject to a 20mph speed limit and is a one-way street, with vehicular traffic moving east to west. There are pavements on both sides of the street.
- 10.168 Double yellow lines exist directly outside the application site, and there are single yellow lines, residents' parking / pay-at-machine and solo motorcycle parking spaces along Great Sutton Street's north kerb. The site is within a Controlled Parking Zone.
- 10.169 The site has a Public Transport Accessibility Level (PTAL) of 6b. There are bus stops nearby on Goswell Road and Clerkenwell Road. The nearest tube/railway stations are Barbican and Farringdon. A cycle lane has been marked along stretches of Clerkenwell Road.
- 10.170 Both the application site's buildings back onto a rear yard which has vehicular access from Clerkenwell Road and Berry Street, and from which several neighbouring buildings can be serviced. There are no dropped kerbs directly outside the site on Great Sutton Street.
- 10.171 There are bollards along Great Sutton Street's south pavement, directly outside the application site.

Trip generation, parking and cycle parking

- 10.172 The applicant's Transport Statement details the transportation and highways implications of the proposed development.
- 10.173 In terms of person trip generation, the applicant's consultant expects there to be no material change in numbers associated with the proposed B1 use, given what the consultant considers to be a minimal increase in floor area. Although this conclusion was made prior to the applicant's amendments and corrections to floorspace figures, officers are of view that – noting the potential employee numbers outlined earlier in this report – the consultant's conclusions remain largely valid. For the proposed A1 retail space, the consultant concluded that the majority of trips would be of a pass-by or linked nature, that the majority of these trips are expected to already be taking place in the vicinity, and that the A1 retail use is unlikely to have any impact in transport terms. Although officers note that some A1 uses can be unique and/or specialist destinations that attract large numbers of customers from a large catchment area, the scenario predicted by the applicant's consultant is considered more likely, and person trips are not likely to significantly increase, should the proposed development be built.
- 10.174 The applicant did not provide a full assessment (including predicted numbers for each mode of transport) of vehicular trip generation for the proposed development, but noted

that there would be some vehicle activity associated with the development, and that the increased number of trips would be so low as to be imperceptible. Officers agree with this conclusion. While predicted numbers of trips and a modal breakdown would have been useful, given the relatively small increases in floorspace proposed, and the likely increases in employment numbers, it is not considered necessary to require detailed trip generation information at this stage. Given existing conditions around the site, the site's public transport accessibility, and the applicant's proposals for on-site cycle parking (and no on-site car parking), it is considered that the majority of trips to and from the proposed business floorspace would involve sustainable modes of transport. It is further considered that the proposed development would have little, if any, additional adverse impact on local highways and public transport.

- 10.175 The proposed development would be car-free in accordance with Core Strategy policy CS10 and Development Management Policy DM8.5. Accessible parking is discussed earlier in this report.
- 10.176 At basement level a store for 20 cycles and one accessible cycle is proposed, adjacent to lockers and two showers. At ground floor level a separate store, accommodating six cycles and one accessible cycle, is proposed. In accordance with the standards set out at Appendix 6 of the Development Management Policies, for 1,756sqm (GIA) of B1 office floorspace, 22 cycle spaces and one accessible cycle parking space would be required. For the proposed 272sqm (GIA) of A1 retail floorspace, five cycle spaces and one accessible cycle parking space would be required. Both stores would be accessible from the street or via the proposed lift, and would be covered and secure. The proposed shower and changing facilities are considered acceptable, although clarification is needed as to whether these would be accessible to staff of the A1 retail unit. This matter and the small shortfall in cycle parking spaces for the B1 office use can be addressed via recommended condition 13, which also secures the overall provision of the cycle stores and facilities. TfL have asked for short-stay cycle parking spaces to be provided on-street or in a publicly-accessible area, however cycle parking hoops are already available outside 36-43 Great Sutton Street, and there is little or no space available closer to the application site where additional facilities could be provided without causing obstruction to pedestrians. The proposed internal lift (which would be used by office staff to access the basement cycle store) would be 1400mm by 2000mm which is smaller than the 1200mm by 2300mm required by TfL, and recommended condition 13 requires an increase in the size of the lift.
- 10.177 A draft Workplace Travel Plan has been submitted. This would encourage the use of more sustainable modes of transport. It is recommended that a requirement for a detailed, updated travel plan be included in a Section 106 agreement associated with any permission granted for the proposed development.

Other highways considerations

- 10.178 It is likely that footway and highway reinstatement works would be necessary following completion of the proposed development. This matter is referred to in the recommended Section 106 Heads of Terms.
- 10.179 The quality of the existing pedestrian environment surrounding the application site has been assessed by the applicant's consultant using Pedestrian Environment Review System (PERS) methodology, and the findings are set out in a standalone document. Although the consultant generally found the pedestrian environment to be positive, some deficiencies were noted, and these findings could inform future decisions as to where CIL moneys associated with the proposed development could be spent.

- 10.180 It is recommended that a Demolition and Construction Management and Logistics Plan (DCMLP) be secured by condition (23). This would additionally need to account for potential cumulative impacts and logistics implications, should any planning permissions for developments at nearby sites (such as the Hat and Feathers PH site) be implemented or progressed at the same time.

Servicing

- 10.181 The applicant's Transport Statement states that the yard to the rear of the application site is currently used infrequently for servicing, with most servicing carried out on-street from Berry Street and Great Sutton Street. The yard, however, can accommodate vehicles as large as 3.5t vans.
- 10.182 The applicant has states that servicing of the proposed development would be undertaken "on-site and on-street, as per the existing situation". As the proposed building would occupy all of the site, it is not clear how servicing could be carried out "on-site" and it is understood that this actually refers to servicing from the rear yard. The applicant predicts that deliveries will be undertaken predominantly by motorcycle, light panel vans or box vans, and that the proposed development would generate approximately three to four office deliveries per day. The proposed retail floorspace is predicted to generate an average of approximately one or two deliveries per day. The applicant believes these deliveries do not represent a material increase in comparison to the existing situation, and that there will be little or no material impact on the surrounding highway network. Officers agree with this conclusion, and it is noted that future servicing from the rear yard can be carried out with vehicles arriving and exiting in a forward gear, and that limited on-street servicing from legally parked vehicles is unlikely to adversely affect highway safety or neighbour amenity. It is, however, recommended that the submission, approval and implementation of a Delivery and Servicing Management Plan (DSMP) including a Waste Management Plan (WMP) be secured by condition (25). The risk of conflicts between servicing vehicles and buses using the bus stop on Clerkenwell Road is unlikely to be worsened by the proposed development, however this matter would be considered further when a submission is made pursuant to condition 25.
- 10.183 The proposed refuse and recycling stores are considered adequate, and are compliant with the council's current Recycling and Refuse Storage Requirements (June 2013). The stores are adequately sized to ensure that waste need not be stored outside in the rear yard. Both the office and retail stores would be located at ground floor level, and both would be accessed from the same corridor – this means that staff of the retail unit would have to bring waste out of the building and in through the office reception or back door, which is not ideal, and an amending condition (26) is recommended, requiring the provision of direct internal access to the retail unit's store.

Fire Safety

- 10.184 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire.
- 10.185 The London Fire and Emergency Planning Authority and the council's Building Control team have commented on the proposed development. Neither consultee has raised an objection to the proposed development in principle. It is noted that fire brigade access to more than 15% of the site's perimeter (from the street) would be available, and that a protected firefighting shaft (core) is not required as no floor level is proposed above

18m (above street level). The proposed refuse/recycling and mobility scooter stores will need fire-rated enclosure and appropriate ventilation to the outside. The proposed external materials for the new building's elevations are not known to be flammable.

- 10.186 Queries have been raised, however, regarding means of escape (an alternative means of escape is required for every storey above 11m), the required separation of the single staircase between basement and ground level (the main staircase should not extend down to basement level), and the extent of unprotected area (justification and calculation will be required in relation to the extent of unprotected area in the proposed front elevation in relation to the street's width). Although these are matters relevant to the Building Regulations, their solutions may have implications relevant to planning, and the applicant's response is awaited. An informative (6), advising the applicant to contact the council's Building Control team in relation to fire safety, and to refer to the comments of the London Fire and Emergency Planning Authority dated 07/11/2016 (in which advice regarding the use of sprinklers was provided), is recommended.

Contaminated Land and Air Quality

- 10.187 Parts of the site have previously been in industrial use. The applicant's Phase 1 Desk Top Study confirms that previous uses since 1877 included factories and engineers' premises.
- 10.188 The council's Pollution Team noted that the site is covered in hardstanding, and that the proposed development does not include residential use and would not change the sensitivity of the receptors at this site. The applicant's Phase 1 Desk Top Study recommends that a watching brief is kept during demolition and ground works, however the council's Pollution Team did not recommend conditions related to contaminated land.
- 10.189 The whole of the borough has been designated by the council as an Air Quality Management Area. It is recommended that, for the proposed development's construction phase, the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including in relation to air quality, dust, smoke and odour) be secured by condition (condition 24). This would help ensure that the proposal would not detrimentally impact upon the amenity of the neighbouring occupiers with regard to air quality. Emissions from non-road mobile machinery would also need to be addressed in submissions made pursuant to condition 24.
- 10.190 The proposed development includes no on-site combined heat and power (CHP) facility or other potentially significant source of air pollution. For the development's operational phase, therefore, it is considered that conditions controlling emissions are not necessary. The council's Pollution Team has not recommended amendments or a condition relating to staff exposure to poor quality air.

Planning Obligations, Community Infrastructure Levy and Local Finance Considerations

Community Infrastructure Levy

- 10.191 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the

Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.192 Islington CIL of £61,912.16, and Mayoral CIL of £35,773.99, would be payable in relation to the proposed development.

Section 106 agreement

10.193 Prior to and following the amendment of the proposals, officers advised the applicant that a Section 106 agreement including relevant Heads of Terms would be necessary in order to mitigate the impacts of the proposed development. The necessary Heads of Terms are:

- Payment towards employment and training for local residents of a commuted sum of £3,780.
- A contribution towards Crossrail of £63,960 (from which the abovementioned Mayoral CIL would be deducted).
- A contribution towards provision of off-site affordable housing of £45,120.
- The repair and reinstatement 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. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of one work placement. The placement must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage. If this placement is not provided, a fee of £5,000 to be paid to the council.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,028, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of one additional accessible parking bay or a contribution towards bays or other accessible transport initiatives of £2,000.
- A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total amount: £53,820.
- Future-proofing of any on-site heating/hot water system so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Submission of a draft full Travel Plan for council approval prior to occupation, and of a full Travel Plan for council approval six months from first occupation of the development or phase (provision of Travel Plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

- 10.194 All payments to the council would be index-linked from the date of Committee and would be due upon implementation of the planning permission.
- 10.195 On 29/06/2017 the applicant's agent agreed to the drafting of a Section 106 agreement based on the above Heads of Terms.

National Planning Policy Framework

- 10.196 Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin decision-taking. The current proposal is strong in relation to the principles relating to the reuse of land, promoting mixed-use development and achieving high quality design. With the recommended conditions and Section 106 agreement, the proposed development would go some way towards addressing the NPPF's core principle related to addressing climate change. The proposal is not considered to be fully compliant in relation to the principle relating to achieving a good standard of amenity for existing occupants.
- 10.197 In the final balance of planning considerations set out below, officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

Other Matters

- 10.198 Given that the applicant no longer proposes excavation of the site, the submission and assessment of details explaining how the proposed development would comply with the council's Basement Development SPD is not necessary. If, however, it transpires that the applicant's proposals need to change, and should excavation need to be carried out, recommended condition 20 would require details of these works to enable proper consideration of the likely impacts where relevant to planning, including in relation to the comments of Thames Water regarding piling.
- 10.199 The impact of the proposed development upon adjacent property values is not a material planning consideration, and planning permission cannot be withheld on these grounds.
- 10.200 Any damage to neighbouring properties during demolition and construction work is primarily a civil matter to be resolved by the parties involved, however recommended condition 23 requires the submission of a Demolition and Construction Management and Logistics Plan. This should ensure the developer gives consideration to the risk of damage to neighbouring property.
- 10.201 Party wall matters, and the costs involved in any necessary surveys, are not material planning considerations.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The benefits of the proposed development must be noted. These include the re-use of an underused site, the replacement of the existing floorspace with a higher quality, more accessible and more flexible employment space (and an uplift in office floorspace of 282sqm GIA, 117sqm NIA), the provision of a ground floor A1 retail unit with an active frontage, and the reduction of impermeable surfaces at the site. CIL

contributions towards transport and other infrastructure, although required in order to mitigate the impacts of the development, would also benefit existing residents and visitors to the area. A financial contribution towards affordable housing in the borough, and a construction-phase work placement, would be secured through a Section 106 agreement.

- 11.2 These benefits must, however, be weighed against the shortcomings of the proposed development, the material harm that the proposed development would cause, and the development's non-compliance with development plan policies. Officers' primary concerns relate to the impacts of the proposed development upon the amenities of some neighbouring properties, and the quality of the B1 office accommodation in the basement.
- 11.3 The comments made by residents and neighbouring businesses have been considered, as have responses from consultee bodies.
- 11.4 It must be noted that the statutory starting point in the council's assessment of planning applications is to assess them against all relevant Development Plan policies and other material considerations, then to determine them in accordance with the plan as a whole unless material considerations indicate otherwise.
- 11.5 In this case, the benefits of the proposed development (as amended) have been given due consideration, and are considered to outweigh those shortcomings of the development which cannot be adequately mitigated through the use of conditions and the provisions of a Section 106 agreement.
- 11.6 In conclusion, given the proposed development's adequate level of compliance with planning policies (including those of the NPPF and the London Plan), it is recommended that planning permission be granted.

Conclusion

- 11.7 It is recommended that planning permission be granted subject to conditions and Section 106 agreement Heads of Terms as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- Payment towards employment and training for local residents of a commuted sum of £3,780.
- A contribution towards Crossrail of £63,960 (from which Mayoral CIL would be deducted).
- A contribution towards provision of off-site affordable housing of £45,120.
- The repair and reinstatement 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. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of one work placement. The placement must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage. If this placement is not provided, a fee of £5,000 to be paid to the council.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,028, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of one additional accessible parking bay or a contribution towards bays or other accessible transport initiatives of £2,000.
- A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total amount: £53,820.
- Future-proofing of any on-site heating/hot water system so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Submission of a draft full Travel Plan for council approval prior to occupation, and of a full Travel Plan for council approval six months from first occupation of the development or phase (provision of Travel Plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

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:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans and documents list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>G100_P_00_003 G100_P_AL_001 G200-P-B1-001 rev H G200-P-00-001 rev H G200-P-01-001 rev J G200-P-02-001 rev J G200-P-03-001 rev J G200-P-04-001 rev F G200-P-05-001 rev F G200-P-RF-001 rev F G200_E_N_001 rev A G200_E_S_001 rev A G200_E_W_001 rev A G200_E_E_001 rev A G200_S_AA_001 rev B G200_S_BB_001 rev A</p> <p>Schedules of Areas – Proposed (rev B, Squire and Partners, 01/06/2017) Planning Statement (Savills, August 2016) Design and Access Statement (Squire and Partners, August 2016) Daylight and Sunlight Study (Right of Light Consulting, 08/06/2017)</p>

	<p>Transport Statement (TTP Consulting, August 2016)</p> <p>PERS Audit (TTP Consulting, October 2016)</p> <p>Draft Workplace Travel Plan (TTP Consulting, August 2016)</p> <p>Delivery and Servicing Plan (TTP Consulting, August 2016)</p> <p>Construction Management and Site Waste Management Plans (Clancy Consulting, 19/08/2016)</p> <p>Historic Environment Assessment (MoLA, January 2017)</p> <p>Structural Engineers Report (Sinclair Johnston, May 2017)</p> <p>Energy and Sustainability Statement (Mecserve, issue 4.0, August 2016) as amended by Response to Sustainability Officer Comments (Mecserve, received 08/12/2016) email from Aimee Squires (Savills, 13/02/2017, 12:45) and Further Response to Energy Officer's Comments (Mecserve, received 20/06/2017)</p> <p>Overheating Assessment (Mecserve, issue 02, June 2017)</p> <p>Storm Water Management report (IWS Design Limited, issue 04, June 2017)</p> <p>Ecological Site Walkover Letter Report (Greengage, 04/10/2016)</p> <p>Utilities Statement (Mecserve, August 2016)</p> <p>HIA Screening document (undated)</p> <p>Phase I Desk Top Study (Chelmer Consultancy Services, March 2016)</p> <p>REASON: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and samples (Details)</p> <p>CONDITION: A Green Procurement Plan for sourcing the materials to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste. The materials shall be procured and the development shall be carried out strictly in accordance with the Green Procurement Plan so approved.</p> <p>Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details and samples shall include:</p> <ul style="list-style-type: none"> a) brickwork, bond (to be Flemish or English) and mortar courses; b) special rubbed/carved bricks; c) white stone; d) metal cladding panels (including details of the edge and seams/gap treatments, method(s) of fixing, and any profiling); e) windows and doors; f) bronze balustrades; g) roofing materials; and h) any other materials to be used on the exterior of the development. <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and contributes positively to the significance of heritage assets in accordance with</p>

	<p>policies 5.3, 7.4, 7.5, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS7, CS9 and CS10 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1, DM2.3 and DM7.4 of Islington's Development Management Policies 2013.</p>
4	<p>Roof-level structures (Details)</p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene, the character and appearance of the area, or the settings and significance of heritage assets in accordance with policies 7.4, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS7 and CS9 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
5	<p>Window and door reveals (Compliance)</p> <p>CONDITION: All windows and doors in elevations other than the front elevation of the development hereby approved shall be set within reveals no less than 200mm deep unless otherwise agreed in writing by the Local Planning Authority. Windows and doors in the front elevation of the development hereby approved shall be set within deeper reveals as shown in the drawings and images hereby approved.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard, to ensure sufficient articulation in the elevations, and to ensure that the development enhances the settings and significance of heritage assets in accordance with policies 7.4, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS7 and CS9 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
6	<p>External pipes, cables and CCTV (Compliance and Details)</p> <p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>Notwithstanding the drawings hereby approved, no CCTV cameras or related equipment and installations are hereby approved.</p>

	<p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard, and to ensure that the development enhances the settings and significance of heritage assets in accordance with policies 7.4, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS7 and CS9 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
7	<p>Shopfront display (Compliance)</p> <p>CONDITION: The ground floor glazing to the front elevation of the development hereby approved shall not be painted, tinted or otherwise made obscure, and fixtures and fittings which may obscure visibility above a height of 1.4m above finished floor level shall not be placed within 2m of the inside of the window glass unless otherwise agreed in writing by the Local Planning Authority.</p> <p>No fixtures, fittings or window display items shall be placed over the rooflights (serving the basement office floorspace) to the floor of the ground floor A1 retail unit hereby approved.</p> <p>REASON: In the interests of pedestrian security, to secure passive surveillance, to secure and appropriate street / public realm frontage and appearance, to prevent the creation of dead / inactive frontages, and to ensure natural light reaches the basement office floorspace in accordance with policies 7.1, 7.3, 7.4, 7.5 and 7.6 of the London Plan 2016, policies CS7, CS8 and CS9 of Islington's Core Strategy 2011, policies BC7 and BC8 of the Finsbury Local Plan 2013 and policies DM2.1 and DM4.8 of Islington's Development Management Policies 2013.</p>
8	<p>Security and general lighting (Details)</p> <p>CONDITION: Notwithstanding the approved drawings listed under condition 2, details of general or security outdoor lighting (including full specification of all luminaries, lamps and support structures) and measures to prevent losses of amenity caused by internal illumination shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and future habitats from undue light-spill in accordance with policies 7.3, 7.5, 7.13 and 7.19 of the London Plan 2016, policies CS9, CS10 and CS15 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM6.5 of Islington's Development Management Policies 2013.</p>
9	<p>Obscure glazing and screening (Compliance)</p> <p>CONDITION: The obscure glazing to six west-facing windows and the 1.8 high screening to roof terraces shown on the drawings hereby approved shall be installed prior to first occupation, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local</p>

	<p>Planning Authority.</p> <p>REASON: To prevent overlooking of and loss of privacy to neighbouring residential properties, to ensure that the resulting appearance and construction of the development is to a high standard, and to ensure that the development is in accordance with policy 7.6 of the London Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
10	Roof terraces (Compliance)
	<p>CONDITION: The roof terraces of the development hereby approved shall not be used except between the hours of 09:00 and 19:00 Monday to Friday except in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To ensure that the amenity of neighbouring residential properties is not adversely affected in accordance with policies 7.6 and 7.15 of the London Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
11	Inclusive design – office and retail floorspace (Details)
	<p>CONDITION: Details including floorplans, sections and elevations of all office and retail floorspace at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development's business floorspace. The details shall include:</p> <ul style="list-style-type: none"> • accessible WC provision; • public entrances including sections showing level access, door furniture and manifestations to glazing; • space for the storage and charging of mobility scooters; • details of accessible changing facilities for staff; • details of evacuation arrangements for people with disabilities; and • details of how the development would comply with the relevant parts of the Inclusive Design in Islington SPD <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design in accordance with policy 7.2 of the London Plan 2016, policy CS12 of Islington's Core Strategy 2011, and policy DM2.2 of Islington's Development Management Policies 2013.</p>
12	Disabled parking bays (Details)
	<p>CONDITION: A survey identifying appropriate and available locations for additional disabled parking bays within the vicinity of the site shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved.</p> <p>REASON: To ensure adequate provision of parking for residents with disabilities in accordance with policy DM8.5 of Islington's Development Management Policies 2013.</p>
13	Cycle parking (Compliance)
	<p>CONDITION: Detailed drawings and specifications of the bicycle storage areas, the</p>

	<p>racks within them, and the lift providing access to the basement cycle storage area, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>The lift providing access to the basement cycle storage area shall have internal dimensions of not less than 1200mm by 2300mm.</p> <p>The bicycle storage areas, which shall be secure and provide for no less than 27 bicycle spaces (and additional space for accessible parking, the parking of trailers or tricycles, and the parking and charging of mobility scooters) shall be provided prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate and suitable 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 2016, policy CS10 of Islington's Core Strategy 2011, and policy DM8.4 of Islington's Development Management Policies 2013.</p>
14	Micro and small enterprises (Details)
	<p>CONDITION: Details, including floorplans, of business accommodation suitable for occupation by micro and small enterprises shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development's business floorspace. The details shall confirm that no less than 5% of the development's business floorspace shall be suitable for occupation by micro and small enterprises.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure adequate provision of business accommodation suitable for occupation by micro and small enterprises in accordance with policy BC8 of the Finsbury Local Plan 2013.</p>
15	Biodiversity enhancements (Details)
	<p>CONDITION: Details of bat and bird nesting boxes/bricks and log piles for invertebrates shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The details to be submitted and approved shall include the exact location, specification and design of the installations.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority. The boxes/bricks and log piles shall be installed prior to the first occupation of the development hereby approved.</p> <p>REASON: To ensure the development provides the maximum possible provision in respect of the creation of habitats and valuable areas for biodiversity in accordance with policy 7.19 of the London Plan 2016, policy CS15 of the Islington Core Strategy 2011 and policy DM6.5 of Islington's Development Management Policies</p>

	2013.
16	Green roofs (Details and Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, details of green roofs to the development hereby approved (including details of the extent of green roofs, and the species to be planted/seeded) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The green roofs shall:</p> <ul style="list-style-type: none"> • form biodiversity-based roofs with extensive substrate bases (depth 80-150mm); • cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and • be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. <p>An explanation as to why any areas of roof would not be covered with green roofs shall be included with the above details. Green roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level.</p> <p>The green roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to protect neighbouring privacy, and to ensure surface water run-off rates are reduced in accordance with policies 5.3, 5.10, 5.11, 5.13 and 7.19 of the London Plan 2016, policies CS10 and CS15 of Islington's Core Strategy 2011, and policies DM2.1, DM6.5, DM6.6 and DM7.1 of Islington's Development Management Policies 2013.</p>
17	Sustainable urban drainage (Details)
	<p>CONDITION: Measures to ensure the development shall achieve a surface water run-off rate no greater than 35 litres per second per hectare shall be implemented in full prior to occupation of the development, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development achieves appropriate surface water run-off rates in accordance with policy 5.13 of the London Plan 2016 and policy DM6.6 of Islington's Development Management Policies 2013.</p>
18	Archaeology – foundation design (Details)
	<p>CONDITION: No development shall take place until details of the final foundation design and construction method statement have been submitted to and approved in writing by the Local Planning Authority in consultation with Historic England.</p> <p>The development shall be carried out strictly in accordance with the details so</p>

	<p>approved, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: Heritage assets of archaeological interest may survive on the site and ground, foundation and construction works must be designed and implemented to minimise damage to such assets in accordance with section 12 of the National Planning Policy Framework, policy 7.8 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011 and policy DM2.3 of Islington's Development Management Policies 2013.</p>
19	<p>Archaeology – written scheme of investigation</p> <p>CONDITION: No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority in consultation with Historic England. No demolition or development shall take place other than in accordance with the approved WSI, which shall include a statement of significance and research objectives, and:</p> <ul style="list-style-type: none"> a) the programme and methodology of site investigation and recording and the nomination of (a) competent person(s) or organisation to undertake the agreed works; and b) the programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. <p>No development or demolition shall take place other than in accordance with the approved WSI.</p> <p>The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved WSI and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.</p> <p>REASON: Heritage assets of archaeological interest may survive on the site and it is appropriate to secure archaeological investigation in accordance with section 12 of the National Planning Policy Framework, policy 7.8 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011 and policy DM2.3 of Islington's Development Management Policies 2013.</p>
20	<p>Basement works – alternative proposals (Compliance and Details)</p> <p>CONDITION: The proposed basement and foundation works shall be carried out strictly in accordance with the Structural Engineer's Report (Sinclair Johnston, May 2017) unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Should alternative basement and foundation works (other than those set out in the Sinclair Johnston report dated May 2017) be proposed, no work shall commence until details of the alternative proposals have been submitted to and approved by the Local Planning Authority in consultation with (if the Local Planning Authority considers it necessary) Historic England and Thames Water.</p> <p>If considered necessary by the Local Planning Authority, the alternative proposals shall be accompanied by a Structural Method Statement, prepared by a Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E). The statement shall be written in accordance with the requirements of Chapter 6 (Site</p>

	<p>investigations to inform design) and appendix B of Islington's Basement Development SPD 2016.</p> <p>The development shall be carried out strictly in accordance with the details so approved, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>The certifying professional that endorsed the Structural Method Statement (or a suitably qualified person with relevant experience) shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design approved within the Structural Method Statement and by a Building Control body.</p> <p>REASON: Heritage assets of archaeological interest may survive on the site, ground, foundation and construction works must be designed and implemented to minimise damage to heritage assets, damage to infrastructure and contamination of water resources, and to ensure that structural stability has been evaluated by a suitably qualified and experienced professional in accordance with paragraph 120 and section 12 of the National Planning Policy Framework, policies 5.14, 5.21 and 7.8 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011 and policies DM2.3 and DM6.1 of Islington's Development Management Policies 2013.</p>
21	BREEAM (Compliance)
	<p>CONDITION: All office and retail floorspace within the development hereby approved shall achieve a BREEAM (2011) New Construction Scheme rating of no less than "Excellent".</p> <p>REASON: In the interests of sustainable development and addressing climate change in accordance with policies 5.2 and 5.3 of the London Plan 2016, policy CS10 of Islington's Core Strategy 2011 and policy DM7.4 of Islington's Development Management Policies 2013.</p>
22	Energy/carbon dioxide reduction (Compliance)
	<p>CONDITION: The proposed measures relevant to energy as set out in Energy and Sustainability Statement (Mecserve, issue 4.0, August 2016) as amended by Further Response to Energy Officer's Comments (Mecserve, received 20/06/2017) hereby approved which shall together provide for no less than a 29.4% on-site total (regulated and unregulated) carbon dioxide reduction in comparison with total emissions from a building which complies with Building Regulations 2013 shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainable development and to ensure that the Local Planning Authority may be satisfied that the carbon dioxide reduction target is met in accordance with policies 5.2, 5.3 and 5.7 of the London Plan 2016, policy CS10 of the Islington Core Strategy 2011, and policies DM7.1 and DM7.3 of Islington's Development Management Policies 2013.</p>
23	Demolition and Construction Management and Logistics Plan (Details)
	<p>CONDITION: No demolition shall take place unless and until an updated Demolition and Construction Management and Logistics Plan (DCMLP) has been submitted to</p>

	<p>and approved in writing by the Local Planning Authority in consultation with Transport for London.</p> <p>The development shall be carried out strictly in accordance with the approved DCMLP throughout the demolition and construction period.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development in accordance with policies 6.3 and 6.14 of the London Plan 2016 and policy DM8.6 of Islington's Development Management Policies 2013.</p>
24	Construction Environmental Management Plan (Details)
	<p>A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, emissions from non-road mobile machinery, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality, in accordance with policies 7.14 and 7.15 of the London Plan 2016, policy CS12 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
25	Delivery and Servicing Management Plan and Waste Management Plan (Details)
	<p>CONDITION: An updated Delivery and Servicing Management Plan (DSMP), including a Waste Management Plan (WSP), shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to the first occupation of the development.</p> <p>The DSMP shall include details of all servicing and delivery requirements, including details of how waste (including recyclable waste) would be transferred and collected, and shall confirm the timings of all deliveries and collections from service vehicles.</p> <p>The development shall be carried out strictly in accordance with the DSMP (including the WSP) so approved.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development in accordance with policies 5.16, 6.3 and 6.14 of the London Plan 2016, policy CS11 of Islington's Core Strategy 2011, and policies DM2.1 and DM8.6 of Islington's Development Management Policies 2013.</p>
26	Waste storage (Compliance)

	<p>CONDITION: The dedicated refuse/recycling stores hereby approved shall be provided prior to first occupation of the development hereby approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The retail unit hereby approved shall be provided with direct internal access to its refuse/recycling store, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the necessary physical waste storage to support the development is provided in accordance with policy 5.16 of the London Plan 2016, policy CS11 of Islington's Core Strategy 2011 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
27	<p>Plant noise (Compliance and Details)</p> <p>CONDITION: The design and installation of any new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90,T}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:2014.</p> <p>A report to demonstrate compliance with the above requirements and prepared by an appropriately experienced and qualified professional shall be submitted to and approved by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the scheme and report so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations in accordance with policy in accordance with policy 7.15 of the London Plan 2016, policy CS12 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>

List of Informatives:

1	Section 106 Agreement
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	Definition of 'Superstructure' and 'Practical Completion'
	A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations.

	The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington's Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the council at cil@islington.gov.uk. The council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Sustainable Sourcing of Materials
	Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
5	Thames Water
	Your attention is drawn to informatives and advice included in Thames Water's comments of 26/10/2016.
6	Fire Safety
	It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Andrew Marx on 020 7527 2045 or by email on andrew.marx@islington.gov.uk . You are also advised to refer to the comments of the London Fire and Emergency Planning Authority dated 07/11/2016.
7	Archaeology
	With regard to conditions 18 and 19, the foundation design of the development hereby approved is required to minimise disturbance of archaeological remains. The WSI will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's

Guidelines for Archaeological Projects in Greater London. Historic England have advised that conditions 18 and 19 are exempt from deemed discharge under Schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

APPENDIX 2 – RELEVANT POLICIES

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

1 National Guidance

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

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

2 Development Plan

The Development Plan comprises the London Plan 2016 (incorporating Minor Alterations), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) **The London Plan 2016 – Spatial Development Strategy for Greater London**

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

es

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 2.18 Green infrastructure: the network of open and green spaces

3 London's people

ople

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

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

Policy 3.16 Protection and enhancement of social infrastructure

4 London's economy

economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and

Policy 5.15 Water use and supplies

Policy 5.16 Waste net self-sufficiency

Policy 5.18 Construction, excavation and demolition waste

Policy 5.20 Aggregates

Policy 5.21 Contaminated land

6 London's transport

Policy 6.1 Strategic approach Policy

6.3 Assessing effects of development on transport capacity Policy 6.5

Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime neighbourhoods Policy 7.2 An inclusive environment Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and

offices
Policy 4.7 Retail and town centre development
Policy 4.10 New and emerging economic sectors
Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure

B) Islington Core Strategy 2011

Spatial Strategy

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

Strategic Policies

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

C) Islington's Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive design
DM2.3 Heritage
DM2.4 Protected views

Shops, culture and services

DM4.4 Promoting Islington's Town Centres

Employment

DM5.4 Size and affordability of

archaeology
Policy 7.9 Heritage-led regeneration
Policy 7.11 London View Management Framework
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 7.18 Protecting local open space and addressing local deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

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

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

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

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

workspace

DM9.3 Implementation

Health and open space

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

D) Finsbury Local Plan June 2013

BC7 Historic Clerkenwell

BC10 Implementation

BC8 Achieving a balanced mix of uses

BC9 Tall buildings and contextual considerations for building heights

3 Designations

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

Islington Local Plan	London Plan
Bunhill and Clerkenwell key area Employment Priority Area (General) Primary employment area Hat and Feathers Conservation Area Archaeological Priority Area	Central Activities Zone

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

The following SPGs and SPDs are relevant:

Islington Local Plan

- Conservation Area Design Guidelines (Hat and Feathers Conservation Area)
- Environmental Design SPD
- Inclusive Design in Islington SPD
- Islington Urban Design Guide SPD
- Planning Obligations (Section 106) SPD
- Streetbook SPD

London Plan

- Accessible London: Achieving an Inclusive Environment SPG
- Central Activities Zone SPG
- The Control of Dust and Emissions During Construction and Demolition SPG
- Crossrail Funding SPG
- London Planning Statement SPG
- London View Management Framework SPG

- Planning for Equality and Diversity in London SPG
- Shaping Neighbourhoods – Character and Context SPG
- Social Infrastructure SPG
- Sustainable Design and Construction SPG
- Use of Planning Obligations in the Funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG