

PLANNING COMMITTEE REPORT

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

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

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

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

1. RECOMMENDATION

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

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

2. SITE PLAN (SITE OUTLINED IN RED)

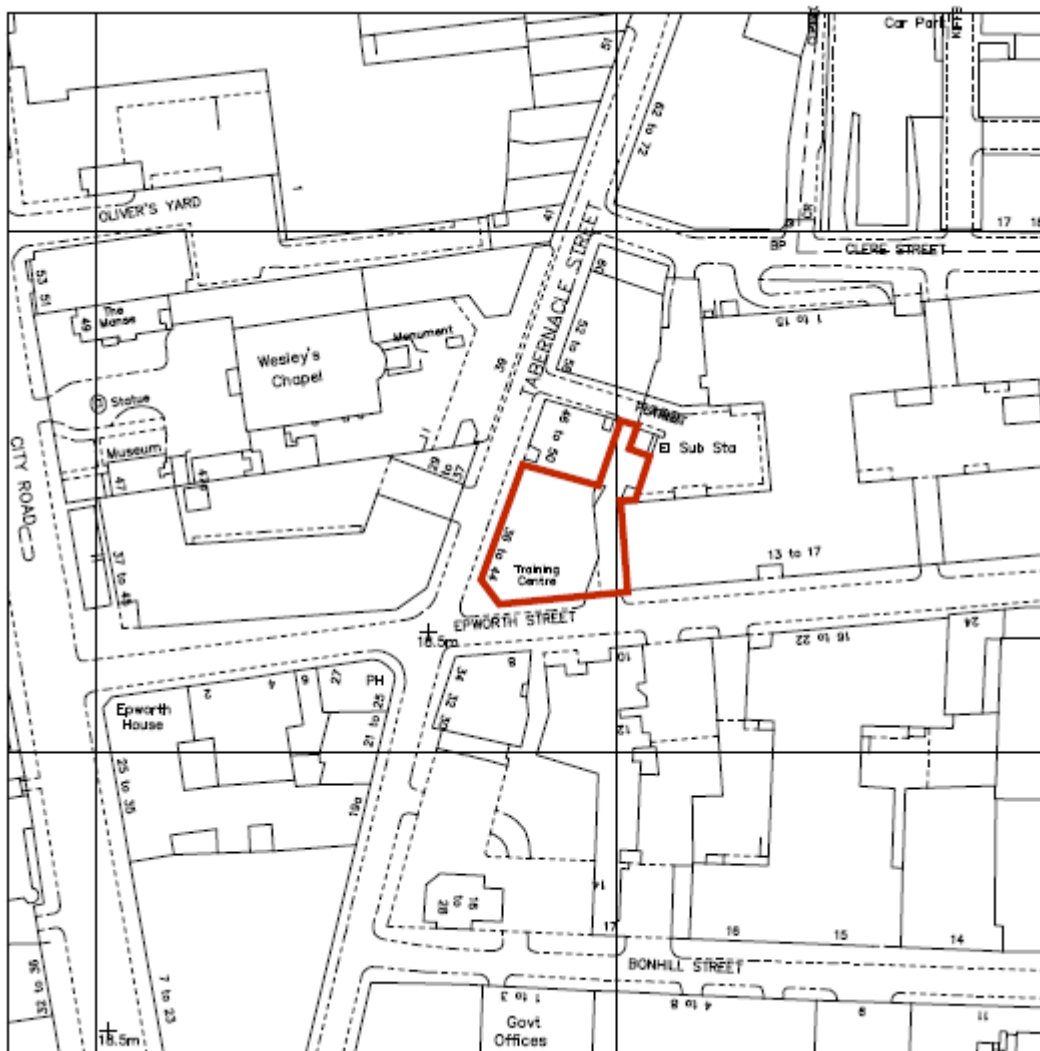


Fig.1 Site Plan

3. PHOTOS OF SITE/STREET



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



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



Fig 4: Epworth Street looking west



Fig 5: Looking North along Tabernacle Street



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



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

4. SUMMARY

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

5. SITE AND SURROUNDINGS

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

6. PROPOSAL

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



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

7. RELEVANT HISTORY:

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

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

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

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

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

8. PRE-APPLICATION ADVICE

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

9. CONSULTATION

Public Consultation

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

External Consultees

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

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

Internal Consultees

- 9.8 Inclusive Design Officer welcomed the provision of space for ambulant disabled cyclists, the provision of storage and charging facilities for mobility scooters and accessible shower and toilet facilities on the upper floors. Conditions attached to any planning permission will need to secure the following:
- Fully accessible shower and toilet facilities across all levels;
 - Sufficient toilet facilities for ambulant disabled occupiers and visitors
 - An emergency evacuation Strategy for the evacuation of disabled people.
- 9.9 Design and Conservation Team Manager notes that although the site is deliberately excluded from the conservation area boundary (given the appearance of the existing building), it is very much part of an area of a very defined character of Victorian warehouses with a strong established parapet line and consistent fenestration pattern. She acknowledges that the site is very sensitive being on the boundary of the Bunhill Fields/Finsbury Square Conservation Area and very close to the highly significant historic enclave of Wesley's Chapel. It is asserted that, although the demolition and replacement of the existing building is acceptable in principle, the design and appearance of the proposed building needs to positively respond to its strong surrounding character.

The Officer notes that the scheme appears to be very much in the same style and form as the consented scheme with the exception of an increase in height/bulk on the Epworth Street elevation. The officer concludes that in terms of impact on townscape, character and appearance and setting of heritage assets no objection is raised although this would be subject to satisfactory quality of materials and detailing being achieved on matters such as brick panels, window detail, soffits, roof structure, junction with adjoining buildings, facing materials and how masonry meets the ground.

- 9.10 Energy Conservation Officer currently objects seeking further improved U-values and Air Permeability for the building, exploration of use of passive features to reduce reliance on mechanical ventilation systems and further feasibility work into possible connection to District Energy Network (DEN) connection on first replacement of heating/cooling plant. An updated Energy statement has been provided in response to these matters and the update is currently being considered.
- 9.11 Street Environment Services Team indicated that the proposals were acceptable for waste and recycling collections.
- 9.12 Transport. The Transport Engineering Manager has responded by indicating that an arrangement set around refuse collection from Epworth Street and servicing only from Tabernacle Street would be acceptable and this would be achieved through the provision of a dedicated service bay.
- 9.13 The Council's Planning Policy, Public Protection and Sustainability Teams were consulted and have offered no comment at the time of writing of this report.

10.0 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

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

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

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

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

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

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

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

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

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

National Guidance

- 10.8 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 10.9 Since March 2014, Planning Practice Guidance for England has been published online.
- 10.10 **Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the development plan documents set down below.**

Development Plan

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

Designations

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

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Environmental Impact Assessment

10.14 No request for an Environmental Impact Assessment (EIA) scoping opinion was submitted, however the site is significantly less than 1 hectare in size and it is not in a sensitive area as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations (2017). As such the proposal is not considered to fall within the development categories of Schedule 1 or 2 of the EIA Regulations and an EIA is not considered necessary.

11 ASSESSMENT

11.1 The main issues arising from this proposal relate to:

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

Land Use

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

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

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

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

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

Design, Conservation and Heritage Considerations (including Archaeology)

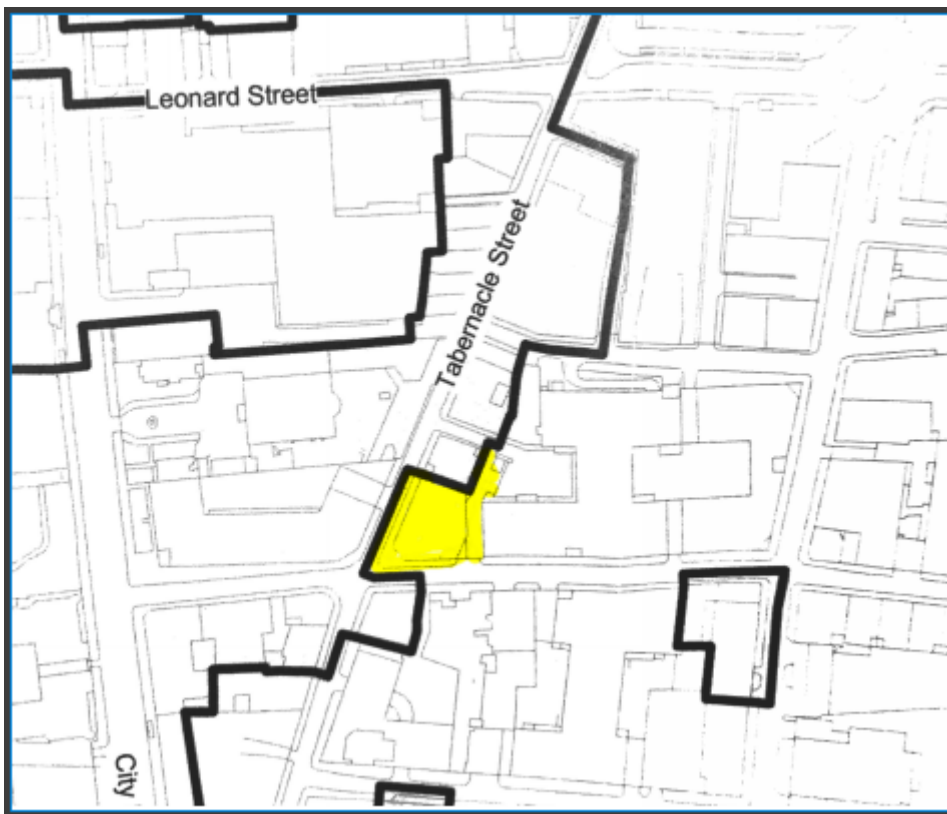


Figure 9: Bunhill Fields/Finsbury Square Conservation Area (west of app site)

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

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

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

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

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

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

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

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

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

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

Impact on Heritage Assets

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

Design and Appearance

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

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

Site layout and context

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

Height, bulk and massing

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

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

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

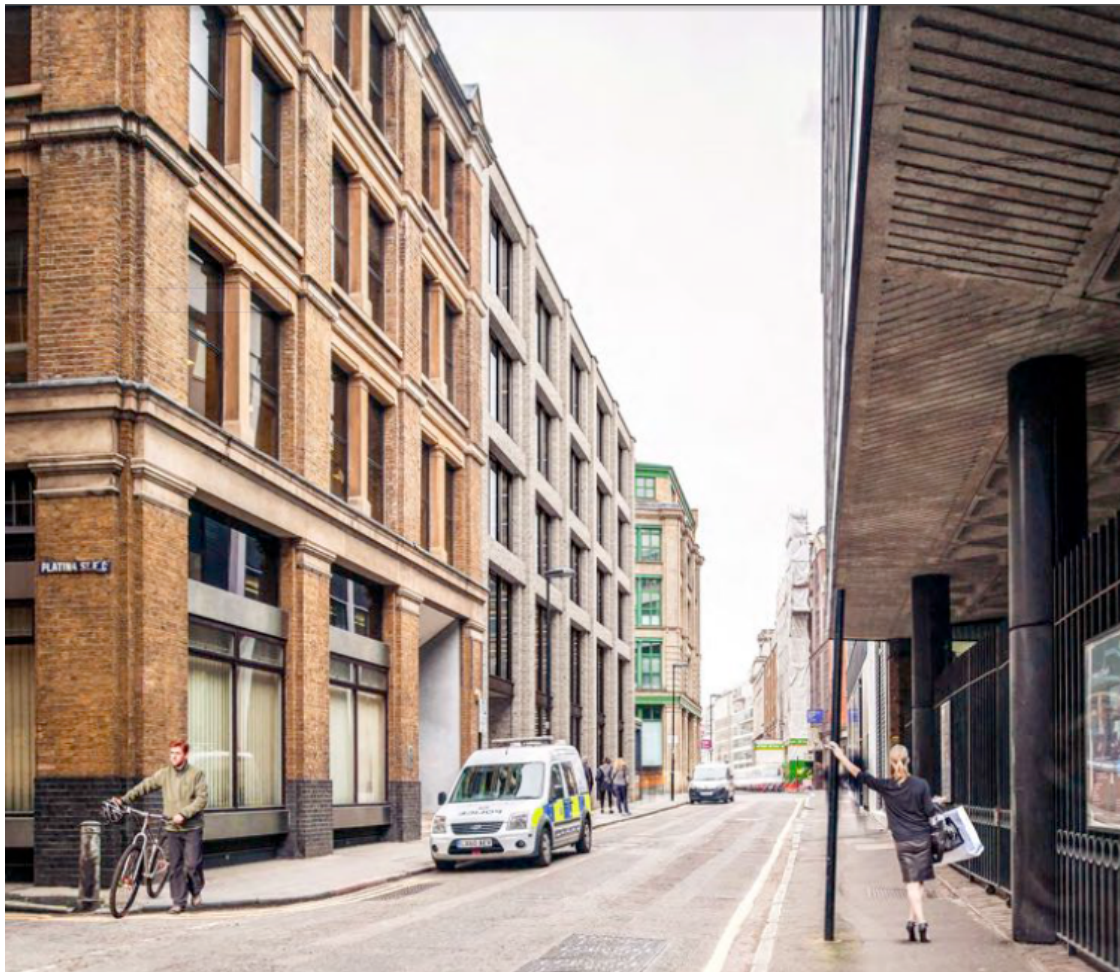


Figure 10: Proposal looking south along Tabernacle Street with 46-50 in foreground

Detailed Design

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

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

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

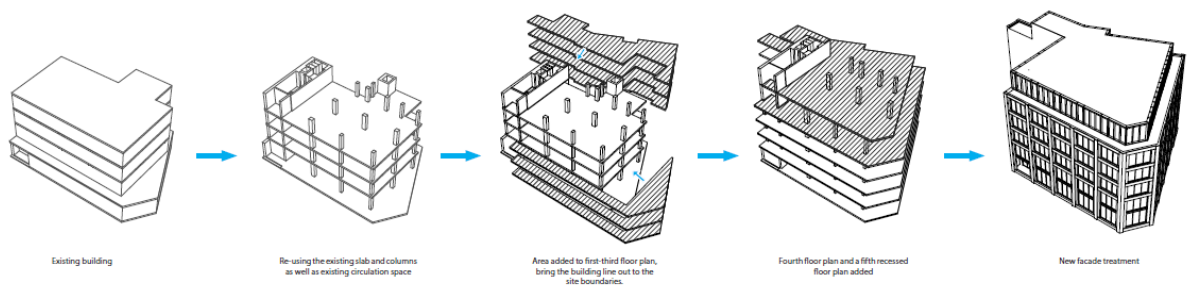


Figure11: Construction stages



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



Figure 13: Looking north along Tabernacle Street

Neighbouring Amenity

- 11.39 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, outlook, privacy and sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.
- 11.40 **Daylight and Sunlight:** In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 11.41 BRE Guidelines paragraph 1.1 states: *'People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by'*. Paragraph 1.6 states: *'The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings'*.
- 11.42 Daylight: the BRE Guidelines stipulate that... *'the diffuse daylighting of the existing building may be adversely affected ..if either*
- *the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value;*
 - *the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.'* (No Sky Line / Daylight Distribution).
- 11.43 At paragraph 2.2.7 of the BRE Guidelines it states: *'If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.'*
- 11.44 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

- 11.45 At paragraph 2.2.8 the BRE Guidelines state: *'Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the 'no sky line' in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside.'*
- 11.46 Paragraph 2.2.11 states: *'Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.'* The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.
- 11.47 The BRE Guidelines at its Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is *'in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degree. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout.'*
- 11.48 **Sunlight:** The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11: *'If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:*
- *Receives less than 25% of annual probable sunlight hours, or less Than 5% of annual probable sunlight hours between 21 September and 21 March and*
 - *Receives less than 0.8 times its former sunlight hours during either period and*
 - *Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.'*
- 11.49 The BRE Guidelines) state at paragraph 3.16 in relation to orientation: *'A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.'*
- 11.50 It goes on to state (paragraph 3.2.3): *'... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.'*
- 11.51 **Assessment:** Before any detailed consideration of the Daylight/Sunlight Study that was submitted as part of the application there are a number of related matters on the subject to note. Significantly a Sunlight/Daylight Report was provided and

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

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

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



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

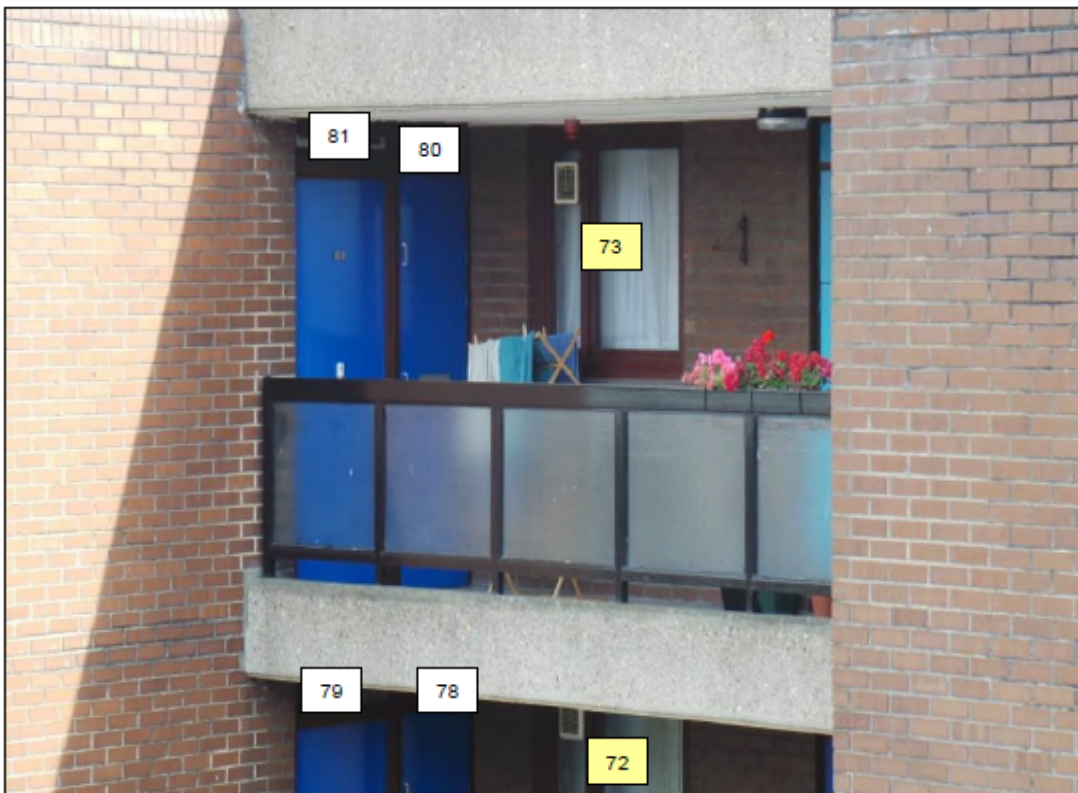


Figure 15:

Assessed windows to the north east of 10 Epworth Street



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

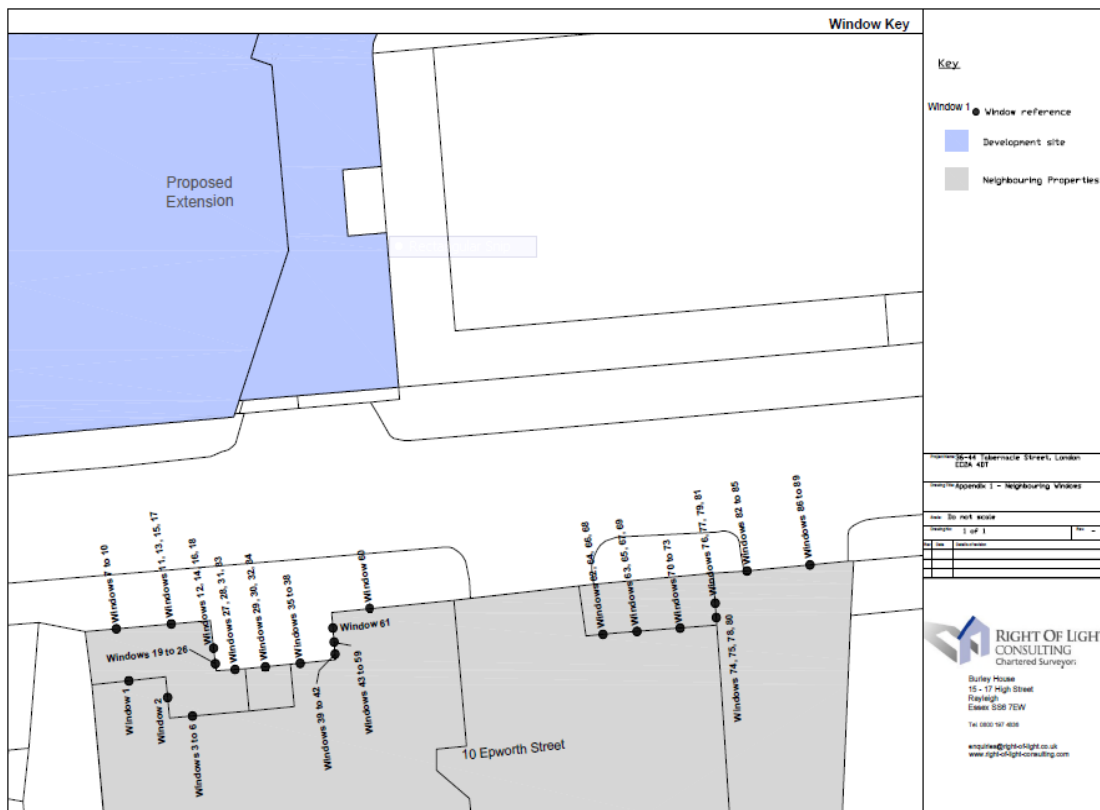


Figure 17. Window Key for 10 Epworth Street

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

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

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

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

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

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

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

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

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

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

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

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

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

Figure 20. Approved/Proposed VSC comparison

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

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

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

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

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

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

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

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

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

Transport and Servicing

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

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

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

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

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

Accessibility

- 11.80 The relevant policies are 7.2 of the London Plan 2016 and Development Management Policy DM2.2, which seeks inclusive, accessible and flexibly designed accommodation throughout the borough. The London Plan Policy requires all new development in London to achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.

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

Sustainability and Energy Efficiency

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

- 11.87 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.
- 11.88 Development Management Policy DM 7.4D states that 'Major non-residential developments are required to achieve 'Excellent' under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding'. The council's Environmental Design Guide states 'Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification'.

BE LEAN

Energy Efficiency Standards

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

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

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

BE CLEAN

District Heating

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

Shared Heating Network

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

Combined Heat and Power

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

BE GREEN

Renewable energy technologies

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

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

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

Carbon Emissions

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

Sustainable Design Standards

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

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

- 11.104 The Council's Sustainable Design Officer has reviewed the proposals and raises no objection subject to further details of SUDS to be secured by condition.
- 11.105 In order to ensure that the building performs in accordance with the key sustainability indicators set out within the Energy strategy, a Green Performance Plan (GPP) is to be secured by the s.106 agreement.
- 11.106 No overall objection is raised on sustainability grounds, and as set out above, it is recommended that the relevant sustainability requirements are secured by planning conditions and s.106 obligations.

Fire Safety

- 11.107 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire. The proposal was considered by London Fire Brigade and no objections were raised. A fire safety strategy was provided, and an informative (no.12) has been included in the recommendation to remind the applicant of the need to consider the requirements of the Building Regulations in relation to fire safety at an early stage, with particular regard to the provision of a sprinkler system.

Planning Obligations, Community Infrastructure Levy and local finance considerations

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

12 SUMMARY AND CONCLUSION

Summary

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

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

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

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

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

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

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

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

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

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

RECOMMENDATION B

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

List of Conditions:

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

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

<p>7</p>	<p>Energy Reduction</p> <p>CONDITION: The energy efficiency measures/features and energy technology(s) as detailed within the Energy Statement (15 September 2017 and updated 18 June 2018) and all subsequent LPA Energy Officers Internal Advice shall be installed and operational prior to the first occupation of the development.</p> <p>The agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
<p>8</p>	<p>Cycle Storage</p> <p>CONDITION: Full details of the internal bicycle storage area(s) which shall be covered, secure and provide for no less than 48 bicycle spaces as well as the provision of showering, changing and locker facilities shall be submitted to and approved in writing prior to any works commencing on the site.</p> <p>The details shall confirm that the facilities are accessible to ambulant disabled persons and include details of mobility scooter charging locations and facilities</p> <p>The approved bicycle storage details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<p>9</p>	<p>BREEAM</p> <p>CONDITION: The development shall achieve a BREEAM Office (2015) rating of no less than 'Excellent' in accordance with the BREEAM pre-assessment submitted.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development, in accordance with Development Management Policy DM7.4.</p>
<p>10</p>	<p>Green / Brown Roofs</p> <p>CONDITION: The biodiversity (green/brown) roof(s) shall be constructed and occupy the set back at 5th floor level. Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the new reception works commencing on site.</p> <p>The biodiversity (green/brown) roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, in accordance with Development Management Policy DM6.6 and DM7.1.</p>

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

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

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

List of Informatives:

1	S106
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Surface Water Drainage
	<p>It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is</p>

	recommended that the applicant should ensure that storm flows are attenuated or regulated into the public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and at the final manhole nearest the boundary. Connections are not permitted for removal of groundwater. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4	Sustainable Sourcing of Materials
	Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
5	Car-Free Development
	All new developments are to be car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
6	Roller Shutters
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
7	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-commencement conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
8	Highways Requirements (1)
	Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk .

	<p>All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p>
9	Highways Requirements (2)
	<p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months' notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.</p>
10	Highways Requirements (3)
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI</p>

	<p>contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site.</p> <p>Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk</p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
11	Crossrail 2
	<p>Applicants should refer to the Crossrail 2 Information for Developers available at crossrail2.co.uk. Crossrail 2 will provide guidance in relation to the proposed location of the Crossrail 2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to contact the Crossrail2 Safeguarding Engineer in the course of preparing detailed design and method statements.</p> <p>In addition, the latest project developments can be found on the Crossrail 2 website www.crossrail2.co.uk which is updated on a regular basis.</p>
12	Fire Safety
	<p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Andrew Marx on 020 7527 2045 or by email on andrew.marx@islington.gov.uk</p>
13	Thames Water (Assets)
	<p>The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>

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

APPENDIX 2 – RELEVANT POLICIES

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

1. NATIONAL GUIDANCE

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

2. DEVELOPMENT PLAN

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

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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London

Policy 2.11 Central Activities Zone – strategic functions

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

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.4 Retrofitting

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

6 London's transport

Policy 6.1 Strategic approach

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 5.18 Construction, excavation and demolition waste

Policy 7.19 Biodiversity and access to nature

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)

Policy CS8 (Enhancing Islington's Character)

Policy CS13 (Employment Spaces)

Policy CS14 (Retail and Services)

Policy CS15 (Open Space and Green Infrastructure)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS20 (Partnership Working)

C) Islington's Development Management Policies 2013

DM2.1 (Design)

DM2.2 (Inclusive Design)

DM2.3 (Heritage)

DM2.5 (Landmarks)

DM4.3 (Location and concentration of uses)

DM4.5 (Primary and Secondary Frontages)

DM4.8 (Shopfronts)

DM5.1 (New Business Floorspace)

DM5.4 (Size and Affordability of Workspace)

DM6.1 (Healthy development)

DM6.2 (New and Improved Public Open Spaces)

DM6.5 (Landscaping, trees and biodiversity)

DM6.6 (Flood prevention)

DM7.1 (Sustainable design and construction)

DM7.3 (Decentralised Energy Networks)

DM7.4 (Sustainable design standards)

DM7.5 (Heating and cooling)

DM8.1 (Movement hierarchy)

DM8.2 (Managing transport impacts)

DM8.3 (Public transport)

DM8.4 (Walking and cycling)

DM8.5 (Vehicle parking)

DM8.6 (Delivery and servicing for new developments)

DM9.1 (Infrastructure)

DM9.2 (Planning obligations)

D) Finsbury Local Plan 2013

BC3 (Old Street)

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

BC10 (Implementation)

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

3 Designations

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

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

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

The following SPGs and SPDs are relevant:

Islington Development Plan

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

London Plan

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