

PLANNING COMMITTEE REPORT



ISLINGTON

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 3333
Town Hall
Upper Street
LONDON N1 2UD

PLANNING COMMITTEE	AGENDA ITEM NO:
Date: 9 th July 2018	

Application number	P2018/0429/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No, but several in relatively close proximity
Conservation area	Duncan Terrace/Colebrooke Row Conservation Area (part of site)
Development Plan Context	Bunhill and Clerkenwell key area Central Activities Zone Employment Priority Area (General) Within 100m of Transport for London Road Network Within 50m of New River Conservation Area Adjacent to Site Allocation BC48 – Angel Gate (to the east)
Licensing Implications	None
Site Address	7-8 Wakley Street and 328 City Road London EC1V 7QE
Proposal	Demolition of all existing buildings and erection of part-1, part-2 and part-5 plus basement buildings to provide 3,330sqm of commercial (B1) floorspace and 670sqm of residential (C3) floorspace over 8-units. Associated refuse and cycle storage.

Case Officer	Simon Greenwood
Applicant	Musco (Wakley Street) Limited
Agent	Rolfe Judd Planning – John Osbourne

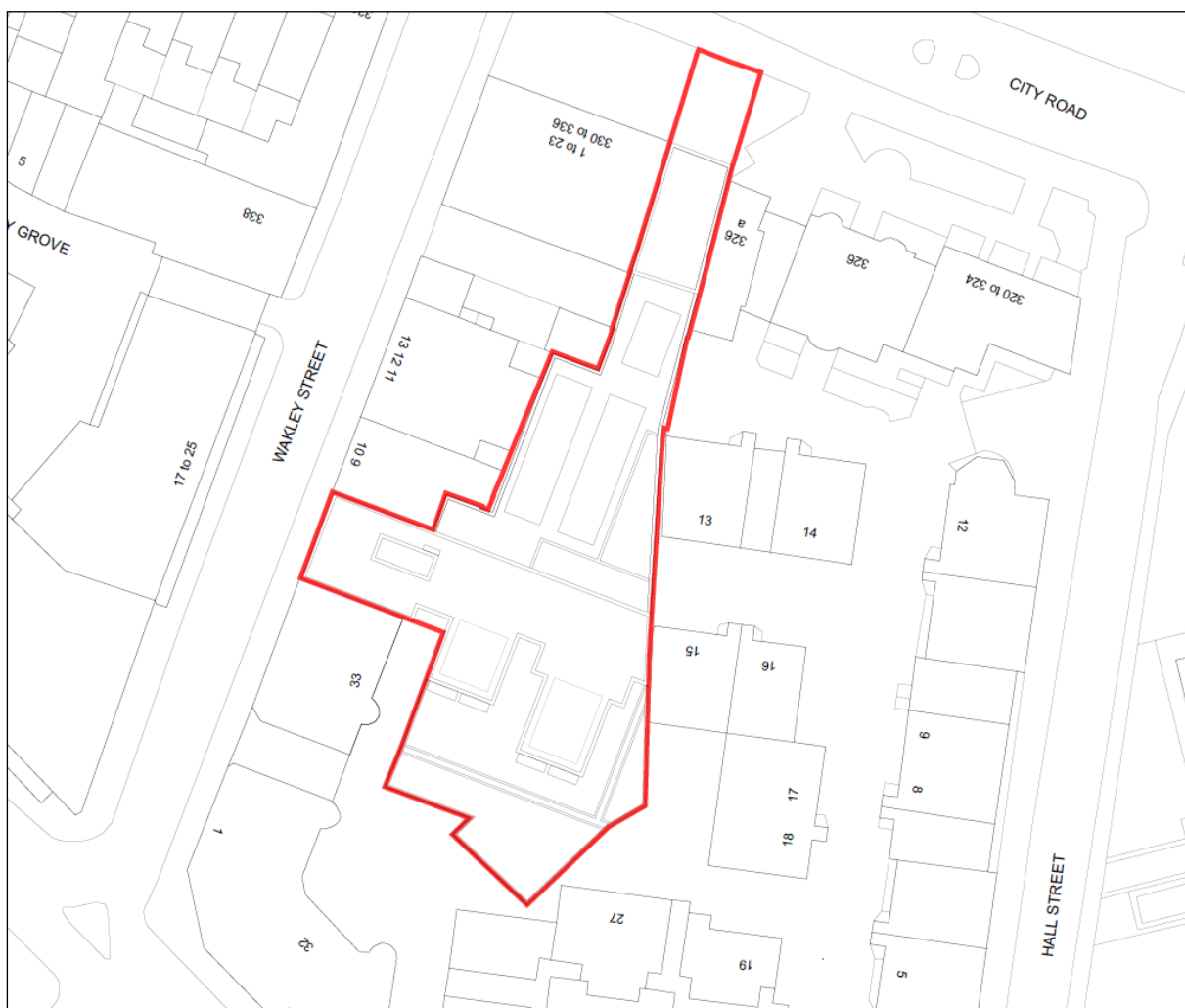
1. RECOMMENDATION

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)

Site location plan



3. PHOTOS OF SITE/STREET

Aerial view of site and surroundings



Wakley Street frontage



City Road frontage



4. SUMMARY

- 4.1 The application site comprises vacant offices and was previously occupied by the National Children's Bureau. The site is within the Central Activities Zone (CAZ) and an Employment Priority Area (General). Part of the site (328 City Road) is within the Duncan Terrace / Colbrooke Row Conservation Area.

- 4.2 The applicant proposes the demolition of all buildings on site, and the erection of part 1, part 2 and part 5 storey buildings with basement accommodation to provide 3,330m² (GIA) of commercial (B1) floorspace and 670m² of residential (C3) floorspace (8-units) with associated refuse and cycle storage.
- 4.3 The redevelopment of the site is welcomed in principle, and the application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 4.4 Planning permission was previously granted in April 2016 for demolition of the existing buildings and erection of buildings of 1 to 5 storeys (plus lower ground floor level) to provide 26 residential units and office accommodation (2,038m² GIA) with associated refuse and cycle storage (application reference P2014/3572/FUL).
- 4.5 The demolition of 328 City Road, whilst regrettable, was previously considered acceptable in view of the limited value of this heritage asset, the public benefits of the redevelopment, and the quality of the proposed replacement building. It is again considered that this is the case.
- 4.6 The proposal would result in the redevelopment of a presently under-used site which provides poor quality office accommodation to provide replacement high quality and flexible office floorspace, including an uplift of 1,292m² (GIA). The proposal also includes the provision of two 66m² small/micro units which would be offered at a maximum of 75% of market rent for a period of 5 years and would be permanently retained as small/micro units thereafter.
- 4.7 The proposal would result in a reduction of 18 residential units which were previously identified to contribute to the borough's future housing supply. However, the proposal would result in an increased provision of flexible, modern and high quality office floorspace in the CAZ, for which there is strong support in policy terms.
- 4.8 A total of 8 dual aspect residential units (5 one bedroom and 3 two bedroom flats) are proposed which are policy compliant in terms of space standards and private amenity space requirements, and which would provide a good quality of residential accommodation. In accordance with the Council's Affordable Housing Small Sites Contributions Supplementary Planning Document a financial contribution of £480,000 towards the provision of off-site affordable housing would be secured through a Section 106 agreement.
- 4.9 The proposed development would result in some harm to the residential amenities of the occupants of neighbouring dwellings, including by reason of loss of daylight and sunlight and loss of outlook. However, the proposed consented development involves a revised siting and configuration for the central block within the site which is intended to reduce its impact upon adjacent residential properties. Accordingly, the proposed development would represent an improvement over the previous scheme in terms of daylight amenity and outlook from neighbouring properties, in particular flats at Nos. 9-10 Wakley Street, and would represent a more neighbourly development. In view of the central urban location, the need to make efficient use of the site and having regard to the impacts of the consented scheme it is considered that the proposed

development is acceptable in terms of its impact upon the residential amenities of the occupants of nearby dwellings.

- 4.10 The proposal is considered largely acceptable in terms of land use, transportation and servicing, the quality of the residential accommodation, sustainability and energy, subject to conditions and an appropriate Section 106 agreement. Appropriate Section 106 Heads of Terms have been agreed with the applicant to mitigate the impacts of the development and secure compliance with the Development Plan.
- 4.11 In conclusion, given the proposed development's level of compliance with planning policies (including those of the NPPF and the London Plan), it is recommended that planning permission be granted.

5. SITE AND SURROUNDINGS

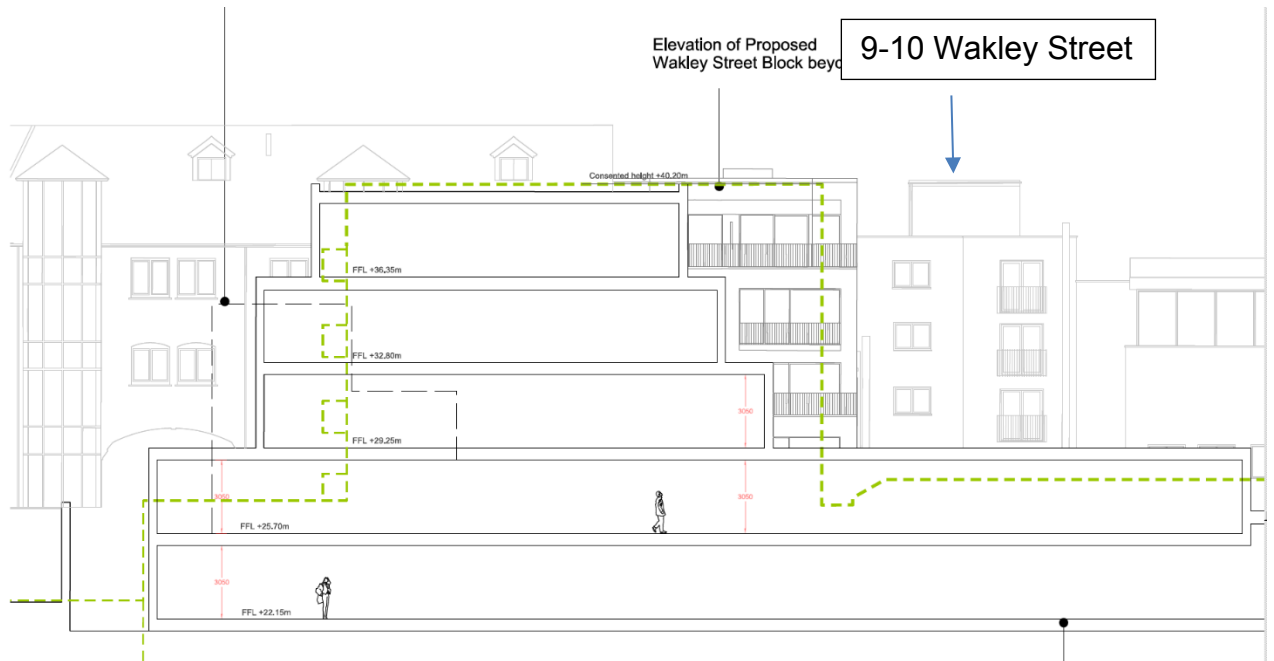
- 5.1 The application site is 0.16 hectares in size, has an irregular shape and has limited street frontages. An existing 3-storey office building fronts Wakley Street behind which is a 1 and 2-storey office building covering the majority of the site. The site includes 328 City Road, which presents 6 storeys (including lower ground floor) to the street. The existing floorspace totals 2,037m² GIA (1,422m² NIA), in office (B1a) use.
- 5.2 The northern part of the site (328 City Road) is within the Duncan Terrace / Colebrooke Row Conservation Area. The site does not include any listed buildings, however the buildings at 320-326 City Road immediately to the east of the site boundary are Grade II listed.
- 5.3 Most surrounding buildings, including all of the Angel Gate development to the south and east of the application site, are in office use. However, there are residential properties along the north and west boundaries of the site at 9-10 Wakley Street, 14 Wakley Street and Angel Point (330-336 City Road). Other residential buildings nearby include 319 City Road and Langdon Court to the north.
- 5.4 City Road is a busy TfL-controlled red route lined with buildings between 3 and 6 storeys in height. Wakley Street is a 1-way street (also a red route) leading from City Road to Goswell Road, with loading bays on its east side and buildings between 3 and 7 storeys in height. 328 City Road currently has a steep forecourt, sloping into the site from the back of the pavement.
- 5.5 The site is located within the Central Activities Zone (CAZ) and an Employment Priority Area (General). The Angel Gate development adjoining the application site is the subject of Site Allocation BC48, which is allocated for predominantly business floor space with some residential.
- 5.6 The application site has no trees or significant areas of soft landscaping. However, a mature London Plan tree stands close to the site in the grounds of 326a City Road, and there are trees close to the site boundaries within the grounds of the Angel Gate development.

6. PROPOSAL (IN DETAIL)

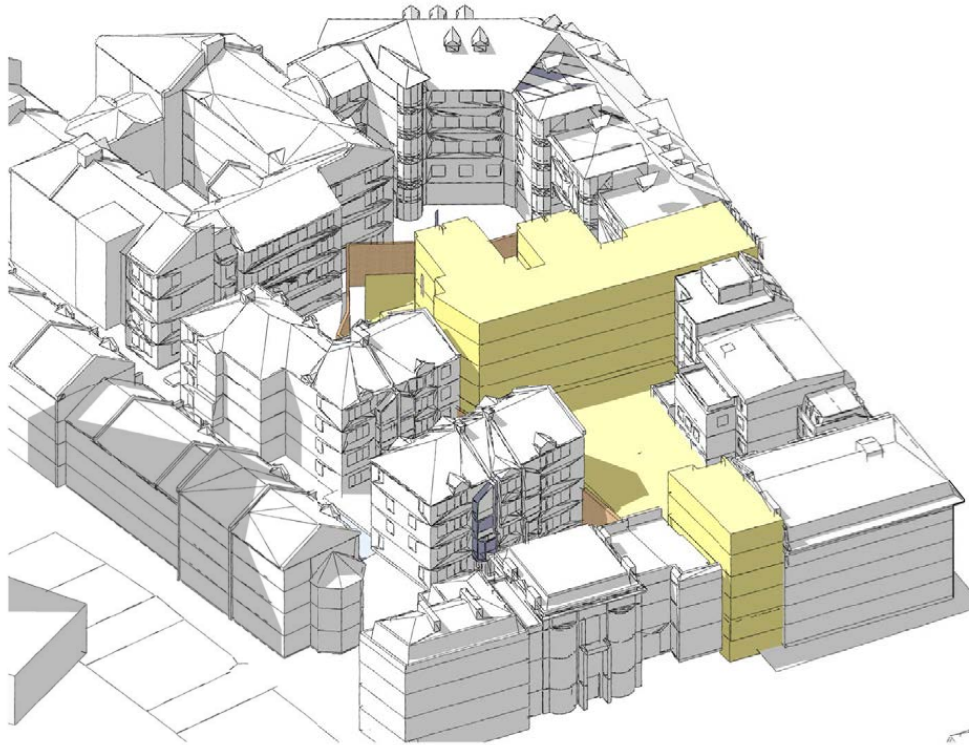
- 6.1 The application states that the viability of the previously consented scheme is undermined by the cost of the basement, the quality of the commercial accommodation, the quality and amenity of the residential accommodation, and light issues. The design quality of the central residential block was also identified as having scope for improvement. The currently proposed scheme seeks to respond to these issues.
- 6.2 The applicant is an operator of serviced business centres for small and medium sized enterprises (SMEs) which the proposed development is intended to accommodate. The commercial floorspace has been designed to be easily subdivided in order to provide flexibility for future occupants.
- 6.3 The proposed development will provide a 3,330m² (GIA) serviced office/business centre featuring accommodation including meeting rooms, break out areas and executive suites as well as a range of office sizes.
- 6.4 The proposal will provide an uplift of 1,293m² (GIA) over the existing 2,037m² (GIA) office floorspace and an uplift of 1,292m² (GIA) over the 2,038m² (GIA) approved under the previous scheme.
- 6.5 The proposed development will provide 8 residential units within a block fronting Wakley Street, which represents a reduction of 16 units from the previously approved scheme. The height of the proposed development would remain as previously approved whilst the massing of development within the central, 'backland' part of the site would be moved southwards, away from the rear of residential units at 9-10 Wakley Street. The number of floors (above ground) within the central block would be reduced from 6 to 5 as a result of a raised lower ground floor datum and the increased floor to ceiling height requirements for office accommodation.
- 6.6 A residential entrance lobby will be provided within the ground floor of the Wakley Street block along with a secondary entrance to the office accommodation and access to the commercial and residential bin storage. 1 one bedroom flat and 1 two bedroom flat would be provided on the first to third floors and 2 one bedroom flats would be provided on the fourth floor, which has been set back in order to maintain daylight amenity to neighbouring properties. Each flat would benefit from a dual aspect and a private balcony.
- 6.7 The building fronting City Road would provide the main entrance to the commercial buildings. The ground floor plan will feature light wells to provide light and aspect to the lower ground floor accommodation. A reception area is provided at ground floor.
- 6.8 The block to the central part of the site will provide office accommodation in place of the previously permitted residential accommodation. The geometric form of the building has been developed in consultation with the applicant's daylight and sunlight consultants. The height of the block is broadly consistent with the consented scheme whereas the massing would be moved further south in order to improve light to the residential accommodation at 9-13 Wakley Street and to the Angel Gate office blocks

to the east. The block can provide dual aspect office accommodation which would facilitate cross ventilation to provide cooling in summer months. The following section plan and drawings provide a comparison of the previously consented and proposed developments.

Section Plan indicating mass of building moved away from residential dwellings at 9-10 Wakley Street

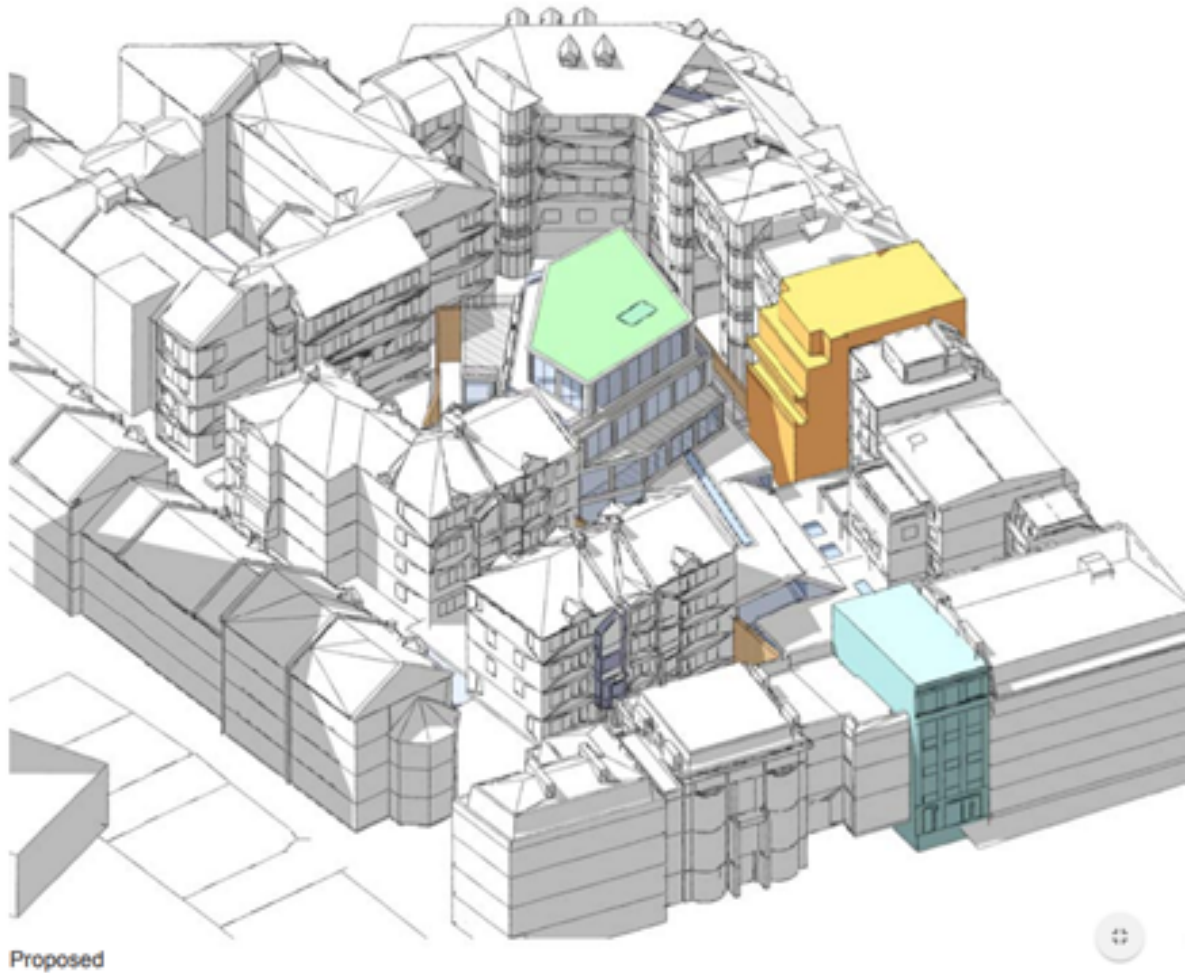


3D drawing of previously consented scheme



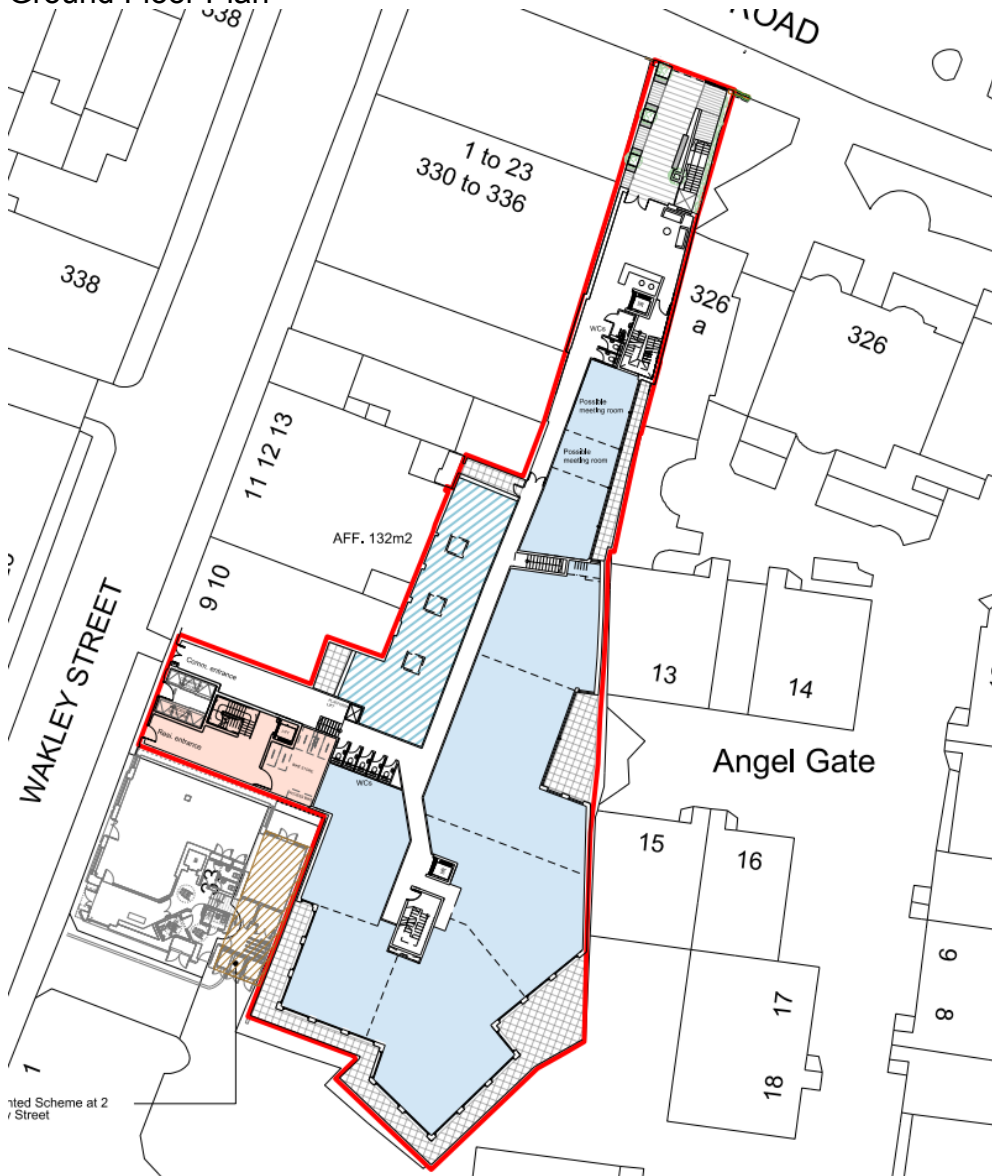
Consented

3D drawing of proposed scheme

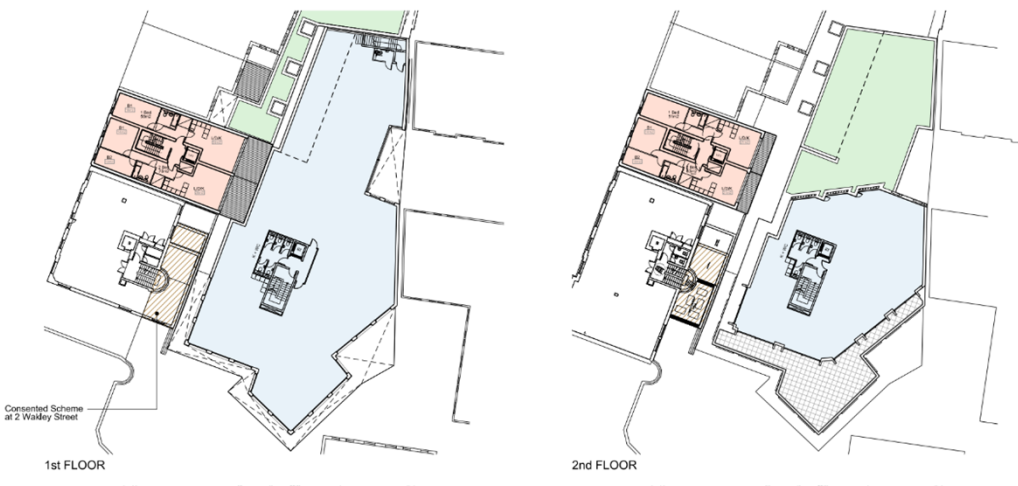


- 6.9 The ground floor accommodation would extend across the majority of the site whilst the first floor would be reduced in scale with the central block rising to five storeys in height to the south of the site, as indicated within the floor plans and aerial images below.

Ground Floor Plan



First and second floor plans



Aerial View from south east



Aerial view from north west



7. RELEVANT HISTORY

Planning Applications

- 7.1 Planning permission was granted in November 1987 for the refurbishment and alteration of the front elevation at 7-8 Wakley Street (application ref. 871674).
- 7.2 Planning permission was granted in April 2016 for demolition of existing buildings and erection of buildings of 1 to 5 storeys (plus lower ground floor level) to provide 26 residential units and office accommodation with associated refuse and cycle storage (application ref. P2014/3572/FUL).

CGI of approved residential block within central part of the site



Enforcement

- 7.3 None relevant.

Pre-application Advice

- 7.4 Pre-application discussions took place with officers on 3 July 2017 and 25 August 2017. The overall strategy for the site was broadly accepted and various detailed design matters were discussed.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 387 adjoining and nearby properties on City Road, Goswell Road, Angel Gate, Wakley Street, Elia Street, Sidney Grove, Hall Street on 7 March 2018. A site notice and a press advert were displayed on 15 March 2018. The public consultation of the application therefore expired on 5 April 2018. However, it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report a total of 14 objections had been received from the public with regard to the application. The issues raised within the objection can be summarised as follows (with the paragraph(s) that provides responses to each issue indicated within brackets):

Objections

- Excessive height (11.48-11.82)
- Reduction of central block from 6 to 5 storeys presents opportunity to reduce height of block rather than increase floor to ceiling heights internally. *Officer note: Paragraph 5.10 of the Council's Development Management Policies document indicates a requirement for greater floor to ceiling heights for business floorspace.*
- Loss of daylight and sunlight. (11.98-11.123)
- Revisions to scheme do not address overshadowing of Wakley Street roof terrace and if height is increased then the impact would be more severe (11.124-11.125)
- Very little detail on proposed rooftop structures (lift overrun, plant, etc.) (11.130)
- Loss of outlook / Visual impact / Increased sense of enclosure (11.126-11.132)
- Loss of enjoyment of balcony (11.126-11.132)
- Overlooking / Loss of privacy (11.133-11.140)
- Noise, disruption, air pollution and vibration during construction period which is anticipated to be 2-3 years / Construction impacts should be managed through planning conditions / Construction on Saturday morning should not be permitted / Construction Management Plan should be revised to secure more rigorous management of the construction process. (11.143)
- Oversupply of housing in the area. (11.22)
- Lack of demand for business floorspace. (11.4-11.21).
- Lack of public transport capacity. (11.191-11.209)
- Inadequate parking in the locality. (11.199-11.203)
- Detrimental impact on highway and pedestrian safety (11.191-11.209)
- There is an easement to the side of 9-10 Wakley Street but the plans indicate a wall blocking doorways leading to the existing alleyway. *Officer note: this is not a material planning consideration.*
- Loss of rental income / marketability of property severely harmed by previous planning permission. *Officer note: this is not a material planning consideration*
- Redevelopment of the site could be the subject of further delay. *Officer note: this is not a material planning consideration.*

External Consultees

8.3 Thames Water – no comments received. However, previously Thames Water raised no objections in relation to sewerage and water infrastructure capacity. A condition securing an impact piling method statement (No. 22) was requested.

8.4 London Fire and Emergency Planning Authority – no objections raised. It is strongly recommended that a sprinkler system be considered for the development.

- 8.5 Transport for London: No objections raised subject to securing a Delivery and Servicing Plan, cycle parking and a Construction Logistics Plan by condition (Nos. 8, 15 and 27) and securing a full Travel Plan through the Section 106 agreement.

Internal Consultees

- 8.6 Access Officer – no objections raised subject to conditions securing the mobility scooter charging point, accessible cycle parking spaces and accessible and adaptable (Category 2) residential units (Nos. 12, 14 and 15).
- 8.7 Design and Conservation Officer – no objections raised subject to conditions to secure appropriate materials and a suitable scheme of landscaping scheme to the City Road frontage (Nos. 3 and 16). It is unfortunate that a bin store entrance is proposed at ground floor level on the Wakley Street elevation but it is acknowledged that there is no feasible alternative. A high quality frontage treatment to the bin store should be secured by condition (No. 3).
- 8.8 Energy Conservation Officer – no objections raised. It is acknowledged that the site is not within 500m of a District Energy Network (DEN) and the applicant is not required to investigate the feasibility of connection. An investigation into the feasibility of developing a Shared Energy Network with neighbouring developments should be secured (condition 24). A carbon dioxide offset payment of £70,958 will be required. Details of future-proofing of the development for future connection to a (DEN) should be secured through the Section 106 agreement.
- 8.9 Public Protection Division (Contaminated Land) – no objections raised subject to a condition securing a land contamination investigation and any necessary remediation (No. 32).
- 8.10 Public Protection Division (Noise) – no objections raised subject to conditions securing sound insulation and noise control measures to ensure satisfactory living conditions for occupants of the residential dwellings (Nos. 30 and 31).
- 8.11 Public Protection Division (Air Quality) – no objections raised subject to a condition securing mechanical ventilation to the residential units (No. 29).
- 8.12 Highways Officer – no objections raised. TfL are the highways authority and should be consulted.
- 8.13 Planning Policy – Policy CS12 states that proposed developments which result in the reduction of land supply for conventional housing will be refused. Concerns are therefore raised that the proposal results in the loss of 16 residential units which form part of the Council's 5 year supply of housing. However, it is acknowledged that there is strong policy support for the delivery of new office floorspace in this location.
- 8.14 Sustainability Officer – no objections raised subject to a condition to address surface water drainage.

Other Consultees

8.15 Design Review Panel – The proposal was considered by the Design Review Panel at pre-application stage on 14 November 2017. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The Panel’s observations are attached at **Appendix 3** and are detailed below:

Land use

Without prejudice to the Council’s land use policies being complied with, panel members welcomed the change in emphasis of the current proposals in comparison with the previously approved scheme as, in their opinion, a commercial/office led scheme appears to be a more comfortable fit on the site.

They felt that the scheme offered a great opportunity to create better workspace in this location and to improve on existing office provision overall. They indicated that they were generally comfortable with the proposed quantum and disposition of the massing on the site.

Layout and circulation

Although the Panel appreciated that the development team had tried to create a more legible and comfortable layout for the overall scheme, they encouraged them to develop this further. In particular, panel members felt that there was additional opportunity for bigger and more successful floorspace: they thought that the lower ground floor plan area allocated (*at the time*) for affordable work space looked compromised and suggested an additional courtyard or an open walkway from Wakley Street to improve the quality of the accommodation in this part of the development.

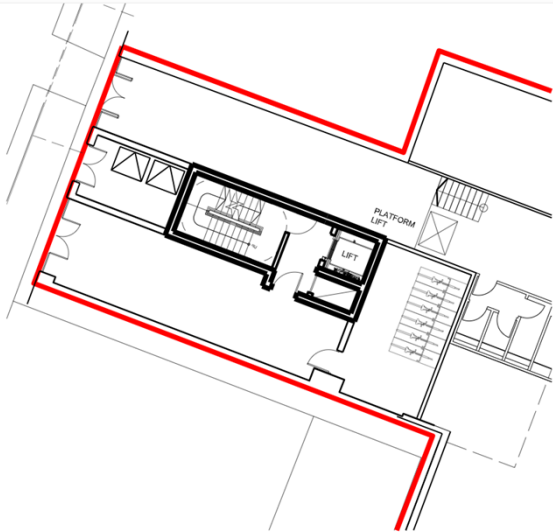
Officer note: A second lightwell has been introduced to significantly improve daylight levels in this space.

They also felt that the entrance sequence and circulation could be improved to enhance legibility. In their opinion the access to the second core from a long corridor felt convoluted and could compromise the occupation of the building. Although they appreciated that being the main arterial road, the entrance from City Road made sense, they felt it generated a complicated access sequence. For this reason, they suggested the development team should explore an alternative/improved entrance off Wakley street.

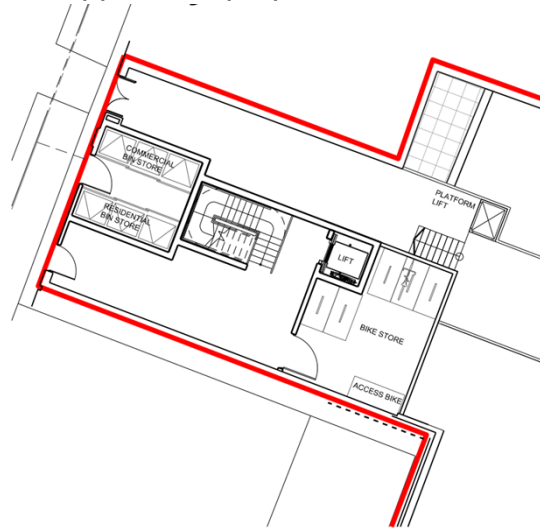
Officer note: Refuse storage has been relocated to the Wakley Street block in order to de-clutter the City Road forecourt, creating a clearer legibility and hierarchy of spaces.

Ground floor Wakley Street block

DRP Presentation

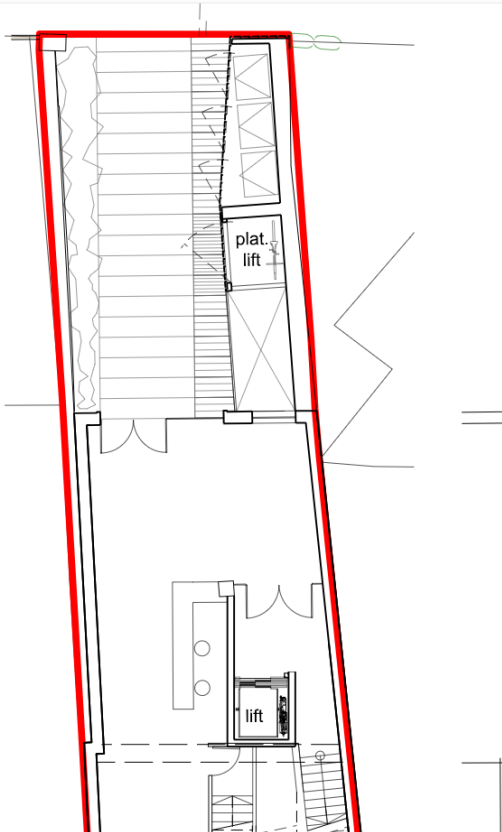


Application proposal

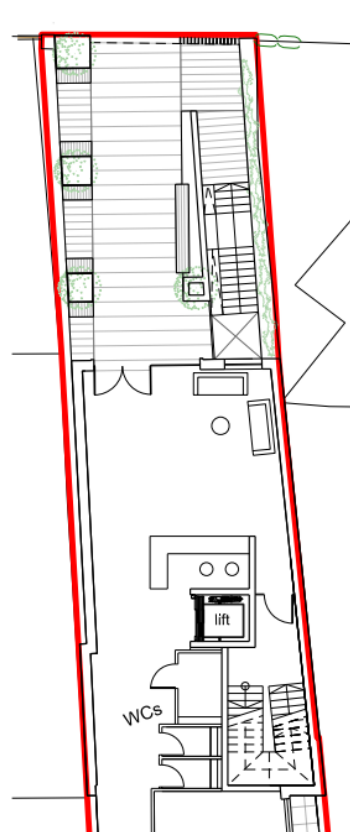


Ground floor City Road block

DRP Presentation



Application proposal



On Wakley Street, there were concerns that the residential lobby appeared to be small and the Panel encouraged the development team to re-organize it to allow a more generous lobby space.

Officer note: The entrance lobby has been widened and the refuse store location adjusted to provide a more generous entry, as indicated above.

Inner Block

In terms of the design approach for the inner block, panel members generally supported the proposal for a light material and felt the amended massing would be more generous to the surrounding buildings than the previously approved scheme was. The Panel noted that currently the design presents large areas of south and west facing glazing and the design needs to incorporate integrated measures for dealing with solar gain which will influence the elevational design.

Officer note: A series of vertical and horizontal building-integrated shading devices have been developed to address the risk of overheating.

They emphasised the importance of the treatment of the roof, particularly of the lower part as it will be visible from surrounding buildings and welcomed suggestions of a green roof treatment.

Officer note: The roofscape has been carefully considered, with roof mounted plant strategically positioned to be out of sight from neighbouring properties, with substantial amount of green roof.

Wakley Street elevation

The Panel identified the aggressive environment to this frontage and were concerned about the impact of noise on the quality of the accommodation with the bedrooms being located to the front. They highlighted the importance of developing a robust strategy to deal with the noise and pollution. They also raised concerns about the proximity with the office at the back and stressed the importance of providing privacy to the proposed residential amenity area on the rear elevation of the Wakley Street block.

Officer note: The massing of the central block was stepped and angled to afford both privacy along with a decent aspect from the amenity space of the 1st floor residential units. Air quality and noise are addressed later within this report and conditions (Nos. 29, 30 and 31) have been recommended by the Council's Public Protection Officer in order to ensure satisfactory living conditions for occupants of the proposed residential development.

City Road frontage

Generally, the Panel was supportive of a high quality replacement building particularly in the context of the previously approved scheme. However, they felt that the current scheme should explore the opportunity to enhance this elevation further.

On the City Road frontage, the Panel's heritage specialist highlighted that one of the merits of the existing building is its high quality red brick and emphasised the importance of the replacement building utilising appropriate materials and detailing, with a strong reference to the existing. The importance of an appropriate treatment to the flank wall which adjoins the listed building was also brought up. Another suggestion

was to explore reducing the vertical proportions of the windows at the top floor which may give the elevation a better sense of hierarchy and proportion.

Officer note: A red brick that is appropriate to the conservation area context has been proposed, and the height of the top floor window openings has been adjusted in line with these comments.

There was a general consensus that the management of the front forecourt area needed to be resolved. The Panel raised strong concerns in relation to the positioning of the bins in this area, and felt that it did not result in an attractive frontage. They felt that the success of the scheme will be very much dependant on how this area will be treated. They, therefore, suggested relocating the bins and providing appropriate landscaping which should include high quality boundary treatment and the reinstatement of soft landscaping.

Officer note: The refuse store has been relocated to the Wakley Street block, and the City Road landscaping proposal has been refined.

Summary

The Panel was generally supportive of the principles of the scheme and welcomed it on the basis of the opportunity it brought to improve on the previous consent on the site. However, they raised some concerns and made some suggestions which they felt should be addressed in order to further enhance the proposals.

In particular, they felt that further work could be done in relation to the access and circulation as well as the office floor layout. They also made suggestions on improvements to the lobby area of the residential block fronting Wakley Street and stressed the importance of providing a better front area to the City Road frontage.'

Officer note: It is considered that the applicant has satisfactorily responded to the concerns raised by the DRP, as detailed above.

9. RELEVANT STATUTORY DUTIES, DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

9.1 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).

9.2 The NPPF states at paragraph 14 that:

'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...'

9.3 It further states at Paragraph 2 that:

'Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.'

9.4 It states at paragraph 7 that sustainable development has an economic, social and environmental role.

9.5 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.

9.6 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.

9.7 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.

9.8 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

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

Development Plan

- 9.11 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy (2011) and Development Management Policies (2013) and Finsbury Local Plan (2013). The policies of the draft London Plan are given some weight. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.12 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Plan:
- Bunhill and Clerkenwell key area
 - Central Activities Zone
 - Employment Priority Area (General)
 - Duncan Terrace / Colebrooke Row Conservation Area (part of site)
 - Within 100m of Transport for London Road Network
 - Within 50m of New River Conservation Area.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 10.1 EIA screening is not required by this development, as the site is less than 0.5 hectare.
- 10.2 The applicant team did not submit a request for an Environmental Impact Assessment (EIA) scoping opinion. However, the general characteristics of the site and the proposed development are not considered to fall within Schedule 1 or 2 development as set out in the Environmental Impact Assessment Regulations (2017). In particular, the site is significantly less than 0.5 hectares in size and it is not in a sensitive area as defined by the Regulations (nor is it considered appropriate in this case to bring other, local designations into consideration as allowed for under paragraph 032 (ref: 4-032-20170728) of the NPPG). As such, the proposal is not considered to be EIA development.

11. ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Principle of development
- Land use
- Provision of workspace suitable for small or micro enterprises
- Design and conservation
- Inclusive Design
- Neighbouring amenity
- Quality of residential accommodation
- Dwelling mix
- Sustainability, energy efficiency and renewable energy
- Highways and transportation
- Contaminated land and air quality
- Planning obligations.

Principle of Development

11.2 The site's existing buildings are under-used, inefficient, and offer very poor accessibility to people with disabilities. Whilst part of the site sits within a conservation area, the acceptability of the loss of that building is assessed later within this report. Redevelopment of the site is considered acceptable in principle, as it provides an opportunity to re-provide business floorspace to a better standard than currently exists, to provide residential accommodation, and to use this relatively central and accessible site more efficiently. These are benefits of the proposed development which weigh positively in the balance of planning considerations relevant to this application.

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

Land-use

Employment floorspace

11.4 As noted above, the site is located within the CAZ and an Employment Priority Area (General). The existing buildings on the site comprise office accommodation (2,037m² (GIA) and 1,422m² (NIA)) and were most recently used by the National Children's Bureau (NCB). The site's existing buildings offer poor quality and inaccessible business floorspace.

11.5 The proposed development would provide an uplift of 1,272m² (GIA) over the existing 2,037m² (GIA) office floorspace and would deliver higher quality and more accessible and flexible employment floorspace.

11.6 Chapter 1 of the London Plan sets out the Context and Strategy and Table 1.1 details a projection that between 2011 and 2036 employment in Islington will have grown by 27.1%, from 196,000 to 249,000 jobs.

11.7 Policy 2.10 of the London Plan is concerned with the strategic priorities of the CAZ and states, inter alia, that boroughs should:

‘enhance and promote the unique international, national and Londonwide roles of the CAZ, supporting the distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world’s most attractive and competitive business locations.’

11.8 Policy 4.1 of the London Plan is concerned with Developing London’s Economy and states, inter alia, that:

‘The Mayor will work with partners to:

- a1) promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises, including the voluntary and community sectors
- d) support and promote the distinctive and crucial contribution to London’s economic success made by central London and its specialist clusters of economic activity
- e) sustain the continuing regeneration of inner London and redress its persistent concentrations of deprivation.’

11.9 Policy 4.2 of the London Plan is concerned with offices and states that boroughs should support the mixed use development and redevelopment of office provision to improve London’s competitiveness and to enhance its varied attractions for businesses of different types and sizes, including small and medium sized enterprises. The supporting text of London Plan policy 4.2 identifies a need for significant increases in office floorspace in the years to 2031.

11.10 The Mayor of London’s Central Activities Zone Supplementary Planning Guidance (SPG) (2016) states at paragraph 1.1.3 that:

‘The CAZ is an internationally and nationally significant office location, complemented by the north of the Isle of Dogs and Tech City. The density, scale and mix of business functions and activities in the CAZ is unique. This agglomeration results in exceptional levels of productivity which cannot be replicated elsewhere in the UK and provides national level benefits.’

11.11 The SPG further notes at paragraph 1.3.1 that ‘The supply of sufficient office floorspace, in terms of type, size and cost within the CAZ...to meet growing demand are central to London’s economic success.’

11.12 The Islington Core Strategy identifies the site as being located within the Bunhill and Clerkenwell Key Area and notes at paragraph 2.8.2 that ‘Overall, it is estimated that the Bunhill and Clerkenwell area may need to accommodate an additional 14,000 B-use jobs and around 3,200 new homes by 2025.’

11.13 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states, inter alia, that:

‘A. Employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy...Creative industries and Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and encouraged. Accommodation for small enterprises will be particularly encouraged.’

11.14 Policy CS13 of the Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business floorspace will be encouraged in the CAZ and town centres, where access to public transport is greatest. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development should provide jobs and training opportunities, including through a proportion of small, micro and/or affordable workspace or affordable retail space.

11.15 Paragraph 3.4.3 of the Core Strategy notes that employment in Islington is expected to increase by around 35,000 to 45,000 jobs between 2012 and 2027. Furthermore, it notes that the Islington Employment Study 2008 projected that just over 50% of these jobs will be provided within B-use floorspace. Paragraph 3.4.4 states that

‘The CAZ is expected to continue to be the most attractive location for increases in B-use floorspace, accounting for around 75% of total growth. In terms of the Key Areas identified in the Spatial Strategy, Bunhill and Clerkenwell is expected to account for around 70% of the borough’s new B-use floorspace.’

11.16 The Islington Employment Land Study (2016) identifies at paragraph 7.8.1 a planning target of 400,000m² of office floorspace for the period 2014-2036 to meet forecast demand.

11.17 Against the backdrop of an identified requirement to deliver new office floorspace Islington Council’s Annual Monitoring Reports (AMR) have identified consistent net losses in office floorspace over recent years as follows:

Reporting Period	Net loss Class B1(a) floorspace (m²)
1 April 2011 – 31 March 2012	4,630
1 April 2012 – 31 March 2013	7,923
1 April 2013 – 31 March 2014	7,705
1 April 2014 – 31 March 2015	15,635

11.18 Policy BC8 of the Finsbury Local Plan is concerned with achieving a balanced mix of uses and requires that within the Employment Priority Areas (General) proposals should incorporate the maximum amount of business floorspace reasonably possible on the site as part of mixed use developments. Part I requires that

‘New business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of

business accommodation; and should provide full separation of business and residential floorspace where forming part of a mixed use residential development.'

- 11.19 The above requirement is reiterated within Policy DM5.1(F).
- 11.20 The proposed business floor space would have open floor plans and adequate floor-to-ceiling heights, allowing for a flexible fit out, shared use of space and subdivision. The residential and business uses would have separate entrances and adequate separation.
- 11.21 It is therefore the case that, in land use terms, the policy framework along with the available evidence base provides strong support for the provision of new, high quality office floorspace on the application site. The proposal would result in the delivery of 3,330m² high quality modern office floorspace (representing an uplift of 1,272m²) to contribute towards meeting an identified need, with corresponding economic and employment benefits. Accordingly, the proposed office floorspace is welcomed in land use terms.

Residential Use

- 11.22 The London Plan identifies a minimum target of 42,389 net additional homes to be provided within London each year. In order to assist in meeting this target Islington has been set a target to deliver a minimum of 12,641 homes to be delivered during the period 2015-2025.
- 11.23 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states (inter alia) that:
- 'D. The area is home to a significant residential community. Housing growth will be sought across the area to meet the needs of the current population and to cater for increased demand. A wider range of dwelling types, affordable tenures and family-sized homes will be encouraged to ensure that a mixed community can be accommodated.'
- 11.24 Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets.
- 11.25 Accordingly, it is noted that there is strong policy support for the delivery of new housing. Subject to the residential quality considerations set out later in this report, the introduction of residential use to this site is considered acceptable in principle. Residential use is normally compatible with adjacent B1(a) office floorspace, and the hours of use of office floorspace do not normally need to be restricted for neighbour amenity reasons.

Mix of Uses within the CAZ

- 11.26 Policy 4.3 of the London Plan states that 'Within the Central Activities Zone...increases in office floorspace...should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies within this plan'.
- 11.27 Policy DM5.1 is concerned with New Business Floorspace and states, inter alia, that:

'E. Within the Central Activities Zone (CAZ) major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.'

- 11.28 Policy BC8 of the Finsbury Local Plan is concerned with achieving a balanced mix of uses and states, inter alia, that:

'D. Throughout the area, major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.'

- 11.29 The proposal would provide 670m² residential floorspace which represents 52.7% of the total net uplift in office floorspace. The proposed development is therefore in accordance with the requirements of the above policies.

Non B1(a) Uses at Ground Floor Level

- 11.30 Part B of policy BC8 of the Finsbury Local Plan states that in the Employment Priority Area (General), the employment floorspace component of a development proposal should not be unfettered commercial office uses, but, where appropriate, should include retail or leisure uses at ground floor level, along with a proportion of non-B1(a) business or business-related floorspace, and/or office or retail floorspace that may be suitable for accommodation by micro and small enterprises, and/or affordable workspace.

- 11.31 In view of the character of these parts of City Road and Wakley Street, and the constraints of the site (in particular, its limited street frontages), it is not considered appropriate to secure non-B1(a) uses at this site.

Affordable Housing

- 11.32 Core Strategy Policy CS12 (G) states, inter alia, that Islington will meet the housing challenge by:

'requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough.' *The footnote to this sentence states that the formula for calculating financial contribution will be set out in a supplementary planning document (i.e. the Affordable Housing Small Sites Contributions SPD).*

- 11.33 The headline to Part 4 of the Small Sites SPD states that: 'All minor residential developments resulting in the creation of one or more additional residential unit(s) are required to provide a commuted sum of £50,000 per unit, towards the costs of providing affordable housing units on other sites within the borough. For sites located south of Pentonville Road/City Road, this figure will be £60,000.'

11.34 The applicant has agreed to make a financial contribution of £480,000 (8 x £60,000) in accordance with Policy CS12(G) and the Small Sites SPD.

Reduction of land supply for housing

11.35 Core Strategy Policy CS12(B) makes clear that proposed development which results in the reduction of land supply for conventional housing will be refused.

11.36 The development previously granted planning permission would have delivered 26 residential units whereas the currently proposed scheme would deliver 8 units. The proposal would therefore represent a loss of 16 units which had been identified within the Annual Monitoring Report to form part of the Council's 5 year supply of new housing.

11.37 It is therefore noted that there is strong policy support for the delivery of new housing and Policy CS12(B) makes very clear that development which results in the reduction of land supply for conventional housing should be resisted. However, this protection afforded for identified sources of housing supply should be considered alongside the strong policy support and evidence base supporting the delivery of commercial floorspace within the CAZ. Weight should also be given to the applicant's proposal to provide the two proposed small/micro units at a discount to market rent for a period of 5 years.

11.38 It should be noted that the applicant is a different developer to the previous applicant, with different aspirations for the site. It should also be noted that the housing proposed under the scheme previously granted planning permission was somewhat compromised in its quality. In particular, 18 of the 26 units would not have benefited from a true dual aspect (i.e. windows on opposite elevations), whilst 18 rooms would have fallen short of the BRE Guidance for daylight, as measured by the Average Daylight Factor method of assessment. The quality of the currently proposed residential accommodation is considered later within this report, but is overall much higher than that previously approved.

11.39 It should further be noted that the currently proposed scheme would have a more neighbourly relationship with adjoining residential development, in particular the nearest dwellings at 9-10 Wakley Street.

11.40 The proposal would result in a relatively modest overall reduction to identified housing supply which should be considered in the context of strong policy support for the delivery of new office floorspace within the CAZ and the overall improved quality and neighbourliness of the proposed development. This is weighed in the overall planning balance at the conclusion to this report.

Small/Micro Workspace units

11.41 As noted above, Policy BC8(B) requires office floorspace which may be suitable for accommodation by micro or small enterprises and/or affordable workspace. The policy indicates that, for proposals in excess of 10,000m² gross employment floorspace, at least 5% should be provided as small/micro units. The proposal would provide 3,330m² gross employment floorspace which is significantly below this threshold.

11.42 The subtext to Policy BC8 at paragraph 11.1.5 advises that, 'Micro and small workspaces are considered to be workspaces in business use (B use classes) with a gross internal floor area of around 90m² (gross) or less and which will be offered to occupants on favourable and flexible terms.'

11.43 Policy DM5.4 of the Council's Development Management Policies Document is concerned with the size and affordability of workspace and states, inter alia, that:

'C. Where workspace is to be provided for small or micro enterprises, but is not within physically separate units, the applicant will be required to demonstrate that the floorspace will meet the needs of small or micro enterprises through its design, management and/or potential lease terms.'

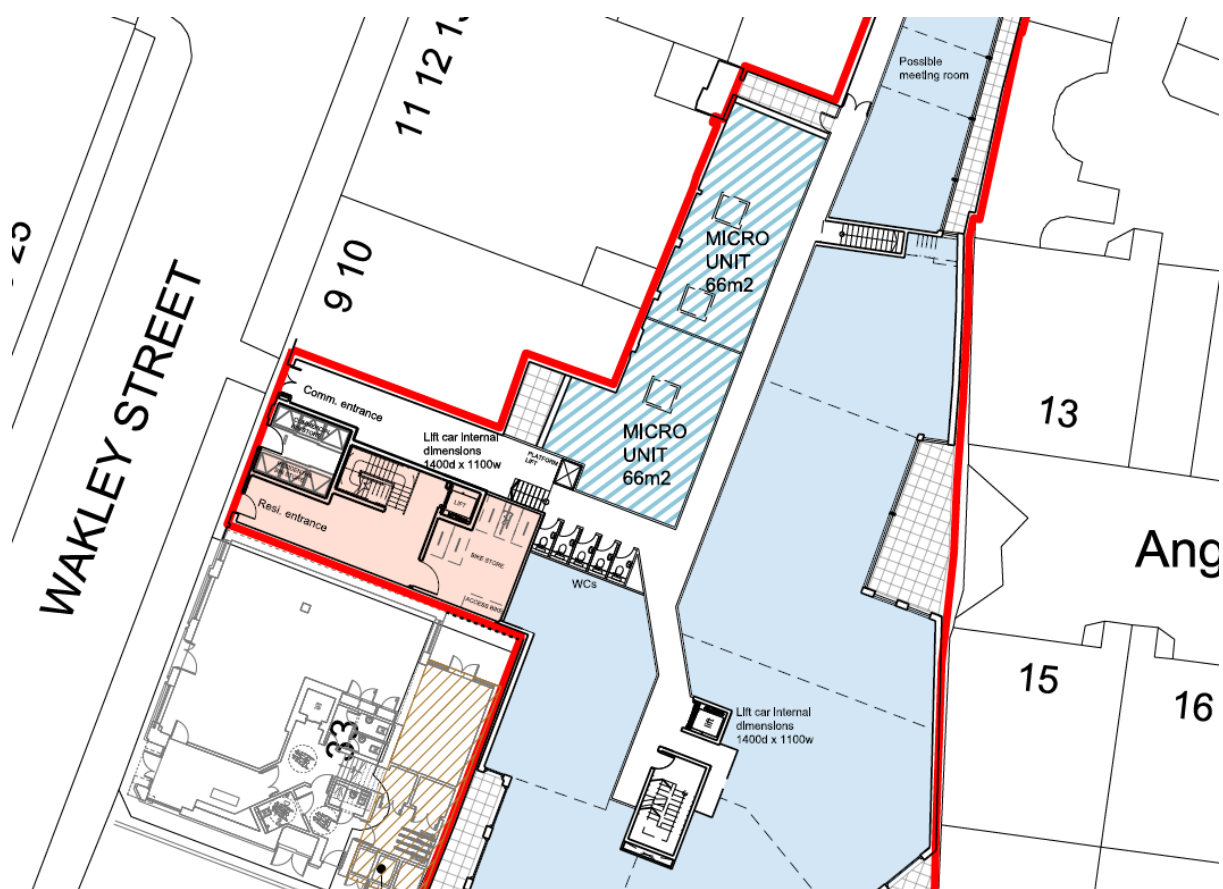
11.44 Paragraphs 5.27-5.28 state, inter alia, that:

'The design of workspace for small or micro enterprises will vary, depending on the end occupier or sector. In general; however, applicants should demonstrate that workspace for small/micro enterprises incorporates:

- a basic, but good quality fit-out, which incorporates servicing to all areas of workspace;
- flexible internal arrangements that permit a number of different internal work areas to be accessed from shared spaces;
- good standards of internal sound insulation;
- a range of shared spaces and facilities, such as communal breakout space, kitchen areas, bike storage and goods lifts; and external space reserved for loading/unloading.'

11.45 The application proposes two 66m² small/micro units which represents 4% of the total proposed commercial floorspace and 10.4% of the uplift in commercial floorspace. The units would be provided at a maximum of 75% of market rent for a period of 5 years and would be permanently retained as small/micro units thereafter. The provision of the small/micro units at a discount to market rent is welcomed.

Proposed affordable workspace units



Other land use considerations

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

Conclusion

- 11.47 The proposal would replace the site's existing substandard, poor quality office accommodation at the site with a greater quantum and quality of useable business floor space, and would introduce residential accommodation. As such, it is considered that the proposal is acceptable in land use terms.

Design & Appearance

- 11.48 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.
- 11.49 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.’

11.50 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.’

11.51 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.

11.52 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 Duncan Terrace / Colebrooke Row Conservation Area, and the Mayor of London’s Character and Context SPG are also relevant to the consideration of this application.

11.53 The northern part of the site (328 City Road) is located in a sensitive location within the Duncan Terrace / Colebrooke Row Conservation Area. It is sited close to a row of listed buildings at 320-326 City Road (listed by Historic England under the single address “326, City Road”), a locally listed building at 14 Wakley Street (identified in some documents as 14-15 Wakley Street) and fronts a major thoroughfare (City

Road). The site presents other challenges, given its irregular shape and neighbouring residential properties in close proximity to its boundaries.

Demolition of existing buildings

- 11.54 On 01/10/2013, under the Enterprise and Regulatory Reform Act 2013, the need for Conservation Area Consent for the demolition of unlisted buildings in conservation areas was removed. Such works now require planning permission.
- 11.55 The demolition of the existing buildings on the site was previously considered acceptable under planning permission reference P2014/3572/FUL. The existing building fronting Wakley Street is not located within a conservation area and has very little historic interest and accordingly its demolition is considered acceptable. The 1- and 2-storey office accommodation behind it has no historic or architectural interest and there is no objection to its demolition.
- 11.56 328 City Road lies within the Duncan Terrace/Colbrooke Row Conservation Area (which itself is a designated heritage asset) and is highly visible in views from City Road and Nelson Terrace. Although significantly altered at lower ground and upper ground floor levels, it is a relatively attractive early 20th century building which makes a positive contribution to the conservation area.
- 11.57 Part B of Development Management Policy DM2.3 states that the council will require the retention of all buildings and structures which make a positive contribution to the significance of a conservation area.
- 11.58 It was noted under application ref. P2014/3572/FUL that the demolition of 328 City Road would result in some harm to the significance of the conservation area, and would be contrary to policy DM2.3. However, it was considered that the positive contribution made by the building is limited by the fact it has been significantly altered and does not reflect the prevailing character, appearance and age of other buildings in the Duncan Terrace / Colbrooke Row Conservation Area. Accordingly, it was considered that its loss would cause less than substantial harm to the significance of the conservation area. Paragraph 134 of the NPPF was therefore applicable and states this harm should be weighed against the public benefits of the proposal. The loss of 328 City Road was considered acceptable on the basis of the quality of the replacement building and the overall public benefits of the scheme.
- 11.59 The currently proposed scheme is similar in appearance to the previously approved scheme on City Road and is considered to represent an improvement in design terms, whilst the proposed palette of materials is considered to represent an improvement. The harm from the demolition of the building and the overall benefits of the proposal, including landscaping improvements to the City Road frontage, are considered as part of the final balance of planning considerations at the conclusion to this report.

Heights and massing

- 11.60 5 storey buildings are proposed in the site frontages to Wakley Street and City Road. The heights of these buildings are unchanged from the previously granted scheme.
- 11.61 Buildings on Wakley Street vary in height from 3 to 6 storeys. 7-8 Wakley Street itself is flanked by a 5-storey building (9 Wakley Street) and a 4-storey (plus attic storey)

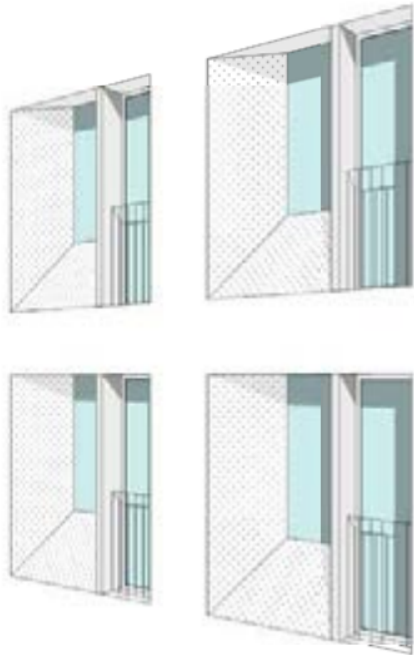
building (Edward House, part of the Angel Gate development). On the site's City Road frontage, 328 City Road is flanked by a 3-storey listed building (326a City Road) and a 4-storey (plus lower ground floor and attic storey) residential building at 330-336 City Road (Angel Point).

- 11.62 It was previously considered that the new building fronting City Road, although prominent and over 1 storey taller than the listed building at 326a City Road, would not appear unduly obtrusive or over-dominant in views from street level. It is also noted that the proposed height would be similar to the building to be demolished.
- 11.63 The building on the Wakley Street frontage was previously considered to relate comfortably next to its immediate neighbours. Notwithstanding the amenity impacts discussed later in this report, it is considered that the proposed heights demonstrate sufficient sensitivity to the site's context.

Architecture and elevations

- 11.64 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. This Core Strategy policy goes on to state that new buildings should be sympathetic in appearance to the local identity, should be based on coherent street frontages, and should fit into the existing context of facades. Finally, part G of policy CS9 notes that high quality contemporary design can respond to relevant challenges as well as traditional architecture, and that innovative design is welcomed.
- 11.65 The proposed front elevations to both City Road and Wakley Street would generally respect the existing front building lines of both streets.
- 11.66 The overall proportional composition of the building fronting Wakley Street is consistent with that of the previously consented scheme. A yellow London stock brickwork façade is proposed and the windows would feature a full height element to one side with openable door and Juliet balcony, and angled perforated metal reveal to the other side that returns to form the upstand to the central window. The more vertical emphasis in the elevation, along with the increase in height of this block, is intended to create more comfortable proportions than the horizontal focus of the existing facade. It is considered that the current proposals represent an improvement over the previously consented scheme.

Wakley Street block window arrangement



- 11.67 The ground floor frontage of the Wakley Street building would provide an entrance for the residential dwellings and a secondary entrance to the offices via a corridor along the ground floor of the block. The residential and commercial bin store would also be accessed from a central door on the ground floor frontage. It is regrettable that no active uses or commercial floorspace are proposed at ground floor level. However, it is accepted that there is no scope to provide this, given that this narrow elevation must accommodate commercial and residential entrances, as well as access to the bin store.

Previously consented scheme



Proposed scheme



- 11.68 The rear elevation features London stock brickwork with full height aluminium framed glazing across the majority of the elevation which is intended to maximise daylight within the proposed dwellings. Vertical metal railings are proposed to the balconies and terraces.
- 11.69 The application explains that the retention of the existing City Road frontage building as well as the retention of its façade only was explored and discounted due to its low floor to ceiling heights and its irregular arrangements. Furthermore, the construction access is required from City Road.
- 11.70 The existing building features a steep forecourt which slopes down into the site from the back of the pavement to the existing building's lower ground floor level. The proposed building would provide level entry from City Road through to the lower ground floor within the building behind. The replacement of the existing building would facilitate increased floor to ceiling heights of 3.24m at ground floor level and 2.94m to the upper floors.
- 11.71 The overall design approach for the front elevation of the City Road building is intended to make reference to the existing building. The main commercial entrance on the City Road elevation will feature a glazed area within a stone frame, reflecting the existing arrangement. Red brickwork is proposed to reference the existing building and shorter windows are proposed to the top floor to respond to the Georgian buildings along City Road and to respond to DRP comments. The window arrangement is intended to ensure that the strong sense of verticality is retained, with a secondary horizontal emphasis kept by re-introducing the white stucco bands in the same locations as the existing facade. The window openings have increased to include bronze inset panels and an angled perforated metal panel to better emphasise the distinction between brick grid and opening, and to increase the sense of openness reflecting the commercial nature of the uses behind. The ground and upper ground floor levels are treated as a single volume with double height space behind to give a sense of entrance and proportional hierarchy at ground.
- 11.72 The rear elevation would feature a similar but more simplified design. Profiled metal panels are proposed to mimic the glazing proportions on the front elevation whilst providing shading to address the risk of overheating to this south facing elevation.
- 11.73 The previously consented scheme featured a two bay façade whilst the currently proposed scheme features a three bay arrangement which is intended to acknowledge the positive contribution of the existing building. It is considered that the proposed elevational treatment of the building fronting City Road would represent an improvement over the previously consented scheme, subject to securing appropriate materials by condition (No. 3)

Currently proposed (left) and previously consented (right) City Road block



Previously proposed City Road block



Currently proposed City Road block



- 11.74 The proposed central, 'backland' block would have a contemporary appearance and its sculptured form and appearance represents a response to the various site constraints, in particular light and aspect requirements at neighbouring properties. The block would feature lightweight and reflective materials including stainless steel and substantial proportions of glazing which would contrast with the more solid character of the street facing blocks, which are set within a clear urban context. The south and north elevations would feature vertical and horizontal louvres/ brise soleil which are intended to mitigate against overheating to the south and overlooking of neighbouring residential properties to the north.

View of central block from Angel Gate



- 11.75 It is proposed to retain the existing brick wall which forms the boundary of the central part of the site.
- 11.76 Landscaping is proposed to the City Road frontage of the site which will feature planters and informal seating/ benches, black metal flat railings and Yorkstone paving.

Impacts on heritage assets

- 11.77 The height, design and materials of the proposed City Road block are considered appropriate in the way they would relate to the statutory listed buildings at 320-326 City Road, and accordingly it is considered that the proposed development would not detract from the significance of these buildings.
- 11.78 Notwithstanding the loss of the existing building at 328 City Road, the impact of its replacement building on the Duncan Terrace / Colebrooke Row Conservation Area would also be limited, given its appropriate height and materials. These aspects of the proposed design, together with its vertical emphasis, would ensure the development would complement its historic context to the north and west.
- 11.79 The application site is within 50m of the New River Conservation Area and the Wakley Street block would be visible from this conservation area at an oblique angle. In view of the design and appearance of the block and its location in relation to the

conservation area it is considered that the proposed development would not result in harm to this designated heritage asset.

- 11.80 The locally-listed building at 14 Wakley Street has a rear yard between its rear elevation and the application site boundary. Given the limited massing proposed to the rear of this heritage asset, and the intervening buildings between its front elevation and the proposed new frontage to Wakley Street, it is considered that the significance of 14 Wakley Street would not be adversely affected by the proposed development.
- 11.81 A parish boundary stone dated 1852 currently exists on site. This is set into the boundary wall between the application site and the Angel Gate development, and is visible in a meeting room in the existing 1- and 2-storey office building. The applicant proposes to relocate it to the boundary wall between 326a and 328 City Road, in a more accessible location (albeit not visible from the pavement) along the historic parish boundary. The relocation of this heritage asset is considered acceptable, subject to the approval of a method statement relating to its removal, any necessary repair, and reinstallation. It is recommended that a method statement be secured by condition (No. 9).

Conclusion

- 11.82 It is considered that the proposed development represents an improvement over the previously consented scheme in terms of the appearance of the Wakley Street and City Road blocks and, in particular, in terms of the relationship of the central block with surrounding development. Furthermore, it is considered that, whilst the form and massing of the central block is informed by a requirement to maintain light to neighbouring properties, this fact is not obvious in the design and appearance of the building. The proposed development therefore has considerable merit when compared to the previously consented scheme and is supported in design terms.

Density

- 11.83 Policy 3.4 of the London Plan states that development should optimise housing output taking into consideration local context and character, design principles and public transport capacity, appropriate to location within the relevant density range shown in Table 3.2. Table 3.2 and London Plan Policy 3.4 suggest that a density level of 650-1100 habitable rooms per hectare (215-415 units per hectare) is appropriate in a central location, which are defined as follows:

‘Areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.’

- 11.84 In view of the high density character of much of the built development within the locality it is considered reasonable to identify the site as within a ‘Central’ area.
- 11.85 Paragraph 3.28 of the London Plan states that the ranges set out in Table 3.2 should not be applied mechanistically and local context and other considerations should be taken into account when considering the acceptability of a specific proposal.
- 11.86 It should be noted that the density matrix has been deleted from the Draft London Plan and it refers to a design led approach.

11.87 The residential component of the scheme would occupy the building fronting Wakley Street which has a footprint of 0.018ha. With 19 habitable rooms proposed within 8 units the proposed development would achieve a density of 444 units per hectare and 1055 habitable rooms per hectare. The density therefore exceeds the parameters set out in Table 3.2 in terms of unit numbers but falls within the parameters indicated for habitable room numbers. Habitable rooms can be considered a more accurate measure of density and therefore, subject to neighbour amenity impacts and other considerations set out in this report, the proposed density is considered appropriate for this central and accessible site.

Inclusive Design

11.88 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances.

11.89 London Plan Policy 3.8 states there should be genuine housing choice which meets requirements for different sizes and types of dwellings in the highest quality environments. These requirements are reinforced by Islington Core Strategy CS12 and the Mayor's Accessible Housing SPD.

11.90 Development Management Policy DM2.2 requires all new developments to demonstrate inclusive design whilst Policy DM3.4 provides housing standards for all types of residential developments. The Council's Inclusive Design SPD sets out guidelines for the appropriate design and layout of dwellings, including wheelchair accessible units.

11.91 The National Standard for Housing Design is enshrined as an enhancement of Part M of the Building Regulations which will be enforced by Building Control or an Approved Inspector. The new National Standard is broken down into 3 categories: Category 1 (Visitable Dwellings), Category 2 (Accessible and Adaptable Dwellings, similar to Lifetime Homes) and Category 3 (Wheelchair Accessible dwellings, similar to Islington's present wheelchair accessible housing standard).

11.92 London Plan Policy 3.8 (Housing Choice) to require that 90% of new housing be built to Category 2 and 10% to Category 3.

11.93 The 8 residential units are designed to Approved Document Part M, Category 2 – Accessible and Adaptable.

11.94 The applicant has submitted revised plans at application stage to indicate accessible cycle parking spaces for the residential and commercial uses, accessible toilets to all floors within the office accommodation, and a mobility scooter parking and charging space for the office use.

11.95 The Council's Accessibility Officer raises no objections to the proposed development subject to conditions securing the Category 2 housing, accessible cycle parking and mobility scooter charging space (Nos. 12, 15 and 14).

Accessible parking

- 11.96 No accessible parking is proposed on-site. This is considered acceptable, given the site's constraints, and in particular its narrow street frontages which need to accommodate entrances. Off-site, on-street provision would instead be appropriate, however it is noted that the streets surrounding the application site are TfL-controlled red routes, and there may be limited scope for on-street provision within 75m of the development's dwelling entrances. Recommended condition 13 requires the submission of a survey to ascertain where such spaces could be provided. Should on-street provision not be possible, a financial contribution towards accessible transport initiatives can be accepted.

Neighbour Amenity

- 11.97 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

Daylight and sunlight

- 11.98 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.

- 11.99 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.*'

- 11.100 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).

- 11.101 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value achievable is almost 40% for a completely unobstructed vertical wall.
- 11.102 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.'*
- 11.103 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.'*
- 11.104 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 is the development or the balcony itself causing the most significant impact.
- 11.105 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 degrees. 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.'*
- 11.106 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to proposed residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.
- 11.107 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 90 degrees 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.'*

11.108 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.'*

11.109 They go 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.'*

11.110 The application site is located within an accessible location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.

11.111 It is noted that the BRE Guidelines are predicated upon a suburban development model and the 'ideal' baseline target values they set out are based upon a suburban situation i.e. the level of light that would be expected in a situation with two storey dwellings facing one another across a reasonable width road.

Assessment

11.112 The applicant tested the following properties in respect of the daylight and sunlight impacts of the proposed development and these are detailed within the Daylight and Sunlight Report prepared by GIA which accompanied the application:

- 9-10 Wakley Street
- 14 Wakley Street
- 330-336 City Road (Angel Point)
- 319 City Road
- 1-36 Langdon Court, City Road

11.113 The locations of the above properties (with the exception of 319 City Road) are indicated within the photograph below.

View north from Angel Gate indicating adjacent residential properties



11.114 The Report indicates that there will be no material daylight and sunlight loss to the following residential properties:

- 14 Wakley Street
- 319 City Road
- 1-36 Langdon Court, City Road.

Daylight

11.115 The daylight results for 9-10 Wakley Street and 330-336 City Road and are set out in the table below. The table only identifies rooms where there would be a loss of daylight in excess of the BRE Guidelines (indicated in bold):

Floor	Room / Window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)		
			Existing (%)	Proposed (%)	Percentage reduction in VSC	Existing %	Proposed %	Percentage reduction in Daylight in Daylight Distribution
9-10 Wakley Street								
2603	Room 1 / Window 1	Bedroom	29.9	22.3	25.42	91.0	89.7	1.43

330-336 City Road								
2899	Room 4	Living Room	8.3	7.8	6.02	38.8	25.9	33.25
	Room 5	Bedroom	16.4	15.5	5.49	72.9	55.2	24.28
	Room 6	Living Room	11.9	10.3	13.45	64.1	44.7	30.27
2900	Room 4	Living Room	17.1	15.8	7.60	84.5	66.4	21.42

11.116 The applicant's Daylight and Sunlight report identifies that 1 residential unit at 9-10 Wakley Street would experience a reduction in VSC of 25.42%. However, the retained VSC would be 22.3% which is considered reasonable within a built up urban location whilst there would be a very minor reduction in daylight distribution (1.43%). Accordingly, it is considered that this impact is acceptable.

11.117 For 330-336 City Road (Angel Point), the applicant's report identifies that all of the rooms would comply with the BRE guidance in terms of VSC. 4 rooms would have a reduction in NSL of over 20%, contrary to BRE guidance. Two of the rooms would experience losses under 25% and two would experience losses over 30%, with the greatest loss of NSL being 33.25%. In view of the extent of the reduction in NSL and the high level of VSC compliance it can be considered that the reduction in daylight to these properties would not be unduly harmful.

Sunlight

11.118 The applicant's assessment demonstrates full compliance with the BRE recommendations for sunlight in respect of 14 Wakley Street, 330-336 City Road, 319 City Road and Langdon Court.

11.119 The sunlight results for 9-10 Wakley Street are set out in the table below. The table only identifies the 8 rooms (of the 9 assessed) where there would be a losses of sunlight, with losses in excess of the BRE Guidelines indicated in bold:

Floor	Room / Window	Room use	Existing Total APSH	Proposed Total APSH	Total % Loss	Existing Winter APSH	Proposed Winter APSH	Winter % Loss
2601	Room 1 / Window 1	Lounge / Diner	18	17	5.56	1	0	100
	Room 2 / Window 2	Lounge / Diner	42	32	23.81	9	1	88.89
2602	Room 1 / Window 1	Lounge / Diner	38	21	44.74	1	1	0
	Room 2 / Window 2	Lounge / Diner	50	40	20.00	13	4	69.23
2603	Room 1 / Window 1	Bedroom	55	29	47.27	17	2	88.24
	Room 2 / Window 2	Bedroom	55	49	10.91	16	10	37.5
2604	Room 1 / Window 1	Kitchen	54	36	33.33	17	6	64.71
2604	Room 4 / Window 6	Living Room	21	9	57.14	4	0	100

11.120 Five of these rooms would achieve BRE compliance on the basis that they would retain total APSH in excess of the 25% target recommended by the BRE. One room would experience a reduction of winter APSH from 1 to nil (100%) but would comply with the

BRE Guidance on the basis that it would only experience a 5.56% reduction in total APSH. One room would experience a 44.74% loss of total APSH and nil loss of winter APSH but would retain 21 total APSH, which is 4 hours short of the BRE recommended target. One room would experience a 57.14% reduction in total APSH and a 100% reduction in winter APSH (from 4 to nil), and therefore would experience a reduction in sunlight in excess of the BRE recommendations.

11.121 The applicant notes that the eastern orientation of the windows on the rear elevation of 9-10 Wakley Street means that they are less likely/not expected to receive sunlight amenity in line with windows which face due south and the low trajectory of the sun in winter months results in a limited number of available sunlight hours during this time.

11.122 It should be noted that the currently proposed scheme represents an improvement over the previously consented scheme in terms of impact on daylight and sunlight amenity. The table below provides a comparison of the percentages of rooms achieving BRE compliance in relation to the VSC, NSL and APSH forms of assessment for daylight and sunlight.

Property	Daylight				Sunlight	
	VSC		NSL		APSH	
	Consented Scheme	Proposed Scheme	Consented Scheme	Proposed Scheme	Consented Scheme	Proposed Scheme
9-10 Wakley Street	70%	90%	94%	100%	50%	50%
14 Wakley Street	100%	100%	80%	100%	100%	100%
330-336 City Road	97%	100%	69%	85%	100%	100%
319 City Road	100%	100%	100%	100%	100%	100%
1-36 Langdon Court, City Road	100%	100%	100%	100%	100%	100%

11.123 It is considered that, having regard to the built up urban location of the application site, the proposed development will not result in any unduly harmful impacts in terms of neighbouring daylight and sunlight amenities.

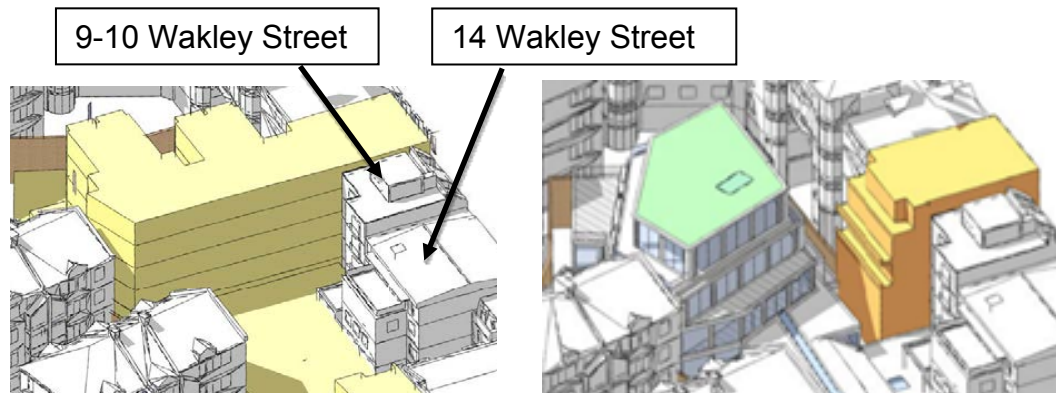
Overshadowing

11.124 The previous application was accompanied by an Overshadowing Assessment to demonstrate the impact of the proposal on the roof terraces at Nos.9 and 14 Wakley Street. The report predicted that the amount of the roof terrace to 9-10 Wakley Street (used by flats 5 and 6) which receives at least 2 hour's sunlight on 21st March would be reduced from 86.45% to 61.88%, post development. The report also identified that the outdoor amenity spaces to 14 Wakley Street which receive at least 2 hours of sunlight on 21st March would be reduced from 15.78% to 11.16%. The increased overshadowing was considered acceptable,

11.125 The current application is not accompanied by an Overshadowing Assessment. The proposed office block would be sited further from Nos. 9-10 and 14 Wakley Street and would be no higher than the previously consented block, as indicated in the drawings below. Accordingly, the proposed development would have no greater impact than

the previously consented scheme in terms of sunlight to the outdoor amenity spaces at Nos. 9-10 and 14 Wakley Street.

Comparison of previously consented and proposed scheme



Outlook

- 11.126 Outlook – the visual amenity provided by the immediate surroundings of a (usually residential) property, as experienced from its windows or outdoor spaces – can be affected by the close siting of another building or structure, which – depending on its proximity, size and appearance – can create an oppressive, increased sense of enclosure to the detriment of the amenities of rooms in a neighbouring property, particularly those of single aspect dwellings, or those that already have limited outlook. Outlook does not refer to views of a particular landmark or feature of interest, or long views over land not in the ownership of the viewer.
- 11.127 The City Road block would replace an existing building on City Road of comparable scale and mass, and would project out to align with the rear elevation of the existing building at 330-336 City Road (Angel Point) and would not adversely affect the outlook from any neighbouring properties. In view of the comparable scale of the proposed building and the significant distance from the residential properties to the north on the opposite side of City Road, the outlook from these properties would not be adversely affected.
- 11.128 It is proposed to replace an existing 3-storey building on Wakley Street with a 5-storey building. The new building would project beyond the setback front elevations at third and fourth floor levels at 9 Wakley Street, however this forward projection would not significantly reduce outlook from the adjacent balcony and windows.
- 11.129 An existing roof terrace (effectively at fifth floor level) at Flat 5, 9 Wakley Street currently benefits from an expansive outlook over Wakley Street, and over the existing 2 and 3 storey buildings that occupy the application site. Views from this roof terrace to the north are partly obstructed by the building's roof-level structure and screening. This outdoor amenity space would be flanked along its southern edge by the north elevation of the Wakley Street block, with the blank part of this new elevation standing approximately 2.8m taller than the surface of the roof terrace, consistent with the previously approved scheme. As previously noted, there would be a loss of amenity to the roof terrace, although the current proposal represents an improvement over the previously approved scheme in that the built form to the south east of the roof terrace will be set further away. It is also noted that the occupants of the roof terrace would

continue to enjoy unobstructed outlook from the roof terrace over the street and eastwards. It is therefore considered that, although the north wall of the Wakley Street block would result in a reduction in outlook from the roof terrace, the occupants of Flat 5 would continue to benefit from a good level of amenity.

- 11.130 The roof terrace of Flat 5 is accessed via a roof-level structure which features large south-facing windows and a glazed door, providing access from and light to the living space on the fourth floor below. Although the fifth floor of the Wakley Street block would be visible when using the staircase and in upward views from part of the fourth floor of Flat 5, the main outlook from the habitable fourth floor living space of the flat would not be adversely affected by the proposed development. The occupants of Flat 5 have raised concerns in relation to the installation of plant on the roof of the Wakley Street block. The application plans indicate an AOV, photovoltaic panels and a lift overrun. The architects have advised that, whilst a services engineer has not yet been appointed for the project, it is not anticipated that additional plant would be required on the Wakley Street block and that the space allowed for the lift shaft should be sufficient. It is recommended that details of all roof level structures be secured by condition (No. 5).
- 11.131 Outlook from the office buildings surrounding the application site would not be significantly affected by the proposed development, and it is noted that the amenities of such non-residential uses are not normally afforded the same level of protection as that appropriate to residential properties. 13 and 15 Angel Gate to the east present blank elevations to the application site, whilst the windows of 27 and 33 Angel Gate are a sufficient distance from the proposed development such that there should not be any significant loss of outlook. Outlook from offices at 11-13 Wakley Street and 326a City Road would not be significantly affected due to the limited increase in the height of the proposed 2-storey part of the development, compared with the heights of the site's existing buildings.
- 11.132 In summary, there would be some loss of amenity to the roof terrace of Flat 5 by reason of loss of outlook as a result of the north elevation of the Wakley Street block. However, the current proposal would represent an improvement over the previously approved scheme and the occupants of this flat would continue to enjoy a good level of amenity. It is otherwise considered that the proposed development would not be overbearing or lead to an unacceptable sense of enclosure for neighbouring occupiers.

Privacy

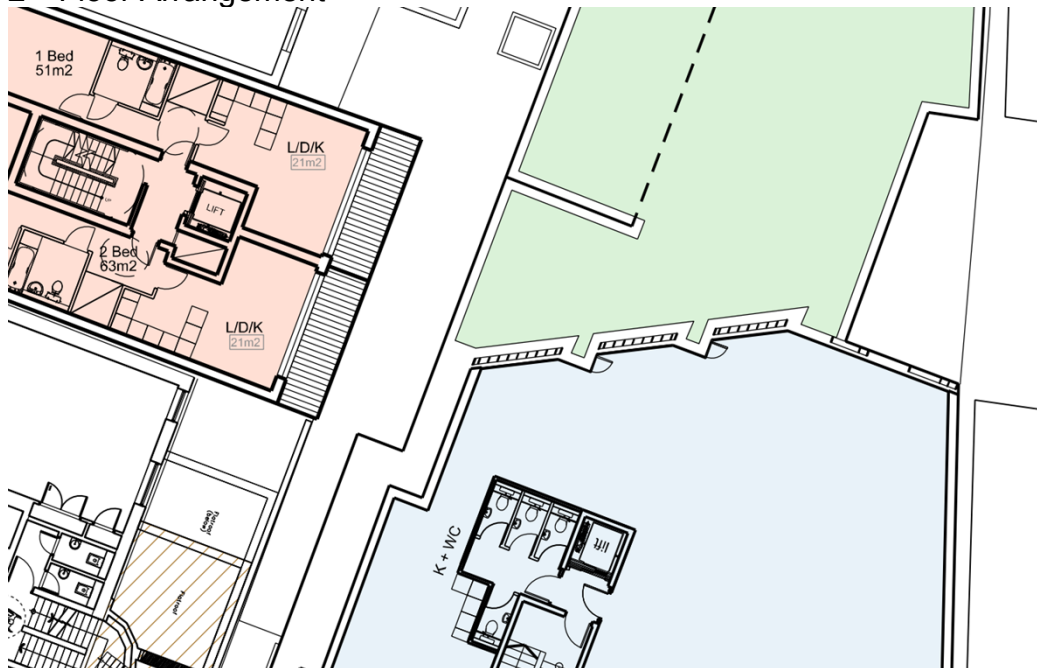
- 11.133 Paragraph 2.14 of Islington's Development Management Policies states that:

'To protect privacy for residential development and existing residential properties, there should be a minimum distance of 18m between windows of habitable rooms. This does not apply across the public highway – overlooking across a public highway does not constitute an unacceptable loss of privacy.'

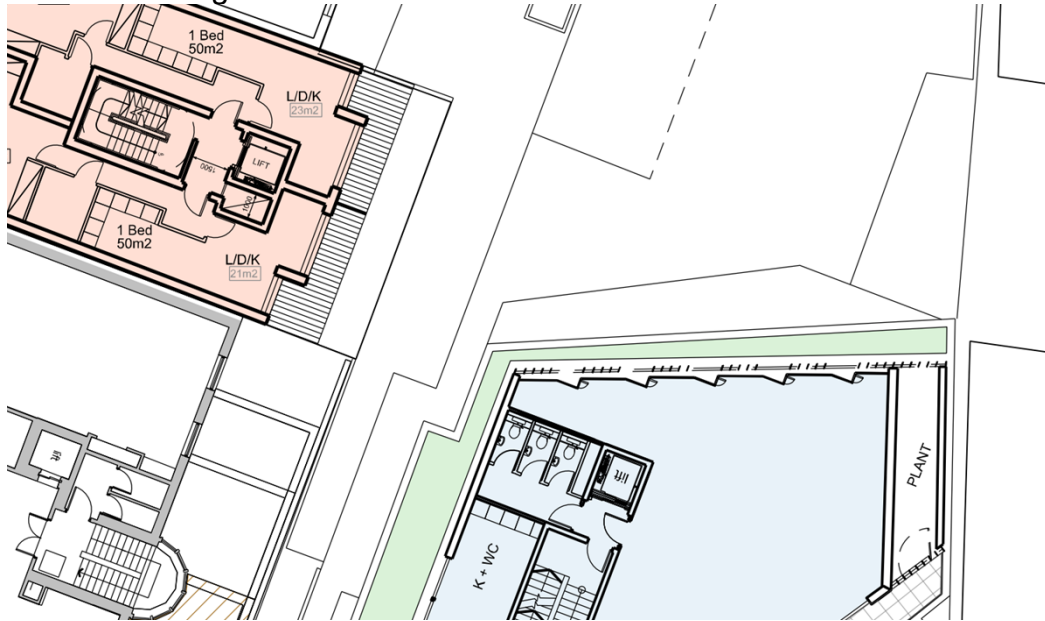
- 11.134 In the application of the above guidance it should be acknowledged that the nature of views between rooms can vary. For instance, where the views between rooms are oblique as a result of angles or height difference between windows, there may be no harm.

- 11.135 The proposed office floorspace may generally be occupied less intensively at times when residential dwellings may be most intensively occupied (e.g. weekends), and accordingly the above guidance is not directly applicable where office floorspace is proposed.
- 11.136 The residential windows on the proposed Wakley Street elevation would face a non-residential office building on the opposite side of the public highway and would not result in unacceptable overlooking.
- 11.137 The east facing rear elevation of the Wakley Street block would feature full height residential windows and balconies which would face towards the proposed office building with a minimum separation of approximately 6m. There would be no windows facing the rear of the Wakley Street block on the west elevation of the office building whilst the north elevation would feature narrow window openings and horizontal louvres / brise soleil to prevent overlooking, as indicated below. The nearest existing office windows which would have views towards the rear of the Wakley Street block would be approx. 52m distant.

2nd Floor Arrangement



4th Floor Arrangement



11.138 The City Road block would provide office accommodation whereas the previously permitted scheme featured residential windows and balconies on the south-facing rear elevation. The south facing elevation would not directly face any existing residential windows. There would be some limited oblique overlooking of the rear windows of Nos. 9, 11-13 and 14 Wakley Street and the ground level rear yard of 14 Wakley Street. It should be noted that the existing office building presents some opportunities for overlooking of these neighbouring properties. Furthermore, any increased opportunities for overlooking as a result of the increase in glazing and the increased rearward projection of the building would not be significant and would not add significantly to the overlooking already caused by the many rear windows and balconies of 330-336 City Road.

11.139 Roof terraces to the central office block are proposed to the southern end of the site. These would overlook neighbouring office accommodation and would not result in any overlooking of residential dwellings.

11.140 There will be ground floor access to small external areas which will be enclosed by the existing 3.9m-5.3m high solid brick boundary wall to the site. It is not anticipated that these arrangements will result in any loss of privacy.

Noise

11.141 The application site is located in an area subject to traffic noise, and a mix of commercial and residential uses located in close proximity to one another.

11.142 The proposed development includes rooftop plant in relatively close proximity to residential uses. The Noise Assessment advises that the amount and type of rooftop plant is not yet known as the proposed development has not yet reached detailed design stage. A condition is recommended relating to the provision of appropriate noise control measures (condition 30) to ensure that plant would not lead to unacceptable disturbance to neighbouring occupiers.

Other environmental impacts

- 11.143 Representations have been received raising concerns regarding potential disturbance and environmental impacts during construction. A condition (condition 8) is recommended requiring the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) to address noise, dust and other potential environmental impacts. The Section 106 agreement referred to in Appendix A would ensure that construction is carried out in compliance with the Code of Construction Practice. Outside planning control there are further controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.

Neighbour amenity summary

- 11.144 The previously approved scheme was considered acceptable in terms of impacts upon the residential amenities of the occupants of neighbouring dwellings. The currently proposed scheme has been designed to reduce the impact of the development on neighbouring residential properties through a revision of the siting and configuration of the central block. The proposal reduces the impact upon the daylight amenities and outlook from the nearby residential properties, in particular Nos. 9-10 Wakley Street. It is considered that the proposed development would not result in any undue harm to the residential amenities of the occupants of neighbouring dwellings.

Quality of Residential Accommodation

- 11.145 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, residential space and design standards will be significantly increased and enhanced from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards. In accordance with this policy, all new housing is required to provide functional and useable spaces with good quality amenity space, sufficient space for storage and flexible internal living arrangements.

Residential unit and room sizes

- 11.146 All of the proposed residential units comply with the minimum unit and room sizes as expressed within policy DM3.4 and the associated Tables 3.2 and 3.3, and the Government's nationally described space standards.

Aspect and outlook

- 11.147 Part D of policy DM3.4 states that "new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated".
- 11.148 All of the proposed residential units in the residential block fronting Wakley Street would benefit from true dual aspect (i.e. windows on opposite elevations, looking out onto different spaces), which is welcomed.
- 11.149 All of the rooms proposed in the Wakley Street block would have good levels of daylight, in excess of minimum standards.
- 11.150 Taking into account the points set out above, and in particular the location of the site in this relatively dense, inner urban area, it is considered that the proposed residential units would be provided with acceptable levels of amenity for future occupiers.

Amenity space

11.151 Development Management Policy DM3.5 states that all new residential development and conversions will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens. Part C of the policy states that the minimum requirement for private outdoor space is 5sqm on upper floors and 15sqm on ground floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors and an extra 5sqm on ground floors up to a minimum of 30sqm for family housing (3-bedroom residential units and above).

11.152 The 2 first floor flats would each benefit from a 16m² private outdoor amenity space whilst each flat on the second to fourth floors would benefit from a 7m² balcony. The proposed development would therefore meet or exceed the minimum policy requirements for private amenity space.

11.153 Given the size of the proposed development, the provision of new on-site open space is not required under Development Management Policy DM6.2.

Playspace

11.154 The proposal would result in nil child yield and accordingly would not give rise to a requirement for play space.

Noise

11.155 The residential element of the proposed development would front onto Wakley Street. The application is accompanied by a Noise Assessment which details ambient noise levels adjacent to the proposed development and identifies that ameliorative measures in the form of window arrangements will be necessary to mitigate against noise from the local road network. As windows for all façades of habitable rooms will need to remain closed to meet the internal target noise levels an additional means of ventilation (e.g. mechanical ventilation) will be required for the proposed façades.

11.156 A condition is recommended relating to the provision of appropriate sound insulation (condition 31) to ensure that future occupiers would not be subject to unacceptable levels of noise.

Air quality

11.157 The entire borough has been designated by the council as an Air Quality Management Area. The proposed residential dwellings would be exposed to nitrogen dioxide levels exceeding the council's objectives and as such mechanical ventilation would be required. It is recommended that measures to minimise residents' exposure to air pollution are secured by condition (no. 29).

Refuse and recycling

11.158 A dedicated refuse store for the residential and commercial uses would be provided at ground floor level within the Wakley Street block.

Dwelling Mix

11.159 Policy CS12 (part E) requires developments to provide a range of unit sizes to meet needs in the borough, and maximise the proportion of family accommodation in both affordable and market housing. In the Development Management Policies document, paragraph 3.14 (which supports policy DM3.1) states that developments should

provide for a mix of unit sizes in accordance with Table 3.1, which sets out the following required unit size/tenure mix:

Tenure	1 bed	2 bed	3 bed	4 bed+
Market	10%	75%	15%	0%
Intermediate	65%	35%	0%	0%
Social Rented	0%	20%	30%	50%

11.160 The proposed development would provide 5 one bedroom (62.5%) and 3 two bedroom (37.5%) units which does not closely match the requirements of Table 3.1. However, in this location, and given the constraints of the site, the provision of family-sized units is not considered essential and the proposed unit mix is accepted.

Sustainability, Energy Efficiency and Renewable Energy

11.161 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.

11.162 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.

11.163 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.

11.164 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.

11.165 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.

BE LEAN

Energy efficiency standards

- 11.166 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.
- 11.167 The applicant has confirmed that the fabric of the residential and commercial buildings will meet the recommendations within the Council's Environmental Design SPD (external walls = 0.20w/m²k, roof = 0.13w/m²k, floors = 0.20 w/m²k and glazing = 1.5w/m²k). This is welcomed.
- 11.168 Low energy LED lighting with occupancy and daylight sensor control systems are proposed throughout the development and these measures are supported.

BE CLEAN

District heating

- 11.169 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.
- 11.170 The Energy Statement demonstrates that the DEN (Bunhill Network) is just over 500m away. As such, the applicant is not required to provide a feasibility assessment of connection. However, the Energy Statement concludes that it is not financially viable to connect to the Bunhill Network.

SHARED HEAT NETWORK

Combined Heat and Power

- 11.171 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.'
- 11.172 The Energy Statement does not include any assessment of the potential to join neighbouring buildings with communal heating systems to form a Shared Energy Network. The Council's Energy Advisor has acknowledged that it is unlikely that an investigation would identify nearby developments which present an opportunity to develop a Shared Energy Network. In this case it is therefore considered that this

matter can be adequately addressed through a condition requiring an assessment of prior to the commencement of development (condition 24).

- 11.173 The Energy Strategy concludes that Combined Heat and Power (CHP) is not viable for the development due to the low heat demand from the 8 residential properties and the commercial units and the applicant has provided monthly heat loads to demonstrate that this is the case.
- 11.174 Individual gas fired boilers have been specified for heating and hot water within the residential properties whilst the non-residential element of the development will be heated using high efficiency boilers. The applicant has provided calculations demonstrating that individual gas boilers to the residential properties are more carbon efficient than connection to a communal boiler.

BE GREEN

Renewable energy technologies

- 11.175 The Energy Statement indicates that a 308 panel / 77kW solar photovoltaic (PV) array would be provided on a large proportion of the available roof space which is not given over to green roofs. The PV array would reduce CO₂ emissions by 22 tonnes per year. The Council's Energy Conservation Officer has indicated that this approach is considered acceptable.
- 11.176 The proposed development is expected to achieve a BREEAM rating of 'Excellent' with a score of 73.79% and this is supported (condition 23).
- 11.177 Carbon Emissions: 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.
- 11.178 The applicant proposes a reduction on regulated emissions of 36% 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 30% 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 £70,958.
- 11.179 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.
- 11.180 The application is accompanied by an Overheating Assessment which demonstrates that the building as designed is not at risk of overheating in future weather scenarios.

A mechanical ventilation with heat recovery system with summer bypass function and natural ventilation are required to ensure that the building does not overheat in summer months.

- 11.181 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.
- 11.182 The proposed development will incorporate a green roof, permeable paving and underground surface water storage tanks underneath the building in order to reduce surface water run-off from the site.
- 11.183 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 (no. 19).
- 11.184 Green Performance Plan: The application is accompanied by a draft Green Performance Plan and a full Green Performance Plan would be secured through the Section 106 legal agreement.
- 11.185 BREEAM: A BREEAM pre-assessment for the non-residential element of the proposal has been submitted with the application which demonstrates that the development would achieve 73.99% equivalent to an 'Excellent' rating
- 11.186 Basement Development: The proposed development involves the construction of a basement. The submission of the previous application pre-dated the adoption of the Council's Basement Development SPD and accordingly a Basement Impact Assessment was not provided at application stage and was secured by condition.
- 11.187 The extent of the basement within the currently proposed scheme has been reduced from that previously permitted to address the financial viability of redevelopment of the site. A Basement Impact Assessment in this case would be required to include a Contaminated Land Assessment and a Structural Method Statement, whilst an Archaeological Assessment would not be required as the site does not lie within an Archaeological Priority Area. The application is accompanied by a Historic Environment Assessment which addresses the archaeological implications of the development and by a Phase 2 Geo-environmental Report which addresses ground conditions and contamination.
- 11.188 The applicant would be required to develop the design of the basement in consultation with London Underground to account for the infrastructure under the site. In view of the extent of the basement and the content of the submitted documents it is not anticipated that its construction would present any unusual challenges from a structural point of view. Accordingly, recommended conditions 20 and 21 secure the submission of details explaining how the proposed development would comply with the requirements of the SPD. London Underground have also requested that details of piling and foundation works be secured, and condition 22 is recommended accordingly.

Other matters

- 11.189 The application site has no trees, however a mature London Plane tree stands close to the site in the grounds of 326a City Road, and there are trees close to the site boundaries within the grounds of the Angel Gate development. These trees partly overhang the application site and some pruning may be required in connection with the proposed development. Recommended condition 17 requires details of such pruning.
- 11.190 It is recommended that measures to increase the site's currently-limited biodiversity interest, including through the installation of bird and bat boxes, are secured by recommended condition 16.

Highways and Transportation

- 11.191 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.
- 11.192 The site has a Public Transport Accessibility Level (PTAL) rating of 6a indicating excellent accessibility.

Existing conditions

- 11.193 Both City Road and Wakley Street are busy TfL-controlled red routes. Wakley Street is a one-way street, with traffic moving from north to south. A pedestrian crossing exists close to the site, outside 326 City Road. There are loading bays along the east side of Wakley Street.
- 11.194 The application site has a Public Transport Accessibility Level (PTAL) of 6a. It is within less than 500m walking distance of Angel underground station, and City Road is served by 5 bus routes. Bus and cycle lanes are marked along stretches of City Road.
- 11.195 Dropped kerbs exist directly outside both 7-8 Wakley Street and 328 City Road. The sloped forecourt outside 328 City Road can be used for temporary parking of servicing vehicles, and 7-8 Wakley Street is serviced from the street.
- 11.196 Cycle access and parking: Development Management Policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking.
- 11.197 Islington's cycle parking requirements are set out in Appendix 6 of the Development Management Policies document and give rise to a requirement for 11 long stay cycle parking spaces (including 1 accessible cycle parking space) for the residential use. It is proposed to provide 11 cycle parking spaces, including 1 accessible cycle parking space, at ground floor level within the residential building.
- 11.198 The proposed non-residential part of the development gives rise to a requirement for 42 long stay cycle parking spaces (including 2 accessible cycle parking spaces). These will be located at basement level and accessed from City Road by lift or stairs

with a wheeled ramp. Although cycle parking should normally be provided at ground floor level, it is accepted that the site's narrow street frontages and limited space at its ground floor entrances means provision has to be made at lower ground floor level. It is recommended that the cycle parking be secured by condition (No. 15).

- 11.199 Servicing, deliveries and refuse collection: The proposed development will be serviced from Wakley Street where there is an existing, extended loading bay.
- 11.200 A refuse and recycling store for both the residential and commercial uses would be accessed from Wakley Street.
- 11.201 TfL are the highways authority for Wakley Street and City Road and have raised no objections to the proposed servicing arrangements.
- 11.202 In order to ensure satisfactory delivery and servicing arrangements it is recommended that a Delivery and Servicing Plan (DSP), to be agreed in consultation with the highways authority (TfL), is secured by condition should planning permission be granted (condition No. 27).
- 11.203 Vehicle parking: Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. An appropriate clause in the Section 106 agreement would prevent residents of the proposed development from being eligible for Controlled Parking Zone (CPZ) permits. However, it must be noted that residents moving into the new homes would be eligible for a CPZ permit if they have already held an Islington CPZ permit for a period of at least a year.
- 11.204 Accessible car parking is discussed earlier in this report.
- 11.205 Construction Management Plan and Construction Logistics Plan: The Transport Statement proposes measures to minimise the highways impacts of the proposed development during the construction period. It is recommended that a Construction Environmental Management Plan, to include a Construction Logistics Plan, be secured by condition (No. 9) should planning permission be granted.
- 11.206 Travel Plan: The application is accompanied by a draft Travel Plan. This would encourage the use of more sustainable modes of transport. It is recommended that a full Travel Plan be secured through the Section 106 agreement should planning permission be granted.

Transport for London

- 11.207 The site is bounded by City Road to the north and Wakley Street to the west, both of which form part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN. TfL have made comments which are summarised as follows:
- The footway and carriageway on City Road and Wakley Street must not be blocked during the works and temporary obstructions must be kept to a minimum (Informative No. 10).
 - All vehicles associated with the works must only park/stop at permitted locations at permitted times (Informative No. 11).

- No skips or construction materials shall be kept on the footway or carriageway on the red route at any time (Informative No. 12).
- Car-free development is welcomed.
- It is noted that there may be limited scope to provide on-street accessible parking bays provision within 75m of the site and a condition (No. 13) securing the submission of a survey to ascertain whether such provision can be provided is considered acceptable. It is noted that, should on-street provision not be possible, a financial contribution to accessible transport initiatives would be secured through the Section 106 agreement.
- Cycle parking is acceptable and should be secured by condition (No. 15)
- The trip generation methodology and outcomes are acceptable.
- Delivery and servicing arrangements are considered acceptable subject to securing a Delivery and Servicing Plan by condition (No. 27)
- A Detailed Construction Logistics Plan should be secured by pre-commencement condition which TfL should be consulted on (Condition 8).
- A Full Travel Plan, including mode share targets, should be secured and monitored through the section 106 agreement.

Other highways considerations

- 11.208 It is likely that footway and highway reinstatement works would be necessary following completion of the proposed development. The highways directly outside the site are TfL-controlled, and TfL have requested that the developer be required to enter into a Section 278 agreement with TfL in relation to these works. This matter is referred to in the recommended Section 106 Heads of Terms.
- 11.209 The quality of the existing pedestrian environment surrounding the application site has been assessed by the applicant's consultant using PERS methodology, and the findings are set out within the submitted Transport Assessment. Although the consultant generally found the pedestrian environment to be positive, some deficiencies were noted, and these findings could inform future decisions as to where CIL moneys associated with the proposed development could be spent.

Archaeology

- 11.210 The application site is not within an Archaeological Priority Area. The previous application was accompanied by an Historic Environment Assessment which considered the archaeological potential of the site and recommended archaeological monitoring (and possible investigation) during works. Historic England recommended that the archaeological interest of the site should be conserved and a programme of archaeological investigation was secured through a condition attached to the planning permission.
- 11.211 The current application is also accompanied by a Historic Environment Assessment which notes the reduced extent of excavation for basement construction and concludes that the requirement for a condition securing a programme of archaeological investigation remains applicable. An appropriate condition is recommended (No. 11).

Contaminated Land and Air Quality

- 11.212 Given the potentially contaminating historic uses of the application site, the site's location within Source Protection Zone 2, and the introduction of residential

accommodation which would bring new receptors to the site, provisions relating to contamination would be necessary as per the applicant's own Phase 1 Environmental Assessment. Appropriate conditions (Nos. 32 and 33) are recommended.

- 11.213 As previously noted, the whole of the borough has been designated by the council as an Air Quality Management Area. It is recommended that, for the proposed development's construction phase, the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including in relation to air quality, dust, smoke and odour) be secured by condition (condition 8). This would ensure that the proposal would not detrimentally impact upon the amenity of the neighbouring occupiers with regard to air quality.

Fire Safety

- 11.214 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. Informatives (Nos.8 and 9) have 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

- 11.215 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.

- 11.216 The Section 106 agreement would include the following agreed Heads of Terms:

- A financial contribution of £480,000 towards affordable housing provision elsewhere in the borough
- Section 278 agreement to be entered into with TfL for the repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by TfL, paid for by the applicant and the work carried out by TfL (unless otherwise advised in writing by TfL). Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of 2 work placements. Each placement must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. 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 (£9.75 as at 01/04/2017). If these placements are not provided, a fee of £10,000 to be paid to the council.
- Compliance with the Code of Local Procurement.

- Compliance with the Code of Construction Practice, including a monitoring fee of £2,072, 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 4 additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of £8,000.
- Provision of two small/micro business units to be provided for a period of 5 years at a maximum of 75% of market rent and thereafter to be permanently retained as small/micro units.
- A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total amount: £70,958.
- Future proofing the development for connection to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Submission of a draft full Travel Plan for council approval prior to occupation, and of a full Travel Plan for council approval 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).
- Removal of eligibility for residents' parking permits
- Payment towards employment and training for local residents of a commuted sum of £18,430
- A contribution towards Crossrail of £178,080
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

11.217 All payments to the council would be index-linked from the date of Committee and would be due upon implementation of the planning permission.

11.218 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

12. SUMMARY AND CONCLUSION

Summary

12.1 The redevelopment of the site is welcomed in principle, and the application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.

12.2 The demolition of 328 City Road, whilst regrettable, was previously considered acceptable in view of the limited value of this heritage asset, the public benefits of the redevelopment, and the quality of the proposed replacement building. It is again considered that this is the case.

- 12.3 The proposal would result in a reduction of 18 residential units which were previously identified to contribute to the borough's housing supply. However, the proposal would result in an increased provision of flexible, modern and high quality office floorspace in the CAZ for which there is strong support in policy terms.
- 12.4 A total of 8 dual aspect residential units (5 one bedroom and 3 two bedroom flats) are proposed which are policy compliant in terms of space standards and private amenity space requirements, and which would provide a good quality of residential accommodation. In accordance with the requirements of the Council's Affordable Housing Small Sites Contributions Supplementary Planning Document a financial contribution of £480,000 would be secured through a Section 106 agreement.
- 12.5 The proposed consented development involves a revised siting and configuration for the central block within the site which is intended to reduce its impact upon adjacent residential properties. Accordingly, the proposed development would represent an improvement over the previous scheme in terms of daylight amenity and outlook from neighbouring properties, in particular flats at Nos. 9-10 Wakley Street.
- 12.6 The proposal would result in the redevelopment of a presently under-used site which provides poor quality office accommodation to provide replacement high quality and flexible office floorspace, including an uplift of 1,292m² (GIA). The proposal also includes the provision of two 66m² small/micro units which would be offered at a maximum of 75% of market rent for a period of 5 years and would be permanently retained as small/micro units thereafter.
- 12.7 The proposed development would result in some harm to the residential amenities of the occupants of neighbouring dwellings, including by reason of loss of daylight and sunlight and loss of outlook. However, the current proposal represents an improvement over the previously permitted scheme and would represent a more neighbourly development. In view of the central urban location, the need to make efficient use of the site and having regard to the impacts of the consented scheme it is considered that the proposed development is acceptable in terms of its impact upon the residential amenities of the occupants of nearby dwellings.
- 12.8 The proposal is considered largely acceptable in terms of land use, transportation, the quality of the residential accommodation, sustainability and energy, subject to conditions and an appropriate Section 106 agreement. Appropriate Section 106 Heads of Terms have been agreed with the applicant to mitigate the impacts of the development and secure compliance with the Development Plan.

Conclusion

- 12.9 The proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and Section 106 legal agreement heads of terms as set out in Appendix 1–RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. A financial contribution of £480,000 towards affordable housing provision elsewhere in the borough
2. Section 278 agreement to be entered into with TfL for the repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by TfL, paid for by the applicant and the work carried out by TfL (unless otherwise advised in writing by TfL). Conditions surveys may be required.
3. Compliance with the Code of Employment and Training.
4. Facilitation, during the construction phase of the development, of 2 work placements. Each placement must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. 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 (£9.75 as at 01/04/2017). If these placements are not provided, a fee of £10,000 to be paid to the council.
5. Compliance with the Code of Local Procurement.
6. Compliance with the Code of Construction Practice, including a monitoring fee of £2,072, 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.
7. The provision of 4 additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of £8,000.
8. Provision of two small/micro business units to be provided for a period of 5 years at a maximum of 75% of market rent and thereafter to be permanently retained as small/micro units.
9. A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total amount: £70,958.
10. Future proofing the development for connection to a local energy network if a viable opportunity arises in the future.
11. Submission of a Green Performance Plan.
12. Submission 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).
13. Removal of eligibility for residents' parking permits

14. Payment towards employment and training for local residents of a commuted sum of £18,430
15. A contribution towards Crossrail of £178,080
16. Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY, should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure 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:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration 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>
2	Approved plans and documents list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents: 4380-PA-001; 4380-PA-100; 4380-PA-101; 4380-PA-102; 4380-PA-105; 4380-PA-106; 4380-PA-110; 4380-PA-111; 4380-PA-120; 4380-PA-200 Rev. C; 4380-PA-201; 4380-PA-202; 4380-PA-205 Rev. A; 4380-PA-210 Rev. B; 4380-PA-220; 4380-PA-220; 4380-PA-300; 4380-PA-301; 4380-PA-305; 4380-PA-306; 4380-PA-310; 4380-PA-311; 4380-PA-312; 4380-PA-313; 4380-PA-320; 4380-PA-420; 4380-PA-421; 4380-PA-422; 4380-PA-423; 4380-PA-424; 4380-PA-425; Design & Access Statement prepared by GML Architects; Planning Statement prepared by Rolfe Judd Planning; Energy Statement prepared by Greengage; Sustainability Statement prepared by Greengage; Transport Statement and Travel Plan prepared by Phil Jones Associates; Sunlight Daylight Report prepared by GIA; Air Quality Assessment prepared by Entran; Archaeological Desktop Report prepared by MOLA; Heritage Statement prepared by KM Heritage;</p>

	<p>Noise Report prepared by Entran; Arboricultural report prepared by Greengage; Environmental Assessment prepared by AP Geotechnics.</p> <p>REASON: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and samples (Details)</p> <p>CONDITION: A Green Procurement Plan for sourcing the materials to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste. The materials shall be procured and the development shall be carried out strictly in accordance with the Green Procurement Plan so approved.</p> <p>Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing. The details and samples shall include:</p> <ul style="list-style-type: none"> a) brickwork, bond and mortar courses (solid bricks to be used); b) metal cladding panels (including details of the edge and seams/gap treatments, method(s) of fixing, and any profiling); c) windows, doors and balustrades, including a revised elevational treatment to the bin store on the Wakley Street frontage; d) roofing materials; and e) any other materials to be used on the exterior of the development. <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and contributes positively to the significance of heritage assets.</p>
4	<p>Balconies – unauthorised alterations (Compliance)</p> <p>CONDITION: No bamboo screening or other items shall be fixed to the glass balustrades of the balconies and patios unless approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>

<p>5</p>	<p>Roof-level structures (Details)</p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on neighbouring amenity, the surrounding streetscene or the character and appearance of the area.</p>
<p>6</p>	<p>City Road cornice (Details)</p> <p>CONDITION: Details of the cornice to the City Road elevation (block A) shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard and contributes positively to the significance of heritage assets.</p>
<p>7</p>	<p>External pipes, cables and CCTV (Compliance and Details)</p> <p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>Notwithstanding the drawings hereby approved, no CCTV cameras or related equipment and installations are hereby approved.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>
<p>8</p>	<p>Construction Environmental Management Plan including Construction Logistics Plan (Details)</p>
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) including Construction</p>

Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to the commencement of development.

The CEMP including CLP shall include details and arrangements regarding:

- a) The notification of neighbours with regard to specific works;
- b) Advance notification of any access way, pavement, or road closures;
- c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;
- d) Details regarding the planned demolition and construction vehicle routes and access to the site;
- e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;
- f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)
- h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;
- i) Details of measures taken to prevent noise disturbance to surrounding residents;
- j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;
- k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- l) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and
- m) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.
- n) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.

	<p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
9	Parish boundary stone (Details)
	<p>CONDITION: A method statement for the removal, any necessary repair, and reinstallation of the parish boundary stone (identified at paragraph 2.24 of the Heritage Appraisal (KMHeritage, January 2018) as part of the landscaping scheme to the front of the City Road block shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.</p> <p>The development shall be carried out strictly in accordance with the method statement so approved.</p> <p>REASON: To ensure the heritage asset is appropriately conserved.</p>
10	Security and general lighting (Details)
	<p>CONDITION: Details of general or security outdoor 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 the relevant works.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
11	Archaeology (Details)
	<p>CONDITION: No development other than demolition shall take place on site unless and until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in consultation with Historic England. The Written Scheme of Mitigation shall include any temporary works which may have an impact on the archaeology of the site</p> <p>No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation, 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 may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development.</p>
12	Accessible and adaptable units (Details)
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, all of the residential units hereby approved shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 “Accessible and adaptable dwellings” M4 (2).</p> <p>Building Regulations Approved Plans and Decision Advice Notices, confirming that these requirements will be achieved, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works beginning on site.</p> <p>REASON: To secure the provision of accessible and adaptable homes appropriate to meet diverse and changing needs, and to ensure the development is of an inclusive design.</p>
13	Disabled parking bays (Details)
	<p>CONDITION: A survey identifying any appropriate and available locations for additional disabled parking bays within the vicinity of the site shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved.</p> <p>REASON: To ensure adequate provision of parking for residents with disabilities.</p>
14	Mobility Scooter Storage and Charging Facilities (Compliance)
	<p>CONDITION: The mobility scooter parking space with charging points indicated on plan reference 4380-PA-200 Rev. C shall be made available prior to first occupation of the building unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interests of providing an accessible and inclusive development.</p>
15	Cycle parking (Compliance)
	<p>CONDITION: The bicycle storage areas, which shall be secure and provide for no less than 11 bicycle spaces for the residential use (including one accessible parking space) and 42 bicycle spaces for the commercial use (including two accessible parking spaces) shall be provided prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The cycle parking shall demonstrate conformity with London Cycle Design Standards Guidance.</p> <p>REASON: To ensure adequate and suitable bicycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
16	Landscaping and biodiversity (Details)

	<p>CONDITION: Details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> • Soft planting, including details of any grass and turf areas, shrub and herbaceous areas; • Sufficient specification to ensure successful establishment and survival of new planting; • Enclosures, including types, dimensions and treatments of any walls, fences, screen walls, barriers, rails, retaining walls and hedges; • Hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; • Bat and bird nesting boxes / bricks and any other measures intended to improve and maximise on-site biodiversity; • A Landscaping Management Plan describing how the landscaping would be maintained and managed following implementation; • Any other landscaping feature(s) forming part of the scheme. <p>All landscaping so approved shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a maintenance/watering provision following planting and any trees or shrubs which die, become severely damaged or diseased within 5 years of planting shall be replaced with the same species or an approved alternative and to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details (including the Landscape Management Plan) so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainability, to ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to ensure the development is of an inclusive design, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
17	Tree pruning (Details)
	<p>CONDITION: Details of any proposed construction facilitation pruning of the London Plane tree in the grounds of 326a City Road shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The development shall be carried out strictly in accordance with the details so approved and in accordance with BS3998:2010.</p> <p>REASON: To ensure the retention of, and to avoid damage to, the retained trees on land adjacent to the site that represent an important visual amenity to the locality.</p>
18	Green roofs (Details and Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, details of green roofs to the development hereby approved (including details of the extent of green roofs, and the species to be planted/seeded) shall be submitted to and approved in writing by</p>

	<p>the Local Planning Authority prior to any superstructure works commencing. The green roofs shall be:</p> <ul style="list-style-type: none"> a) biodiversity-based roofs with extensive substrate bases (depth 80-150mm); and b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum) unless it can be robustly demonstrated that this mix cannot be provided <p>The biodiversity (green/brown) roof 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 roofs 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, to protect neighbouring privacy, and to ensure surface water run-off rates are reduced.</p>
19	Sustainable Urban Drainage System (Details)
	<p>CONDITION: Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. 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 improve sustainability, reduce flood risk and reduce water runoff rates.</p>
20	Basement – Structural Method Statement (Details)
	<p>CONDITION: Prior to commencement of development a Structural Method Statement, prepared by a Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E), shall be submitted to and approved in writing by the Local Planning Authority in consultation with London Underground.</p> <p>The statement shall be in line with the requirements of Chapter 6 (Site investigations to inform design) and appendix B of Islington's Basement Development SPD 2016.</p> <p>REASON: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
21	Basement – inspection and monitoring (Compliance)

	<p>CONDITION: The certifying professional that endorsed the Structural Method Statement (or a suitably qualified person with relevant experience) shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design approved within the Structural Method Statement and a Building Control body.</p> <p>REASON: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
22	<p>Piling and foundations – London Underground & Thames Water (Details)</p> <p>CONDITION: No development (excluding demolition) shall commence until a piling and foundations design and method statement relating to all foundations, basements and ground floor structures and any other structures below ground level has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water and London Underground. The method statement shall:</p> <ul style="list-style-type: none"> • detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out; • accommodate the location of the existing London Underground structures and tunnels; • accommodate ground movement arising from the construction thereof; • mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels; and • include measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure. <p>The development shall be carried out strictly in accordance with the approved details.</p> <p>REASON: To ensure that the development does not impact upon existing London Underground Transport Infrastructure and Thames Water underground water utility infrastructure.</p>
23	<p>BREEAM (Compliance)</p> <p>CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than ‘Excellent’.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
24	<p>Shared Energy Network (Details)</p> <p>CONDITION: Prior to the commencement of development an investigation shall be carried out to establish the feasibility of forming a Shared Energy Network (SEN) with nearby development and the results of the investigation shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>If it is demonstrated that an SEN is feasible then a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p>

	<p>The final agreed scheme shall be installed and in operation 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: In the interest of addressing climate change and to secure sustainable development.</p>
25	<p>Energy/carbon dioxide reduction (Compliance)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than an 30% on-site total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulations 2013 as detailed within the Sustainability Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to the commencement of the development:</p> <p>a) A revised Energy Strategy, which shall provide for no less than a 30% onsite total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulations 2013. This shall include the details of any strategy needed to mitigate poor air quality (such as mechanical ventilation).</p> <p>The final agreed scheme shall be installed and in operation 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: In the interest of addressing climate change and to secure sustainable development.</p>
26	<p>Renewable Energy (Compliance)</p> <p>CONDITION: The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for no less than 29% on-site regulated CO₂ reduction as detailed within the 'Energy Strategy' shall be installed and operational prior to the first occupation of the development.</p> <p>Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</p> <p>a revised scheme of renewable energy provision, which shall provide for no less than 29% onsite regulated CO₂ reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final 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>
27	<p>Delivery and Servicing Plan (Details)</p> <p>CONDITION: A Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
28	<p>Waste storage (Compliance)</p> <p>CONDITION: The dedicated refuse/recycling stores hereby approved shall be provided prior to first occupation of the development hereby approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure the necessary physical waste storage to support the development.</p>
29	<p>Air quality (Details)</p> <p>CONDITION: Prior to occupation of the development, full details of mechanical ventilation for the residential accommodation shall be submitted to and approved in writing by the Local Planning Authority. 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 residents' exposure to pollution is minimised.</p>
30	<p>Plant noise (Compliance and Details)</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. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:2014.</p> <p>A report to demonstrate compliance with the above requirements and prepared by an appropriately experienced and qualified professional shall be submitted to and approved by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the scheme and report so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p>

	<p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
31	<p>Sound insulation (Details)</p> <p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <ul style="list-style-type: none"> • Bedrooms (23.00-07.00 hrs) 30 dB LAeq, 8 hour and 45 dB Lmax (fast); • Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour; and • Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour. <p>The sound insulation and noise control measures so approved shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment and to protect the amenities of the occupiers of the residential accommodation.</p>
32	<p>Site contamination (Details)</p> <p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).</p> <p>REASON: Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water environment.</p>

33	Site contamination – unsuspected contamination (Details)
	<p>CONDITION: If during development contamination not previously identified is found to be present at the site no further development shall be carried out (unless otherwise agreed in writing with the Local Planning Authority) until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water environment.</p>
34	Privacy louvres (Compliance)
	<p>CONDITION: The privacy louvres on the north elevation of the central office block shall be installed in accordance with the approved plans and shall be permanently retained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of the Wakley Street block.</p>

List of Informatives:

1	Planning Obligations Agreement
	<p>SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Thames Water (Surface Water Drainage)
	<p>With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of 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 0800 009 3921.</p>

4	Thames Water (Mains Water Pressure)
	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.
5	Groundwater Risk Management Permit
	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 wwqriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .
6	Secured by Design
	You are advised that, where relevant, the development hereby approved should incorporate all of the 'Secured by Design' requirements detailed in the 'Commercial Developments 2015' Guide.
7	CIL Informative
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</p>
8	Fire Safety
	It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. 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

	<p>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>
9	Sprinklers
	<p>While fire safety and floor layout will be further considered though the building control process, you are strongly advised by the London Fire and Emergency Planning Authority to install sprinkler systems as these significantly reduce the damage caused by fire and the consequential cost to business and housing providers, and can reduce the risk to life.</p>
10	City Road and Wakley Street footway and carriageway
	<p>The footway and carriageway on City Road and Wakley Street must not be blocked during the works. Temporary obstructions must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on City Road or Wakley Street.</p>
11	City Road and Wakley Street parking
	<p>All vehicles associated with the works must only park/stop at permitted locations and within the time periods permitted by existing on-street restrictions.</p>
12	Skips and Construction Materials
	<p>No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time. Should the applicant wish to install scaffolding or a hoarding on the footway whilst undertaking this work or oversail the footway, separate licences would be required with TfL, please see: https://tfl.gov.uk/info-for/urban-planning-and-construction/highway-licences</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.

2. Development Plan

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

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 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

3 London's people

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

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

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.12 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 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime Neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.14 Improving air quality

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)

Policy CS8 (Enhancing Islington's Character)

Policy CS12 (Meeting the Housing Challenge)

Policy CS13 (Employment Spaces)

Policy CS16 (Play Space)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.6 Play space

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

Employment

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

D) Finsbury Local Plan June 2013

Role Within London's Central Activities Zone

BC8 Achieving a balanced mix of uses

Delivery and Monitoring

BC10 Implementation

3. **Designations**

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

- Bunhill and Clerkenwell Key Area
- Central Activities Zone (CAZ)
- Employment Priority Area (General)

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Conservation Area Design Guidelines
- Planning Obligations and S106
- Urban Design Guide
- Environmental Design
- Inclusive Design in Islington
- Basement Development

London Plan

- Accessible London: Achieving an Inclusive Environment
- Housing
- The Control of Dust and Emissions during Construction and Demolition
- Shaping Neighbourhoods: Character and Context
- Sustainable Design & Construction
- Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy
- Shaping Neighbourhoods: Play and Informal Recreation
- Central Activities Zone

**APPENDIX 3: DESIGN REVIEW PANEL LETTER DATED 6
DECEMBER 2017**



CONFIDENTIAL

ATT: Grace Liu

Rolfe Judd Planning Ltd
Old Church Court
Claylands Road
London
SW8 1NZ

Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: Q2017/4290/DRP

Date: 6 December 2017

Dear Grace Liu,

ISLINGTON DESIGN REVIEW PANEL

RE: 7-8 Wakley Street, London, EC1V 7QE – pre-application ref Q2017/2783/MJR

Thank you for attending Islington's Design Review Panel meeting on 14 November 2017 for a first review of the above scheme. The proposed scheme under consideration is for the demolition of all existing buildings and erection of part-1, part-2, and part-5 plus basement buildings to provide 3,100sqm of commercial (B1) floorspace and 451m² of residential (C3) floorspace spread across 8-units (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (Chair), Paul Reynolds, Ben Gibson, Alec Forshaw and Stafford Critchlow on 14 November 2017 including a site visit in the morning and a presentation from the design team followed by a question and answers session and deliberations in the afternoon at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Panel welcomed the opportunity to review the scheme which they felt, generally, was a more appropriate response and an improvement on the previously approved scheme on the site.

Land use

Without prejudice to the Council's land use policies being complied with, panel members welcomed the change in emphasis of the current proposals in comparison with the previously approved scheme as, in their opinion, a commercial/office led scheme appears to be a more comfortable fit on the site.

They felt that the scheme offered a great opportunity to create better workspace in this location and to improve on existing office provision overall. They indicated that they were generally comfortable with the proposed quantum and disposition of the massing on the site.

Layout and circulation

Although the Panel appreciated that the development team had tried to create a more legible and comfortable layout for the overall scheme, they encouraged them to develop this further. In particular, panel members felt that there was additional opportunity for bigger and more successful floorspace: they thought that the lower ground floor plan area allocated for affordable work space looked compromised and suggested an additional courtyard or an open walkaway from Wakley street to improve the quality of the accommodation in this part of the development.

They also felt that the entrance sequence and circulation could be improved to enhance legibility. In their opinion the access to the second core from a long corridor felt convoluted and could compromise the occupation of the building. Although they appreciated that being the main arterial road, the entrance from City Road made sense, they felt it generated a complicated access sequence. For this reason, they suggested the development team should explore an alternative/improved entrance off Wakley street.

On Wakley Street, there were concerns that the residential lobby appeared to be small and the Panel encouraged the development team to re-organize it to allow a more generous lobby space.

Inner Block

In terms of the design approach for the inner block, panel members generally supported the proposal for a light material and felt the amended massing would be more generous to the surrounding buildings than the previously approved scheme was. The Panel noted that currently the design presents large areas of south and west facing glazing and the design needs to incorporate integrated considered measures for dealing with solar gain which will influence the elevational design. They emphasised the importance of the treatment of the roof, particularly of the lower part as it will be visible from surrounding buildings and welcomed suggestions of a green roof treatment.

Wakley Street elevation

The Panel identified the aggressive environment to this frontage and were concerned about the impact of noise on the quality of the accommodation with the bedrooms being located to the front. They highlighted the importance of developing a robust strategy to deal with the noise and pollution. They also raised concerns about the proximity with the office at the back and stressed the importance of providing privacy to the proposed residential amenity area on the rear elevation of the Wakley Street block.

City Road frontage

Generally, the Panel was supportive of a high quality replacement building particularly in the context of the previously approved scheme. However, they felt that the current scheme should explore the opportunity to enhance this elevation further.

The Panel's heritage specialist highlighted that one of the merits of the existing building is its high quality red brick and emphasised the importance of the replacement building utilising appropriate materials and detailing, with a strong reference to the existing. The importance of an appropriate treatment to the flank wall which adjoins the listed building was also brought up. Another suggestion was to explore reducing the vertical proportions of the windows at the top floor which may give the elevation a better sense of hierarchy and proportion.

There was a general consensus that the management of the front forecourt area needed to be resolved. The Panel raised strong concerns in relation to the positioning of the bins in this area, and felt that it did not result in an attractive frontage. They felt that the success of the scheme will be very much dependant on how this area will be treated. They, therefore, suggested relocating the

bins and providing appropriate landscaping which should include high quality boundary treatment and the reinstatement of soft landscaping.

Summary

The Panel was generally supportive of the principles of the scheme and welcomed it on the basis of the opportunity it brought to improve on the previous consent on the site. However, they raised some concerns and made some suggestions which they felt should be addressed in order to further enhance the proposals.

In particular, they felt that further work could be done in relation to the access and circulation as well as the office floor layout. They also made suggestions on improvements to the lobby area of the residential block fronting Wakley Street and stressed the importance of providing a better front area to the City Road frontage.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Luciana', written in a cursive style.

Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager