

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB COMMITTEE B		
Date:	27 November 2018	NON-EXEMPT

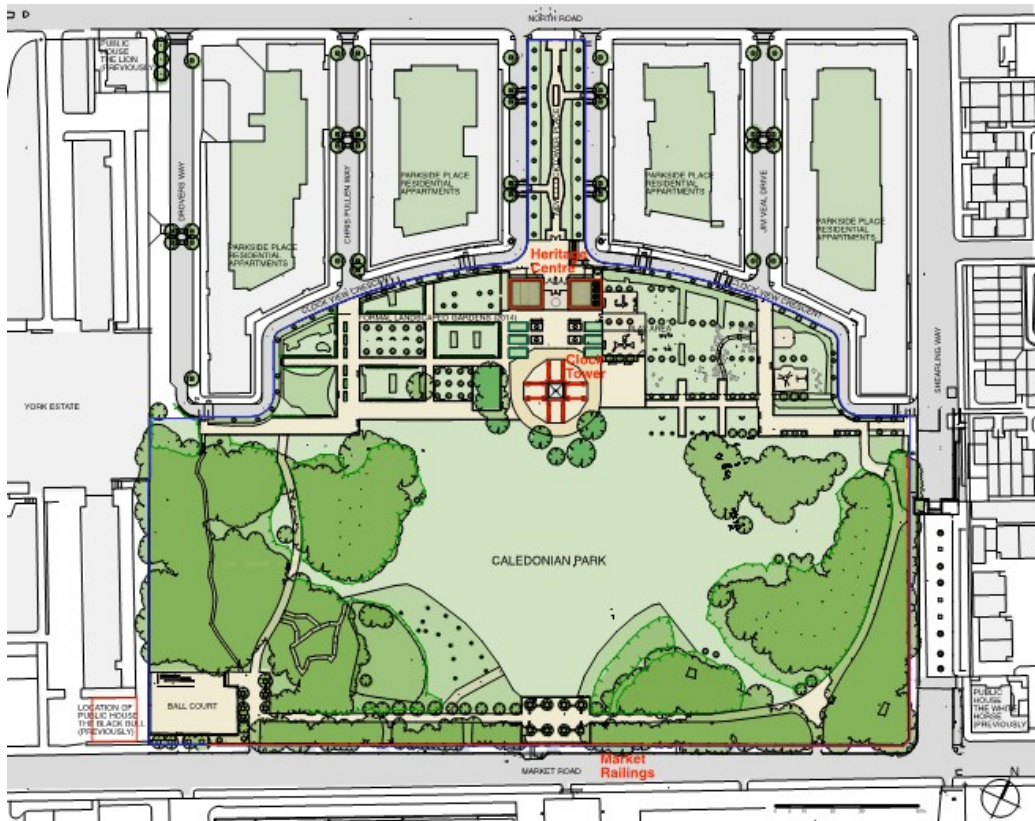
Application number	P2017/4433/S73
Application type	Removal/Variation of Condition (Section 73) (Council's Own)
Ward	Holloway
Listed building	Park - Grade II Listed, Tower – Grade II* Listed
Conservation area	None
Development Plan Context	Open Space, Adjacent to SINC
Licensing Implications	License may be required for certain activities
Site Address	Caledonian Park Clock Tower and Heritage Centre, Market Road, London, N7 9DY
Proposal	<p>Variation of condition 6 (hours of operation) of planning permission ref: P2016/0730/FUL, dated 23/05/2016 for the restoration of the grade II* listed clock tower and parts of the grade II listed historic market railings and to provide a heritage centre in Caledonian Park.</p> <p>The proposal includes changes to the approved hours of operations for the Heritage Centre, Clock Tower and Cafe.</p>

Case Officer	David Nip
Applicant	Greenspace – Islington Council

1. RECOMMENDATION

- 1.1 The Committee is asked to resolve to **GRANT** planning permission - subject to the conditions set out in Appendix 1.

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: View to the south of the application site (Nov 2018).



Image 2: CGI view to the south of the (consented) buildings



Image 3: View of the park entrance and Clock View Crescent (Nov 2018)



Image 4: CGI view to the south east showing the consented buildings and Clock Tower



Image 5: View to the east showing the residential block on Clock View Crescent (left), the approved heritage centre (centre) and the Clock Tower (right). (Nov 2018)



Image 6: View of the Clock Tower from the south-east (Nov 2018)

4. SUMMARY

- 4.1 Planning Permission under section 73 of the Town and Country Planning Act is sought for the variation of condition 6 (hours of operation) of the original planning permission P2016/0730/FUL, which granted:

“The proposed development is to restore the grade II listed Clock Tower, parts of the grade II listed historic market railings and to provide a heritage centre in Caledonian Park”.*

- 4.2 The application is brought to this Sub-Committee because it is a council own development and a total of 73 objections have been received against the proposed application.

- 4.3 The existing planning condition restricts the hours of use of the Clock Tower, Café and Heritage Centre to only operate between the hours of:

Monday – Friday:	08:00hr and 18:00hr
Saturday:	10:00hr and 18:00hr
Sunday and Bank Holidays:	10:00hr and 15:00hr

- 4.4 Under this application, the proposed variation of condition 6 would allow for longer operational hours for the approved development. The extension of hours would allow a greater degree of usage of the approved heritage centre and the repaired Clock Tower, including some evening use during the summer time. It is also proposed to allow the Clock Tower and Heritage Centre to open 1 hour earlier in the morning from 9am on Saturday. For the café, it would be able to trade 1 hour earlier on the Saturday from 9am, but would close one hour earlier on weekdays.

- 4.5 The concerns raised in objections to the proposed extension of hours of use have been duly considered. The main issues raised are that the proposed development would result in additional

noise, disruption, anti-social behaviour and parking. Having reviewed the submitted application and consulted the council's relevant departments in the Public Protection Division (Environmental Health Team, Environmental Pollution, Policy & Projects Team and Licensing Team), as well as the Metropolitan Police, it is considered that the proposed extension of hours of use would not cause an unacceptable impact towards the amenity of the surrounding neighbours.

- 4.6 The proposed development is also considered to have an acceptable impact in terms of safety and security. The proposed extension of hours of use would be within the opening hours of the park and would increase the level of natural surveillance of the park and the surrounding area. The proposed extension of opening hours has been reviewed by the Crime Prevention Officer who raised no objection to the proposal.
- 4.7 The new proposed operation hours would provide extended services from the new facilities and this is considered to be a public benefit that weighs in favour of the scheme; and it is judged that the proposed extension of hours of use would not cause unacceptable harm to the surrounding neighbours and would be compliant with the Development Plan.
- 4.8 It is recommended that planning permission be granted subject to the re-application of revised conditions and new conditions as set out in the Recommendation below.

5. SITE AND SURROUNDING

- 5.1 Caledonian Park is designated as public open space and located on the western fringe of Islington, approximately 1.5 miles from King's Cross Station, and approximately 400m of walking distance from the Caledonian Road Underground Station. The park is accessed from Market Road to the south, Shearling Way to the east and from New Clocktower Place with an open landscaped boulevard extending to North Road to the north. The park is the one of the largest public open spaces in the borough and is built on the site of the former Metropolitan Cattle Market, once the biggest livestock market in London. The park is enclosed to the south and a large section of the east boundary by the remaining cast iron market railings which are grade II statutory listed. In addition, the park is allocated as Open Space within the Development Plan, with the area to the south of the approved and implemented building being allocated as SINC (Site of Importance for Nature Conservation) which covers the rest of the park. The Clock Tower and the remaining market railings have been identified on Historic England's Heritage at Risk register.
- 5.2 The history of the park dates back to the 17th century site of Copenhagen House, later becoming a pleasure garden and sports field and developing into a gathering site of significant social and political rallies. The site was developed as the Metropolitan Cattle Market in 1855 with the clock tower constructed as the market's centrepiece, encircled at its base by a structure providing the market's banking and administration spaces. The market was bounded by substantial cast metal railings, which remain on both sides of Market Road and on Shearling Way, and are grade II statutory listed. The market evolved into a flea market in the early 20th century and was requisitioned by the army during WWII, suffering bomb damage and falling into a state of dereliction until it was redeveloped by London County Council and the City Corporation for housing (Market Estate) and a public park.
- 5.3 The Market Estate was demolished and the area to the north of the park was significantly redeveloped to provide Parkside Place residential buildings, a new street layout in Clocktower Crescent and New Clocktower Place, and a large area of landscaped gardens and children's play area in the park.
- 5.4 The area to the north of this application site was granted planning permission in 2005 with various further approvals and amendments resulting in the development as built today. The park extends to the north between this development and adjoining North Road, allowing views of the clock tower from North Road.
- 5.5 To the east of this application site lies further residential properties and a university building while

to the west is further residential development and the border with London Borough of Camden. To the south of the site lies Market Road with a sports ground and tennis club to the south of Market Road with warehousing and commercial units.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission under S73 of the Act is sought for variation of condition 6 of the original approval ref P2016/0730/FUL which controls the hours of operation of the new Heritage Centre, café and the repaired Clock Tower. Condition 6 states:

HOURS OF OPERATION (COMPLIANCE): The Café and Heritage centre as detailed on approved plan no.536WD 31 and the clock tower shall not operate except between the hours of 08:00hr and 18:00hr Monday - Friday, between 10:00hr and 18:00hr Saturday, and between 10:00hr and 15:00hr on Sunday and Bank Holidays.

REASON: To ensure the use does not adversely impact on existing and future residential amenity.

- 6.2 The proposed new hours of use are detailed in the table below:

		Heritage Centre & Clock Tower		Café	
		Summer	Winter	Summer	Winter
Weekday opening and closing hours	Hours approved under existing condition 6	08:00hrs-18:00hrs	08:00hrs-18:00hrs	08:00hrs-18:00hrs	08:00hrs-18:00hrs
	Hours proposed	08:00hrs - 20:00hrs	08:00hrs-17:00hrs	08:00hrs-18:00hrs	08:00hrs-17:00hrs
	Difference between existing and proposed	Close: <u>2 hours later</u>	Close: 1 hour earlier	No change	Close: 1 hour earlier
Saturday opening and closing hours	Hours approved under existing condition 6	10:00hrs-18:00hrs	10:00hrs-18:00hrs	10:00hrs-18:00hrs	10:00hrs-18:00hrs
	Hours proposed	09:00hrs - 20:00hrs	09:00hrs-17:00hrs	09:00hrs-18:00hrs	09:00hrs - 17:00hrs
	Difference between existing and proposed	Open: <u>1 hour earlier</u> Close: <u>2 hours later</u>	Open: <u>1 hour earlier</u> Close: 1 hour earlier	Open: <u>1 hour earlier</u>	Open: <u>1 hour earlier</u> Close: 1 hour earlier
Sunday and bank holiday opening and closing hours	Hours under existing condition 6	10:00hrs-15:00hrs	10:00am-15:00hrs	10:00hrs-15:00hrs	10:00hrs-15:00hrs
	Hours proposed	10:00hrs-16:00hrs	10:00am-16:00hrs	10:00hrs-15:00hrs	10:00hrs-15:00hrs
	Difference between existing and proposed	Close: <u>1 hour later</u>	Close: <u>1 hour later</u>	No change	No change

- 6.3 It is worth noting that the proposed hours of use have been amended during the course of the application. The latest proposal is dated Sept 2018, and the original proposed extension of hours dated January 2018 has been superseded at the request of officers.

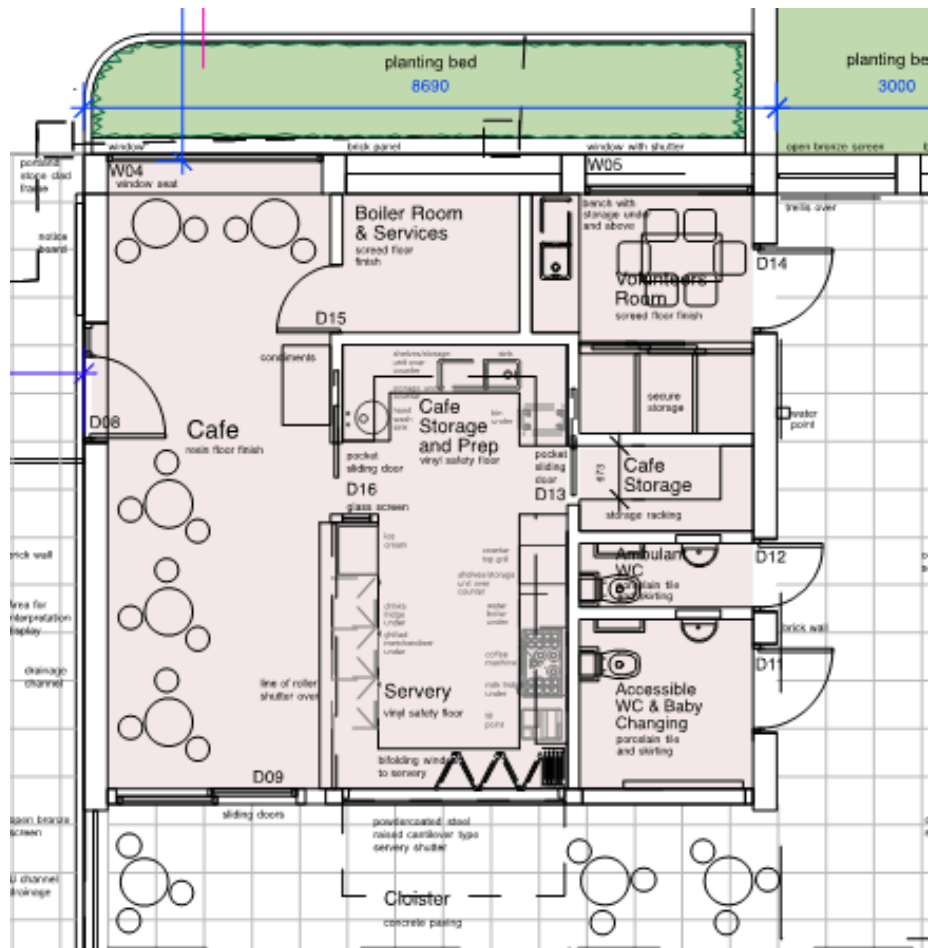


Image 8: Floor plan of the Café

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Planning permission and Listed Building Consent P2016/0730/FUL and P2016/0736/LBC were resolved to be granted at the Planning Sub-Committee B on 10 May 2016 for the restoration of the Grade II* Listed Clock Tower and provide a new heritage centre and café at the north of the Tower. The decision was issued on 23 May 2016.
- 7.2 Apart from the 2016 approval mentioned above, the following applications are also considered to be relevant to this application:

P2018/1374/AOD - Approval of Detail in Pursuant to Conditions 2f and 2g (Materials) of Listed Building Consent application P2016/0736/LBC Dated 23/05/2016. These conditions were approved on 03/07/2018.

P2018/0912/NMA - Non material amendment application to planning consent ref: P2016/0730/FUL to provide an additional central vertical glazing bar to proposed top opening light of north facing windows W03 and W04, shown on drawing no. 536 WD 40. The amendment was agreed on 09/05/2018.

P2017/2890/AOD - Approval of details pursuant to conditions 3 (Materials), 4 (Green roof details), and 5 (Tree Protection Plan) (of planning consent P2016/0730/FUL granted 23/05/2016. These conditions were approved on 17/10/2017.

P2017/3022/AOD - Approval of details pursuant to conditions 2 (Materials) parts a, b, c, d, e and h of the listed building consent P2016/0736/LBC granted 23/05/2016. These material details were approved on 17/10/2017.

P090516: Central Clock Tower, Caledonian Park, Market Road, Islington, London, N7: Listed Building Application in connection with installation of an 18inch metal plaque to clock tower.: Approved 09/06/2009.

ENFORCEMENT:

7.3 None

PRE-APPLICATION ADVICE:

7.4 None.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to 983 occupants of adjoining and nearby properties at Brewery Road, York Way, North Road, Market Road, Fleece Walk, Ewe Close, Goodinge Close, Drovers Way, Clock View Crescent, Chris Pullen Way, Shearing Way, Jim Veal Drive and New Clocktower Place. On the 08 Feb 2018 a site notice was placed outside the site and the application was advertised in the Islington Gazette on 08 Feb 2018. The first public consultation expired on 01 March 2018, however, it is the Council's practice to continue to consider representations made up until the date of a decision. 71 objections and 1 support have been received from the public with regard to the application following the council's consultation.

8.2 The issues raised following the council's consultation can be summarised as follows (paragraph numbers refer to where the matter is addressed in this report):

Objections

- The proposed development will adversely affect the character and the tranquility of the park (paragraph 10.8)
- The proposed extension of hours of use will cause unacceptable noise and disruption to the nearby residents (paragraphs 10.9 and 10.10)
- Concerns raised with regard to the management of the site and the park as a whole (paragraph 10.11)
- Concerns raised on whether amplified music will be used for the private hires/functions (paragraph 10.11)
- The proposed extension of hours of use shall be reviewed after a term of 3 or 6 months to allow further considerations, as the development has not been completed at the moment and it is difficult to estimate the amenity impact at the moment (paragraph 10.11)
- The proposed extension of hours of use will lead to an increase of waste on site (paragraph 10.11).
- The proposed extension of hours of use will lead to increased anti-social behaviour and would affect the safety of the area (paragraphs 10.13-10.15)
- The proposed extension of hours of use will lead to an increase in deliveries and more parking stress within the local area (paragraphs 10.16-10.18)

Support

- The proposed extension of opening of hours would support the new Centre and increase the access to the Clock Tower.
- The proposal would increase footfall and will contribute to the atmosphere and security.

8.3 Following the amendment of the proposed hours of use in September 2018, a second consultation has been carried out from 14 September 2018 to 8 Oct 2018. A total number of 24 responses have been received. 21 of them are objectors who have previously objected, with 2 additional objections, and 1 additional support from the Caledonian Park Friends Group. The additional points raised in the second consultation are as follows:

Objections

- The proposed extension of hours of use will affect children's sleep and their performance at school (paragraph 10.9)
- The council never had a viable business plan and are desperate to make money from the park (paragraph 10.19)

Support

- The proposed extension of hours of use will allow the community and groups to use the heritage centre for after-work meetings and activities
- It would be ideal to allow 9pm closing to allow meeting to be finished by 8:30pm, however, noisy activities should not continue past 8pm as these are likely to disturb neighbours
- It would be beneficial to the whole community to limit the types of evening activities to quiet ones but allow later opening

Internal Consultees

8.4 Acoustic Officer, Public Protection:

No objections to the proposal. There is a path and park area in between the residential buildings and the cafe. There is no kitchen extract or mechanical plant proposed on the plans. The extension in hours is in line with the hours of opening for the park and the 2100 finish would avoid significant noise impacts and avoid late night functions/private hire events/wedding receptions etc. The Public Protection team is not aware of any noise complaints in relation to existing cafes within other Islington parks.

Case officer's note: Following the amendment, the application now seeks opening hours until 20:00hrs at the latest (Saturdays).

8.5 Commercial Environmental Health:

With no mechanical ventilation proposed (and therefore no heavy cooking proposed) Commercial EH would not have any objections to the changes in hours.

8.6 Licensing:

Currently the park is licensed (Not for Alcohol or Late Night refreshment), however, the premises licence for the Park does not cover the Clock Tower/Heritage Centre and there is no separate premises licence in place for it and no application has been sought. The requirement of any additional licence depends on the activities that the private hire would involve. If there is a sale of alcohol, then they will need a licence regardless on the time of day.

Case officer's note: It has been confirmed by the applicant that there would be no sale of alcohol on site. This element would be covered by the additional management plan

recommended in condition 12.

External Consultees

8.7 Metropolitan Police Service – Design Out Crime Officer:

- From a 'Design Out Crime' perspective the opening of the heritage centre and café will have a positive impact to the local area and should reduce the anti-social behaviour in the area.
- At weekends the park will be visited for recreational use and once again it will be encouraging people to visit. If anti-social behaviour does occur it will be more prominent and it will be more likely to be reported to Police. The increase of the general public attending the park would discourage anti-social behavior from taking place given the additional surveillance.
- No objections to this extension and will not increase crime or the fear of crime in the area.

9 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

Statutory Duties

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

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- As the development site comprises of statutory listed buildings, the Council has a statutory duty in that special regard shall be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990)

9.2 National Planning Policy Framework (NPPF): At paragraph 8 the NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, the objectives are a) economic, b) social and c) environmental.

9.3 Paragraph 11 of the NPPF states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision- taking this means: approving development proposals that accord with the development plan without delay.

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

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

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the

general principles of international law.

- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

- 9.6 Members of the Planning Sub-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.
- 9.7 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 9.8 The Sub-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 2018 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. Since March 2014 planning practice guidance for England has been published online.

Development Plan

- 9.10 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report. The Draft London Plan also has some weight attributable to it.

Designations

- 9.11 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013.
- Grade II* listed Clock Tower
 - Grade II listed Park
 - Local View from Archway road
 - Local View from Archway Bridge
 - Designated Open Space
 - Protected landmark

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Neighbouring Amenity
- Safety and Security
- Transportation
- Design, Character and Heritage
- Other matters

Scope of the Consideration of the Case Under Section 73 of the TCPA

- 10.2 Section 73 of the Town and Country Planning Act 1990 (as amended) concerns 'Determination of application to develop land without compliance with conditions previously attached'. It is colloquially known as 'varying' or 'amending' conditions. Section 73 applications also involve consideration of the conditions subject to which planning permission should be granted. Where an application under s73 is granted, the effect is the issue of a fresh grant of permission and the notice should list all conditions pertaining to it. The application cannot be used to vary the time limit for implementation.
- 10.3 It is important to note that when assessing s73 applications the previously granted planning permission is a significant material consideration, which impacts heavily on the assessment of the proposal. If the original application has been implemented, or if the permission has not yet expired, the applicant may go ahead and complete the original approved scheme if they wish.
- 10.4 Alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. However, these must be considered in light of the matters discussed in the previous paragraphs and the applicant's ability to complete the originally approved development.
- 10.5 It should be noted that since the grant of the original permission, the NPPF (2018) has been adopted and has been taken into account in the assessment.

Planning permission P2016/0730/FUL

- 10.6 Planning permission was granted for the creation of a heritage centre comprising of two single storey buildings with a café and associated facilities for the community and visitors, park ranger presence, and to support activities in the park. Planning permission and Listed Building Consent were also granted for the repair and restoration work to the clock tower so that it can be opened for public access on a regular basis. The approved development has already been commenced and construction works are ongoing at the time of writing of this report. It is important to note that the current application is an assessment on the specific condition which was attached to the original application (Condition 6 – Hours of Operation). It is not a reassessment of the permission already granted given that that permission can be built out in accordance with its existing permissions.

Land Use

- 10.7 The application site, Caledonian Park, is designated as Open Space under Policy DM6.3 of Islington's adopted Development Management Policies (2013), which states that development is not permitted on any public open space. Caledonian Park consists of 4 hectares of open space, containing the grade II* listed clock tower, grade II listed Metropolitan Cattle Market Railings, site of importance nature conservation area (SINC), semi mature woodland areas, an orchard, short and long grass meadows, children's play area, tarmac ball court with football goals and community gardens.
- 10.8 The applicant has only sought changes to the hours of use of the approved Heritage Centre, Café and Clock Tower under this application, and the land use of the proposal would remain the same

as per the approval ref P2016/0730/FUL, including the Clock Tower. That permission has been implemented and can be completed in that regard. Therefore, in land use terms, the proposal is considered acceptable as per the implemented permission, subject to the considerations in regard to the extension of hours of use.

- 10.9 As per the original proposal, the purpose of the project is to promote the activities of the park and the buildings. The extension of hours would allow a greater degree of usage of the approved heritage centre, cafe and the repaired Clock Tower, including some evening uses during the summer time. It is also proposed to allow the Clock Tower and Heritage Centre to open earlier in the morning from 10am to 9am on Saturday. It is acknowledged that the proposed extension of hours of use would allow a better access and use of the facilities; however, this should only be allowed provided that the proposed development would not adversely affect the neighbouring amenity, which is the main consideration under this application.

Neighbouring Amenity

- 10.10 The main issue in relation to this application proposal is the proposed extension of hours of the use of the facilities, the intensification of the use of the park and the potential for greater social and environmental impact towards the residents who live nearby. The proposal solely relates to changing the hours of use of the approved Clock Tower, Heritage Centre and café, the proposed extensions of hours are as follows:

		Heritage Centre & Clock Tower		Café	
		Summer	Winter	Summer	Winter
Weekday opening and closing hours	Hours approved under existing condition 6	08:00hrs-18:00hrs	08:00hrs-18:00hrs	08:00hrs-18:00hrs	08:00hrs-18:00hrs
	Hours proposed	08:00hrs - 20:00hrs	08:00hrs-17:00hrs	08:00hrs-18:00hrs	08:00hrs-17:00hrs
	Difference between existing and proposed	Close: <u>2 hours later</u>	Close: 1 hour earlier	No change	Close: 1 hour earlier
Saturday opening and closing hours	Hours approved under existing condition 6	10:00hrs-18:00hrs	10:00hrs-18:00hrs	10:00hrs-18:00hrs	10:00hrs-18:00hrs
	Hours proposed	09:00hrs - 20:00hrs	09:00hrs-17:00hrs	09:00hrs-18:00hrs	09:00hrs - 17:00hrs
	Difference between existing and proposed	Open: <u>1 hour earlier</u> Close: <u>2 hours later</u>	Open: <u>1 hour earlier</u> Close: 1 hour earlier	Open: <u>1 hour earlier</u>	Open: <u>1 hour earlier</u> Close: 1 hour earlier
Sunday and bank holiday opening and closing hours	Hours under existing condition 6	10:00hrs-15:00hrs	10:00am-15:00hrs	10:00hrs-15:00hrs	10:00hrs-15:00hrs
	Hours proposed	10:00hrs-16:00hrs	10:00am-16:00hrs	10:00hrs-15:00hrs	10:00hrs-15:00hrs
	Difference between existing and proposed	Close: <u>1 hour later</u>	Close: <u>1 hour later</u>	No change	No change

- 10.11 The assessment of this application was focused on the change of hours highlighted above, which either comprises earlier opening hours or later closing hours.

- 10.12 The proposed extensions of hours of use would allow the heritage centre and Clock Tower to be **opened 6 hours longer** every week during the summer, and **no net increase** in the opening hours in winter.
- 10.13 For the café, it would be allowed to **open 1 hour longer** every week during the summer, and **1 hour shorter** every week during the winter.
- 10.14 The two single storey buildings are not proposed to be physically extended and the size of the buildings would remain the same as approved and implemented. The properties to the north of the Clock Tower would be the closest at approximately 15 metres from the proposed buildings.
- 10.15 The proposed longer hours of use could increase the activity and use of the park, which is the intention of the original and the latest proposal. Internal consultees from the Council's Public Protection Team have reviewed the proposal and provided comments. The Acoustic Officer and Environmental Health Officer have both raised no objection to the proposal. There is no kitchen extract or mechanical plant proposed on the plans. The proposed extensions of hours of use are within the hours of opening of the park, and the latest proposed closing hours at 20:00 hrson Saturday would prevent any late night functions or events to be carried out within the buildings.
- 10.16 For Saturday morning, it is proposed to extend the hours of opening of both the Heritage Centre and Café from 10am to 9am. It is considered that the proposed earlier hours of opening on the Saturday would have an acceptable impact to the surrounding neighbours, it would be within the opening hours of the park (which normally opens at 8am) and would not pose unreasonable disturbance to the surrounding neighbours when compared to the approved scheme. It is worth noting during the winter; both the Heritage Centre and café would be closed 1 hour earlier on Saturday..
- 10.17 Taking into account the setting of the approved and implemented buildings, and the distance from neighbouring properties, the existing and consented use of the site and a condition restricting the hours of operation, it is considered that the proposed extension of hours for the heritage centre, café and clock tower would not have a significantly detrimental impact on the amenity of the surrounding neighbours. They would align with the closing of the park and the earlier opening hours are considered acceptable. The most vulnerable hours of day and night (early mornings and late at night) when the vast majority of surrounding neighbours are likely to be resting remains protected. It is therefore recommended that the original condition 6 to be altered into 2 conditions to reflect the difference in opening hours between the Heritage Centre and the Café. Condition 6 in Appendix 1 would not deal specifically with the revised hours to the Heritage Centre, with a new condition proposed (condition 7) that deals specifically with the revised opening hours for the café use.
- 10.18 The submitted statement highlighted that staff will also be present on site for the extended hours; there will be a dedicated "Heritage Ranger" based on site as well as a Learning Officer, who would be able to deal with issues in the park and address any concerns that the community may have. Whilst this arrangement is considered to be acceptable in principle, it is considered that a more detailed site management plan (condition 12) is required from the applicant and the café operator to demonstrate how the facilities will be managed. The site management plan should include mitigation measures to control usage of amplified music for the private hire, and other measures to minimise noise and any other form of nuisances that could potentially be generated by the uses and activities, especially during the extended hours.
- 10.19 Therefore, it is considered appropriate to recommend an additional condition 12 to secure a site management plan for the facilities; subject to this, the proposal is considered to be acceptable in terms of neighbouring amenity and would comply with the requirements of Policy DM 2.1 of Islington's adopted Development Management Policies.

Safety and Security

- 10.20 Policies DM2.1 and DM2.2 of Islington Development Management Policies states that all developments shall be safe, inclusive and are convenient and enjoyable to use for everyone. Situated within the park, it is considered that the location of the buildings provides a good degree of natural surveillance from surrounding properties and they have been designed to minimise opportunities for anti-social behaviour. Concerns were raised in representations with regard to the potential increase in crime and anti-social behaviour, and this issue has been duly considered in this application.
- 10.21 It is considered that the proposed increased use of the park by members of the public and visiting school children, together with the proposed building being staffed for longer hours would result in an increase of activity and natural surveillance of the area. It is anticipated that should any anti-social behaviour occur this could be reported to the Police much more quickly by the staff present on site. The Crime Prevention Officer's view is that the extended hours of use of the facilities to 20:00 hrs, which will be earlier than the closing hours of the parking, the proposed extension of hours would also discourage people who wish to commit anti-social behaviour away from the area. Therefore, it is judged that the proposed extended hours of use would not increase crime or the fear of crime within the area, and the proposal would comply with policy DM2.1.
- 10.22 Security has been considered in the original design of the building, with shutters and CCTV included to prevent anti-social activities and minimise potential for crime, this is not changed under this application. It is therefore considered that the proposal would improve the safety and security of the site. The proposal therefore meets the requirements of Policies DM 2.1 and DM2.2 of Islington Development Management Policies.

Transportation

- 10.23 Objections have been received in relation to the potential increase in the demand of parking spaces within the area. As per the original planning application, no on-site parking for visitors or staff is proposed. The site benefits by its close proximity to tube (Caledonian Road), Overground (Caledonian Road and Barnsbury) stations and bus stops, the site is considered to be well accessed by public transport. It is anticipated that the new facilities will be mainly used by local residents and the proposed extensions of hours of use of the Clock Tower, Heritage Centre and café will not generate significant amount of vehicle traffic to the local area.
- 10.24 The area is not currently within a controlled parking zone, which is one of the reasons the residents are currently experiencing difficulty in parking within the area. It is understood from the applicant and the council's highways department that the area will be brought in to a CPZ and the roads are in the process of being adopted. Notwithstanding that, as per the implemented consent, a servicing and delivery plan is required by condition for the development to address the transportation issues, and particularly, how the new facilities will be operated within the local transport network following the adoption of the roads.
- 10.25 Subject to condition to secure an adequate servicing and delivery arrangement, it is considered that the proposed extension of hours would not result in unacceptable impact on transportation within the local area.

Design, Character and Heritage

- 10.26 As mentioned above in paragraph 9.1 of the report, the development site comprises of statutory listed buildings, and the Council has a statutory duty in that special regard shall be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990)

- 10.27 The proposed development relates to changes to the hours of use and does not affect the design of the heritage centre, café or the clock tower. There is also no design changes from the granted Listed Building Consent P2016/0736/LBC as it is considered that the proposed extensions of hours of use would have no impact on the appearance and significance of the statutorily listed park and the Clock Tower.
- 10.28 It is noted that concern was raised in the representation that the proposal would “ruin the tranquility of the park”. Having reviewed the proposal, it is considered that the proposed extension hours of use of the heritage centre is modest and would not materially affect the wider character of the park and that significance and existing tranquility of the open space would not be detrimentally impacted.

Other Matters

- 10.29 Concerns were also raised in relation to the long term funding of the project and the pre application consultation undertaken by the applicant with the community. It is noted that details of the Cally Clock Tower Project are available on the council website (<https://www.islington.gov.uk/sports-parks-and-trees/parks-and-green-space/parks-projects/caledonian-clock-tower-improvements>) and it has been updated since 2014 with regard to the progress of the overall project. There are also e-newsletters sent by Greenspace to inform residents the progress of the building works of the approved scheme. The information is available online and does not form part of this application, however, it is useful background information which are available to the local residents. In terms of the planning process, an extensive consultation has also been carried out as part of the original planning permission and listed building granted in 2016 and as a part of the current Section 73 application as highlighted above in paras 8.1-8.3.
- 10.30 There is also representation suggesting that the Council intends to make money from the park. Having reviewed the comments, it is considered that these matters are not material planning considerations in the determination of this application. The financial implications of the project are not considered to be a planning matter in this case. The proposed extensions of hours of use is not considered to be significant and there is no net increase for the hours of use of the café.
- 10.31 It is noted from the Council’s Licensing Team that the park is currently licensed, however, it does not cover the new heritage centre and café. During the consultation process, it was also understood that no licensing application has been sought. A premises licence or Temporary Event Notice will only be required for any use for the venue where licensed activity is scheduled to take place. Given the facilities will be available for a wide range of activities, it is likely that some of the activities would require licensing. An informative is recommended in this regard.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 This Section 73 application seeks permission to vary condition 6 (hours of use) for the heritage centre, the clock tower and café that were granted permission P2016/0730/FUL in 2016. That permission has been implemented.
- 11.2 The impact of the proposal on the amenity of neighbouring properties has been carefully considered. The proposed extension of hours of use would be more in line with the opening hours of the park and would not have a significant detrimental impact on the amenity of the nearby properties. An additional condition is recommended to secure a detailed site management plan to ensure that the proposed development is properly managed by the council and the operator of the café. The extension of hours of use would allow a greater degree of usage of the facilities in association with the park and this public benefit is weighed against the very limited adverse impact caused by the extension of hours.

- 11.3 The proposed extension of hours of use would result in a greater degree of natural surveillance, and any potential anti-social behavior could be reported to the Police much more quickly by the staff present on site. It is accepted that the proposed extension of hours would not have an adverse impact on the safety and security of the area and would bring positive benefits in deterring such anti-social behaviour.
- 11.4 In accordance with the above assessment, it is considered that the proposed development subject to condition is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conditions

- 11.5 Having reviewed the conditions originally imposed under P2016/0730/FUL, it is recommended to amend the following conditions:
- Condition 1 (Three-year commencement period): should be amended to the date of the original approval rather than a new 3-year commencement period
 - Condition 2 (Approved plans): Additional information/plan to be inserted into condition 2 and all the previous plans and statement to remain unless they are superseded by the current application
 - Condition 3 (Materials): No change
 - Condition 4 (Green Biodiversity Roofs): No change
 - Condition 5 (Arboricultural Method Statement): No change
 - Condition 6 (Hours of operation): To be amended to reflect the proposed extensions hours of use. Given the proposed opening hours for the Heritage Centre and Clock Tower and the Café are different, for avoidance of doubt, it is recommended to split the original condition into two separate conditions (condition 6 and condition 7).
 - Condition 7 (Inclusive Design): No change but would become condition 8 in the new decision
 - Condition 8 (Roller shutters): No change but become condition 9 in the new decision
 - Condition 9 (Servicing Arrangements): No change but become condition 10 in the new decision
 - Condition 10 (Delivery and Servicing Plan): No change but become condition 11 in the new decision
- 11.6 Additional condition to be imposed to make the development acceptable in planning terms:
- Condition 12: Site management plan to be submitted to ensure that the development would not have an unacceptable impact towards neighbouring amenity.

Conclusion

- 11.7 It is recommended that planning permission be granted under Section 73 of the Town and Country Planning Act (as amended), subject to varied and additional conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of full planning permission and listed building consent be subject to conditions to secure the following:

List of Conditions (Full)

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of the implemented permission on 23/05/2016.</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 list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>536 EX 001 rev.C, 536 EX 00, 536 EX 01, 536 EX 02, 536 EX 03, 536 EX 04, 536 EX 05, 536 EX 06, 536 EX 07, 536 EX 08, 536 EX 09, 536 EX 10, 536 EX 11, 536 EX 12, 536 EX 13, 536 EX 20, 536 EX 21, 536 WD 00, 536 WD 01, 536 WD 02, 536 WD 03, 536 WD 04, 536 WD 05, 536 WD 06, 536 WD 07, 536 WD 08, 536 WD 09, 536 WD 10, 536 WD 11, 536 WD 12, 536 WD 13, 536 WD 14, 536 WD 15, 536 WD 16, 536 WD 17, 536 WD 18, 536 WD 20, 536 WD 21, 536 WD 22, 536 WD 23, 536 WD 30, 536 WD 30A, 536 WD 31 rev.E, 536 WD 32, 536 WD 33, 536 WD 40, 536 WD 41, 536 WD 42, 536 WD 43, 536 WD 44, 536 WD 45, 536 WD 46, 536 WD 47, 536 WD 48, 536 WD 60, 536 WD 61, 536 WD 62, 536 WD 63, 536 WD 64, 536 WD 65, 536 WD 66, 536 BD 60, 2772-5-4 B, Design and Access Statement, Heritage statement. Revised opening hours for the Heritage Centre, Clock Tower and Café – Sept 2018.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>MATERIALS (DETAILS): Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> solid brickwork (including brick panels and mortar courses) render (including colour, texture and method of application); window treatment (including sections and reveals); roofing materials; balustrading treatment (including sections); elevation treatments; and any other materials to be used Portland stone <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 securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Roof
	<p>GREEN BIODIVERSITY ROOFS (DETAILS): Details of the biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <ol style="list-style-type: none"> biodiversity based with extensive substrate base (depth 80-150mm); laid out in accordance with plan no. 536 WD 32 hereby approved; and

	<p>f) 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).</p> <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 roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
5	Arboricultural Method Statement (AMS)
	<p>No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods: the arboricultural method statement, AMS in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction and construction method statement have been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
6	Hours for operation – Heritage Centre and Clock Tower
	<p>HOURS OF OPERATION (COMPLIANCE): The Heritage Centre and Clock Tower as detailed on approved plan no.536WD 31 and the clock tower shall not operate outside the following hours:</p> <p>Summer time:</p> <p>Monday to Friday: 08:00hr – 20:00hr Saturday: 09:00hr – 20:00hr Sunday: 10:00hr – 16:00hr</p> <p>Winter time:</p> <p>Monday to Friday: 08:00hr – 17:00hr Saturday: 09:00hr – 17:00hr Sunday: 10:00hr – 16:00hr</p> <p>For the avoidance of doubt, the “summer” period runs from the start of British Summer Time to the start of Greenwich Mean Time.</p> <p>REASON: To ensure the use does not adversely impact on existing and future residential amenity.</p>
7	Hours for operation – Café
	<p>HOURS OF OPERATION (COMPLIANCE): The Café as detailed on approved plan no.536WD 31 and the clock tower shall not operate outside the following hours:</p> <p>Summer time:</p> <p>Monday to Friday: 08:00hr – 18:00hr Saturday: 09:00hr – 18:00hr Sunday: 10:00hr – 15:00hr</p>

	<p>Winter time:</p> <p>Monday to Friday: 08:00hr – 17:00hr Saturday: 09:00hr – 17:00hr Sunday: 10:00hr – 15:00hr</p> <p>For the avoidance of doubt, the “summer” period runs from the start of British Summer Time to the start of Greenwich Mean Time.</p> <p>REASON: To ensure the use does not adversely impact on existing and future residential amenity.</p>
8	Inclusive Design
	<p>INCLUSIVE DESIGN (COMPLIANCE): The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate/install:</p> <ul style="list-style-type: none"> a) accessible WC b) level threshold <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
9	Roller Shutters
	<p>ROLLER SHUTTERS (COMPLIANCE): The storage boxes for the roller shutters hereby approved shall be located within the building fascia/façade and shall not project beyond the front face of the building. The shutter shall be of an open lattice type and shall not be solid / perforated.</p> <p>REASON: To ensure the good design of the roller shutter(s) and in the interest of preventing the creation of dead, inactive street frontages.</p>
10	Servicing Arrangements
	<p>SERVICING ARRANGEMENTS (COMPLIANCE):</p> <p>No deliveries shall be made to the premises outside the hours of:</p> <p>08.00hr to 18.00hr Monday to Friday, 10.00hr to 18.00hr Saturday, and 10.00hr to 15.00hr Sunday and Bank Holidays.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighboring residential.</p>
11	Delivery and Servicing Plan
	<p>A delivery and servicing plan (DSP), including details of waste collection from the site, details of waste storage within the site, detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority 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 and do not adversely impact on existing and future residential amenity</p>
12	Site Management Plan
	A Site Management Plan shall be submitted to and approved in writing by the Local

	<p>Planning Authority prior to the first occupation of the development hereby approved. The Site Management Plan shall include:</p> <ol style="list-style-type: none"> 1) details of the management of the site (including the clock tower, heritage centre and café) and staff provision; and 2) details of the measures to control and minimise the level of noise generated by the activities within the premises; and 3) bottling out and waste management arrangement; and 4) control and levels of noise from any amplified music within the unit (if any); and 5) details of how the impact of the proposed use will be continuously reviewed and monitored by the applicant throughout the lifetime of the development; and 6) capacity (of each use); and 7) details of any private hire facilities/functions (if any). <p>The development shall be operated strictly in accordance with the details so approved, and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the extended hours of use hereby approved are satisfactory and would not adversely impact on residential amenity.</p>
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List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	Definitions
	<p>INFORMATIVE: (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	Hours of Working
	<p>The applicant is advised that the accepted working hours for development within the borough are:</p> <p>8:00am-6:00pm on Mondays to Fridays, 9:00am-1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.</p>
4	Community Infrastructure Levy (CIL)

	<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 Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the Islington CIL Charging Schedule 2014 and the Mayor of London CIL Charging Schedule 2012.</p> <p>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. 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 application 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/cil.</p>
5	S73 application
	<p>The following conditions in the original consent P2016/0730/FUL have been discharged under a separate application P2017/2890/AOD:</p> <p>Condition 3 (Materials) Condition 4 (Roof) Condition 5 (Tree Protection Plan)</p>
6	Licensing
	<p>The premises licence for the Park does not cover the Clock Tower/Heritage Centre and there is no separate premises licence in place for it and no application has been sought. It is advised the applicant should contact the Licencing Team to discuss whether a premise licence is required for the new Heritage Centre. (Tel: 020 7527 3031; Email: licensing@islington.gov.uk)</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 2018 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 and the Finsbury Local Plan 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

3 London's people

6 London's Transport

7 London's living places and spaces

Policy 7.4 Local character

Policy 7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM2.5 Landmark

DM3.7 Noise and vibration (residential uses)

Health and Open Space

DM6.1 Healthy development

DM6.2 New and Improved public open space

DM6.3 Protecting open space

Transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

4. Designations

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

- Grade II* listed Clock Tower
- Grade II listed Park
- Local View from Archway road
- Local View from Archway Bridge
- Designated Open Space
- Protected landmark

5. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Urban Design Guide (2017)

APPENDIX 3: COMMITTEE REPORT OF THE ORIGINAL APPLICATION P2016/0730/FUL AND P2016/0736/LBC)

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 3333
222 Upper Street
LONDON N1 1YA

PLANNING SUB COMMITTEE B		
Date:	10 May 2016	NON-EXEMPT

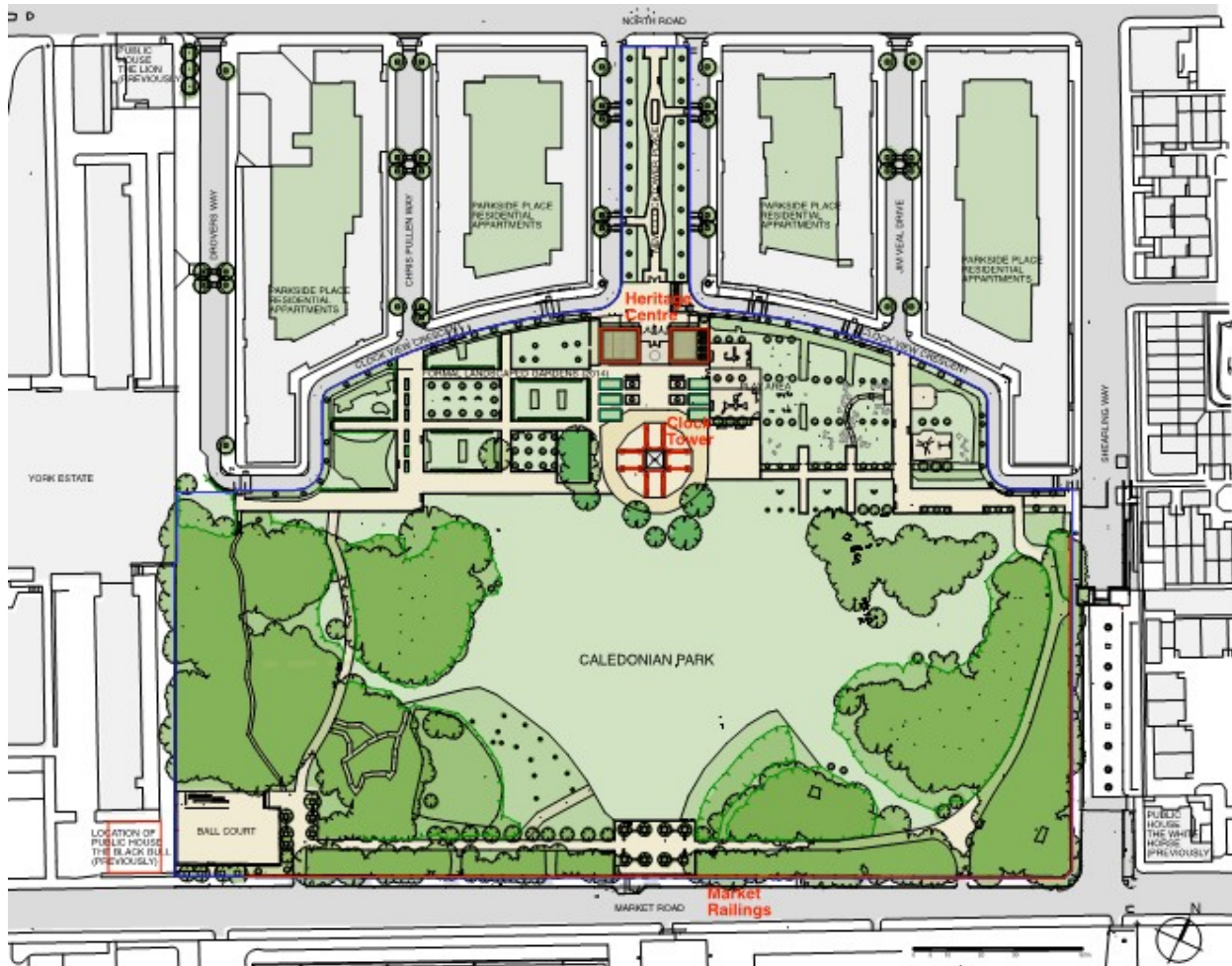
Application number	P2016/0730/FUL and P2016/0736/LBC
Application type	Full and Listed Building (Council's Own)
Ward	Holloway
Listed building	Listed Grade II
Conservation area	None
Development Plan Context	Open Space, Adjacent to SINC
Licensing Implications	License may be required
Site Address	Central Clock Tower , Caledonian Park, Market Road, London , N7 9DY
Proposal	<p>Full Application: The proposed development is to restore the grade II* listed clock tower, parts of the grade II listed historic market railings and to provide a heritage centre in Caledonian Park.</p> <p>Listed Building Application: Listed building consent application in connection with - the restoration of the grade II* listed clock tower, parts of the grade II listed historic market railings and to provide a heritage centre in Caledonian Park.</p>

Case Officer	Daniel Power
Applicant	London Borough of Islington - Mr Christopher Hariades
Agent	Dannatt, Johnson Architects -Ms Sophie Potter

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission and listed building consent - subject to the conditions set out in Appendix 1.

1. SITE PLAN (site outlined in black)



2. PHOTOS OF SITE/STREET



Image 1: View to the south of the application site.



Image 2: View to the south of the application site.

2.1 RENDERED IMAGES OF PROPOSAL



Image 3: View to the south of the proposed building



Image 4: View to the south of the proposed buildings



Image 5. View to the south east showing the proposed buildings and Clock Tower

4. SUMMARY

- 4.1 Full planning permission and listed building consent are sought for the erection of a heritage centre comprising of two single storey buildings with café and toilets to provide facilities for the community and visitors, park ranger presence, and to support wider activities in the park. It is also proposed to repair and restore the historic grade II* listed clock tower and to improve public access to the tower. In addition the essential repair of grade II market railings to Market Road along with the restoration of the Market Road entrance gates are proposed.
- 4.2 The application site is allocated under policy DM6.3 of Islington's Development Management Policies (2013) as public open space where development is not normally permitted. The application proposes two small buildings within the existing park which would be close to but detached from the listed Clock Tower and would provide a heritage centre, café and toilets. It is considered that given the proposed use, the size of the proposed buildings and the benefits in terms of the improvement works to the listed clock tower and railings, the small loss of public open space is outweighed by the increased functionality afforded by the new facilities and the substantial public benefits derived from the proposal. In addition to the improvements to the clock tower and the benefits that the proposed use would bring to the park outweigh the harm caused by the loss of a small amount of open space and the proposal is considered to be acceptable.
- 4.3 It is considered that the buildings, while contemporary in their design, are of an exemplar quality and design and the proposed materials which include, Portland stone and bronze complement their setting. Their design, scale and massing does not compete with the listed clock tower and it is considered not to have a significant impact on the setting of the clock tower. In addition the application proposes repairs and improvement works to the Clock Tower and listed railings, which are considered acceptable and beneficial to the long term existence of the listed, heritage asset.
- 4.4 Given the distance from neighbouring properties, the existing park use of the site and the imposition of a condition restricting hours of operation, the proposals are not considered to have a significant detrimental impact on the amenity of adjoining properties.
- 4.5 The application is brought to Committee because of the level of objections received and the application has been submitted by the Council. It is recommended that planning permission and listed building consent be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 Caledonian Park is designated as public open space and located on the western fringe of Islington, approximately 1.5 miles from King's Cross Station. The park is accessed from Market Road to the south, Shearling Way to the east and from New Clocktower Place with an open landscaped boulevard extending to North Road to the north. The park is the second largest in Islington and is built on the site of the former Metropolitan Cattle Market, once the biggest livestock market in London. The park is enclosed to the south and a large section of the east boundary by the remaining cast iron market railings which are grade II listed. In addition the park is allocated as Open Space, with the area to the south of the proposed building being allocated as SINC which covers the rest of the park. The clock tower and the remaining market railings have been identified on Historic England's Heritage at Risk register.
- 5.2 The parks history dates back to the 17th century site of Copenhagen House, later becoming a pleasure garden and sports field and developing into a gathering site of significant social and political rallies. The site was developed as the Metropolitan Cattle Market in 1855 with the clock tower constructed as the market's centrepiece, encircled at its base by a structure providing the market's banking and administration spaces. The market was bounded by substantial cast metal railings, which remain on both sides of Market Road and on Shearling Way, and are grade II listed. The market evolved into a flea market in the early 20th century and was requisitioned by the army during WWII, suffering bomb damage and falling into a state of dereliction until it was

redeveloped by London County Council and the City Corporation for housing (Market Estate) and a public park.

- 5.3 More recently the Market Estate was demolished and the area to the north of the park was significantly redeveloped to provide Parkside Place residential buildings, a new street layout in Clocktower Crescent and New Clocktower Place, and a large area of landscaped gardens and children's play area in the park.
- 5.4 The area to the north of this application site was granted planning permission in 2005 with various further approvals and amendments resulting in the development as built today. The park extends to the north between this development and adjoining North Road, allowing views of the clock tower from North Road.
- 5.5 To the east of this application site lies further residential properties and a university building while to the west is further residential development and the border with Camden. To the south of the site lies Market Road with a sports ground and tennis club to the south of Market Road and warehousing and commercial units.

6. PROPOSAL (IN DETAIL)

- 6.1 Full Planning permission and Listed Building Consent are sought for the creation of a heritage centre comprising of two single story buildings with café and toilets to provide facilities for the community and visitors, park ranger presence, and to support activities in the park. It is also proposed to repair and restore the historic grade II* listed Clock Tower and to improve access to support increased public access. Essential repair of grade II market railings to Market Road and the restoration of the Market Road entrance gates are also proposed.

Clock tower

- 6.2 This application seeks to undertake repair and restoration work to the clock tower and make access improvements to the clock tower so it can be opened for public access on a regular basis. The application proposes to install interpretation and audio visual display elements located inside and outside the Clock Tower that would provide explanation of the history of the site and the building. In addition it is proposed that regular guided tours of the clock tower will be provided following the restoration, and visitors will be able to ascend through each stage of the tower to view the working clock mechanism and experience the 360 degree view over London from the balcony at belfry level. A comprehensive survey has been submitted with the application detailing the condition of the clock tower and the repairs that are necessary.

Historic Railings

- 6.3 A significant amount of repair is required to the historic railings which form the southern and eastern boundary to Caledonian Park. The proposals will address priority repair work to install internal structural armature to columns to enable reinstatement of cast iron column heads that have been recently removed due to health and safety concerns.
- 6.4 The Market Road railings frame a historically significant view of the clock tower in the context of the former cattle market. The central entrance railings will be repaired and restored including the reinstatement of the cast animal heads, haunch brackets and lamps to column heads.

Proposed buildings

- 6.5 The application proposes two single storey detached buildings to the north of the clock tower, the west building will be used as an heritage centre while the east building will provide a café and toilet facilities. The buildings will be detached from the clock tower and each other with bronze gates between the proposed buildings, restricting access when the park is closed.
- 6.6 The west building would provide a heritage centre and would function as an activity hub for the site providing educational facilities. It would provide an activity room which would be used as a teaching and meeting place, venue for events and reception for visitors to the tower where they

can gather and wait prior to the start of their tours. In addition there would be a kitchenette, toilets and general storage space to support the activity centre.

- 6.7 The heritage building would allow for a wide-ranging activities programme to be run from the centre by a Heritage Ranger and a Learning Officer. The activity programme would provide formal and informal learning activities, community activities, one off events and exhibitions, volunteer opportunities and training provision. Formal education activities would be run by Islington Heritage Service which currently runs a number oversubscribed education programmes from the Islington Museum.
- 6.8 The east building would provide a café which would have internal seating for 12-15 people and external seating for 17 people with additional covered open space and will serve light refreshments comprising hot and cold drinks, snacks, cakes and ice-cream. The cafe would be equipped with sinks, preparation space, refrigeration, display cabinet and other catering equipment. Access is from a side door adjacent to the north entrance gates to the park or from glazed doors to a south 'cloister'. A store adjacent to the kiosk provides storage for stock and equipment. This building also contains a volunteer room where volunteers can meet, undertake activities and store tools and materials. This can be accessed separately from the café from an external door on the eastern side of the building. .
- 6.9 The concept for the proposed buildings is a pair of 'gatehouse buildings' that sit as part of the formal axial entrance to the park. The buildings are orientated to maximize opportunities for passive solar heating and natural ventilation.
- 6.10 The proposed buildings' elevations have been designed as a symmetrical arrangement of large glazed panels, light stone-coloured brick panels, and natural bronze finish panels set into a Portland stone clad frame. The roof of the new building will be visible from housing to the north and from the windows and balcony of the clock tower and as such a green roof is proposed with diverse planting of wildflowers and grasses. The heritage centre's location on the boundary of the means that concerns about vandalism and security must be addressed. All glazed openings on the exterior of the buildings will have roller shutters, which will be finished in metallic polyester powder coating to match the bronze used in adjacent panels. Shutters will have a perforated construction to allow light and views through when closed, and will be concealed within the construction when they are not in use (i.e. rolled up). Both building would have cover cloister area which allow for outside seating in connection with the cafe with views of the clock tower. These covered cloister areas to the south of both buildings will be secured with roller shutters as described above. The central entrance space between the two buildings will have a new gate and railings, to maintain the security of the park outside daylight hours.

Landscaping

- 6.11 Fixed seating is proposed in the form of two new long benches to the south of the new buildings, and in seating plinths to the base of the clock tower as part of the interpretation scheme. The proposal for lighting is to give the clock tower presence using subtle lighting at the base and belfry level. The base of the clock tower will be illuminated with in-ground uplights to each alcove of the buttress base, which will enhance new interpretation panels to the east and west and assist with illumination of the entrances to the north and south. Lighting is proposed to the cloister areas and at the entrances to each building of the heritage centre. Subtle in-ground feature lighting will enhance the axial entrance to the park. Drainage will be provided particularly to intercept surface water runoff from the south. The bio-diverse roof will help to absorb storm water discharge. Overall the proposed scheme will not add to off - site storm water discharge.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P110317:** Market Estate: 1-58 Chris Pullen Way, 1-49 Drovers Way, 1-87 and 2-120, Clock View Crescent, 26-28 North Road, (Formerly known as Tamworth, 37 North Road, 25 North Road & Clock Tower Place), Islington, London, N7: Application under S73 of the Town and Country

Planning Act 1990 to vary condition 12b (window treatment) of planning permission P090011 dated 27/04/2009, for the 'construction of 187 residential units, distributed across 3, 4, 5 and 6 storeys, and 4 flexible use units (A1/A3/B1/D1) at ground floor level, measuring 661 sq.m. In addition a 21 sq.m caretakers' office is provided at ground floor level. Provision is made for 26 car parking spaces'. The condition is to be varied to ensure that the requirement for 200mm depth window reveals only apply to the first, second and third floors of the terracotta clad building on the corner of North Road and Drovers Way. Approved 13/05/2011

- 7.2 **P090516:** Central Clock Tower, Caledonian Park, Market Road, Islington, London, N7: Listed Building Application in connection with installation of an 18inch metal plaque to clock tower.: Approved 09/06/2009
- 7.3 **P090011:** Market Estate: Tamworth, 37 North Road; 25 North Road & Clock Tower Place, Islington, London N7: The proposal is for 187 residential units, distributed across 3, 4, 5 and 6 storeys, and 4 flexible use units (A1/A3/B1/D1) at ground floor level, measuring 661 sq.m. In addition a 21 sq.m caretakers' office is provided at ground floor level. Provision is made for 26 car parking spaces. This application may affect the setting of a listed building. Town and Country Planning (Listed Building Conservation Areas) Act 1990 (as amended); section 67. Approved 24/04/2009
- 7.4 **880611:** Caledonian Park Market Road (South side) N7: Erection of building to provide three covered tennis courts with associated changing rooms etc.: Approved 28/09/1988

ENFORCEMENT:

- 7.5 None

PRE-APPLICATION ADVICE:

- 7.6 **Q2015/3226/HH:** The erection of a single storey structure for a visitor's centre and associated uses including kiosk, community room, toilets and bicycle storage to provide facilities for park users and visitors to the Clock Tower. The proposal also includes works to repair and restoration of the Grade II listed Clock Tower and market railings'.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 915 occupants of adjoining and nearby properties at Clock View Crescent, Shearling Way, Jim Veal Drive, Drovers Way, Ewe Close, Market Road, North Road, York Way, Brewery Road, New Clocktower Place, Chris Pullen Way. On the 31 March 2016 a site notice was placed outside the site and the application was advertised in the Islington Gazette on 1 April 2016. Therefore the public consultation expired on 22 April 2016 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 writing this report 48 letters of objection and 8 letters of support had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- 8.3 **Support**
- Support a café and heritage centre within the park
 - Support the repair works to the listed Clock Tower and railings.
- 8.4 **Objections**

- Proposed building out of keeping with the area. (para. 10.13 to 10.26)
- Proposals will harm the views of the clock tower from North Road. (para. 10.27 to 10.31)
- Proposals will lead to an increase in anti-social behaviour (para. 10.42 to 10.43)
- Concerns about parking (para. 10.44 to 10.45)
- Concerns over the long term funding of the project. (para. 10.52)

- Concerns that an increase in the use of the site will have an impact on the amenity of people living in neighbouring properties. (para 10.32 to 10.34)
- Concerns in relation to the pre application consultation undertaken by the applicant with the community. (para. 10.52)

Petitions:

- 8.5 A petition has been submitted with 354 signatures in support of the providing free public access to the clock tower, a ranger to provide security and the heritage centre with a café with public toilets application.
- 8.6 A 'Change.Org' petition objecting to a visitor centre at Caledonian Parks north gate is currently still open online, but at the time of writing this report had not yet been formally submitted as a petition to the LPA. However, at the time of finalising this report there were 166 signatories objecting to the proposals.

Internal Consultees

8.7 **Design and Conservation Officer:**

Following pre-application discussions a canopy located between the two buildings has been omitted and the gap between the two buildings has been further widened in order to reduce the visual impact of the proposed building on the setting of the clock tower. The timber clad finish to the building has also been replaced with a more refined design utilising a harmonious palette of stone, bronze and a limited extent of light brick. The internal layout has also been rationalised so that the quality and extent of seating space to the café has been maximised with improved functionality.

The design is a good example of a distinctive but discrete park building, clearly contemporary but avoiding clichés that might date and utilising a harmonious palette of high quality robust materials. It has a neutral impact on the setting of the Grade II* listed clock tower. Historic England supports this assessment. Details/samples are required for all materials and detailing including the stone, metal cladding, brick, windows and gates.

The proposed like-for-like and/or conservation repairs are acceptable. Timbers will only be replaced if beyond repair. Details of new doors and interpretation panels are required. The proposal would not have an adverse impact on the character, appearance, setting or integrity of the listed clock tower, nor its setting within the park. No objection is raised to the scheme subject to appropriate material and finish conditions for both the planning and listed building applications.

- 8.8 **Trees and Landscaping:** Raise no objection to the proposal subject to an arboricultural method statement being conditioned to safeguard the protection of the trees through construction.
- 8.9 **Access Officer:** Stated that it would appear to be a well thought out proposal to improve access to this heritage feature and they are pleased to note the applicant's reference to the Inclusive Design in Islington SPD. Questions were raised in relation to the proposed 'golden gravel on a tarmac base' and whether it would be suitable for wheelchair users, internal doors need to comply with the requirements of the Inclusive Design in Islington, kitchenette and shared refreshment facilities will need to comply with the requirements of building regulations and consideration should also be given to providing tactile information/interpretation for those with visual and cognitive impairments. A number of suggestions were made relating to new seating, uprights and in-ground feature lighting and the provision of baby changing facilities.
- 8.10 The applicant provided further information and clarification either addressing the questions that were raised or stating that the suggestions will be incorporated in to the detailed design.
- 8.11 **Planning Policy:** The policy officer was concerned that based on the initial information that was provided, the loss of open space associated with the new heritage centre buildings had not been robustly justified within a policy context which strongly protects open spaces from development. It was also considered that there was a lack of information about how the loss of open space and

biodiversity will be mitigated and how the ecology of the site can be enhanced. With regard to the proposals for the café/heritage centre it was suggested that further consideration is given to the proposals to address the issues of loss of open space/biodiversity and how this can be mitigated. Further information was requested to ensure that the proposals were properly justified, exceptionality was demonstrated and to demonstrate that the impacts of the proposals have been mitigated as far as possible. The following information was requested :

- A quantification of the overall amounts of open space to be lost, including a breakdown of the landscaped areas and what their biodiversity value is.
- A statement of how the proposals proposed to mitigate the impacts on the open space/biodiversity
- A justification for the buildings proposed. For the heritage centre this should address the issue of why this is needed within the park, if it is specifically related to the clock tower or more general heritage use and why alternative locations in proximity but outside of the park have not been considered. The need for the other uses, including the café should also be justified, including evidence of why they cannot be accommodated on a smaller footprint or through alternative means with less of an impact

8.2 Further information has been submitted with regard to the extent of the development, areas of existing and proposed hard surfacing, planting, new building and green roofs, along with further justification for the need of the building. It is now considered that the concerns of the Policy Officer have been addressed by the additional information that has been submitted.

External Consultees

8.5 **Historic England:** Offered no comments but suggested a condition relating to details to be submitted prior to work begun relating to new, doors, windows, display cases, replacement timbers, repairs to external stonework, details of stone cleaning and details of repairs to metal bracket and decking.

8.6 **Victorian Society:** The Society is not opposed to the principle of much of what is proposed, some which it considers is highly commendable. However they object to the application in its present form. Caledonian Park, its railings and clock tower are almost all that remain of the once 30 acre Metropolitan Cattle Market, opened in 1855 and cleared in the 1960s. They were pleased to see that the central entrance railings will be repaired and their characterful historic details reinstated. However, given the poor condition of the entire stretch of the Grade II listed railings on the southern and eastern boundaries, it is unfortunate that only a small portion is to be properly restored. They considered that all of the railings should receive the same treatment rather than merely being patched. The clock tower, which was the centre piece of the market, is now perhaps something of a curiosity without its ancillary structures though it does strongly relate to the surviving corner pubs built to serve the markets clientele, sharing the same magnificent Italianate style chosen by JB Bunning. The tower is a major landmark and so its restoration deserves high praise, as does the principle of any enhancement of its understanding for which there is great potential. However, the present scheme is a missed opportunity. It is proposed to introduce two new single storey structures on the north side of the tower, which will house a heritage centre, café, toilets as well as space for park rangers and volunteers. The proposed structures do not relate in any way to the clock tower, which should be the first consideration for any proposal at this location, considering the importance of this highly listed building. They will result in a level of harm to the heritage asset, which might be outweighed by considerable public and heritage benefits, but nevertheless is unjustifiable when patently there are many, more imaginative, options that could be explored.

8.7 **Design Review Panel** – At pre-application stage the proposal was considered by the Design Review Panel on the 8th December 2015. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. A summary of the panel's observations are attached at Appendix 3 but the main points raised in the most recent review are summarised below:

Ambition of the project

- 8.8 The panel questioned the ambition of the project and suggested an increase in size of the new buildings to provide for future expansion and to reflect the historic importance of the site.
- 8.9 Officer's comments: The applicants have carefully considered the size of the proposed buildings to minimize the impact on the setting of the listed Clock Tower, the park and local views and surroundings. The scale and location of the building relates sensitively to the historic importance of the site and the clock tower, and the expectation that the primary audience will be the local community.

Location of the heritage centre

- 8.10 The panel observed that the opportunity to locate the heritage centre to the south entrance of the park should be explored.
- 8.11 Officer's comments: The applicants explored the possibility of locating the heritage centre to the south side of the park on Market Road. A location near the central gate was discounted on advice from Historic England that this would adversely impact on the view of the clock tower from the south gate which would not be acceptable as this view is historically significant. Other locations to the south side were also considered that would not impact on the view to the clock tower but would impact on the central grass open space and/ or mature trees. The southern part of the park is designated as a Site of Importance for Nature Conservation, Borough Grade 1 and as such development in this area would be against planning policy. The proposed location on the north side is not within the Site of Importance for Nature Conservation boundary. The applicant considered that a southern location would also be inconvenient for a proposed toilet and café, given that the playground and Clock tower are on the north side of the park..

Size and flexibility of heritage centre

- 8.12 The panel questioned whether the proposed building was large enough and sufficiently flexible to support future expansion and adaption. The panel suggested a building at the base of the tower could provide a greater quantity of floor space.
- 8.13 Officer's comments: The applicant was advised that a larger building that would be attached to the clock tower would have an unacceptable impact on the listed clock tower and its setting.

Adaptability and funding of heritage centre

- 8.14 The panel questioned the adaptability of the proposals in relation to the café.
- 8.15 Officer's comments: In response the applicants have made some changes to the café since the review panel, allowing greater flexibility in the layout. The heritage centre Café has been designed as a small scale operation, visible and accessible from the street and within the park. The interior will have adequate space for equipment and storage space required to operate the Café.

External materials

- 8.16 The panel raised concern over proposed use of zinc cladding and painted timber boarding for external finishes. Stone was suggested as a more robust option.
- 8.17 Officer's comments: The external materials of the proposed buildings have been modified since the Review Panel meeting. It is proposed that the frame of the building is clad in Portland stone as a response to the materials of the clock tower. External walls will be composed of brick with glazing and bronze panels set within the stone frame.

Appearance of the base of the Clock tower

- 8.18 The panel raised concern over the relatively poor appearance of the painted render base of the Clock tower.
- 8.19 Officer's comments: In response the applicant's proposals include work to repair the render base of the tower, and to redecorate in a colour that is more sympathetic to the natural colour of the Portland stone above. It is also proposed to incorporate new decorative interpretation panels in the east and west arches of the clock tower to provide interpretation material that would be accessible even when the tower is closed. Recessed in-ground lighting will give presence to the base of the Clock tower during winter months

9. RELEVANT POLICIES

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

National Guidance

- 9.2 The National Planning Policy Framework (NPPF) 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals. Development Plan.
- 9.3 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.4 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Grade II* listed Clock Tower
 - Local View from Archway road
 - Local View from Archway Bridge
 - Designated Open Space
 - Protected landmark

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Land Use
- Heritage, Education and promotion of open space
- Design and appearance
- Amenity
- Impact of Listed Buildings
- Security

Land Use

- 10.2 The application site, Caledonian Park, is allocated as Open Space under Policy DM6.3 of Islington's adopted Development Management Policies (2013), which states that development is not permitted on any public open space. Caledonian Park consists of 4 hectares of open space,

containing the grade II* listed clock tower, grade II listed Metropolitan Cattle Market Railings, site of importance nature conservation area (SINC), semi mature woodland areas, an orchard, short and long grass meadows, children's play area, tarmac ball court with football goals and community gardens.

- 10.3 The proposal would involve development on public open space therefore the weighting of the potential benefits in promoting the use of the open space, improvement to the listed Clock Tower and the education benefits of the proposal should be considered against the loss of open space. Whilst there will be no replacement of the public open space in this instance it is considered that the provision of the heritage centre and its associated facilities will enhance the park and the functionality of the public open space and as such are considered to be exceptional circumstances that would in this case justify the small loss of public open space. The proposed café and heritage building would promote the use of the open space by providing complementary facilities and as such would improve the functionality of the park and the clock tower.
- 10.4 The proposed buildings would be located to the north of the clock tower adjacent to an existing playground and either side of the main north gates. The proposed heritage centre has an overall footprint of 250m² which includes the open trellised terrace area to the eastern end and cloistered area to the south side (totalling 82m²). The gross internal floor area is 143.m² with an external footprint of 168m², which is 0.4% of the area of the public open space. The proposed buildings are to be located on a recently laid out park area completed in winter 2012/13 of which 50% is gravel surfaced hard standing and paths and 50% is planting beds comprising predominantly ornamental herbaceous planting. The proposal would not result in the loss of any grass areas. The proposal would also provide 145m² of grass sedum roof on the proposed flat roofs of the two single storey buildings and whilst not accessible open space will assist with the ecological benefits of the proposal, enhancing the park generally. A condition has been recommended to provide and maintain a green roof on the buildings with an agreed mix of species within the first planting season following the practical completion of the building works. On balance it is considered that the proposed development would not result a significant or harmful loss of public open space and the associated public benefits associated with the proposal would enhance the overall functionality of Caledonian Park.

Heritage, Education and Promotion of Open Space

- 10.5 The application proposes a heritage centre which will be used to allow for a wide-ranging activities programme to be run from the centre by a Heritage Ranger and a Learning Officer. The activity programme would provide formal and informal learning activities, community activities, one off events and exhibitions, volunteer opportunities and training provision. Formal education activities would be run by the Islington Heritage Service which currently runs a number oversubscribed education programmes from the Islington Museum.
- 10.6 The heritage building will provide flexible accommodation to allow a range of different uses and will include toilets, café, park ranger office and community activity space to support more regular opening of the clock tower. The building will allow people to engage with the heritage of the area even if they are physically unable to climb the clock tower. The clock tower is an important part of the sky line of the local area and an iconic monument for the area's identity which has not been accessible to members of the public for some time. The proposed building would provide facilities for individuals and groups to visit the Clock Tower.
- 10.7 The Community Ranger and the Learning Officer will be based at the centre and will be responsible for delivery of the activity programme. Further staff presence will be provided by the Central Area Parks Team on an occasional basis and as required for special events. Volunteers will provide additional support for education and other activities run from the Centre. To help protect staff when lone working personal alarms will be provided which will link to the building alarms with the addition of staff on site this would result in an increase of activity and an increase in the natural surveillance of the area helping to prevent anti-social behaviour.
- 10.8 In addition to the proposed heritage centre, the application proposes a café and toilets. The cafe would have internal seating for 17 people with additional covered open space and will serve light

refreshments comprising hot and cold drinks, snacks, cakes and ice-cream. External seating in cloister for 9-12 covers. The Cafe will be operated by a private tenant under a lease agreement with the Council. It is proposed to condition the hours of operation and deliveries to the site..

- 10.9 The park is the second largest park in the Borough, with Caledonian Road tube station and Caledonian Road & Barnsbury overground station within walking distance. In addition following the completion of the development to the north in 2012, the park is accessible to large numbers of people. As a result of anti-social behaviour and the lack of facilities the park is under used given its location, size, history and accessibility. Many parks and open spaces across the borough and London have cafes, heritage centres and toilet facilities which allow visitors to enjoy the benefits of the open space and increase the functionality of the park. This is not an uncommon feature and the overall scale, height and massing has been kept to a minimum to limit the loss of open space and respect the setting of the listed Clock Tower.
- 10.10 The park currently has a playground to the north east of the Clock Tower which would adjoin the outside seating area of the proposed café building. The proposed café would complement the existing playground on the site and further promote and encourage the use of the playground while providing facilities for parents such as toilets, hot and cold drinks and baby changing facilities. The improvement to the clock tower, proposed heritage centre and heritage display boards will educate visitors to the park about the history of the site and the importance of the clock tower. Visitors will also have the opportunity to view the London sky line from the top of the clock tower.

Design and Appearance

- 10.11 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. It is also considered that policy DM2.3 is important in relation to this application to ensure all development continues to preserve and enhance the character and appearance of the conservation area.
- 10.12 The application site while not located within a conservation area sits within the setting of a Grade II* listed building. The site is allocated as Public Open Space with open views of the listed Clock Tower and historic railings. The development to the north of the application site is modern, and consists of 3, 4 and 5 storey buildings arranged in a rectangular blocks and constructed from London stock yellow brick, render, metal windows and balconies.

Proposed Buildings

- 10.13 The concept for the proposed buildings is a pair of 'gatehouse buildings' that sit as part of the formal axial entrance to the park. The buildings are orientated to maximize opportunities for passive solar heating and natural ventilation. The proposed building elevations have been designed as a symmetrical arrangement of large glazed panels, light stone-coloured brick panels, and natural bronze finish panels set into a Portland stone clad frame. The roof of the new building will be visible from surrounding housing to the north and from the windows and balcony of the clock tower and as such a green roof is proposed with diverse planting of wildflowers and grasses. The Heritage Centre location on the boundary of the park requires the design proposals to address concerns about vandalism and security issues. All glazed openings on the exterior of the buildings will have roller shutters, which will be finished in metallic polyester powder coating to match the bronze used in adjacent panels. Shutters will have a perforated construction to allow light and view through when closed, and will be concealed within the construction when they are not in use (i.e. rolled up). The covered cloister area to the south of both buildings will be secured with roller shutters as described above when the building is closed. The central entrance space between the two buildings will have a new gate and railings, to maintain the security of the park outside daylight hours.
- 10.14 Given the lack of built form within the park and the architectural quality of the clock tower, any new built form should be of a high standard of design. The proposed buildings are contemporary

in their design, while being of a high quality and create a clear distinction between the historic and the new built form in the park. The materials complement each other while being respectful of their setting within the park and the listed clock tower. In addition it is considered that their scale and massing is acceptable given their location within the park and do not compete with the listed Clock Tower. The Council's Design and Conservation officer raised no objection to the proposed buildings and considered that they are a good example of a distinctive but discrete, well designed park building.

Repair and restoration works

- 10.15 Policy DM2.3 of Islington's adopted Development Management Policies states that the significance of a listed building can be harmed by inappropriate repair, alteration or extension. Proposals to repair, alter or extend a listed building which harm its significance will not be permitted unless there is a clear and convincing justification. Substantial harm to or loss of a listed building will be strongly resisted. In addition new developments within the setting of a listed building are required to be of good quality contextual design. New developments within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.
- 10.16 This application seeks to undertake repairs and restoration work to the clock tower, in addition to incorporating heritage display boards and information about the clock tower. In addition works to provide level access at ground floor level are proposed, so that the building can be made accessible to more members of the public. The application proposes to install interpretation and audio visual display elements located inside and outside the clock tower that would provide explanation of the history of the site and the building. In addition it is proposed that regular guided tours of the clock tower will be provided following the restoration, and visitors will be able to ascend through each stage of the Tower to view the working clock mechanism and experience the 360 degree view over London from the balcony of the clock tower.
- 10.17 The application proposes works to the remaining railing to the south and west boundary of the application site. Many of the cast iron heads on the pillars have been removed or are damaged. The railings to the southern and western boundary form an important part of the entrances to the park and frame the setting of the clock tower. The proposed works would repair and restore the railings to their original condition improving the entrances to the park and the setting of the listed clock tower.
- 10.18 The application also proposes internal display and interpretation boards which will educate members of the public and school children visiting the site as to its history. The precise details as to how the display and interpretation boards will be fixed to the building will be controlled by condition, which Heritage England has suggested is acceptable.
- 10.19 The repair and restoration works would improve the visual appearance and structural integrity of the Listed Clock Tower. Heritage England and the Council's Design and Conservation officer have commented on the repair works and have no objections subject to conditions detailing the new, doors, windows, display cases, replacement timbers, repairs to external stonework, details of stone cleaning and details of repairs to metal bracket and decking.
- 10.20 The works proposed to the listed clock tower and railings relate mainly to repairs with no new building or structure attached to the fabric of the listed buildings. The heritage interpretation board will be attached to the building with details confirmed by condition. It is therefore considered that the proposal would not have a harmful impact on the setting or fabric of the listed clock tower or railings and is therefore considered acceptable and to satisfy the requirement of Policy DM2.3 of Islington's adopted Development Management Policies.

Setting of the listed Clock Tower

- 10.21 Policy DM2.3 of Islington's adopted Development Management Policies states that new developments within the setting of a listed building are required to be of good quality contextual design. New developments within the setting of a listed building which harms its significance will

not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.

- 10.22 The proposed building would not be attached to the clock tower and would be located to its north, approximately 18 metres from the arches of the tower and 25 metres from its base. The heritage building would have a northern elevation measuring 11 metres in width with a height of 3.6 metres, while the café's northern elevation would measure 11 metres including the overhang for the outside seating area and a height of 3.9 metres. The proposed elevations have been designed as a symmetrical arrangement of large glazed panels, light stone-coloured brick panels, and natural bronze finish panels set into a Portland stone clad frame. The roof of the new building will be visible from surrounding housing to the north and from the windows and balcony of the clock tower and as such a green roof is proposed with diverse planting of wildflowers and grasses.
- 10.23 The proposed building would not be attached to the listed building and would stand either side of the main walkway from the north of the Tower. The buildings being located approximately 18 metres from the arches of the tower and 25 metres from its base would therefore create a clear definition between the Clock Tower and the new development. The proposed building's small scale partially in comparison to the tall and grand Clock Tower would result in the tower remaining the main focal feature in the landscape. The design of the proposed building is such that it complements the Clock Tower, with a contemporary but clean design to further make clear the difference between the modern buildings and the historic clock tower.
- 10.24 It is therefore considered that given the small scale of the buildings, their detached location from the clock tower and the quality of the design that the building would not have a detrimental impact on the setting of the listed clock tower and satisfies the requirement of Policy DM2.3 of Islington's adopted Development Management Policies

Views of the historic Clock Tower

- 10.25 Policy DM 2.5 states that the council will protect views of well-known local landmarks and will exercise stringent controls over the height, location and design of any building which blocks or detracts from important or potentially important views. The clock tower is identified as a protected landmark within this policy.
- 10.26 The listed clock tower measures 46 metres to the ridge which excludes the weathervane and has a width of 6.6 metres not including the arches at the base. When the 2002 planning application was submitted for the redevelopment of the land to the north of the Clock Tower, the development was planned so as to have clear sight lines from North Road to the clock tower, which has resulted in the park land in-between the residential development.
- 10.27 Objections have been received in relation to the impact the proposed new buildings would have on the view points to the clock tower from North Road. The proposed buildings would not be attached to the clock tower and would be located to its north, approximately 18 metres from the arches of the tower and 25 metres from its base. The heritage building would have a northern elevation measuring 11 metres in width with a height of 3.6 metres, while the café's northern elevation would measure 11 metres including the overhang for the outside seating area with a height of 3.9 metres. Given the separation from the clock tower and the separation between the proposed two, single storey heritage buildings, the views and setting of the clock tower are considered to be preserved.
- 10.28 The proposed building's elevations have been designed as a symmetrical arrangement of large glazed panels, light stone-coloured brick panels, and natural bronze finish panels set into a Portland stone clad frame. The proportions of the elevation reflect the symmetry of the tower and maintain the axial view and approach from the North. While the design approach is clearly contemporary this does not detract from the more detailed architectural features of the historic clock tower.
- 10.29 The clock tower is significantly larger in height, scale and massing than the proposed detached buildings. While the proposal would introduce development close to and in front of the clock

tower, the differences in height, scale and massing of the buildings while maintain the “axis” line of the development to the north of the site. The proposal is not considered to obscure or detract from the important views or setting of the historic clock tower and satisfies the requirement of Policy DM2.5 of Islington’s Development Management Policies.

Neighbouring Amenity

- 10.30 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, safety and an increased sense of enclosure. A development’s likely impact in terms of light pollution, safety, security, noise and disturbance is also assessed. London Plan Policies 7.14 and 7.15 as well as Development Management Policies DM 2.1 and DM6.1 require all developments to be safe and inclusive and maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.31 Objections have been received in relation to the introduction of a café and heritage centre to the site, which could cause noise and disturbance to neighbouring properties. The properties Clock View Crescent to the north of the clock tower would be the closest residential properties to the site at 20 metres from the proposed single storey buildings. The proposal would increase the activity and use of the park, which is the intention of the proposal. The proposed buildings are small in scale and the proposed uses are low key and it is considered that the proposal would be unlikely to generate noise disturbance that would detrimentally impact on nearby residents. It is envisaged that the proposal would attract families and visitors to the park that are interested in the heritage of the site during park opening times. However it is recommended that a condition is imposed restricting the times of the café opening, heritage centre and clock tower. Condition 6 relates to hours of operation and condition 9 relates to hours restrictions on deliveries and servicing. (
- 10.32 Given the distance from neighbouring properties, the existing use of the site and a condition restricting hours of operation, it is considered that the proposal would not have a significantly detrimental impact on the amenity of adjoining properties. The proposal is therefore considered to comply with the requirements of Policies DM 2.1 and DM6.1 of Islington’s adopted Development Management Policies.

Inclusive Design

- 10.33 Policy DM 2.1 of Islington Development Management Policies states that all developments shall demonstrate that they provide for ease of and versatility in use and produce places and spaces that are convenient and enjoyable to use for everyone.
- 10.34 The current arrangement through the clock tower is via a steep and narrow spiral staircase and stair ladders with open balustrades and rope handrails. The passage up and down the building requires a good level of physical fitness and confidence with heights. The stairs particularly from the 2nd floor up comprise narrow timber open treads and despite proposed improvements to hand and guard rails physical access to the upper floors of the tower will be restricted to able-bodied people. Due to the restricted floor space of the existing internal layout of the stages, and the listed fabric of this structure, it is not considered feasible to incorporate a passenger lift.
- 10.35 The proposals seek to improve physical access to the ground floor of the tower by reinstatement of doors to the north elevation, and a secondary set of internal glazed doors. Stairs and ladders will be restored and refurbished with replacement of rope handrails and the introduction of a secondary rail to assist people of differing heights, ages and abilities in access to upper floors.
- 10.36 Although the balcony level is a major draw for the public for the impressive view of London it offers, the current balustrade is too low. A new glass balustrade has been designed to sit behind the line of the original balustrade to improve public access to the balcony. For disabled visitors unable to climb the tower video glasses will be available to enable a friend to live feed their visit back to a smart phone or monitor in the base of the clock tower and/ or heritage centre, so they can enjoy an interactive clock tower experience in real time directly through the eyes and commentary of their friend.

- 10.37 There is a suitable disabled access drop-off point on Clock Tower Crescent 35 metres from the building entrance and it is proposed to establish a disabled person's temporary permit to site scheme via the Shearling Way park entrance which will be operated by site staff through an advertised contact number and with appropriate signage at the entrance gate.
- 10.38 The Council's Access Officer has commented on the application and has no objections in principle to the application. It is recommended to attached a condition requiring the development shall be designed in accordance with the principles of Inclusive Design, condition 7 requires certain equipment to be installed
- 10.39 The applicant has provided further clarification on the matters raised and stated that the Access Officer's suggestions will be incorporated into the detailed design of the proposal. It is therefore considered that given the restrictions on providing level access to such a historic and tall building that the design of the proposed building and level access on the ground floor of the clock tower, are considered acceptable. As such meets the requirements of Policy DM 2.1 of Islington Development Management Policies.

Security

- 10.40 Policy DM 2.1 of Islington Development Management Policies states that all developments shall be safe and inclusive. The location of the building provides a good degree of natural surveillance from surrounding properties and has been designed to minimise opportunities for anti-social behaviour and vandalism. The details of the building will be developed to deter climbing. External down pipes (if used) will be square section to further deter climbing. All windows will be protected by metal roller shutters when the park is closed. Internal and external CCTV will provide capacity for out-of-hours monitoring at the nearby Waste Recycling Centre.
- 10.41 The increased use of the park by members of the public and visiting school children, together with the proposed building being staffed would result in an increase of activity and an increase in the natural surveillance of the area. The increase in activity in the park would assist in deterring anti- social behaviour. Furthermore should any anti-social behaviour occur this could be reported much more quickly by on site members of staff. Security has been thoroughly considered in the design of the building, with shutters and CCTV included to prevent anti-social activities and crime. It is therefore considered that the proposal would improve the security of the site and therefore allow more people to enjoy the open space. The proposal therefore meets the requirement of Policy DM 2.1 of Islington Development Management Policies.

Transport

- 10.42 Objections have been received in relation to level of parking required and the existing park issues. No on-site parking for visitors or staff is proposed. Given the close proximity to tube and rail stations and bus stops the site is considered to be well located to access by sustainable means. In additional the application also proposes cycle racks, two undercover and three outside to the north of the proposed buildings. The roads to the north of the site have parking restrictions in place in the form of double yellow lines. The existing parking requirements of the area are not a material consideration for this application.
- 10.43 The application proposes a servicing and delivery route from the eastern entrance to the park to the proposed building. Given the parking restrictions in the surrounding area, the proposed use and surrounding neighbouring properties, it is recommended to attach a condition requiring a Delivery and Servicing Plan (DSP).

Landscaping and trees

- 10.44 Policy DM6.5 of Islington's adopted Development Management Policies requires that developments must protect contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area. It states that developments are required to minimise any impact on trees and shrubs, while developments should maximise the provision of green roofs.

- 10.45 The existing area to the north of the clock tower was landscaped in 2012/13, following the completion of the development to the north, as this area was used in connection with the development's construction. The existing area has a line of trees each side of the central walk way leading to the base of the Clock Tower, which follows the axis from the park to the north. At either side of the line of trees there are rectangular plots of predominantly ornamental herbaceous planting.
- 10.46 The location of the two buildings would result in the loss of 233m² of recent planting. It is proposed that this will be compensated for by the provision of 84m² new planting to the north and west sides of the building and the bio-diverse green roof (145m²). Paving within covered cloister areas to the south of buildings and between the two buildings will comprise high quality slabs. Hard paved areas beyond the new paving surface will comprise golden gravel on tarmac base to match the existing surfacing. Fixed seating is proposed in the form of two new long benches to the south of the new buildings, and in seating plinths to the base of the clock tower as part of the interpretation scheme.
- 10.47 The proposal for lighting will give the clock tower an improved presence using subtle lighting at the base and belfry level. The base of the clock tower will be illuminated with in-ground uplights to each alcove of the buttress base, which will enhance new interpretation panels to the east and west and assist with illumination of the entrances to the north and south. Lighting is proposed to the cloister areas and at the entrances to each building of the heritage centre. Subtle in-ground feature lighting will enhance the axial entrance to the park.
- 10.48 The application was submitted with an arboricultural report which the Council's Tree Officer has considered. They had no objection to the proposal subject to an arboricultural method statement being conditioned to safeguard the protection of the trees through construction. Condition 5 requires an arboricultural method statement to be submitted prior to commencement.
- 10.49 While the proposal would result in a small amount of planting area being lost, further planting is proposed to the north and west sides of the proposed building. In addition the proposed buildings would have a green roof, further compensating for the ecological loss and visual loss of the flowerbeds. It is therefore considered that while there would be a loss of a small section of ornamental herbaceous planting the proposed green roof and new planting would compensate for this loss. In addition the application would not harm any trees within the park. The proposal is considered acceptable and complies with the requirements of Policy DM6.5 of Islington's adopted Development Management Policies.

Other Matters

- 10.50 Objections have been received in relation to the long term funding of the project and the pre application consultation undertaken by the applicant with the community. These matters are not a material planning considerations in the determination of this application.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 Full planning permission and listed building consent are sought for the erection of a heritage centre comprising of two single storey buildings with café and toilets to provide facilities for the community and visitors, park ranger presence, and to support wider activities in the park. In addition the application proposes repair and conservation works to the grade II* Listed clock tower and grade II listed railings. The proposed works relate mainly to repairs with no new building or structure attached to the fabric of the listed buildings. The heritage interpretation board will be attached to the internal of the building with details confirmed by condition. The repair and conservation works to the listed clock tower and railings are considered to preserve and enhance this irreplaceable heritage asset.
- 11.2 Whilst there will be no replacement of the public open space in this instance it is considered that there are exceptional circumstances which offset the loss of 250 m² of public open space and the

provision of the heritage centre and its associated facilities are considered to enhance the functionality of the park and the long term use of the clock tower by allowing a more interactive and educational relationship with the heritage asset.

- 11.3 The buildings are located approximately 18 metres from the arches of the tower and 25 metres from its base and would therefore create a clear definition between the clock tower and the new development thus respecting its setting. The proposed buildings small scale partially in comparison to the tall and grand clock tower would result in the tower remaining the main focal feature in the landscape. The design of the proposed building is such that it complements the clock tower, with a contemporary but clean design to further make clear the difference between the modern buildings and the historic clock tower. It is therefore considered that given the small scale of the buildings, their detached location from the clock tower and the quality of the design that the building would not have a detrimental impact on the setting of the listed clock tower.
- 11.4 It is considered that the buildings while contemporary in their design are of a high quality of design and the proposed materials complement their setting. Their design, scale and massing does not compete with the Listed clock tower and are not considered to have a significant impact on the setting of the listed clock tower. It is considered that the proposal would not have a harmful impact on the setting or fabric of the listed Clock Tower or railings and is therefore considered to sustain and enhance the significance of the heritage assets..
- 11.5 The impact of the proposal on the amenity of neighbouring properties has been carefully considered. The properties to the north of the clock tower would be the closest at approximately 20 metres from the proposed buildings. It is recommended that a condition is imposed restricting the times of opening for the café, heritage centre and clock tower. Given the distance from neighbouring properties, the existing use of the site and a condition restricting hours of operation, it is considered that the proposal would not have a significant detriment impact on the amenity of adjoining properties.
- 11.6 The accessibility of the proposal has been considered and given the restriction on providing level access to such a historic and tall building it is considered that the design of the proposed building and ground floor of the Clock Tower, together with the use of technological offer are considered acceptable.
- 11.7 While the proposal would result in a small amount of planting area being lost, further planting is proposed to the north and west sides of the proposed building. In addition the proposed buildings would have a green roof, further compensating for the ecological loss and visual loss of the flowerbeds. It is therefore considered that while there would be a loss of a small section of ornamental herbaceous planting the proposed green roof and new planting would compensate for this loss. In addition the application would not harm any trees within the park.
- 11.8 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.9 It is recommended that planning permission and listed building consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of full planning permission and listed building consent be subject to conditions to secure the following:

List of Conditions (Full)

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>536 EX 001, 536 EX 00, 536 EX 01, 536 EX 02, 536 EX 03, 536 EX 04, 536 EX 05, 536 EX 06, 536 EX 07, 536 EX 08, 536 EX 09, 536 EX 10, 536 EX 11, 536 EX 12, 536 EX 13, 536 EX 20, 536 EX 21,</p> <p>536 WD 00, 536 WD 01, 536 WD 02, 536 WD 03, 536 WD 04, 536 WD 05, 536 WD 06, 536 WD 07, 536 WD 08, 536 WD 09, 536 WD 10, 536 WD 11, 536 WD 12, 536 WD 13, 536 WD 14, 536 WD 15, 536 WD 16, 536 WD 17, 536 WD 18, 536 WD 20, 536 WD 21, 536 WD 22, 536 WD 23,</p> <p>536 WD 30, 536 WD 30A, 536 WD 31, 536 WD 32, 536 WD 33, 536 WD 40, 536 WD 41, 536 WD 42, 536 WD 43, 536 WD 44, 536 WD 45, 536 WD 46, 536 WD 47, 536 WD 48, 536 WD 60, 536 WD 61, 536 WD 62, 536 WD 63, 536 WD 64, 536 WD 65, 536 WD 66, 536 BD 60,</p> <p>2772-5-4 B, Design and Access Statement, Heritage statement</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>MATERIALS (DETAILS): Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> solid brickwork (including brick panels and mortar courses) render (including colour, texture and method of application); window treatment (including sections and reveals); roofing materials; balustrading treatment (including sections); elevation treatments; and any other materials to be used Portland stone <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 securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Roof

	<p>GREEN BIODIVERSITY ROOFS (DETAILS): Details of the biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> d) biodiversity based with extensive substrate base (depth 80-150mm); e) laid out in accordance with plan no. 536 WD 32 hereby approved; and f) 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). <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 roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
5	<p>Arboricultural Method Statement (AMS)</p> <p>No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods: the arboricultural method statement, AMS in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction and construction method statement have been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
6	<p>Hours for operation</p> <p>HOURS OF OPERATION (COMPLIANCE): The Café and Visitor hereby approved shall not operate except between the hours of 08:00hr and 18:00hr Monday - Friday, between 10:00hr and 18:00hr Saturday, and between 10:00hr and 15:00hr on Sunday and Bank Holidays.</p> <p>REASON: To ensure the use does not adversely impact on existing and future residential amenity.</p>
7	<p>Inclusive Design</p> <p>INCLUSIVE DESIGN (COMPLIANCE): The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate/install:</p> <ul style="list-style-type: none"> a) accessible WC b) level threshold <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p>

	REASON: In order to facilitate and promote inclusive and sustainable communities.
8	Roller Shutters
	<p>ROLLER SHUTTERS (COMPLIANCE): The storage boxes for the roller shutters hereby approved shall be located within the building facia/façade and shall not project beyond the front face of the building. The shutter shall be of an open lattice type and shall not be solid / perforated.</p> <p>REASON: To ensure the good design of the roller shutter(s) and in the interest of preventing the creation of dead, inactive street frontages.</p>
9	Servicing Arrangements
	<p>SERVICING ARRANGEMENTS (COMPLIANCE):</p> <p>No deliveries shall be made to the premises outside the hours of:</p> <p>08.00hr to 18.00hr Monday to Friday, 10.00hr to 18.00hr Saturday, and 10.00hr to 15.00hr Sunday and Bank Holidays.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighboring residential.</p>
10	Delivery and Servicing Plan
	<p>A delivery and servicing plan (DSP), including details of waste collection from the site, details of waste storage within the site, detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority 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 and do not adversely impact on existing and future residential amenity</p>

List of Conditions (Listed Building)

1	Commencement
	<p>3 YEAR CONSENT PERIOD FOR LBC: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Materials
	<p>MATERIALS (DETAILS): Details in respect of the following works to the clock tower shall be submitted to and approved in writing by the Council as local planning authority in consultation with Historic England before the relevant work is begun. The relevant work shall be carried out in accordance with such approved details:</p> <ul style="list-style-type: none"> a. New oak entrance doors; b. New display cases, including method of fixing, at ground floor level; c. New glazed opening to stair enclosure at fifth floor level; d. Replacement timber louvres at seventh floor level;

	<p>e. New secondary balustrade to observation deck at seventh floor level;</p> <p>f. Repairs to external stonework and render, including typical methodologies and samples of materials and finishes;</p> <p>g. Details of stone cleaning, including preparation of a sample panel for approval prior to the undertaking of the relevant works on site;</p> <p>h. Details of repairs to metal brackets supporting observation deck and roof.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the building.</p>
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List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	Definitions
	<p>INFORMATIVE: (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	Hours of Working
	<p>The applicant is advised that the accepted working hours for development within the borough are:</p> <p>8:00am-6:00pm on Mondays to Fridays, 9:00am-1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.</p>
4	Community Infrastructure Levy (CIL)
	<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 Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the Islington CIL Charging Schedule 2014 and the Mayor of London CIL Charging Schedule 2012.</p> <p>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. Failure to</p>

	<p>submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the application will not benefit from the 60 day payment window.</p>
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	<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/cil.</p>
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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 2015, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

3 London's people

6 London's Transport
Policy 6.9 Cycling

7 London's living places and spaces
Policy 7.4 Local character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.3 Heritage

DM2.5 Landmarks

Energy and Environmental Standards

DM 7.2 Energy efficiency and carbon
reduction

DM7.4 Sustainable Design Standards

Health and Open Space

DM6.1 Healthy development

DM6.2 New and Improved public open space

Transport

DM 8.4 Walking and cycling

4. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Public Open Space

5. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

London Plan

Urban Design Guide (2006)

**Conservation Area Design Guidelines
(2002)**