

# PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration Department

<b>PLANNING COMMITTEE</b>	
<b>Date:</b>	<b>04 September 2014</b>

Application number	P2014/1103/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Adajcent to LLB – 30 Tabernacle Street / 8 Epworth Street; Opposite LLB – 1 Bonhill Street
Conservation area	Adjacent to Bunhill Fields & Finsbury Square CA
Development Plan Context	Central Activities Zone; Bunhill & Clerkenwell Key Area; City Fringe Opportunity Area; Employment Priority Area (Offices); Moorfields Archaeological Priority Area
Licensing Implications	None
Site Address	Zimco House, 16-28 Tabernacle Street & 10-14 Epworth Street, Islington, London EC2A 4LU
Proposal	Refurbishment and extensions to the existing building comprising: demolition of existing rear two storey courtyard part of building including former caretaker's flat; demolition of existing fourth floor plant room on Bonhill Street; erection of rear infill extension at ground to fourth floor level; erection of fourth and fifth floor level roof extension along Bonhill Street and Tabernacle Street; recladding and alteration to external facades; together with internal reconfiguration; and change of use of the basement (1,778sqm) from B8 distribution warehouse to B1 office. The extensions would provide 2,503sqm of new B1 office accommodation (total 8,578sqm of B1 office floorspace) and the provision of six new residential flats with front terraces at fifth floor level, comprising one x three-bedroom flat and five x two-bedroom flats.

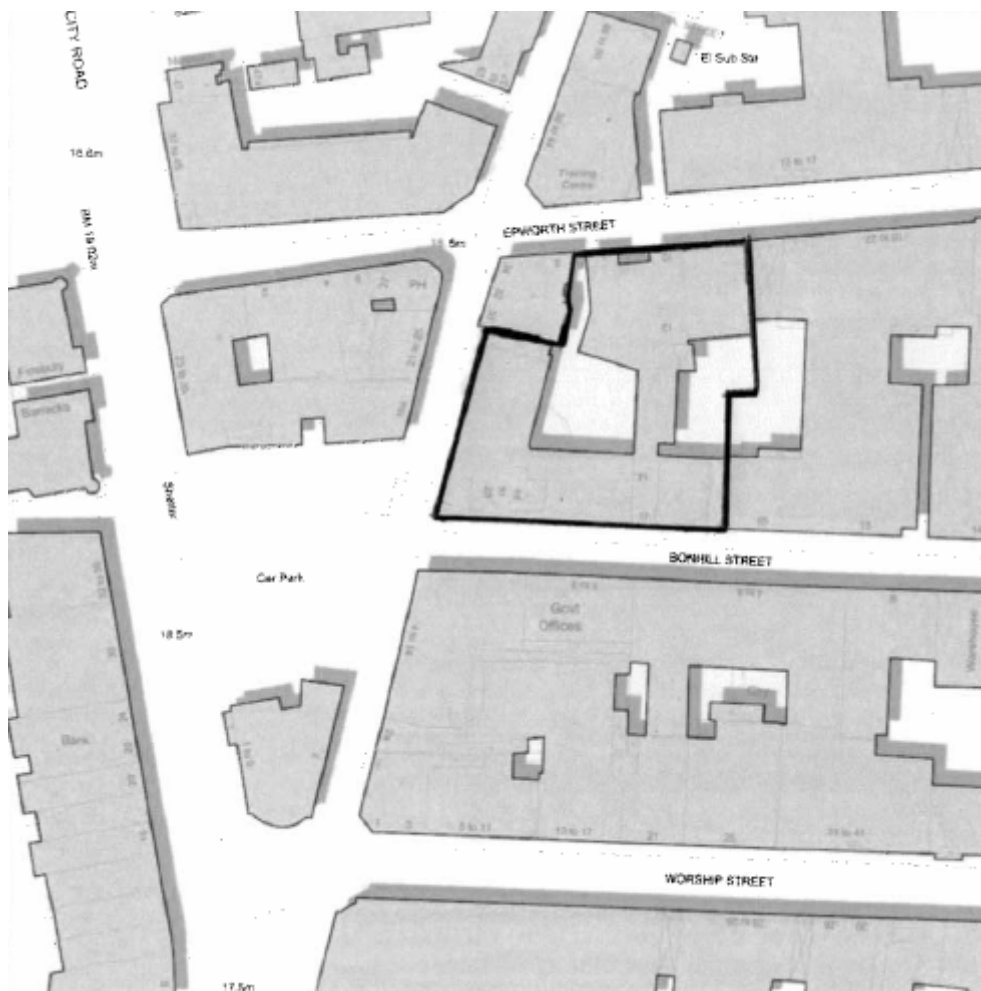
Case Officer	Ben Dixon
Applicant	Lawnpond LLP
Agent	Rolfe Judd

## 1 RECOMMENDATION

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

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

## 2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET



Image 1: Tabernacle & Bonhill Street elevations.



Image 2: Epworth Street elevation.



**Image 3: Courtyard facing elevations to rear of Tabernacle Street & Bonhill Street.**



**Image 4: Rear courtyard facing elevation of 10 Epworth Street with first floor terrace garden.**

## **SUMMARY**

- 4.1 It is proposed to undertake wholesale refurbishment and remodelling of the existing office building, including infilling the existing open ground floor undercroft on Bonhill Street and Tabernacle Street and infilling the central courtyard. The proposal includes the erection of rear courtyard and roof level extensions, in order to provide an updated employment-led (office) mixed use development at the site. The proposal would provide 2,503sqm of new B1 office accommodation (a total of 8,578sqm of high quality office floorspace including the refurbished existing commercial floorspace) and six new residential flats for private market sale.
- 4.2 The proposed employment (office) led mixed use development is considered to accord with all the pertinent land use policies with the London Plan and Islington Development Plan and therefore, the proposal is considered to be acceptable in land use terms.
- 4.3 The proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by condition. It is considered that the proposal which would update the existing out-dated office building would represent a high quality development, which would enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is considered to accord with the aims of local, regional and national design and heritage policies.
- 4.4 The dwelling mix proposed and the standard of the proposed new residential accommodation are both considered to be acceptable. The applicant has agreed to pay £300, 000 towards the off-site provision of affordable housing elsewhere in the borough in the line with the Small Sites Affordable Housing SPD.
- 4.5 The proposal would result in the cessation of the existing B8 courier distribution use which currently operates from the basement at the site, therefore resulting in a significant reduction in the number of vehicular trips associated with the operation of the site. Subject to the control of serving via conditions it is not considered that the proposal would have an adverse impact on the highway safety or the operation of surrounding highways. The office development and new residential units would be car-free. The existing eight on-site parking spaces for residents of the existing flats at 10 Epworth Street would be retained for use by these residents within the development.
- 4.6 The proposed development would have some negative impact on the amenity of some neighbouring residential occupiers of flats at 10 Epworth Street, chiefly due to reduced winter sunlight, and the potential for increased noise and disturbance from servicing. However, subject to conditions to secure obscurely glazed courtyard facing windows that are fixed shut, the provision of adequate sound insulation between the servicing yard and the flats, and the appropriate control of hours of servicing, it is not considered that the proposed

development would result in such harm to the amenity of neighbouring residential occupiers so as to warrant refusal of the application.

- 4.7 The proposal is considered to accord with the relevant policies contained in the Islington Development Plan and national guidance provided in the NPPF. The proposal is supported by officers with a recommendation that planning permission should be granted, subject to conditions and the completion of a section 106 legal agreement.

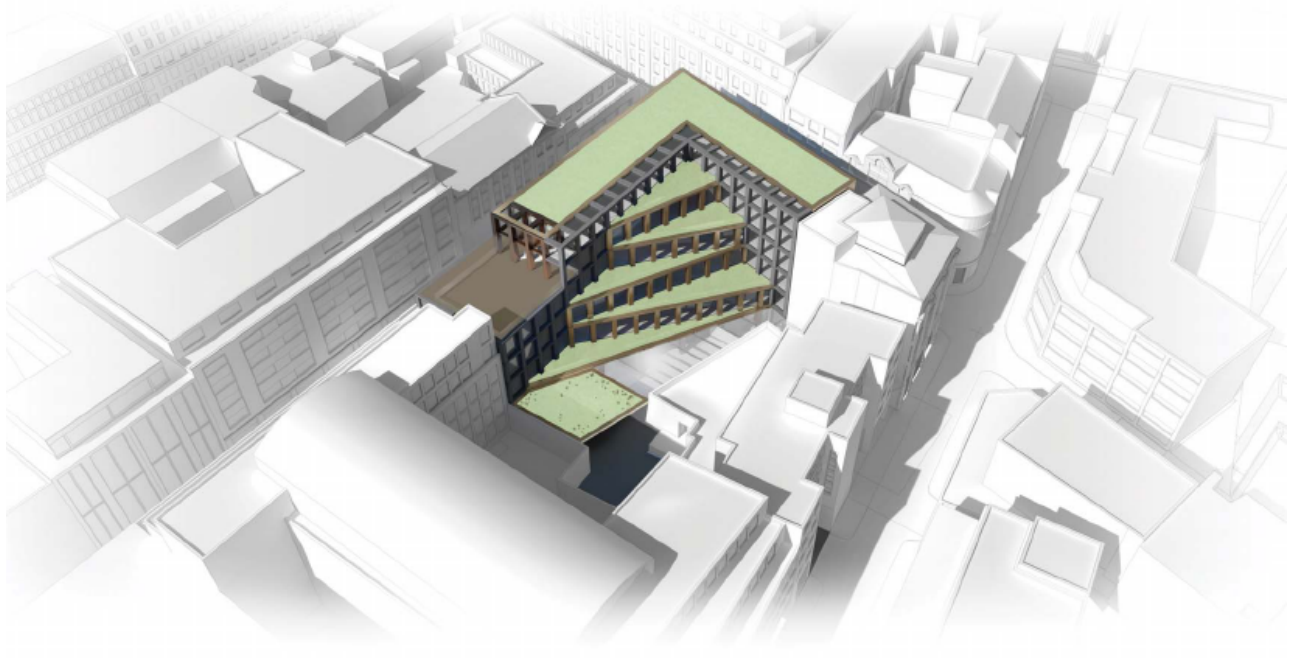
## **5 SITE AND SURROUNDING**

- 5.1 The site is located within the Bunhill ward with frontages onto the east side of Tabernacle Street, the north side of Bonhill Street and the south side of Epworth Street. The site covers an area of 0.271 hectares and is roughly a square shape (but excludes the building at the corner of Tabernacle Street and Epworth Street – 30 Tabernacle Street / 8 Epworth Street).
- 5.2 The site is occupied by a 1970/80s part four, part five storey perimeter block building, with an open undercroft at ground floor level along Bonhill Street and Tabernacle Street, and an open central courtyard which is bisected by a two storey element, that includes the former caretaker's flat (known as Flat 20, 10 Epworth Street). The building is constructed with a concrete frame, clad in brown facing brickwork with brown aluminium windows.
- 5.3 The L-shaped section of the building which fronts Bonhill Street (to the south) and Tabernacle Street (to the west) is five storeys high along Bonhill Street and four storeys high along Tabernacle Street. This section of the building comprises B1 office accommodation (4,297sqm) on the first to third floors accessed by a ground floor reception at the corner of Tabernacle Street and Bonhill Street. The fourth floor section of the building along Bonhill Street is a plant room.
- 5.4 The section of the building which fronts Epworth Street to the north of the site (known as 10 Epworth Street) is five storeys high and comprises 19 residential flats on the first to fourth floor. The applicant is the freeholder of this building, but the flats are let and managed by Habinteg Housing Association on a long leasehold basis. On the south side (rear) of this part of the building is a single storey element that projects into the central courtyard. This provides a first floor level communal terrace garden for residents of the flats at 10 Epworth Street. The flats are accessed via a dedicated entrance on Epworth Street.
- 5.5 Below the majority of the site is a large basement which is currently used as a B8 distribution warehouse (1778sqm) for a courier firm. The area of central courtyard to the west of the former caretaker's flat is currently unused, while the area to the east is used to provide informal parking for residents of 10 Epworth Street and commercial occupiers, including vehicles associated with the basement level courier firm. The parking area has vehicular access from both Bonhill Street and Epworth Street.

- 5.6 The site is well served by public transport being located close to Old Street underground station and numerous frequent bus services. The site has a PTAL rating of 6b (the highest rating).
- 5.7 The site is located within: the Central Activities Zone; the Bunhill & Clerkenwell Key Area; the City Fringe Opportunity Area; an Employment Priority Area (Offices); and the Moorfields Archaeological Priority Area.
- 5.8 The site is not located within a conservation area. However, the site lies within a sensitive location, being within 70m of the enclave of historic buildings grouped around the grade I listed Wesley's Chapel to the northwest, reasonably close to the grade II listed Lowndes House (1 City Road) and the locally-listed Triton Court (Finsbury Square), and adjacent to the Bunhill Fields / Finsbury Square Conservation Area.
- 5.9 The area surrounding the site is predominantly commercial in character. Adjoining the east of the site is a large six/seven storey double fronted office building which fronts onto both Bonhill Street and Epworth Street. Adjoining the northwest of the site, at the corner of Tabernacle Street and Epworth Street, is a six storey locally listed office building (30 Tabernacle Street / 8 Epworth Street). To the south of the site on the opposite side of Bonhill Street are three, four and five storey commercial buildings which provide office accommodation and conference/training facilities. To the west of the site on the opposite side of Tabernacle Street is the large eight storey double fronted Travelodge hotel (that has street frontages onto Tabernacle Street and City Road), together with a five storey office building. To the north of the site on the opposite side of Epworth Street are four storey office buildings.

## **6 PROPOSAL (IN DETAIL)**

- 6.1 This application is seeking planning permission for wholesale refurbishment and remodelling of the existing office building, including infilling the existing open ground floor undercroft on Bonhill Street and Tabernacle Street and infilling the central courtyard. The proposal includes the erection of rear courtyard and roof level extensions, in order to provide an updated employment-led (office) mixed use development at the site.
- 6.2 It is proposed to remove the existing facing brickwork and windows to the front and rear elevations of the L-shaped part of the building which fronts Bonhill Street and Tabernacle Street. These elevations would be remodelled with larger windows and reconstructed using attractive high quality brickwork with frameless glazing set within deep reveals.
- 6.3 The proposed works include demolition of the existing two storey section of the building, which bisects the internal courtyard and includes the former caretaker's flat; and demolition of the existing fourth floor plant room on the southern Bonhill Street part of the L-shaped building.
- 6.4 It is proposed to infill the existing open ground floor undercroft within the L-shaped building along Bonhill Street, Tabernacle Street, together with the central courtyard, in order to create useable employment space and to provide active ground floor street frontages.



**Image 5: Visualisation of proposed courtyard stepped rear infill extension**

- 6.5 It is proposed to erect a new graduated rear infill extension (within the west side of the existing open central courtyard), which steps down from five storeys closest to the south (Bonhill Street) part of the L-shaped building, to a single storey, as it crosses the internal courtyard to meet the edge of the existing single storey projection to the rear of 10 Epworth Street (that provides a first floor terrace garden for residents). The infill extension would be clad in brushed bronze, with green roofs provided at each level as the extension steps down.
- 6.6 It is also proposed to erect a fourth and fifth floor level roof extension above the L-shaped part of the building. This extension would replace the existing fourth floor plant room on Bonhill Street, which is to be demolished. The top (fifth) floor of the roof extension would be set back from the street elevations and would be clad in brushed bronze. The roof extension on the Bonhill section of the building would be 3.3m higher than the existing fourth floor plant room, and on Tabernacle Street the building height would be increased by 6.7m.
- 6.7 The roof of the extension would accommodate a green roof, PV panels (to the corner of Bonhill Street and Tabernacle Street) and a site for plant (to the north end of the Tabernacle Street part of the building). The proposed roof extension would not cover the full length of the Bonhill Street elevation as it is set in from the west end of the site by 12.1m. A communal terrace for use by all residents of the new flats would be provided on the existing roof to the west of the roof extension at fourth floor level.





**Image 6: Visualisation of proposed roof extension**

- 6.8 The remaining existing floorspace within the building would be completely remodelled and reconfigured, with a change of use of the basement from a B8 distribution warehouse to provide additional B1 office accommodation. The remodelling, change of use of the basement and extension of the existing building would provide a total of 8,578sqm of high quality 'grade A' flexible B1 office accommodation across the ground to fifth floor. This represents an uplift of 2,503sqm of new B1 office floorspace and an additional 1,778sqm provided as result of the change of use of the basement (a total of 4,281sqm of additional B1 office accommodation). The main office entrances would be on Bonhill Street and at the corner of Tabernacle Street and Bonhill Street.
- 6.9 The proposal would provide six new residential flats with front terraces at fifth floor level within the roof extension on the L-shaped section of the building along Bonhill Street and Tabernacle Street. The residential units comprise one x three-bedroom flat and five x two-bedroom flats, which would all be for private market sale.
- 6.10 Ground floor alterations are proposed to the Epworth Street elevation of the site. These comprise the installation of flush structural glazing to block off the existing recesses, and installation of decorative brushed bronze sliding gates at the vehicular entrance to the car park. New separate entrances to the existing flats at 10 Epworth Street, the proposed new flats, and the offices would be provided within the new structural glazing. No other changes are proposed to the building at 10 Epworth Street.
- 6.11 It is proposed that the existing vehicular access from Epworth Street would be retained along with the associated existing internal car park. This space would also be used for servicing and to provide cycle parking for the office development.

## 7 RELEVANT HISTORY:

### PLANNING APPLICATIONS:

- 7.1 Planning permission (ref: 841437) was granted in 1984 for '*Use of part basement (7,750sq.ft.) for mixed industrial and warehousing use*'.
- 7.2 Planning permission (ref: 851866) was granted in 1986 for '*Change of use of 1st and 2nd floors of eastern end of Bonhill Street block (totalling 4809sqm) from permitted Class B8 (warehouse and distribution) use to use for purposes within Class B1a (offices) and B1b (research and development) in connection with the existing Class B1a and B1b use on the remainder of those two floors*'.
- 7.3 Planning permission (ref: 881826) was granted in 1989 for '*Change of use of part of the basement (650sq.m.) from light industrial use to warehouse use (B8)*'.
- 7.4 Planning permission (ref: P020221) was granted in 2003 for '*Change of use of basement premises to a fitness centre (Class D2) with new entrance onto Tabernacle Street together with erection of a single storey cafe/restaurant (Class A3), transformer station and rearrangement of existing office reception area at ground floor level within existing undercroft*'. However, this permission expired without being implemented.
- 7.5 Planning permission (ref: P102802) was refused in May 2012 for an application proposing '*Mixed use development consisting of ground floor office (class B1) and Restaurant (class A3) infill. Two storey roof top extension incorporating office (class B1) and Residential, (three x 2 bed flats, three x3 bed flats and one x 4 flat bed flat) (Class C3), and incorporation of new plant*'. The application was refused for two reasons:

Reason 1: The proposed two storey roof extension, which would lie to the south of its neighbour on Epworth Street, may have a serious material impact on daylight and sunlight to those properties, and without an objective daylight and sunlight analysis, should therefore be refused as being contrary to policy D3 of the Unitary Development Plan 2002.

Reason 2: The applicant has not agreed to any heads of terms sought by the local planning authority and therefore the proposed development fails to adequately mitigate the possible impacts and additional pressure that the development could introduce on local infrastructure. In the absence of this agreement, the proposal fails to comply with the NPPF (2012), Community Infrastructure Levy Regulations (2010), London Plan (2011) policies:5.10 (C),3.6 (A), 5.3, 6.1,6.5 6.7, 6.10, 6.13, 7.1 (C), 8.2 ; Islington's Core Strategy (2011) policies: CS7, CS10, CS12, CS13, CS14, CS15, CS16, CS17, and CS18; Islington UDP (2002) policy: Imp13 and the Islington Planning Obligations SPD (2009).

### PRE-APPLICATION ADVICE:

- 7.6 The applicant submitted details of a proposed development scheme for pre-application discussion (ref: Q2013/2419/MJR) in July 2013 prior to formal

submission of this current application. The proposal put forward for pre-application discussions comprised '*Reconfiguration and refurbishment of existing building to provide additional floorspace, recladding of existing building, and erection of 2 additional storeys to provide 9 residential units.*'

In summary, the applicant was advised that: 'Redevelopment of the site is considered acceptable in principle, and is welcomed. The site's existing building, due to its inactive frontages, open undercroft areas, inappropriate materials and rather dated appearance, is harmful to the setting of the adjacent conservation area, and redevelopment provides an opportunity to improve the streetscape of Tabernacle Street and Bonhill Street. There are also opportunities to address existing anti-social behaviour problems that exist at this site. The reconfiguration of the interior of the building – enabling an increase in useable office floorspace – is welcomed in principle, as is the introduction of a residential use to the existing office building.'

It has been adequately demonstrated that the proposed addition of 2 storeys to the existing building would sit comfortably within the townscape of Tabernacle Street, and would not unacceptably obstruct or crowd views of listed and locally-listed buildings and the roofscape of Finsbury Square to the south. However, the acceptability of the additional storeys will, of course, also be subject to officers' consideration of the forthcoming daylight and sunlight assessment.'

## **8 CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 177 adjoining and nearby properties at Bonhill Street, Tabernacle Street, Epworth Street, City Road, Platina Street, Paul Street, and Clere Street on 02 May 2014. A site notice was displayed and press advert was published on 08 May 2014. The public consultation on the application therefore expired on 29 May 2014. However, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 15 responses had been received from existing residential occupiers at the site (at 10 Epworth Street) objecting to the application. These included 2 individual letters of objection and 13 standardised letters of objection. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Loss of light to habitable rooms as a result of the proposed roof extension (10.60-10.67);
  - Loss of light / overshadowing of the roof terrace garden as a result of the proposed roof extension (10.68-10.69);
  - Loss of outlook as a result of the proposed roof extension (10.73);

- Increased sense of enclosure as a result of both the roof extension and courtyard extension (10.73);
- Noise and disturbance from delivery and servicing vehicles at the proposed Epworth Street vehicular entrance to the site below 10 Epworth Street (10.74-10.78);
- Loss of privacy due to increased overlooking of living rooms and bedrooms from the proposed courtyard extension (10.70-10.72);
- Increased noise and disturbance and loss of privacy from office workers hanging out of courtyard facing windows to make phone calls or smoke (10.70-10.72);
- Loss of TV reception as a result of the proposed roof extension (10.77);
- Loss / reduction of existing private off-street car parking for residents (10.45); and
- Noise, disturbance and dust from building works (10.77).

### **External Consultees**

- 8.3 **Transport for London (TfL)** – No objection, subject to payment of a S106 contribution of £350,420 towards provision of Crossrail; and provision of adequate level of cycle parking which complies with policy.
- 8.4 **London & Middlesex Archaeological Society** – support the proposal.
- 8.5 **English Heritage** – the application should be determined in line with national and local policy guidance.
- 8.6 **English Heritage GLAAS** – The proposal is unlikely to have a significant effect on heritage assets of archaeological interest, due to the minimal impact on the ground proposed. Therefore, no archaeological conditions or further desk based assessments are required.
- 8.7 **Met Police Crime Prevention Design Advisor** – No objection.
- 8.8 **London Fire & Emergency Planning** - No objection.
- 8.9 **Thames Water** – No objection.
- 8.10 **Council for British Archaeology** – No response received
- 8.11 **Emily Thornberry MP** – Expressed an interest in the proposed development and requested further information with respect to affordable housing provision and the scale of the proposed extensions.

## **Internal Consultees**

### **8.12 Design & Conservation Officer – No objection**

A convincing case has been put forward with regards to how the proposed massing of the extensions has been developed. The submitted drawings demonstrate that the proposed roof extension would sit comfortably within the townscape of Tabernacle Street and would not unacceptably obstruct or crowd views of nearby listed and locally listed buildings and the roofscape of Finsbury Square to the south.

The development of the undercroft area, which is currently an unsightly space, is welcomed. The use of an ornamental brushed bronze gate will offer an elegant and interesting solution to the access.

The design concept has picked up on the historic industrial / commercial character of the area with an elegant contemporary finish to it. Therefore, there are no objections raised with regards the general design approach and choice of materials subject to relevant conditions to ensure high quality is followed through at the implementation stage.

### **8.13 Energy Officer – A CO2 offsetting contribution of £66,937 (calculated based on the additional floorspace to be created), a Green Performance Plan, and a commitment to connect to the Citigen network should be secured by S106 agreement. Overheating modelling and information regarding cooling hierarchy needs to be secured by condition.**

### **8.14 Transport Planning Officer – No objection subject to highways improvement works to be secured under S278 agreement and a contribution of £125,000 towards public realm improvements to be secured via S106 agreement.**

### **8.15 Policy Team**

The principle of office use is supported in this location. Policy CS13 encourages new business floorspace within the CAZ, while CS7 identifies employment-led development will largely be concentrated to the south of Old Street/Clerkenwell Road. Employment growth associated with additional office space is supported in the City Fringe Opportunity Area as identified in the London Plan.

Finsbury Local Plan policy BC8, seeks to secure the maximum amount of business floorspace reasonably possible on the site with the proportion of B1(a) floorspace optimised. An uplift of 2503m<sup>2</sup> of B1(a) space is supported by the above policies.

The proposals acknowledge the poor design of the existing undercroft area and introduce ground floor frontages which can be considered to improve the buildings relationship with the streetscape, in line with the aims of policy BC8.

As the site falls within the CAZ the mixed-use policy applies. The proposal will provide residential accommodation on site, comprising greater than 20% of

the total net increase in office space therefore complying with policy BC8, part D. Policy BC8, part I, encourages full separation of business and residential floorspace. This appears to be the case with the residential on a separate floor.

Minor residential developments should be informed by the housing mix identified in the Development Management Policies. Table 3.1 (associated with DM3.1) highlights that in market housing the focus is on the provision of 2-bed units which is what this proposal will predominantly provide. Consistent with DM3.4 and table 3.2 the minimum space standards for the units in terms of GIA have been met, as have minimum room areas required by table 3.3.

It appears that five of the 6 units are single aspect. Policies CS9 and DM3.4 are clear that dual-aspect units should be provided unless exceptional circumstances can be demonstrated. The units meet the private amenity space requirements of DM3.5.

As there is one existing unit on site, the development will lead to 5 net additional units. Consistent with policy CS12 and the Affordable Housing – Small Sites Contributions SPD it is understood that the applicant is willing to pay the full £60,000 for each additional unit. This should be secured through a S106 agreement.

- 8.16 **Waste Management Team** – The proposed arrangements for refuse and recycling storage and collection are acceptable.
- 8.17 **Sustainability Officer** – Commitment to achieve: BREEAM Excellent and CFSS Level is welcomed and should be secured by condition. All green roofs should be biodiversity based extensive green roofs, to be secured by condition. SUDS should be secured by condition. A Green Performance Plan should be secured as part of the S106 agreement.
- 8.18 **Pollution Team** – It is noted that there have been a number of issues with mechanical plant in this vicinity, therefore, all of the proposed plant would need to be designed to meet noise restriction criteria to be secured by condition. It is noted that early morning deliveries in this area have historically been a source of complaint, therefore, servicing should be restricted by condition to between 0800-2000 hours on Monday to Saturday. A Construction Environment Management Plan (CEMP) should be secured by condition to protect the amenities of neighbouring residents and business occupiers during the period of works. This would cover issues with respect to: noise, air quality, dust, smoke, odour, vibration and TV reception.
- 8.19 **Inclusive Design Officer** – has requested further details of inclusive access to be provided throughout the commercial and residential parts of the development and conditions to secure inclusive access.
- 8.20 **Environmental Health Officer (Residential Team)** – No objection

## **9 RELEVANT POLICIES**

**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**

- 9.1 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.

### **Development Plan**

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

### **Designations**

- 9.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013:
- Central Activities Zone; Bunhill & Clerkenwell Key Area; City Fringe Opportunity Area; Employment Priority Area (Offices); Moorfields Archaeological Priority Area.

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

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

### **Environmental Impact Assessment**

- 9.5 An EIA screening was not submitted. However the site is less than 0.5ha in size and whilst it is a development of an urban location/nature, its general characteristics are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

## **10 ASSESSMENT**

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

- Land use
- Design & heritage considerations
- Dwelling mix
- Standard of residential accommodation
- Affordable housing

- Accessibility
- Transportation & highways issues
- Energy efficiency & sustainability
- Neighbouring amenity
- Planning obligations/mitigations

### **Land-use**

- 10.2 The application site is located within the Central Activities Zone (CAZ), the Bunhill & Clerkenwell Key Area, the City Fringe Opportunity Area, and an Employment Priority Area (Offices).
- 10.3 At present the site provides 4,297sqm of B1 office accommodation within the L-shaped section of the building that fronts Bonhill Street and Tabernacle Street, with 19 residential flats within the part of the building to the north at 10 Epworth Street and 1 former caretaker's flat at first floor level within the central courtyard. At basement level is a B8 distribution warehouse (1,778sqm) operated by a courier company.
- 10.4 It is proposed to refurbish and extend the existing office building to provide an additional 2,503sqm of new B1 office floorspace, together with a change of use of the basement (1,778sqm) from a B8 distribution warehouse to B1 office. The proposal would result in the creation of 4,281sqm of additional B1 office accommodation, with a total provision of 8,578sqm of high quality flexible office accommodation. The proposal is targeted at providing accommodation for the technology and creative based industries that are continuing to grow within this area.
- 10.5 The principle of intensified and upgraded office use is supported at this highly accessible location within the CAZ, as it is consistent with Islington Core Strategy policies CS13 (Employment spaces), which encourages new business floorspace within the CAZ, and CS7 (Bunhill and Clerkenwell) which directs that employment-led development should largely be concentrated to the south of Old Street/Clerkenwell Road. Employment growth associated with additional office space is also supported in the City Fringe Opportunity Area as set out in policy 2.13 (Opportunity areas and intensification areas) of the London Plan 2011.
- 10.6 It is considered that the maximum amount of business floorspace reasonably possible has been provided within the proposed development in line with the requirements of Finsbury Local Plan policy BC8, part A(ii); and the proportion of B1 office floorspace has been maximised in line with policy BC8, part C(i).
- 10.7 The proposal would also provide 6 new residential flats (800sqm) on the top floor of the proposed roof extension. The inclusion of residential units within the scheme accords with London Plan 2011 policies 2.11 (Central Activities Zone – Strategic Functions) and 4.3 (Mixed use development and Offices), which seek to secure the provision of mixed use developments within the CAZ.

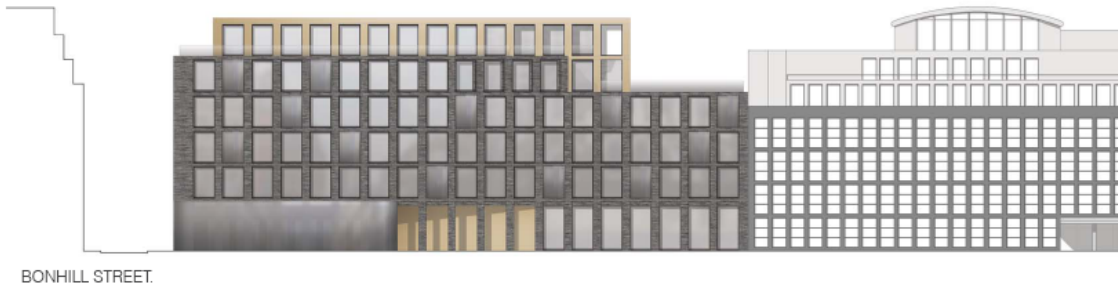


- 10.8 The proposal would provide residential accommodation on site, comprising greater than 20% of the total net increase in office space, therefore, it complies with the requirements of the Finsbury Local Plan policy BC8, part D.
- 10.9 In summary, the proposed employment (office) led mixed use development is considered to accord with all the pertinent land use policies with the London Plan and Islington Development Plan and therefore, the proposal is considered to be acceptable in land use terms.

### **Design and Heritage Considerations**

- 10.10 The application site is not located within a conservation area. However, the site lies within a sensitive location, being within 70m of the enclave of historic buildings grouped around the grade I listed Wesley's Chapel to the northwest, reasonably close to the grade II listed Lowndes House (1 City Road) and the locally-listed Triton Court (Finsbury Square), and adjacent to the Bunhill Fields and Finsbury Square Conservation Area. Therefore, the impact on the setting of nearby heritage assets is a key consideration in assessment of this proposal. Consistent with London Plan 2011 policy 7.8 (Heritage assets and archaeology), Islington Core Strategy policies CS7 (Bunhill and Clerkenwell) and CS9 (Protecting and enhancing Islington's built and historic environment) and Islington Development Management Policy DM2.3 (Heritage), any development should protect and enhance this heritage setting.
- 10.11 The proposal involves the refurbishment and extension of the existing office building. The development includes: demolition of the existing rear courtyard part of building and fourth floor plant room (on Bonhill Street); erection of a new stepped rear courtyard infill extension at ground to fourth floor level; erection of a fourth and fifth floor level roof extension on Bonhill Street and Tabernacle Street; recladding and alteration to external facades; together with complete internal reconfiguration of existing commercial floorspace.
- 10.12 It has been clearly demonstrated how the proposed height and massing of the proposal has been developed. The drawings and views which have been submitted as part of the application are considered to demonstrate that the addition of the proposed roof extension to the existing building would sit comfortably within the townscape of Tabernacle Street, and would not unacceptably obstruct or crowd views of listed and locally-listed buildings and the roofscape of Finsbury Square to the south.
- 10.13 The existing design of the undercroft and central courtyard has resulted in this area being poorly surveyed, underused, and a magnet for rough sleeping and anti-social behaviour. Therefore, the proposals to infill the existing open ground floor on Bonhill Street, Tabernacle Street, and within the courtyard, in order to provide active, useable employment space and active ground floor street frontages, is welcomed.
- 10.14 The existing building is constructed with a concrete frame, clad in brown facing brickwork with brown aluminium windows, giving it a dated appearance. It is proposed to refurbish and update the elevations of the L-shaped part of the building, which fronts Bonhill Street and Tabernacle Street, by removing

the existing facing brickwork and windows to the elevations. The elevations would then be remodelled with larger windows set within deep reveals and reconstructed using attractive high quality brickwork with frameless glazing.



BONHILL STREET.



TABERNACLE STREET



1. Roof infill.
2. Brushed Bronze gate.
3. Flush structural glazing.
4. Office entrance.
5. Residential entrance.

EPWORTH STREET. DRAWING no. 2102 1:200@A3

### Image 7: Proposed street facing elevations

10.15 Brushed bronze together with facing brickwork would be used to clad the roof level and rear courtyard extensions, with green roofs provided at each level as the rear extension steps down. Ornamental brushed bronze sliding gates would be installed at the vehicular entrance on Epworth Street providing an elegant and interesting solution to the access. It is considered that the design concept has successfully picked up on the historic industrial / commercial character of the area and would provide an attractive development with an elegant contemporary finish. As such, the general design approach and choice of materials is supported, subject to relevant conditions to ensure the

high quality finish proposed at the design stage is followed through at the implementation stage and that the detailed design of all features are agreed.

- 10.16 Overall, the proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by condition as stated above. It is considered that the proposal would represent a high quality development, which would enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is considered to accord with the aims of local, regional and national design and heritage policies.
- 10.17 The site is located within the Moorfields Archaeological Priority Area, therefore, English Heritage GLAAS have been consulted with respect to the proposed development. They have advised that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest, due to the minimal impact on the ground proposed. Therefore, no archaeological conditions or further desk based assessments are required. In this regard the proposal is considered to accord with Islington Development Management Policy DM2.3 Part F.

### **Dwelling Mix**

- 10.18 The proposal would provide six new market sale residential units, comprising one x three-bedroom flat and five x two-bedroom flats, which would all be for private market sale.
- 10.19 The dwelling mix for minor residential developments (less than ten new units) should be informed by the housing mix identified in Development Management Policy DM3.1 (Mix of housing sizes) and associated Table 3.1. This highlights that for market sale housing developments, the focus should be on the provision of two-bedroom units, as is the case with this proposal.
- 10.20 Overall, it is considered that the proposed development would help to meet the Borough's housing need in line with the aims of policy 3.8 (Housing choice) of the London Plan 2011, policy CS12 (Meeting the housing challenge) of the Islington Core Strategy 2011, and policy DM3.1 (Mix of housing sizes) of the Islington Development Management Policies 2013.

### **Standard of Residential Accommodation**

- 10.21 The proposal would provide six new residential units at fifth floor level within the roof extension. These units would be for market sale. Islington Development Management Policy DM3.4 (Housing standards) provides detailed guidance and criteria for assessing the standard of proposed residential units.
- 10.22 It is noted that all units would exceed the minimum gross internal area (GIA) size standard sought by policy 3.5 (Quality and design of housing developments) of the London Plan 2011 and policy DM3.4. All habitable rooms within each dwelling would exceed the required minimum size (as set out in Table 3.3 of the Islington Development Management Policies), and the internal arrangement allows for functional use, with sufficient provision for

storage. The floor to ceiling height would also meet the required standard set out in policy DM3.4.

- 10.23 All units would be provided with street facing terraces which meet the private amenity space requirements set out in Islington Development Management Policy DM3.5 (Private outdoor space).
- 10.24 The residential units would be fully separated from the office use at the site, as required by Finsbury Local Plan Policy BC8 Part I.
- 10.25 Dedicated refuse and recycling facilities are provided for the residential units at ground floor level. The location and capacity of these facilities have been assessed by the Council's Waste Management Team who have confirmed that they are acceptable.
- 10.26 It is noted that the five x two-bedroom units would be single aspect, with the three-bedroom family unit having dual aspect due to its corner location. While this is not ideal, three of the units would have windows orientated in a south direction and two of the units would have windows orientated in a west direction. Therefore, it is considered that the units would receive adequate levels of sunlight. The units are also relatively shallow with a depth of 10.75m with large windows, therefore, it is considered that the units would receive adequate natural daylight within habitable rooms. All habitable rooms would have a decent outlook, appropriate privacy, and would benefit from adequate natural light and ventilation.
- 10.27 In summary, notwithstanding the issue that five of the units would be single rather than dual aspect, otherwise the proposed residential units (which would be for market sale) comply with the housing standards as set out in policies DM3.4 and DM3.5. Therefore, on balance the proposed residential units are considered to provide an acceptable level of amenity for future occupiers.

### **Affordable Housing**

- 10.28 The proposal includes the demolition of one existing residential unit (the former caretaker's flat) and the creation of six new residential flats. Therefore, the proposal would result in a net increase of five residential units at the site.
- 10.29 The applicant has agreed to pay the full £300,000 contribution towards off-site provision of affordable housing in accordance with the requirements of policy CS12 and the Islington Affordable Housing Small Sites Contributions SPD, which requires a contribution of £60,000 per new residential unit created (net). This would be secured within a S106 legal agreement.

### **Accessibility**

- 10.30 Both the commercial and residential parts of the development are expected to meet the standards for inclusive access as set out in the Islington Inclusive Design SPD.
- 10.31 Amendments have been made to the layout of the residential units and office development during the consideration of the application in response to

concerns raised by the Council's Inclusive Design Officer. All residential units have been designed to achieve the Lifetime Homes Standards with the required wheelchair circulation space provided within living rooms and main bedrooms. Accessible cycle parking spaces shall be provided. All lifts and entrances accord with the Islington Inclusive Design SPD. All shower and changing facilities shall be wheelchair accessible. A lift shall be provided providing access from the fifth floor residential units to the fourth floor communal terrace. These shall all be secured by condition.

- 10.32 Further revised details are required for the new entrance to the existing 19 flats at 10 Epworth Street. It is necessary to ensure that the new entrance is properly inclusive and provides appropriate wheelchair access. This shall be secured by condition.

### **Highways and Transportation**

- 10.33 The Site has an 'Excellent' Public Transport Accessibility Level (PTAL 6b), and is located within a Controlled Parking Zone (CPZ). The site is well served by public transport, being located close to Old Street underground station and with 13 bus routes passing within walking distance of the site. The site is also well served by existing cycle routes and Barclays Cycle Hire docking stations.

### **Transport Impact (Number of Trips)**

- 10.34 The proposed development would create an increase in the number of trips to/from the site. The number of trips is expected to increase from around 1000 trips per day to 1600 trips. However, the vast majority of both existing and projected trips would be by walking, cycling or public transport. Only 12 trips are anticipated to take place by car or motorcycle.
- 10.35 Significantly, as the existing courier delivery business would cease to operate from the basement at the site, the number of servicing/delivery trips is anticipated to dramatically decrease compared to the existing situation. The current operation of existing uses at the site generates around 294 vehicular movements per day comprising 71 car movements, 118 LGV movements, 5 HGV movements and 100 motorcycle movements. The proposed development is predicted to result in 44 vehicular movements (comprising 22 servicing/delivery events). This significant decrease in vehicular movements is anticipated to help improve air quality in the area, and help to reduce traffic and congestion on surrounding roads.

### **Pedestrian Access**

- 10.36 Appropriate separate pedestrian entrances would be provided within the development for the existing residential units at 10 Epworth Street, the proposed new residential units and the proposed office spaces.
- 10.37 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. In order to achieve this, the footways surrounding the development must be of a sufficiently high quality. The site is currently surrounded by a number of poor quality and narrow footways, including on Epworth Street, Bonhill Street and Tabernacle Street. Bearing in mind, that

occupants and visitors to the proposed development would be utilising the surrounding streets, it is important that improvements to the surrounding footways are secured as part of the development. As such, a contribution of £125,000 towards public realm improvements, within

### Servicing

- 10.38 In line with Islington Development Management Policy DM8.6 (Delivery and servicing for new developments), Part A, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Policy DM8.6 and supporting paragraph 8.39, seek provision of details of servicing requirements including hours, frequency, location and size of vehicles. A draft servicing and management plan (SMP) has been submitted for the proposed development, which covers the key information requirements set out within paragraph 8.39.
- 10.39 It is proposed to rationalise and formalise the existing ad hoc servicing of the site. All servicing of the commercial offices would be conducted on-site within a ground floor level dedicated servicing area to be created in the east side of the existing central courtyard. The servicing area would be to the rear of the existing car park (which is to be retained) and would utilise the same access off Epworth Street. The draft SMP demonstrates that the largest standard servicing vehicles (7.5 tonne) would be able to enter and exit the servicing area in forward gear, which accords with policy DM8.6. In order to maintain highway safety and the free flow of traffic on surrounding roads, the maximum size of servicing vehicle shall be restricted by condition to 7.5 tonne (the largest vehicle that can achieve acceptable on-site servicing entering and exiting the site in forward gear).
- 10.40 In order to prevent two servicing vehicles arriving at the same time, which would potentially create a traffic obstruction and/or congestion along Epworth Street, the draft SMP provides details of a proposed servicing booking system, out of hours delivery, and monitoring. This would be secured by condition. A final SMP, which includes details of how potential conflict between servicing vehicles and residential cars using the car park, and cyclists using the cycle parking, would be appropriately mitigated, shall be secured by condition.

### Vehicle Parking

- 10.41 Islington Core Strategy Policy CS10 (Sustainable development), Part H, seeks to secure car free development. Islington Development Management Policy DM8.5 (Vehicle parking), Part A (Residential parking) requires all new residential units to be car free, including the removal of rights for residents to apply for on-street car parking permits.
- 10.42 It is confirmed that the proposed office development and new residential units would be car free in line with policy DM8.5. Residential occupiers would not be eligible to attain onstreet car parking permits for the surrounding CPZ in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure. The exceptions

to this would be where, in accordance with Council parking policy, persons occupying the residential development relocate from elsewhere in the borough, and have previously held a parking permit for a period of 12 months prior to the date of occupation of the new unit. In this case, in the interests of reasonableness and not to deter movement of existing residents within the borough, they will be able to transfer their existing permit. Residents who are 'blue badge' (disabled parking permit) holders will also be able to park in the CPZ.

- 10.43 The two above mentioned exceptions could result in limited additional vehicular parking on surrounding roads, however, it is not considered that this would have a significant impact on the availability of on street parking or the operation of surrounding highways.
- 10.44 In line with policy DM8.5 part C, together with the Islington Inclusive Design SPD and Planning Obligations SPD, a contribution of £12,000 towards the provision of six on-street accessible parking bays to be located within the vicinity of the site shall be secured by S106 legal agreement.
- 10.45 There is an off-street car park provided within the ground floor undercroft and east section of the central courtyard. This currently provides eight parking spaces which are used by the residents of the 19 flats at 10 Epworth Street. The submitted Transport Statement (para. 43) confirms that the proposals include the retention of eight existing off-street parking spaces for use by the residents of the existing 19 flats at 10 Epworth Street. This shall be secured within the S106 legal agreement. The formal demarcation and management of the car park to ensure that it can be operated safely in accordance with the proposed servicing area shall be secured by condition.

#### Cycle Parking

- 10.46 Islington Development Management Policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. For residential development, Appendix 6 requires cycle parking to be provided at a rate of 1 space per bedroom, which equates to the provision of 13 spaces for the new residential units. For office space (B1), Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of 1 space per 80sqm, which equates to a provision of 108 cycle parking spaces. The detailed design, location and number of cycle parking spaces shall be secured by condition.
- 10.47 The proposed cycle parking for the commercial office would be located at the rear of the car park / servicing area with an access shared with vehicular traffic. Therefore, it would be necessary to secure by condition, a clearly delineated safe cycle route from the access to the cycle parking location to minimise the potential for conflict between service vehicles/residents cars and cycles.

### Highways Works

- 10.48 The proposals include alterations to the existing footway cross-over on Epworth Street and would result in the existing footway crossover on Bonhill Street becoming redundant, requiring footway reinstatement. These works would need to be carried out by LBI Highways with the cost covered by the applicant / developer. This would be secured via a S278 Agreement as part of the S106 legal agreement.

### Crossrail

- 10.49 TfL have advised that the application site is located within the area where additional contributions, above and beyond the standard Mayor's CIL, are sought towards the provision of Crossrail. TfL have advised that a contribution of £350,420 towards provision of Crossrail should be sought for this development. Therefore, this shall be secured within the S106 legal agreement.

### **Energy Efficiency & Sustainability**

- 10.50 Islington Core Strategy policy CS10 (Sustainable design) part A requires that all development proposals demonstrate that they have minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of 50% relative to total emissions from a building which complies with Building Regulations 2006, where connection to a Decentralised Energy Network (DEN) is possible, such as is the case with the application site. Typically all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 10.51 Islington Development Management Policy DM7.3 (Decentralised Energy Networks) part D identifies that major development should connect to a DEN linking neighbouring development and existing buildings, unless it can be demonstrated that this is not reasonably possible. The applicant has confirmed that the development is aiming to connect to the Citigen DEN. This shall be secured within the S106 legal agreement.
- 10.52 The whole scheme (refurbishment of the existing building and new build extensions) would achieve a 45% reduction in total CO2 emissions versus an equivalent 2006 part L building regulations compliant scheme. While the overall development does not manage to meet the policy target of a 50% reduction, based on the submitted information, it is considered likely that the new build extensions if taken alone would meet and most probably exceed the policy target. Therefore, on balance subject to payment of a carbon offset contribution of £66,937 (to be secured within a S106 agreement) the energy efficiency of the building is considered to be acceptable in this instance.
- 10.53 The pre-assessment reports provided for the development indicate that the development would comfortably achieve a BREEAM 'Excellent' rating for the commercial floorspace and a Code for Sustainable Homes 'Level 4' rating for



the new residential units. This includes a commitment to achieve 5 out of 6 water credits for the office development and less than 90 litres/person/day water efficiency for the residential units, together with 66% of materials credits. Therefore, the proposals accord with the requirements of Islington Development Management Policy DM7.4 (Sustainable design standards). This shall be secured by condition.

- 10.54 Islington Development Management Policy DM7.1 (Sustainable design and construction) part E requires provision of a Green Performance Plan (GPP) detailing measurable outputs for the occupied development, with respect to energy consumption, CO2 emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation. A draft GPP shall be secured by condition prior to commencement of the development and a final post occupation GPP shall be secured within the S106 legal agreement.
- 10.55 For all developments, it is required that the cooling hierarchy (as set out in Islington Development Management Policy DM7.5 (Heating and cooling) part A) is followed, in order to reduce any risk of overheating and minimise the need for artificial cooling. This favours the use of passive design, natural ventilation, mechanical ventilation and finally artificial cooling, with the most efficient artificial approaches being favoured first. Cooling for the commercial elements is proposed, via a district cooling network from the Citigen network.
- 10.56 The submitted Energy Statement provides limited information about how / what passive design would be used to minimise unwanted heat gains, and how the cooling hierarchy has been followed overall. Also, Islington Development Management Policy DM7.5 (Heating and cooling) part C requires that thermal modelling is undertaken for major developments, to assess any risk of overheating, based on current and future summer temperatures. This has not yet been provided. Therefore, additional information covering heating and cooling for the development shall be secured by condition.
- 10.57 Islington Core Strategy Policy CS10 and Islington Development Management Policy DM6.5 (Landscaping, trees and biodiversity) promote urban greening and enhancing biodiversity. The development would include green roofs on all new roofs with rainwater butts provided to service planting on the residential terraces. A condition is required to ensure that all green roofs are extensive substrate based biodiverse roofs with a minimum substrate depth of 120-150mm.
- 10.58 Islington Development Management Policy DM6.6 (Flood prevention) requires that all developments include Sustainable Urban Drainage Systems (SUDS). The SUDS scheme proposed is expected to be designed to reduce flows to a 'greenfield rate' of run-off (8l/sec/ha) where feasible. Where it can be demonstrated that this is not feasible, run-off rates should be minimised as far as possible. This information has not been provided, therefore, it is necessary to secure details of a comprehensive SUDS system (that accords with the requirements of policy DM6.6) via condition.

## Neighbouring Amenity

- 10.59 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Islington Development Management Policy DM2.1 (Design) requires that consideration must be given to potential impacts of development on neighbouring residential properties including: reduction of sunlight and daylight to habitable rooms, overshadowing of gardens, reduction in privacy due to increased overlooking, increased sense of enclosure, loss of outlook, and increased noise and disturbance associated with occupation and use of the development (but not including noise and disturbance relating to construction works).

### Daylight, Sunlight & Overshadowing

- 10.60 A Daylight, Sunlight and Overshadowing Assessment Report has been provided as part of the application submission. The assessment has been carried out in accordance with the guidance and methodology set out in the Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight 2011 publication. This document provides the accepted nationally recognised guidance which is used in the assessment of sunlight and daylight impacts for planning applications.

- 10.61 For assessment of daylight, the BRE guidelines stipulate that there would be no significant perceivable reduction in existing daylight levels provided that either:

*The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by more than 20% of its original value;*

- 10.62 For assessment of sunlight, the BRE guidelines confirm that windows that are not orientated facing within 90 degrees of due south do not warrant assessment. The guidelines stipulate that for those windows that do warrant assessment, there would be no significant perceivable reduction in existing levels of sunlight received where:

*In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and where the APSH and WSPH is not reduced by more than 20% of its original value.*

*In cases where these requirements are breached there will still be no significant noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of APSH.*

- 10.63 Where the guideline values for reduction in existing levels of daylighting and sunlighting are exceeded, then sunlighting and/or daylighting may be adversely affected. However, it is necessary to note that while the BRE guidelines provide numerical guidelines, the document clearly emphasizes

that guidance values provided are not mandatory. It is advised that the guide should not be seen as an instrument of planning policy, rather the guidance should be interpreted flexibly, taking account that natural lighting is only one of many factors to be considered when assessing a proposed development.

- 10.64 The only residential units within the vicinity of the site which could be affected by the proposal with respect to a potential reduction in sunlight or daylight are the existing 19 flats at 10 Epworth Street which are located within the application site to the north and northeast of the proposed roof extension. Therefore, the impact on each of these flats has been assessed within the submitted Daylight, Sunlight and Overshadowing Assessment Report.
- 10.65 With regards to levels of daylight received, vertical sky component tests (in accordance with BRE guidelines) have been carried out and show that all courtyard (south) facing windows for all properties at 10 Epworth Street would retain VSC values exceeding minimum requirements (i.e. would retain 27% VSC or 80% of their original value). Therefore, the proposed development would not result in a significant noticeable reduction in daylight at any of the residential properties at 10 Epworth Street compared to the existing situation.
- 10.66 With regards to levels of sunlight received, APSH and WPSH tests (in accordance with BRE guidelines) have been carried out. These tests show that all courtyard (south) facing windows for all properties at 10 Epworth Street would retain APSH and WPSH values exceeding minimum requirements (i.e. would retain 25% APSH and 5% WSPH), although it is noted that a total of 14 windows would receive a reduction in sunlight of greater than 20% of their existing levels for winter months (but not across the whole year). This indicates that for these 14 windows the reduction in sunlight received during winter months is likely to be perceivable to some degree, although the level of sunlight that would be received by all windows in winter months would exceed the BRE guidance on minimum levels of winter sunlighting, with all but 3 windows receiving at least twice the minimum level of winter sunlight.
- 10.67 In summary, assessing the impact of the proposed development against BRE guidance, it is seen that the proposal would not cause a significant (greater than 20%) reduction in the annual level of sunlight received. The proposal would have a more significant impact on the amount of sunlight received at 14 windows during winter months, however the reduction would not cause such a reduction in levels of winter sunlight so as to fail to comply with BRE guidance. Taking this into account, it is not considered that the proposed development would result in such a significant reduction in sunlight at any of the residential properties at 10 Epworth Street compared to the existing situation, so as to warrant refusal of the application on these grounds.
- 10.68 The residential properties at 10 Epworth Street have a south facing shared communal roof terrace garden which projects into the central courtyard at first floor level. The BRE guidelines state that to appear adequately sunlit throughout the year at least half of an external amenity space should receive at least 2 hours of sunlight on 21<sup>st</sup> March.

- 10.69 The submitted Daylight, Sunlight and Overshadowing Assessment Report illustrates that at present on 21<sup>st</sup> March, 12% of the roof terrace garden would not receive at least 2 hours of sunlight, whereas as a result of the proposed roof extensions this would increase by 11% so that 23% of the roof terrace would not receive 2 hours of sunlight on 21<sup>st</sup> March (i.e. 77% would receive the required minimum level). The overshadowing caused by the proposed development is well within the BRE guidelines and therefore is not considered to be unacceptable.

#### Overlooking / Privacy

- 10.70 Paragraph 2.14 of the supporting text for policy DM2.1 identifies that 'To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this policy, consideration has to be given also to the nature of views between windows. For instance, where the views between windows are oblique as a result of angles or height difference between windows, there may be no harm.
- 10.71 The proposal would not introduce any new windows to habitable rooms which would face the existing windows to habitable rooms within the residential units at 10 Epworth Street, however, it would introduce office windows at a reduced distance to the existing situation. The existing distance across the internal courtyard between the windows at 10 Epworth Street and facing windows in the existing offices is between 26m and 28m. The proposed stepped courtyard extension would result in the distance between windows to habitable rooms and office windows being reduced to 17m straight and 13m oblique at first floor level; 21m straight and 18.5m oblique at second floor level; 24.5m straight and 19m oblique at third floor level; and 26.5m straight and 24.5m oblique (it is important to note that these measurements represent the closest point between the extension and the west side of the rear elevation of 10 Epworth Street, with the distances increasing across the courtyard in a westerly direction as the extension tapers back on each floor).
- 10.72 In order to preserve the amenity of the occupiers of existing flats at 10 Epworth Street, due to the reduced distance between windows to habitable rooms and new office windows, it is considered that the first and second floor level windows in the courtyard extension should be obscurely glazed to prevent overlooking. It is also considered that all courtyard facing windows should be fixed shut and unopenable. These measures shall be secured by condition. Subject to these conditions, it is not considered that the proposal would result in such an increase in overlooking compared to the existing situation, so as to cause such harm to neighbouring amenity as to warrant refusal of the application on these grounds.

#### Sense of Enclosure / Loss of Outlook

- 10.73 It is not considered that the erection of the proposed extensions would result in such an increase in a sense of enclosure or loss of outlook compared to the

existing situation, so as to cause such harm to neighbouring amenity as to warrant refusal of the application on these grounds.

### Noise and Disturbance

- 10.74 The proposal would result in the removal of the existing courier distribution use which operates out of the basement which would significantly reduce the number of vehicular movements associated with the site, potentially reducing the level of vehicular related noise and disturbance at the site. The proposal would rationalise and formalise the existing ad hoc servicing of the site, however, this would result in removal of servicing from Bonhill Street and its relocation to Epworth Street. The entrance to the proposed on-site internal servicing area would be below the existing flats at 10 Epworth Street. Therefore, there is the potential for some increased noise and disturbance for the residents of 10 Epworth Street as a result of servicing vehicle movements. In order to minimise the potential for noise and disturbance from servicing vehicles, the hours of servicing shall be restricted by condition to 0800-2000 hours. Further to this, the installation of sound insulation between the servicing area / car park and the residential flats above shall be secured by condition, together with full details of measures to ensure that any noise or vibration from the operation of the new sliding access gate is appropriately mitigated.
- 10.75 Refuse collection for the new residential units would also take place from Epworth Street. However, this would not cause significant additional noise and disturbance, as this would take place at the same time as collection of residential refuse from the existing flats at 10 Epworth Street.
- 10.76 It is noted that there have been a number of issues with regards noise and disturbance caused by the operation of mechanical plant (chiefly air-conditioning condensers) at and within the vicinity of the site. In order to ensure that any new plant does not result in any further noise issues, the noise levels of all new plant shall be controlled by condition.
- 10.77 If the development is consented, a certain amount of disruption and disturbance to neighbouring residents and commercial occupiers would be unavoidable. In order to ensure that any disruption and disturbance is kept to an absolute minimum a Construction Environment Management Plan (CEMP) would be secured by condition to protect the amenities of neighbouring residents and business occupiers during the period of works. This would cover issues with respect to: noise, air quality, dust, smoke, odour vibration and TV reception. Further to this, a Construction Method Statement covering issues regarding parking of vehicles of site operatives, loading and unloading of plant and materials, and storage of plant and materials shall also be secured by condition.
- 10.78 Subject to the conditions set out above, it is not considered that the implementation or operation of the proposed development would result in such an increase in noise and disturbance compared to the existing situation, so as to cause such harm to neighbouring amenity as to warrant refusal of the application on these grounds.

### Light Pollution

- 10.79 In order to prevent the possibility of increased light pollution for neighbouring residents, full details of all security and general lighting proposed within the courtyard area, or within the ground floor area covered in glazing, shall be secured by condition.

### Summary

- 10.80 In summary, while it is noted that the proposed development would have some negative impact on the amenity of neighbouring residential occupiers of flats at 10 Epworth Street, subject to the conditions set out above, it is not considered that the proposed development would result in such harm to the amenity of neighbouring residential occupiers as to warrant refusal of the application.

### **Planning Obligations, Community Infrastructure Levy and local finance considerations**

#### S106 Agreement

- 10.81 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 10.82 The proposed development generates a requirement for S106 contributions towards offsite affordable housing provision, provision of Crossrail, CO2 offsetting, public realm improvements, and employment and training of local people.
- 10.83 The S106 agreement would include the following agreed heads of terms:
- Contribution of £300,000 towards the provision of offsite affordable housing elsewhere in the borough.
  - Contribution of £350,420 towards the provision of Crossrail.
  - Contribution of £125,000 towards public realm improvements within the vicinity of the site.
  - Contribution of £66,937 towards offsetting projected residual CO2 emissions of the development.
  - The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.

- Compliance with the Code of Employment and Training.
- Facilitation of 9 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £45,000 to be paid to LBI.
- Contribution of £25,042 towards employment and training for local residents.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £9,179.
- Provision of 6 additional accessible parking bays or a contribution of £12,000 towards provision of on-street bays or other accessible transport initiatives.
- Removal of eligibility for residents of new units to obtain parking permits.
- Continued provision of 8 on-site parking spaces for use by the residents of the 19 existing flats at 10 Epworth Street.
- Submission of a final post occupation Green Performance Plan.
- Connection to Citigen decentralised energy network.
- Submission of a final Travel Plan.
- Payment of Council's fees in preparing and monitoring the S106.

#### Community Infrastructure Levy (CIL)

10.84 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) and Islington CIL would be chargeable for the proposed development on grant of planning permission. The CIL are contributions calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. CIL would be payable to the London Borough of Islington following implementation of the planning consent. The following CIL contributions have been calculated for the proposed development based on the proposed amount of additional floorspace:

- Islington CIL - £430,979
- Mayor's CIL - £161,500

## **National Planning Policy Framework**

- 10.85 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the supply of housing and require good design from new development to achieve good planning.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 It is proposed to undertake wholesale refurbishment and remodelling of the existing office building, including infilling the existing open ground floor undercroft on Bonhill Street and Tabernacle Street and infilling the central courtyard. The proposal includes the erection of rear courtyard and roof level extensions, in order to provide an updated employment-led (office) mixed use development at the site. The proposal would provide 2,503sqm of new B1 office accommodation (a total of 8,578sqm of high quality office floorspace including the refurbished existing commercial floorspace) and six new residential flats for private market sale.
- 11.2 The proposed employment (office) led mixed use development is considered to accord with all the pertinent land use policies with the London Plan and Islington Development Plan and therefore, the proposal is considered to be acceptable in land use terms.
- 11.3 The proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by condition. It is considered that the proposal which would update the existing out-dated office building would represent a high quality development, which would enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is considered to accord with the aims of local, regional and national design and heritage policies.
- 11.4 The dwelling mix proposed and the standard of the proposed new residential accommodation are both considered to be acceptable. The applicant has agreed to pay £300, 000 towards the off-site provision of affordable housing elsewhere in the borough in the line with the Small Sites Affordable Housing SPD.
- 11.5 The proposal would result in the cessation of the existing B8 courier distribution use which currently operates from the basement at the site, therefore resulting in a significant reduction in the number of vehicular trips associated with the operation of the site. Subject to the control of serving via conditions it is not considered that the proposal would have an adverse impact on the highway safety or the operation of surrounding highways. The office development and new residential units would be car-free. The existing eight on-site parking spaces for residents of the existing flats at 10 Epworth Street would be retained for use by these residents within the development.



11.6 The proposed development would have some negative impact on the amenity of some neighbouring residential occupiers of flats at 10 Epworth Street, chiefly due to reduced winter sunlight, and the potential for increased noise and disturbance from servicing. However, subject to conditions to secure obscurely glazed courtyard facing windows that are fixed shut, the provision of adequate sound insulation between the servicing yard and the flats, and the appropriate control of hours of servicing, it is not considered that the proposed development would result in such harm to the amenity of neighbouring residential occupiers so as to warrant refusal of the application.

### **Conclusion**

11.7 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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

1. A contribution of £300,000 towards the provision of affordable housing elsewhere in the borough.
2. A contribution of £350,420 to be paid to TfL towards the provision of Crossrail (amount to be adjusted to take account of Mayor's CIL payment).
3. A contribution of £125,000 towards public realm improvements within the vicinity of the site.
4. A contribution of £66,937 towards offsetting projected residual CO2 emissions of the development.
5. The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
6. Compliance with the Code of Employment and Training.
7. Facilitation of 9 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £45,000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
8. Contribution of £25,042 towards employment and training for local residents.
9. Compliance with the Code of Local Procurement.
10. Compliance with the Code of Construction Practice, including a monitoring fee of £9,179 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
11. The provision of 6 additional accessible parking bays or a contribution of £12,000 towards provision of on-street bays or other accessible transport initiatives.
12. Removal of eligibility for residents of new units to obtain parking permits.

13. Continued provision of 8 on-site parking spaces for use by the residents of the 19 existing flats at 10 Epworth Street.
14. Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
15. Connection to Citigen decentralised energy network.
16. Submission of a final Travel Plan for Council approval 6 months from first occupation of the development.
17. Payment of Council's legal fees in preparing the S106 Agreement and officer's fees for the preparation, monitoring and implementation of the S106 Agreement.

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

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

## RECOMMENDATION B

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

### List of Conditions:

1	<b>Commencement (Compliance)</b>
	<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	<b>Approved plans list (Compliance)</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>365-13: 0500, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1100, 1101, 1102, 1200, 1201, 2000, 2001, 2002 rev C, 2003, 2004 rev A, 2005 rev A, 2006 rev A, 2007 rev A, 2008 rev A, 2009 rev A, 2100, 2101, 2102, 2200, 2201, 2202, 3000,</p>

	<p>Integrated Planning Brochure rev D, Planning Statement by Rolfe Judd dated 19<sup>th</sup> March 2014, Daylight, Sunlight and Overshadowing Report by CHP dated 7<sup>th</sup> March 2014, Energy Strategy by Elementa dated 16<sup>th</sup> March 2014, BREEAM and CSH Strategy Report by Elementa dated 6<sup>th</sup> March 2014, Transport Statement by Stilwell Partnership dated March 2014, Travel Plan “Framework” by Stilwell Partnership dated March 2014, Service Strategy &amp; Management Plan “Framework” by Stilwell Partnership dated March 2014, Letter from Stilwell Partnership to LBI (Adam Barnett) dated 18/06/2014, TSP/LPL/P2532/01 A, TSP/LPL/P2532/02, TSP/LPL/P2532/03, Statement of Community Involvement by Rolfe Judd dated 19 March 2014.</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	<p><b>Materials and Samples (Details)</b></p>
	<p>CONDITION: Details including drawings at scale 1:20 and samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on the development. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>a) Facing brickwork(s); sample panels of proposed brickwork to be used showing the colour, texture, facebond, and pointing;</li> <li>b) Brushed bronze cladding;</li> <li>c) Windows;</li> <li>d) Ornamental bronze gates;</li> <li>e) Entrance doors</li> <li>f) Ground floor glass cladding (including sections);</li> <li>g) Glass balustrades;</li> <li>h) any other materials to be used.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure that the resulting appearance and construction of the development is of an acceptably high standard, so as to preserve and enhance the character and appearance of the surrounding townscape.</p>
4	<p><b>Overheating / Cooling Hierarchy (Details)</b></p>
	<p>CONDITION: Prior to commencement of the development the following information shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>a) A report detailing how the development would follow the cooling hierarchy as set out in Islington Development Management Policy DM7.5;</li> <li>b) Thermal modelling to demonstrate that the risk of internal overheating has been addressed in accordance with policy DM7.5.</li> </ul>

	<p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development, which takes appropriate account of future climate change.</p>
5	<p><b>Servicing Management Plan (Details)</b></p>
	<p>CONDITION: A Servicing Management Plan (SMP) detailing servicing arrangements for the office uses and new residential units, including the location, times, frequency and types of servicing vehicles to be used; and setting out how potential conflict between vehicles and cyclists would be appropriately mitigated (including provision of a demarcated safe cycle route from the entrance to the cycle parking) 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 site shall only be serviced by vehicles up to a maximum size of 7.5 tonnes unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The development shall be completed and operated strictly in accordance with the details so approved at all times and no change there from shall take place without the prior written consent of the Local Planning Authority. The approved safe cycle route shall be provided prior to the first occupation of the development.</p> <p>REASON: In order to ensure that servicing arrangements are satisfactory in terms of their impact on neighbouring amenity, highway safety and the free-flow of traffic; and to ensure the safety of cyclists at the site.</p>
6	<p><b>Sound Insulation Between Uses (Details)</b></p>
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between:</p> <ul style="list-style-type: none"> <li>a) the proposed office use and the proposed new residential units above;</li> <li>b) the ground floor car park / servicing area and the existing residential flats above at 10 Epworth Street.</li> <li>c) The ground floor plant room and the existing residential flats above at 10 Epworth Street.</li> </ul> <p>shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.</p> <p>The sound insulation shall be fully installed strictly in accordance with the approved details prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter.</p>

	<p>REASON: In order to ensure that an appropriate standard of residential amenity is provided within the new residential units and that an appropriate standard of residential amenity is maintained within the existing residential units at 10 Epworth Street.</p>
7	<p><b>Noise Reduction / Anti-vibration Measures for Sliding Gate (Details)</b></p> <p>CONDITION: Full particulars and details of a scheme for noise and vibration reduction for the approved sliding gate at the vehicular access on Epworth Street shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.</p> <p>The noise and vibration reduction measures shall be fully installed strictly in accordance with the approved details prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure that an appropriate standard of residential amenity is maintained within the existing residential units at 10 Epworth Street.</p>
8	<p><b>Construction Environment Management Plan (Details)</b></p> <p>CONDITION: A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration, and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the demolition and construction phases of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved at all times and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to minimise impacts on the amenity of neighbouring residents, and maintain highway safety and the free flow of traffic on the surrounding highway network.</p>
9	<p><b>Construction Method Statement (Details)</b></p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved CMS shall accord with the Code of Construction Practice and be strictly adhered to throughout the construction period. The CMS shall cover:</p> <ol style="list-style-type: none"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. loading and unloading of plant and materials</li> <li>iii. storage of plant and materials used in constructing the development</li> <li>iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>v. wheel washing facilities</li> <li>vi. measures to control the emission of dust and dirt during construction</li> <li>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</li> </ol>

	<p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
10	<p><b>Sustainable Urban Drainage (Details)</b></p> <p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system (SUDS) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits in line with the requirements of Islington Development Management Policy DM6.6 (Flood prevention). The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at a minimum achieve a post development run off rate of 50L/sec/ha, unless justification for a higher runoff rate is provided to the satisfaction of the Local Planning Authority.</p> <p>The SUDS shall be fully installed in strict accordance with the approved details, operational prior to the first occupation of the development and maintained as such thereafter.</p> <p>REASON: In order to ensure that sustainable management of water and flood prevention.</p>
11	<p><b>Draft Green Performance Plan (Details)</b></p> <p>CONDITION: A draft Green Performance Plan (GPP), detailing measurable outputs for the occupied development, with respect to energy consumption, CO2 emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation, shall be submitted to and agreed in writing prior to the commencement of any works at the site. The development shall be constructed, operated and monitored in strict accordance with the details so approved.</p> <p>REASON: In order to ensure sustainable development, which minimises CO2 emissions, energy consumption and water usage.</p>
12	<p><b>New Entrance to 10 Epworth Street Flats (Details)</b></p> <p>CONDITION: Notwithstanding the details shown on the approved drawings, no permission is given for the proposed new entrance to the existing flats at 10 Epworth Street. Full details of a revised entrance which provides full wheelchair access from Epworth Street to the existing lift shall be provided prior to the commencement of the development. The development shall be implemented in strict accordance with the details so approved and maintained as such thereafter.</p>

	<p>REASON: In order to maintain existing levels of inclusive access to the existing flats at 10 Epworth Street.</p>
13	<p><b>Cycle Parking (Details)</b></p> <p>CONDITION: Details of the layout, design and appearance of the bicycle storage areas shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 108 cycle parking spaces to serve the office development and 13 spaces to serve the new residential units.</p> <p>The bicycle storage areas shall be provided strictly in accordance with the details so approved and installed prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
14	<p><b>Lighting (Details)</b></p> <p>CONDITION: Details of any general/security lighting measures within the central courtyard area and at ground floor level below the new glass roof shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity and is appropriate to the overall design of the building.</p>
15	<p><b>Obscurely Glazed Windows (Details)</b></p> <p>CONDITION: The first and second floor windows within the courtyard extension hereby approved shall be obscurely glazed so as to prevent overlooking of existing residential accommodation at 10 Epworth Street. Details of the obscure glazing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to preserve the amenity of residential occupiers at 10 Epworth Street.</p>
16	<p><b>Plumbing (No pipes to outside of building) (Compliance)</b></p> <p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in</p>



	<p>writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
17	<p><b>Inclusive Design (Compliance)</b></p> <p>CONDITION: 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"> <li>a) All lifts and entrances that accord with the Islington Inclusive Design SPD;</li> <li>b) All shower and changing facilities for the commercial part of the development to be wheelchair accessible;</li> <li>c) A platform lift providing access from the fifth floor residential units to the fourth floor communal terrace.</li> </ul> <p>The development shall be carried out strictly in accordance with the above requirements prior to first occupation and 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>
18	<p><b>Code for Sustainable Homes (Compliance)</b></p> <p>CONDITION: The residential units hereby approved shall achieve a Code for Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
19	<p><b>BREEAM (compliance)</b></p> <p>CONDITION: The office development hereby approved shall achieve a BREEAM New Construction rating (2011) of no less than 'excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
20	<p><b>Refuse/Recycling Provided (Compliance)</b></p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

21	<p><b>Accessible Homes Standard (Compliance)</b></p> <p>CONDITION: The residential dwellings hereby approved within the development, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
22	<p><b>Plant Noise (Compliance)</b></p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
23	<p><b>Servicing and Delivery (Compliance)</b></p> <p>CONDITION: Deliveries, collections, unloading, loading shall only take place at the site between the following hours:</p> <p>Monday to Saturday - (08:00 - 20:00) Sundays/Bank Holidays - not at all</p> <p>REASON: In order to preserve the amenities of neighbouring residential occupiers at 10 Epworth Street.</p>
24	<p><b>Rear Courtyard Facing Windows Fixed Shut (Compliance)</b></p> <p>CONDITION: All rear courtyard facing windows within the development shall be fixed shut and unopenable.</p> <p>REASON: In order to preserve the amenity of neighbouring residential occupiers at 10 Epworth Street by preventing overlooking and minimising noise and disturbance.</p>
25	<p><b>Green/Brown Biodiversity Roofs (Compliance)</b></p> <p>CONDITION: All green/brown roofs shown across the approved development shall be designed, installed and maintained in a manner that meets the following criteria:</p> <ul style="list-style-type: none"> <li>a) green/brown roofs shall be biodiversity based with extensive substrate base (depth 120 -150mm);</li> <li>b) laid out in accordance with plans hereby approved; and</li> <li>c) planted/seeded with a 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).</li> </ul>

	<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 accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise run-off.</p>
26	<b>Car Parking Layout (Compliance)</b>
	<p>CONDITION: The existing on-site resident car parking to be retained shall be formally demarcated prior to the first occupation of the development and maintained as such thereafter. No parking of vehicles shall take place within the car park area other than within the spaces which are formally marked out.</p> <p>REASON: In order to ensure that residential parking would occur in a manner that would allow safe use of the shared parking / servicing area.</p>

**List of Informatives:**

<b>1</b>	<b>S106</b>
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
<b>2</b>	<b>Superstructure</b>
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
<b>3</b>	<b>Community Infrastructure Levy (CIL) (Granting Consent)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay both the Mayor of London's and London Borough of Islington's Community Infrastructure Levy (CIL). This will be calculated in accordance with the adopted CIL Charging Schedules. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p>

	<p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p>
<b>4</b>	<b>Car-Free Development</b>
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>
<b>5</b>	<b>Water Infrastructure</b>
	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
<b>6</b>	<b>Working in a Positive and Proactive Way</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are 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>
<b>7</b>	<b>Materials</b>
	<p>INFORMATIVE: In addition to compliance with condition 3, materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>

## APPENDIX 2: RELEVANT POLICIES

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

### 1 National Guidance

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

### 2 Development Plan

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

#### **A) The London Plan 2011 - Spatial Development Strategy for Greater London**

Policy 2.10 Central Activities Zone – strategic priorities	Policy 6.1 Strategic approach
Policy 2.11 Central Activities Zone – strategic functions	Policy 6.3 Assessing effects of development on transport capacity
Policy 2.12 Central Activities Zone – predominantly local activities	Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 2.13 Opportunity areas and intensification areas	Policy 6.9 Cycling
	Policy 6.10 Walking
	Policy 6.13 Parking
Policy 3.2 Improving health and addressing health inequalities	Policy 7.1 Building London’s neighbourhoods and communities
Policy 3.3 Increasing housing supply	Policy 7.2 An inclusive environment
Policy 3.4 Optimising housing potential	Policy 7.3 Designing out crime
Policy 3.5 Quality and design of housing developments	Policy 7.4 Local character
Policy 3.6 Children and young people’s play and informal recreation facilities	Policy 7.5 Public realm
Policy 3.8 Housing choice	Policy 7.6 Architecture
	Policy 7.8 Heritage assets and archaeology
Policy 4.2 Offices	Policy 7.13 Safety, security and resilience to emergency
Policy 4.3 Mixed use development and offices	Policy 7.14 Improving air quality
Policy 4.12 Improving opportunities for all	Policy 7.15 Reducing noise and enhancing soundscapes
	Policy 7.19 Biodiversity and access to nature
Policy 5.2 Minimising carbon dioxide emissions	Policy 8.2 Planning obligations
Policy 5.3 Sustainable design and	Policy 8.3 Community infrastructure levy

construction  
Policy 5.4 Retrofitting  
Policy 5.5 Decentralised energy networks  
Policy 5.6 Decentralised energy in development proposals  
Policy 5.7 Renewable energy  
Policy 5.9 Overheating and cooling  
Policy 5.10 Urban greening  
Policy 5.11 Green roofs and development site environs  
Policy 5.13 Sustainable drainage  
Policy 5.14 Water quality and wastewater infrastructure  
Policy 5.15 Water use and supplies  
Policy 5.17 Waste capacity

## **B) Islington Core Strategy 2011**

Policy CS7 (Bunhill and Clerkenwell)  
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)  
Policy CS10 (Sustainable Design)  
Policy CS11 (Waste)  
Policy CS12 (Meeting the Housing Challenge)  
Policy CS13 (Employment Spaces)  
Policy CS14 (Retail and Services)

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

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

**DM3.1** Mix of housing sizes  
**DM3.4** Housing standards  
**DM3.5** Private outdoor space  
**DM3.6** Play space  
**DM3.7** Noise and vibration (residential uses)

**DM5.1** New business floorspace  
**DM5.2** Loss of existing business floorspace  
**DM5.4** Size and affordability of workspace

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

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

**DM9.1** Infrastructure

**DM6.1** Healthy development  
**DM6.5** Landscaping, trees and biodiversity  
**DM6.6** Flood prevention

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

**D) Finsbury Local Plan June 2013**

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

**3. Designations**

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

- Central Activities Zone
- Bunhill & Clerkenwell Key Area
- City Fringe Opportunity Area
- Employment Priority Area (Offices)
- Moorfields Archaeological Priority Area

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

The following SPGs and/or SPDs are relevant:

**Islington Local Development Plan**

- Environmental Design
- Small Sites Contribution
- Inclusive Design
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

**London Plan**

- Accessible London: Achieving an Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London