



PLANNING COMMITTEE REPORT

PLANNING COMMITTEE	
Date:	24 February 2015

Application number	P2014/2950/FUL
Application type	Full Planning Application
Ward	Clerkenwell
Listed building	None
Conservation area	Clerkenwell Green Conservation Area
Development Plan Context	<ul style="list-style-type: none"> - Core Strategy Key Area – Bunhill and Clerkenwell - Central Activities Zone (CAZ) - Employment Priority Area (general) - Within 50m of listed buildings – Eagle Court (Grade II); Farringdon Station (Grade II); and other listed buildings - Archaeological Priority Area 1 - Clerkenwell - Clerkenwell Green Conservation Area - Protected Vista – Kenwood viewing gazebo to St Paul’s Cathedral - LV1 from Farringdon Road/Clerkenwell Road - LV4 from Archway Road - LV6 from Amwell Street
Licensing Implications	None
Site Address	1 & 2-5 Benjamin Street & 94-98 Turnmill Street, London, EC1
Proposal	<p>Erection of a 6-storey (plus basement) building fronting Turnmill Street and a 5-storey (plus basement) building fronting Benjamin Street connected by a 4-storey linked building, comprising retail [Class A1] and office [Class B1a] uses and 4 residential units [Class C3], cycle parking, refuse storage, rooftop plant and landscaping works to Faulkner's Alley, following the demolition of all existing buildings.</p> <p>NB: amendments were made during the application – 8 residential units were initially proposed and the Benjamin Street building was 6-storeys.</p>

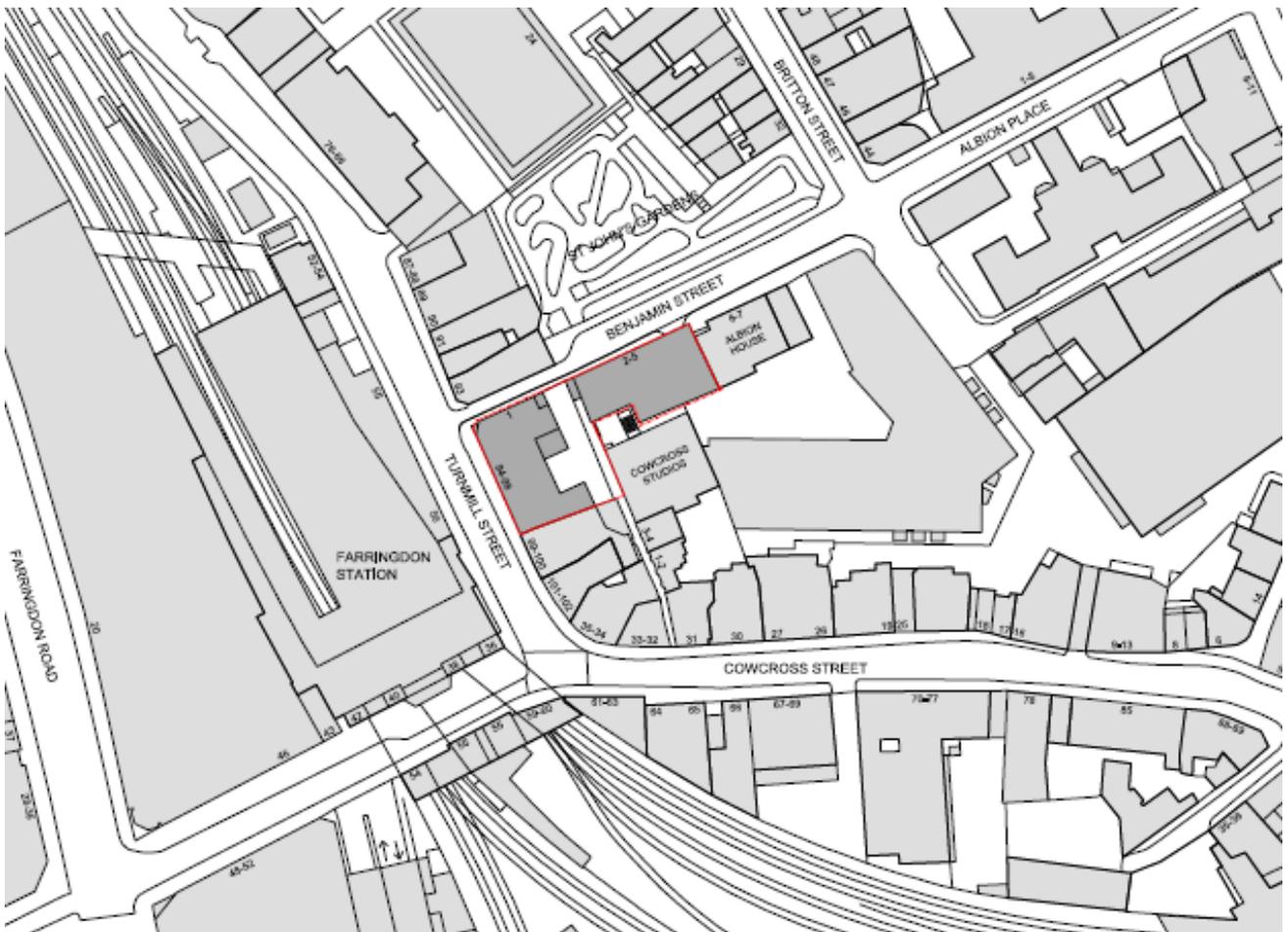
Case Officer	Ben Le Mare
Applicant	The Girdlers' Company
Agent	DP9

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;

SITE PLAN (SITE OUTLINED IN RED)



PHOTOS OF SITE/STREET

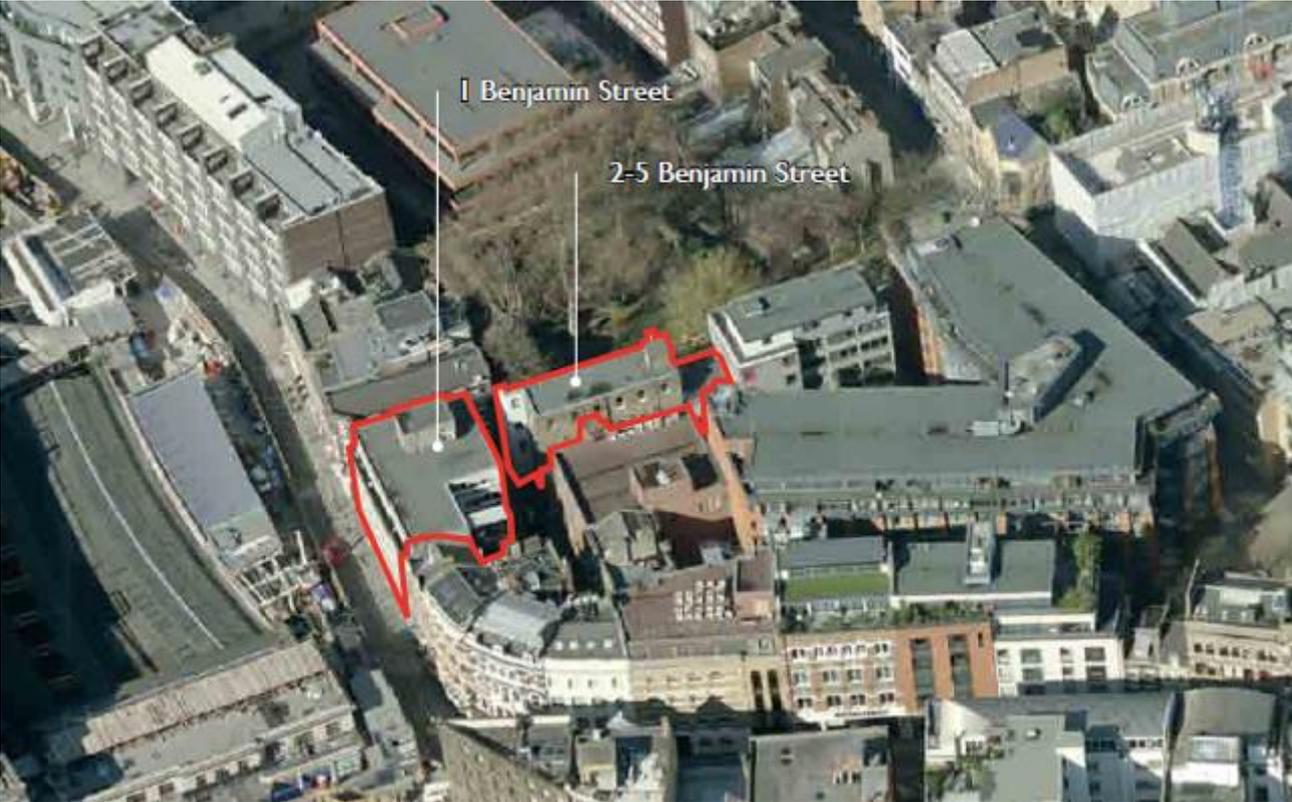


Photo 1: Aerial view from South



Photo 2: Aerial view from North

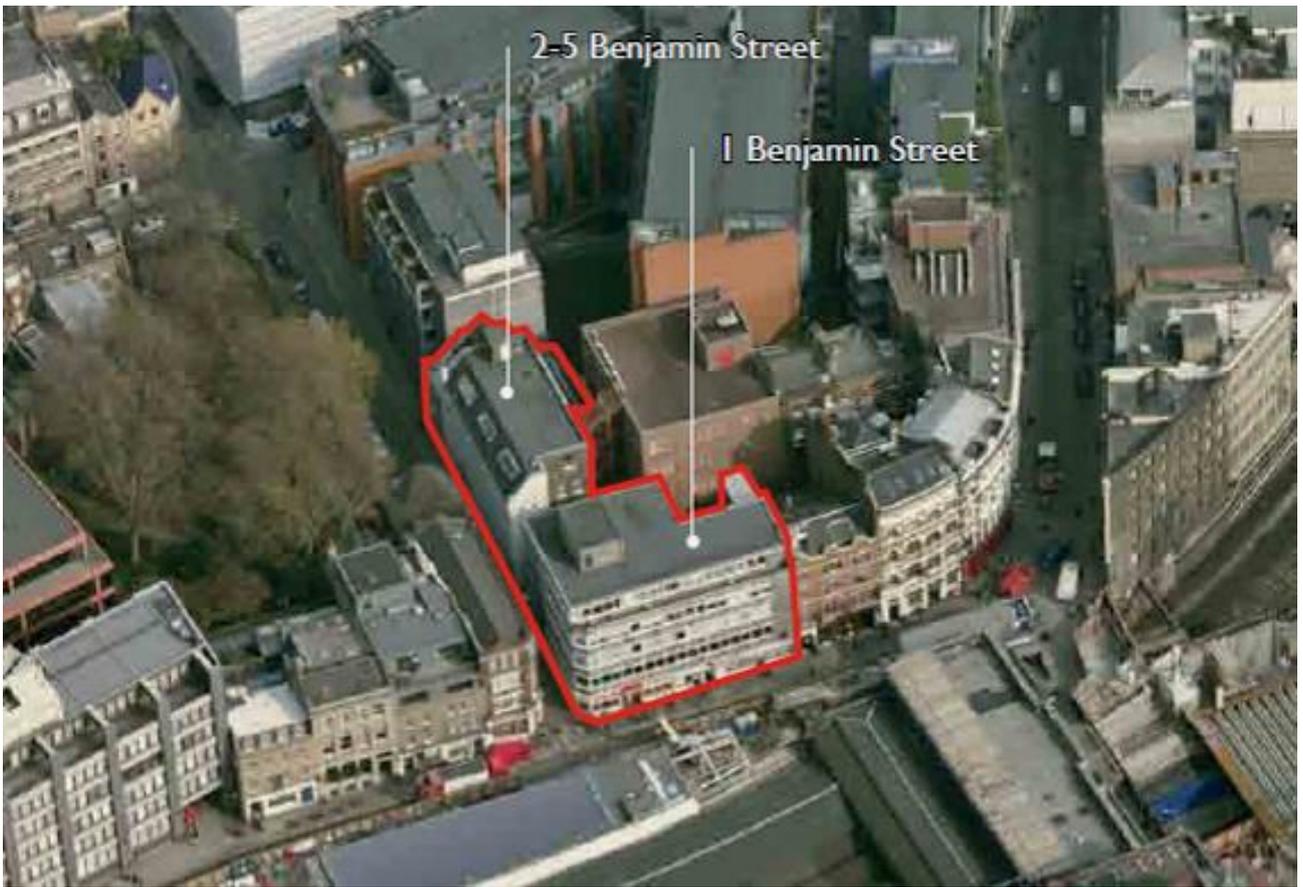


Photo 3: Aerial view from West

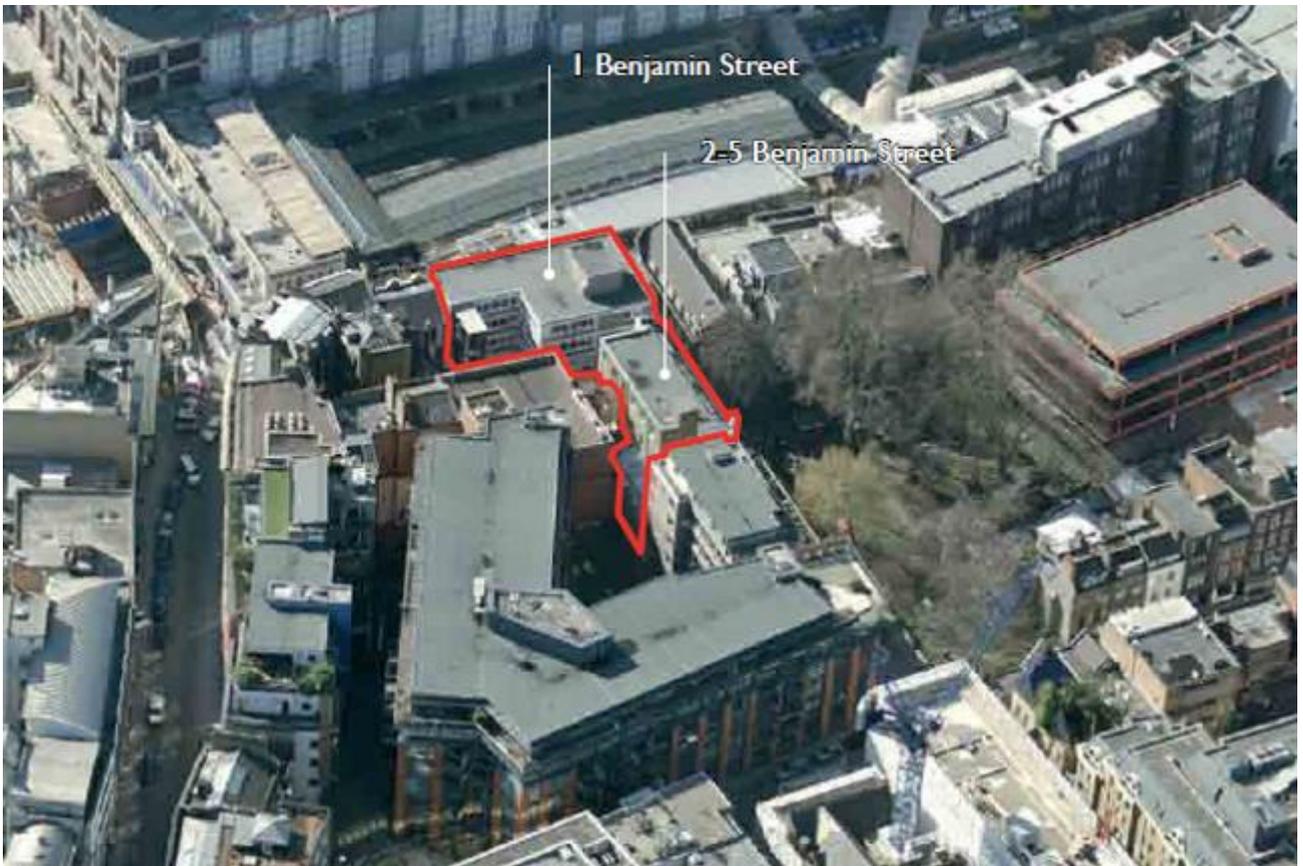


Photo 4: Aerial view from East



Photos 5, 6, 7: Turnmill Street building



Photos 8, 9, 10: Benjamin Street building



Photos 11, 12, 13: Faulkner's Alley

1. SUMMARY

- 1.1 The planning application proposes the demolition of all existing buildings and redevelopment of the site to provide two linked mixed-use buildings along Benjamin Street and Turnmill Street, ranging between six and four stories in height. The development would deliver retail (Class A1) units over basement and ground floor with office (B1a) floorspace and four (Class C3) residential units on the upper floors.
- 1.2 During the determination of this application the scheme has been amended to respond to concerns raised by officers and local residents in respect of the development's impact on the historic character of the conservation area and amenity. These amendments have included the removal of a storey from the building fronting Benjamin Street, resulting in a reduction in the amount of residential accommodation from eight units to four units.
- 1.3 The application has been considered with regard to the Development Plan and National Planning Policy Framework (NPPF) and the presumption in favour of sustainable development.
- 1.4 The main shortcoming of the development is loss of 2-4 Benjamin Street, a positive contributor to the Clerkenwell Green Conservation Area. This matter is considered to have been outweighed by the public benefits of the proposal, namely the delivery of high quality mixed-use building which by reason of its height, scale and detailed design responds well to the character and appearance of the conservation area, improved public safety through the proposed landscaping and lighting along Faulkner's Alley and significant highway improvements to Benjamin Street. To ensure that Faulkner's Alley continues to remain as a publicly accessible thoroughfare it will not be gated during day time hours.
- 1.5 The proposal is considered by officers to be acceptable in terms of land use, heritage conservation, neighbour amenity, the quality of the proposed residential accommodation, dwelling mix, affordable housing, transportation and servicing, landscaping and trees, sustainability and energy, subject to conditions and to an appropriate Section 106 (S106) agreement, the Heads of Terms of which have been agreed with the applicant.
- 1.6 It is recommended that planning permission be granted.

2. SITE AND SURROUNDING

- 2.1 The application site is located on the junction of Turnmill Street and Benjamin Street adjacent to Farringdon Station. The site is made up of two unconnected buildings, No.1 Benjamin Street (the ground floor is known as No.95 and 96-98 Turnmill Street) and No.2-5 Benjamin Street.
- 2.2 No.1 Benjamin Street mainly fronts Turnmill Street and comprises a 5-storey office 1960's building with two commercial units on the ground floor – A1 retail unit (Cost Cutter) and A3 restaurant unit (Meze Meze). To the rear is a service yard which is accessed from Benjamin Street. The existing building by reason of its height and scale is respectful to the streetscene and adjoining buildings but possesses limited architectural merit. It comprises 1,240sqm (GIA) of office (Class B1) floorspace and 247sqm (GIA) of retail/restaurant (Class A1/A3) floorspace.

- 2.3 No.2-4 Benjamin Street is a 4-storey building which dates from the late 19th Century. The building was originally a warehouse, but has been altered internally and externally over time to provide office accommodation. Faulkner's Alley cuts through the west elevation of No.2-4 and provides a pedestrian alleyway between Benjamin Street and Cowcross Street. It is listed as a feature of local and historic importance. The alley has gates at either end however there is currently an informal arrangement in place whereby these are locked by local residents at night.
- 2.4 No.5 Benjamin Street adjoins No.2-4 and is a 2-storey yellow brick building and dates from the early 20th Century. The building has undergone significant functional modifications, such as the installation of a metal roller shutter to the opening at ground level. Nos. 2-5 Benjamin Street comprise 1,033sqm (GIA) of office (Class B1a) floorspace.
- 2.5 The site is located within the Clerkenwell Green Conservation Area, which has experienced immense pressure for change in recent years. The Charterhouse Square Conservation Area lies adjacent to the site. No.2-4 (entrance to Faulkner's Alley) is listed in the conservation area design guidelines as building which should be retained. Opposite Nos. 2 -5 Benjamin Street is St John's Gardens, which is a designated open space and Site of Importance for Nature Conservation (SINC). The Turnmill Street frontage is along a protected viewing corridor between Kenwood viewing gazebo and St Paul's Cathedral.
- 2.6 The surrounding area comprises a range of different uses, including residential, office and retail accommodation. The buildings are from different periods and have varying architectural styles. To the west of the site on the opposite side of Turnmill Street is Farringdon Station (Grade II listed) which is undergoing extensive refurbishment and extension. To the north of the site are a number of late 19th century commercial buildings and a contemporary 6-storey mixed use (commercial and residential) development at 75 Turnmill Street / Thackery Court / Dickens Mews. Adjoining the south of the site on Turnmill Street is a traditional style 3-storey plus mansard roof office building with retail at ground floor level. City Pavilion (33 Britton Street) is located at the rear, which has a number of residential apartments that have their outlook onto the application site.
- 2.7 The site has a PTAL of 6b and therefore benefits from excellent connections to public transport. It is within 110m of Farringdon Station, providing National Rail Services and Farringdon Underground Station. No.1 Benjamin Street is on a Crossrail 1 safeguarding area. There are frequent bus services within walking distance of the site and Benjamin Street provides an important, pedestrian route linking Britton Street with Turnmill Street. There is also local cycle route which runs along Turnmill Street.

3. PROPOSAL (IN DETAIL)

- 3.1 The application proposes to demolish all the existing buildings - No.1 Benjamin Street (No.95 and 96-98 Turnmill Street) and No.2-5 Benjamin Street - and redevelop the site to provide two linked mixed-use buildings along Benjamin Street and Turnmill Street. During the determination of this application the scheme was amended on the advice of officers. These changes included:

- The rear elevation of the Benjamin Street building was redesigned and the massing reduced by one storey (approx. 2.8m), in order to address concerns regarding design and amenity.
- The top storey of residential accommodation in the Benjamin Street building has been removed, resulting in the relocation of plant space. The roof profile has been revised accordingly.
- Minor changes have been made to the elevations on the Turnmill Street building to address the alignment of parapets and string courses to neighbouring buildings and the composition of the roof level elevation.
- Revisions to the internal layout and floorspace figures as a result of changes to the massing of the Benjamin Street building.

3.2 The proposed 'Benjamin Street building' is now 5-storeys (plus basement) and 'Turnmill Street building' is 6-storeys (plus basement), the link between the buildings drops to 4-storeys.

3.3 In terms of land use, at basement level the development would provide retail floorspace, plant, changing facilities and lockers for staff and potential tenant space.

3.4 At ground floor level the development would provide three retail (A1) units, the office (B1a) reception, residential (C3) reception, substation, plant areas, cycle stores and courtyard. Faulkner's Alley would also be retained and resurfaced and continue to provide a pedestrian link between Benjamin Street and Cowcross Street.

3.5 The first, second and third floors would provide open plan office (B1a) accommodation with 2.8m floor to ceiling heights. The office accommodation would be accessed via a reception on Benjamin Street, which would provide access to a staircore and to lifts. This principal entrance is set back from Benjamin Street to provide a sheltered area with a canopy.

3.6 The fourth and fifth floors of the Turnmill Street building would deliver 3 residential (C3) maisonettes, 1 x bed and 2 x 2-beds. All of the buildings would benefit from outdoor amenity space in the form of either balconies or terraces. The fourth floor of the Benjamin Street building would provide a large 4-bed unit. At roof level an external plant area is proposed.

3.7 A breakdown of the floorspace areas (extract from the addendum D&A Statement) is provided below:

	Existing Buildings	Submitted Scheme	Revised Scheme	Increase on existing buildings
Residential Area	0sqm	1181sqm	977sqm	+ 977sqm
Office Area	2273sqm	2338sqm	2451sqm	+ 178sqm
Retail Area	247sqm	584sqm	592sqm	+ 345sqm
Total Area	2520sqm	4103sqm	4020sqm	+ 1500sqm

No. of resi units	0	8	4	+ 4
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4. PLANNING HISTORY

No. 1 Benjamin Street (96-98 Turnmill Street)

- 4.1 The existing building was built in the 1960's and below provides a summary of the planning history from this date:

Application Ref(s)	Proposal	Decision	Date
880497	Change of use to Class B1	Approved	12/09/1988
890680 & 891601	Change of use to any purpose (unrestricted) within Class B1	Approved	25/07/1989 & 08/02/1990
900887	The formation of a new pedestrian entrance with double wooden doors and with brick and artificial stone surrounds to the Turnmill Street elevation	Approved	17/09/1990
901317	The formation of a new pedestrian entrance to the Turnmill Street frontage with double aluminium framed glazed doors with brick piers and with aluminium facing panel above	Approved with conditions	08/11/1990
940093	Change of use of ground floor from Business use (B1) to 5 retail shops (A1).	Approved with conditions	12/07/1994
951665	Alterations to main entrance, new shopfronts for five new shop units at ground floor, provision of new external doors to fourth floor at front and first floor at rear opening onto new rear balcony on existing flat roof	Approved with conditions	19/02/1996
960839	Approval of shopfront details pursuant to Condition 3 of planning permission dated 19/02/96 (ref. 951665)	Approved	25/07/1996
970103	Change of use to restaurant (A3)	Withdrawn	19/02/1997

	use.		
P060611	Installation of internally illuminated shop fascia sign.	Withdrawn	23/08/2006
P062768 & P062769	Retrospective application to install an automated teller machine at front and an internally illuminated shop fascia sign.	Refused and appeal withdrawn	18/01/2007
P070739	Change of use from B1 (office) to a mixture of B1 (office) and D1 (IT Training)	Approved with conditions	12/05/2007
P072125 & P072124	Installation of an ATM and illuminated sign.	Approved with conditions	12/10/2007

Nos.2-4 & No.5 Benjamin Street

- 4.2 Whilst the buildings have undergone some elevational changes over the years, these appear not to have been subject to any planning permissions. The rather limited planning history is provided below:

Application Ref(s)	Proposal	Decision	Date
P030027	Alterations to front entrance.	Approved with conditions	28/02/2003
P2013/0530/FUL	Installation of air conditioning plant at first floor level.	Withdrawn	20/09/2013

Pre-application advice

- 4.3 The proposed development has been subject to on going pre-application discussions since June 2013. A number of amendments have been made to the plans in this process affecting the design of the proposals in response to officer comment including the conservation and design officer. The following advice was issued in a pre-app response letter dated 27/05/2014:

2-5 Benjamin Street

- The buildings have historic interest. It has evidential value in serving as a reminder of the historic development of Clerkenwell and is considered by the Local Planning Authority to be a non-designated heritage asset. Policy DM2.3 of the IDMP seeks to ensure the retention of all buildings and structures which make a positive contribution to the significance of a conservation area and states that the appropriate repair and re-use of such buildings will be encouraged. In light of the fact that the existing building makes a positive contribution to the conservation area, consideration of the loss of the building will be considered against the quality

and appropriateness of any replacement building and any public benefits from the scheme.

1 Benjamin Street, 94-98 Turnmill Street

- Although the building makes a limited positive contribution to the streetscape and conservation area by virtue of its sensitive scale and references to adjacent buildings, the Local Planning Authority has no objection in principle to its demolition, subject to a satisfactory building of a sensitive scale and design being put forward.

Redevelopment Scheme

- The design of the overall development has developed in a positive manner since the initial pre-application meeting in 2013. Officers welcome the positive approach of the applicants who have taken on board officer advice and have demonstrated a willingness to modify proposals to satisfy concerns. There is, however, a fundamental concern remaining in terms of the proposed rooflines and roofshape to both the proposals on Benjamin Street and Turnmill Street, both on design grounds and impact on the strategic views. However, there is reason to hope these concerns can be overcome by further detailed design work being undertaken.

Scale

- The height of the proposed development must take account of the viewing plane threshold heights for the local and strategic views (protected vistas) of St Paul's Cathedral. These are the heights of the view across the site and thus a development must not breach these heights. The heights are given as AOD, and the applicant should confirm the ground level at the site to ascertain how high a building can be before it will reach the AOD height threshold listed. Even if the proposal does not breach a view there may be other design reasons for restricting its height.

Detailed Design

- The overall design proposals have been considerably revised to overcome many of the council's concerns which have been raised through pre-application stages. Officers are encouraged that changes have been made to increase the scale and prominence of the ground floor but would advise that the canopies and fins at fascia level are removed as these are alien to the streetscape. In pre-application meetings the detailing proposed for the stall risers was discussed. This level of detail should be included with any forthcoming application wherever possible.
- Officers have not seen detailed drawings to fully assess the treatment of the ground floor elevation of the Benjamin Street frontage therefore we cannot advise whether our concerns in relation to the change in topography and associated design of the ground floor have been addressed.
- The incorporation of a vertical emphasis to the curved corner windows is beneficial in terms of improving the proportions and visual bulk of the building.
- Officers are encouraged by the retention, incorporation and improvement of the gates to the alley and the alley itself. It is however advised that design and materials of the gate to the alley should be submitted at application stage wherever possible. The gate should also be perforated as opposed to solid to maximise passive surveillance.

- The improvements to the alley, including the incorporation of active frontages, are welcomed.

Materials

- Officers are encouraged that pre-application advice has been followed in relation to the materials palette and are encouraged by the proposals to incorporate patterned and textured materials which should provide interest to the building.

4.4 The applicant was also made aware of the relevant planning policies which would need to be addressed in relation to land use, dwelling mix and affordability, quality of the office floorspace, size retail units, transport and highways, energy and sustainability.

4.5 The applicant was advised that a key matter of consideration would be the effect of the development on the amenities of surrounding residential units. It was identified that any application would need to be submitted and supported by a full BRE daylight/sunlight assessment.

5. CONSULTATION

Public Consultation

5.1 Letters were sent to the occupants of 296 adjoining and nearby properties at Turnmill Street, Cowcross Place, Britton Street, Faulkner's Alley, Eagle Court, Cowcross Street and Benjamin Street. Site notices and a press advert were displayed on 31/07/2014. The first period of public consultation closed on 21/08/2014.

5.2 Re-consultation: In response to the submission of a revised plans and supporting information including a daylight/sunlight report the Council re-consulted on the application. Letters were sent to the same 296 properties and persons responding to the first consultation. A site notice was displayed also on the 16/01/2015. The public consultation of the application following this consultation period expired on the 30/01/2015.

5.3 At the time of the writing of this report a total of 8 responses and one petition from the residents of City Pavilion, 33 Britton Street (containing 18 signatures), had been received. Of these responses an objection letter was received during the second period of consultation in respect of the revised scheme.

5.4 The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Land use

- The proposed ground floor units should have a retail use (as proposed) and not become bars and clubs.

Officer's comment: Planning permission is sought for Class A1 retail uses over basement and ground floor, any change of use to a bar or nightclub would require the submission of planning application.

Design

- The character of the conservation area has been depleted by recent developments and this building would further add to problem (*para. 7.12*);

- The removal of the existing lower two storey building is not supported as this adds to the streetscene (*para. 7.12*);
- The existing building along Benjamin Street, whilst not remarkable and rendered, is an original four storey brick warehouse that could be resorted or rebuilt in style. The brick sides and rear are original and the brick vaulted entrance to the historic alley adds to the areas character (*para. 7.12*);
- The height of the building could create a 'canyon' effect at the western end of Benjamin Street as the road becomes narrow at this point (*para. 7.12*);
- The design of the building makes some effort to pick up on the features of the warehouse style of the area but these are no more than cosmetic (*para. 7.12 - 7.16*)

Amenity

- Loss of light to bedrooms, other rooms in other apartments and the common parts of the Albion House (*para. 7.37*);
- Loss of light to bedrooms and living rooms in apartments with City Pavilion, 33 Britton Street. Furthermore, the submitted assessment does not accurately locate existing windows (*para. 7.39 – 7.41*);
- Unacceptable overshadowing of St John's Gardens (*para. 7.42*);
- Loss of privacy through overlooking from windows and balconies on the rear of the building (*para. 7.18 – 7.21*);
- Reduction of light to Falkner's Alley (*para. 7.89*)

Transport / Servicing

- The proposed building would worsen the existing situation regarding rubbish collection which would detract from the amenity of the street (*para. 7.72*);
- Concerns that the proposed building would put greater stress on the existing transport network around the site (*para. 7.66 – 7.71*);
- The development should provide improvements to the road and pavements as these are in a poor state of repair – continued the block paving recently laid in Turnmill and Cowcross Street would be an upgrade possibility and give it a more pedestrian feel (*para. 7.96*);
- Faulkner's Alley should remain as a public thoroughfare and not just become part of the office entrance and private domain. It should not be gated (*para. 7.74*);
- Welcome the resurfacing and lighting of Falkner's Alley to cater for the increased use as result of the development (*para. 7.89*)

Construction

- Measures should be put in place to minimise noise and disruption during the construction of the development (*para. 7.49 – 7.50*)

External Consultees

- 5.5 Thames Water – No objection raised, the developer is required to make provisions for surface water drainage, water usage and sewage management (informatives) and provide a piling method statement (**condition 24**) to mitigate the impact on underground sewage.
- 5.6 Transport for London – No comments to make in relation to this application.
- 5.7 Crossrail Limited – No objection, subject to a method statement requiring concurrent working with Crossrail being secured through a condition (**condition 16**). An informative is also recommended for inclusion which requests the developer to liaise

with Crossrail's Farringdon Station construction team to understand and consider in its logistics planning.

- 5.8 Greater London Archaeological Advisory Service (GLAAS) – Raised an objection to the applicant's submitted desk based assessment as it lacked information from Museum of London Archaeological Service monograph on the Priority of St. John of Jerusalem. The applicant submitted an updated report which was sent to GLAAS and no further concerns have been raised.
- 5.9 English Heritage – Whilst we do not object to the demolition and redevelopment of the other buildings (94-98 Turnmill Street & 1 Benjamin Street), the loss of the warehouse at 2-5 Benjamin Street would harm the conservation area as it makes a positive contribution to its significance. The replacement building will occupy a large floor area and the return elevation to Benjamin Street will be particularly long, even in comparison to recent redevelopments in the area. Combined with the increased height the proposed scheme will significantly chance this part of the conservation area. As such, your authority must be satisfied that the scheme meets the requirements of the NPPF, particularly in respect of the scheme enhancing or better revealing the significance of the heritage asset and that the scheme secures the optimum viable use.

Internal Consultees

- 5.10 Conservation and Design Officer – The site is located within a designated conservation area and the proposed development would result in demolition of 2-5 Benjamin Street which is recognised as making a positive contribution to the character and appearance of the area. The loss of the building therefore is considered to cause harm to this part of the conservation area and this would need to be weighed against the quality of the replacement building and the public benefits which the development would deliver, as set out in Section 134 of the NPPF. Through ongoing discussion with the applicants, revised plans which reduce the height of the proposed building along Benjamin Street and makes modifications to the upper floors of the Turnmill Street has been submitted.
- 5.11 Acoustic Officer – No objection, subject to conditions requiring sound insulation, noise thresholds imposed on the new rooftop plant, restrictions on deliveries and the submission of land contamination and construction environmental management plans/studies.
- 5.12 Tree Preservation / Landscape Officer – No objection as the development or its construction would not harm existing trees around the site. Details of landscaping should however be secured through a condition.
- 5.13 Designing out Crime officer – No objection, however if the development is to apply for Secure By Design (SBD) then the following recommendations should be followed:
1. The recessed frontage of this building should be reduced. There is a lack of surveillance from a person walking down the street. There can be mitigation such as lighting, or location of planters to reduce this recess.
 2. If CCTV is used then registration and compliance with the information commissioner's guidelines.

3. Should the benches be fitted, then they should be of a design that should easily be removed if they become subject of street drinkers.

4. Faulkner's Alley currently has gating at both ends. I agree with this remaining the same. Control of this alleyway is required to control anti-social behavior (ASB). Audio and video access control should be fitted to provide opportunity for visitors, to gain access to the building.

- 5.14 Parks manager – The development is opposite St. Johns Gardens, a public park managed by Islington Council. I have a concern about the possibility of overshadowing from the building. The park is heavily used and a very valuable space for local residents and workers. The area of the park opposite the building is not currently in shadow from the existing buildings. This area contains a section of grass and other planting that is hard to maintain because of the amount of footfall and low light levels due to tree cover.
- 5.15 Highways Officer – Support has been expressed towards the improvement works to Faulkner's Alley. They also welcome the resurfacing of Benjamin Street and require this to be delivered through a s106 agreement.
- 5.16 Street Environment Division – No objection to the proposed arrangements for refuse storage and collection. There is a preference for the retail refuse store on Benjamin Street to go ahead otherwise the refuse sacks associated with retail units will simply be presented on the streets which is an unacceptable alternative.
- 5.17 Energy conservation officer – Supports this application, however some concerns have been raised if the connection to Citigen heating and cooling networks is not made as this will result in a significant change to the energy strategy, resulting CO2 emissions and CO2 offset levy. Conditions have been recommended to address this issue.
- 5.18 Sustainability officer – Support has been expressed towards the BREEAM and Code for Sustainable Homes (CfSH) targets, however they have concerns with regard to the lack of provision made for green roofs, SuDS and rainwater harvesting.
- 5.19 Access Officer – There is no policy requirement that the development should deliver a wheelchair accessible unit (less than 10 units are proposed). All will be Islington's flexible homes and each need only be served by one lift. Winding treads should be avoided as a matter of good practice, it is not a point upon which refusal would be possible or appropriate, so long as the stair will facilitate the installation of a stairlift. The through the floor lift positions are welcome, however in Unit 1 the lift appears to run in front of a window, this possible but not desirable. In the other units the lifts would take up a lot of floorspace.

Members' Pre-application Forum

- 5.20 The application, incorporating some of the proposed amendments (namely the reduction in height of the Benjamin Street building) was presented to the Members' Pre-application Forum on 01/12/2014.

Design Review Panel

- 5.21 Islington's Design Review Panel considered the proposed development at application stage on 09/12/2014. The panel's written comments (issued on 12/01/2015) are summarised below:

'The Panel was generally supportive of the concept of replacement of the existing building and proposed heights and distribution of massing. Some areas were identified where further design/detailing development was required such as the resolution of the stair bay, the corner/junction with the adjacent building on Benjamin Street, and the materiality of the rooftop. They stressed the importance of carrying the quality of the Benjamin Street frontage to the Turnmill Street elevation. Panel members welcomed the improvements to Faulkner's alley but felt that further work would be desirable in terms of public realm improvements in the immediate vicinity of the site.'

6. RELEVANT POLICIES

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

National Policy and Guidance

- 6.2 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 6.3 Since March 2014 planning practice guidance for England has been published online.
- 6.4 On the 28th November 2014, a Ministerial Statement and revision to the Planning Practice Guidance (PPG) were published, which seek to remove s106 contributions on small sites including contributions towards affordable housing.
- 6.5 In considering the relevance of the changes to the PPG in light of the NPPF requirement to meet the full objectively assessed needs for market and affordable housing, the Council is mindful that the NPPF sets out the government's national planning policy.
- 6.6 Furthermore, planning legislation (Section 70 of the Town and Country Planning Act 1990 and section 38 of the Planning and Compulsory Purchase Act 2004) provides that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.7 Legislation puts far greater weight on adopted policy, both at the national, London and borough level. The Council considers that the material consideration of the PPG should not outweigh the development plan, given the specific circumstances in Islington.

Development Plan

- 6.8 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011 (ICS), Development Management Policies 2013 (IDMP), Site Allocations Development Plan Document 2013 and the Finsbury Local Plan 2013 (FLP). The policies of the Development Plan are considered relevant to this application and are

listed at Appendix 2 to this report. Islington's Site Allocations DPD does not include site allocations for Bunhill and Clerkenwell (these are provided in the FLP instead), therefore this document is not considered further in this report.

- 6.9 Revised Early Minor Alterations to the London Plan were published in 2013, and these have been taken into account as part of the assessment of these proposals. Draft Further Alterations to the London Plan were published in January 2014, and a schedule of suggested changes was published in July 2014, and these have also been considered.

Designations

- 6.10 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 London Zone (CAZ) | - Protected Vistas (Kenwood to St. Pauls Cathedral) |
| - Archaeological Priority Area | - Local Views: LV1 & LV6 |
| - Clerkenwell Green Conservation Area | - Employment Priority Area (General) |
| - Crossrail 1 safeguarding area | - Bunhill & Clerkenwell Core Strategy Key Area |

Supplementary Planning Guidance (SPG) / Document (SPD)

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

7. ASSESSMENT

- 7.1 The main planning issues arising from this proposal relate to:

- Land use;
- Design, Conservation and Heritage Considerations
- Neighbour amenity;
- Quality of residential accommodation
- Dwelling mix and affordable housing;
- Highways, transportation and pedestrian access;
- Sustainability and energy;
- Other planning considerations (landscaping, archaeology, etc);
- Planning obligations.

Land use

- 7.2 The site falls within an Employment Priority Area (General). Policy BC8, part A of the Finsbury Local Plan (FLP) requires that in addition to protecting existing business floorspace, proposals should incorporate the maximum amount of business floorspace reasonably possible. The principle of an increase in office floorspace is therefore supported. The proposals would deliver an additional 178sqm of B1a office floorspace at first to third floor levels. The three office floors have ceiling heights of 2.8m, between 500sqm and 600sqm and all are capable of being let individually, or in combination. As

there is a second core it is entirely feasible to sub-divide the floors which would allow them to be let as demand dictates, or permit an occupier to acquire more space than it needs in the short term and sub-let accommodation to facilitate expansion.

- 7.3 Policy BC8, part B states that the employment floorspace component of a development should not be unfettered commercial office uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:
- i. A proportion of non-B1(a) business or business-related floorspace (e.g. light industrial workshops, galleries and exhibition space), and / or*
 - ii. Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and / or*
 - iii. Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.*
- 7.4 The existing retail units on the ground floor of No.1 Benjamin Street (94-98 Turnmill Street) are protected by the dispersed shops policy DM4.7 of IDMP and are being re-provided with an uplift of 345sqm (additional ancillary space is also proposed at basement level) which is supported. The proposal would involve the provision of an additional retail unit taking up part of the ground floor on the Benjamin Street frontage. This unit falls below the threshold defined in policy DM4.4 part A of 80m² above which retail units should be located in Town Centres, Local Shopping Areas or edge-of-centre site. It also complies with policy BC8 part B which seeks ground floor retail units where appropriate in General Employment Priority Areas to contribute to generating employment for small and micro enterprises (SMEs), the latter defined in the glossary of the FLP as businesses with no more than 10 employees, with small enterprises employing up to 50 people. The delivery of this retail unit for SMEs is welcome and would be secured through a planning condition (**condition 9**).
- 7.5 Turning to housing, policy BC8 part D states that where there is a net increase in office floorspace, proposals should incorporate housing consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for provision of off-site housing. The development would deliver 977sqm of new residential floorspace (4 units). Although the scheme was revised to remove a storey from the Benjamin Street building, the residential floorspace is still more than 20% of the total net increase in office floorspace, so represents a policy compliant position. The mix of housing units and quality of this accommodation is discussed below.
- 7.6 In summary, the land-use element of proposals is considered to be acceptable through delivering thoroughly mixed-use development that would increase and improve the existing office (B1a) floorspace on the site, increase the amount of retail floorspace, provide for SMEs and contribute to the borough's housing stock.

Design, Conservation and Heritage Considerations

- 7.7 The application site is located within the Clerkenwell Green Conservation Area and it is necessary to emphasise that the site and its context are sensitive in terms of heritage assets, strategic and local views and in terms of development pressures. Clerkenwell has been facing significant development pressure in recent years and as a result of its heritage significance it is vital that this is taken into account and respected when considering any new development proposals.

7.8 The development proposals have been formulated through pre-application discussions dating back to June 2013.

7.9 In terms of No.1 Benjamin Street (94-98 Turnmill Street), the building offers a limited positive contribution to the streetscape and conservation area by virtue of its sensitive scale and references to adjacent buildings. The council has no objection in principle to its demolition, subject to a satisfactory building of sensitive scale and design being put forward. During the application process changes were made to the detailed design of the Turnmill Street frontage (namely, the building's relationship to the adjoining 99-100 Turnmill Street) and the upper level return on to Benjamin Street at the setback level. The replacement building is considered to respond relatively well to the frontage by reason of its height and scale – the two storey roof structure would be set back sufficiently to ensure that it does not dominate the streetscene and sits subordinately behind the principal façade fronting Turnmill Street.

7.10 The site falls within several local views and protected vistas. The height of the proposed development must therefore take account of the viewing plane threshold heights for the local and strategic views (protected vistas) of St Paul's Cathedral. These are the heights of the view across the site and thus a development must not breach these heights. Even if the proposal does not breach a view there may be other design reasons for restricting its height.

- Protected vista from Kenwood = 58.3m AOD
- LV1 Local view from Farringdon Rd / Clerkenwell = 23m AOD
- LV 4 Local view from Archway Rd = 53.7m AOD
- LV5 Local view from Archway Bridge = 57.6m AOD
- LV6 Local view from Anwell Street = 46.0 AOD
- LV7 Local view from Dartmouth Park Hill = 53.7 AOD

7.11 LV1 is very restrictive in this area because it starts at Clerkenwell Road bridge. The design of the façades and roofscape of buildings which frame the view are also important in enhancing the visual quality of the view (see Policy BC5 part G). The application is accompanied by verified views of the site which show both the existing situation and the new Turnmill Street in this context. The height of the building does not exceed the upper limit and is considered to respond well to the protected view.

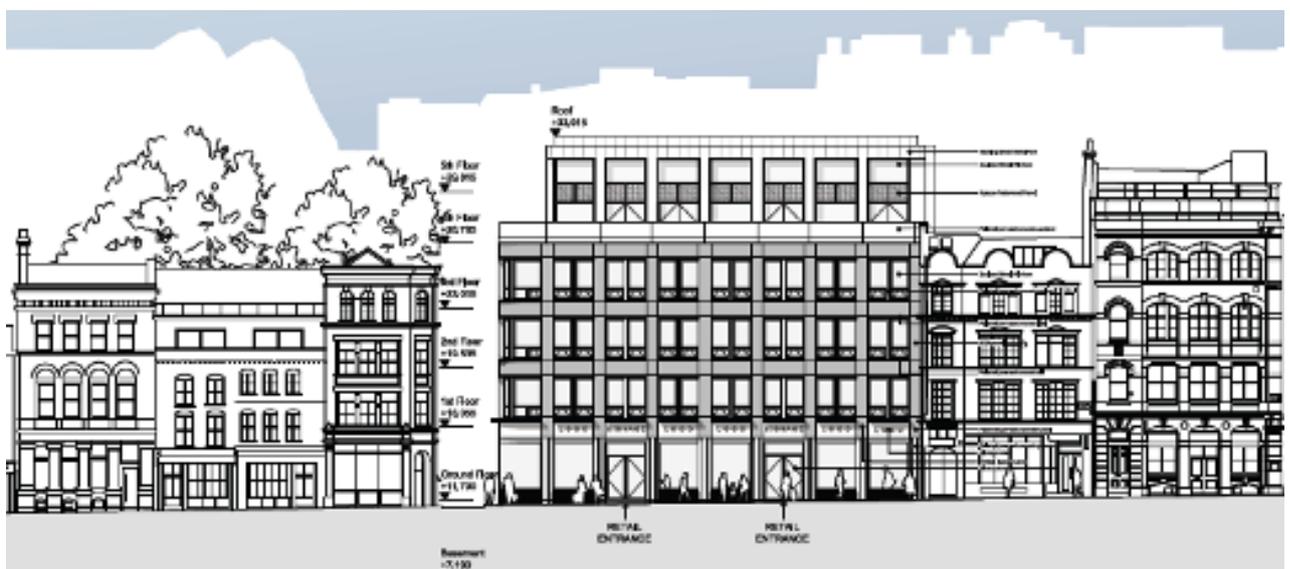


Figure 1: Turnmill Street elevation

- 7.12 No.2-4 Benjamin Street, together with Faulkner's Alley, are considered to make a positive contribution to the significance of the conservation area, in particular the pocket within Benjamin Street/Britton Street area. It has some historic interest and its evidential value is particularly important in serving as a reminder of the historical development of Clerkenwell. For these reasons it is considered to be a non designated heritage asset. IDMP policy DM2.3 seeks to ensure the retention of all buildings and structures which make a positive contribution to the significance of a conservation area and states that the appropriate repair and re-use of such buildings will be encouraged. It is however accepted that the building has suffered some unsympathetic alterations and it is very utilitarian in its appearance. Nevertheless its main form and general character remains. There is some limitation in terms of its contribution to the wider conservation area, therefore, the loss of this particular building to make less than substantial harm to the significance of the Clerkenwell area as a whole. Nevertheless, the public benefits of a replacement scheme would need to outweigh this harm in line with the NPPF (para. 134).
- 7.13 The scheme has evolved significantly since its first incarnations and even during the determination of this application the development has been amended further, this required the removal of a storey from the Benjamin Street building. There are now no objections to the overall proposed height and massing as it would have regard to its historical setting and scale of adjoining buildings.

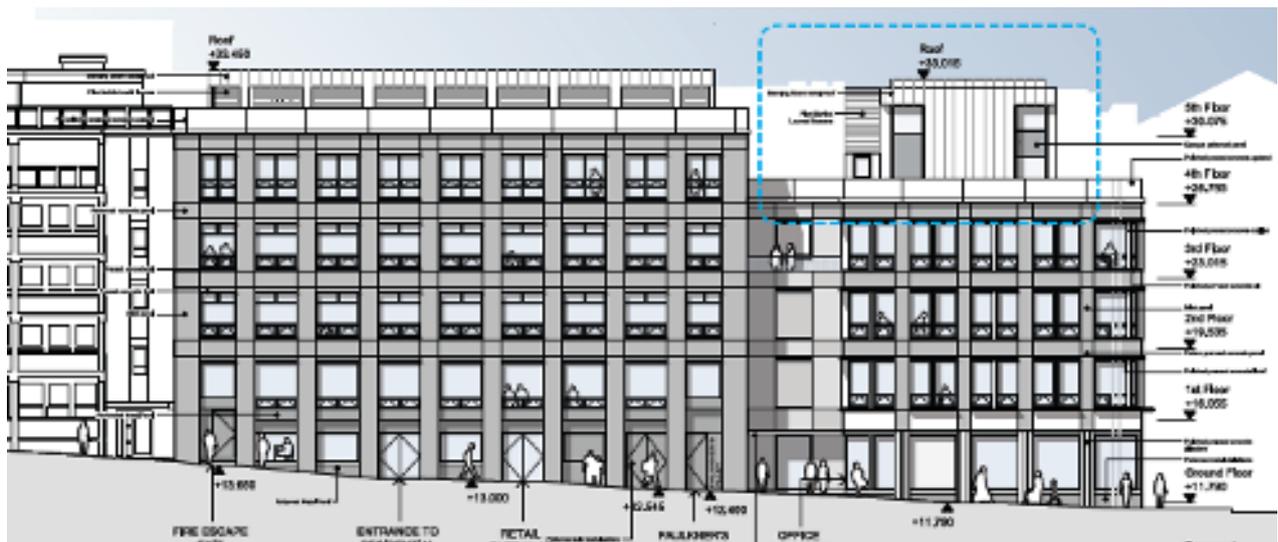


Figure 2: Benjamin Street elevation

- 7.14 In terms of the elevations of both buildings, these have been well articulated and the proportions of levels have been carefully considered to positively relate to its context. The proposed palette of materials are welcomed subject to samples and details being submitted at a later stage to ensure the quality reflected in the design will be carried through to implementation. DRP raised some concerns about the projecting corner adjacent to the neighbouring building on Benjamin Street - it is quite prominent and could be made more interesting in order to make a better contribution to the streetscape. However, it is considered that the detailing of this corner could be improved by the use of high quality materials.



Figure 3: Benjamin Street projecting corner and proposed Elevational treatment

- 7.15 The proposed upgrade of Faulkner's alley is welcomed and is a public benefit of the scheme. Also, the public realm improvements on Benjamin Street which have been agreed between the council's highway department and developers should be taken into account.
- 7.16 In summary, the buildings on site are considered to make a (limited) positive contribution to the conservation area, therefore their demolition would cause some degree of harm to the significance of the conservation area which needs to be weighed against the public benefits of the scheme. The proposed buildings, although on the limit of what could be considered acceptable on site, have, in terms of height and massing, been elegantly designed and articulated and borrowed some of the language and character of local context albeit as contemporary interpretation. The key of the scheme's success would depend quite strongly on the quality of the materials and detailing and the resolution of some elements such as the rooftop, the ground floor frontage and the projecting corner on Benjamin Street. Consequently adequate conditions and the retention of the architects (to avoid a design and build exercise) are crucial. **(conditions 3 & 27)**

Neighbouring amenity

- 7.17 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. IDMP policy DM2.1 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook. These matters are given careful consideration below.
- 7.18 Overlooking / Privacy – 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 habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference

between windows, there may be no harm. Habitable rooms provide the living accommodation of the dwelling. Habitable rooms are defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, or similar spaces are excluded from this definition. However, service/utility/store rooms larger than 8sqm within single dwellings will normally be considered as habitable rooms.

- 7.19 The layout and treatment of the development is acknowledged as having been carefully considered to prevent overlooking and protect the privacy of residents of nearby properties and occupants of the development.
- 7.20 The Benjamin Street elevation of the development faces onto the highway opposite and St John's Gardens open space. There would be no overlooking from windows serving habitable rooms from this elevation. The rear elevation of the Benjamin Street building faces Cowcross Studios and City Pavilion. On this elevation windows and balconies serving the office floorspace are located first to third floors. There would be distance of 10m-13m between these windows and balconies and the windows serving habitable rooms on the rear of City Pavilion. Whilst this distance is under the prescribed 18m, any potential for overlooking would be between two different land uses and at different times of the day. This is not considered to compromise the privacy of residents to an unacceptable level. At fourth floor level there are two balconies providing outdoor amenity space for Unit 4. To ensure there is no direct looking into flats at City Pavilion, privacy screening of these balconies should be required through a planning condition (***condition 30***).
- 7.21 Turning to the Turnmill Street Building, all of the windows serving the offices and flats and residential balconies would look directly onto the public highway and Farringdon Road station. Along the rear elevation of the building, the majority of windows serve either bathrooms or the residential corridor and therefore should be obscurely glazed to remove any undue loss of privacy. There is a bedroom window on the fifth floor on the rear of the building but this would not cause any direct overlooking.
- 7.22 Daylight and Sunlight – The application has been submitted with a daylight/sunlight assessment prepared by Delva Patman Redler, which has been carried out with reference to the 2011 Building Research Establishment (BRE) guidelines. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.
- 7.23 The submitted assessment was amended to reflect the changes which have been made to the development, namely the reduction in height of the Benjamin Street building.
- 7.24 A number of the representations received raised concerns and objections to the scheme in relation to the impact of the proposed development on sunlight and daylight provision to neighbouring residential units and the level of overshadowing to St John's Gardens.
- 7.25 Daylight the BRE Guidelines stipulate that there should be no real noticeable loss of daylight 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 greater than 20% of its original value. (Skylight); or

The area of the working plane in a room which can receive direct skylight is not reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).

7.26 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to *proposed* residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.

7.27 Sunlight the BRE Guidelines confirm that windows which do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight 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 Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

7.28 The BRE guidelines also advise that the spaces such as gardens, parks and playing fields, children's playgrounds should be tested for the availability of sunlight. For gardens and open spaces at least half of the amenity area should receive at least two hours of sunlight on 21 March (Spring Equinox).

7.29 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasizes that advice given here is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

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

7.31 It is widely acknowledged that daylight and sunlight are fundamental to the provision of a good quality living environment and for this reason people expect good natural lighting in their homes. Daylight makes an interior look more attractive and interesting as well as to provide light to work or read by. Inappropriate or insensitive development can reduce a neighbour's daylight and sunlight and thereby adversely affect their amenity to an unacceptable level.

Daylight and sunlight Losses for Affected Properties Analysis

7.32 Residential dwellings within the following properties have been considered for the purposes of daylight and sunlight impacts as a result of the proposed development.

- 93 Turnmill Street
- Albion House, 6-7 Benjamin Street
- 3-4 Faulkner's Alley
- City Pavilion, 33 Britton Street

7.33 In addition, the report provides shadow diagrams of St John's Gardens as this is located directly opposite the application site.

7.34 The following paragraphs summarise and comment on the results from the submitted daylight/sunlight report and subsequent addendum.

93 Turnmill Street

7.35 In terms of VSC, 11 out of 15 windows which have been tested meet BRE guidelines. Three of the windows which fail the test (losses of -20.91% and -36.42%) are identified as serving bedrooms which have another window that passes the VSC test. The third floor bedroom which is served by a single window (W3) that fails the VSC test will experience a marginal loss of -20.91%. However, all of the rooms pass the No Sky Line test and ADF test.

7.36 Due to the orientation of the application site, 93 Turnmill Street is the only property that requires for a sunlight assessment to be carried out. The results of the APSH test show that all rooms would experience a negligible impact on sunlight with losses under -20%.

Albion House, 6-7 Benjamin Street

7.37 The twelve windows tested for this property on ground to fourth floor that face directly on to St John's Gardens (W1 – W3) serve as a primary windows to living rooms. These all comfortably pass the VSC test, only losing between -0.26% and -1%. The four windows on the side return (W4) of these rooms will experience heavy VSC losses of between -35.82% and 53.17%. However, they are not considered to offer any additional luminancy due to the other windows providing very high levels of light. All of the rooms comfortably pass the No Sky Line and ADF tests.

3-4 Faulkner's Alley

7.38 The siting of properties along Faulkner's Alley is such that windows and rooms on ground – second floors all have existing low levels of light. In terms of VSC, 4 of 10 windows would experience losses of -22.46% to -26.42% and all of these windows are over ground and first floor. In order to properly assess the impact on the rooms they serve it is therefore necessary review the No Sky Line and ADF results, all of which show that all of the rooms comfortably pass the BRE tests.

City Pavilion, 33 Britton Street

7.39 An objection letter was submitted by Harris Associates on behalf of the residents of City Pavilion which raises concerns with regard to the loss of daylight to windows

serving habitable rooms. Furthermore, the comments call into question the modelling used to generate the results. Officers have considered the information which has been presented by Delva Patman Redler and are satisfied that a thorough and accurate assessment has been made in relation to impact of the proposed building on the daylight/sunlight reaching City Pavilion.

- 7.40 Therefore firstly considering VSC, the addendums to the daylight/sunlight report demonstrate the revisions to the height of the Benjamin Street building result in all of the windows tested between ground to third floor passing the BRE test by experiencing losses between -5.10% & -17.25% (averaging -10.96%).
- 7.41 Turning to the No Sky Line assessment, 4 out of 8 of the habitable rooms (serving living rooms and bedrooms), fail to pass BRE guidelines (figures of between -26.69% and -35.58%). However, all of the rooms would receive good levels of light which is indicated by passing the ADF assessment with figures for each room ranging between 1.55% and 6.12% (averaging 4%)

St John's Gardens

- 7.42 The assessment provides shadow diagrams of St John's Gardens on the 21st March between 7am and 5pm, which have been updated following a reduction in the height of the Benjamin Street building. The diagrams show that there would be a small section in the southern corner of the gardens that would experience some additional overshadowing over and above the existing situation. This would be noticeable between the hours of 11am and 1pm. However, 14.6% of the total area of the gardens will have 2 hours or more in shade during the Spring Equinox, which comfortably passes the BRE guidelines of 50%. The proposed buildings are therefore not considered to have a detrimental impact upon the enjoyment of this important area of public open space.

Daylight/sunlight test summary

- 7.43 Whilst the proposed development would result in some loss of daylight to some windows serving habitable rooms it is considered to respond well to its urban context and any impacts are within BRE guidelines.
- 7.44 Outlook/Loss of View – Concerns have been raised by residents regarding the potential loss of existing views from properties to the rear over the application site. The enjoyment of a view (unless that view is protected such as St Paul's or a local landmark and nearly always from public as opposed to private locations) is not a ground on which planning permission can be refused.
- 7.45 However, the impact of a development on outlook can be considered a material planning consideration if there is an undue sense of enclosure for neighbouring residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard with any assessment subjective as opposed to empirical with key factors in this assessment being the local context and arrangement of buildings and uses.
- 7.46 On visiting the site it was felt that the originally proposed Benjamin Street building would have an adverse impact on the outlook of the living rooms serving flats within City Pavilion. The reason being is that its height would have appeared overbearing and combined with a loss of daylight was considered to be unacceptable. However,

the reduction in height of the building by a storey ensures that, as stated above, the loss of daylight is within BRE guidelines, but also any overbearing impact has been considerably reduced. Having regard to the site's urban setting the proposed development is not considered to harm the outlook of neighbouring properties.

7.47 Noise / disturbance – The application proposes a significant area of new plant on the roof of the buildings for the commercial and residential uses. It is considered appropriate that the plant shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg) measured or predicted at 1m from the facade of the nearest noise sensitive premises, in accordance with Appendix 10 of the IDMP. This requirement would be secured through an appropriately worded condition. **(condition 21)**

7.48 Over basement and ground floor the application proposes the creation of three, (potentially five if you include the basement level), retail (Class A1) units. Local residents have raised concerns that these units could be converted into bars or clubs (Class A4 / Sui Generis) which in turn could result in late night noise disturbance within the area. It should however be recognised that this application relates to the creation of Class A1 retail units and planning permission would be required for these to be converted into uses falling outside of Class A1.

7.49 Construction Impacts – In the interest of protecting neighbouring residential amenity during the construction phase of the development; (having regard to impacts such as noise and dust) the applicant has agreed to comply with the Council's Code of Construction Practice. Compliance has been secured as part of a S106 agreement together with a payment towards the monitoring of the site to ensure its neighbourliness. This payment is considered be an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project. This clause also requires the submission of a method statement for the construction phase and a construction logistics plan.

7.50 To further address any concerns over noise and disturbance resulting from the construction of the development, a planning condition **(condition 16)** is recommended which requires that applicant to submit a Construction Environmental Management Plan (CEMP). The CEMP is required to assess the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception).

Quality of the residential accommodation

7.51 ICS policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly increased from their current levels. IDMP policy DM3.4 sets out the detail of these housing standards.

7.52 Unit Sizes All of the proposed residential units comfortably exceed the minimum unit sizes as expressed in Table 3.2 of policy DM3.4. The submitted sections of the units show attainment of the minimum floor to ceiling height of 2.6 metres.

7.53 Aspect/Daylight Provision Policy DM3.4 part D states that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'. The application proposes four residential units, 3 out of the 4 units would be dual aspect. The 1-bed unit within the Turnmill Street building is the only single aspect flat. This property however is a south west facing maisonette with a

large roof terrace and the occupiers would benefit from a very good level of outlook. All properties would receive high levels of daylight provision throughout habitable rooms.

- 7.54 Amenity Space Policy DM3.5, part A identifies that ‘all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens’. The policy in part C states that the minimum requirement for private outdoor space is 5sqm on upper floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors. A minimum amount of 30sqm is required for family housing which is three bedroom residential units and above. The amenity space provision provided as balconies or terraces comfortably exceeds the minimum provision standards for all of the proposed units.
- 7.55 Overlooking/Privacy The layout of residential units and window placement effectively ensures that there would not be undue overlooking between proposed residential units within the Turnmill Street and Benjamin Street buildings. As commented above the windows serving the residential corridor on the rear of the Turnmill Street building should be obscurely glazed. **(condition 22)**
- 7.56 Noise disturbance The new residential units are all sited above office floorspace and to ensure that these meet the council’s noise targets sound insulation should be installed prior to their occupation. **(condition 15)**
- 7.57 Access As the development proposes less than ten units requirement there is no requirement for the provision of wheelchair accessible units. However, Unit 4 is identified as being fully wheelchair accessible which is welcomed. The development has also given careful consideration to Islington’s Inclusive Design SPD and the proposed measures shown submitted drawings should be undertaken, as well as step free access to all commercial and residential accommodation. These measures would be required through a planning condition. **(condition’s 11 & 12)**
- 7.58 Refuse – The development provides dedicated refuse and recycling facilities/chamber for the residential uses. The location and capacity, and management of these facilities have been developed in consultation with the Council Street Environment department and appropriate. **(condition 8)**

Dwelling mix and affordable housing

- 7.59 Dwelling mix - The scheme originally proposed 8 residential units of accommodation (3 x 1-beds, 4 x 2-beds and 1 x 3-bed). The reduction in height of the Benjamin Street by a storey has resulted four units being omitted and a subsequent dwelling mix of 1 x 1-bed, 2 x 2-beds and 1 x 4-bed. Policy CS12 of the Core Strategy states that residential developments will provide a range of unit types, sizes and affordable housing to help meet Islington’s housing needs and creating communities. IDMP policy DM3.1 further seeks market tenure housing to comprise 10% x 1 bed, 75% x 2 bed and 15% x 3 bed units.
- 7.60 In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development. The proposal includes 50% 2-beds which falls short of the council’s policy for private units. However the

development would deliver a range of unit types so could be seen to contribute toward addressing some of Islington's housing needs.

- 7.61 The revisions to the scheme have resulted in the creation of a large 4-bed penthouse unit (measuring 230sqm) within the Benjamin Street building, which would be serviced by its own ground floor entrance and lift. The applicants have argued that the inclusion of this unit is a product of site constraints and the removal of a storey from the Benjamin Street building and the subdivision of the floorspace to two or three additional units would result in lower quality units being created – a north facing unit, compromised internal arrangements and a lack of amenity space. The council contest the arguments put forward, however whilst the inclusion of this unit would not be maximising the provision of housing on the site it would offer a family accommodation in the south of the borough. This shortcoming should be considered in the context of the wider scheme.
- 7.62 Affordable housing - The London Plan, under policy 3.11 identifies that boroughs within their LDF preparation should set an overall target for the amount of affordable housing provision needed over the plan period in their area when considering applications on individual private schemes and mixed use proposals. Policy CS12 of the Core Strategy requires that 50% of additional housing to be built in the borough over the plan period should be affordable. The policy expects for many sites to deliver at least 50% of affordable housing units, subject to financial viability, the availability of public subsidy etc.
- 7.63 Policy CS12 also requires for developments delivering under the 10 unit threshold to provide a financial contribution towards affordable housing provision elsewhere with the borough. As the development provides a total of 4 units, the optimised number of units within the scheme (as required by policy 3.4 of the London Plan) it is under the threshold.
- 7.64 The council's Affordable Housing Small Sites Contribution SPD requires for a minor residential developments resulting in the creation of one or more additional units to provide a commuted sum of £60,000 when located south of Pentonville Road/City Road. The development therefore is required to make a contribution of £240,000 towards affordable housing, which the applicant has agreed to.

Highways, transport and pedestrian access

- 7.65 The site has an 'excellent' Public Transport Accessibility Level (PTAL = 6b), and is located within a Controlled Parking Zone (CPZ). The site is located opposite Farringdon Station and within close proximity to a number of bus stops.
- 7.66 Public Transport Implications – The site currently provides commercial uses associated with its central London location and through being highly accessible. The infrastructure provision in the area, both existing and under construction (Crossrail) naturally encourages the use of public transport modes of transport. The development through the creation of an additional 523sqm of commercial floorspace and 4 residential units is unlikely to give rise to additional demands on transport infrastructure in terms of an increased number of occupants and visitors relative to the existing situation.

- 7.67 Vehicle Parking – The site is within a CPZ which suffers from significant parking pressures. The future residential occupiers therefore would not be eligible to attain on-street car parking spaces, a restriction which would be enforced through a clause in the s106 agreement.
- 7.68 Cycle Parking – The provision of secure, sheltered and appropriately located cycle parking facilities (for staff, residents and visitors) will be expected in accordance with Policy DM8.4 (Walking and cycling). The requirements are set out at Appendix 6 of the IDMP. This includes one cycle parking space per 60sqm for A1 retail, one space per 80sqm for offices and one space per residential bedroom.
- 7.69 The scheme would deliver three secure cycle parking areas within the proposed buildings. 28 cycle parking spaces would be provided in connection with the office floorspace and these are accessed directly off Faulkner’s Alley. In terms of the residential units, the Benjamin Street building has a cycle store. This is also accessed off the alleyway and would provide for 14 spaces. In connection with the retail use, 10 cycle parking spaces are proposed and these would be accessed directly off Benjamin Street. This level of provision is considered to meet the council’s policy requirements and therefore should be secured through a condition (**condition 10**)
- 7.70 Servicing – The site has an existing service yard at the rear of the Turnmill Street which is accessed off Benjamin Street. This area is proposed to be redeveloped to accommodate the new Turnmill Street building and therefore servicing of the commercial floorspace and residential units would have to take place on-street either along Benjamin Street or Turnmill Street. Policy DM8.6 requires that delivery and servicing for new developments of over 200sqm needs to be carried out off-street unless this is not practical,
- 7.71 A Servicing and Waste Management Plan has been submitted with the application, which reviews the existing and proposed servicing arrangements, and confirms that overall servicing movements will not be significantly different to current operations. Officers are therefore of the view that whilst servicing on-street is contrary to policy, the proposed development offers no practical means where this can be accommodated on site. This shortcoming of the proposal therefore needs to be given consideration in balancing the other benefits of the scheme.
- 7.72 Waste/Refuse – The proposal includes the provision of two individual refuse stores at ground floor level within the development. The retail refuse store is accessed directly off Benjamin Street. The office and residential refuse stores are accessed from Faulkner’s Alley. The Council Street Environment department have been consulted on the proposal and are satisfied that the refuse storage would be acceptable and integrate with existing vehicle collection strategies in this area. A condition (**condition 8**) is proposed which requires the facilities to be provided prior to first occupation of the development.
- 7.73 Pedestrian access – As commented above, the site has a historic pedestrian route (Faulkner’s Alley) through the middle which links Cowcross Street and Benjamin Street. Such routes are recognised by FLP policy BC7, part F which requires the protection of existing alleyways, pedestrian routes and yards. Furthermore, the Clerkenwell Gardens conservation area statement identifies the alleyway as a feature of the area which should be retained.

7.74 In this regard, the scheme proposes to maintain and upgrade the existing walkway which is supported by the council. It is felt that the proposed landscaping and new lighting and the increase in public surveillance would improve pedestrian safety. The proposals also include a gate on the Benjamin Street end of the alleyway, which reflects the existing situation. There is currently an informal arrangement for locking up the alleyway after dusk and this is not proposed change. However a suitably worded condition (**condition 31**) is recommended to be imposed to ensure the alley remains open during daytime hours and pedestrian access is not compromised by the development.

Sustainability and Energy Efficiency and Renewable Energy

7.75 Sustainability – Core Strategy policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard. The scheme would reach BREEAM ‘Excellent for the commercial elements (scoring 74.13% for the retail units and 74.14% for the offices) and Code for Sustainable Homes level 4 (scoring 71.61%) for the residential units in line with policy.

7.76 The scheme includes the provision of brown roofs on various levels throughout. The applicants have provided no reasons as to why the development cannot be biodiversity green roofs. It is also noted that Benjamin Street building contains a vacant roof space. IDMP policy DM6.5 requires the maximisation of provision of green roofs and requires major developments to use all available roof space for green roofs (subject to other planning considerations). Officers are of the view that the brown roofs should be replaced green roofs (where appropriate), and all available roof space should be scoped for provision of further green roofing.

7.77 A drainage strategy has not been submitted with the application, and no information has been presented to demonstrate how the scheme will meet the requirement of DM6.6 and London Plan 5.13, including pre and post development run off rates, and a proposed SuDS management train (see Environmental Design SPD for further detail). The Sustainability Statement states that due to the built-to-boundary nature of the site, other than attenuation from the brown roof, no attenuation is proposed and drainage will be connected directly to the combined sewer. This approach fails to satisfy both the drainage hierarchy as well as the requirements of DM6.6 which require run off to be reduced to ‘green field rate’, improve water quality, biodiversity and amenity benefit. Whilst there are constraints on the site which will influence the drainage strategy, officers are not satisfied the applicants have exhausted all reasonable options to meet policy compliance (use of SuDS planter, green/blue roof technology etc), and the measures they have stated have not been substantiated with any detail.

7.78 In accordance with policy DM7.4, part E the council requires 10% value of materials to be derived from recycled/reused content. The application does not provide any information on how this would be achieved and therefore the submission of a green procurement plan should be required.

7.79 In light of the above, conditions are recommended to ensure:

- residential units and commercial floorspace are constructed to achieve Code for Sustainable Homes Level 4 and BREEAM ‘excellent’ respectively (**condition 6**).
- provision of green roofs (**condition 7**)

- water use target is met (**condition 23**)
- provision of drainage strategy (**condition 29**)
- materials and construction – 10% from recycled and reuse content (**condition 3**)

- 7.80 Energy – In response to concerns which were raised by the council and to reflect the changes to the scheme an addendum to the Energy Statement undertaken by Scotch partners has been submitted. This report has been reviewed by the council's Energy officer and is discussed below.
- 7.81 The GLA's guidance on preparing energy assessments (April 2014) states, that the Mayor will apply a 35 per cent carbon reduction target beyond Part L 2013 of the Building Regulations - this is deemed to be broadly equivalent to the 40 per cent target beyond Part L 2010 of the Building Regulations, as specified in Policy 5.2 of the London Plan for 2013-2016. The updated energy report presents the revised carbon emissions for the development. Regulated emissions are targeted to be reduced by 30% based on 2013 Building Regulations. The majority of the improvement beyond building regulations is from the proposed connection to Citigen for the supply of low carbon heating and cooling. The council welcome the measures proposed, which almost meet the London Plan target, but it is recommended that the applicant considers additional improvements through detailed design which could allow a 35% reduction in regulated emissions to be achieved.
- 7.82 ICS policy CS10 (A) sets out onsite total CO2 reduction targets (regulated and unregulated) for major developments of 40%, and 50% where connection to a decentralised energy network is possible. The energy strategy presents of the revised carbon emissions (regulated and unregulated) for the development, with the total being targeted to be reduced by 41% based on 2013 Building Regulations. This is supported as it exceeds the council's policy target.
- 7.83 The energy strategy states that *'when considering unregulated emissions, an assumption has been made as to the fit out of commercial spaces with the expectation that tenants will install energy efficient small power equipment and appliances. The apartments will be fitted with efficient appliances as standard. The typical savings from efficient appliances are assumed to be approximately 50% and this figure has been used to estimate total unregulated emissions.'* This significant reduction in unregulated carbon emissions are supported, however it is considered appropriate to request evidence to justify the assumptions stated. Therefore, a condition should be included to require further details on the measures proposed to meet, and possibly exceed the local carbon target, including evidence to verify the anticipated reduction in unregulated emissions.
- 7.84 The development would offer significant targets for luminaire efficacy (100lm/W), and officers would like further information to verify how this level of performance will be delivered. Again, this is something which the applicants have failed to provide but could be secured through condition.
- 7.85 IDMP policy DM7.1 part E requires applications for major developments to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use, and should set out arrangements for monitoring the progress of the plan over the first years of occupancy. The applicant has provided a draft GPP, which is welcome, however a final GPP should be secured through a clause in a s106 agreement.

- 7.86 Energy efficiency measures and photovoltaic panels to the roof of the Turnmill Street building are also proposed by the applicant and details of these should be required through a condition.
- 7.87 ISC policy CS10 states that “*all major development should achieve an on-site reduction in total (regulated and unregulated) CO2 emissions*” and “*requiring development to offset all remaining CO2 emissions associated with the building*”. The total (regulated and unregulated) CO2 emissions set out in the energy strategy come to 109.6 tCO2/an based on 2013 Building Regulations. The financial contribution this application would currently be liable to offset these carbon emissions are £100,832 which would be secured through a s106 agreement. It should be noted that this figure is provisional and subject to change, especially if the residual carbon emissions increase due to connection to Citigen heating and cooling networks are not being made, or insufficient verification is provided regarding the reduction in unregulated carbon emissions.

Other planning considerations

- 7.88 Landscaping and trees – The application site currently comprises buildings and an area of hard standing which is used for servicing the offices. Opposite the site is St John’s Gardens (designated open space and Site of Importance for Nature Conservation) and to the rear is landscaped courtyard which provides visual amenity for the residential occupiers of City Pavilion and Albion House. Both these areas provide a very valuable open space in an area which suffers from a significant level of deficiency. Through discussions with the applicants it has been established that construction of the development would not utilise the courtyard to the rear of the site for either the storage of materials or access. Officers are therefore satisfied that the development would not have an adverse impact on the health, or result in the loss, of trees within this courtyard.
- 7.89 The application proposes an element of landscaping along Faulkner’s Alley in the form of a new residential courtyard. The courtyard includes the planting of a small tree alongside an area of high quality hardstanding. Although these works are minor in nature they affect an existing public right of way and further details are recommended to be secured through a condition. (**condition 18**). Whilst a slight loss of natural daylight within the alley as result of the new buildings cannot be avoided, new artificial lighting is proposed which would create an improved sense of security for pedestrians. (**condition 5**)
- 7.90 As the site is opposite an SINC, the development should contribute towards improving the area’s biodiversity by incorporating a minimum of four nesting boxes / bricks for birds or bats. These are proposed to be secured through a condition. (**condition 13**)
- 7.91 Air quality – The development proposes to be supplied by heating from Citigen, with no boilers on the site. The only issue is with the location air which should be drawn in from the cleaner façade or from higher up for any whole house ventilation system, which would form part of an approval of details.
- 7.92 As noted earlier in this report, for the development’s demolition and construction phases, a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including air quality, dust, smoke and odour) would need to be secured by condition.

- 7.93 Land contamination and structural stability – The site has historically been used for commercial purposes, both manufacturing and storage and it is possible that some contaminants are present within the near-surface soils. Whilst the submitted desk-based study of existing ground conditions identifies that the risk of land contamination is low, the development proposes the construction of a basement and there will need to be further site investigation to assess this and advise any remediation strategy. Further information is therefore required through a condition. (**condition 17**).
- 7.94 Archaeology – The site is situated within an Archaeological Priority Area and has the potential for remains of the medieval and post-medieval periods. It also lies within the established boundary of the twelfth century priory of St Johns of Jerusalem, probably in an area of open ground away from known structures. The application is accompanied by a desk based archaeological assessment which was undertaken by CgMs consulting. This study concludes that as development requires the demolition of existing buildings and the construction of a new basement level and considered likely to have an archaeological impact. It is therefore appropriate to condition that a programme of archaeological work is undertaken in accordance with a written scheme for investigation which should be submitted to and approved by the council prior to development commencing. (**condition 28**)

Planning Obligations

- 7.95 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 7.96 The agreement will include the following agreed heads of terms:
- Small sites affordable housing contribution of £240,000.
 - Repair and re-instatement of footways and highways (subject to conditions surveys) following redevelopment of the site;
 - Contribution towards transport and public realm improvements along Benjamin Street is proposed by the developers. The council's highways department is identifying the scope of the works and associated costing, which will be reported at planning committee.
 - Compliance with Code of Employment and Training including delivery of 3 work placements during the construction phase of the development, lasting a minimum of 13 weeks;
 - Contribution of £100,832 towards offsetting any projected residual CO2 emissions from the development, but this could be subject to change;
 - Compliance with the Code of Local Procurement;
 - Compliance with the Code of Construction Practice, plus monitoring fee (£3,800);
 - Removal of Car Parking Permits
 - Green Performance Plan
 - Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106.

- 7.97 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) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule, 2012. CIL will be payable to the London Borough of Islington after the planning consent has been implemented and will be used by the Mayor of London to pay for Crossrail in accordance with CIL Regulations 2010 (as amended).

National Planning Policy Framework

- 7.98 Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin decision-taking. The current proposal is strong in relation to the principles relating to the reuse of land, and encouraging walking. Subject to conditions and the necessary S106 agreement, the proposed development is also largely in compliance with the principles relating to climate change, and the conservation and enhancement of the natural environment.
- 7.99 In the final balance of planning considerations officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

8. SUMMARY AND CONCLUSION

Summary

- 8.1 The proposal reacts positively to a number of planning considerations. In relation to land use policy the development complies with FLP policy BC8 through delivering an increase of office accommodation which meets the standards required by modern business. The layout of the office floorspace also offers the potential to sub-divide the floors which would allow it to be let as demand dictates. Furthermore, the delivery of an increase of retail floorspace, including a ground floor retail unit for SMEs is also supported. The buildings would deliver four new residential units, which contribute towards the delivery of housing in the borough as part of a truly mixed-use development.
- 8.2 In urban design terms the height, scale, massing and façade treatment of the proposed buildings have been commended by DRP and are considered to respond well to their context within a designated conservation area. This has been achieved through extensive negotiations between the applicants and officers at both pre-application and application submission stages in the process. However, the main shortcomings of the scheme relate to the demolition of No.2-4 Benjamin Street, which despite unsympathetic recent alterations, is identified as making a positive contribution to the character and appearance of this part of the conservation area. It's loss is therefore identified as causing substantial harm to this part of the conservation area, which as set out in the NPPF (para. 134) has to be balanced against the wider public benefits of the scheme. In this case, the quality of the resulting development (as amended) and benefits including the landscaping of Faulkner's Alley and highway improvements to Benjamin Street have been given due consideration and are considered to outweigh the harm caused to the conservation area in respect of the

loss of the Benjamin Street building (as mitigated by the facts of the case and the provisions of the recommended conditions and Section 106 Heads of Terms)

- 8.3 As addressed above, the proposals are also considered acceptable in terms of neighbour amenity, the quality of the proposed residential accommodation, dwelling mix, affordable housing, transportation and servicing, landscaping and trees, sustainability and energy, subject to conditions and to an appropriate Section 106 (S106) agreement, the Heads of Terms of which have been agreed with the applicant.
- 8.4 The comments made by residents have been considered, as have responses from consultee bodies.
- 8.5 It must be noted that the statutory starting point in the council's assessment of planning applications is to assess them against all relevant development plan policies and other material considerations, then to determine them in accordance with the plan as a whole unless material considerations indicate otherwise.
- 8.6 In conclusion, given the proposed development's level of compliance with planning policies (including those of the NPPF and the London Plan), it is recommended that planning permission be granted.

Conclusion

- 8.7 It is recommended that planning permission be granted subject to conditions and director level agreement securing the heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Committee resolve to GRANT planning permission.

RECOMMENDATION B

That planning permission be granted subject to an agreement between the Director of Housing and the Service Director, Planning and Development 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. Small sites affordable housing contribution of £240,000.
2. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Condition surveys may be required.
3. Contribution towards transport and public realm improvements along Benjamin Street.
4. Compliance with the Code of Employment and Training.
5. Facilitation of 3 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £15,000 (£5,000 per placement not provided) 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.
6. Compliance with the Code of Local Procurement.
7. Compliance with the Code of Construction Practice, including a monitoring fee of £2,922 and submission of a site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site. The response document is required to consider cumulative impacts of any other developments occurring in the area at the same time and also include a post construction photographic survey of adjoining buildings.
8. Removal of eligibility for residents' parking permits. Exceptions in accordance with the Council's parking policy statement.
9. A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920); Contribution to be dependent on (in part) whether connection to local energy network is achieved which will reduce the CO2 emissions requiring offsetting. £100,832 contribution is based on 35% onsite reduction in CO2 emissions.
10. Submission of a Green Performance Plan

11. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

That, should the **Section 106** Deed of Planning Obligation not be completed within the agreed timeframe set out 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 C

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

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Existing: 12018_(01)_010 P1; 12018_(01)_100 P1; 12018_(01)_101 P1; 12018_(01)_102 P1; 12018_(01)_103 P1; 12018_(01)_104 P1; 12018_(01)_105 P1; 12018_(01)_201 P1; 12018_(01)_202 P1; 12018_(01)_203 P1;</p> <p>Demolition: 12018_(12)_100 P1; 12018_(12)_101 P1; 12018_(12)_102 P1; 12018_(12)_103 P1; 12018_(12)_104 P1; 12018_(12)_105 P1; 12018_(12)_201 P1; 12018_(12)_202 P1; 12018_(12)_203 P1;</p> <p>Proposed: 12018_(00)_017 P3; 12018_(00)_099 P3; 12018_(00)_100 P3; 12018_(00)_101 P3; 12018_(00)_102 P3; 12018_(00)_103 P3; 12018_(00)_104 P3; 12018_(00)_105 P3; 12018_(00)_107 P3; 12018_(00)_201 P3; 12018_(00)_202 P3; 12018_(00)_203 P3; 12018_(00)_204 P3; 12018_(00)_206 P3; 12018_(00)_207 P3; 12018_(00)_301 P3; 12018_(00)_302 P3;</p>

	<p>Transport Statement by TPP (July 2014); Noise Assessment by The EQUUS Partnership (Ref: EPL 4243); Archaeological Desk Based Assessment by CgMS (August 2014); Letter dated 10/09/2014 to GLAAS from CgMS (Ref: ARCH/MS/16519); Draft Green Performance Plan by Norman, Disney & Young (15/07/2014); Air quality Assessment by ENVIRON (July 2014); Sustainable Design and Construction Statement by Norman, Disney & Young (15/07/2014); Addendum to Energy Statement by Scotch Partners (12/01/2015); Daylight, Sunlight & Overshadowing Report by Delva Patman Redler (July 2014); Daylight Addendum letter from Delva Patman Redler (Ref: SJP/sev/12185); Desk Based Ground Conditions Report by GEA (July 2014); Design and Access Statement by AHMM (dated 21/07/2014) and Design and Access Statement Addendum by AHMM (dated 14/01/2015)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and Samples (Details)
	<p>CONDITION: Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The details and samples shall include:</p> <ul style="list-style-type: none"> a) brickwork, bond and mortar courses; b) metal cladding, panels, frames and architectural metalwork (including details of seams, gaps, and any profiling); c) windows and doors; d) entrance gate to Faulkner's Alley; e) roofing materials; f) any other materials to be used on the exterior of the development; and g) a Green Procurement Plan for sourcing the proposed materials. <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	External pipes, cables and CCTV (Compliance/Details)
	<p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these</p>

	<p>shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>
5	Lighting (Details)
	<p>CONDITION: Notwithstanding the approved drawings listed under condition 2, details of general or security outdoor lighting (including full specification of all luminaries, lamps and support structures) for Faulkner's Alley and wider development shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
6	BREEAM and Code for Sustainable Homes (Compliance)
	<p>CONDITION: The development shall achieve a BREEAM New Construction rating (2011) of no less than 'Excellent' and Code of 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>
7	Green/Brown Biodiversity Roofs (Compliance/Details)
	<p>CONDITION: Notwithstanding the plans hereby approved, details of green/living roofs to the development hereby approved (illustrating increased coverage and potential for run-off attenuation or including details and justification of the maximum extent of green/living roofs) and the species to be planted/seeded shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The green/living roofs shall:</p> <p>a) form biodiversity-based roofs with extensive substrate bases (depth 80-150mm);</p> <p>b) cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and</p> <p>c) be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. An explanation as to why any areas of roof would not be covered with green/living roofs shall be included with the above details. Green/living roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level. The green/living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local</p>

	<p>Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
8	Refuse/Recycling Provided (Compliance)
	<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>The refuse and recycling enclosures and waste shall be managed and carried out at all times in accordance with the details of the approved 'servicing and waste management plan'.</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>
9	Provision of small retail unit (Compliance)
	<p>CONDITION: The basement / ground floor retail units hereby approved shall be laid out in such a way that at least one unit shall be no greater than 80sqm in floor area.</p> <p>REASON: To provide units of a size more affordable to small and independent shops.</p>
10	Cycle Parking (Compliance)
	<p>CONDITION: The three bicycle storage areas hereby approved shall be covered, secure and provide for no less than:</p> <ul style="list-style-type: none"> - 28 cycle spaces for the offices - 14 cycle spaces for the residential units - 10 cycle spaces for the retail units <p>These spaces shall be provided prior to the first occupation of the relevant part of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
11	Accessible Homes Standard (Compliance)
	<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>
12	Inclusive Design (Compliance)
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this, the development shall provide the following in accordance with the approved drawings and ensure the delivery</p>

	<p>of the following provisions:</p> <ul style="list-style-type: none"> - For each access core the passenger lift serving the dwellings shall be installed and operational prior to the first occupation of residential dwellings accessible from that access core. - step free access to all commercial and residential accommodation <p>The development shall be constructed carried out strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
13	Nesting Boxes (Compliance)
	<p>CONDITION: At least four nesting boxes / bricks for birds or bats shall be provided within the development, installed prior to the first occupation of the building to which they form part and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
14	Energy Efficiency – CO2 Reduction (Compliance/Details)
	<p>The energy measures as outlined within the approved Energy Strategy (including but not limited to energy efficient fabric and connection to Citigen District Heat Network) shall together provide for no less than a 35% on-site total CO2 emissions reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>Should, following further assessment, the approved energy measures be found to be no longer suitable, a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The revised energy strategy shall provide for no less than a 35% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <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 sustainable development and to ensure that the Local Planning Authority may be satisfied that the CO2 emission reduction targets are met.</p>
15	Noise Levels (Compliance)
	<p>CONDITION : For all the approved residential units sound insulation and noise control measures shall be used to achieve the following internal noise targets:</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq, and 45 dB Lmax (fast) Living Rooms (07.00-23.00 hrs) 35 dB LAeq, Kitchens, bathrooms, WC compartments and utility rooms (07.00 –23.00 hrs) 45 dB LAeq</p>

	<p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
16	Construction Management (Compliance / details)
	<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 construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The report shall also secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets.</p>
17	Contaminated land (Compliance / details)
	<p>*CONDITION: Prior to the commencement of development the following assessment shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in</p>

	<p>writing of the Local Planning Authority in accordance with part b).”</p> <p>REASON: Previous commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water environment</p>
18	Landscaping (Compliance / details)
	<p>Details of treatment of all parts on the site not covered by buildings shall be submitted and approved in writing by the Local Planning Authority prior to the relevant part works. The site shall be landscaped strictly in accordance with the approved details the first planting season after completion or first occupation of the development whichever is the sooner. Details shall include:</p> <p>a) a scaled plan showing vegetation to be retained and trees and plants to be planted</p> <p>b) proposed hardstanding and boundary treatment:</p> <p>c) a schedule detailing sizes and numbers of all new trees/plants</p> <p>d) sufficient specification to ensure successful establishment and survival of planting.</p> <p>Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed or becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).</p> <p>Reason: To provide a satisfactory appearance to the development so as to safeguard and in the interest of biodiversity, sustainability, and to ensure a satisfactory standard of visual amenity.</p>
19	Roof-level structures (Compliance / details)
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
20	Loading / unloading hours (Compliance)
	<p>CONDITION: Deliveries, collections, unloading, loading of the commercial uses shall only be between the following hours:</p>

	<p>Monday to Saturday - 08:00 - 20:00 Sundays/Bank Holidays - not at all</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
21	Plant noise (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90,Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>The development shall be carried out strictly in accordance with the scheme so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations</p>
22	Obscure Glazing (Compliance)
	<p>CONDITION: Windows serving the residential lobby on the fourth floor of the Turnmill Street shall be obscurely glazed and installed prior to the residential occupation of the dwellings they relate to and maintained at all times thereafter.</p> <p>REASON: To protect the residential amenities of neighbouring occupiers.</p>
23	Water Use (Compliance)
	<p>The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
24	Piling Method Statement (Compliance / details)
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: To ensure that works do not impact upon local underground water utility infrastructure, and to ensure that deformation of the ground by piling does not result in an increase in the risk of near-surface pollutants migrating to underlying aquifers. Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying</p>

	groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment.
25	Shop fronts (Compliance / details)
	<p>CONDITON: Typical elevations of the shopfronts hereby approved at scale 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works commencing.</p> <p>The shopfronts shall be carried out strictly in accordance with the elevations so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is of a high standard.</p>
26	Small shops (Compliance)
	<p>CONDITION: The development shall be carried out strictly in accordance with the floorplans so approved, and no change therefore shall take place without the prior written consent of the Local Planning Authority.</p> <p>The commercial units on the ground floor of the building shall not be amalgamated or further subdivided unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The amalgamation or further subdivision of the commercial units is likely to have operational, transportation, aesthetic and amenity implications which would need to be considered under a separate planning application to ensure the provision of premises suitable for small businesses.</p>
27	Retention of architects (Compliance)
	<p>CONDITION: The current architect shall be retained for the design development phase of the project unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure continuity in the design approach and the standard of the appearance and construction of the development.</p>
28	Archaeological report (Compliance / details)
	<p>*CONDITION: No development shall take place unless and until the applicant, their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted to and approved by the Local Planning Authority (in consultation with English Heritage).</p> <p>REASON: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development.</p>
29	Drainage Strategy (Compliance / details)
	Details of a drainage strategy for a sustainable urban drainage system 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

	<p>assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximise water quality, amenity and biodiversity benefits. 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 minimum achieve a post development run off rate of 50L/ha/sec.</p> <p>The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development achieves appropriate surface water run-off rates and rainwater recycling.</p>
30	Privacy Screening (Compliance / details)
	<p>CONDITION: Details of screening or other design solution to prevent overlooking of neighbouring properties at City Pavilion, 33 Britton Street from the balconies on the rear elevation of Unit 4 on the fourth floor of the Benjamin Street building shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the balconies commencing.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved prior to first occupation, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To prevent overlooking of and loss of privacy to neighbouring residential properties, to ensure that the resulting appearance and construction of the development is to a high standard.</p>
31	Maintain public access through the site (Compliance)
	<p>CONDITION: The new gate providing access into Faulkner's Alley hereby approved shall remain open between the following times:</p> <ul style="list-style-type: none"> - 0600-1800 on Monday to Sunday (including bank holidays) from 1 October to 31 March each year; - 0600-2000 on Monday to Sunday (including bank holidays) from 1 April to 30 September each year. <p>REASON: To ensure the development does not compromise pedestrian movement through the site.</p>

List of Informatives:

1	Section 106 Agreement
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

2	<p>Definition of ‘Superstructure’ and ‘Practical Completion’</p> <p>A number of conditions attached to this permission have the time restrictions ‘prior to superstructure works commencing on site’ and/or ‘following practical completion’. The council considers the definition of ‘superstructure’ as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of ‘practical completion’ to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are identified with an ‘asterix’ * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these identified pre-commencement conditions have been discharged/complied with.</p>
4	<p>Car-Free Development</p> <p>(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>
5	<p>Water Infrastructure</p> <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>
6	<p>Working in a Positive and Proactive Way</p> <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>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>

7	Materials
	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.
8	Groundwater
	Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality . Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991
9	Water main
	There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.
10	Rollershutters
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
11	Crossrail
	<p>The developer is requested to liaise with Crossrail's Farringdon Station construction team to understand and consider in its logistics planning, Crossrail's lorry routes and any streetworks in the vicinity (e.g. utilities diversions) all of which are of significance to current Crossrail operations in this area.</p> <p>It is recommended that the developer contact the Farringdon Project Construction Manager before commencement of any works:</p> <p>Patrick Barry, e: PatrickBarry@crossrail.co.uk, t: 020 7236 0680</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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.3 Growth areas and co-ordination corridors

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

Policy 2.12 Central Activities Zone – predominantly local activities

Policy 2.13 Opportunity areas and intensification areas

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

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

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

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

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

Policy 3.13 Affordable housing thresholds

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.17 Health and social care facilities

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

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 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.20 Aggregates

Policy 5.21 Contaminated land

Policy 5.22 Hazardous substances and installations

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 3.18 Education facilities

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.9 Small shops

Policy 4.10 New and emerging economic sectors

Policy 4.11 Encouraging a connected economy

Policy 4.12 Improving opportunities for all

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

Policy 7.11 London View Management Framework

Policy 7.12 Implementing the London View Management Framework

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS12 (Meeting the Housing Challenge)

Policy CS13 (Employment Spaces)

Policy CS14 (Retail and Services)

Policy CS15 (Open Space and Green Infrastructure)

Policy CS16 (Play Space)

Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

- DM2.1** Design
- DM2.2** Inclusive Design
- DM2.3** Heritage
- DM2.5** Landmarks
- DM2.6** Advertisements

Housing

- DM3.1** Mix of housing sizes
- DM3.2** Existing housing
- DM3.3** Residential conversions and extensions
- DM3.4** Housing standards
- DM3.5** Private outdoor space
- DM3.6** Play space
- DM3.7** Noise and vibration (residential uses)

Shops, culture and services

- DM4.1** Maintaining and promoting small and independent shops
- DM4.2** Entertainment and the night-time economy

Location and concentration of uses

- DM4.7** Dispersed shops
- DM4.8** Shopfronts

Employment

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

Health and open space

- DM6.1** Healthy development
- DM6.3** Protecting open space
- DM6.4** Sport and recreation
- DM6.5** Landscaping, trees and biodiversity

Energy and Environmental Standards

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

Transport

- DM8.1** Movement hierarchy
- DM8.2** Managing transport impacts
- DM8.3** Public transport
- DM8.4** Walking and cycling
- DM8.5** Vehicle parking
- DM8.6** Delivery and servicing for new developments

Infrastructure

- DM9.1** Infrastructure
- DM9.2** Planning obligations
- DM9.3** Implementation

D) Finsbury Local Plan June 2013

- BC5** Farringdon Station
- BC7** Historic Clerkenwell
- BC8** Achieving a balanced mix of uses
- BC9** Tall buildings and contextual considerations for building heights
- BC10** Implementation

5. 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 London Zone (CAZ)
- Archaeological Priority Area
- Clerkenwell Green Conservation Area
- Crossrail 1 safeguarding area
- Protected Vistas (Kenwood to St. Pauls Cathedral)
- Local Views: LV1 & LV6
- Employment Priority Area (General)
- Bunhill & Clerkenwell Core Strategy Key Area

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

The following SPGs and/or SPDs are relevant:

- | Islington Local Development Plan | London Plan |
|---|--|
| - Environmental Design | - Accessible London: Achieving and Inclusive Environment |
| - Small Sites Contribution | - Housing |
| - Accessible Housing in Islington | - Sustainable Design & Construction |
| - Conservation Area Design Guidelines | - Planning for Equality and Diversity in London |
| - Inclusive Landscape Design | |
| - Planning Obligations and S106 | |
| - Urban Design Guide | |

APPENDIX 3: Design Review Panel Comments



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

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

Our ref: DRP/47

Date: 12 January 2015

ATT: Chris Beard
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Dear Chris Beard,

ISLINGTON DESIGN REVIEW PANEL

RE: 1 & 2-5 Benjamin Street & 94-98 Turnmill Street, EC1 (application ref: P2014/2950/FUL)

Thank you for coming to Islington's Design Review Panel meeting on 9 December 2014 for review of a proposed development scheme at the above address. The proposed scheme under consideration was for erection of two 6-storey (plus basement) buildings, comprising retail [Class A1] and office [Class B1a] uses and 8 residential units (3 x 1-beds, 4 x 2-beds, 1 x 3-bed), cycle parking, refuse storage, rooftop plant and landscaping works to Faulkner's Alley, following the demolition of nos. 1 & 2-5 Benjamin Street and 94-98 Turnmill Street. (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (Chair), Paul Reynolds, Stephen Archer, Charles Thomson, Stafford Critchlow on Tuesday 9 December 2014 including a site visit in the morning, followed by a presentation by the design team, question and answers session and deliberations in the afternoon at Islington's Municipal Offices 222 Upper Street. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

Panel's observations

Height and massing

The Panel welcomed the general design concept of the scheme and raised no objections to the proposed heights and massing. In fact panel members supported the reduction in height from the initial submission subject to further detailing of the roof top. They were positive about the long term sustainability of the proposed scheme.

Elevations & materiality

The Panel were of the opinion that the same level of design development, presentation material and refinement employed on the Benjamin Street elevation should be applied to the treatment of



the Turnmill Street elevation. They generally felt that materials were suitable and praised the self-evident design quality of the brick detailing (subject to sample approvals through the planning conditions). Panel members were of the opinion that the projecting corner adjacent to the neighbouring building on Benjamin Street needed further resolution due to its prominence. They felt there was an opportunity to make it a more significant and attractive element on the streetscape. They also recommended that the stair bay should be better resolved and stressed the importance of conditions to ensure high quality materials and detailing. The Panel also felt that it may be beneficial to increase the setback distance from the parapet to the roof top extension and should be explored

Public realm and landscaping

Panel members welcomed the proposed upgrade of Faulkner's alley and encouraged the design team to explore with the local authority the possibility of extending the improvements to Benjamin Street in particular to the Gardens opposite.

Summary

The Panel was generally supportive of the concept of replacement of the existing building and proposed heights and distribution of massing. Some areas were identified where further design/detailing development was required such as the resolution of the stair bay, the corner/junction with the adjacent building on Benjamin Street, and the materiality of the rooftop. They stressed the importance of carrying the quality of the Benjamin Street frontage to the Turnmill Street elevation. Panel members welcomed the improvements to Faulkner's alley but felt that further work would be desirable in terms of public realm improvements in the immediate vicinity of the site.

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

Confidentiality

Please note that as the scheme under review is currently the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,



Luciana Grave
Design Review Panel Coordinator/
Design & Conservation Team Manager

