

## PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Environment and Regeneration Department  
PO Box 333  
222 Upper Street  
LONDON N1 1YA

<b>PLANNING SUB-COMMITTEE B</b>		
<b>Date:</b>	<b>25<sup>th</sup> January 2016</b>	<b>NON EXEMPT</b>
Application number	P2015/4749/FUL	
Application type	Full Planning Application	
Ward	Bunhill Ward	
Listed building	Not Listed	
Conservation Area	Not in a Conservation Area	
Development Plan Context	Bunhill and Clerkenwell Core Strategy Key Area Finsbury Local Plan Area Site Allocation BC18 (Redbrick Estate) Central Activities Zone Within 50 metres of St Luke's Conservation Area Major Cycle Route (Bath Street)	
Licensing Implications	None	
Site Address	Bath Street Health Centre 60 Bath Street London EC1V 9DP	
Proposal	Temporary change of use of existing health centre (Class D1) to general offices (Class B1)	
Case Officer	Nathaniel Baker	
Applicant	Huw Blackwell – Islington Decentralised Energy Project Team	

### 1 RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;

**2 SITE PLAN (SITE OUTLINED IN BLACK).**



**3 PHOTOS OF SITE/STREET**



Image 1 – Aerial Image of Site



Image 2 - View from bath Street



Image 3 – View from Lizard Street

#### **4 SUMMARY**

- 4.1 The application proposes the temporary change of use of the existing health centre (Class D1) to general offices (class B1) for a period of 2 years. The resultant building would provide site offices for two Islington Council developments; the Bunhill II decentralised energy network expansion project and the approved development at the Redbrick Estate.
- 4.2 The loss of the social infrastructure use at the site has been established by planning permission (ref: P2015/0709/FUL) for the redevelopment of the Redbrick Estate. The introduction of a temporary office use would bring the currently vacant building back

into an active use for a two year period during construction and would help to address anti-social behaviour issues associated with the site.

- 4.3 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

## **5 SITE AND SURROUNDING**

- 5.1 The site is formed of a two storey flat roof health centre building that is currently vacant. The building is set within a central parking area on the east side of the Redbrick Estate, with four storey residential buildings surrounding the site. Vehicular access to the site is from Bath Street to the east with further pedestrian access from the surrounding roads and routes through the estate.

- 5.2 The site is located within the Central Activities Zone, but is not located within a conservation area and the building is not listed.

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

- 6.1 The proposal is for a temporary change of use of the existing health centre (Class D1) to general offices (class B1) for a period of 2 years. The temporary office space would be used as a site office for Islington Council's Bunhill II and Redbrick Estate developments.

## **7 RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 **P2015/0709/FUL** - Demolition of Vibast Community Centre, 169-173 Old Street and Health Centre, partial demolition of garages to west of Bath Street, the construction of 55 new homes (comprising 16 x 1 bed units, 25 x 2 bed units and 7 x 3x bed), a community centre (D1 use), two flexible A1/A2 use units across three buildings, consisting of the erection of a part single, four and nine storey building at the junction of Old Street and Bath Street to provide a community centre and A1/A2 unit with residential above, a part two and three storey building at the Junction of Old Street and St Luke's Close to provide an A1/A2 unit and residential units and a part single and four storey residential building fronting Bath Street, alterations to the garages fronting Bath Street, the provision of a new amenity space to the east of Steadman Court and public realm improvement works across the site, inclusive of hard and soft landscaping, cycle parking, alterations to entrances and alterations to boundary treatment. Application re-consulted following receipt of amended plans detailing two additional doors (serving a sub-station) in the Bath Street elevation of the garages - **Granted Conditional permission Subject to Legal Agreement** (04/11/2015)
- 7.2 **850625** - Construction of new entrance doorway in the south elevation and alterations to the openings in the east and rendering of the bin store - **Observations to Islington Health Authority** (30/05/1985).

### **ENFORCEMENT:**

- 7.3 None.

### **PRE-APPLICATION ADVICE**

- 7.4 None.

## **8 CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 193 adjoining and nearby properties at Old Street and Bath Street on the 18<sup>th</sup> November 2015. A site notice and press advert were displayed on 26<sup>th</sup> November 2015. The public consultation on the application therefore expired on 17<sup>th</sup> December 2015. However it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

### **External Consultees**

- 8.3 **Transport for London** – No response received.

## **9 RELEVANT POLICIES**

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

### **National Guidance**

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 planning practice guidance for England has been published online.
- 9.3 On the 28<sup>th</sup> November 2014, a Ministerial Statement and revision to the Planning Practice Guidance (PPG) were published.
- 9.4 In considering the relevance of the changes to the NPPG 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.
- 9.5 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.
- 9.6 The Council considers that the material consideration of the NPPG should not outweigh the Development Plan, given the specific circumstances in Islington.
- 9.7 Under the Ministerial Statement of 18 December 2015, the government seeks to increase the weight given to SUDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

## **Development Plan**

- 9.8 The Development Plan is comprised of the London Plan 2015, 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:

## **Designations**

- 9.9 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Area Action Plan 2013.

- Bunhill and Clerkenwell Core Strategy Key Area
- Finsbury Local Plan Area
- Site Allocation BC18 (Redbrick Estate)
- Central Activities Zone
- Within 50 metres of St Luke's Conservation Area
- Major Cycle Route (Bath Street)

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

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

## **10 ASSESSMENT**

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

- Land use
- Neighbouring amenity
- Highways and Transportation

## **Land Use**

- 10.2 The proposal would change the use of the currently vacant health centre (D1) at the site (measuring 510 square metres) to an office (B1) use for a temporary period of two years. The resultant building would provide a central office for two Islington Council developments; the Bunhill II decentralised energy network expansion project and the approved development at the Redbrick Estate.
- 10.3 Policy DM4.14 of the Development Management Policies resists the loss or reduction of social infrastructure uses unless a replacement facility is provided that would meet the need of the local population for the specific use. Where the specific use is no longer required on site it should be demonstrated that the proposal would not lead to a shortfall in provision for the specific use, that there is either no demand for another suitable infrastructure use on site or that the site/premises are no longer appropriate for such a use and that any replacement facility provides an equal level of accessibility and standard of provision.
- 10.4 The loss of the vacant health centre has previously been established by the planning permission (ref: P2015/0709/FUL) for the redevelopment at the Redbrick Estate. This extant permission detailed that the health centre has been vacant since March 2012 and the services that were provided at the site have been relocated by the Camden and Islington NHS Trust to the Highgate Mental Health Centre on Dartmouth Park Hill and the Islington Assertive Outreach Team (AOT) at Greenland Road, Camden. The

replacement facilities provide the same service as the previous health centre, are located in highly accessible locations and continue to serve local residents.

- 10.5 With regard to potential demand for another suitable social infrastructure use of the building, the previous permission highlighted anti-social behaviour issues with the current building; while the overall need to increase the supply of social rented housing, the re-provision of other community uses on site and the need to provide open space was considered to outweigh the requirement to re-provide the health centre on-site.
- 10.6 Development Management Policy DM5.1 states that outside of employment growth areas new business floor space should be provided within mixed use developments where this would enhance the character and vitality of the local area, would not detrimentally impact on residential amenity and would not compromise residential growth.
- 10.7 Although the proposed office use would not form part of a mixed use development, it would be for a temporary period of two years. Following the expiration of the temporary period the building would revert to its original use (condition 1) or would be demolished as part of the approved redevelopment of the estate to provide additional residential accommodation. Additionally, the proposal would bring back into use a currently vacant building that has been the subject of anti-social behaviour issues, and would therefore enhance the character and vitality of this part of the Redbrick Estate. As set out below, the proposal would not detrimentally impact upon residential amenity of the neighbouring occupiers.
- 10.8 As such, the loss of the social infrastructure use has been established and the introduction of an office use for a temporary period of two years is considered to be acceptable.

### **Neighbouring Amenity**

- 10.9 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must 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.
- 10.10 Although currently vacant, the lawful health centre use of the building would have had associated noise and disturbance from the coming and going of patients and staff and associated vehicular movements. The proposed office use of the building would have a comparable level of associated use as the current lawful use and office uses are generally considered to be compatible with residential uses.
- 10.11 The applicant proposes the hours of operation of 07:30 to 19:00 Monday to Friday, 07:30 to 15:00 on Saturdays and not at all on Sundays and Bank Holidays. The proposed hours of operation generally relate to the normal hours of site construction of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays, providing some additional time pre and post construction. However, the use of the building at 07:30 on Saturdays is not considered to be acceptable and as such a condition (3) is recommended to ensure that the use of the building does not commence until 08:00 on Saturdays to correlate with both the hours of site construction and the commercial units granted planning permission on the Redbrick Estate. Subject to these hours of

operation the proposal would not result in unacceptable levels of disturbance of neighbouring occupiers.

- 10.12 It was set out in the previous planning permission for the redevelopment of the site that the health centre was the subject of anti-social behaviour. The introduction of an active use to the currently vacant building would help to deter anti-social behaviour for local residents.

### **Highways and Transportation**

- 10.13 The site has a Public Transport Accessibility Level (PTAL) of 6a, which is 'Excellent'. The site is located in close vicinity to Old Street and Barbican Train Stations, while there are a number of bus routes within close proximity of the site.
- 10.14 The proposal includes six parking spaces associated with the vacant health centre. Although there would clearly be an increase in the number of vehicle movements when compared with the current vacant use, there would be no uplift in the number of parking spaces or potential use of these from the lawful use of the building
- 10.15 Policy DM8.6 of the Development Management Policies (2013) requires commercial developments in excess of 200 square metres to provide on-site servicing. The application site includes the provision of six car parking spaces which together with the wider parking available within the Redbrick Estate would provide sufficient off-street servicing space for the proposed use.
- 10.16 The existing health centre does not provide any dedicated cycle storage and there are no proposed alterations to the existing building due to the temporary nature of the use and the eventual demolition of the building. Due to this, and that there is a high level of provision for publicly accessible cycle storage within the locality, the lack of cycle parking spaces is considered to be acceptable in this case.

### **Other Matters**

- 10.17 There are no proposed alterations to the layout of the building and no external alterations proposed. As such, there are no material considerations with regard to accessibility or design.

### **National Planning Policy Framework and National Planning Policy Guidance**

- 10.18 The scheme is considered to accord with the aims of the NPPF and NPPG, promoting sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF and NPPG require local planning authorities to require good design from new development to achieve good planning.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The application proposes the temporary change of use of the existing health centre (Class D1) to general offices (class B1) for a period of 2 years. The resultant building would provide site offices for two Islington Council developments; the Bunhill II decentralised energy network expansion project and the approved development at the Redbrick Estate.



- 11.2 The loss of the social infrastructure use at the site has been established by planning permission (ref: P2015/0709/FUL) for the redevelopment of the Redbrick Estate. The introduction of a temporary office use would bring the currently vacant building back into an active use for a two year period during construction and would help to address anti-social behaviour issues associated with the site.
- 11.3 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

**Conclusion**

- 11.4 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

<b>1</b>	<b>Commencement (Compliance)</b>
	<p>CONDITION: The B1 (office) use of the building known as Bath Street health Centre, 60 Bath Street, London, EC1V 9DP hereby approved is granted only for a limited period of 24 months from the date of this permission.</p> <p>On the cessation of the temporary use hereby granted the land shall revert to its current lawful use as a health centre (D1 use class).</p> <p>REASON: The temporary use is such that the Local Planning Authority is only prepared to grant permission for a limited period in view of the special circumstances of this case.</p>
<b>2</b>	<b>Approved plans list (Compliance)</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Covering Letter (dated 27<sup>th</sup> October 2015), Location Plan and 3072-D-010 Rev P1.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Hours of Use (Compliance)</b>
	<p>CONDITION: The office use (B1 use) hereby approved shall not operate except between the hours of 07:30 and 19:00 Monday to Friday, between 08:00 and 15:00 hours on Saturdays and not at all on Sundays and Bank Holidays unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of protecting residential amenity.</p>

#### List of Informatives:

<b>1</b>	<b>Working in a Positive and Proactive Way</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **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.

### **Development Plan**

The Development Plan is comprised of the London Plan 2015, 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 2015 - Spatial Development Strategy for Greater London**

##### **3 London's people**

3.16 Protection and enhancement of social infrastructure

##### **6 London's transport**

Policy 6.1 Strategic approach  
Policy 6.3 Assessing effects of development on transport capacity  
Policy 6.9 Cycling  
Policy 6.13 Parking

##### **7 London's living places and spaces**

7.4 Local character  
7.5 Public Realm  
7.6 Architecture  
7.15 Reducing noise and enhancing soundscapes

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

##### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

Policy CS10 (Sustainable Design)  
Policy CS12 (Meeting the Housing Challenge)  
Policy CS13 Employment Spaces

### **Strategic Policies**

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

### **Infrastructure and Implementation**

Policy CS18 (Delivery and Infrastructure)

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

### **Design and Heritage**

**DM2.1** Design

**DM2.2** Inclusive Design

### **Shops, Culture and Services**

**DM4.12** Social and Strategic infrastructure and cultural facilities

### **Employment**

**DM5.1** New business floorspace

### **Transport**

**DM8.2** Managing transport impacts

**DM8.4** Walking and cycling

**DM8.5** Vehicle parking

**DM8.6** Delivery and servicing for new developments

## **Designations**

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Area Action Plan 2013.

- Bunhill and Clerkenwell Core Strategy Key Area
- Finsbury Local Plan Area
- Site Allocation BC18 (Redbrick Estate)
- Central Activities Zone
- Within 50 metres of St Luke's Conservation Area
- Major Cycle Route (Bath Street)

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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

- Environmental Design
- Urban Design Guide

### **London Plan**

- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction