



PLANNING COMMITTEE REPORT

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

| PLANNING COMMITTEE | | AGENDA ITEM NO: |
|--------------------|--------------|-----------------|
| Date: | 12 July 2016 | NON-EXEMPT |

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| Application number | P2015/5260/FUL |
| Application type | Full Planning Application |
| Ward | Clerkenwell |
| Listed building | Not Applicable |
| Conservation area | Clerkenwell Green Conservation Area |
| Development Plan Context | <ul style="list-style-type: none">- Bunhill & Clerkenwell Core Strategy Key Area- Finsbury Local Plan Area: Bunhill & Clerkenwell- Central Activities Zone (CAZ)- Britton Street Employment Priority Area (General)- Adjoins Farringdon/Smithfield Intensification Area- Archaeology Priority Area (Clerkenwell)- Clerkenwell Green Conservation Area- LV1 View from Farringdon/Clerkenwell Rds- LV4 Local view from Archway Road- LV5 Local view from Archway Bridge- LV6 Local View from Amwell Street- LV7 Local View from Dartmouth Park Hill- VC5 Kenwood viewing gazebo to St Paul's Cathedral- Controlled Parking Zone Area- Crossrail Safeguarding Area- Rail Safeguarding Area- Local Cycle Route- Site within 100m of a TLRN Road |
| Licensing Implications | None |
| Site Address | Layden House, 76-86 Turnmill Street London EC1M 5LG |
| Proposal | External refurbishment works to elevations, erection of five storey front and side infill extension to east and west; part fifth and sixth floor extension; a part two storey, part five storey rear extension resulting in |

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| | 298 square metres (GIA) of additional office (B1) floor space, erection of a single storey bike store to rear and the change of use of part of the ground floor and basement from office (B1 use) to 1148 square metres of flexible retail and restaurant (A1/A3). |
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| Case Officer | John Kaimakamis |
| Applicant | Scott Brownrigg Planning |
| Agent | Local Government Association (LGA) |

1. RECOMMENDATION

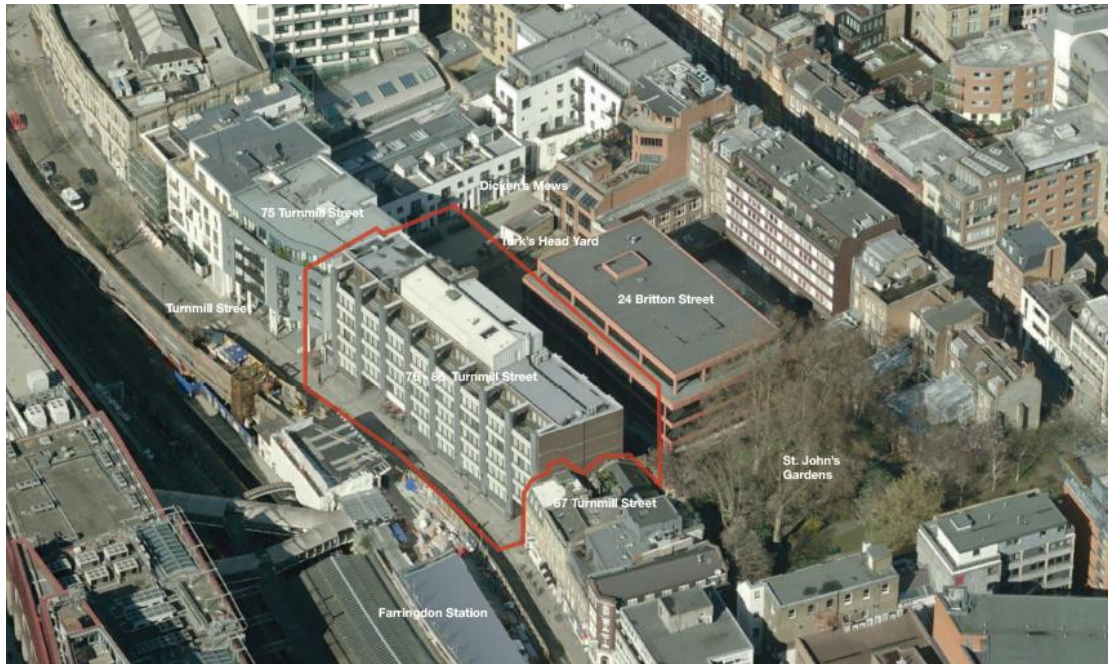
The Committee is asked to resolve to **GRANT** planning permission:

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

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



4. SUMMARY

- 4.1 The proposed development of a mixed use Class A1 retail and Class B1 office scheme on this highly accessible site in an Employment Priority Area in the CAZ is considered to be acceptable in land use terms. The provision of high quality Class B1 office accommodation would be consistent with the aims of the development plan.
- 4.2 The proposed building would be taller than the existing building, however the increase in height and built form would respect the heights of buildings in the immediate context and would result in a successful townscape in this location. Further, the high quality design would be sensitive to surrounding heritage assets and complementary to local identity.
- 4.3 No part of the proposed development would block, detract from or have an adverse effect on any significant strategic or local protected views. The proposals are unlikely to have a widespread or significant archaeological impact within this Archaeological Protection Area subject to conditions.
- 4.4 No part of the development would result in adverse impacts in terms of loss of daylight, sunlight, outlook, sense of enclosure or privacy that would justify refusing planning permission.
- 4.5 Subject to appropriate conditions the development would comply with relevant planning policies relating to sustainability and energy efficiency. The proposed development would be serviced as per existing conditions and subject to appropriate conditions would have no adverse impacts on the local road network. The refuse/recycling and servicing arrangements are considered to be acceptable. The provision of secure cycle storage and showering and changing facilities for staff would encourage sustainable travel.
- 4.6 In addition to the Mayoral and Islington Community Infrastructure Levy, the application is supported by a s106 planning agreement and contributions related to and mitigating impacts of the scheme. For these reasons and all the detailed matters considered in this report, the scheme is acceptable subject to conditions, informatives and the s106 legal agreement

5. SITE AND SURROUNDING

- 5.1 The site is located on the eastern side of Turnmill Street just north of Farringdon Station. The existing building adjoins a part-5/part-6 building to the north at No. 75 Turnmill Street, while to the south are lower level historic buildings. To the immediate rear of the site along the north east boundary is Turk's Head Yard, which was recently granted consent in April 2016 for the construction of a three-storey building for residential accommodation, while the remaining part of the rear boundary is bounded by the office building at No. 24 Britton Street.
- 5.2 The existing building is six-storeys in height and was built in the 1970s. It was given a façade recladding in the 90s which gives it the existing metal design. The top floor is setback to reveal 9 large flying buttresses. The site is located

within the Clerkenwell Conservation Area, however the building is not statutorily or locally listed.

- 5.3 The site is very well located in relation to public transport and has a PTAL rating of 6b, the highest rating (www.webptals.org.uk). The site lies within a mixed use and highly accessible location, being within walking distance of Farringdon Underground and Thameslink train stations and in close proximity to bus stops on Farringdon Road.

6. PROPOSAL

- 6.1 The proposal as originally submitted seeks external refurbishment works to all elevations of the building, including five-storey front and side infill extension to east and west of the building. The existing fifth floor with the flying buttresses are to be infilled while the existing plant room built form at sixth floor level is to be extended. To the rear the proposal also included a new five-storey extension to the rear opposite Turk's Head Yard in the north-east part of the site.
- 6.2 Planning and Design officers raised concerns with aspects of the detailed design along with amenity impacts on the residential properties to the north as a result of the new rear five-storey extension. As a result the applicant amended the application to address the detailed design concerns of officers along with reducing the depth of the rear extension.
- 6.3 The overall effect of the amendments has resulted in 298 square metres (GIA) of additional office (B1) floor space across the building, whilst the proposal also includes the change of use of part of the ground floor and basement from office (B1 use) to 1148 square metres of flexible retail and restaurant (A1/A3).
- 6.4 All servicing is on street along Turnmill Street, while vehicular access into the site is from the existing accesses that are being retained along Turnmill Street.

7. RELEVANT HISTORY:

- 7.1 The following previous planning applications relating to the application site are considered particularly relevant to the current proposal:

Planning Applications:

- 7.2 P850857: Change of use of part of the ground floor to offices from staff facilities and part of the first floor to offices from industry and elevation changes to the ground floor of the rear elevation. This was granted consent on 27 August 1985.
- 7.3 P951849: Change of use of entire premises to offices (Use Class B1) was granted consent on 04 January 1996.
- 7.4 P960590: Alterations to front elevation were granted consent on 09 May 1996.

- 7.5 P991784: Installation of telecommunication equipment on the roof of the building was granted consent on 12 October 1999.

Other relevant planning applications

- 7.6 P2014/1808/FUL: Land at Turk's Head Yard, 75A Turnmill Street, London, EC1M 5SY (Adjoining Site)

Construction of a three storey over basement building comprising six new residential units (3 x 3 bed flats, 2 x 2 bed flats and 1 x 1 bed flat) with associated amenity space and landscaping. Planning permission was granted on 14 April 2016.

7.7 **Enforcement:**

- 7.8 There are no enforcement cases that are relevant to the application site.

8. CONSULTATION

Public Consultation

- 8.1 The proposal as submitted was consulted upon and letters were sent to occupants of 173 adjoining and nearby properties on 7 January 2016. A site notice and press advert were also displayed on this date. In response to the first consultation period a total of 4 objections were received from the public with regard to the application.
- 8.2 The revised proposals were also subject to a re-consultation period. The same occupants of 173 adjoining and nearby properties along with the 4 objectors were consulted, which began on 9 June 2016 and ended on 30 June 2016. A site notice and press advert were also displayed on this date. In response to the second consultation period, no further objections were received from the public with regard to the application, however one of the original objectors provided further comments.
- 8.3 Therefore, at the time of the writing of this report a total of 4 responses had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- The proposed front façade replaces one grim façade with another and results in a charmless remodelling of the building.

The objection stated above relates to the design of the front façade of the proposal as submitted. The objector has not provided further comment on the revised front façade design, which places a horizontal emphasis on the brick and was design in consultation with the Council's Design and Conservation officers, who are of the view that the revised front façade design is appropriate.

- The recently approved building in Turk's Head Yard would have a detrimental impact on neighbours and the submitted proposal would have a cumulative impact.

The proposal is a refurbishment of the existing building and the new works are contained to the five-storey extension to the rear. The proposed extension to the rear has been reduced in depth and would not impede on the visual outlook of the adjoining properties or add to any sense of enclosure.

- The extension would impact on the sunlight and daylight of adjoining properties.

The proposed extension would comply fully with the BRE recommended guidelines without any transgressions. Further, the depth of the extension has been reduced so that it would not impede of the adjoining property.

- The change of use to use class A3 would lead to the overprovision of restaurants in the area.

The application site is located in a designated employment area, whereby by policies seek active uses at ground floor level. The proposal would add visual interest to the ground floor with the introduction of retail and restaurant uses and would be in accordance with the development plan.

- The proposal would lead to overlooking.

The proposal is for the refurbishment of the existing building and therefore any existing overlooking from the existing building would be as per current conditions. The new rear extension has been designed in a manner to prevent overlooking to the adjoining property to the north. Further, other neighbouring properties further to the east are sufficiently located away so as not to be overlooked.

- Noise would be generated from the proposed terrace area.

A condition has been imposed to limit the hours of use of this terrace area to 8pm, whilst a management plan of how this area is to be managed to limit noise has also been requested via condition.

External Consultees

- 8.4 Historic England raised no objection and stated that the scheme should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
- 8.5 Historic England (Greater London Archaeology Advisory Service) raised no objection to the proposal subject to a condition and informative being attached to the permission

- 8.6 Thames Water stated that the developer is responsible for making proper provision for drainage. No objection in relation to sewerage and water infrastructure capacity. They have recommended a condition requiring details of impact piling method statement, and an informative relating to minimum pressure in the design of the development
- 8.7 Crossrail have stated that they do not wish to comment on the planning application.
- 8.8 London Underground have requested detailed design and method statements to be secured by condition.
- 8.9 Network Rail have responded by stating that the developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:
- encroach onto Network Rail land
 - affect the safety, operation or integrity of the company's railway and its infrastructure
 - undermine its support zone
 - damage the company's infrastructure
 - place additional load on cuttings
 - adversely affect any railway land or structure
 - over-sail or encroach upon the air-space of any Network Rail land
 - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

These matters relate to requirements the applicant will require approval from Network Rail's Asset Protection Engineer under separate legislative processes

- 8.10 Transport for London (TfL) have stated the removal of the ability to park off street (16 spaces) is generally supported. The existing car park space will then be utilised for off street servicing and all servicing will be provided from the site. This approach is supported by TfL but at least one blue badge space should ideally be retained for the development. TfL also expect that a Delivery and Service Plan (DSP), in addition to a Construction and Logistics Plan, to be secured as part of the application. Cycle parking should comply with London Plan (2015) standards. A Travel Plan would also be required.

Internal Consultees

- 8.11 Access Officer requested clarification on a number of matters relating to inclusive design and whether the proposal would meet the requirements set out in the Council's Inclusive Design SPD. Whilst further information was provided that clarifies these matters, a condition is recommended requesting details to be provided to demonstrate how the requirements of the Council's Inclusive Design SPD are met.

- 8.12 Design and Conservation Officers expressed concerns on the submission as originally submitted in relation to height, massing, articulation and general treatment of elevations. Consequently amendments were made to the scheme addressing the above matters, and design officers recommended the use of conditions to secure a high quality design and further refine unresolved matters.
- 8.13 Energy Conservation Officer has recommended an updated Energy Strategy to be submitted demonstrating that the proposal achieves best practice energy standards, and including predicted carbon emissions, both baseline and reductions, and also reflecting the revised changes to the proposal. The development will also be required to achieve all relevant BREEAM water efficiency credits and more details should be provided as to how the cooling hierarchy has been applied.
- 8.14 Public Protection Division (Noise Team) have recommended conditions with regard to mechanical plant to mitigate the impact of noise and a Construction Environmental Management Plan given the considerable ground and renovation works proposed in order for the methods and mitigation to be carefully considered. This is covered by the Construction and Logistics Plan requested by TfL. Finally, conditions are recommended to limit the hours of use of persons on the terrace at any given time to mitigate against the impact of noise that may arise from the use of these areas.
- 8.15 Spatial Planning and Transport (Transport Officer) welcomes on-site servicing and increased number of cycle spaces. Subject to conditions and planning obligations, consider the development acceptable.
- 8.16 Street Environment Division have no objection in principle but requested further details with regard to refuse and recycling
- 8.17 Sustainability Officer considers commitment to achieving highest possible rating under BREEAM refurbishment is supported. Considers all roof areas not required for terraces and maximising of green roof areas to be explored, which is secured by condition.

Other Consultees

- 8.18 Not Applicable

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 Under the Ministerial Statement of 18 December 2014, 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

- 9.4 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

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

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| - Bunhill & Clerkenwell Core Strategy Key Area | - LV4 Local view from Archway Road |
| - Finsbury Local Plan Area: Bunhill & Clerkenwell | - LV5 Local view from Archway Bridge |
| - Central Activities Zone (CAZ) | - LV6 Local View from Amwell Street |
| - Britton Street Employment Priority Area (General) | - LV7 Local View from Dartmouth Park Hill |
| - Adjoins Farringdon/Smithfield Intensification Area | - VC5 Kenwood viewing gazebo to St Paul's Cathedral |
| - Archaeology Priority Area (Clerkenwell) | - Controlled Parking Zone Area |
| - Clerkenwell Green Conservation Area | - Crossrail Safeguarding Area |
| - LV1 View from Farringdon/Clerkenwell Rds | - Rail Safeguarding Area |
| | - Local Cycle Route |
| | - Site within 100m of a TLRN Road |

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.6 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 (Principle)
- Design, Conservation and Heritage Considerations (including Archaeology)
- Accessibility
- Neighbouring Amenity
- Sustainability
- Energy Efficiency, Renewable Energy
- Transportation and Highways
- Planning Obligations, Community Infrastructure Levy and local finance considerations
- Other Matters

Land-use

- 10.2 The existing building on the site provides for 4387 square metres (GIA) of Use Class B1 office floorspace and as a result of the proposed works would result in an uplift of 223 square metres for a total of 4610 square metres (GIA). The proposed works would also introduce 789 square metres (GIA) of Use Class A1 retail floorspace at ground and basement levels in order to introduce active frontages at ground floor level.
- 10.3 The predominant character of the area is commercial and the redevelopment of this site, which lies within the Britton Street Employment Priority Area and on the fringe of the Farringdon/Smithfield Area of Intensification, to provide an uplift in employment floor space would be consistent with the broad aims of Policies 2.10 and 2.11 of the London Plan, which seek to enhance and promote the Central Activities Zone (CAZ) as an appropriate location for office developments. Policy 4.2 of the London Plan and Policies CS7 and CS13 of the Islington Core Strategy also seek to encourage the provision of quality office accommodation in accessible locations.
- 10.4 In addition to the above, the site is located within the Historic Clerkenwell Area of the Finsbury Local Plan (Area Action Plan for Bunhill and Clerkenwell).
- 10.5 Finsbury Local Plan policy BC8 part A states that no net loss of business floor space will be permitted. Whilst the proposal involves the loss of existing office floorspace to A1/A3 uses at ground and basement floor levels, as a result of the proposed extension and alterations to the building an additional 223 square metres of B1 floor space will be provided. Therefore, the proposal will not result in the loss of any B1 floor space.
- 10.6 Part B of the same policy states that the employment floor space of a component of a development of change of use of a proposal should not be unfettered commercial office spaces but should include retail or leisure

facilities on the ground floor including A1 floor space which may be suitable for accommodation of micro and small enterprises. The proposed development, by virtue of its flexible units on the ground floor will comply with this aspect of the policy.

- 10.7 The proposed development complies with the above policy in so far as providing office floorspace on all floor levels above the ground level within the massing of the building that is appropriate in design terms, while retail areas would be located at ground floor level to provide for active frontages at this junction with some additional retail areas at basement level.
- 10.8 The incorporation of 789 square metres of ground and basement floor level retail floorspace would be consistent with policies 4.7 and 4.8 of the London Plan which seek to support a vibrant, diverse retail sector. The site is designated as a Priority Employment Area in the Finsbury Local Plan and the proposals would be consistent with Policy BC7 of that document which seeks to provide a range of employment uses, particularly office uses with retail and leisure uses at street level to create vibrancy and interest. The proposed ground floor commercial uses have been designed as separate units and subject to a condition prohibiting obscuring the shopfront glass would provide natural surveillance and an active frontage to the public elevation of the building.
- 10.9 Finsbury Local Plan Policy BC8 Part I states that *“new business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation;”*
- 10.10 The proposed office floorspace would be of flexible open-plan design; proposed floor to ceiling heights would be of a suitable 3.0m+ clearance. Access to outdoor sitting space would be provided on terraces located at fifth, seventh and ninth floor levels.
- 10.11 It is considered that the development is acceptable in land use terms with regard to the development plan and the cascade of policies from the London Plan, Islington Core Strategy, Development Management Policies, Finsbury Local Plan Action Area and accompanying site allocation, and as such would make an efficient use of this brownfield site. Its delivery would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth.

Design, Conservation and Heritage Considerations (including Archaeology)

- 10.12 Development Plan policies seek to secure sustainable development that is of high quality and contributes towards local character, legibility, permeability and accessibility of the neighbourhood. Developments should contribute to people's sense of place, safety and security. Development should have regard to the pattern and grain of spaces and streets in orientation, scale, proportion and mass and be human in scale with street level activity.

- 10.13 The delivery of high quality design including the conservation and enhancement of the historic environment is a key objective of the planning system which is to contribute to achieving sustainable development as supported by the NPPF. Sustainable development is further described as including positive improvements in the quality of the built and historic environments including but not limited to replacing poor design with better design (para 9). A core planning principle of the NPPF is to always seek to secure high quality design (para17).
- 10.14 NPPF Chapter 7 'Requiring good design' reinforces that this is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 7 also confirms that high quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development amongst other things, responds to local character and history and reflects the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation. Also, that they are visually attractive as a result of good architecture and appropriate landscaping.
- 10.15 NPPF Chapter 12 'Conserving and enhancing the historic environment' sets out the criteria for the conservation and enjoyment of the historic environment in the strategy of local plans as well as relevant criteria for assessing and determining planning applications. Consideration includes harm posed to both designated and non-designated heritage assets and their setting.
- 10.16 At the regional level, high quality design is central to all the objectives of the London Plan and is specifically promoted in chapter 7 policies. These include: policy 7.1 which sets out some overarching design principles; policy 7.6 which considers building architecture; policy 7.7 which addresses specific design issues associated with tall buildings; policy 7.8 which seeks to protect heritage assets; policy 7.11 which considers strategic landmarks and wider character; and policy 7.4 which considers local character.
- 10.17 At a local level, Core Strategy Policy CS8 states that the scale of development will reflect the character of the area, while Policy CS9 requires new buildings to be of sympathetic scale and appearance and to be complementary to local identity; the historic significance of heritage assets and historic environment will be conserved whether they are designated or not; new buildings and developments to be based on a human scale and efficiently use a site which could mean some high density development; and tall buildings are generally inappropriate. This is further supported by Development Management policies DM2.1 (Design) and DM2.3 (Heritage).
- 10.18 Layden House, developed in the 1970s, replaced a building with immense decorative interest, including, different fenestration patterns, pediments, architraves, moulded arches, decorative spandrels, arches, impost blocks, keystones, voissoirs, column capitals, column shafts, embossed and engraved elements, bottle balustrade balconies, stone bas relief decorative

elements, tabernacle frames and other decorative features. The materials used in the construction (not merely façade treatment) were high quality natural materials: faience blocks, stone and brick. The building is defined both vertically and horizontally due to the different materials used, decorative and ornamental features. It is not hostile or oppressive and has an enlivened façade which would provide shadowed elements. The existing building is a flat, monolithic building constructed in concrete with no vertical or horizontal emphasis but a grid pattern which doesn't relate to the street or surrounding buildings and has no integral hierarchy.

- 10.19 Any new building or proposed works to the existing building as is the case with the current application, should take its inspiration from the building which preceded the existing building. The conservation area guidelines state that *"Clerkenwell and Smithfield have experienced immense pressure for change. The real threat of large-scale and comprehensive development requires special policies to ensure that the tightly-built and small scale character and appearance of the area, and the variety of land uses are protected and enhanced."* More specifically it states that the *"Existing small scale plot frontages should be reflected in the design of new buildings. Where development involves long street frontages, i.e. more than 20 metres including corner sites, new buildings should be broken up to avoid a monolithic appearance and monotonous horizontality, **by varying parapet heights and designing small scale frontages.**"* The adjacent properties to the south can provide inspiration for any proposed design.

Bringing forward and staggering of front façade

- 10.20 The Conservation Area Guidelines state that *"In the 1950s and 1960s some buildings were set back for road widening schemes which have now been abandoned. On redevelopment the Council may require new buildings to be set forward to re-establish the original street line. There are examples of this in St John's Lane, Briset Street, St John Street and Turnmill Street."*
- 10.21 The reinstatement of the original street line (to the boundary of the title deed and perhaps to the depth of the basement) subject to detailed design is welcome. The revised application gives equal weight to the vertical and horizontal overall design elements and proposes horizontal brickwork, which is more appropriate than the previously vertical brickwork put forward given the site's location within the Conservation Area. Additionally, the introduction of brickwork that visually transitions from the front elevation to the existing flank via differentiations in colour/shade reduce the visual impact of the increase in the depth and height of the flank elevation.
- 10.22 The 'infilling' and 'skewing' of the fifth floor structure is acceptable as the existing flying buttresses at 5th floor appear solid when viewed at oblique angles and the building is never experienced in true elevation. As such the infilling of the floor will have little impact on the perceived mass of the building. The darker brickwork palette to differentiate this floor from the 'middle' of the building is also welcome.

10.23 The proposed front façade would now constitute a fenestration design using reconstituted stone fins to subdivide the bay openings, which would be regularly distributed across each bay (save the entrance bay). The principle of the stone fins over the brick mullions is considered acceptable, however the width and depth of each individual fin could be varied across the nine bays to provide alternative spacing and visual interest to the front façade. These design details shall be conditioned in order to further break up the front façade.

10.24 **Ground floor**

10.25 The Conservation Area Guidelines state that *“Many historic shopfronts survive which contribute to the character and appearance of the area. They should be kept. New shops where permitted need to reflect traditional design and materials such as painted timber, iron and render/stucco. Natural aluminium is not acceptable. Full guidance is given in the Council's Shopfront Design Guide.”*

10.26 The refurbishment of the existing building presents a real opportunity with the redesign to continue the fine grain detailed design of Cowcross Street along Turnmill Street and transform and uplift the character of the street. Conservation officers consider that the ground floor should be broken down in design and small blocks such as bricks or small faience blocks or (crackle) glazed tiles for example used. Smaller blocks break down the impression of size. Ideally whether or not there will be any openings along the entire length of the ground floor, it should appear that each element, like an historic shopping street, (eg Cowcross) should have its own integrity. Traditional shop front design is very useful in finding inspiration for any design as they have human scale proportions and are generally well proportioned with fascia, stallrisers, transoms and mullions and often curved features and decorative elements.

10.27 The revised design has responded to design officer concerns over the projecting bays at ground floor and these elements have been removed. The design of the ground floor is now acceptable in principle. The applicant has proposed the use of anodized aluminium panels to the soffits of the ground floor, which is acceptable. The darker brickwork palette to differentiate this floor from the ‘middle’ of the building is welcome. The gates and entrance however are utilitarian in appearance and consideration should be given to revising their design so that the overall design of the building is enhanced. The applicant may consider the use of decorative ironwork, which may for example be a design which reflects the heritage of the building or the area, and these details are to be conditioned.

Roof extension to the north at set-back 6th floor level

10.28 The extension of the half width set back at 6th floor level to the northern boundary of the building is acceptable as the extension will only be minimally visible from long views and will not further harm the character or appearance of the conservation area. As part of the amendments to the plans, the roof extension is proposed to be recessed in line with the plant

room. The bulk of the roof extension is substantially reduced as a result of these amendments and will also ensure the proposal is not visible from the ground level.

- 10.29 The applicant has demonstrated that although the application site is within a GLA Wider Setting Consultation Area and within several of Islington's Local views, the proposed height of the building is within the restrictions imposed on building heights. The site is at the edge of Islington's LV1 but as the proposal has not increased in height, it meets the requirements outlined by the Views Policy. The point at which the roof of the site would potentially be most visible is from the western part of Clerkenwell Road, but the views analysis has demonstrated that the proposed building will be less visible than the existing built form as an existing brick gable will be removed.
- 10.30 The reconfiguration of the pitched roof to a flat roof is to accommodate the lift overrun is now acceptable as it is not visible from the western part of Clerkenwell Road (The Bridge) – the LV1 view and only partially visible from views to the rear.

Extension to the rear

- 10.31 The size and bulk of the extension to the rear is acceptable. There are no openings so as to avoid overlooking to neighbours so the resulting appearance is quite simplified. However the proposed brickwork treatment which transitions from one colour or shade to another softens and enlivens the elevations and renders the design acceptable in the location proposed.

Materials

- 10.32 The Conservation Area Statement states that *"The existing character and appearance of the area depends largely on the survival of a range of vernacular building materials, such as brick, render, stone, timber windows, slate and tile roofing. It is important that new buildings and refurbishment of existing buildings blend in with and reinforce this character. Large areas of glass, curtain walling or metallic finishes, alien to the character of the area, should be avoided."* The materials' palette should ideally only include natural materials as far as possible.
- 10.33 The proposed S. Anslemo bricks are welcome as they are of good quality and complement the surrounding stock brick and red brick of the conservation area. The variations in tone are also welcome as this variation helps to visually reduce the massing of the building. Reconstituted stone is proposed for many of the architectural dressings including the window mullions. London Plan Policy 7.6 requires developments to be of the highest architectural quality and comprise of materials that complement and not necessarily replicate the local architectural character. Subject to a condition requiring details and samples of all of the proposed materials, they are considered to suitably reference and complement the traditional palette of materials in the surrounding area and are acceptable.

Strategic and Local Views

- 10.34 The site lies within the foreground of the strategic viewing corridors of Kenwood to St. Paul's Cathedral and also within Local View corridors. Planning policies exist to protect these views and resist development which blocks or detracts from them. A full appraisal of these views demonstrates that by virtue of the proposed development being below the development planes of the strategic viewing corridors they will not be blocked or adversely affected. Similarly, the analysis of local views demonstrates that the development would fall outside of the viewing plane of St. Paul's Cathedral and in most views would be obstructed by buildings in the foreground. On this basis the development would not block, detract from or have an adverse effect on any significant protected or unprotected views.

Archaeology

- 10.35 The site is located within an Archaeological Priority Area and as such was referred to Historic England (Greater London Archaeology Advisory Service), who provide advice to boroughs in accordance with the NPPF and GLAAS Charter.
- 10.36 The NPPF (Section 12) and the London Plan (2015) Policy 7.8 emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF says that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.
- 10.37 This application involves works at basement level within the Clerkenwell Archaeological Priority Area, in an area where Roman and post-medieval remains could be anticipated. Historic England (GLAAS) have advised that a condition be imposed that a watching brief should be maintained during the carrying out of these works in the basement.
- 10.38 Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that the development would not cause sufficient harm to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding.

Accessibility

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

also required by Islington Core Strategy CS12. Further, Development Management Policy DM 2.2 seeks all new developments to demonstrate inclusive design. The principles of inclusive and accessible design have been adopted in the design of this development in accordance with the above policies.

- 10.40 The provision of level access throughout the building, including terraces is considered to be fundamental to the fulfilment of this policy. The provision of wheelchair accessible lifts and accessible toilets on all floors would ensure the building offers highly accessible accommodation. Council's Access officers requested clarification on a number of matters relating to inclusive design and whether the proposal would meet the requirements set out in the Council's Inclusive Design SPD. Therefore, a condition is recommended requesting details being provided to demonstrate how the requirements of the Council's Inclusive Design SPD are met.
- 10.41 As it is not possible to provide disabled parking spaces on site, a financial contribution towards the provision of a number of a disabled drop-off bays and on-street accessible parking bays (proportionate to the scale and nature of the use) in the vicinity of the site is considered to be acceptable. Where it might not be possible to implement the accessible parking bays on the street (e.g. as a result of opposition to amending the traffic management order), the contribution would be used towards accessible transport initiatives to increase the accessibility of the area for people with mobility and sensory impairments.

Neighbouring Amenity

- 10.42 London Plan policy 7.6 is concerned with ensuring that new buildings do not cause unacceptable harm to the amenities of surrounding sensitive land uses, particularly residential buildings. At the local level, Policy CS7 of the Core Strategy prohibits new developments from overshadowing existing residential buildings and Development Management Policy DM 2.1 seeks to safeguard the amenity of adjoining residential occupiers.
- 10.43 The site is surrounded by commercial uses to the west, south and west. The nearest residential use is located to the north and north east of the site at No. 75 Turnmill Street. This property comprises of residential units and it is noted that many of these properties have bedroom and living room windows on the rear elevation, which provide the main outlook for these units.
- 10.44 The proposal includes a five-storey rear extension to the rear of the site that has been reduced in depth via amended plans. As a result of the amendments, the extension would not impact on the amenity of neighbouring properties, as it would be contained within a line of angle of 45 degrees from the pane of windows at the adjoining property. As such, it is considered that the proposed development, relative to the existing residential units, would not result in an undue or unacceptable sense of enclosure or loss of privacy that would justify refusing planning permission.

- 10.45 A number of objections also relate to the potential impact of the proposed development on daylight and sunlight receipt to neighbouring properties. Although the adjoining properties are not situated directly opposite the proposed rear extension, the applicant has still submitted a full daylight report. The BRE guidance states that loss of sunlight to existing buildings may only become an issue if some part of a new development is situated within 90 degrees of due south of a main window wall of an existing building. By virtue of the windows facing east there will be no impact on sunlight. The residential properties further to the north with south facing windows have also been assessed. The sunlight and daylight assessment demonstrates how there will be no transgressions that are not in accordance with the BRE guidelines.

Noise Mitigation

- 10.46 It is considered that a condition requiring submission of a Construction Logistics Plan will ensure that the impacts of the construction and future operation of the development on neighbouring occupiers are appropriately mitigated. This condition has also been requested by TfL with regards to the impact on the highways.
- 10.47 The proposal also incorporates in excess of 411 square metres of open terrace areas at fifth floor level. The development as submitted proposes no limit to the number of people that would use the terrace or the management of the terrace proposed. Given the size of the terrace it could potentially lead to complaints and significant impacts on amenity. The built form at fifth floor level would provide some form of buffer between the terrace area and the neighbouring residential properties to the north, however no noise assessment has been carried out to demonstrate what likely impact may arise. As such, it is considered that conditions be imposed limiting use of the external area between 8am and 7pm and requesting the submission of a Noise Management Plan detailing how the terrace areas will be managed to limit the number of persons at any one time so as to avoid any potential impact on the neighbouring amenity.

Sustainability

- 10.48 London Plan Chapter 5 policies are the Mayor's response to tackling climate change, requiring all development to make the fullest contribution to climate change mitigation. This includes a range of measures to be incorporated into schemes pursuant to Policies 5.9-5.15. Sustainable design is also a requirement of Islington Core Strategy Policy CS10. Details and specific requirements are also provided within the Development Management Policies and Islington's Environmental Design SPD, which is supported by the Mayor's Sustainable Design and Construction Statement SPG.
- 10.49 The development is located in an urban area where people can access services on foot, bicycle or public transport. It is a mixed use development satisfying key sustainability objectives in promoting the more efficient use of land, and reducing the need to travel.

- 10.50 Council Policy DM 7.4 states that “Major non-residential developments are required to achieve ‘Excellent’ under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve ‘Outstanding’. The council’s Environmental Design Guide states “Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification.”
- 10.51 The submitted application is a minor development and a refurbishment of the existing building, and as such is not required to achieve the levels sought for major developments. The development is to be assessed under BREEAM Refurbishment criteria, targeting a minimum rating of ‘Good’ with aspirations towards ‘Very Good’. Therefore, it is considered that in order for the development to be in accordance with planning policies, the proposal should aspire to meet the highest standards of design and construction. It is recommended that a condition be imposed seeking details how the BREEAM strategy has maximised the best possible rating.
- 10.52 London Plan policy 5.3 and Core Strategy policy CS10 require developments to embody the principles of sustainable design and construction. As part of this proposal consideration has been given to the use of sustainably sourced, low impact and recycled materials including low impact concrete. It is recommended that further details of the sustainability credentials of building materials be required in the form of a sustainable design and construction statement, which is to be requested via condition.
- 10.53 London Plan policies 5.10 and 5.11 seek to promote green infrastructure in major developments and policy CS10D of the Core Strategy requires existing site ecology to be protected and for opportunities to improve upon biodiversity to be maximised. The existing site is of no biodiversity or ecology value and although the building would occupy 100% of the site, thereby precluding any potential for mature tree planting, proposals to create accessible terraces with associated soft landscaping would represent an improvement over the existing situation. However, no consideration has been made for the introduction of a green/brown roof and given the size of the proposed terrace at roof level, it is considered that opportunities for a combination of outdoor terrace areas along with a green/brown roof should be explored. A condition shall be imposed for details of the proposed green roofs along with further details demonstrating that green roofs have been maximised across the site. Further, it is recommended that details of the terrace landscaping be required by condition.

Energy Efficiency and Renewable Energy

- 10.54 The London Plan and Core Strategy require development proposals to make the fullest possible contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy; be lean, be clean, be green. Policy 5.2 of the London Plan requires the submission of a detailed energy assessment setting out efficiency savings, decentralised energy options and renewable energy production.

- 10.55 Policy CS10A of Islington's Core Strategy requires all development to demonstrate that it has minimised on-site carbon dioxide emissions by using less energy through maximising energy efficiency, supplying energy efficiently using low carbon heating and cooling systems, and using on-site renewable energy regeneration. DM Policy 7.2 states that developments are required to achieve best practice energy efficiency standards, in terms of design and specification.
- 10.56 Energy Officers have stated that in order for the applicant to demonstrate that the application achieves best practice energy standards, an updated energy statement will be required to show predicted carbon emissions, including baseline and reductions, also reflecting the revised changes to the proposal. The development will also be required to achieve all relevant BREEAM water efficiency credits. An updated energy strategy is to be requested via condition demonstrating best practice energy standards have been maximised.
- 10.57 The proposal also includes the provision of active cooling. This would make use of the existing cooling system on site. Nevertheless, if the proposed works are to have active cooling, it needs to have been demonstrated that overheating has been designed out as far as possible using passive measures, and through the modelling that cooling would still be required. Therefore, more details of how the cooling hierarchy has been applied are to be provided via the updated energy strategy requested by condition.
- 10.58 Further, DM Policy 7.3B states that minor developments further than 100m from an existing network are not obliged to make a connection. The site is located approximately 360 metres away from Citigen and as such the Energy Statement does not propose connection to a shared heat network.
- 10.59 In summary, the development puts forward three options, which are an air source heat pump heating with either chilled beam cooling from the existing chiller or air source heat pump cooling, with a third option of gas boiler heating plus ASHP cooling. A final energy supply option will require to be confirmed with an emphasis on minimising CO₂ emissions and this is to be requested via an updated Energy Strategy via condition.

Highways and Transportation

- 10.60 The site is very well located in relation to public transport and has a PTAL rating of 6b, the highest rating (www.webptals.org.uk). The site lies within a mixed use and highly accessible location, being within walking distance of Farringdon Underground and Thameslink train stations and in close proximity to bus stops on Farringdon Road.
- 10.61 The development does not propose any car parking in accordance with Core Strategy Policy CS10 (Sustainable development), Part H, which requires car free development. It should also be noted that the existing car parking on the site is to be removed, which represents an improvement on the existing set of circumstances.

- 10.62 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for cycling. Development Management Policy DM8.4 (Walking and cycling), Part C requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. Therefore, a condition shall be imposed requesting details that the proposed cycle parking would adhere to the above criteria.
- 10.63 A condition requesting cyclist facilities (showers, lockers and changing areas) should be provided for staff of the office and retail uses shall also be secured in accordance with the comments provided by TfL.
- 10.64 Development Management Policy DM8.4 (Walking and cycling), Part E requires publically accessible uses (including A1, A2, A3, D1 and D2) to contribute financially to cycle parking in the public realm. This contribution is captured by Islington's CIL (Community Infrastructure Levy).
- 10.65 Storage is appropriately located within the development for both uses proposed at the front of the site at ground floor level and bins would be wheeled to the kerb-side of Turnmill Street for collection. However, no details have been submitted with regard to whether an adequate number of bins and type of bins have been provided for the extent of floorspace being proposed. Furthermore, refuse and recycling arrangements are not clear and these details along with the number and type of bins are to be secured by conditions.
- 10.66 In line with Development Management Policy DM8.6 (Delivery and servicing for new developments), Part A, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). The Council welcomes the provision of on-site servicing and delivery using the existing vehicular access into the site. This will minimise the impacts of the development on surface level kerbside activities along Turnmill Street.
- 10.67 Nevertheless, TfL have requested the submission of a delivery and servicing plan, which is to be secured by condition to ensure that the development has no adverse impact on the highway. This condition will require details to be submitted as required by Development Management Policy 8.6 and the servicing and delivery plan addressing the list of required information at section 8.39 of the Development Management Policies SPD.
- 10.68 In addition to the above conditions and section 106 obligations the following has also been secured as part of the planning application
- The provision of 2 accessible parking bays or a contribution of £4,000 towards bays or other accessible transport initiatives given 2 accessible parking bays cannot be provided on site or on street.
 - Submission of a final Travel Plan

- The repair and re-instatement of the footways and highways adjoining the development. Cost to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.

Planning Obligations, Community Infrastructure Levy and local finance considerations

Planning Obligations

- 10.69 The officer recommendation of approval is also subject to the Heads of Terms as set out in Appendix 1 – Recommendation B, to be included in a Section 106 Agreement attached to any planning permission, in order to secure compliance with planning policy and mitigate the impacts of the development on surrounding infrastructure.
- 10.70 It is considered that these contributions are necessary to make the development acceptable in planning terms; the impacts are directly related to the development and fairly and reasonably related in scale and kind to the proposals and would comply with the Community Infrastructure Levy Regulations.
- 10.71 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development. This means that the measures required to mitigate the negative impacts of this development in terms of carbon emissions, lack of accessible parking spaces and local accessibility cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset, accessible transport, highway reinstatement and local accessibility investment required to ensure that the development does not cause unacceptable impacts on the local area.
- 10.72 None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.
- 10.73 The contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this specific development. Furthermore, in the event that policy compliant on-site accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.
- 10.74 The highway and footway reinstatement requirement is also very clearly site-specific. The total cost will depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.

- 10.75 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.

CIL

- 10.76 Additionally, the Mayor's Community Infrastructure Levy CIL (currently £50 per square metres) is applicable to the application. An appropriately worded informative is recommended to draw the agent's attention to the CIL liability. 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 in the case of it being granted planning permission. In the event that the application is approved, CIL would 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).
- 10.77 The CIL contributions are calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. CIL would be payable to the London Borough of Islington following implementation of the planning consent. The following CIL contributions have been calculated for the proposed development based on the proposed amount of additional floorspace:
- Mayoral CIL - £59,327.35
 - Islington CIL - £88,569.04

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed works to the existing building to provide a mix of Class A1 retail and Class B1 office accommodation in the CAZ would be entirely appropriate in this highly accessible location. The proposed changes to the existing building would make a positive contribution to the local townscape and in terms of height, form and scale would not detract from the setting of surrounding listed buildings or the character or appearance of the conservation area.
- 11.2 The development would be sustainable and energy efficient in compliance with relevant planning policies. Subject to appropriate contributions the development would mitigate its impacts on local infrastructure. Suitable cycle storage facilities have also been secured.

- 11.3 The proposed development would not cause demonstrable harm to the amenities of any neighbouring occupiers in terms of loss of daylight, sunlight, outlook, sense of enclosure or privacy.
- 11.4 The scheme is therefore considered acceptable and recommended for approval subject to appropriately worded conditions and s106 obligations and contributions to mitigate against its impact.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. 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. Conditions surveys may be required.
2. The provision of an additional number of accessible parking bays: 2

or a contribution towards bays or other accessible transport initiatives of: £4,000.
3. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
4. All payments to the Council are to be index-linked from the date of Committee are due upon implementation of the planning permission.
5. A contribution towards Crossrail of: £36,660.

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

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

RECOMMENDATION B

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

List of Conditions

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| 1 | Commencement |
| | <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p> |
| 2 | Approved Plans List |
| | <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Nos. 1633_DWG_00_100 Rev PL2; 1633_DWG_01_001 Rev PL1; 1633_DWG_01_002 Rev PL2; 1633_DWG_01_003 Rev PL2; 1633_DWG_01_004 Rev PL2; 1633_DWG_01_005; 1633_DWG_01_006 Rev PL2; 1633_DWG_01_007 Rev PL2; 1633_DWG_01_008 Rev PL2; 1633_DWG_01_010 Rev PL2; 1633_DWG_01_011 Rev PL2; 1633_DWG_01_012 Rev PL2; 1633_DWG_01_013 Rev PL2; 1633_DWG_01_030 Rev PL2; 1633_DWG_01_031 Rev PL2; 1633_DWG_01_032 Rev PL2; 1633_DWG_00_201 Rev PL6; 1633_DWG_00_202 Rev PL6; 1633_DWG_00_203 Rev PL6; 1633_DWG_00_204 Rev PL6; 1633_DWG_00_205 Rev PL6; 1633_DWG_00_206 Rev PL6; 1633_DWG_00_207 Rev PL6; 1633_DWG_00_208 Rev PL6; 1633_DWG_00_209 Rev PL6; 1633_DWG_00_210 Rev PL6; 1633_DWG_00_211 Rev PL6; 1633_DWG_00_212 Rev PL6; 1633_DWG_00_213 Rev PL6; 1633_DWG_00_230 Rev PL6; 1633_DWG_00_231 Rev PL6; 1633_DWG_00_232 Rev PL6;</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 – Further Details Required |
| | <p>CONDITION: Notwithstanding the plans hereby approved, details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority, prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none">a) solid brickwork panel including proposed mortar mix, joint width and pointing;b) stone sample including manufacturer's details;c) window treatment (including sections and reveals);d) balustrading treatment (including sections); |

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| | <ul style="list-style-type: none"> e) detailed drawings showing the transitions in the brickwork treatment to the rear extension and flank wall to the south f) detailed drawings showing the principal entrance and service entrances g) glass samples h) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p> |
| 4 | Typical Elevations |
| | <p>CONDITION: Notwithstanding the plans hereby approved, full details of the design and treatment of the front elevation shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include different distribution options of the stone fins across the nine bays, including different widths and depths of each fin along with alternate spacing top add visual interest to the front façade.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p> |
| 5 | Inclusive Design |
| | <p>CONDITION: Notwithstanding the drawings hereby approved, prior to commencement of any works above ground level, details (including plans and sections) of the development against all relevant requirements of Islington's Inclusive Design SPD and other relevant policies and guidance shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design.</p> |
| 6 | Noise Management Plan |
| | <p>CONDITION: A Noise Management Plan (NMP) for the noise from the use of the outdoor terrace areas shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The NMP shall identify measures to reduce the impact of the noise on the community. The NMP shall be submitted and approved prior to the commencement of the use to which this consent relates. The NMP shall be fully implemented and operated at all times in accordance with the approved details.</p> |

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| | <p>REASON: To ensure that the use of the outdoor terrace areas do not have a detrimental impact on residential amenity.</p> |
| 7 | <p>Outdoor Terrace Areas – Restrictions on Use</p> |
| | <p>CONDITION: The outdoor spaces shall not be used outside the following times:</p> <p>0800-1900 hours</p> <p>REASON: To ensure that the use of the outdoor terrace areas do not have a detrimental impact on residential amenity.</p> |
| 8 | <p>Fixed Plant (Compliance)</p> |
| | <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that the operation of fixed plant does not have an adverse impact on residential amenity.</p> |
| 9 | <p>Detailed Design and Method Statements (London Underground)</p> |
| | <p>The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> - provide details on all structures - accommodate the location of the existing London Underground structures and tunnels - accommodate ground movement arising from the construction thereof - and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels. <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>REASON: In order to safeguard future transport development.</p> |
| 10 | <p>Construction Logistics Plan (CLP)</p> |
| | <p>CONDITION: No development shall take place unless and until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The approved CLP shall be adhered to throughout the</p> |

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| | <p>construction period. The CLP shall provide details of:</p> <ol style="list-style-type: none"> 1. the parking of vehicles of site operatives and visitors 2. loading and unloading of plant and materials 3. storage of plant and materials used in constructing the development 4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate 5. wheel washing facilities 6. measures to control the emission of dust and dirt during construction 7. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The report shall assess the impacts during the construction phases of the development on the Transport for London controlled Farringdon Road, nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic on Turnmill Street, local residential amenity and mitigate the impacts of the development.</p> |
| 11 | <p>Green/Brown Biodiversity Roofs</p> <p>CONDITION: Notwithstanding the plans hereby approved, a biodiversity (green/brown roofs) strategy demonstrating how green/brown roofs have been maximised across the site shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown roofs) strategy shall also include the following details:</p> <ol style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) 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.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p> |
| 12 | <p>Renewable Energy</p> <p>CONDITION: A revised Energy Strategy demonstrating that the proposal achieves best practice energy standards, including information outlining predicted carbon emissions, including baseline and reductions, how the development achieves all relevant BREEAM water efficiency credits and</p> |

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| | <p>demonstrating that overheating has been designed out as far as possible using passive measures, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by energy efficient measures/features and renewable energy are met.</p> |
| 13 | Archaeology (GLAAS) |
| | <p>CONDITION:</p> <p>A) No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.</p> <p>B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).</p> <p>C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.</p> <p>REASON: Heritage assets of archaeological interest are expected to survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results.</p> |
| 14 | Cycle Parking Provision |
| | <p>CONDITION: Notwithstanding the approved drawings, details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to the Local Planning Authority and approved in writing prior to any superstructure works commencing on site. The storage shall be covered and secure.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport, as well as to reduce opportunities for crime.</p> |
| 15 | Cycle Facilities |
| | <p>CONDITION: Details of shower and changing facilities (including lockers) that would help promote cycling as a mode of transport shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of</p> |

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| | <p>superstructure works.</p> <p>The facilities shall be installed and operational prior to first occupation of that part of the development and maintained as such permanently thereafter.</p> <p>REASON: In the interests of ensuring that sustainable forms of travel to work (cycling) is promoted and robustly encouraged.</p> |
| 16 | Refuse and Recycling |
| | <p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The details shall include:</p> <ul style="list-style-type: none"> a) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s); b) a waste management plan <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p> |
| 17 | Delivery & Servicing Plan |
| | <p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p> |
| 18 | No Plumbing or Pipes |
| | <p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the external elevation(s) of the building hereby approved.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p> |
| 19 | Roof-Top Plant & Lift Overrun |
| | <p>CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any</p> |

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| | <p>superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <ul style="list-style-type: none"> a) roof-top plant; b) ancillary enclosures/structure; c) lift overrun; and d) photovoltaics <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 good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p> |
| 20 | No Obscuring of Ground Floor Frontage |
| | <p>CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.</p> <p>REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.</p> |
| 21 | Piling Method Statement – Thames Water |
| | <p>CONDITION: No 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: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.</p> <p><i>The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</i></p> |

List of Informatives:

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| 1 | S106 |
| | <p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p> |

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| 2 | Superstructure |
| | <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 | Community Infrastructure Levy (CIL) (Granting Consent) |
| | <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay 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:</p> <p>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 unidentified pre-commencement conditions have been discharged.</p> |
| 4 | Thames Water |
| | <p>INFORMATIVE: 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> |
| 5 | Car-Free Development |
| | <p>INFORMATIVE: 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.</p> |
| 6 | Roller Shutters |
| | <p>ROLLER SHUTTERS: The scheme hereby approved does not suggest the installation of external roller shutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external roller shutters to be a material alteration to the scheme and therefore constitute development. Should external roller shutters be proposed a new planning application must be submitted for the council's formal</p> |

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| | consideration. |
| 7 | GLAAS |
| | The written scheme of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs. |
| 8 | GLAAS |
| | <p>A watching brief involves the proactive engagement with the development groundworks to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.</p> <p>The watching brief should be focussed on the major ground reduction and particularly on the possibility of encountering Roman burials on the edge of Londinium's western cemetery. Where parts of the site can be 'written off' as a result of deep modern disturbance the watching brief could be discontinued in those areas.</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.

Since March 2014 Planning Practice Guidance for England has been published online.

2. 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, Consolidated with Alterations since 2011

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 2.5 Sub-regions

Policy 2.9 Inner London

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 2.14 Areas for regeneration

Policy 2.15 Town centres

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.17 Health and social care facilities

Policy 3.18 Education facilities

Policy 3.19 Sports 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 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

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 5.21 Contaminated land

6 London's transport

Policy 6.1 Strategic approach

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

Policy 6.14 Freight

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

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 4.10 New and emerging economic sectors
Policy 4.11 Encouraging a connected economy
Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.4 Retrofitting
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies

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

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)

Policy CS14 (Retail and Services)
Policy CS16 (Play Space)
Policy CS17 (Sports and Recreation Provision)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS13 (Employment Spaces)

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
DM2.4 Protected views
DM2.5 Landmarks

DM6.6 Flood prevention

Energy and Environmental Standards

Shops, culture and services

DM4.1 Maintaining and promoting small

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

and independent shops
DM4.8 Shopfronts
DM4.12 Social and strategic infrastructure and cultural facilities

Employment

DM5.1 New business floorspace
DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development
DM6.2 New and improved public open space
DM6.3 Protecting open space
DM6.4 Sport and recreation
DM6.5 Landscaping, trees and biodiversity

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

BC7 Historic Clerkenwell
BC8 Achieving a balanced mix of uses

BC9 Tall Buildings and contextual considerations for building heights
BC10 Implementation

3. Designations

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

- Bunhill & Clerkenwell Core Strategy Key Area
- Finsbury Local Plan Area: Bunhill & Clerkenwell
- Central Activities Zone (CAZ)
- Britton Street Employment Priority Area (General)
- Adjoins Farringdon/Smithfield Intensification Area
- Archaeology Priority Area (Clerkenwell)
- Clerkenwell Green Conservation Area
- LV1 View from Farringdon/Clerkenwell Rds
- LV4 Local view from Archway Road
- LV5 Local view from Archway Bridge
- LV6 Local View from Amwell Street
- LV7 Local View from Dartmouth Park Hill
- VC5 Kenwood viewing gazebo to St Paul's Cathedral
- Controlled Parking Zone Area
- Crossrail Safeguarding Area
- Rail Safeguarding Area
- Local Cycle Route
- Site within 100m of a TLRN Road

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Inclusive Design in Islington
- Streetbook
- Inclusive Landscape Design
- Planning Obligations (Section 106)
- Islington Urban Design Guide
- Conservation Area Design Guidelines
- Development Viability SPD
- Basement SPD

London Plan

- Accessible London: Achieving and Inclusive Environment
- Control of Dust and Emissions during Construction and Demolition
- Sustainable Design & Construction
- Use of Planning Obligations in the funding of Crossrail, and the Mayoral Infrastructure Levy
- London View Management Framework
- Planning for Equality and Diversity in London