

# PLANNING COMMITTEE REPORT

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

<b>PLANNING COMMITTEE</b>		
<b>Date:</b>	13October 2016	<b>NON-EXEMPT</b>

Application number	P2016/1655/FUL
Application type	Full Planning Permission
Ward	Bunhill
Listed building	None
Conservation area	None (adjacent to Bunhill Fields/Finsbury Square CA)
Development Plan Context	Central Activities Zone, Central London Special Policy Area, City Fringe Opportunity Area, Archaeological Priority Area, Employment Priority Area (General),
Licensing Implications	None
Site Address	36 - 44 Tabernacle Street, Islington, London, EC2A 4DT
Proposal	Partial demolition of existing four storey B1(a) office building, and construction of a new part 5, part 6 storey 2369sqm B1(a) office building.

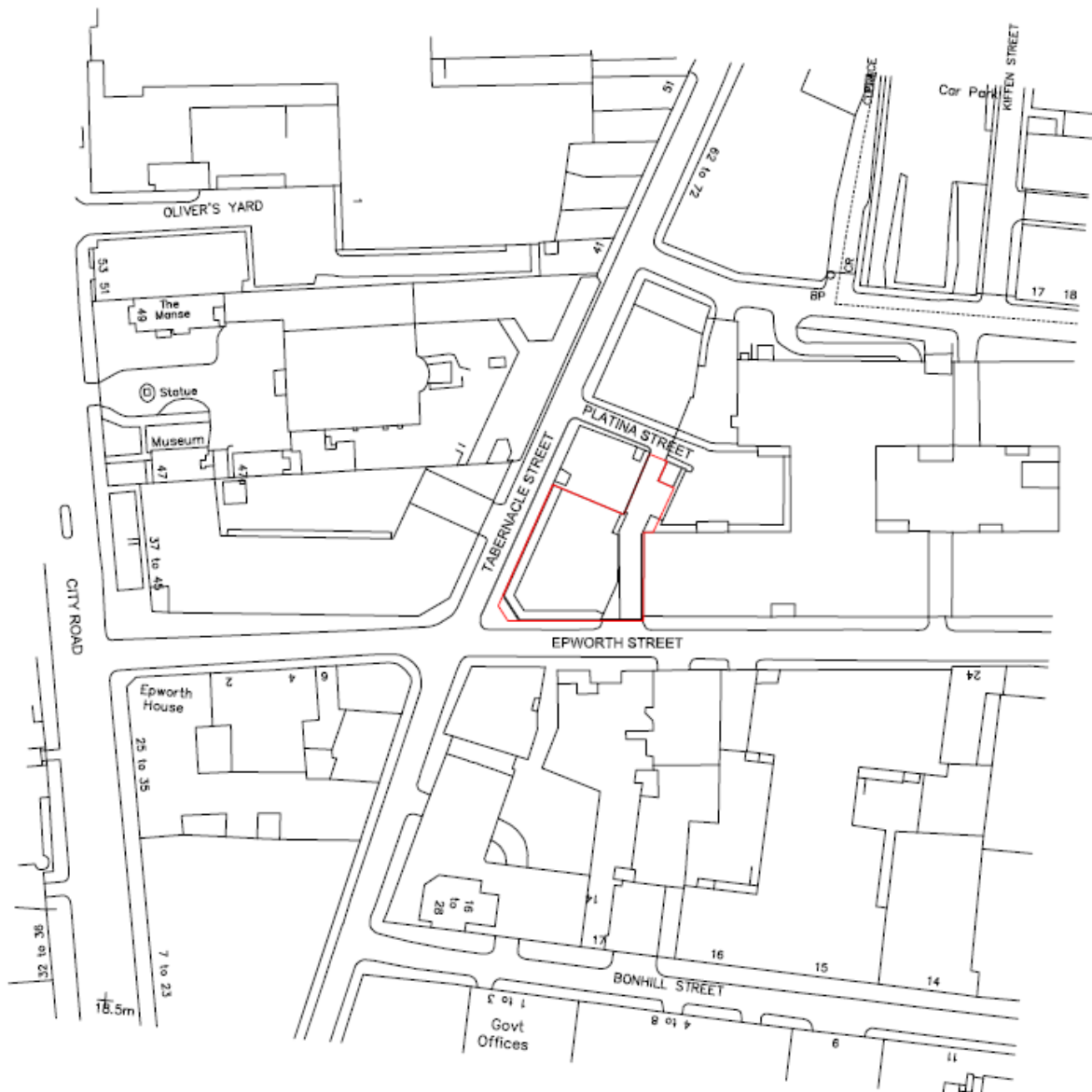
Case Officer	Colin Leadbeatter
Applicant	Mr Cormac Dolan
Agent	Mr Kieran Rafferty

## 1. RECOMMENDATION

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

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

## 2. SITE PLAN (SITE OUTLINED IN RED)



### 3. PHOTOS OF SITE/STREET



Fig 1: The site viewed from the corner of City Road and Epworth Street



Fig 2: The site





Fig 3: Looking North along Tabernacle Street



Fig 4: Epworth Street



Fig 5: Epworth Street

#### 4. SUMMARY

- 4.0 The subject site comprises a post-war four-storey office building and is located on the eastern side of Tabernacle, on the junction with Epworth Street. The existing building is bordered by the Bunhill Fields/Finsbury Square Conservation Area. The site is located within the Bunhill Ward.
- 4.1 The proposal involves the substantial demolition and refurbishment of the existing office building, including new façade treatments and fenestration as well as an extension at roof level.
- 4.2 The proposed development is considered to be of a high quality of design, resulting in an improved building line in relation to adjoining buildings. The proposal relates better to the surrounding area and improves the setting of the adjacent conservation area and locally listed buildings. Subject to appropriate conditions on details and materials as well as a maintenance strategy (s106) and details of affordable workspace provision (s106), the proposal is acceptable in design and heritage terms and in accordance with London Plan Policy 7.6, Policy CS7 of the Islington Core Strategy, Development Management Policies DM2.1 and DM2.3 as well as Policies BC3 of the Finsbury Local Plan.
- 4.3 The transport and amenity impacts resulting from the development have been suitably minimised and are considered acceptable subject to appropriate conditions. The resulting building is considered to be inclusively designed and is considered to meet sustainability objectives, in accordance with relevant planning



policy. Finally, the applicant has agreed to pay contributions towards social and physical infrastructure, notably towards affordable housing and carbon offsetting.

## **5. SITE AND SURROUNDINGS**

- 5.1 The application site is currently occupied by a 4 storey, modern, curtain- wall glazed office (Use Class B1a) building on the corner of Tabernacle Street and Epworth Street comprising 1076m<sup>2</sup> GIA floorspace.
- 5.2 The ground floor of the building conforms to the Tabernacle Street building line and sits marginally in front of the adjoining building on Epworth Street whilst the upper storeys of the building are set back. There is an external yard area to the rear of the building, with vehicular access onto Platina Street to the north and Epworth Street to the south.
- 5.3 Bounding the site to the north is the locally listed office building at 46- 50 Tabernacle Street. Maple House lies directly to the west and, to the north of this, 39 Tabernacle Street, a modern glazed office building with an open ground floor which makes visible the Grade I and II\* listed Wesley's Chapel complex. To the south on Epworth Street is a 4 storey office building and 10 Epworth Street which is a residential building. Directly to the east is a 3/4 storey office building.
- 5.4 The building is not within, but is bounded on 3 sides, by the Bunhill Fields and Finsbury conservation area. The site is also within an Archaeological Priority Area.
- 5.5 Building age in the vicinity varies. Building heights are between 5 and 6 storeys and buildings are generally set back above 4th or 5th storey level.

## **6. PROPOSAL**

- 6.1 The proposal involves the substantial demolition and extension/refurbishment of the existing office building, including new façade treatment and fenestration, improvements to all elevations as well as an extension to the south of the site and an additional two additional storeys at roof level. The proposed use of the building is as B1(a).

## **7. RELEVANT HISTORY:**

**P052343** - Change of use of the whole building/ground - third floor from training centre (D1) to offices (B1). Approved 14/11/2005

**P050889** - Certificate of lawfulness in connection with existing D1 (training centre) use providing IT training to business and individuals, with ancillary office space. Approved 28/04/2005

**P050577** - Change of use from Class B1 Business (office) use to D1 Non-Residential Institution (training centre) use. Regularisation of existing unauthorised use. Refused 14/04/2005.

## 8. PRE-APPLICATION ADVICE

- 8.1 The proposal went through pre-application discussions, which focused largely on the proposed land use and the design of the proposal and its relationship to the Conservation Area. The following points were discussed at pre-application stage:
- size, massing and design of the roof extension;
  - façade treatment;
  - land use
- 8.2 The design of the proposal has been significantly improved as a result of the pre-application process, though further improvements, listed above and discussed elsewhere in this report, have been made to the proposal during the application process. At pre-application stage, land use, transportation, sustainability and energy as well as section 106 contributions were discussed.
- 8.3 Design Review Panel; the scheme was not presented to the Design Review Panel.

## 9. CONSULTATION

### Public Consultation

- 9.1 Letters were sent to occupants of 139 adjoining and nearby properties on Tabernacle Street, Paul Street, City Road, Epworth Street, Clere Street and Bunhill Street on the 3<sup>rd</sup> June 2016. Site notices and press adverts were displayed on the 3<sup>rd</sup> June 2016. The public consultation of the application therefore expired on the 29<sup>th</sup> August 2016, however it is the council's practice to continue to consider representations made up until the date of a decision.
- 9.2 At the time of the writing of this report three responses had been received. The letters were from occupants of a neighbouring sheltered housing development, who raised concerns regarding:
- Construction noise (see condition 10)
  - Noise from air-conditioning units (see condition 12)
  - Overlooking and loss of privacy (see para 11.23)
  - Overshadowing (see para 11.23)
  - Impact on the character of the area (see para 11.15)

### External Consultees

- 9.3 Transport for London (TfL) Initially raised an objection with regard to cycle parking provision, however withdrew this objection upon submission of updated information.
- 9.4 London Fire and Emergency Planning Authority raised no objection to the proposal.

- 9.5 Thames Water raised no objection to the proposal subject to specific informatives on waste, surface water drainage and water.
- 9.6 The Metropolitan Police were consulted on the application. No objection was raised subject to access control details being provided (these will be required as part of the Site Management Plan and secured by legal agreement).

### **Internal Consultees**

- 9.7 Inclusive Design Officer raised no objections to the proposals subject to conditions of consent and s106 heads of terms to secure:
- The provision of storage and charging facilities for mobility scooters;
  - Accessible cycle storage; and
  - Accessible shower and toilet facilities.
- 9.8 Design and Conservation Team Manager confirmed that the scheme has been developed following extensive pre-application with the design team. The issues raised at pre-application have been addressed, and no objection has been raised with regard to the current proposals.
- 9.9 Energy Conservation Officer commented (after receipt of amended information) that all of the matters initially raised had been addressed, and that the proposals were acceptable, subject to appropriate conditions on energy and carbon reduction.
- 9.10 Transport considered the proposals to be acceptable, with more details required by condition and a Travel Plan required by legal agreement.
- 9.11 Team Manager (Highways Maintenance) raised no objection to the proposals.
- 9.12 Sustainability Officer advised that the scheme was supported, subject to appropriate conditions.
- 9.13 Planning Policy supported the proposal on the understanding that an element of affordable workspace, or space suitable for SME's was provided.

## **10 RELEVANT POLICIES**

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

### **National Guidance**

- 10.1 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. Since March 2014 planning practice guidance for England has been published online.
- 10.2 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).

10.3 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via

- Written Ministerial Statement issued 25th March 2015
- Deregulation Bill (amendments to Building Act 1984) – to enable 'optional requirements'
- Deregulation Bill received Royal Assent 26th March 2015

### **Development Plan**

10.4 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Islington Development Management Policies 2013 and the Finsbury Local Plan 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

### **Designations**

10.5 The site has the following designations under the London Plan 2011 and the Islington Local Plan:

- |   |                                      |
|---|--------------------------------------|
| - Adjacent to Bunhill Fields and Finsbury Square CA | - Employment Priority Area (General) |
| - City Fringe Opportunity Area                      | - Archaeological Priority Area       |

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

10.6 The SPGs and SPDs which are considered relevant are listed in Appendix 2.

## **11 ENVIRONMENTAL IMPACT ASSESSMENT**

10.1 EIA screening/scoping is not required. The proposal is not considered to fall within the regulations requiring an EIA.

## **12 ASSESSMENT**

12.1 The main issues arising from this proposal relate to:

- Demolition of buildings (or parts of) within a Conservation Area
- Design and Conservation
- Neighbour amenity
- Transport and Access
- Sustainability and energy efficiency

- Planning Obligations

### **Land Use**

- 11.2 London Plan Policies 2.10 and 2.11 encourage development proposals to maximize office floorspace within the Central Activities Zone and seek solutions to constraints on office provision and other commercial development imposed by heritage designations without compromising local environmental quality. Moreover, Policy 4.2 of the London Plan encourages the renewal and modernisation of the existing office stock in viable locations.
- 11.3 Islington Core Strategy Policy CS7 states that employment development within Bunhill and Clerkenwell will contribute to a diverse local economy, which supports and complements the central London economy. Moreover, Policy CS13 encourages new employment floorspace to locate in the CAZ where access to public transport is greatest, and for new office provision to be flexible to meet future business needs. The site is in a highly accessible location and the proposed office accommodation has been designed so that it can be let either to a single occupant, multi-let by floor or let to multiple occupiers on each floor, however the applicant suggests the end user will likely be a 'shared workspace' provider.
- 11.4 36 Tabernacle Street falls within an Employment Priority Area (General) as designated by Policy BC8 of the Finsbury Local Plan (FLP). The application site also falls within the area covered by FLP Policy BC3. The policy states that proposals at this location should exhibit a scale, massing and design, which enhances neighbouring heritage assets, while incorporating design measures that enhance the biodiversity value of adjacent areas. Moreover, a range of retail, leisure and community facilities on ground floor frontages facing City Road and Old Street are encouraged in order to create activity and vibrancy.
- 11.5 The application involves substantial demolition, refurbishment as well as an additional two storeys at roof level, and an extension to the south of the application site. This will lead to a net increase of 1,061sqm of office B1(a) floorspace. Policy BC8 of the FLP requires proposals to incorporate the maximum amount of business floorspace reasonably possible on site. There are constraints on the site related to design and conservation issues, which impacts the ability to provide further additional business floorspace. Given this, it is considered that the proposed amount of business floorspace has indeed been maximised, taking into account physical and policy constraints.
- 11.6 Part B of Policy BC8 states that the employment floorspace component of a development should not be unfettered office (B1a) use and must, where appropriate, include retail or leisure uses at ground floor alongside specified other uses such as non-B1 business or business-related floorspace (e.g. workshops, galleries); and/or small retail units/offices; and/or affordable workspace. The proposed legal agreement would include a clause requiring details of an area of 118m<sup>2</sup> of floorspace to be provided that would be suitable for SME's, in order to meet this policy requirement.
- 11.7 Part D of the Policy states that where major development proposals result in a net increase in office floorspace, housing should be included. If the proposed housing

comprises less than 20% of the total net increase in office floorspace, an equivalent off-site contribution will be sought. In this case, the policy position is clear and the requirement applies to the specific office (B1a) floorspace proposed in the application (1,061sqm), using the formula in the draft Planning Obligations SPD. The application thus includes a contribution towards the provision of affordable housing off-site of £84,880.

- 11.8 Although a completely new building is not proposed in this application, there is substantial refurbishment and redevelopment and extension proposed with a significant increase in office floorspace.
- 11.9 The proposed substantial demolition, refurbishment of and extension to 36 Tabernacle Street for office use is considered to be acceptable in land use terms, and to accord with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8.

### **(Partial) Demolition of a Building**

- 11.10 On the 1st October 2013, the Government brought in (under various legislature made under the Enterprise and Regulatory Reform Act 2013 (ERRA)) the removal of Conservation Area Consent requirements.
- 11.11 This legislation abolishes the need for conservation area consent where a full planning permission application is made under the Town and Country Planning Act 1990; and consequently the demolition of unlisted buildings in conservation areas will no longer be permitted development under Part 31 of the GDPO (General Permitted Development Order).
- 11.12 In this regard, Development Management Policy DM2.3 states that new developments within Islington's conservation areas and within the setting of heritage assets are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. It is within this policy context that the partial demolition of the subject building is assessed.
- 11.13 It is considered that the existing building has a negative impact upon the character and appearance of the Bunhill Fields and Finsbury Square Conservation Area and the wider townscape character. This is principally due to the use of materials and the approach to the building line, arrangement and height of the building. As no part of the building proposed to be demolished is considered to make a positive contribution to the character and appearance of the adjacent Conservation Area, its demolition is considered to be acceptable.

### **Design, Conservation and Heritage Considerations (including Archaeology)**

- 11.14 The design and appearance of successful development proposals is determined by area-specific and borough-wide objectives for good quality design. As such, Policy DM2.1 states that all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Moreover, Policy CS7 of the Islington Core Strategy states that the character-defining attributes of Bunhill and Clerkenwell will

be protected and enhanced. Finally, Policy DM2.3 on heritage encourages development that makes a positive contribution to Islington's local character and distinctiveness.

- 11.15 34-44 Tabernacle Street is very sensitively located. It adjoins a locally listed building at 46-50 Tabernacle Street and the Bunhill Fields/Finsbury Square Conservation Area. It also lies opposite the Wesley's Complex which comprises several important heritage assets, including 2 Grade I listed buildings (Wesley's Chapel and John Wesley's house), a Grade II\* listed building (the tomb of John Wesley) and several Grade II listed buildings.
- 11.16 The local area is characterised by a diverse mixture of building styles including a number of famous and historic buildings and open spaces possessing a special character. While buildings of quality are largely scattered, there is a special cohesive character of Edwardian grandeur and Victorian commercialism, which relates well to the spaces and streets because of its scale, materials and ornament.
- 11.17 The building is currently characterised by large areas of dead frontage with poor access arrangements. The existing building is comprised of a glazed cube at an obtuse angle set above a ground floor plinth which occupies the majority of the site. The building relates very poorly to the adjacent buildings, with little respect to the historic building line of Tabernacle Street.
- 11.18 The proposal is designed to relate to the site's context and the neighbouring properties. While the frame of the existing building is to be largely retained, a number of significant alterations and additions are proposed in order to improve the building's design and its setting. First of all, the proposal includes normalising of the building line to the principal elevations in order to unify them with the rest of the street. The proposed elevational treatment would be brick based, more in keeping with the Georgian and Victorian makeup of the area, which is considered to be a great improvement over the unsympathetic glazed form of the existing building.
- 11.19 The main body of the proposed development would be 5 storeys in height, with an additional set-back storey at 5<sup>th</sup> floor level (G + 5) making an overall 6 storey height. The main bulk of the proposed building would match the parapet line of 46 – 50 Tabernacle Street, and the overall height of the development would be similar to that of 30- 34 Tabernacle Street. It is considered that the proposed height of the development is acceptable in design and streetscape terms, and would create a positive contribution to the area.
- 11.20 The proposed materials and design of the development have been drawn primarily from the Victorian buildings which are adjacent to the building, with London Stock brick facades, detailed risers and cross beams, including recessed brickwork and windows featuring deep reveals. The proposed windows would have a slim profile, with the ground and first floors appearing to be 'double height' by the introduction of a horizontal metal beam separating the floors. The addition at roof level would be glazed, with an expressed metal frame, adding a contemporary element to the building. However, the addition at roof level would be set back and would not be readily visible from street level, unless from long views. The proposed design of the building is considered to be acceptable, in keeping with surrounding properties and the adjacent Conservation Area, however a condition seeking details and samples of all facing materials would be added to any granting of planning permission.



11.21 The Design & Conservation Team are supportive of the proposal considering it is well designed and would significantly improve the setting of the adjacent Conservation Area and neighbouring heritage assets. The design and appearance of the proposed development is considered to be high quality, to enhance the character and functioning of the area and to better reveal the significance of heritage assets in the immediate area.

### **Neighbouring Amenity**

11.22 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and the potential for an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to assessment against London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1, which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.

11.23 Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

11.24 The daylight/sunlight assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.

11.25 **Daylight:** the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

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

The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

11.26 **Sunlight:** the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period; and

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

11.27 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasises that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

**Vertical Sky Component (VSC)**

11.28 The impact of the development on light received by neighbouring properties at 27, 30-34, 37-39, 46-50 and 52 -58 Tabernacle Street, 10 and 13-17 Epworth Street and 37-45 City Road. Of these properties, no.10 Epworth Street is confirmed as being a building in residential use.

11.29 All windows pass the Vertical Sky component of the test with the exception of 14 windows at 10 Epworth Street where a total of 88 windows were assessed.



**Figure 1; Windows 126 -128, 130, 132 and 134 at 10 Epworth street**

11.30 Windows 126 to 128 130, 132 and 134 are thought to serve bedrooms. The VSC results are shown below demonstrating that they fail to achieve 27% VSC. The percentage loss from the former VSC value is also indicated.

Window	VSC%	% loss
126	16.1	8.5
127	19.4	10.2
128	23.6	10
130	17.9	7.6
132	21.1	9.2
134	25	9

- 11.31 It is acknowledged that there is a failure of the traditional current BRE tests for VSC and these would affect bedroom windows which face onto the highway. There would be further reductions from the current levels but these would still be within BRE margins. However, in this instance, these units are managed by Habinteg Housing Association which provides accessible accommodation specifically for disabled people. It may be expected that these residents could spend more time within their rooms and not have the flexibility to move around their flat thus making any loss of light that much more significant. The normal BRE guidance that explains that daylight in bedrooms is less important than in other habitable rooms is therefore not thought to apply in this instance as bedrooms should be treated as being of equal importance.
- 11.32 Further analysis confirms that windows 154 to 157 and windows 189 to 192 at 10 Epworth Street are already obstructed by overhanging deck access walkways on the main street elevation. The BRE guide acknowledges that existing windows with balconies or existing obstructions above them typically receive less daylight because the existing obstruction already restricts light. In such cases even a modest obstruction can result in a large impact on VSC. The submitted study has made an analysis on the basis of the impact of the proposed development if the overhanging balconies are removed. This indicates that the windows pass the VSC test, confirming that it is the existing balconies that prevent the test being met rather than an unreasonable level of obstruction caused by the development.
- 11.33 Notwithstanding this, the percentage loss in daylighting and the infringement of the BRE guidance is not considered to be significant and whilst there may be some appreciation of loss, this requires a balance to be struck between the more efficient use of the building (including provision of new office space) and securing townscape improvements and repair of the street frontage.
- 11.34 Objections have also been raised with regard to possible overlooking to residents at 10 Epworth Street. While there could be an increase in overlooking from upper levels due to the proposed building stepping forward and the creation of additional storeys, it is considered that as the offices will predominantly be in use during the day, and there already is an existing office, that this increase would be negligible. It is also noted that as the building in question is located across a highway (para 2.14 of the supporting text to DM policy 2.1) that overlooking across a public highway does not constitute an unacceptable loss of privacy.
- 11.35 Noise impacts as a result of the development would be subject to suitably worded conditions requiring any noise from plant or equipment to be minimised. In addition, the impacts of construction would be controlled by a Construction Management Plan secured through condition.

### **Transport and Servicing**

- 11.36 The application site is in a central London location, with very good links to public transport and a Public Transport Accessibility Level of 6b, the highest rating. The existing office building includes a service and delivery yard but the applicant has stated that this has ceased to be used and that all delivery vehicles currently serve the site on-street from Tabernacle Street.

- 11.37 Tabernacle Street is a one-way single carriageway road which is approximately 4.7m in width and accommodates some on-street parking on the eastern side which reduces the effective width to approximately 2.7-2.9m in places. Vehicles are therefore required to give-way to other vehicles at these points.
- 11.38 Epworth Street is a one-way single carriageway road approximately 5.1m in width and accommodates on-street parking on the northern side which reduces the effective width to approximately 3.1-3.3m.
- 11.39 The applicant proposes to retain the existing vehicle access to the site from Epworth Street and Platina Street reducing the existing delivery yard in size but retaining it with cycle parking facilities (38 cycles) and bin storage.
- 11.40 There will be a potential increase of up to seven daily delivery vehicles as a result of the increase in floor area. Policy DM8.6 encourages all delivery and servicing to be off-street, particularly for commercial development of over 200sqm. However, it is considered that the existing loading areas on Tabernacle Street would be able to satisfactorily accommodate demand from service vehicles. Delivery vehicles will continue to use the eastern area of kerbline on Tabernacle Street. This area is approximately 27m in length and is therefore able to accommodate multiple vehicles at any given time including transit/panel vans and 10m rigid vehicles. Larger vehicles (>5 tonnes) will only be able to serve the site during the permitted periods midnight-08:00 and 18:30-midnight. Refuse vehicles will continue to serve the site from Epworth Street as at present.
- 11.41 In this regard the proposal meets the objectives of Core Strategy Policy CS10, which aims to encourage sustainable transport choices by maximising opportunities for walking, cycling and public transport use. This is further reinforced by Development Management Policy DM8.2, which requires new developments to maximise safe, convenient and inclusive accessibility to, from and within developments for pedestrians, cyclists and public transport users. Though the proposal meets these objectives in principle, further details regarding site management arrangements would be required by condition to ensure delivery and servicing arrangements would have no significant negative impact on the amenity of neighbouring residential occupiers.
- 11.42 The application includes a dedicated cycle storage facility that can accommodate 38 cycles and associated end of trip facilities including a shower. The provision is in line with the amount required as a result of the increase in floorspace proposed and is in line with current Islington policy.
- 11.43 The proposal would not give rise to any unacceptable impacts on transportation or the highway network and is considered to be acceptable, in accordance with relevant Islington Core Strategy Policy CS10 and Development Management Policies DM8.2 and DM8.6 subject to conditions and clauses within the s106 legal agreement.

### **Accessibility**

- 11.45 The relevant policies are 7.2 of the London Plan 2011 and Development Management Policy DM2.2, which seeks inclusive, accessible and flexibly



designed accommodation throughout the borough. The London Plan Policy requires all new development in London to achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.

- 11.46 Islington's Development Management Policies require all developments to demonstrate that they provide for ease of and versatility in use; that they deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. Any development needs to be assessed against this policy background to ensure that they are genuinely inclusive from the outset and remain so for the lifetime of the development.
- 11.47 The proposal has been amended since the initial submission and now includes level access throughout and appropriately sized lifts to enable access to all parts of the building for those with mobility impairments. The new office floorspace would also include accessible toilet and shower facilities. All inclusive design features would be secured by condition to ensure that they are provided for the lifetime of the development, in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.

### **Sustainability and Energy Efficiency**

- 11.48 The London Plan (adopted July 2011) Policies 5.1 and 5.2 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 11.49 Islington's Core Strategy Policy CS10 'Sustainable Design' requires all developments to minimise on-site carbon dioxide emissions and sets an overall target for all development to achieve a 40% reduction in comparison with total emissions from a building that complies with Building Regulations 2006, unless it can be demonstrated that such a target is not feasible. This translates to a 30% reduction in comparison with total emissions from a building that complies with Building Regulations 2010.
- 11.50 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires for development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details and specifics are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

- 11.51 Development Management Policy DM7.4 requires the achievement of BREEAM 'Excellent' on all non-residential major development. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards. While the applicants have committed to achieving a BREEAM rating of 'Very Good', the pre-assessment which accompanies the application demonstrates that the building would achieve a very high score, almost achieving an 'Excellent' rating. The BREEAM methodology assesses developments on the basis of credits for a set of performance criteria covering issues such as energy, transport, water materials, waste, pollution, health and well-being, management and ecology.
- 11.52 The recommendation includes a requirement to submit additional details (via planning conditions) in relation to:
- Green roofs;
  - Sustainable urban drainage systems;
- 11.53 Evidence has been provided to demonstrate that neither connection to a district heat network nor an on-site CHP is feasible. Nevertheless, the proposal still results in a carbon reduction of 30% below a Building Regulations compliant building. This is achieved through providing a significantly more energy-efficient building including improved insulation and an efficient gas boiler. All energy and sustainability measures would be suitably conditioned to ensure that the development complies with relevant planning policies, in particular London Plan Policy 5.2, Islington Core Strategy Policy CS10 as well as Development Management Policy DM7.1 and 7.4.
- 11.54 The applicant has agreed to pay a CO2 off-setting contribution to bring the extensions carbon dioxide emissions down to zero, addressing policy CS10A.

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

- 11.55 The proposal seeks to increase the amount of floorspace through extensions and layout changes. The additional capacity would accommodate additional employees and those additional people would introduce impacts on the surrounding infrastructure that must be mitigated.
- 11.56 The heads of terms that have been agreed with the applicant would suitably mitigate any impacts of the development. They are considered to be fairly and reasonably related in scale and kind to the scale and nature of the proposals. 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. The full list of contributions is set out at Appendix 1 of this report.
- 11.57 These obligations sought by the Council satisfy the statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (and paragraph 204 of the NPPF), as set out below:
- Necessary to make the development acceptable in planning terms
  - Directly related to the development; and

- fairly and reasonably related in scale and kind to the development.

### **National Planning Policy Framework**

- 11.58 It is recognised that the proposal would introduce significant benefits, which would considerably outweigh any potential disbenefits. The proposal seeks to provide the maximum increase in office floorspace achievable given the site context and heritage constraints.
- 11.59 The NPPF sets out 12 core planning principles that should underpin decision-taking. Of these, the current proposal is particularly strong in relation to the economy, heritage, design, effective reuse of brownfield land and sustainable transport. With regard to the 3 dimensions of sustainable development, the current proposal is particularly relevant to the economic roles of the planning system, i.e. contributing to building a strong, responsive and competitive economy.
- 11.60 Thus, the proposal is considered to be compliant with the NPPF's planning policies regarding building a strong, competitive economy (section 1) promoting sustainable transport (section 4), good design (section 7), meeting the challenge of climate change (section 10) and conserving and enhancing the historic environment (section 12).
- 11.61 The proposal is considered to support the growth of the economy in an appropriately accessible location, significantly improving the quality of design of the existing building and the quality and historic environment. The proposal is considered to represent a sustainable development and to accord with the aims of the NPPF and is therefore recommended for approval.

## **12 SUMMARY AND CONCLUSION**

### **Summary**

- 12.1 The proposal involves the substantial demolition (leaving only the shell of the existing building) and refurbishment of the existing office building, including new façade treatment and fenestration, improvements to the front elevation and landscaping as well as a two storey extension at roof level, and a full height extension to the south.
- 12.2 The proposed refurbishment of, and extension, to the existing premises maximises the commercial floorspace on site and would provide an active frontage at ground floor level and thus is considered to be acceptable in land use terms, (with a financial contribution secured in lieu of housing being provided within this office uplift scheme) in accordance with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8.
- 12.3 There are marginal losses of sunlight and daylight to the residential units at 10 Epworth Street but these are not considered to be severe and, on balancing the townscape and other benefits against the sunlight and daylight losses the harm is accepted.

- 12.4 The proposed development is a high standard of design resulting in a building which relates significantly better to its surroundings than the existing building and improves the setting of adjoining period properties and heritage assets. The building is accessible and inclusive in its design and subject to appropriate conditions on details and materials as well as maintenance strategy, the proposal is acceptable in terms of accessibility, design and heritage terms and in accordance with London Plan Policies 7.2, 7.6, Policy CS7 of the Islington Core Strategy, Development Management Policies DM2.1 and DM2.3 as well as Policies BC3 of the Finsbury Local Plan.
- 12.5 The transport and amenity impacts resulting from the development have been suitably minimised and are considered acceptable subject to appropriate conditions. The resulting building is considered to meet important sustainability objectives, in accordance with relevant planning policy. Finally, the application includes contributions towards social and physical infrastructure, notably towards affordable housing and carbon offsetting.

### **Conclusion**

- 12.6 The application would deliver a high quality scheme that is in accordance with planning policy. It is thus recommended that planning permission be APPROVED 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 Area Team Leader:

- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1

Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/15). If these placements are not provided, LBI will request a fee of £5000.

- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £1061, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of an additional number of accessible parking bays: 2, or a contribution towards bays or other accessible transport initiatives of £4000.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: £69,276.00.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.

- Submission of a Green Performance Plan.
- Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council’s legal fees in preparing the S106 and officer’s fees for the preparation, monitoring and implementation of the S106.
- Payment towards employment and training for local residents of a commuted sum of : £12,260.00
- A contribution towards Crossrail of : £148,540.00
- For proposals with an increase in office floorspace in the Central Activities Zone, the provision of a mix of uses including housing or a contribution towards provision of off-site affordable housing where it is accepted that housing cannot be provided on site. A contribution towards provision of off-site affordable housing of : £84,880.00.
- Details of 118m2 of floorspace suitable for SME’s to be approved by the Council within 52 weeks of the date of the agreement, and prior to first occupation of the development.

All payments to the Council are to be index linked from the date of Committee and are due upon implementation of the planning permission.

That, should the **Section 106** Deed of Planning Obligation not be completed within the timescales set within the Planning Performance Agreement, the Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development 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, Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader 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:**

<b>1</b>	<b>Commencement</b>
	CONDITION: The development hereby permitted shall begin no later than the of 3

	<p>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>
<b>2</b>	<p><b>Approved plans list</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved drawings and information:</p> <p>TS-NP-00-PL; TS-EX-01-PL; TS-EX-02-PL; TS-EX-03-PL; TS-EX-04-PL; TS-EX-05-PL; TS-EX-06-PL; TS-NP-00-PL; TS-NP-01-PL; TS-NP-02-PL; TS-NP-03-PL; TS-NP-04-PL; TS-NP-05-PL; TS-NP-06-PL; TS-NP-07-PL; TS-NP-08-PL; Design and Access Statement Dated April 2016; Built Heritage and Townscape Assessment dated April 2016; Archaeological Desk based Assessment LP2089L-DBA-v1.8 dated April 2016; BRE Daylight and Sunlight Study by Right of Light Consulting dated 19 April 2016; Construction Management Plan dated 21/04/2016; Energy statement by buildenergy ref BE0624; Drainage strategy by buildenergy Revision 2; Transport Statement Report ref. 160400-01 by Ardent</p> <p>REASON: For the avoidance of doubt and in the interests of proper planning.</p>
<b>3</b>	<p><b>Materials and samples</b></p> <p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any new elevational treatment being installed on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) new brickwork (including brick panels and mortar courses);</li> <li>b) window treatment (including sections and reveals);</li> <li>c) roofing materials;</li> <li>d) Glazing details (including laminated glazing to the ground floor elevations facing Tabernacle Street and Epworth Street)</li> <li>e) balustrading treatment (including sections); and</li> <li>f) any other materials to be used.</li> </ul> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>4</b>	<p><b>Roof-level structures</b></p> <p>CONDITION: Full details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any such structure/enclosures being erected 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"> <li>a) roof-top plant;</li> <li>b) ancillary enclosures/structure; and</li> <li>c) lift overrun.</li> </ul>

	<p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In 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>
<b>5</b>	<b>Access</b>
	<p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. Plans and details confirming that these standards have been met shall be submitted to and approved in writing by the Local Planning Authority prior to any new superstructure works commencing on site. The details shall include:</p> <ul style="list-style-type: none"> <li>• The provision of storage and charging facilities for at least two mobility scooters</li> <li>• The provision of at least two cycle racks that are accessible to ambulant disabled cyclists</li> <li>• The provision of an accessible WC and shower at ground floor level.</li> <li>• The installation of a platform lift between the entrance and lift lobby level with internal dimensions of at least 1100x1400mm.</li> <li>• The provision of a detailed emergency evacuation plan, to meet the needs of all potential building users.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.</p>
<b>6</b>	<b>Security &amp; General Lighting</b>
	<p>CONDITION: Details of any external general or security lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the site.</p> <p>The details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such permanently thereafter.</p> <p>REASON: In the interest of protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill, as well as protecting the setting of important heritage assets.</p>
<b>7</b>	<b>Energy Reduction</b>
	<p>CONDITION: The energy efficiency measures/features and energy technology(s) as detailed within the Energy Statement and Energy Officers Internal Advice with Applicants Comment (received 11 August 2016) shall be installed and operational prior to the first occupation of the development.</p> <p>The agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p>



	<p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO<sub>2</sub> emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
<b>8</b>	<b>Cycle Storage</b>
	<p>CONDITION: Full details of the internal bicycle storage area(s) which shall be covered, secure and provide for no less than 38 bicycle spaces as well as the provision of showering, changing and locker facilities shall be submitted to and approved in writing prior to any works commencing on the site.</p> <p>The details shall confirm that the facilities are accessible to ambulant disabled persons and include details of mobility scooter charging locations and facilities</p> <p>The approved bicycle storage details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>9</b>	<b>BREEAM</b>
	<p>CONDITION: The development shall achieve a BREEAM Office (2015) rating of no less than 'Very Good' in accordance with the BREEAM pre-assessment submitted.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development, in accordance with Development Management Policy DM7.4.</p>
<b>10</b>	<b>Green / brown Roofs</b>
	<p>CONDITION: The biodiversity (green/brown) roof(s) shall be constructed and occupy the set back at 5<sup>th</sup> floor level. Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the new reception works commencing on site.</p> <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 roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, in accordance with Development Management Policy DM6.6 and DM7.1.</p>
<b>11</b>	<b>Sustainable Urban Drainage System</b>
	<p>CONDITION: Details of a drainage strategy including the green roof and drainage of the site (following the principles of Sustainable Urban Drainage) shall be submitted to and approved in writing by the Local Planning Authority prior to any such works commencing on site. The drainage system shall be installed / operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so</p>

	<p>approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water in accordance with Development Management Policy DM7.4.</p>
<b>12</b>	<b>Plant Noise</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{aeq,T}</math> arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<b>13</b>	<b>Lifts</b>
	<p>CONDITION: All lifts serving the office shall be installed and operational prior to the first occupation of the office floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the office floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
<b>14</b>	<b>Demolition and Construction Management Plan &amp; Construction Logistics Plan</b>
	<p>CONDITION: No development shall take place unless and until a Construction Management Plan (CMP) (including details of demolition) and Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority following consultation with Transport for London.</p> <p>The CMP and CLP shall update the Draft Construction Management Plan as submitted as part of the application hereby approved, while also providing the following additional information:</p> <ol style="list-style-type: none"> <li>1. identification of demolition and construction vehicle routes;</li> <li>2. how demolition and construction related traffic will turn into and exit the site</li> <li>3. Details of how disruption to nearby residential occupants will be minimized during demolition and construction.</li> <li>4. details of banksmen to be used during construction works</li> <li>5. the parking of vehicles of site operatives and visitors;</li> <li>6. loading and unloading of plant and materials;</li> <li>7. storage of plant and materials used in constructing the development;</li> <li>8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;</li> <li>9. wheel washing facilities;</li> <li>10. measures to control the emission of dust and dirt during construction;</li> <li>11. a scheme for recycling/disposing of waste resulting from demolition and construction works.</li> </ol> <p>The report shall assess the impacts during the construction phases of the development on the Transport for London controlled City Road, along with nearby</p>

	<p>residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In order to secure highway safety and free flow of traffic on City Road and Old Street, local residential amenity and mitigate the impacts of the development.</p>
<b>15</b>	<b>Delivery and Servicing Management Plan</b>
	<p>CONDITION: A delivery and servicing management plan 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.</p> <p>The plan shall include details of all servicing and delivery requirements including waste and recycling collection.</p> <p>The development shall be carried out strictly in accordance with the details so approved.</p> <p>REASON: In order to secure highway safety and free flow of traffic on City Road and surrounding streets, protect local residential amenity and mitigate the impacts of the development.</p>
<b>16</b>	<b>No external piping</b>
	<p>CONDITION: Other than any pipes shown on the plans hereby approved, no additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional pipes be considered necessary the details of those shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such pipe.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
<b>17</b>	<b>Archaeology</b>
	<p>CONDITION: No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of:</p> <p>A) 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>No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under part A).</p> <p>B) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with 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>

	REASON: Heritage assets of archaeological interest are expected to survive on the site. The investigation is required in the interests of archaeology.
<b>18</b>	<b>Vehicular Access Gates</b>
	CONDITION: Details of the vehicular access gates to Platina Street shall be submitted and approved by the Local Planning Authority prior to first occupation of the development in order to demonstrate the security of the site, in particular the bicycle storage.  REASON: In order to ensure the security of the site and the secure bicycle storage.

**List of Informatives:**

<b>1</b>	<b>S106</b>
	SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
<b>2</b>	<b>Superstructure</b>
	DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
<b>3</b>	<b>Surface Water Drainage</b>
	It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and at the final manhole nearest the boundary. Connections are not permitted for removal of groundwater. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
<b>4</b>	<b>Sustainable Sourcing of Materials</b>
	Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
<b>5</b>	<b>Car-Free Development</b>
	All new developments are to be 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.
<b>6</b>	<b>Roller Shutters</b>
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
<b>7</b>	<b>Community Infrastructure Levy (CIL) (Granting Consent)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay 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 <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p>Pre-commencement 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>

## APPENDIX 2 – RELEVANT POLICIES

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

### 1 National Guidance

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

### 2 Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, The Finsbury Local Plan 2013 and the Islington Development Management Policies 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

##### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

##### **2 London's places**

Policy 2.9 Inner London

Policy 2.11 Central Activities Zone – strategic functions

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

##### **4 London's economy**

Policy 4.1 Developing London's economy

Policy 4.2 Offices

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 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

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

Policy 6.1 Strategic approach

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 Parking

##### **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 7.9 Heritage-led regeneration

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



Policy 5.13 Sustainable drainage  
Policy 5.18 Construction, excavation and  
demolition waste

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

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

### **Spatial Strategy**

**Policy CS7** (Bunhill and Clerkenwell)  
**Policy CS8** (Enhancing Islington's  
Character)

**Policy CS13** (Employment Spaces)  
**Policy CS14** (Retail and Services)  
**Policy CS15** (Open Space and Green  
Infrastructure)

### **Strategic Policies**

**Policy CS9** (Protecting and Enhancing  
Islington's Built and Historic  
Environment)  
**Policy CS10** (Sustainable Design)

### **Infrastructure and Implementation**

**Policy CS18** (Delivery and Infrastructure)  
**Policy CS20** (Partnership Working)

## **C) Islington's Development Management Policies 2013**

**DM2.1** (Design)  
**DM2.2** (Inclusive Design)  
**DM2.3** (Heritage)  
**DM2.5** (Landmarks)  
**DM4.3** (Location and concentration of  
uses)  
**DM4.5** (Primary and Secondary  
Frontages)  
**DM4.8** (Shopfronts)  
**DM5.1** (New Business Floorspace)  
**DM5.4** (Size and Affordability of  
Workspace)  
**DM6.1** (Healthy development)  
**DM6.2** (New and Improved Public Open  
Spaces)

**DM6.5** (Landscaping, trees and  
biodiversity)  
**DM6.6** (Flood prevention)  
**DM7.1** (Sustainable design and  
construction)  
**DM7.3** (Decentralised Energy Networks)  
**DM7.4** (Sustainable design standards)  
**DM7.5** (Heating and cooling)  
**DM8.1** (Movement hierarchy)  
**DM8.2** (Managing transport impacts)  
**DM8.3** (Public transport)  
**DM8.4** (Walking and cycling)  
**DM8.5** (Vehicle parking)  
**DM8.6** (Delivery and servicing for new  
developments)  
**DM9.1** (Infrastructure)  
**DM9.2** (Planning obligations)

## **D) Finsbury Local Plan 2013**

**BC3** (Old Street)  
**BC8** (Achieving a balanced mix of uses)  
considerations for building heights)

**BC10** (Implementation)  
**BC27** (Site Allocation: 37-45 City Road,  
Maple House)

### 3 **Designations**

The site has the following designations under the London Plan 2011, Islington Finsbury Local Plan

Adjacent to Bunhill Fields and  
Finsbury Square CA  
City Fringe Opportunity Area

Employment Priority Area  
(General)  
Archaeological Priority Area

### 4 **Supplementary Planning Guidance (SPG) / Documents (SPD)**

The following SPGs and SPDs are relevant:

#### **Islington Development Plan**

Conservation Area Design Guidelines  
Sustainable Transport Planning Guidance  
Note  
Sustainable Design and Construction  
guidance  
Environmental Design SPD  
Inclusive Landscape Design SPD  
Planning Obligations (Section 106) SPD  
Streetbook SPD  
Urban Design Guide

#### **London Plan**

Accessible London: Achieving an  
Inclusive Environment SPG  
Sustainable Design and Construction  
SPG  
Shaping Neighbourhoods: Play and  
Informal Recreation Supplementary  
Planning Guidance SPG  
Planning for Equality and Diversity in  
London SPG