Application number | P102725
---|---
Application type | Minor material amendment
Site Address: | City Central Estate, 89-93 Central Street, 61 Lever Street, 35-39 Seward Street, Islington, LONDON Ec1v 8AD
Proposal | Minor material amendment application to vary condition 31 (approved plans) together with associated variation of condition 3, 8, 11, 15 and 17 of planning permission P072106 dated 29/02/2008 for the: 'Demolition of existing buildings and erection of a part 6, part 7 storey building over basement to provide for 161 residential units, 2587sqm of B1 (office) floorspace, 81sqm of A1 (shop/retail) floorspace and ancillary bicycle, motorcycle, and car parking provision at basement level'. The minor material amendments are:
A] revised design of all elevations;
B] alteration to building envelope and alteration of ground floor building lines;
C] reconfiguration of ground floor unit layout, relocation of ramp to basement, increase number of and amendments to refuse enclosures, relocation of sub-station, and cycle parking part provided at ground floor level;
D] alteration in basement footprint, reconfiguration of basement floor layout, relocation of ramp within basement, and increase provision of lift/core access to the basement; and
E] revised/updated details of energy, rooftop structure, Western wall and sound insulation between ground floor employment and first floor residential uses.

RECOMMENDATION

That the Committee resolve to GRANT planning permission as set out in Appendix 1.
INTRODUCTION

SITE AND SURROUNDINGS

1. The application site on the whole is generally rectangular in shape and previously contained 2 separate warehouse / office buildings arranged around a central car-park and servicing area. The site has 3 street frontages namely Central Street to the east, Lever Street to the north and Seward Street to the south. The previous buildings comprised a floorspace of 2500sqm and were not considered to be of any particular architectural merit. Works on the original planning approval P072106 resulting in the demolition of the original warehouse buildings.

2. The surrounding area is characterised by a mixture of residential, commercial, business and leisure uses. There is also no prevailing age or architectural style to the buildings within the vicinity of the site. A site inspection confirmed that there are numerous examples of buildings from the Victorian, interwar, post-war periods along with modern and contemporary structures. Heights of buildings also vary greatly from residential tower blocks to 2-storey warehousing buildings.

3. To the west of the application site and fronting Lever Street is a 2-storey residential building known as Telfer House which is separated from the existing buildings by its a small car-parking area. The single storey rear projection of the site wraps behind this parking area. There are no windows to the flank wall of Telfer House which front the application site. Also to the west, but fronting Seward Street are nos. 31 and 33 Seward Street which comprise two 6-storey residential buildings, no windows are located within the east facing flank walls fronting the site, there are rear (north facing) windows, which overlook the existing single storey rear projection. To the south is a construction site relating to a 6 to 10-storey mixed-use scheme. To the north of the site and fronting Lever Street is a part 5, part 4 residential building with ground floor commercial use known as Barnabas House. To the east of the site and fronting Central Street is a 5-storey residential building with ground floor commercial use known as nos.: 98 to 102 Central Street, these buildings form part of Chadworth House.

4. The application site is not located within a designated conservation area. The existing buildings are not listed buildings and are not noted on the Council’s list of locally listed buildings. The site faces the St Lukes Conservation Area, which is covers the Chadworth House buildings at the south-eastern corner of the junction between Central Street and Lever Street.

PROPOSAL (IN DETAIL)

5. The proposal seeks the variation of condition 31 (approved plans) of planning permission P072106, which would allow for the substitution of the existing approved plans with revised plans resulting in a minor material amendment to the approved scheme. Due to the submission of revised details and by association, the scheme also necessitates the variation of conditions 3 (west wall), 8 (layout of B1 floorspace), 11 (rooftop plant), 15 (energy) and 17 (sound insulation).

6. The minor material amendments are:

   A] revised design of all elevations;
   B] alteration to building envelope and alteration of ground floor building lines;
reconfiguration of ground floor unit layout, relocation of ramp to basement, increase number of and amendments to refuse enclosures, relocation of sub-station, and cycle parking part provided at ground floor level;

alteration in basement footprint, reconfiguration of basement floor layout, relocation of ramp within basement, and increase provision of lift/core access to the basement;

details of energy, rooftop plant and lift overrun, western wall and sound insulation between ground floor employment and first floor residential uses.

Issues

7. The main issues arising from this proposal relate to the:
- Acknowledgement of the scope of what may and may not be considered under Section 73 of the Town and Country Planning Act 1990, which guides the material minor amendment application process
- Nature of the proposed changes and whether they are sufficiently minor to be able to be considered as a ‘minor material amendment’ rather than necessitating a new planning application
- Any significant material alterations since the original grant of planning permission.
- Acceptability of the alterations to the approved scheme

Original Application

8. Details of the original planning application are summarised below:

- Planning application LBI ref: P072106 for the ‘Demolition of existing buildings and erection of a part 6, part 7 storey building over basement to provide for 161 residential units, 2587sqm of B1 (office) floorspace, 81sqm of A1 (shop/retail) floorspace and ancillary bicycle, motorcycle, and car parking provision at basement level’ was GRANTED on 29/02/2008.

- The original planning permission was granted with a 3-year consent period, which expired on 29/02/2011. However, it appears that the planning permission was implemented prior to the expiry date as demolition and associated building works have commenced on site.

Relevant History

9. Although it is acknowledged that the site is the subject of an extensive planning history, the only application considered relevant to the current material minor amendment application is the original planning application noted above.

10. Since the approval of the original application some of the details required by condition have been approved. In the interest of completeness the draft condition list has been updated to make reference to those approvals.

CONSULTATION

Public Consultation

11. Letters were sent to 174 occupants of adjoining and nearby properties at Central Street, Lever Street, Paton Street, Garden Walk and Seward Street on 19/01/2011. A site notice and press advert were displayed on 27/01/2011. The public consultation of the application
therefore expired on 17/02/2011, however it is the Council’s practice to continue to consider representations made up until the date of a decision.

12. At the time of the writing of this report no responses had been received from the public with regard to the application.

**External and Internal Consultees**

13. **Conservation / Design Officer** Considered that overall the proposed design would be an improvement over the approved scheme. The rationalisation of the ground floor elevations was welcome.

14. **Access Officer** praised the overall improvement in the layout and design of the revised building, however, noted that improvements were possible with regard to residential cores, communal entrance doors, non-residential units, and disabled parking bay design.

15. **Street Environment Officer** raised no objection to the revised refuse/recycling enclosure locations or design.

16. **Transport Officer** raised no objection to the relocation of the vehicular ramp, however, required further details of design. Welcomed the alterations to the cycle parking and refuse enclosures.

17. The following external and internal consultees, although consulted, made no comment on the application given that the proposed amendments do not alter their previous observations on the original application or was not considered contentious:

- Thames Water; London Fire and Emergency Planning Authority; EC1 New Deal; Pollution Officer; Town Centre Manager

**RELEVANT POLICIES**

**National Guidance**

18. The following national and regional guidance is considered particularly relevant to this application:

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPG13 Transport

**Development Plan**

19. The Development Plan is comprised of the London Plan 2008 (consolidated with amendments since 2004) and the Islington Unitary Development Plan (2002). The following policies of the Development Plan are considered relevant to this application:


- **Connecting London – Improving Travel in London**
- **Designs on London**
  - **3C.3** (Sustainable Transport in London)
  - **4B.1** (Design Principles for a Compact City)
3C.17 (Tackling Congestion and Reducing Traffic)
3C.21 (Improving Conditions for Walking)
3C.22 (Improving Conditions for Cyclists)
3C.23 (Parking Strategy)
3C.24 (Freight Strategy)

**Implementing the London Plan:**
6A.4 (Priorities in Planning Obligations)
6A.5 (Planning Obligations)

**Islington Core Strategy 2011**

**Spatial Strategy**
Policy CS7 (Bunhill and Clerkenwell)
Policy CS8 (Enhancing Islington’s Character)

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

**Islington Unitary Development Plan (2002)**

**Environment Policies:**
Env12 (Community Safety)
Env16 & 17 (Protection of Amenity)

**Shopping & Town Centres Policies:**
S29 (Access to Shops)

**Conservation and Design Policies:**
D3 (Site Planning)
D4 (Designing in Context)
D5 (Townscape)

**Sustainable Transport Policies:**
T27 (Design of Car Parks)
T34 (Cycle Parking)
T45 (Land Use Planning)
T46 (Design Issues)
T47 (Streetscape)
T49 (Meeting the Needs of People with Mobility Problems)
T55 (New Development)

**Implementation Policies:**
Imp13 (Community Benefits)

**Designations**

20. The site has the following designations under the London Plan 2008 and Islington Unitary Development Plan (2002):
- Central London Area Special Policy
- Housing Development
- EC1 New Deal for Communities Area
- Central Activities Zone
- Aerodrome Safeguarding
- (adjoins) St Lukes Conservation Area

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

21. The following SPG’s and/or SPD’s are relevant:
REFERABLE APPLICATION

Greater London Authority

22. The Mayor of London Order (2008) confirms that where a s73 application relates to an original planning permission that was received by the Local Planning Authority before 6 April 2008 (i.e. subject to the Mayor of London Order 2000) and that parent application was not referable under the superseded (2000) Order, then that, and any subsequent s73 application relating to the original planning permission are also not referable.

23. As the original planning application P072106 was received on 14 August 2007 it was subject to the 2000 Order, and was not referable to the Mayor/GLA. It was therefore not necessary to refer the current application to the Mayor/GLA for comment.

EVALUATION

Scope of the Consideration of the Case Under Section 73 of the T&CPA

24. Section 73 of the Town and Country Planning Act 1990 concerns ‘Determination of application to develop land without compliance with conditions previously attached’. It is colloquially known as ‘varying’ or ‘amending’ conditions. Section 73 applications also involve consideration of the conditions subject to which planning permission should be granted. Where an application under s73 is granted, the effect is the issue of a fresh grant of permission and the notice should list all conditions pertaining to it. The application cannot be used to vary the time limit for implementation.

25. The current application is a ‘material minor amendment’ (MMA) application. MMA’s can be defined as amendments whose scale and nature results in a development which is not substantially or harmfully different from the one which has been approved. The ability to consider MMA applications was created following the Killian Pretty review and the measures introduced following the Government’s consultation on Greater Flexibility for Planning Permits – these applications fall under s73 and the procedure outlined within the previous paragraph. MMA applications seek to amend the condition attached to planning permissions which lists the approved plans; and through the process of replacing drawings listed within that condition, secure amendments to the original approved scheme.

26. It is important to note that when assessing s73 / MMA applications the previously granted planning permission is a significant material consideration, which impacts heavily on the assessment of the proposal. If the original application has been implemented, or if the permission has not yet expired, the applicant may go ahead and complete the original approved scheme if they wish.
27. Alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. However, these must be considered in light of the matters discussed in the previous paragraphs and the applicant’s ability to complete the originally approved development.

**A and B] Revised Elevations and Building Lines:**

28. Since the original grant of planning permission the application site has been sold. The new owner/applicant for the site approached council officers in 2010 to discuss their findings following their attempts to progress the detailed design of the approved scheme – many issues were raised, most importantly being the approved scheme resulted in unduly complicated internal levels, façade treatment and incorrect building lines. The applicant also considered that the design could generally be improved through a thoughtful reconsideration of the architectural approach to the building.

29. The amended scheme, although maintaining the essential rhythm of the elevations of the approved scheme, proposes a new approach to the use of materials and detailing of the elevations. Of particular note is the move away from wood, white render and significant levels of glazing to brickwork and metal cladding, which Officers agree is more contextual and appropriate. The new facades would result in revised window locations and sizes, balcony design, roof design, and ground floor appearance. The scheme also introduces a strong banding at first and fourth floor level which contains the vertical columns of brick and balconies of the intervening floors. The proposed changes are considered to be well thought out and present significant improvements to the overall design and appearance of the resulting building. The move away from render and significant amounts of glazing to brick is considered to relate more sympathetically to the adjoining buildings within St Luke’s Conservation Area and other buildings within the immediate surrounding area. The rationalisation of the appearance of the ground floor is especially welcome and is expected to be both inviting and attractive.

30. The council’s Conservation and Design Officer considered that the proposed revisions to the elevations represent an improvement in the appearance of the building. It was recommended that details of materials still be reserved by condition for discussion at a later date.

31. The alterations to the building lines were considered necessary following the applicant’s detailed survey of the site. The changes are considered minor and are not particularly noticeable when compared with the approved scheme.

32. The proposed changes are not considered to have an adverse impact on neighbouring residential amenity.

33. The amendments are considered to be of a scale and nature which would not significantly or harmfully differ from the one which has been approved. Overall the revision to the elevations and building lines are considered to form a significant improvement to the scheme.

**C] Reconfiguration of Ground Floor Layouts**

34. The scheme includes the general reconfiguration of the ground floor layout. The six business units and one shop unit approved remain in their approved locations, however, are altered due to the improvement to residential access cores, refuse enclosures, cycle
enclosures, vehicular ramp and electrical sub-station location. The amendments would not adversely impact on the approved business/commercial floor areas, and actually result in an overall increase of 6.0sqm when compared to the approved scheme.

35. The council’s Conservation and Design Officer welcomed the rationalisation of the ground floor elevations.

36. The council’s Transport and Street Environment Officers raised no objection to the revised cycle or refuse/recycling enclosure locations or designs.

37. The council’s Transport Officer raised no objection to the proposed relocation of the vehicular access ramp leading to the basement. However, further details were required of the design of this ramp. This request in noted, however, the original planning condition 20 (ramp details) requires the submission of full design details and therefore is considered to address the Transport Officer’s comments.

38. The alterations to the residential cores, although likely to result in an improvement to future residents, are not considered significant in terms of the scale of the change. The electrical sub-station relocation from Core F to Core E is not considered contentious.

39. The council’s Access Officer has confirmed that the amendments to the ground floor level result in a significant improvement to the accessibility of the development; and therefore welcomed the changes. Additional improvements were suggested which the applicant has confirmed they would explore; it should be noted that although it would be desirable to secure the proposed changes, the existence of the extant planning permission is a significant material consideration – in light of this it is considered that the changes, although requested, cannot be insisted upon.

40. Officers queried whether the applicant would be amenable to reducing the approved recessed ground floor elevation of Core G, which is adjacent to the Seward Street properties in the interest of designing out areas for loitering or anti-social behaviour. At the time of the writing of this report discussions were still ongoing. Consequently, a new condition has been attached which requires the submission of details of the treatment of this area, which could include the redesign of the ground floor elevation in this location to reduce the recess.

41. The proposed changes are not considered to have an adverse impact on neighbouring residential amenity.

42. The amendments are considered to be of a scale and nature which would not significantly or harmfully differ from the one which has been approved. Overall the revised ground floor layouts are considered to form a significant improvement to the scheme, particularly in terms of accessibility.

**D] Alteration of Basement Footprint and Layout**

43. The principal alteration to the basement level is in terms of its footprint. The basement would shift eastward (away from Seward Street properties and towards Central Street), however, there is no noticeable alteration to the overall floor area (an increase from 627sqm to 630sqm). The other alterations include the:

- increased provision of core access to the basement level together with amendment to the approved core locations and designs
- the provision of cycle parking split between basement and ground floor level
- rearrangement of car-parking spaces in response to the relocated vehicular access ramp - no alteration of the number of type of car-parking spaces provided
- delineation of space for necessary storage / plant / tank rooms.

44. The applicant has confirmed that they would explore the council's Access Officer's comments regarding disabled car-parking.

45. The amendments are considered to be of a scale and nature which would not significantly or harmfully differ from the one which has been approved. Overall the revised basement layout suggests relatively minor changes which are not considered contentious.

E] Revision/Update: energy, rooftop structure, Western Wall Sound Insulation

46. The original planning permission included conditions (3, 11, 15, and 17) requiring the submission of details to clarify the proposals for renewable energy provision (20%), the design of the western flank wall adjoining Telfer House, rooftop structures such as plant enclosures and lift overrun. The applicant has provided the necessary details for all these matters and the information provided is considered to adequately address the relevant matters.

47. Consequently, these conditions are re-worded to make reference to the new satisfactory information provided and no longer require the submission of further details.

Conditions and S106

48. The conditions of the previous decision notice shall be re-imposed to the decision notice.

49. Condition number 1 relates to the timeframe for implementation. Usually this is a 3-year time frame from the date of issue in accordance with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended). To ensure that an extension of time is not granted by the grant of this material minor amendment application, condition 1 has been reworded to relate to the expiry of the original decision notice.

50. It was necessary to update the condition relating to tree protection as the original conditions referred to now out of date policy/guidance. The condition relating to rollershutters has been deleted and an informative imposed as is now the standard practice. It was necessary to replace the drawing reference of condition 8 to make reference to the new ground floor layout plan.

51. Since the approval of the original application some of the conditions relating to archaeology, water supply and land contamination have been approved. In the interest of completeness the attached condition list has been updated to make reference to those recent approvals.

52. In order to avoid confusion and to ensure that the number ordering of the conditions is maintained, the new condition regarding the recess at Core G has been inserted at condition 7, which formed the rollershutter condition (to be deleted).

53. The original application was subject to a legal agreement to mitigate against the impacts of the development. As this application requires the issue of a new/fresh planning permission the applicant has agreed to re-apply the agreed Heads of Terms of the original legal
agreement to the new planning permission. This is important as it ensures those obligations originally agreed are met in the case of the implementation of the current application.

**Changes to Planning Policy**

54. Since the previous grant of planning permission, the London Plan has been revised and the Islington Core Strategy has been adopted. Both these documents form part of the Development Plan and contain policies, particularly relating to affordable housing and sustainability, which differ from that which was considered at the time of the grant of the original planning permission P072106.

55. Notwithstanding the change in the policy context, the fact that the original planning permission has been implemented, works are ongoing on site and the applicant could complete the development in accordance with that permission are extremely significant considerations. It is considered that it would be difficult to sustain an argument against the current amendments on the grounds of land-use, sustainability or housing provision.

**SUMMARY AND CONCLUSION**

**Summary**

56. The proposed minor material amendments to the elevations, building lines, ground and basement floor layouts are considered to form improvements to the approved scheme and would not have a harmful impact on the character and appearance of the conservation area or the surrounding area. The alterations would not have an adverse impact on neighbouring residential amenity.

57. The conditions imposed on the original outline planning permission P072106 are re-imposed on the decision notice.

58. The Heads of Terms of the original planning permission P072106 have been applied to the current permission.

**Conclusion**

59. It is recommended that planning permission be granted for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.
### APPENDIX 1 – RECOMMENDATIONS

#### SCHEDULE OF APPLICATION DETAILS

<table>
<thead>
<tr>
<th>Application reference</th>
<th>P102725</th>
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<tr>
<td><strong>Proposal</strong></td>
<td>Minor material amendment application to vary condition 31 (approved plans) together with associated variation of condition 3, 8, 11, 15 and 17 of planning permission P072106 dated 29/02/2008 for the: 'Demolition of existing buildings and erection of a part 6, part 7 storey building over basement to provide for 161 residential units, 2587sqm of B1 (office) floorspace, 81sqm of A1 (shop/retail) floorspace and ancillary bicycle, motorcycle, and car parking provision at basement level'. The minor material amendments are: A] revised design of all elevations; B] alteration to building envelope and alteration of ground floor building lines; C] reconfiguration of ground floor unit layout, relocation of ramp to basement, increase number of and amendments to refuse enclosures, relocation of sub-station, and cycle parking part provided at ground floor level; D] alteration in basement footprint, reconfiguration of basement floor layout, relocation of ramp within basement, and increase provision of lift/core access to the basement; and E] revised/updated details of energy, rooftop structure, western wall and sound insulation between ground floor employment and first floor residential uses.</td>
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| Drawing numbers | Schedule of Accommodation Rev 10 - dated (revised) 08/12/10; A3 sized document titled 'Elevational Changes’ – dated 08/11/2010; 6200 DC3000 Rev 01; SC3099 Rev 01; LP(0)99 Rev 09; LP(0)000 Rev 11; LE(0)000 Rev 09; LE(0)002 Rev 03; LE(0)001 Rev 07; LE(0)002 Rev 01; LE(0)004; LE(0)005 Rev 01; LE(0)006 Rev 01; LE(0)007 Rev 01; LE(0)008 Rev 00; LE(0)009 Rev 00; LE(0)010 Rev 00; LE(0)011 Rev 00; JS14734 1/1; JS0624/100; 103e; 104d; 105d; 106; 107; 108b; 401; and 402. |

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<th><strong>Type of application</strong></th>
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<td>13-Dec-2010</td>
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<tr>
<td>Application completed</td>
<td>17-Jan-20101</td>
</tr>
<tr>
<td>Name of applicant</td>
<td>Mount Anvil PLC</td>
</tr>
<tr>
<td>Name of agent</td>
<td>Metropolis PSD</td>
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<tr>
<td>Case officer</td>
<td>Matthew J Rosel</td>
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<tr>
<td>Area Team</td>
<td>Major Applications</td>
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<tr>
<td>Heritage information</td>
<td>(adjoins) St Luke’s Conservation Area Not in Conservation Area Not a listed building</td>
</tr>
<tr>
<td>Library (holding copy of application)</td>
<td>Central Library, Fieldway Crescent, N7</td>
</tr>
<tr>
<td>Ward</td>
<td>Bunhill</td>
</tr>
<tr>
<td>PS2 code description</td>
<td>All Other Development Major</td>
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RECOMMENDATION A

That planning permission be granted subject to the applicant and any mortgagees entering into a Deed of Planning Obligation by means of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in order to secure the following matters to the satisfaction of the Head of Law and Public Services and the Service Director Public Protection/Head of Service – Development Management or in their absence the Area Team Leader:

The following Heads of Terms are identical to those agreed for the original planning permission P072106, and are re-applied to the current application:

1. A contribution of £896,820 toward environmental, streetscape, community and leisure improvements in the vicinity of the site, targeting but not limited to public open spaces, with 40% payable on implementation of the development, 30% payable on first occupation of the first dwelling on site and the balance on occupation of the 81st dwelling. Payments index linked from date of planning committee. Subject to:- The Council reporting on use of this funding and the repayment to City Central Estates Limited of any such monies unspent within 5 years of the date of each phased payment.

2. A payment of £29,160 (£180 per dwelling), payable on implementation of the development towards the provision of sustainable transport measures including, but not limited to, personalised travel planning, the promotion of walking and cycling, introductory concessions to car club usage, car club promotion, the provision of electric car club access information. Subject to:- The Council reporting on use of this funding and the repayment to City Central Estates Limited of any such monies unspent within 5 years of the date of payment.

3. Payment of all the Council’s reasonable legal fees incurred by Islington in preparing this legal agreement upon receipt of a fully itemised account. (solicitors undertaking to meet council’s fees required).

4. Payment of the Council’s reasonable costs incurred in repair and reinstatement of the footways and highways adjoining the development where necessary, upon receipt of a fully itemised account. Footways and highways conditions surveys to be carried out by the applicant and provided to and agreed by the council prior to implementation of the development and post completion to inform the level of works required.

5. The provision of not less than 35% of the residential accommodation to be provided on the site as affordable housing (as measured by habitable rooms) with not less than 25% of the total number of habitable rooms being provided as Social Rented Accommodation and 10% as Intermediate Housing which will be available as shared ownership housing. A local lettings policy will be operated for the social housing element of the development. The affordable housing will be transferred to a Social Landlord prior to occupation of any of the other residential units.

6. Facilitation of four work placements for local residents during the construction phase of the development, lasting a minimum of 13 weeks and payment of £12,480 to cover their wages. London Borough of Islington ‘Construction Works Team’ to recruit for, and monitor placement.

7. The Owner and future owners or occupiers shall not apply for or hold the benefit of a Resident’s Parking Permit unless entitled to become the holder of a disabled person’s badge. An undertaking to inform all future residents that it is the Council’s policy not to grant parking permits to occupiers of the development.
8. Submission of a Green Travel Plan for residential and commercial uses to the Council to be agreed by the Council prior to implementation. A final travel plan to be submitted for approval 6 months after occupation.

9. Payment of the following costs associated with implementation of the development:-
   - £1,000 for monitoring the implementation of a Code of Construction Practice.
   - £1,000 towards implementation of the Islington Biodiversity Plan by Islington BC.

10. Payment to the Council of a Bond of £4,000 to provide for additional monitoring costs incurred in the event of any non-compliance issues arising (in accordance with a definition to be agreed) in relation to the Code of Construction Practice to be adopted for the site.

11. Compliance with the following codes of practice:
   - Code of Employment and Training Practice (construction)
   - Code of Local Procurement
   - Code of Construction Practice.

There are no Heads of Terms additional to those previously agreed for the original planning permission P072106.

That, should the Section 106 agreement not be completed within 13 weeks from the date when the application was made valid, Service Director Public Protection/ 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 legal agreement fails to secure appropriate planning obligations. ALTERNATIVELY should this application be refused (including refusals on the direction of GOL or The Mayor) and appealed to the Secretary of State, Service Director Public Protection/ Head of Service – Development Management or in their absence the Area Team Leader be authorised to enter into an agreement pursuant to S.106 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:

<table>
<thead>
<tr>
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<th>Commencement</th>
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| 1 | CONDITION: The development hereby permitted shall be begun not later than the expiration of 29/02/2011.  
REASON: To ensure the commencement timescale for the development is not extended beyond that of the original planning permission granted on 29/02/2008 [LBI ref: P072106]. Furthermore, 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) |

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<th>Materials</th>
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| 2 | CONDITION: Details and samples of the facing materials shall be submitted to and approved in writing by the Local Planning Authority before any superstructure work is commenced on site. The samples and details shall include:  
a) brickwork (including brick panels and mortar courses) and render;  
b) timber cladding; |
c) window treatment (including sections and reveals);
d) roofing materials;
e) balcony and balustrade treatment (including sections and method of fixing to the building);
f) louvers / treatment to refuse enclosures;

The development shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that the Authority may be satisfied with the external appearance of the building.

### 3 Details of western wall

**CONDITION:** The west facing wall of the development hereby approved shall be erected in accordance with the approved plans and constructed in accordance with the materials/samples as to be approved in writing under condition 2.

The development shall be carried out strictly in accordance with the details so approved, maintained as such thereafter.

REASON: To ensure that the Authority may be satisfied with the external appearance of the building.

### 4 Details of ground floor shopfronts

**CONDITION:** Notwithstanding the plans hereby approved, full details of the shopfronts of the proposed ground floor business/commercial units including: doors, sections, elevational and threshold treatments (to a scale of 1:50) shall be submitted to and approved in writing by the Local Planning Authority before any superstructure work is commenced on site.

The development shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that the Authority may be satisfied with access arrangements and the external appearance of the buildings.

### 5 Level access

**CONDITION:** All ground floor business/commercial and residential entrances shall have a level access.

REASON: To ensure that all units are accessible to those with mobility difficulties.

### 6 No tinting

**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.

REASON: In the interest of pedestrian security and to secure an appropriate street frontage and appearance.
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<tr>
<th></th>
<th>Ground Floor Recess – Core G</th>
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<tbody>
<tr>
<td><strong>CONDITION:</strong></td>
<td>Notwithstanding the plans hereby approved, no permission is granted for the recess outside residential Core G. Amended plans showing the provision of the reduction of the recess or other appropriate security measure(s) to address the potential for anti-social behaviour in this location shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The agreed treatment shall be installed/completed prior to the first occupation of the residential dwellings accessed by Core G.</td>
</tr>
<tr>
<td><strong>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>REASON:</strong></td>
<td>In the interest of security and to ensure that the development does not result in the creation of spaces that may attract anti-social behaviour.</td>
</tr>
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<thead>
<tr>
<th></th>
<th>No amalgamation</th>
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</thead>
<tbody>
<tr>
<td><strong>CONDITION:</strong></td>
<td>The ground floor B1 (office) units hereby approved shall be laid out / divided as shown on drawing 6200 LP(0)000 Rev11 and shall not be amalgamated without the prior written consent of the Local Planning Authority.</td>
</tr>
<tr>
<td><strong>REASON:</strong></td>
<td>In the interest of pedestrian security and to secure an appropriate street frontage and appearance.</td>
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<thead>
<tr>
<th></th>
<th>Details of visual screens</th>
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<tbody>
<tr>
<td><strong>CONDITION:</strong></td>
<td>Details of the exact location and design of all visual screens to the balconies hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The visual screens shall be installed prior to first occupation of the residential element of the development and maintained in that location thereafter.</td>
</tr>
<tr>
<td><strong>REASON:</strong></td>
<td>To ensure that there is no oblique or backwards overlooking of resulting future habitable room windows.</td>
</tr>
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<thead>
<tr>
<th></th>
<th>Details of CCTV and security lighting</th>
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<tbody>
<tr>
<td><strong>CONDITION:</strong></td>
<td>Details of any scheme of CCTV and general / security lighting shall be submitted to and approved in writing by the Local Planning Authority and installed prior to the first occupation of the development. The details shall include the location and full specification of all luminaries, cameras (detailing view paths), lamps and support structures.</td>
</tr>
<tr>
<td><strong>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>REASON:</strong></td>
<td>To ensure that, should any scheme of security/general lighting or CCTV be proposed that it is appropriately located and designed and in the interest of protecting neighbouring residential amenity.</td>
</tr>
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<thead>
<tr>
<th></th>
<th>Details of rooftop plant and lift overrun</th>
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<tbody>
<tr>
<td><strong>CONDITION:</strong></td>
<td>The roof-top plant and lift over-runs; their location, height above roof level, specifications and cladding shall be carried out in accordance with the</td>
</tr>
</tbody>
</table>
approved plans and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant or the lift over-run do not have a harmful impact on the surrounding streetscene.

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<tr>
<th>12</th>
<th>Details of substation</th>
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<tbody>
<tr>
<td>CONDITION: Full detail of any substation including its location, acoustic specifications, cladding/facing shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. Stand-alone substation(s) not integrated within the building hereby approved will not be considered. 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.</td>
<td></td>
</tr>
<tr>
<td>REASON: In the interest of protecting residential amenity, good design and also to ensure that the Authority may be satisfied that any substation(s) does not have a harmful impact on the appearance of the building approved or the existing streetscenes.</td>
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<thead>
<tr>
<th>13</th>
<th>Details of biodiversity green/brown roof</th>
</tr>
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</table>
| CONDITION: Details of the green roofs including their exact locations shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the buildings hereby approved. The green roofs shall be:
   a) biodiversity based with extensive substrate base (depth 30-100mm); and
   b) planted/seeded within the first planting season following the completion of the building works. |
| The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority. |
| REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity. |

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<thead>
<tr>
<th>14</th>
<th>Details of BREEAM assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONDITION: A study confirming that the development achieves a BREEAM Office, Retail and Eco-Homes rating of ‘Excellent’ shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</td>
<td></td>
</tr>
<tr>
<td>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</td>
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<tr>
<td>REASON: In the interest of sustainable development.</td>
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<tr>
<th>15</th>
<th>Details of 20% renewable energy provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONDITION: The scheme of on-site renewable energy, which provides for no less than 20% carbon reduction shall be provided and operated in accordance with the ‘Energy Strategy Report Rev 4’ dated November 2010 hereby approved.</td>
<td></td>
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</tbody>
</table>
Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:

a) a revised scheme of renewable energy provision, which shall provide for no less than 20% onsite CO2 reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

The renewable energy technology(s) shall be provided/carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.

REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by renewable energy are met in accordance with policies: 4A.4 and 4A.7 of the London Plan 2008 and policy CS10A, B and G of the Islington Core Strategy 2011.

### 16 Details of PPG24 assessment

CONDITION: A noise assessment following the guidelines of PPG24 and a scheme for sound insulation and noise control measures shall be submitted to and approved in writing by; and implemented to the satisfaction of the Local Planning Authority prior to the first occupation of the rooms hereby approved. The sound insulation and noise control measures shall achieve the following internal noise targets:

- **Bedrooms** (23.00-07.00 hrs) 35 dB L\text{Aeq}, and 45 dB L\text{max (fast)}
- **Living Rooms** (07.00-23.00 hrs) 40 dB L\text{Aeq},
- **Kitchens, bathrooms, WC compartments and utility rooms** (07.00 –23.00 hrs) 45 dB L\text{Aeq}

The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To secure an appropriate future environment

### 17 Sound insulation

CONDITION: The particulars, details and noise control measures of the scheme for sound insulation between the proposed ground floor business/commercial and first floor residential use of the building shall be carried out strictly in accordance with document titled ‘Discharging of Condition 17 of Planning Permission P072106’.

The scheme of sound insulation shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: In the interest of preventing undue noise transfer between the office and residential units.

### 18 Fixed plant

CONDITION: The design and installation of new items of fixed plant shall be such
that when operating the cumulative noise level $\text{LA}_{eq} \text{Tr}$ 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 5dB(A) below the background noise level $\text{LAF}_{90} \text{Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.

**REASON:** To ensure that the operation of fixed plant does not impact on residential amenity.

<table>
<thead>
<tr>
<th>19</th>
<th><strong>Details of basement car-parking gate</strong></th>
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</thead>
<tbody>
<tr>
<td><strong>CONDITION:</strong></td>
<td>Details of the design and location of a security gate preventing unauthorised access to the basement level car-park shall be submitted to and approved in writing by the Local Planning Authority and installed prior to the first occupation of the development hereby approved.</td>
</tr>
<tr>
<td></td>
<td>The development shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</td>
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<tr>
<td></td>
<td><strong>REASON:</strong> To ensure that the Authority may be satisfied with the external appearance of the building.</td>
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<thead>
<tr>
<th>20</th>
<th><strong>Details of access ramp</strong></th>
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<tbody>
<tr>
<td><strong>CONDITION:</strong></td>
<td>Details of the proposed ramped entrance to the basement car-park including cross-section and gradient shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site.</td>
</tr>
<tr>
<td></td>
<td>The development shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</td>
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<tr>
<td></td>
<td><strong>REASON:</strong> To ensure that vehicles can enter and leave the site safely</td>
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<thead>
<tr>
<th>21</th>
<th><strong>5 disabled parking bays</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONDITION:</strong></td>
<td>Notwithstanding the plans hereby approved the basement car-park shall provide for no less than 5 disabled car parking spaces.</td>
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<td></td>
<td><strong>REASON:</strong> To ensure that adequate disabled parking spaces are provided.</td>
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<thead>
<tr>
<th>22</th>
<th><strong>Details of cycle parking</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONDITION:</strong></td>
<td>Details of the bicycle storage areas, which shall provide for no less than 161 spaces for the residential component, 9 spaces for the office component and 2 for the retail component shall be submitted to and approved in writing by the Local Planning Authority, and provided, prior to the first occupation of the development hereby approved.</td>
</tr>
<tr>
<td></td>
<td>The development shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</td>
</tr>
<tr>
<td></td>
<td><strong>REASON:</strong> To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</td>
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<tr>
<td>23</td>
<td><strong>Refuse storage</strong></td>
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<tr>
<td><strong>CONDITION:</strong> The dedicated refuse / recycling enclosures hereby approved shall be provided prior to the first occupation of the development hereby approved. The development shall be carried out strictly in accordance with the plans approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</td>
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**REASON:** To ensure satisfactory refuse/recycling facilities are provided.

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<tr>
<th>24</th>
<th><strong>Boardering trees protected</strong></th>
</tr>
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<tbody>
<tr>
<td><strong>CONDITION:</strong> Trees and tree root systems within, bordering and adjacent to the site shall be adequately protected during the construction phase of the development.</td>
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</tbody>
</table>

Tree protecting fencing shall consist of a rigid 2.4 metre OSB, exterior grade ply high sterling board hoarding or weld mesh. Protection/retention shall be in accordance with BS 5837, 2005 'Trees in Relation to Construction'. Heras fencing in concrete, rubber or similar foot plates is not acceptable as a form of tree root protection.

The tree retention and protection shall be carried out strictly in accordance with the details so approved, installed/carried out prior to works commencing on site, and shall be maintained for the duration of the works.

**REASON:** To protect the health and stability of trees to be retained on the site and to neighbouring sites, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policy 3D.15 of the London Plan 2008, policy Env6 of the Islington Unitary Development Plan 2002 and policy CS15A, B and F of the Islington Core Strategy 2011.

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<tr>
<th>25</th>
<th><strong>Excavations for underground services</strong></th>
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<tbody>
<tr>
<td><strong>CONDITION:</strong> Any excavations for services within the canopy spread of any tree adjoining the site must be undertaken in accordance with the guidance set out in NJUG 10, Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees 1995.</td>
<td></td>
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</table>

**REASON:** To maintain a satisfactory level of visual amenity in the area.

<table>
<thead>
<tr>
<th>26</th>
<th><strong>Details of Landscaping</strong></th>
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<tbody>
<tr>
<td><strong>CONDITION:</strong> A landscaping scheme shall be submitted to and approved by the Local Planning Authority prior to superstructure works commencing on site. The detailed landscaping scheme should include the following details:</td>
<td></td>
</tr>
<tr>
<td>a)</td>
<td>treatment of trees to be retained and new tree planting including species and size;</td>
</tr>
<tr>
<td>b)</td>
<td>earthworks, ground finishes, topsoiling with both conserved and imported topsoils, levels, drainage including falls and drain types;</td>
</tr>
<tr>
<td>c)</td>
<td>enclosures including types, dimensions and treatment of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</td>
</tr>
<tr>
<td>d)</td>
<td>hard ground surfaces including kerbs, edges, rigid and flexible pavings, unit pavings, driveways, steps and, if applicable, synthetic surfaces;</td>
</tr>
<tr>
<td>e)</td>
<td>soft plantings including grass and turf areas, shrub and herbaceous areas and trims;</td>
</tr>
</tbody>
</table>
f) water features should include types, construction details, equipment, aquatic plantings and other features;
g) furniture should include type of outdoor furniture, dimensions, size, location, lighting type - columns, floodlighting and other types of illuminations;
h) planting schemes should favour the use of native species of trees, shrubs and herbaceous plants to foster wildlife interest;
i) position of planned and existing underground service, gas, electricity, sewage, drainage and telecommunications (including cable television).

All landscaping in accordance with the approved scheme shall be completed during the first planting season after the date on which development in accordance with this permission has been completed. The landscaping and tree planting must have a two year maintenance / watering provision following planting. Trees or shrubs which die within five years of completion of the development shall be replaced to the satisfaction of the Local Planning Authority with the same species or an approved alternative.

**REASON:** To ensure that a satisfactory standard of visual amenity is provided and maintained and to ensure prior establishment and maturity of landscaping to enhance the visual amenity of the site.

### 27 Foundations

**CONDITION:** The foundations for the new structure must comply with the guidance given in the National House Building Council's guidance document Chapter 4.2 Building Near Trees as newly revised in 2003.

**REASON:** To maintain a satisfactory level of visual amenity in the area.

### 28 Archaeology

**CONDITION:** No development shall take place until the applicant, their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority.

The details submitted to the Local Planning Authority on 15/09/2010 pursuant to condition 28 of planning permission reference P072106 [LBI ref: P072106(C28)] and approved by the Local Planning Authority on 22/02/2011 are deemed to form the approved details for the purposes of this condition.

**REASON:** Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG16.

### 29 Contaminated Land

**CONDITION:** A land contamination investigation shall be carried out and a scheme of necessary remedial works shall be agreed with the Local Planning Authority prior to works commencing on site.

The details submitted to the Local Planning Authority on 30/11/2010 pursuant to condition 29 of planning permission reference P072106 [LBI ref: P072106(C29)] and approved by the Local Planning Authority on 23/02/2011 are deemed to form the
approved details for the purposes of this condition.

The development shall be carried out strictly in accordance with the details and any scheme of remedial works so approved no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To safeguard the health and safety of future occupants as the site may be contaminated due to the previous use.

30 Water infrastructure

CONDITION: The development should not be commenced until impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by the Local Planning Authority. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

The details submitted to the Local Planning Authority on 30/09/2010 pursuant to condition 30 of planning permission reference P072106 [LBI ref: P072106(C30)] and approved by the Local Planning Authority on 29/11/2010 are deemed to form the approved details for the purposes of this condition.

REASON: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand.

31 Approved Plans List

CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:

Schedule of Accommodation Rev 10 - dated (revised) 08/12/10; A3 sized document titled ‘Elevational Changes’ – dated 08/11/2010; 6200 DC3000 Rev 01; SC3099 Rev 01; LP(0)99 Rev 09; LP(0)000 Rev 11; LE(0)000 Rev 09; LE(0)002 Rev 03; LE(0)001 Rev 07; LE(0)002 Rev 01; LE(0)004; LE(0)005 Rev 01; LE(0)006 Rev 01; LE(0)007 Rev 01; LE(0)008 Rev 00; LE(0)009 Rev 00; LE(0)010 Rev 00; LE(0)011 Rev 00; JS14734 1/1; JS0624/100; 103e; 104d; 105d; 106; 107; 108b; 401; and 402.

Design and Access Statement; Daylight & Sunlight Report; Renewable Energy Considerations; Service Statement; Transport assessment; Servicing Statement; and Planning Statement and Affordable Housing Report.

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.

List of Informatives:

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

2 Superstructure

**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.

4 Thames Water

**THAMES WATER**
Surface water drainage – 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 receiving 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 combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Thames Water recommends the installation of a properly maintained fat trap on any catering establishments and for the car parking facility. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

5 Archaeology

**ARCHAEOLOGY**
The development of the site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

6 Roller Shutters

**ROLLER SHUTTERS**
The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor elevations. 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.

**RECOMMENDATION C**

That if members are minded to approve this proposal officers recommend that the following summary forms the reasons for grant to be published on the decision notice:
This proposal has been approved following consideration of all the relevant policies in the Development Plan (Unitary Development Plan 2002 and the London Plan 2008), Government Planning Policy Guidance/Statements and other material considerations.

- This decision was made by the Members of the Planning Committee on the 15 March 2011.

- The proposed amendments to the approved scheme are acceptable in design terms, would not have a harmful impact on the character and appearance of the surrounding area or neighbouring conservation area and would not adversely impact on residential amenity. The material minor amendments comply with policies: 4B.1; 4B.2; 4B.3; 4B.5; 4B.6; 4B.8; 4B.11 and 4B.12 of the London Plan 2008, policies: Env12; Env16; Env17; D3; D4; and D5 of the Islington Unitary Development Plan 2002 and policies CS7; CS8; and CS9, which seek to secure developments of an acceptable design, relationship to neighbouring residential properties and have an acceptable impact on existing streetscenes and conservation areas.

- The conditions imposed on the original planning permission P072106 are re-imposed on the decision notice.

- The Heads of Terms of the original planning permission P072106 have been applied to the current permission. The contributions and obligations secured, together with the conditions of this permission are considered necessary to mitigate the impacts of the development in line with CIL Legislation, policy 6A.5 of the London Plan 2008, policy Imp13 of the Islington Unitary Development Plan 2002 and policy CS18 of the Islington Core Strategy 2011.