



**PLANNING SUB A COMMITTEE**  
**Date: 12th February 2013**

**AGENDA ITEM NO:**  
**NON-EXEMPT**

Application number	P121893
Application type	Full Planning Application (Change of Use)
Ward	St Peters Ward
Listed building	Unlisted
Conservation Area	Duncan Terrace / Colebrook Row
Development Plan Context	Adjoins the City Road Basin Area
Licensing Implications	None
Site Address:	British Waterways Lock-Up, adjacent to the City Basin Canal Lock, London, N1 8JY
Proposal	Change of use of former canal side storage building to use as a café (Class A3) and part studio (Class B1); external alterations to elevations and roof.

Case Officer	Krystyna Andrus
Applicant	Mr Martin Savage
Agent	Mr John Fannon

## 1. RECOMMENDATION

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

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;

2. **SITE PLAN (site outlined in red)**



3. **PHOTOGRAPHS OF SITE**



Views of existing building looking along Canal towpath





## **SUMMARY**

4. This application is for a change of use of a canal side lock up / storage building to part café (Class A3) and part design studio (Class B1), together with external alterations to the elevations and roof.
- 4.1 The proposal has been subject to pre-application advice and the scheme has, in most part, been amended accordingly following discussions with the Council.
- 4.2 The main issues arising from this application are i) the acceptability of the proposed land use; ii) the impact on neighbouring residential amenities; iii) the impact on the character and appearance of the area surrounding conservation area and the adjoining statutorily listed school to the north; iv) the ability to provide satisfactory access, servicing and refuse and recycling arrangements; and v) concerns over crime.
- 4.3 The proposed change the use of the canal side lock up / storage building to café (Class A3) and part design studio (Class B1), together with alterations to the elevations and roof is considered acceptable. Due to scale, design, materials and appearance the proposed external alterations are considered to respect the character and appearance of the host building, the adjacent listed building and surrounding area. In addition, it is considered that the proposed use would not result in any harmful impact on the amenities of local residential occupiers and is policy compliant in land use terms.
- 4.4 The following report addresses each of these key issues in turn and demonstrates how the proposed development is considered acceptable.

## **5. SITE AND SURROUNDING**

- 5.1 The site consists of a single storey, typical small scale, brick canal side building which is currently vacant. The building is located to the north of the 'City Road Lock / City Road Basin' with direct access from the canal path. The canal side building is comprised of a series of adjoining single storey low-rise brick buildings, which run to some 30 metres in length. The building comprises of various elements with the western section appearing to be more modern than the remainder of the building. The building is located over variable land levels resulting in increasing internal ceiling heights from west to east. To the north of the site is Hanover Primary School, a grade II listed building.
- 5.2 The surrounding area is mixed in use, with both offices and residential accommodation in relatively close proximity. There is no vehicular access to the site and the closest pedestrian access to the canal path is from Danbury Street to the west and from Wharf Road to the east. There is also access via the canal to the south of the site. The building is not listed but is located within the Duncan Terrace / Colebrook Row Conservation Area.

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

- 6.1 Permission is sought for a change of use of the canal side storage building (Class B8) to part café (Class A3) and part design studio (Class B1) together with external alterations to western section of the building and the creation of a pitched roof behind the existing parapet and provision of a new window opening facing onto the canal path. The proposed opening hours of the café would be 07:00 – 20:00, 7 days a week. The building will be in the most part retained and refurbished, however alterations are proposed to the western element of the building which is of more modern fabric.

6.2 This application follows a previous application which was withdrawn in March 2012 and pre-application advice subsequently provided in July 2012.

## 7. RELEVANT HISTORY:

### PLANNING APPLICATIONS:

7.1 **P112783** – Change of use of former canal side storage building to use as a cafe (Class A3) and alterations to the western part of the structure involving raising the roof and provision of new fenestration and timber cladding; Associated works and alterations. Application was withdrawn: 01 March 2012.

### ENFORCEMENT:

7.2 None.

### PRE-APPLICATION ADVICE:

7.3 Pre-application advice (ref: R120672) was requested to determine the general principle of development. The use proposed at pre-application stage was as a safe and B1 Studio. The following comments were provided:

7.4 *The site is identified within Islington's Core Strategy as being within the 'City Basin Mixed Use' development area; therefore it is considered that there is scope for a Change of Use at this site as proposed. Policy E10 of the UDP addresses the loss of Class B8 (Storage and Distribution). It would need to be demonstrated that the buildings location and design makes it unsuitable in the Council's view for continued B8 use on the grounds of accessibility, size and location. The content of Policy E1 of the Council's UDP should also be noted, insofar as the creation of business development.*

*These issues need to be addressed;*

- Insufficient justification for loss of canal-side buildings;*
- Design/appearance of buildings and loss of character of quiet canal-side environment;*
- Loss of residential amenity;*
- Insufficient accessing, serving and refuse and recycling arrangements; and*
- Concerns over crime (although unlikely a reason for refusal).*

*A statement must be provided should an application be forthcoming demonstrating that all of the above concerns have been sufficiently overcome.*

*Of particular concern is the design and overall appearance of the proposed development. The proposed cladding on part of the front elevation may not be acceptable in this location, although specific details on appearance have not been provided. The proposed flue will need to be adequately screened; raising the parapet on the front elevation was suggested. It was also discussed that the roof form and raised height on section 'A' of the proposal was not acceptable. A continuation of the pitched roof found at section 'B' would be preferred to minimise impact. The creation of the new picture window in the front elevation was considered generally acceptable.*

*Concern also remains with regard to the proposed access arrangements at the site. This is something that needs to be clearly illustrated in any submission for planning permission. Refuse/recycling should also be addressed. It is considered that inadequate*

*information has been provided at pre-application stage to justify that access arrangements can be made suitable at site”.*

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 137 adjoining and nearby properties at Flat 1-57 Crystal Wharf; Unit 1-2 Crystal Wharf; 2-2A Grand Junction Wharf; 4-4A Grand Junction Wharf; 6 Grand Junction Wharf; 8-8A Grand Junction Wharf; 10, 12, 14, 16 Grand Junction Wharf; 18-18A Grand Junction Wharf; 61A-C Grand Junction Wharf; 89-105 Noel Road; 84 St Peter’s Street; 119 St Peter’s Street; Bridgeside Lodge, 61 Wharf Road; Lockside Studio; Hanover Primary School on 24 September 2012. Further letters were sent to 56-78 Noel Road; Diespeker Wharf 38 Graham Street; 38A Graham Street; 1-3 Canal Cottages, 36B Graham Street; Bollard 1-3 Graham Street on 26 September 2012.
- 8.2 At the time of writing this report a total of 13 residents have responded to the proposed development. Five letters raise objections to the scheme, along with a petition listing 42 signatories, though without addresses, who oppose the scheme. Six letters of support have also been received.
- 8.3 The issues raised by objectors can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):

Objections;-

- Residential Amenity / loss of privacy / overlooking (10.9 – 10.13);
- Noise and disturbance / increased footfall people lingering (10.11 – 10.13);
- Refuse collection/deliveries outside opening hours/no details on how will these be carried out (10.11 – 10.14);
- Unacceptable ‘day-time’ opening hours (10.12);
- Building should be brought back into ‘workshop/storage’ use (10.2 – 10.3);
- Design and appearance/introduction of new window unacceptable/Inappropriate roof design (10.3 – 10.8);
- Anti social behaviour / crime (10.15).

### **External and Internal Consultees**

- 8.4 Conservation and Design: The design is acceptable subject to conditions. Whilst the proposals are generally acceptable, the proposed design and detailing require greater consideration.
- 8.5 Angel Association, Friends of Regent’s Canal, Canal & River Trust: Support the proposal.
- 8.6 English Heritage: This application should be determined in accordance with national and local policy guidance, and on the basis of your specialise conservation advice.
- 8.7 Metropolitan Police: Provided comments relating to prevention of crime in the area.



## **9. RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

9.3 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 of this report.

### **Emerging Local Development Framework Policy Documents**

9.4 A. Islington's Development Management Policies – (Submission) June 2012

B. Finsbury Local Plan – (Submission) June 2012

C. Site Allocations Document – (Submission) June 2012

The relevant emerging local Development Framework policies to this application are listed in Appendix 2 of this report.

### **Designations**

9.5 The site has the following designations under the London Plan 2011, Islington Development Plan:

- **Site adjoins the City Road Basin Area (Finsbury Local Plan Submission June 2012)**
- **City Basin Mixed Use development area (Islington's Core Strategy (2011))**

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

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

## **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land Use;
- Design and appearance of building and impact on surrounding conservation area and adjoining listed building;
- Neighbouring residential amenities;
- Access arrangements to the site (including servicing); and

- Concerns over crime.

### **Land-use**

- 10.2 The site is identified within Islington's Core Strategy as being within the 'City Basin Mixed Use' development area. It is therefore considered that there is scope for a change of use of this building. Policy E10 of Islington Unitary Development Plan (2002) addresses the loss of Class B8 (Storage and Distribution). The policy offers protection for B8 uses unless the existing B8 use is unsuitable for continued use because of access, size or location. In this instance the building has most recently been used as a canal lock-up / storage unit (Class B8), however it currently sits vacant. The building is no longer considered to be suitable for continued B8 use due to inappropriate access arrangements for a canal side storage unit. Policy E1 of Islington's Unitary Development Plan addresses the creation of new business development. Both Council and London wide policies encourage the intensification and development of land to its full potential.
- 10.3 It is considered that the existing brick canal side building would be appropriate for use as a café and design studio, providing a positive addition to the canal path. As such, there are no land use issues which would preclude the proposed change of use.

### **Design, Conservation and Heritage Considerations**

- 10.3 The building is located within the Duncan Terrace / Colebrook Row Conservation Area. A listed school building is located to the north of the site. The site comprises a typical small scale, brick canal side building which is currently disused. Whilst no details have been submitted regarding the historic use of the building it is noted that the premises have most recently been used as a canal side lock-up for storage purposes. The building comprises of various elements with its western end of more modern construction. It is proposed to retain the building as existing in most part, although alterations are proposed to the elevations and roof form to the western side of the building. Conservation and Design have assessed the proposal and consider it acceptable subject to a number of conditions, each of which is addressed in the following paragraphs.
- 10.4 A new zinc-covered, pitched roof is proposed on the westernmost element. This element of the building presently has a flat roof covered with felt. Whilst the proposed pitched roof is considered acceptable, natural slate would be more sympathetic to the style and age of building and would better respect the local context. The design and appearance of the proposed new roof has been assessed throughout the pre-application process and is considered to be an acceptable addition to the building. It is however recommended that a condition is attached requiring the new pitched roof to be finished in natural slate.
- 10.5 The creation of a new window to the more modern, western section of the building is proposed. The proposed new window on the front elevation facing the canal fails to respect the character and appearance of the wider building. The design and scale of the window is unacceptable and it is recommended that this element is redesigned to either comprise of two smaller scale windows with cambered arch heads or one large window with a cambered arch. This would reflect the existing windows and would be more sympathetic to the host building. The window itself could be a modern large fully glazed window but should be set within a window opening which respects the original building. Again, this can be dealt with by condition. Three rooflights are proposed on the rear



elevation of the pitched roof. These are considered acceptable given they are conservation style rooflights which align with the roof profile in order to limit their visibility.

- 10.6 Concern has been raised insofar as the visual impact of the proposed extraction flue which is shown to be located to the eastern section of the building. Limited detail has been provided on the scale, projection and appearance of the extraction flue so it is difficult to determine how visible the proposed flue at roof level will be. This can be dealt with as a condition requesting additional information to demonstrate how visible the flue would be. It is considered that a flue could be located on the roof in such a way that it would not be harmful to the appearance of the building.
- 10.7 Para.134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. It is considered that the reuse of the building would improve the natural surveillance along the towpath and would restore these historic buildings to the benefit of the Conservation Area.
- 10.8 It is noted that a number of objections make reference to the scale and design of the proposed alterations to the building's elevations and roof form. The overall design of the development has been established as generally acceptable in the pre-application response provided in July 2012. With the imposition of appropriate conditions it is considered that the scale, form and design of the development are acceptable. The overall scale, appearance and proposed use of the unit are considered to restore the historic building to the benefit of the surrounding conservation area. Further, the proposal is not considered to have a material impact on the adjoining grade II listed school building.

### **Neighbouring Amenity**

- 10.9 The application site is located along the canal path, adjoining a listed school building to the north and fronting onto City Road Lock. Consideration has been given to the effect of the proposed development on neighbouring amenities in terms of overlooking, loss of privacy and outlook. Consideration has also been given to potential disturbance to residential amenity from activity such as increased footfall along the canal path to the café/design studio, delivery times to the building and opening hours.
- 10.10 The rear elevations of the closest residential properties, the School House and No. 78 Noel Road, are located over 20 metres from the application site. Nos. 1-3 Canal Cottages are situated on the opposite side of the City Road Lock, approximately 25 metres from the proposed café / design studio. Loss of privacy has also been raised as a concern by local residents. The proposed development will have one new window to the western element of the building which will serve the design studio. This new window will not be located closer to any neighbouring property than that which is currently the case. Whilst there are design issues in relation to this new window which can be dealt with by condition, its introduction would not result in any loss of privacy to surrounding occupiers given the separation distances. In addition, the change of use of the building would not create any further overlooking to surrounding properties than currently exists along the canal path. The proposed development is hereby not considered to have any greater impact on privacy and/or overlooking to the current situation on site whereby members of the public have access to the canal path at any time.

- 10.11 Objection has been raised with regard to perceived increases in noise disturbance as a result of the change of use of this building from storage to a café/design studio. A further concern raised relates to potential increase in people using the canal path for access to the café/design studio. Insofar as concerns of 'people lingering outside/around the café', there is no reason for people to remain in the area following them exiting the building and no outdoor seating area forms part of the proposal. Given the distances to the surrounding residential properties it is not considered that the proposed use would cause any unacceptable increase in noise to the occupiers of nearby residential properties. The Design and Access statement (DAS) notes that no significant cooking would take place on the premises with most food products being delivered to the site (discussed in 'Access arrangements' section below). Kitchen ventilation will be minimal and a condition is recommended for details to be submitted with regard to the appearance of the proposed flue serving the café. An enclosed refuse area is proposed to limit noise disturbance and ensure it does not detract from the visual amenities of the area.
- 10.12 Concern has been expressed over the proposed 'unacceptable day-time' opening hours. The proposed opening hours are stated on the application form as 07:00 – 20:00 daily. These times are considered to be acceptable for this type of use in such a location. A condition is proposed to be attached to ensure the building does not operate outside of these hours.
- 10.13 The canal path presently attracts a significant footfall, with members of the public using the path for walks, cycling and commuting to and from work. The proposal is for a modest sized café, including design studio, which will provide a desirable addition in this canal side location which has achieved significant levels of support from local residents and local trust groups. On balance, it is considered that a café/design studio of this scale will not cause any unacceptable impact on the amenity of surrounding residents as to warrant the refusal of this application.

#### **Access arrangements to the site (including servicing)**

- 10.14 The site has no direct vehicular access from the public highway. The closest entrance to the site is via ramped and stepped access from Noel Road and Danbury Street. Additional information has been submitted as part of this application, following advice provided at pre-application stage, to demonstrate that deliveries can be successfully implemented via nearby 'drop off points'. Deliveries (food products) are therefore proposed via drop off at nearby street location and then transported via a 'café cargo bike' to the café approximately three times a day. Gas bottles are to be supplied by a service boat on a weekly basis via drop off from canal service boats. The removal of waste is proposed to be undertaken three times a week. The proposed servicing arrangements are deemed acceptable in principle to contribute to a sustainable scheme. However, full details of servicing arrangements, including waste collection, are required by condition to any grant of planning consent. A condition is imposed to restrict deliveries and servicing to be carried out between the permitted opening times of 07:00hr and 20:00hr to limit disturbance.

#### **Crime**

- 10.15 It is not considered that the proposed would create any crime / anti social behaviour within the immediate area to result in any reason for refusal. The Police have been consulted but not raised any objection to the proposed change of use.

## **National Planning Policy Framework and Final Balancing Exercise**

10.16 The scheme complies with the provisions of the NPPF and local policy, and is in accordance with statutory and material considerations.

### **11. SUMMARY AND CONCLUSION**

#### **Summary**

11.1 Overall, the proposal to change the use of the canal side lock up / storage building to café (Class A3) and part design studio (Class B1), together with alterations to the elevations and roof is considered acceptable. Due to scale, design, materials and appearance the proposed external alterations are considered to respect the character and appearance of the host building and surrounding area. In addition, it is considered that the proposed use would not result in any harmful impact on the amenities of local residential occupiers and is policy compliant in land use terms.

#### **Conclusion**

11.2 It is recommended that planning permission be granted subject to conditions for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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 (London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002), the National Planning Policy Framework (2012) and other material considerations.

- This decision was made by the Members of the Planning Sub- A Committee on the 12<sup>th</sup> February 2013.
- The delivery of this scheme would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth, but also seeks to ensure social and environmental progress;
- The proposal is not considered to have a significant adverse effect on the residential amenity of neighbouring occupiers and is considered consistent with policy D3 (Site Planning) of the Islington Unitary Development Plan (2002) which seeks to protect the residential amenity of neighbouring properties.
- The proposal is considered to be acceptable in overall design and not to have a material adverse visual impact on the appearance of the host building, surrounding conservation area and adjoining listed building. It is considered consistent with policies D4 (Designing in Context), D11 (Extensions and Alterations) and D24 (Materials) of the Islington Unitary Development Plan 2002, policies CS9 and CS9 of the Core Strategy 2011, and objectives of the Islington Urban Design Guide 2006.
- The proposed development is therefore considered to comply with the National Planning Policy Framework (2012); The London Plan (2011); policies CS8 (Enhancing Islington's character), CS9 (Protecting and Enhancing Islington's Built and Historic Environment), CS10 (Sustainable Design) and CS13 (Employment Spaces) of the Core Strategy; policies D3 (Site Planning), D4 (Designing in Context), D11 (Alterations and Extension), D24 (Materials), E1 (Business Development) and E10 (Storage and Distribution) of the Islington Unitary Development Plan (2002); and the requirements of the Islington Urban Design Guide (2006) and the Islington Planning Standard Guide (2002).

## RECOMMENDATION B

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

### List of Conditions:

1	<b>Commencement</b>
	CONDITION: The development hereby permitted shall be begun not later than the



	<p>expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Approved Plans List</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan; Drawing Nos: 001/02; 002/02; 003/04; 004/04; 005/02; 006/04; Design &amp; Access Statement dated August 2012.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials</b>
	<p>CONDITION: All new external work shall be carried out in materials of such colour or texture and with architectural detailing to match the existing facing work of the building.</p> <p>REASON: To ensure that the Local Planning Authority may be satisfied with the external appearance of the building. In order to safeguard the special architectural or historic interest of the heritage asset in accordance with policy 12 of the National Planning Policy Framework 2012, policy D24 of the Islington Unitary Development Plan 2002 and policy CS9A and B of the Islington Core Strategy 2011.</p>
<b>4</b>	<b>Roof covering (details)</b>
	<p>CONDITION: Notwithstanding details on the submitted plans, the new pitched roof covering shall be in natural slate, and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset in accordance with policy 12 of the National Planning Policy Framework 2012, policy D24 of the Islington Unitary Development Plan 2002 and policy CS9A and B of the Islington Core Strategy 2011.</p>
<b>5</b>	<b>Conservation Rooflights (Compliance)</b>
	<p>CONDITION: The rooflights shall be 'conservation rooflights' in metal painted black to sit flush with the roof and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset in accordance with policy 12 of the National Planning Policy Framework 2012, policy D24 of the Islington Unitary Development Plan 2002 and policy CS9A and B of the Islington Core Strategy 2011.</p>
<b>6</b>	<b>Details of new window</b>
	<p>CONDITION: Notwithstanding details on submitted plans, the proposed new south facing window shall be re-designed to respect the original building and character and appearance of the wider building. Details of all new windows shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The details shall include materials, profile and detailing.</p>

	<p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset in accordance with policy 12 of the National Planning Policy Framework 2012, policy D24 of the Islington Unitary Development Plan 2002 and policy CS9A and B of the Islington Core Strategy 2011.</p>
<b>7</b>	<b>Refuse/Recycling Provided (Compliance)</b>
	<p>CONDITION: The dedicated refuse / recycling enclosure shown on drawing no. 003/04 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to in accordance with policies: 5.15 and 5.16 of the London Plan 2011, policy: D3 of the Islington Unitary Development Plan 2002 and policy CS11B of the Islington Core Strategy 2011.</p>
<b>8</b>	<b>Opening hours</b>
	<p>CONDITION: The use hereby approved shall not operate except between the hours of 07:00hr and 20:00hr on any day.</p> <p>No deliveries shall be made to the premises outside the above hours of operation.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity in accordance with policies: D3 and Env17 of the Islington Unitary Development Plan 2002 and policy CS12F of the Islington Core Strategy 2011.</p>
<b>9</b>	<b>Delivery Servicing Plan</b>
	<p>CONDITION: A delivery and servicing plan (DSP), including details of waste collection from the site, detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory and do not adversely impact on existing and future residential amenity in accordance with policies: 6.7 and 6.13 of the London Plan 2011 and policies D3 of the Islington Unitary Development Plan 2002</p>
<b>10</b>	<b>Flues and extraction (Details)</b>
	<p>CONDITION: Notwithstanding the hereby approved drawings, details (scale 1:20 / 1:50) including size, design, materials and details of screening of the proposed flue / extraction unit located over the waste storage area of the building shall be submitted to and approved in writing by the Local Planning Authority.</p>

	<p>The flues/extraction systems shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the commercial units to which they relate and maintained as such thereafter.</p> <p>REASON: To protect the visual amenity of the surrounding area and nearby residential amenity in accordance with policies D3 of the Islington Unitary Development Plan 2002, policy CS9 of the Core Strategy 2011, the Islington Planning Standards Guidelines 2002, and the Islington Urban Design Guide 2006.</p>
<b>11</b>	<b>Use of the building</b>
	<p>CONDITION: The uses hereby permitted shall only operate within the areas of the unit floor as shown on the hereby approved proposed plan No 003/04.</p> <p>REASON: In order to safeguard the long term use of the site in accordance with policy 13 of Islington's Core Strategy 2011 and policies E10 &amp; E13.</p>

## LIST OF INFORMATIVES

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

## APPENDIX 2: RELEVANT POLICIES

This appendices list all relevant development plan polices 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 and Islington Unitary Development Plan 2002. The following policies of the Development Plan are considered relevant to this application:

## **A) The London Plan 2011 - Spatial Development Strategy for Greater London**

5 London's response to climate change  
Policy 5.3 Sustainable design and construction

7 London's living places and spaces  
Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.4 Local character  
Policy 7.6 Architecture

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

### Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

### Strategic Policies

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

## **C) Islington Unitary Development Plan (2002)**

Conservation and Design Policies:

D3 (Site Planning)  
D4 (Designing in Context)  
D11 (Alterations and extensions)  
D24 (Materials)  
D25 (Roof Extensions)  
Env17 (Protecting Amenity)  
E1 (Business Development)  
E10 (Storage and Distribution)  
E13 (Small Firms and Business Start-Ups)

## **3. Emerging Local Development Framework Policy Documents**

Following the submission to the Secretary of State on 16/08/2012, the draft development plan documents listed below are currently subject to Independent Examination:

- Development Management Policies (Submission) June 2012
- Finsbury Local Plan (Submission) June 2012

Hearings pertaining to the Independent Examination were held between 10<sup>th</sup> and 12<sup>th</sup> December 2012. Following these hearings, the council has proposed amendments to certain emerging policies/allocations which aim to resolve objections raised by



representors. Key policies/allocations proposed to be amended and/or which are subject to unresolved objections are:

**Development Management Policies:**

Policy DM3 (Heritage)  
Policy DM8 (Affordable housing)  
Policy DM12 (Housing standards) - Part D  
Policy DM17 (HMOs, hostels and student accommodation) - Parts A and H  
Policy DM28 (Hotels and visitor accommodation)  
Policy DM29 (Social and strategic infrastructure and cultural facilities)  
Policy DM31 (Loss of existing business floorspace)

**Finsbury Local Plan:**

Policy BC2 (City Road Basin area) - Part B  
Policy BC8 (Achieving a balanced mix of uses) - Part A  
Allocation BC6 (City Forum, 250 City Road)  
Allocation BC8 (Islington Boat Club, 16-34 Graham Street)  
Allocation BC9 (Graham Street Park and Linear Park extension)  
Allocation BC10 (37-47 Wharf Road)  
Allocation BC31 (Car park at 11 Shire House, Lamb's Passage)  
Allocation BC44 (Clerkenwell Fire Station)  
Allocation BC48 (Angel Gate, Goswell Road)

All emerging policies and allocations have a degree of weight as material considerations in the decision-making process. However, prior to receipt of the Inspector's Report on the outcome of the Independent Examination (expected in early March 2013), policies/allocations listed above should be considered to have relatively limited weight. Other emerging policies and allocations contained within these draft documents carry more significant weight.

**A) Islington's Development Management Policies (Submission) June 2012**

**Design and Heritage** **DM43** Sustainable design standards  
**DM1** Design

**Energy and Environmental Standards**  
**DM40** Sustainable design and construction statements

**B) Finsbury Local Plan (Submission) June 2012**

Policy BC2 (City Road Basin area) – Part B

**4. Designations**

The site has the following designations under the London Plan 2011 and Islington Unitary Development Plan (2002):

- **Central Activities Zone**
- **Duncan Terrace / Colebrook Row**
- **City Basin Area / City Basin Mixed Use**

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

The following SPG's and/or SPD's are relevant:

**Islington UDP**

- Planning Standards Guidelines
- Urban Design Guide

**London Plan**

- Sustainable Design & Construction