



Resources Department
Town Hall, Upper Street, London, N1 2UD

AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD on **6 February 2018 at 7.30 pm.**

Yinka Owa
Director – Law and Governance

Enquiries to : Ola Adeoye
Tel : 020 7527 3044
E-mail : democracy@islington.gov.uk
Despatched : 29 January 2018

Welcome:

Members of the public are welcome to attend this meeting.

Consideration of Planning Applications – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.**


Committee Membership

Wards

Substitute Members

Councillor Khan (Chair)	- Bunhill;	Councillor Chowdhury	- Barnsbury;
Councillor Donovan-Hart (Vice-Chair)	- Clerkenwell;	Councillor A Clarke-Perry	- St Peter's;
Councillor Picknell (Vice-Chair)	- St Mary's;	Councillor Williamson	- Tollington;
Councillor Nicholls	- Junction;	Councillor Gill	- St George's;
Councillor Fletcher	- St George's;	Councillor Wayne	- Canonbury;
Councillor Court	- Clerkenwell;	Councillor Poyser	- Hillrise;
Councillor Gantly	- Highbury East;	Councillor O'Halloran	- Caledonian;
Councillor Kay	- Mildmay;	Councillor Turan	- St Mary's;
Councillor Ward	- St George's;	Councillor Webbe	- Bunhill;
Councillor Convery	- Caledonian;		

Quorum: 3 councillors



A.	Formal Matters	Page
-----------	-----------------------	-------------

- | | | |
|----|------------------------------------|--|
| 1. | Introductions | |
| 2. | Apologies for Absence | |
| 3. | Declarations of Substitute Members | |
| 4. | Declarations of Interest | |

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a)Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

- | | | |
|----|-----------------------------|-------|
| 5. | Order of Business | 1 - 2 |
| 6. | Minutes of Previous Meeting | 3 - 6 |

B.	Consideration of Planning Applications	Page
-----------	---	-------------

- | | | |
|----|--|---------|
| 1. | 202-210 Fairbridge Road, London, N19 3HT | 7 - 110 |
| 2. | 9-12 Great Sutton Street, London, EC1V 0BX | 111 - |

		198
3.	Paul Anthony House, 724 Holloway Road, London, N19 3JD	199 -
		256
4.	Site of Electricity Sub Station, Opposite 15-27 Gee Street & Car Park Spaces 90-98 Goswell Road	257 -
		346

C.	Consideration of other planning matters	Page
-----------	--	-------------

D.	Urgent non-exempt items (if any)
-----------	---

Any non-exempt items which the Chair agrees should be considered urgent by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

Date of Next Meeting: Planning Committee, 1 March 2018

Please note all committee agendas, reports and minutes are available on the council's website:

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING COMMITTEE

Planning Committee Membership

The Planning Committee consists of ten locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

Consideration of the Application

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

What Are Relevant Planning Objections?

The Planning Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

For further information on how the Planning Committee operates and how to put your views to the Planning Committee please call Ola Adeoye on 020 7527 3044. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.

COMMITTEE AGENDA

1 202 - 210 Fairbridge Road
London
N19 3HT

2 724 Holloway Road, London, N19 3JD

3 9-12 Great Sutton Street
LONDON
EC1V 0BX

**4 Site of Electricity Sub Station Opposite 15 - 27 Gee Street &
Car Park Spaces 90 - 98 Goswell Road**
LONDON
EC1

1 202 - 210 Fairbridge Road
London
N19 3HT

Ward: Hillrise

Proposed Development: Demolition of existing MOT garage (Use Class B2) and the erection of a 5 storey building to provide 2no. commercial units (Use Class B1/B8) at ground floor, 15 residential units above (4x1 beds, 11x2 beds, Use Class C3), with cycle parking, refuse storage, plant, landscaping, and associated engineering works.

Application Number: P2017/2754/FUL

Application Type: Full Planning Application

Case Officer: Jan Slominski

Name of Applicant: Dominvs Property Developments Ltd.

Recommendation:

2 724 Holloway Road, London, N19 3JD

Ward: Junction

Proposed Development: Demolition of existing building and construction of a part two, part six-storey mixed use building providing 1,802m² of B1(a) office floorspace over basement, ground, first and second floors and 10 residential flats (three x 1-bedroom, six x 2-bedroom, one x 3-bedroom) above.

Application Number: P2016/4533/FUL

Application Type: Full Planning Application

Case Officer: Peter Munnelly

Name of Applicant: Mr C Freed

Recommendation:

**3 9-12 Great Sutton Street
LONDON
EC1V 0BX**

Ward: Bunhill

Proposed Development: Demolition of existing buildings and redevelopment to provide a 6-storey (plus basement) building accommodating 1,307sqm (NIA) office floorspace at basement and first to fifth floors, and a 243sqm (NIA) retail (A1 use) unit at ground level, together with associated cycle parking and refuse and recycling storage [THIRD 14-DAY RECONSULTATION following submission of revised Daylight and Sunlight Study (dated 04/10/2017), amended drawings and fire safety information].

Application Number: P2016/3353/FUL

Application Type: Full Planning Application

Case Officer: Evie Learman

Name of Applicant: Frella Global Ltd & Kallion International Ltd

Recommendation:

**4 Site of Electricity Sub Station Opposite 15 - 27 Gee Street &
Car Park Spaces 90 - 98 Goswell Road
LONDON
EC1**

Ward: Bunhill

Proposed Development: Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 3,956 sqm (GIA) office (Use Class B1a) floorspace on part ground floor and Levels 1-6 and 94 sqm (GIA) retail floorspace on part ground floor.

Application Number: P2017/3389/FUL

Application Type: Full Planning Application

Case Officer: Simon Greenwood

Name of Applicant: Chait Investment Corporation Ltd

Recommendation:

London Borough of Islington

Planning Committee - 18 January 2018

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 18 January 2018 at 7.30 pm.

Present: **Councillors:** Khan (Chair), Donovan-Hart (Vice-Chair), Nicholls, Fletcher, Court, Gantly and Convery

Councillor Robert Khan in the Chair

351 INTRODUCTIONS (Item A1)

Councillor Khan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

352 APOLOGIES FOR ABSENCE (Item A2)

Apologies were received from Councillors Picknell, Kay and Ward.

353 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

354 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

355 ORDER OF BUSINESS (Item A5)

The order of business would be as per the agenda.

356 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 5 December 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

357 10-14 WHITE LION STREET, LONDON, N1 9PD (Item B1)

Demolition of the existing building and the construction of a seven storey, plus basement, building providing 6,369 sqm of B1 (business) floorspace, including 279sqm as 3no. flexible B1/D1 (non-residential institutions) SME units accessed from Angel Mews. Internal substation, cycle storage, and bin stores, roof level plant enclosure, photovoltaic panels, outdoor terraces, and associated works.

(Planning application number: P2017/0297/FUL)

In the discussion the following points were made:

- The Planning Officer informed the meeting that no additional representations had been received from neighbouring residents since the publication of the agenda.
- Members were advised of a typographical error - On page 16 of the report, paragraph 6.1 where the existing floor space states 1,800sqm that it should be 2,431sqm. Also that the site PTAL as noted on page 15/para 5.2 as "6b", and on p44/para 10.122 as "6a", is correct but should read PTAL "6a/b".
- In response to concerns about the loss of light to the windows on the lower floors of Angel House, the case officer acknowledged that the additional height as a result of the proposal would have an impact but in the view of officers was not to such an extent to warrant a refusal.
- A neighbour was concerned that in addition to other developments around the area, the proposal would result in further unacceptable impacts on neighbouring amenity. She was also concerned that the scale of the proposal would result in loss of reduced daylight and the use of the outdoor terraces would result in an increase in noise and loss of privacy. The resident raised concerns about the accuracy of the noise report especially with the additional noise that would be generated from the proposed plant being sited on the top floor of the building.
- With regards to the noise pollution from the plant, the agent informed the meeting that some of the plant would be sited in the basement and that condition 19 in the report would ensure that noise levels from the proposed plant had been assessed.
- With regard to the use of the outdoor terraces especially as the proposal was for an office development, the case officer confirmed that the third floor terrace has been omitted from the plans. A suggestion to amend condition 9 requiring that the outdoor terraces would not be used after 17.00 on weekdays and would not be used at weekends was put forward and agreed. Questions were raised regarding the privacy screens and it was acknowledged that privacy panels were included as part of the proposal.
- Members acknowledged that there were neighbouring amenity impacts with respect of daylight and that concerns are never ignored but that the guidelines should be considered and applied flexibly as stipulated by the BRE Guidance. Additionally Members stated that planning decisions require a balance between the benefits and harm of a scheme and that in this instance the benefits of increased employment floorspace, a welcome high quality design for this site which is otherwise in a dilapidated state and given that the daylight impacts were on the lesser end of the scale when compared to some schemes considered recently by the Planning Committee, the benefits were in this instance considered to outweigh the identified impacts on the neighbouring amenity, subject to conditions including roof terrace

Planning Committee - 18 January 2018

access restrictions.

- Councillor Convery moved a motion to defer the item so as to allow both Planning Officers and the Agent to consider the possibility of alleviating concerns regarding the impact of the loss of light by remodelling the shape and design of the scheme. This was seconded by Councillor Gantly but was not carried.
- Councillor Fletcher proposed a motion to approve subject to the amendments to condition 9. This was seconded by Councillor Nicholls and was carried.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report plus the amendment to condition 9 as stated above and conditional on the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

The meeting ended at 8.00 pm

CHAIR

This page is intentionally left blank

PLANNING COMMITTEE REPORT



Agenda Item B1 ISLINGTON

Development Management Service
Planning and Development Division
Environment and Regeneration
Department
Islington Town Hall
Upper Street
LONDON N1 2UD

PLANNING COMMITTEE	AGENDA ITEM NO:	B1
Date:	6 th February 2018	NON-EXEMPT

Application number	P2017/2754/FUL
Application type	Full Planning Application
Ward	Hillrise
Listed building	None affected.
Conservation area	None affected.
Development Plan Context	No site allocations. Employment Growth Area.
Licensing Implications	None.
Site Address	202 - 210 Fairbridge Road, London N19 3HT
Proposal	Demolition of existing MOT garage (Use Class B2) and the erection of a 5 storey building to provide 2no. commercial units (Use Class B1/B8) at ground floor, 15 residential units above (4x1 beds, 11x2 beds, Use Class C3), with cycle parking, refuse storage, plant, landscaping, and associated engineering works.

Case Officer	Jan Slominski
Applicant	Dominvs Property Developments Ltd.
Agent	CgMs RPS

1. RECOMMENDATION

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

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

2. SITE PLAN



Fig 2.1 Site Plan. Application site outlined in red.

3. SUMMARY

- 3.1 The application site is a vacant MOT/vehicle repair garage (Use Class B2) on the south east side of Fairbridge Road, close to the junction with Hornsey Road. The site is within the Hornsey Road Employment Growth Area (EGA).
- 3.2 The proposed development would demolish the existing building (122sqm of employment floorspace), and would erect a new mixed use 4-5 storey building. There would be a 46% increase in employment floorspace to 178.5sqm at ground floor, 100% of which would be affordable units (by virtue of their sizes), suitable for light industrial (B1c) or storage, distribution and wholesale (B8) uses. On the upper floors there would be 15no. flats (4x 1-bedroom, 11x 2-bedroom), of which 5 (33%) would be affordable housing. The proposed units would be dual aspect and would provide good quality accommodation.
- 3.3 The impacts on neighbour amenity would be limited, and only 2 opposite neighbouring units would experience significant loss of daylight. However, those units would still

benefit from good sunlight levels, and the daylight reductions would be less than that which would occur if the development simply mirrored the building opposite.

- 3.4 The design of the building is considered high quality and contextual, and reflects the 4-5 storey scale of the adjacent buildings.
- 3.5 The proposed development would balance the EGA priority of an increase in (affordable) employment floorspace, with additional housing, and would comply with the Council's policies on transport, inclusive design and sustainability. The proposal would also comply with the development plan in other respects and is considered a sustainable form of development.
- 3.6 Approval is recommended subject to conditions, and a Section 106 agreement to secure the necessary mitigation.

4. SITE AND SURROUNDINGS

- 4.1 The application site is on the south east side of Fairbridge Road, close to the junction with Hornsey Road and opposite the junction with Charles Street.
- 4.2 There is a mix of uses in the surrounding area, including retail and other commercial uses along Hornsey Road (within the Hornsey Road North Local Shopping Area) to the North West.
- 4.3 202 - 210 Fairbridge Road is currently a vacant MOT garage (Use Class B2) arranged as a 122sqm double height (with mezzanine) building with painted brick and metal clad elevations.
- 4.4 On the opposite side of the road is a recently constructed 5 storey development by Family Mosaic, granted permission in 2011. On the south west side of the site is a 2 storey concrete building with a service yard, and on the north west side is a 4 storey building arranged as 2no. live/work units.
- 4.5 The site backs onto a railway line, and the railway embankment is a Borough Grade 1 Site of Importance for Nature Conservation (SINC).
- 4.6 The site is not affected by any formal heritage constraints.
- 4.7 The site is within the Hornsey Road Employment Growth Area (EGA).
- 4.8 The nearest town centres are Archway town centre at the south west end of Fairbridge Road (0.5km walking distance), Finsbury Park (1km walking distance) and Nags Head Town Centres (1.2km walking distance).
- 4.9 The site is within a Controlled Parking Zone. The nearest stations are Crouch Hill (0.7km walking distance), Upper Holloway (0.6km walking distance) and Archway Northern Line Underground Station (1km Walking Distance). The site's Public Transport Accessibility Level (PTAL) is 3 (moderate). Islington Council is the highways authority for both Fairbridge Road and Hornsey Road.

5. PHOTOS OF SITE AND SURROUNDINGS



Fig 5.1 3D Aerial view



Fig 5.2 Photograph of existing site



Fig 5.3 Photograph of existing site

6. PROPOSAL

- 6.1 The application is for full planning permission to demolish the existing building, and construct a 5 storey mixed use building. The new building would provide 2 business units (Use Class B1/B8) at ground floor and 15 residential units above (4x1 beds, 11x2 beds). There would be internal cycle parking, refuse storage and plant. No basement is proposed, but there would be a SUDS attenuation tank below ground level.
- 6.2 The proposal would be arranged as one building, with yellow brick elevations. There would be 4 full storeys with the top storey set-back from the front and side elevations to reflect the massing of the 5 storey building opposite. There would be a faceted concrete ground floor elevation, with three brick faced storeys above and a metal clad recessed top storey.
- 6.3 The following images show the proposed development.



Fig 6.1 Proposed Front Elevation

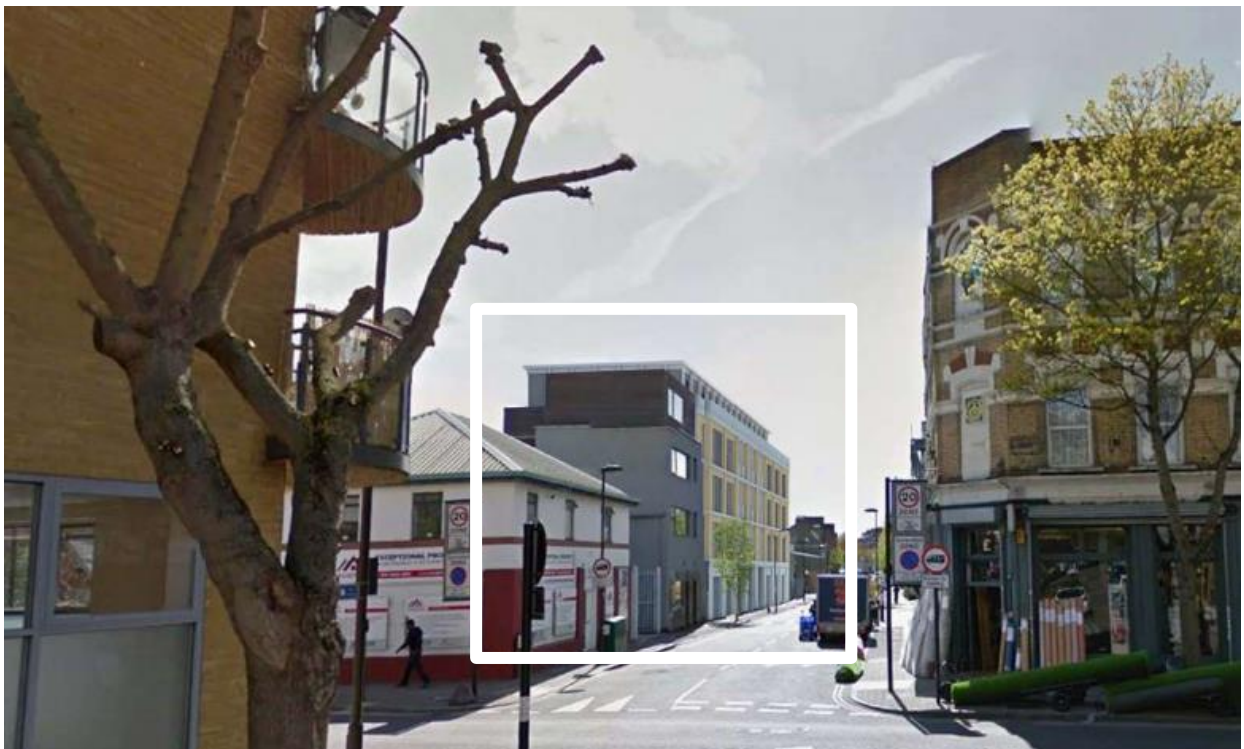


Fig 6.2 Views looking west from Hornsey Road/Spears Road



Fig 6.3 Views looking east from Fairbridge Road

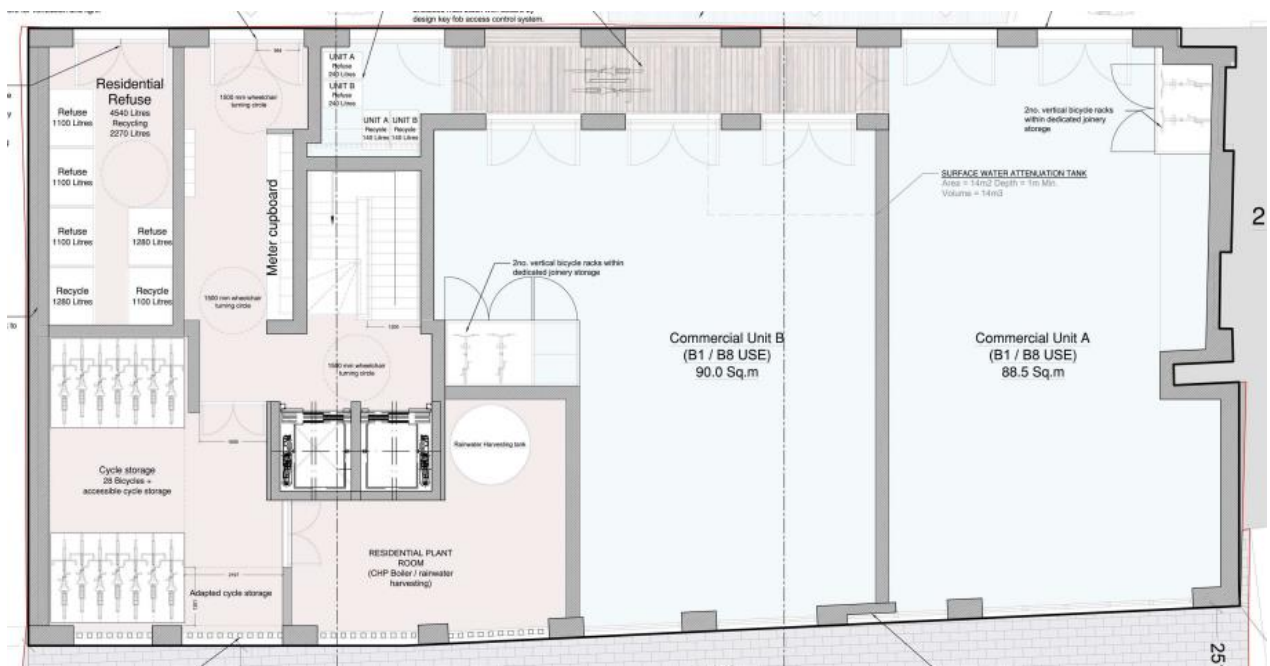


Fig 6.4 Proposed Ground Floor Plan

- 6.4 At ground floor there would be 2 commercial units with separated entrances, and a separate residential core with refuse and cycle stores and 2 lifts.

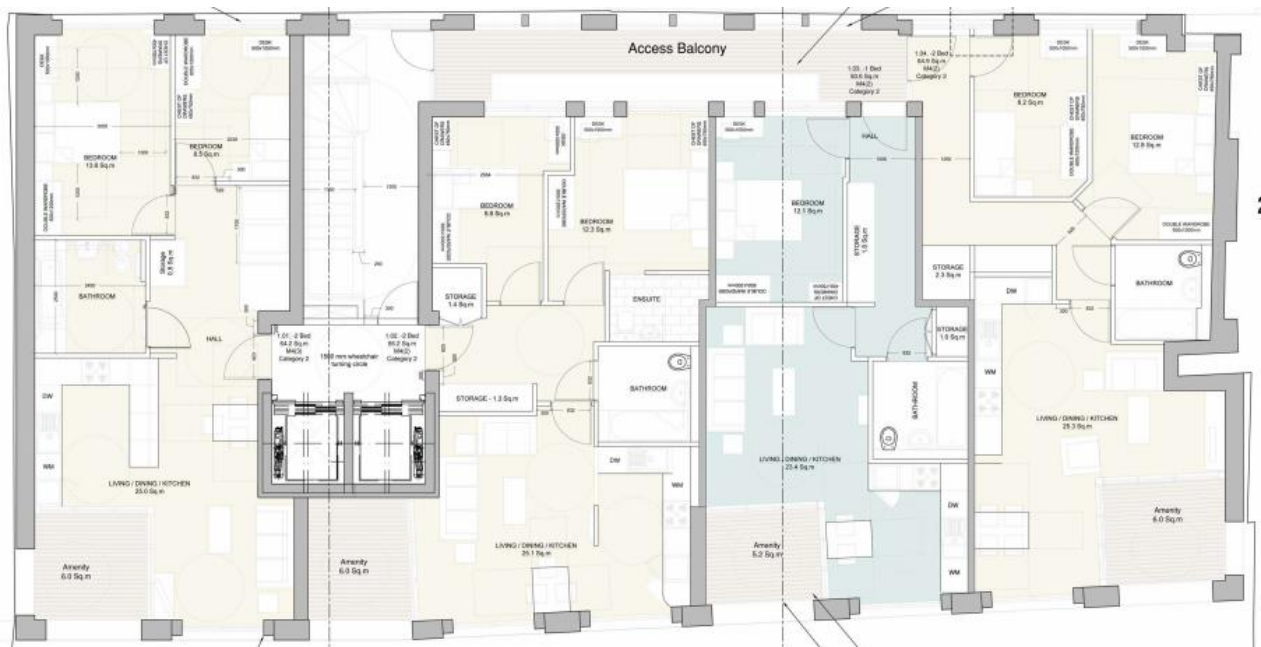


Fig 6.5 Proposed First Floor Plan

- 6.5 The upper floors would have 15 residential units. On each floor, 2 units would be accessed from the internal circulation corridor, and the others via the deck access balcony on the front elevation. The units would all be dual aspect, with bedrooms facing the street (away from the railway line), and living rooms with inset balconies facing south towards the railway line (away from the neighbours on Fairbridge Road).

7. RELEVANT HISTORY

Application Site

- 7.1 P071880 Demolition of existing garage and construction of new garage with MOT testing facilities and 3.0m high fencing fronting Fairbridge Road. Approved 07/03/2008. This appears not to have been implemented.

169-191 Fairbridge Road (opposite the site)

- 7.2 P092517 Erection of two buildings comprising a part 2, 3 and 5-storey building and a 5-storey building providing for 80 dwellings at part ground and wholly to upper levels and two ground floor units for flexible use: A1 (shop) / A2 (financial/professional services) / B1 (business) / D1 (non-residential institutions) / D2 (assembly and leisure), together with the formation of a new road, disabled car-parking and erection of an electrical sub-station. Approved 25/06/2010. Subsequently varied by application P110762 (amended plans); and P120765 (occupation date).

212 Fairbridge Road (adjacent to the north east)

- 7.3 961960 Lawful use as ground floor workshop and first and second floor one-bedroom 'live-work' unit. Approved 12/12/1996.
- 7.4 P071698 Construction of a new roof extension, balcony and first floor garden room. Approved 04/09/2007.

- 7.5 P080660 Alterations and extensions including roof extension with balcony; construction of a new timber screen; opening lights and doors to the front elevation; first floor garden room extension. Approved 20/05/2008.

471 Hornsey Road (on the north west corner with Fairbridge Road)

- 7.6 P2016/2741/FUL Erection of roof extensions at second and third floor to create 2no. residential flats (1x 2 bedroom flat and 1x 3 bedroom flat) and alterations to existing flat C. Ground floor commercial unit to be retained along with existing 3no. residential units. Refused 31/08/2016, due to failure to comply with the Council's affordable housing policy. Appeal dismissed 24/01/2017.

- 7.7 P2017/1273/FUL Resubmission of application P2016/2741/FUL, including affordable housing contribution to address previous reason for refusal. Under Consideration.

469 Hornsey Road (on the south west corner with Fairbridge Road)

- 7.8 P2016/4928/FUL Demolition of existing two storey building and erection of 4 storey building plus set back roof addition and part basement to provide office (B1 use) at ground and part basement floor and 7 self-contained resident units (6x2 beds, 1x3 bed) plus cycle parking and associate refuse. Under consideration.

8. CONSULTATION

- 8.1 Letters were sent to occupants of 140 adjoining and nearby properties on 26/07/2017. Site notices and a press notice were published on 27/07/2017. The public consultation period ended on 17/08/2017; however, it is the Council's practice to continue to consider until the decision date.

Public Consultation Responses relevant to Planning

- 8.2 At the time of writing, objections were received from 16 neighbouring addresses, of which 10 were very similar proforma-style responses from Landsdowne Court (labelled within the application documents at Block A). No responses were received from residents at Kipling Court (labelled as Block B), which is directly opposite the site.
- 8.3 The issues raised are summarised as follows (*with officer comments in brackets*):
- 8.4 Loss of privacy and overlooking, across Fairbridge Road and to the rear towards the rear windows and terraces at 212 Fairbridge Road (*Officers have reviewed the floorplans of adjacent properties and considered this issue in the neighbour amenity section of this report. The Council's guidance states that windows which face away from a highway should have an 18m separation distance. The development has been designed with main living rooms on the rear elevation to minimise overlooking, and privacy screens were added to the proposal following the consultation responses, in order to prevent overlooking towards 212 Fairbridge Road*)
- 8.5 Loss of sunlight and daylight. (*There are a number of surrounding units which would experience reduced daylight as a result of the proposed development, which is to be expected as they are within a 5-storey building currently overlooking a clear site. The neighbouring units which would experience loss of daylight are considered in the daylight and sunlight section of this report, and it is noted that they would still experience BRE compliant sunlight levels following the development.*)

- 8.6 At 5 storeys, the design is overbearing and too tall. *(This was raised by the neighbours in the opposite 5-storey, and nearby 4-storey buildings. The proposal would be 5 storeys, with the top storey substantially set-back by 1.9m so as to read as 4 storeys plus a roof storey, and would be in keeping with the scale of the 4-5 storey buildings on Fairbridge Road.)*
- 8.7 Article 8 of the Human Rights Act (which states that a person has the substantive right to respect for their private and family life) should be considered. *(Officers have considered the application in light of the relevant legislation, including but not limited to the Human Rights Act 1988 and the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010)*
- 8.8 Additional pressure on local facilities, including schools, GP surgeries and parking spaces *(A CIL contribution is required separately to contribute to community infrastructure, and the development will be parking permit-free for new residents).*
- 8.9 The construction programme would impact on local businesses, in particular the carpet shop on the corner of Hornsey Road which currently leaves carpet on the highway and may be affected by dust. *(An outline Construction and Environmental Management Plan is to be secured by condition 29 and the s.106 obligations include compliance with the code of construction practice and monitoring).*
- 8.10 The proposed concrete facing at ground floor may weather poorly if a low grade is specified. *(The proposal would use glass reinforced concrete which is a high quality, robust and low maintenance material. Detailed design and exact specifications are to be secured by condition 5).*

Additional Public Comments (relevant to matters outside the planning system)

- 8.11 The developers have incorrectly labelled Blocks A and B and the application should be refused on that basis. *(The sunlight and daylight assessment clearly shows the impacts of the proposed development on the surrounding buildings, with 3D window maps showing the affected properties. The labels given to those buildings is not material to consideration of the impacts of the development).*
- 8.12 External Consultees
- 8.13 Network Rail: Objected to the proposed basement due to land stability concerns, and to the building being along the boundary with Network Rail land as this would provide no boundary maintenance opportunity, would be too close to overhead line equipment and would allow littering of household goods on the railway line. *(No basement is proposed and a 2.5m clear "maintenance strip" of land is proposed along the boundary, exceeding the Network Rail guidance of 2.0m. Officers have been forwarded correspondence between the applicant and network rail agreeing to the proposal, and have separately been in correspondence with Network Rail to agree withdrawal of the objection. Network Rail have been unable to explain their objection, and in order to avoid frustrating development, officers recommend that the scheme is approved subject to the withdrawal of the Network Rail objection on the assumption that it will be withdrawn).*
- 8.14 Transport for London: The proposal would not result in an unacceptable impact to the Transport for London Road Network.

- 8.15 Thames Water: No objection, subject to the relevant consents being obtained in relation to piling. *(An informative is recommended setting out the Thames Water comments.)*
- Internal Consultees
- 8.16 Design and Conservation Officer: The proposal is considered to be appropriate within its industrial and residential context, using contextual materials and not appearing over-dominant on the street scene. The proposal has addressed the DRP comments.
- 8.17 Energy Officer: Following revised and additional information, the proposal would comply with the Council's energy saving policies and no objection is raised. Based on the submitted documents the proposal would exceed BREEAM excellent, and would comply with the Islington and London Plan emission reduction targets. A carbon offset reduction of £24,824 is required. *(A s.106 obligation is recommended to require an updated energy statement to include dynamic thermal modelling and exploration of PV panels, and subsequent recalculation of the CO2 offset payment to reflect any changes).*
- 8.18 Highways: No objection, subject to the relevant highways works being secured through the s.106 agreement.
- 8.19 Housing: As the development is not owned by the Council or a Registered Provider (RP), and there is only one core, it would be unusual for social rent to be provided on-site. The housing officer contacted the two RPs in the borough which have previously managed isolated social rent units, who declined to accept the units. Having considered the options of (1) all the proposed affordable housing being on site, but intermediate; or (2) a smaller proportion of intermediate housing on site, and a greater financial contribution towards the Council's new build homes programme, the preference was for on-site delivery. *(The proposal would deliver 5 intermediate units on site, which was the maximum reasonable amount supported by an independently reviewed viability appraisal).*
- 8.20 Inclusive Design: No objection, subject to improved accessible cycle storage, mobility scooter charging space, and reconfigured wheelchair unit bathroom. *(Those changes were made, and inclusive design features/standards are to be secured by condition 10).*
- 8.21 Environmental Pollution (Noise and vibration): The proposal does not adequately assess the noise impacts of the proposed industrial units, and the adjacent railway line, on the proposed residential units. The noise survey was carried out at a time when the railway line was not fully operational. However, it would be possible to deliver the proposed development in this location subject to appropriate detailed design and mitigation, which should be informed by a further noise assessment. An opening-hours condition is also recommended to avoid noise at unsociable hours. *(Conditions 11, 12 and 13 are recommended to address noise and vibration concerns, and ensure appropriate structural and façade design to avoid unacceptable noise and vibration).*
- 8.22 Environmental Pollution (Construction and Air Quality): Additional detail is required within a Construction Environmental Management Plan to ensure that construction impacts are properly identified and mitigated. The air quality report predicts exceedance of the allowable Nitrogen Oxide emissions at ground level, although this will be within 5% of the objective so mitigation is appropriate. *(Condition 30 is recommended to secure further mitigation).*

- 8.23 Environmental Pollution (Contamination): The site's previous uses are potentially contaminating so further investigation and mitigation are advised (*Condition 25 is recommended to secure intrusive investigation and remedial measures if required*).
- 8.24 Environmental Pollution (Light Pollution): No objection, but impacts on the adjacent railway embankment Site of Importance for Nature Conservation should be considered (*Details of external lighting were submitted, and condition 16 is recommended to allow further officer consideration of lighting with regard to crime safety, light pollution and biodiversity*).
- 8.25 Biodiversity Officer: Agreed with the recommendations in the Preliminary Ecological Appraisal and raised no objections.
- 8.26 Tree Officer: No objection, but an Arboricultural Impact Assessment to comply with the recommendations of BS5837:2012 should be required by a planning condition, adequate tree protection measures should be in place, and the cost of the additional street tree should be secured through the s.106 agreement, but its location and species should be decided by the Council's highways team to ensure an appropriate species, tree pit, and location. (*The proposed tree is included in the Planning Obligations heads of terms*).

Design Review Panel

- 8.27 The proposal was considered by the Design Review Panel on 14th March 2017, and the following response was provided. The response is included at Appendix 3 and summarised as follows (*with officer comments in brackets*):
- 8.28 Top storey: The Panel were not convinced by the top storey and felt that the set-back storey was apologetic. Panel members felt that the loggia design previously proposed would improve the appearance of the top storey and provide a better top to the building." (*The proposed top storey was redesigned to result in a more decorated appearance, with framed GRC elements to add depth and present vertical columns with a loggia type appearance. The design officer confirmed that this would address the DRP comments*)
- 8.29 Ground floor and overall height: The Panel felt that the ground floor could be increased to 5m high to better suit the proposed land use, but that the height increase resulting from a 5m high ground floor would need to be balanced by removal of a storey. (*The DRP comments regarding land use extend beyond design and townscape concerns, and the acceptability of the proposed floorspace is assessed in paragraph 10.2 of this report onwards. As the ground floor was not increased in height, there was no reason to remove the top storey so the height was maintained at 5 storeys similar to the 5 storey buildings opposite.*)
- 8.30 Entrances: Panel members advised that the ground floor may work better with the entrances to the commercial units at one end of the elevation, away from the residential entrance, clearly separating the different entrances and uses. This could also help provide more flexible units that are more easily subdivided. Some panel members felt it was disappointing that the bin store was positioned centrally on the front elevation. (*The design and layout of the ground floor was amended to better differentiate commercial and residential entrances, and to provide a more active ground floor*)

- 8.31 Trees: The Panel questioned the addition of a new tree in front of one of the commercial units and suggested that this may cause problems if vehicles need access into the unit. *(One street tree is proposed. There is no vehicular access into the site, and the location of the tree is to be agreed with the highways officers through the s.106 agreement)*
- 8.32 Deck access: Panel members raised some concerns regarding privacy issues with the deck access to the flats and questioned whether the kitchens could front the deck access rather than the bedrooms to provide a more comfortable living environment. The daylight to the proposed flats was also questioned, along with the impact on the daylight if a different window arrangement was proposed to the bedrooms, providing greater privacy. *(A daylight assessment was submitted showing that the proposed units would receive acceptable daylight levels, and the decks were shortened and increased in width from the original pre-application proposal to create a spacious relationship and minimise privacy or crime issues.)*

9. RELEVANT POLICIES AND LEGISLATION

- 9.1 The relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 9.2 The National Planning Policy Framework (NPPF) 2012 is a material consideration which seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. Since March 2014 planning practice guidance for England has been published online.

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2016 (amended), Islington's Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The relevant Development Plan policies are listed in Appendix 2.

Designations

- 9.4 The site is within an Employment Growth Area, and is not subject to any site allocations or further Development Plan designations.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.5 The relevant SPGs and/or SPDs are listed in Appendix 2.

Environmental Impact Assessment (EIA)

- 9.6 No request for an Environmental Impact Assessment (EIA) scoping opinion was submitted, however the site is significantly less than 1 hectare in size and it is not in a sensitive area as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations (2017). As such the proposal is not considered to fall within the development categories of Schedule 1 or 2 of the EIA Regulations and an EIA is not considered necessary.

10. ASSESSMENT

10.1 The key issues for consideration are:

- Land-Use
- Design
- Affordable Housing
- Neighbouring Amenity
- Highways and servicing

Land Use

Business Use

- 10.2 The site is located within the designated Hornsey Road Employment Growth Area (EGA). Loss of business floorspace would be resisted by London Plan Policies 2.9 and 4.4 and the SPG Land for Industry and Transport (2012), Islington Core Strategy Policy CS13 and Development Management Policies DM5.1 and 5.2. Business uses are defined as those in B-Class uses.
- 10.3 The existing building is vacant but was most recently in use as an MOT garage with 122sqm (GIA) within Use Class B2 and an outdoor servicing area. Whilst this would be demolished, the scheme proposes to deliver 178.5sqm (GIA) of replacement business floorspace for B1 and B8 uses (a net gain of 56.5sqm, or a 46% increase).
- 10.4 Policy DM5.1 requires proposals for new business floorspace to allow for future flexibility for a range of uses. The existing lawful is within Use Class B2, which allows industrial uses that are generally not compatible with adjacent sensitive (including, residential) uses. As the proposal would be a mixed use development, B1 and B8 uses are proposed. B1 uses include offices, research facilities and light industrial uses which are generally compatible with residential uses. B8 uses are storage and distribution, including wholesale. This would allow a broad range of business uses, including light industrial uses.
- 10.5 The proposed business units would have 3.3m floor to ceiling heights, ground floor access (for loading etc.), separate entrances, and good access to natural light. An Employment Land report was submitted which supports the proposed floorspace and identifies demand for the type of space proposed, in this location. The proposed business units would be fit-for-purpose, and would adequately replace the existing business floorspace.
- 10.6 Policy DM5.4 requires major developments in Employment Growth Areas to incorporate affordable workspace and/or floorspace suitable for small and micro businesses (those of 90sqm or smaller), in order to maintain workspace for small or low value users and prevent them being displaced by larger occupiers. Both business units would be 90sqm or less, thus the business component of the development would be 100% SME units and would be acceptable in this respect.

Residential Units

- 10.7 There is a policy presumption in favour of new housing delivery, and the Council's policies do not resist mixed use developments in Employment Growth Areas, subject to maximisation of business uses.
- 10.8 The proposal would deliver 15 new flats which would contribute towards the Borough's housing requirements. The site is adjacent to, and opposite, existing residential units, and is a sustainable location for new dwellings.
- 10.9 Part F of Policy CS12 identifies that high levels of external noise and vibration may make residential development unacceptable unless appropriate mitigating measures can be provided to the required standard. There is potential for the relationship between the business and residential uses to cause undue harm to neighbour amenity and/or harm the ability of business to function unhindered by environmental health complaints. However, the proposed business uses are compatible with residential uses and would be on a separate floor, with noise separation between floors to be secured by planning condition 13.

Affordable Housing

- 10.10 Core Strategy Policy CS12 requires development proposals to deliver the maximum reasonable amount of affordable housing, taking account of the borough-wide target of 50% provision and which should be provided on-site for developments with 10 or more residential units. The Council's affordable housing policy is supported by London Plan policies 3.9, 3.12 and 3.13.
- 10.11 The maximum reasonable amount of affordable housing is that which could be provided without rendering the development financially unviable. A Financial Viability Assessment (FVA) was submitted to the Council which was independently appraised by BPS Chartered Surveyors. The FVA concluded that the maximum reasonable amount of affordable housing which the development could provide is 2 shared ownership units. The FVA is available for public inspection on the Council's website. BPS reviewed the appraisal, and advised that the scheme would generate a further surplus which could be used to enable an increased amount of affordable housing.
- 10.12 As only market and shared ownership (intermediate) units were proposed (no social rent units), discussions also took place with the Council's housing officer to determine the optimum format of the affordable housing contribution. Policy CS12 sets a target for affordable housing tenure split of 70% social housing and 30% intermediate housing. Most registered providers however are unable to take on social rent units within mixed cores on developments of this scale, unless they have full control of the whole core or at least 20 social rent units are provided, due to control over service charges. Officers have not been able to find evidence to the contrary. In this case, providing two cores would reduce unit sizes such that they would all be 1-bedroom units, or would result a substantial reduction in the number of units (and if reduced below 10, the policy requirement for on-site affordable units would fall away). Isolated units at ground level are also not possible due the policy requirements for maximisation of business floorspace (within the Employment Growth Area). The Council's housing officer contacted the two Registered Providers in the borough which are able to take on fewer social rent units

within shared cores, and neither of those was willing to manage the units (partially because they do not operate in this location). As there is no reasonable prospect of delivering social rent units within the proposed development, the choice is therefore either a cash contribution or intermediate (shared ownership) units.

- 10.13 Following further discussion, and the consideration against the Council's SPD Planning Obligations (2016), officers consider that the maximum financially viable amount of affordable housing would be 5 shared ownership units and a residual surplus of £42,000 towards the Council's New Homes Programme (which prioritises construction of social rent units). This is based on a valuation of the site on its Existing Use Value (EUV) (disregarding overpayment for the land); index linked comparable sales values (including the flats directly opposite); separate independent review of build costs; and profit margins of 20% on market residential units, 15% on business units, and 6% on affordable units. It is noted that the business units have lower values than the residential units which reduces viability, but that both of the business units would be "affordable" SME units (with low values due to their small sizes).
- 10.14 The amount of affordable housing proposed represents 33% of units and 29% of habitable rooms. It is recommended that the affordable housing is secured by a s.106 legal agreement. As the amount to be provided is below the strategic policy target of 50%, a review mechanism is recommended within the s.106 agreement which would capture additional uplift in value, so that if the development surplus increases the maximum reasonable affordable housing contribution will be secured.

Delivery and Infrastructure

- 10.15 Policy CS 18 (Delivery and infrastructure) states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. The proposed development would be subject to s.106 obligations to ensure that appropriate education and training opportunities arise from the development, which would require a local employment and training contribution of £2,178, and a construction training placement during the construction period. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.

Mix and Quality of Residential Accommodation

Unit Mix

- 10.16 The NPPF acknowledges the importance of high quality and inclusive design for all development, and requires boroughs to deliver a wide choice of quality homes. The London Plan recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality. London Plan Policy 3.5 states that new dwellings should take account of factors relating to the "home as a place of retreat," and that housing developments should be of the highest quality both internally and in relation to their context.
- 10.17 Core Strategy Policy CS 12 (Meeting the Housing Challenge) encourages residential development in the borough, with a range of unit sizes and tenures. Part E requires a range of unit sizes within each housing proposal to meet the needs in the borough.

Policy DM3.1 parts A. and B state that all sites should provide a good mix of housing sizes.

- 10.18 The suggested mix of units set out in the DM Policies document prioritises 2 bedroom units (75%), with the rest as 3-bedroom (15%) or 1-bedroom (10%) units. The proposal would comply with the priority for 2-bedroom units, and would provide 73% (11no.) 2-bedroom units and 27% (4no.) 1-bedroom units. Given the small number of units, and the location adjacent to a railway line, near a main road, and within an EGA (with no scope for larger ground floor units with gardens), the proposed mix of units is broadly compliant with this mix and is considered acceptable.

Standard of accommodation

- 10.19 London Plan Policy 3.5 states that securing new housing of the highest quality and protecting and enhancing residential neighbourhoods are key Mayoral priorities, and that new dwellings should take account of factors relating to arrival at buildings, and the place of retreat offered by homes. Policies DM3.4 and 3.5 require new developments to provide good quality accommodation both internally and externally, which should accord with the principles of good design and provide dual aspect accommodation unless exceptional circumstances are demonstrated. The relevant standards for internal layouts and room sizes are provided by:
- The London Plan (2016) MALP Policy 3.5 and Table 3.3
 - London Plan SPG: Housing (2016)
 - The Department for Communities and Local Government's Nationally Described Space Standard (March 2015)
 - DM Policy 3.4
- 10.20 All of the proposed residential units would comply with the sizes detailed within Policy 3.4 and the above standards. The proposed units would have adequate sizes and layouts, good ceiling heights (2.7m), sufficient storage space, and functional, useable space. All units would be dual aspect, and the rooms would be stacked to minimise noise transfer. The bedrooms would have windows on the Fairbridge Road elevation to avoid railway noise at night, and the living rooms with inset balconies would be on the south facing rear elevation overlooking the railway, to maximise south facing light, and minimise overlooking to neighbours. The dual aspect would be achieved by deck access serving 2 flats on each floor, with short decks on the front elevation. All units would have an outdoor balcony/terrace of at least 5sqm and 1.5m wide, directly accessible from the living room. There would be a secure entrance with 2 lifts to each unit and no more than 4 flats on each floor. A sunlight and daylight study was also provided demonstrating that the new units would achieve good levels of sunlight and daylight. The proposed development would deliver a high standard of accommodation.
- 10.21 A noise and vibration report was submitted with the application to examine the impact of sound from the proposed business units, railway line, and road, on the proposed residential units. The assessment was submitted with the application which concludes that the noise levels at the proposed dwellings (from the railway line and nearby roads) would be acceptable and would result in acceptable living accommodation. This was

undertaken when the railway line was undergoing maintenance works, and does not represent a worst-case scenario, however these works are continuing until January 2018 so the Council's acoustics officer considered it more appropriate to require an updated noise assessment with mitigation measures prior to commencement of the development, when a more accurate study can be carried out. It is necessary for this to be pre-commencement in case remedial measures are required that cannot be designed at a later stage (for example specialist foundation design to avoid vibration).

- 10.22 The London Plan SPG Play and Informal Recreation sets out a formula for play-space for new developments, which estimates a child yield of less than 2 and a play-space requirement of 11.8sqm for the proposed unit mix. Where the child yield is less than 10, there is no requirement for formal playspace but a financial contribution may be sought to mitigate additional pressure on local play-space. This contribution is included within the (non-negotiable) Islington Community Infrastructure Levy (CIL) which is payable on commencement.
- 10.23 The proposed development would provide appropriate residential unit sizes and layouts, and acceptable living environments for its future occupants.

Accessibility

- 10.24 The Deregulation Bill 2015, London Plan Policies 3.8 and 7.2, Islington Policy DM2.2, and the Inclusive Design SPD require all new developments to demonstrate inclusive design. 10% of new residential units should be Wheelchair User Accessible (Building Regulations M4(3)) and the rest should be "Accessible and Adaptable" (Building Regulations M4(2)).
- 10.25 There would be a wheelchair accessible unit at first floor. This would be a 2-bedroom unit and would represent 7% of units (or 7.3% of habitable rooms) and would be acceptable.
- 10.26 The new building would be built to modern standards, with level access to each unit (with 2 lifts to the first floor wheelchair accessible unit). There would be space for accessible cycle storage at ground level, with a clear 1.5m zone for access, and scooter charging space within the wheelchair accessible flat.
- 10.27 The business units at ground level would have level access to the entrances, cycle storage, and waste storage.
- 10.28 A financial contribution of £2,000 towards one blue badge parking space on-street is to be secured through the s.106 agreement. Planning condition 10 is recommended to secure one wheelchair accessible WC within each business unit, and to ensure that both residential lifts are provided prior to first occupation of the wheelchair accessible unit. Planning condition would also secure 1 residential unit as Building Regulations standard M4(3) (wheelchair accessible) compliant, and the rest as M4(2) compliant.
- 10.29 Subject to the recommended conditions to secure the relevant accessible design measures, the proposal would comply with the Council's high standards of accessible and inclusive design and would be acceptable in this respect.

Design

- 10.30 The NPPF Core Planning Principles (Paragraph 17) include that planning should always seek to secure high quality design, and paragraph 56 states that good design is a key aspect of sustainable development and indivisible from good planning.
- 10.31 London Plan Policies 7.4, 7.5, 7.6, 7.7 and 7.11 require buildings to make a positive contribution to their public realm and streetscape, to be of the highest architectural quality and to be of proportions, composition, scale and design which enhances and appropriately defines the public realm. Buildings should not cause unacceptable harm to surrounding amenity and should make the public realm comprehensible at a human scale, particularly at ground level.
- 10.32 These policies are supported locally by Islington Policies CS8 and CS9 which encourage traditional street patterns and sympathetic building designs, and Policy DM2.1 which requires high quality, inclusive design for all developments. The Islington Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonises with their setting. New buildings should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines.
- 10.33 The existing MOT garage building is a metal shed type structure, and is not in a Conservation Area, and not subject to any heritage constraints. Officers have no objection to the demolition of the building (subject to the replacement development maximising the site's employment benefits).

Height, Scale and Massing

- 10.34 Policy DM 2.1 requires new development to efficiently use the site and improve the quality, clarity and sense of space between buildings. There should be enhanced legibility and clear distinction between public and private spaces. Developments should also respect and respond positively to existing buildings, the streetscape and the wider context, including local architectural language and character, and locally distinctive patterns of development.
- 10.35 The surrounding area is built up and urban in character, and the positioning of the new building across the majority of the site's footprint would be characteristic of its surroundings.
- 10.36 The buildings within the vicinity of the site range from 2-5 storeys in height. Where buildings are lower they are generally 2-storey employment shed style buildings which are functional (within the Employment Growth Area) but don't contribute positively to the public realm, and the taller 5-storey buildings (including at 169-191 Fairbridge Road directly opposite the site) have set-backs at top storey to reduce the perceived eaves height. Officers consider that the predominant or appropriate building height in the immediate vicinity is 3-4 storeys plus a pitched roof or set-back additional storey.
- 10.37 The buildings directly opposite at 169-191 Fairbridge Road are 5 storeys high, and the adjacent building to the north east (212 Fairbridge Road) is 4 storeys high, with a 4 storey sheer side elevation adjacent to a servicing yard. The building to the south west (currently in use as an Islington Council depot) is a 2 storey warehouse with an external servicing area adjacent to the site boundary. There are varied building heights within the

site's surroundings, and the building line on the south side of Fairbridge Road is not consistent.

10.38 The proposed building would be 5 storeys high, and the top storey would be setback. The parapet height would be approximately aligned with the top storey of 212 Fairbridge Road to allow some consistency, and the top storey would be set-back on all elevations so as to appear visually recessive.

10.39 The following images show the proposed front elevation, and 3D views of the site from south west and north east.



Fig 10.1: Proposed Front Elevation



Fig 10.2: Proposed view from Spears Road (looking south west across Hornsey Road)



Fig 10.3: Proposed view from Fairbridge Road (looking north east towards Hornsey Road)

- 10.40 The existing south west elevation of 212 Fairbridge Road is 4 storeys tall, adjacent to a servicing yard. The south west elevation of the proposal would have a similar scale, although it would be a more attractive elevation with horizontal banding and inset brick panels in recognition that it will be visible from the street. Although there would be a 4-storey building adjacent to a servicing yard, this wouldn't be uncharacteristic in this location.

- 10.41 The proposed development was considered by the Design Review Panel prior to submission of the application.
- 10.42 At the time of their review, the DRP were concerned that the top floor felt too “apologetic” as it was just a plain metal-clad box. Following this advice, a “framed” design is proposed to the top storey, which retains a high quality design and interesting detailing, whilst still being visually recessive. This is considered to address the Panel’s concerns, while avoiding an overly dominant appearance.
- 10.43 The proposed scale, height and massing is considered contextual and is supported by the Council’s design officers.

Detailed Design and Materials

- 10.44 The design of the proposed building would be simple and consistent, picking up on the prevailing yellow brick of the surroundings, and presenting simple, high quality detailing. The ground floor would have Glass Reinforced Concrete (GRC) piers, facing and banding; this would be a high quality appearance and give the building presence at ground floor level. There would be three brick storeys above, with GRC banding, and a metal clad top storey with GRC piers. The brick storeys would be designed with deep window reveals, and vertical piers which gradually become more slender further up the building. There would be a central three-bay set of voids, which would provide a recessed entrance for the business units at ground floor, and deck access on the upper floors with the appearance of inset balconies. This would be a contextual and high quality design, and the inset deck-access design is a clever solution to facilitate dual aspect units within an attractive prominent front elevation.
- 10.45 Subject to securing further detail of acceptable materials and detailing (condition 3), the detailed design of the proposed building is considered to be of high quality, and would be an attractive addition to the streetscene.

Design Summary

- 10.46 The design of the new building would tie together aspects of the existing urban environment and would avoid introducing cluttered or incongruous architecture.
- 10.47 The proposal is considered to be acceptable in terms of its design.

Neighbour Amenity

- 10.48 All new developments are subject to an assessment of their impact on neighbouring amenity; including in terms of daylight, sunlight, privacy, increased sense of enclosure, noise and disturbance as required by London Plan Policies 7.14 and 7.15 and Development Management Policy DM2.1.
- 10.49 At 5 storeys, the new building would be taller than the existing 1-2 storey building and servicing yard and would have an impact on the amenities of surrounding residents. The key consideration is whether those impacts are acceptable, i.e. whether following the development the surrounding properties would still experience acceptable living standards. It should be noted that sunlight and daylight were tested at pre-application stage, and the development was subsequently substantially reduced in scale (from a full 6 storeys at pre-app stage) in order to avoid unacceptable impacts.

Sunlight and Daylight

10.50 A sunlight and daylight assessment was submitted with the application. This considers the impacts of the proposed development on all adjacent residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines. Impacts on the following neighbouring properties were assessed:

- Landsdowne Court, Fairbridge Road (labelled as Block A 167-191 Fairbridge Road)
- Kipling House Fairbridge Road (labelled as Block B 167-191 Fairbridge Road)
- 25 Jutland Close
- 212 Fairbridge Road

BRE Guidance: Sunlight and Daylight:

10.51 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

10.52 BRE Guidelines (2011) paragraph 1.1 states:

“People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by”. Paragraph 1.6 states: “The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings”.

BRE Guidance: Daylight to existing buildings

10.53 The BRE Guidelines stipulate that the diffuse daylighting of the existing building may be adversely affected if either:

- the VSC (Vertical Sky Component) measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value (or reduced by more than 20%), known as “the VSC test”.
- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value (or reduced by more than 20%), known as the “No Sky Line” (NSL) or “Daylight Distribution” (DD) test.

10.54 The neighbour objections stated that if one of the VSC tests was failed, the development would not be BRE compliant. However, it should be clarified that this is not the case and only one of the above VSC tests needs to be passed to achieve BRE compliance (i.e. a VSC reduction of over 20% may not result in adverse impacts in situations where the former VSC was very high, and where the resultant VSC would still be more than 27%).

10.55 At paragraph 2.2.7 of the BRE Guidelines it is stated:

“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times is former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”

10.56 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

10.57 At paragraph 2.2.8 the BRE Guidelines state:

“Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.

10.58 Paragraph 2.2.11 states:

“Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.”

10.59 The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.

10.60 The BRE Guidelines at its Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is:

“in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”

10.61 Paragraphs 1.3.45 and 1.3.46 of the Mayor of London’s Housing SPD state that:

“Policy 7.6Bd requires new development to avoid causing ‘unacceptable harm’ to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”

BRE Guidance: Sunlight to existing buildings

10.62 The BRE Guidelines state in relation to sunlight at paragraph 3.2.11:

“If a living room of an existing dwelling has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected.”

10.63 This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours (APSH), or less than 5% of annual (winter) probable sunlight hours between 21 September and 21 March (WPSH) and
- Receives less than 0.8 times its former sunlight hours (or a 20% reduction) during either period and
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

10.64 The BRE Guidelines state at paragraph 3.16 in relation to orientation:

“A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.”

10.65 The Guidelines go on to state (paragraph 3.2.3):

“... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.”

Daylight and Sunlight Assumptions for neighbouring residential properties

10.66 The sunlight and daylight assessment submitted with the application considers the impacts of the proposed development on all adjacent residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines. Impacts on the following neighbouring properties were assessed:

- Landsdowne Court, Fairbridge Road (labelled as Block A 167-191 Fairbridge Road)
- Kipling House Fairbridge Road (labelled as Block B 167-191 Fairbridge Road)
- 25 Jutland Close

- 10.67 As 167-191 Fairbridge Road and 212 Fairbridge Road have both been subject to planning applications, up-to-date floorplans are available on the Council's website and were used for the assessment. The assumptions used for the assessment are therefore well evidenced and can be relied upon to be accurate.

Assessment: Daylight to existing buildings

- 10.68 The proposed redevelopment would result in the potential for loss of daylight to neighbouring properties. To demonstrate the impacts, a sunlight and daylight assessment was submitted with the application. This considers the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines. The submitted daylight and sunlight assessment goes into substantial detail and has been scrutinised by officers.
- 10.69 The daylight tests were applied to the above mentioned residential properties near to the site.
- 10.70 The assessment data shows that there would be 7 neighbouring flats which would have at least one room which fails to pass the BRE tests for daylight. As a result, those rooms would experience notable losses in daylight, and those losses require further scrutiny to determine whether the affected flats would retain acceptable living conditions following the development.
- 10.71 Landsdowne Court is located to the north of the site, on the western corner with Charles street, and labelled "Block A" for the purposes of this assessment.
- 10.72 At Block A, 48 of 54 windows (89%) are BRE adherent for VSC and 31 of 33 rooms (94%) are BRE adherent for NSL. Therefore, there are 6 windows and two rooms remaining that do not satisfy the guidelines.
- 10.73 The rooms and windows which fail both the VSC and NSL tests at Block A are illustrated in the following table:

Unit label/ address	Room	Window	Room Use	Vertical Sky Component (Window)			No Sky Line (Daylight Distribution) (Room)			
				Existing	Proposed (target: ≥27%)	Reduction (target: <20%)	Whole room ft²	Previous ft²	Proposed ft²	Reduction (target: <20%)
Flat A10	R7/F01	W9/F01	Bedroom	25.3	17.8	29.6	85.3	80.5	47.5	41.0
Flat A19	R7/F02	W9/F02	Bedroom	27.5	21.2	22.9	85.3	81.0	58.1	28.3

*Table 10.1 (BRE Fails in **Bold**)*

- 10.74 The windows listed within the above table (Block A) are illustrated in the following window map.

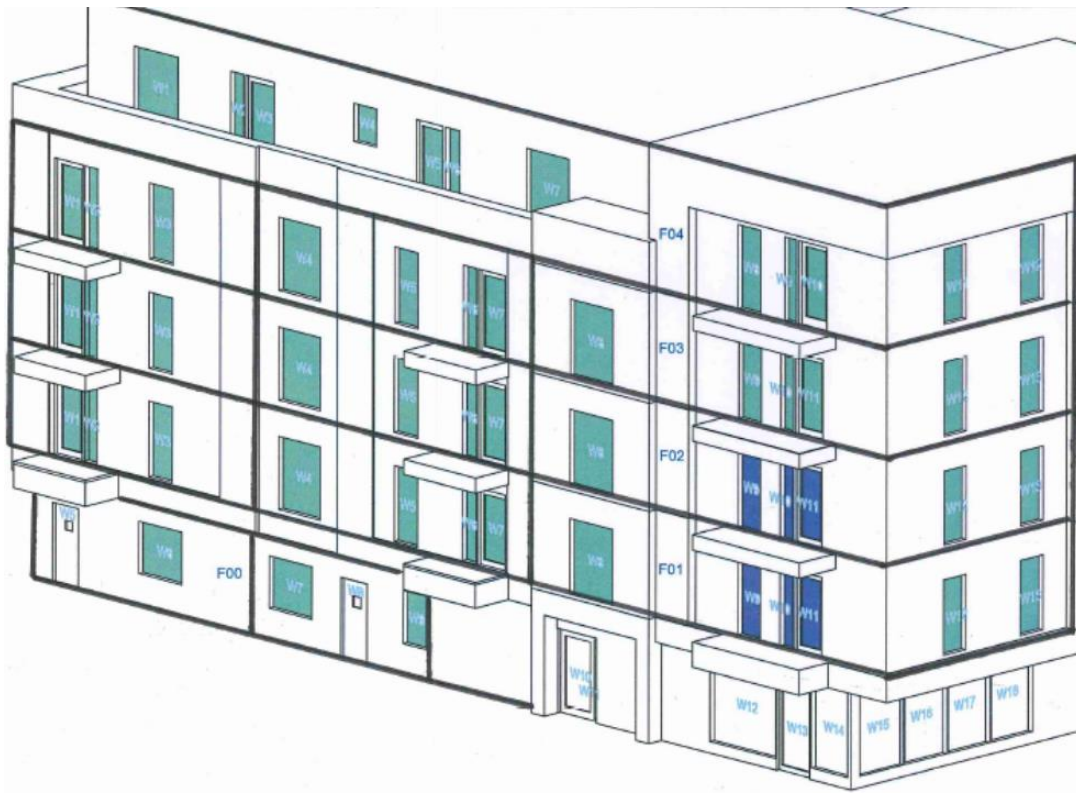


Fig 10.4: Block A Window Map

- 10.75 The non-BRE adherent windows relate to two bedrooms, one within a first floor flat and one within a second floor flat in Block A. Those bedrooms are single aspect and located underneath projecting balconies, but the units they serve are dual aspect.
- 10.76 Both of those flats are 2-bedroom flats, and the other bedrooms and living rooms at those flats would pass the BRE daylight test (or face away from the site and are unaffected). Sunlight is considered in the following section of this report, but it is also notable that there would be no BRE test failures in relation to sunlight at those 2 flats.
- 10.77 The overall impacts on living conditions at those properties are relatively minor, and officers consider that they would not warrant refusal of the application.
- 10.78 Kipling House is also to the north of the site, on the eastern corner with Charles Street, and labelled "Block B."
- 10.79 At Block B, 13 out of 31 windows will meet the guidelines for VSC, and 6 of 16 rooms will meet the guidelines for NSL. Therefore, there are 18 windows and 10 rooms remaining, affecting 7 flats within Block B, which would experience "noticeable" reductions in daylight.
- 10.80 The application site is unusual as the residents in the 5-storey Block B currently face over a mostly clear, undeveloped site, which is not a typical situation and therefore any development on the site is likely to result in greater-than-usual reductions in daylight to Block B, and the normal VSC guidance may not be appropriate.
- 10.81 A number of windows at Block B are positioned below balconies, which further increases their sensitivity to daylight and sunlight impacts.

- 10.82 It is acknowledged that BRE guidelines are not designed for tight urban situations, and that in some situations, Appendix F of the BRE guidance provides advice on setting alternative target values for skylight (or daylight) access, based on the layout dimensions of existing development.
- 10.83 An approach is described within the BRE guidelines for similar cases. At paragraph F5 it is stated that:
- “To ensure that the new development matches the height and proportions of existing buildings, the VSC and APSH targets for these windows could be set to those for a ‘mirror-image’ building of the same height and size, an equal distance away on the other side of the boundary.”*
- 10.84 In order to put the impacts of the proposed development into perspective, a “mirror massing” exercise was carried out, which revealed that the impacts of the development are less than those which would occur if Block B was simply “mirrored” onto the application site. The mirror massing exercise demonstrates that the impacts of the development have therefore been minimised, having regard to what could be expected from a consistent approach to townscape.
- 10.85 Notwithstanding that the impacts of the proposal would be less than those arising by simply mirroring Block B, the impacts on the individual flats affected are assessed as follows.
- 10.86 The BRE failures at Block B are illustrated in the following table:

Unit label/ address	Room	Window	Room Use	Vertical Sky Component (Window)			No Sky Line (Daylight Distribution) (Room)			
				Existing	Proposed (target: ≥27%)	Reduction (target: <20%)	Whole room ft²	Previous ft²	Proposed ft²	Reduction (target: <20%)
Flat B8	R2/F01	W2/F01	Bedroom	22.6	9.2	59.3	137.86	128.77	47.79	62.89
		W3/F01	Bedroom	21.8	8.4	61.5				
Flat B18	R3/F01	W4/F01	Bedroom	32.2	19.7	38.8	145.77	142.66	36.77	74.22
	R4/F01	W5/F01	Bedroom	32.5	21.0	35.4	140.32	136.30	37.64	72.38
	R5/F01	W6/F01	Living Room	23.9	13.5	43.5	272.72	265.01	50.36	81.00
		W7/F01	Living Room	19.9	10.3	48.2				
Flat B17	R6/F01	W8/F01	Living Room	20.1	13.1	34.8	279.20	221.73	126.37	43.00
		W9/F01	Living Room	18.9	12.5	33.9				
Flat B19	R2/F02	W2/F02	Bedroom	25.2	14.1	44.0	137.86	128.94	72.08	44.10
		W3/F02	Bedroom	24.9	13.8	44.6				
Flat B29	R3/F02	W4/F02	Bedroom	34.6	24.2	30.1	145.77	142.62	58.14	59.20
	R4/F02	W5/F02	Bedroom	35.8	26.3	26.5	140.32	137.28	61.71	55.10
	R5/F02	W6/F02	Living Room	35.4	26.8	24.3	272.72	266.21	80.72	69.70
		W7/F02	Living Room	34.6	26.7	22.8				

Table 10.2: (BRE Fails in **Bold**, significant fails highlighted)

10.87 The windows listed within the above table (Block B) are labelled on the following window map.

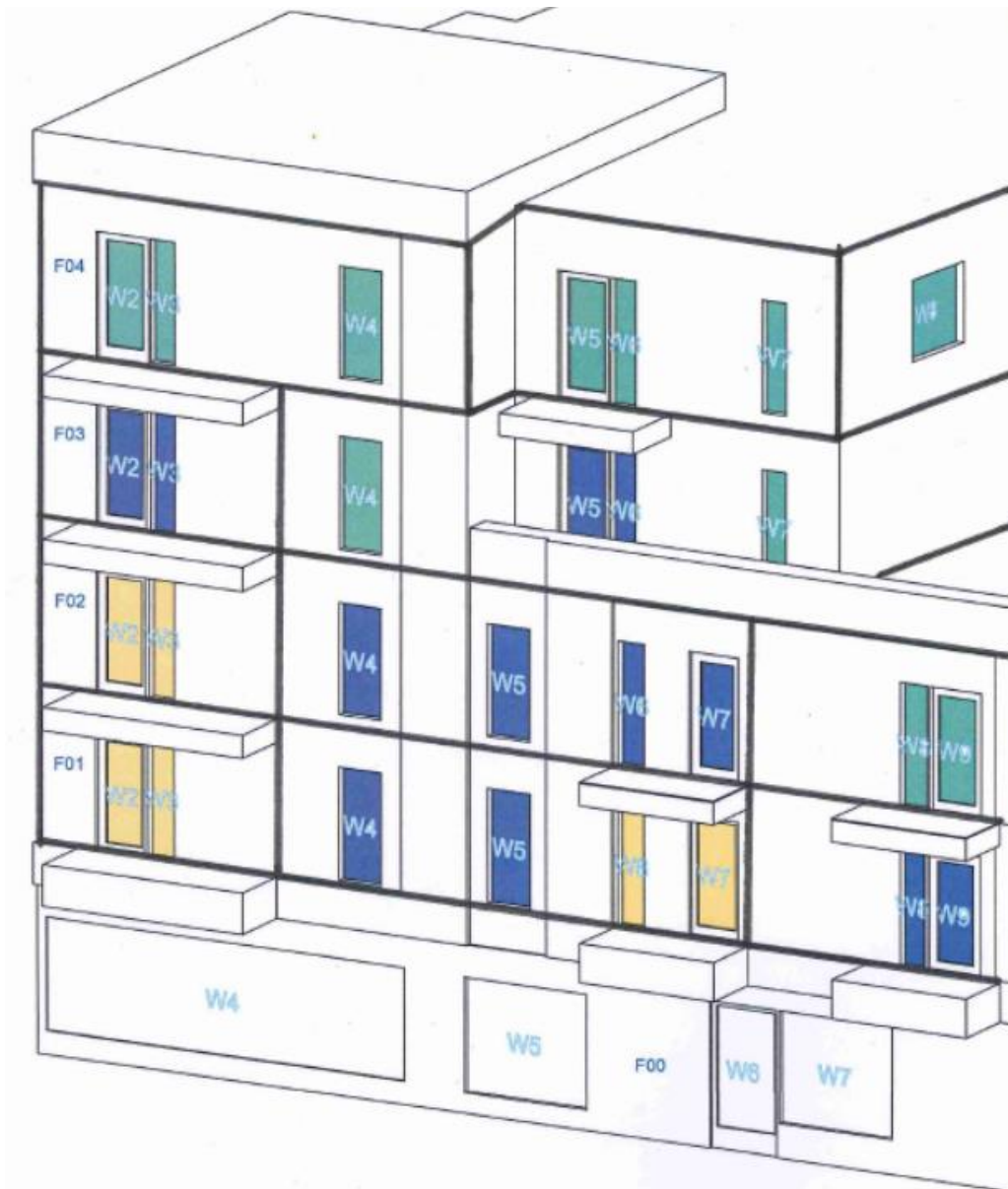


Fig 10.5: Block B Window Map

10.88 5 flats are affected by BRE failures within Block B. Of those, 3 (B8, B17 and B19) are dual aspect flats which would experience reductions in daylight to one room each. The other habitable rooms at those flats would pass the BRE daylight tests (or face away from the site and are unaffected), and all rooms in those flats would retain their existing (or BRE compliant) levels of sunlight. Whilst the failures are larger than would normally be expected, partly because of the unusual existing open aspect, the overall impacts are not considered to result in unacceptable impacts on living conditions at those three dual aspect properties

- 10.89 The other 2 affected flats within Block B (B18 and B29) are single aspect, and although all the rooms in those flats would retain BRE compliant levels of sunlight, all rooms would fail the BRE daylight tests.
- 10.90 At Flat B29 (second floor), the windows would experience actual VSC levels of between 24.2% and 26.7%, which are relatively minor impacts (considering that a retained VSC of 27% is considered to have no notable impact). Although the percentage reductions in daylight would be very high, that is because the existing daylight levels are unusually high, and the result would be that daylight levels would be reduced to normal, acceptable, levels.
- 10.91 At Flat B18 (first floor), the floorplan is the same as B29, impacts would be more significant because it is on a lower floor. Again, the daylight levels would be reduced from very high levels, and as Flat B18 is on the first floor, single aspect, with windows below a projecting balcony, and opposite the undeveloped part of the site, it is particularly susceptible to significant daylight reductions. When considering the overall impacts on that flat, it should be noted that the proposed development would not include any living rooms or balconies opposite Flat B18, thus limiting impacts on privacy, and that Flat B18 is south facing and would still be BRE compliant for sunlight. Given that the impacts are no worse than a “mirror massing” solution, and that any development at the site would have a significant impact on Flat B18, officers do not consider the overall harm to living conditions at Flat B18 to outweigh the benefits of the proposal, and therefore do not recommend refusal of the application on that basis.
- 10.92 To summarise, although the reductions in daylight to Block B, particularly to Flat B18, would be significantly greater than those usually considered acceptable, this is partially because of the unusual existing situation. When considered against the mirror massing model, it has been demonstrated that the setbacks and modelling of the proposed development would result in lesser impacts than if Block B had been mirrored onto the application site. On that basis, the impacts of the development on those units are considered to be commensurate with their urban environment, and to the scale and design of Block B, and on that basis officers consider that refusal of the application is not warranted.
- 10.93 Officers consider that the daylight impacts are commensurate with the scale of the existing buildings, and are not beyond acceptable limits. Although there would be reductions in daylight some of which would be greater than usually considered acceptable, officers consider that harm justified and note that all affected rooms affected by loss of daylight, although in some cases very significantly, those rooms would all still receive BRE compliant levels of south facing sunlight which needs to be factored into the overall standard of amenity available. On balance, these impacts are not considered by officers to be sufficiently harmful to warrant refusing the planning application.

Assessment: Sunlight to existing buildings

- 10.94 The details submitted demonstrate that all of the habitable rooms affected by the proposed development would pass the BRE tests for sunlight. This is a logical conclusion, as all neighbouring windows are either south facing, or do not face towards the site.

10.95 As originally submitted, the daylight and sunlight assessment did not include test data for sunlight at 212 Fairbridge Road, because the windows do not face towards the site. The rear elevation windows at 212 Fairbridge Road face south east, and officers requested that a clarified window map and additional test data were submitted to enable full assessment of the impacts on that property (verified by an officer site visit). The appendix to the Sunlight and Daylight assessment shows that whilst there will be some loss of daylight and sunlight to no.212 Fairbridge Road, this would be very minor and would comply with the BRE guidelines. More notably it was observed at the site visit that there would be reductions to the roof terraces at 212 Fairbridge Road; however this property would still have good access to outdoor space with views of the London Skyline, and although there would be some overshadowing to those terraces the impacts would not result in unacceptable living conditions at that property.

10.96 The impacts on 25 Jutland Close were also assessed. That property is the nearest to the southwest of the site, across the railway line, and not be affected by loss of sunlight, and BRE compliant for daylight.

Privacy, enclosure and overlooking

10.97 Policy DM2.1 identifies a minimum distance of 18 metres between windows other than those facing highways, in order to protect privacy for residential developments and existing residential properties. Standard 28 of the London Plan SPG Housing (2016) requires proposals to demonstrate that habitable rooms would have adequate levels of privacy in relation to neighbouring properties.

10.98 The closest residential properties to the rear (south east) of the site are well over 18m away (across the railway line). The other properties potentially affected are those directly opposite on Fairbridge Road in Block A and Block B, 167-191 Fairbridge Road, which directly face the highway and have “public” facing windows, in which case the 18m guidance does not apply. It is however noted that the proposed building has been sensibly designed with living rooms facing the railway, and bedrooms and deck access facing the road, which will minimise overlooking between properties.

10.99 The properties at Block A and Block B, 167-191 Fairbridge Road will experience loss of views (in particular on the upper floors which have views across the site of the London skyline), but will still benefit from acceptable outlook over the street. The adjacent property at 212 Fairbridge Road will also experience some enclosure/loss of outlook over the site (to the south west), although the rear windows will still have good outlook towards the railway line.

10.100 As originally submitted, there was some potential for overlooking from the rear balconies of the proposed development towards the rear elevation of 212 Fairbridge Road. Whilst this would have mostly affected the outdoor spaces, staircase and bathrooms, there is a study window on the rear elevation of no.212 which would have been affected. There may have been some perception of overlooking to the living spaces. In order to avoid any unacceptable privacy impacts, 1.8m high privacy screens have been proposed (to be secured by condition 15).

Noise and Disturbance

- 10.101 The site is located within an Employment Growth Area, however the adjacent use (vehicle depot) is not a particularly noisy or un-neighbourly use, and within the immediate vicinity the existing lawful use (B2 Vehicle Repairs) is the most noise generating. The other significant noise generators are traffic on Hornsey Road, and the railway line to the rear of the site.
- 10.102 The proposed commercial use at ground floor would be less noise-generating than the currently unrestricted B2 uses on the site. As B2 uses are not generally compatible with residential uses, the proposed units would be limited to B1 (including offices, research, and light industrial) and B8 (storage and distribution) uses.
- 10.103 In order to allow sufficient control of excessive noise arising from any future industrial or noisy businesses uses, and to allow enforcement action against noisy behaviour, condition 12 is recommended setting external noise limits for fixed plant measured at the nearest sensitive receptors (residential windows).
- 10.104 Condition 11 is recommended limiting operating hours for the commercial units to 0800 to 1800 hours Monday to Friday, 0800 to 1300 Saturday, and not at all on a Sunday or public holiday as requested by the Council's pollution and environmental health officer.
- 10.105 The proposed development would not result in excessive noise or substantial changes over and above the existing (lawful) business activity levels, and would not be harmful to neighbour amenity in that respect.
- 10.106 The proposed residential units would be arranged with their balconies and living rooms facing towards the railway line, rather than facing towards neighbouring occupiers, limiting disturbance to neighbours.
- 10.107 Officers consider that subject to the recommended conditions the proposal will allow the business use to operate effectively without unacceptable impacts in terms of noise and activity.

Neighbour amenity summary

- 10.108 Officers consider that although there would be significant loss of daylight in some cases, that is inevitable due to the low rise nature of the application site, within a setting where buildings up to 5 storeys are present. However, the massing and upper storey set-backs go some way to minimising those impacts whilst maximising efficient use of land, and the overall neighbour amenity impacts (considering daylight, sunlight, privacy, noise, outlook etc.) would not give rise to diminished living conditions at the neighbouring properties, and they would still provide their occupants with a good standard of accommodation.
- 10.109 Subject to the conditions set out in this report, the proposed development would not overall result in unacceptable harm to neighbouring residential amenity. The proposal is thus considered acceptable, on balance, in terms of neighbour amenity.

Biodiversity, Landscaping and Trees

- 10.110 London Plan Policy 2.18 states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into the wider network, and Islington Policy DM6.5 states that developments must protect, contribute to and

enhance the landscape, biodiversity value, and growing conditions of the development site and surrounding area.

- 10.111 There are no trees on the site, but there is a small street tree on the adjacent footway and the railway embankment is a Site of Importance for Nature Conservation (SINC).
- 10.112 There is an adjacent street tree, and vegetation on the adjacent railway embankment. The Council's Tree officer has considered the proposal and advised that subject to adequate protection measures, no unacceptable impacts on trees are likely. However as no assessment has been undertaken of the potential for the development to impact on the roots, condition 17 is recommended to secure a tree survey and root protection measures for any surrounding trees which may require protection during the construction programme. An additional street tree is also proposed, however it has not been demonstrated whether this could be accommodated by the footway in the exact location suggested (due to underground services, etc.) The Tree Officer has suggested an upright tree such as the adjacent hornbeam to suit the narrow footway. As the tree would be outside the site boundary, it is recommended that it (or the cost of providing it) is secured through the s.106 agreement and delivered by the Council's highways service.
- 10.113 Subject to tree protection measures which are to be secured by condition 17, there would be no unacceptable impacts relating to trees.
- 10.114 As the site is located within a SINC, an Ecological Appraisal was submitted with the application. The appraisal notes that the SINC will have developed its ecological value at a time when the M.O.T. test centre was operational, with associated disturbance from noise/ lighting etc. The appraisal does not highlight any significant areas of concern, other than that site clearance (the site itself is not within the SINC) should not take place within the bird nesting season (March-September inclusive) unless checked by a qualified ecologist. Recommendations are also made for enhancement of the site with respect to biodiversity.
- 10.115 The appraisal states that the building on site does not have any features of potential to support roosting bats and therefore, emergence surveys are not required. Notwithstanding a bat activity survey was undertaken which raised no issues but recommended the inclusion of at least 3 bat boxes (to be secured along with bird boxes by condition 19).
- 10.116 The Council's nature conservation officer provided comments on the application, raising no objection to the proposed development. Details of external lighting were submitted, including high-level lighting to the roof terraces, and dusk-to-dawn lighting of the external maintenance area. These are considered excessive, and parapet downlighters at roof terrace level would be preferable, with sensor or individual controls to avoid unnecessary illumination all night. Condition 16 is recommended to require the Council's approval of revised details for any external lighting to ensure it has been designed to minimise light spillage or disturbance to the SINC (see also "Security and External Lighting" below).
- 10.117 Policy DM6.5 states that developments should maximise the provision of green roofs and the greening of vertical surfaces as far as reasonably possible, and where this can be achieved in a sustainable manner, without excessive water demand. Developments should use all available roof space for green roofs, subject to other planning

considerations. All roofs should be biodiversity based extensive substrate roofs with a minimum substrate depth of 80-150mm. The proposed development includes a biodiverse roof, which is to be secured by condition 18.

Security and External Lighting

- 10.118 Policy DM2.1 requires developments to be designed to be safe and to demonstrate safety in design; including access, materials and site management. Policy DM2.2 requires developments to deliver safe, legible and logical environments.
- 10.119 The external courtyard area would have good levels of passive surveillance, with residential windows overlooking the street and railway line. The proposal would not result in additional opportunities for crime. A condition (9) is recommended to secure compliance with the Secured by Design standards for the residential units.
- 10.120 Paragraph 125 of the NPPF requires developments to limit the impact of light pollution from artificial light on local amenity, dark landscapes and nature conservation. Paragraph 7.19 (Policy 7.5) of the London Plan 2016 states that the lighting of the public realm also needs careful consideration to ensure places and spaces are appropriately lit, and there is an appropriate balance between issues of safety and security, and reducing light pollution. Poorly designed lighting has the potential to add to the existing light pollution levels in London, to cause harm to neighbour amenity, and to disturb dark corridors for wildlife. No details of external lighting were submitted with the application. A condition (no.16) is recommended requiring details of any external lighting to be approved by the Council, to avoid harm to biodiversity, excessive light pollution and ensure a well-designed and safe environment in accordance with the above policies.

Health and Air quality

- 10.121 Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM6.1 requires developments to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote mental well-being, and states that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.
- 10.122 Islington is an Air Quality Management Area in recognition of borough-wide poor air quality. An air quality assessment was submitted, including an Air Quality Neutral Assessment which concludes that as the pollutant emissions (nitrogen oxides) from the proposed plant would be lower than the GLA's Sustainable Design and Construction SPG benchmarks, no further mitigation is required regarding the ongoing emissions arising from the building's use.
- 10.123 The proposed uses are not considered incompatible with the site's surroundings; however, the proposal would introduce new residents into an Air Quality Management Area and therefore an Air Quality Assessment was submitted with the application.
- 10.124 The Council's pollution officer responded stating that the Air Quality Assessment predicts an exceedance of the allowable NO₂ (Nitrogen Dioxide) level at ground floor but the concentrations decrease at ground floor level. The assessment appears to show

concentrations of 38-37.5 at the site which are within the limits where mitigation such as ventilation, ultra-low Nitrogen Oxide etc, must be considered. The Air Quality Assessment sets out measures to deal with construction impacts, including low Nitrogen Oxide CHP and boilers. The required mitigation is recommended to be secured by condition 30.

- 10.125 Of additional concern cumulatively in London is the impact of the number of concurrent construction projects underway and the resultant harm to air quality. The proposal will result in demolition and excavation works, and there will be construction dust, waste, machinery, material storage and vehicles which all have the potential to negatively impact air quality. The London Plan "Control of Dust and Emissions during Construction and Demolition" SPG requires low emission non-road mobile machinery (NRMM) to comply with low emissions standards and a condition (no.31) is recommended to ensure that the proposal complies with these standards.

Highways and Transportation

Sustainable Transport

- 10.126 Fairbridge Road is part of the local (Islington) road network, accessed via Hornsey Road which is part of the strategic (TFL) road network.
- 10.127 The site is within a Controlled Parking Zone and its Public Transport Accessibility Level (PTAL) is 3 (moderate) (on a scale of 1 to 6, where 1 represents a low level of public transport access and 6 the highest level of access to public transport).
- 10.128 Paragraph 32 of the NPPF is clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In line with Development Management Policies (2013) policy DM8.2, the applicant has submitted a detailed Transport Statement.
- 10.129 A transport statement was submitted with the planning application. The transport statement identifies that very few vehicle movements would be associated with the proposed development (4 per day for the commercial units, and 1 per day for the residential units). Although these are average figures and on some days may be higher, these are unlikely to result in significant intensification, especially when considered against the previous MOT garage which was a traffic generating use. The Council's Highway Officer has not raised any objection to the proposed use of the site, and it is considered that the increased employment floorspace and the proposed residential units would not result in an excessive number of additional vehicle movements.
- 10.130 The proposed development is above the threshold in the Council's Planning Obligations SPD for which a full travel plan is required, and a travel plan is to be secured by the s.106 agreement.

Vehicle Access, Servicing and refuse

- 10.131 Development Management Policy DM8.6 requires major development proposals to include provision for delivery and servicing to be provided on-site, where the commercial floorspace would be over 200sqm. The proposed commercial units would be less than 200sqm and would be serviced on-street.

- 10.132 Fairbridge Road has width restrictions further towards Holloway Road, so vehicles will come from Hornsey Road and along Charles Street, and then turn right back towards Hornsey Road. The current yellow line restrictions mean vehicles can stop anywhere on the road for up to 40 mins, however to avoid obstruction and to ensure that loading is directed to a specific, safe and appropriate location, the applicant proposes a formal loading bay on Fairbridge Road. This is a sensible arrangement and would also discourage vehicles from stopping on both sides of the road to service the existing buildings. In order to create sufficient space on the highway, the existing crossovers outside the site will be removed (although a dropped kerb will need to be retained within 10 of the bin store to enable waste collection).
- 10.133 A Draft Delivery and Servicing Plan was submitted with the application, and includes indicative locations for the loading bay and also 2 blue badge parking spaces.
- 10.134 The highways works are to be secured by planning obligations within the s.106 agreement.
- 10.135 A full Delivery and Servicing Plan (once the occupier is known) is to be secured by condition 26.

Vehicle and Cycle parking

- 10.136 Core Strategy (2013) Policy CS10 and Development Management Policies (2013) Policy DM8.5 seek to achieve car free development.
- 10.137 The proposal would be car-free, and the Council's standard permit-free s.106 obligation would be applied, preventing new residents from obtaining parking permits.
- 10.138 The Council's cycle parking standards are set out at Appendix 6 of the Development Management Policies. The applicant proposes 28 cycle parking spaces plus accessible cycle storage for the residential units, which would comply with the London Plan and Islington cycle standards. Separate cycle storage is proposed for the commercial units. The proposed cycle storage is acceptable and it is recommended to be secured by condition 28.

Refuse and Recycling

- 10.139 The Council's 'Recycling and Refuse Storage Requirements' document sets out guidance for waste storage and collection; specifically, that a suitable ground floor collection area must be indicated on drawings submitted for approval.
- 10.140 There would be a communal bin store for the residential units which complies with the Council's guidance, and separate waste storage for the commercial units. The bin stores would be easily accessible for ground floor collection, and would be within 10m of the pavement. Within the highways works to be secured by the s.106 agreement, a dropped kerb will be secured within 10m of the bin store to enable waste collection.
- 10.141 No objection is raised by the Council's highways officers to the proposed development.

Construction impacts

- 10.142 An outline Construction Management Plan (CMP) was submitted, outlining measures and principles for good management of the construction process, and the Council's highways officers raised no objection. As the CMP was drafted well in advance of construction

works, this outlines headline impacts and intentions for minimisation of impacts, but does not include specific information on vehicle movements, dates of deliveries, timescales, construction compound layouts etc. A condition (no.29) is therefore recommended to secure an expanded CMP detailing specific measures, and expanded to take account of other nearby developments, highway works, and notification of neighbours.

- 10.143 Any requirement for the repair and re-instatement of the footways and highways adjoining the development which arises from construction impacts, should be resourced by the applicant, and secured by a s.106 obligation. At the time of works, the cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- 10.144 Subject to compliance with an expanded construction management plan (and recommended condition 29), the proposal would be capable of avoiding unacceptable impacts to neighbour amenity, the wider environment, or the safe and efficient operation of the highway network.
- 10.145 In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is also required to comply with the Council's code of construction practice. Compliance would need to be secured as part of a section 106 agreement together with a payment of £1,709 towards monitoring. This payment is considered an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project.

Highways and Transportation Summary

- 10.146 The application sets out adequate provision for servicing, waste storage, blue badge parking, cycling, collections and deliveries, and includes a transport statement which sets out measures to promote sustainable modes of transport (to be expanded on through a Travel Plan). The proposal would be acceptable and would comply with Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM5.1, DM8.2, DM8.5 and 8.6; and the London Plan SPG Land for Industry and Transport (September 2012).

Sustainability, Energy Efficiency and Renewable Energy

- 10.147 Islington Core Strategy Policy CS10 seeks to minimise Islington's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life. This requires all development to achieve the highest feasible sustainability standard, and a sustainability statement was submitted which follows the structure suggested by the Mayor of London's Supplementary Planning Guidance (SPG) Sustainable Design and Construction, and London Plan Policy 5.3. This sets out how passive design principles have been followed (for example, with regard to orientation of internal layouts), and detail on sustainable construction, transport, and construction waste. Further detail is provided in the Flood Risk Assessment (including SUDS) and Energy Statement (and appendices).

Flooding, Water Consumption, and Sustainable Urban Drainage Systems (SUDS)

- 10.148 Policy DM6.6 expects all major development to include details to demonstrate that SUDs has been incorporated and will be properly maintained.
- 10.149 The sustainability statement calculates internal water usage at less than 95 litres per person per day, which is complies with the policy requirement of less than 105 litres per person per day, to be secured by condition 23.
- 10.150 The existing drainage within the vicinity of the site is to the combined sewer for both surface water and foul water. Given that the whole site is currently hardstanding, and that the whole site will be built over, there are few opportunities for passive SUDS measures. A soakaway has been discounted due to the potential for groundwater contamination, and soil conditions. Permeable paving is proposed to the rear paved maintenance area, and an underground attenuation tank is proposed underneath the building to reduce runoff from the site. There would also be a biodiverse “extensive” roof on the flat roof of the proposed building which will provide an element of rainwater storage and slow drainage into the sewers (to be secured by condition 18). The proposed green roofs, permeable paving and an underground attenuation tank will result in a reduction in runoff rates to the lowest practical minimum rate of 5 litres / second, which is policy compliant. These measures are to be secured by condition 22.

Energy Efficiency, CO2 Emissions, and Renewable Energy

- 10.151 London Plan Policy 5.2B sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. Islington Policy CS10 A and Section 2 of the Environmental Design SPD require that onsite total CO2 reduction targets (both regulated and unregulated) against Building Regulations 2010 are reduced by 40% where connection to a Decentralised Energy Network (DEN) is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to reductions of 39% where connection to a DEN is possible, and 27% where not possible.
- 10.152 The proposal would achieve a 37.1% reduction in regulated CO2 emissions against Building Regulations 2013, exceeding with the London Plan target of 35%; and a 27% reduction in unregulated and regulated CO2 emissions against Building Regulations 2013 in compliance with the Council’s target of 27% (where no DEN connection is possible). Condition 20 is recommended to ensure compliance with the energy reduction measures set out in the Energy statement.
- 10.153 London Plan Policy 5.6B sets out a hierarchy for energy systems for major development proposals, prioritising connection to existing heating or cooling networks; over a site wide CHP network and communal heating and cooling. Islington Policy DM7.3B states “all major developments within 500 metres of an existing or planned DEN.... are required to submit a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.” The proposal does not intend to provide a CHP and there are no DENs within 500m. However, an obligation is recommended within the s.106 agreement to safeguard future connection.
- 10.154 Policy DM 7.4A states “Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding”. The council’s Environmental Design Guide states

“Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification.” The proposal would comply with the relevant criteria to achieve an “Excellent” rating, and condition 21 is recommended to secure this.

- 10.155 In accordance with the Council’s zero carbon policy, the council’s Environmental Design SPD states that “after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution”. The Environmental Design SPD states “The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.”
- 10.156 The proposed works would minimise carbon emissions arising from the building. Following the reductions of CO2 and in accordance with the Council’s carbon-neutral policy, a CO2 offset contribution of £24,824 is required to mitigate the carbon emissions of the development, which is to be secured through the s.106 agreement.
- 10.157 A Draft Green Performance Plan was submitted with the application, which sets out principles. Submission of, and compliance with, a full Green Performance Plan is to be secured by a s.106 obligation to ensure that the development fully complies with the measures set out in the submitted details.

Building Fabric

- 10.158 In accordance with Islington Policies CS10 and DM7.4, details on the materials selection based on lifecycle assessment for all major material components of the design should be provided e.g. brick, structure, steel, cladding, concrete etc. These details were not supplied with the application, so a green procurement plan is recommended to be required by a planning condition (no.6).

Contamination

- 10.159 Paragraphs 120-122 of the NPPF state that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. London Plan Policy 5.21 states that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination. Proposals should include an assessment of existing ground conditions and identify appropriate remedial measures for any contaminated land prior to development commencing.
- 10.160 The existing building is located on land which was historically in industrial, thus potentially contaminating, uses.
- 10.161 A Contaminated Land Study was submitted with the application, following a desktop study and site visit. This recommends firstly that intrusive testing is carried out, prior to remediation works if necessary; and secondly treatment and/or removal of Japanese Knotweed (which is addressed by separate legislation). The Council’s environmental health officer has considered the proposal and in order to avoid exposing future site

occupiers to contamination risks, and to avoid spreading contaminants through groundwater, condition 25 is recommended to require investigation, and remediation and monitoring if required.

Sustainability Summary

- 10.162 The proposal is considered acceptable when considered against the development plan policies relating to sustainable design, subject to the relevant sustainability requirements being secured by planning conditions and s.106 obligations.

Fire Safety and Emergency Access

- 10.163 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire.
- 10.164 The details of the development's Fire Strategy are ultimately controlled through Building Regulations and not dealt with via the planning process. However, planning impacts may arise as a consequence of the fire strategy and it is therefore prudent to consider this at planning application stage.
- 10.165 The application was considered by the London Fire and Emergency Planning Authority, who stated that they are satisfied with the proposal, subject to Building Regulations compliance.
- 10.166 An informative (no.10) reminds the applicant of the need to consider a detailed fire strategy at an early stage, and recommends the incorporation of sprinkler systems.
- 10.167 In line with the London Plan the proposal is not considered to introduce any significant risks or obstacles to Building Regulations compliance (including those which may have consequences relating to planning issues) and the application is considered acceptable in this respect.

Planning Obligations and CIL

- 10.168 If the application is approved and the development is implemented, a liability to pay the Islington Community Infrastructure Levy (CIL) and Mayor of London CIL will arise. CIL is intended to consolidate financial contributions towards the development's local infrastructure impacts, and additional separate contributions should not be sought towards the same infrastructure unless there is an exceptional and demonstrable need as a direct result of the proposed development.
- 10.169 Any further planning obligations which are not covered by the CIL payment should be sought through a legal agreement under s.106 of the Town and Country Planning Act, (1990, amended) and need to comply with the statutory tests set out in the NPPF and CIL Regulations 2010 (amended) to avoid unjustified double counting.
- 10.170 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a s.106 agreement.

10.171 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended, secured by a s.106 agreement.

- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Compliance with the Code of Employment and Training
- Employment and Training (operational) Contribution of £2178
- On-site provision of 5 affordable residential units, with an advanced stage financial review (on sale of 75% of market residential units), and the cost of that review to be met by the applicant.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,709.
- Carbon Offsetting payment of £24,824
- Permit free residential units
- Accessible Parking contribution of £4,000
- Provision of a street tree
- Marketing wheelchair accessible homes
- Compliance with the Council's Code of Local Procurement
- Safeguarded DEN connection, and a feasibility study into connection to a local energy network on first replacement of the heating and energy plant, if technically and economically feasible.
- Submission of, and compliance with, a Green Performance Plan
- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- Reinstatement of the existing dropped kerbs, with provision retained for waste collection access.
- Provision of an on-street loading bay
- Approval and compliance with a draft full travel plan to be submitted to the Council for approval prior to occupation; a full travel plan to be submitted to the Council for approval within 6 months of first occupation (including a full travel survey); and a travel plan update to be submitted to the Council for approval three years after first occupation.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

11. SUMMARY AND CONCLUSION

- 11.1 As set out in the above assessment, the proposal has been assessed against the development plan and the comments made by residents and consultees.
- 11.2 Consequently, it is considered that the proposed development would comply with the relevant national, London Plan, and local planning policies (including the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents).
- 11.3 It is recommended that planning permission is granted subject to conditions, the prior withdrawal of the Network Rail objection, and the s106 legal agreement heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Compliance with the Code of Employment and Training
- Employment and Training (operational) Contribution of £2178
- On-site provision of 5 affordable residential units, with an advanced stage financial review (on sale of 75% of market residential units), and the cost of that review to be met by the applicant.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,709.
- Carbon Offsetting payment of £24,824
- Permit free residential units
- Accessible Parking contribution of £4,000
- Provision of one street tree
- Marketing wheelchair accessible homes
- Compliance with the Council's Code of Local Procurement
- Safeguarded DEN connection, and a feasibility study into connection to a local energy network on first replacement of the heating and energy plant, if technically and economically feasible.
- Submission of, and compliance with, a Green Performance Plan
- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- Reinstatement of the existing dropped kerbs, with provision retained for waste collection access.
- Provision of an on-street loading bay
- Approval and compliance with a draft full travel plan to be submitted to the Council for approval prior to occupation; a full travel plan to be submitted to the Council for approval within 6 months of first occupation (including a full travel survey); and a travel plan update to be submitted to the Council for approval three years after first occupation.

- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

That, should the Section 106 Deed of Planning Obligation not be completed within 2 weeks from the date of the Planning committee meeting when a resolution to approve the application is reached (or a future date as agreed by officers and the applicant), the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended.</p>
2	Approved Drawings and Documents (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved documents and plans:</p> <p>Approved Drawings:</p> <p>Existing Ground Floor Plan ASK/E_100 Existing Mezzanine / Roof Plans ASK/E_101 Existing Elevations 4717_E Topographical Survey 4717-T Proposed Site Plan PP916/001 Proposed Ground Floor Plan PP916/200_F Proposed First Floor Plan PP916/201_G Proposed Second Floor Plan PP916/202_G Proposed Third Floor Plan PP916/203_H Proposed Fourth Floor Plan PP916/204_G Proposed Roof Plan PP916/205_E Proposed Detail 01 PP916/300 Proposed Front Elevation PP916/206_G Proposed Rear Elevation PP916/207_E Proposed South-West Elevation PP916/208_E Proposed North-East Elevation PP916/209_F Proposed Section A-A PP916/210_D Proposed Section B-B PP916/211_E</p> <p>Approved Documents:</p> <p>Bat Survey Report ref JSL2672_872 (RPS, October 2016) Preliminary Ecological Appraisal ref JSL2672_871 (RPS, September 2016) Transport Statement (Yes Engineering, July 2017) Outline Construction Logistics Plan (Yes Engineering, July 2017) Draft Delivery and Servicing Plan (Yes Engineering, July 2017) Employment Land Report ref 12511 (Dalton Warner Davis, February 2017) Contaminated Land Assessment BC269 L001/JT (The Brownfield Consultancy, 7 June 2017) Islington HIA Screening Flood Risk Assessment ref HLEF51571/001R (RPS, 19th June 2017) Statutory Declaration (05 July 2017) Air Quality Assessment (XCO2, June 2017) Viability Assessment Report (Savills, 07 July 2017)</p>

	<p>Noise and Vibration Assessment Report 14886.NVA.01 (KP Acoustics, 04 October 2016)</p> <p>Lighting Impact Assessment 8902 (XCO2, 16/05/2017)</p> <p>Dynamic Thermal Modelling and Overheating risk Assessment ref 2219 Issue 1 (T16 design, June 2017)</p> <p>Sustainable Design and Construction Statement ref 2219 Issue 3 (T16 design, June 2017)</p> <p>Draft Green Performance Plan ref 2219 Issue 4 (T16 design, October 2017)</p> <p>Energy Statement ref 2219 Issue 5 including appendices (T16 design, October 2017)</p> <p>BREEAM New Construction 2014 Pre Assessment Report ref 2219 Issue 4 (June 2017)</p> <p>Daylight and Sunlight Amenity Within The Site ref 10324 (GIA, 20 June 2017)</p> <p>Daylight and Sunlight ref 10324 (GIA, 13/10/2017)</p> <p>Daylight Sunlight Rebuttal for 212 Fairbridge Road ref AC/10324 (GIA, 01/10/2017)</p> <p>Planning Statement WT/CE/20930 (RPS CGMS, July 2017)</p> <p>Design and Access Statement rev C (Milan Babic Architects, 07.07.2017)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	SME Workspaces (Compliance)
	<p>CONDITION: The hereby approved business units shall be used within Use Classes B1 or B8, and shall be laid out as shown on the hereby approved plans prior to first use of those units. Those units shall not be amalgamated unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of ensuring that the proposed development contributes to a mixed and flexible employment base and specifically supports the ability of small and micro enterprises to find suitable workspace.</p>
4	Removal of PD rights (Compliance)
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or the provisions of any Order revoking and re-enacting that Order, no change of use of the approved Use Class B1 and/or Use Class B8 floorspace shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the adjoining residential units and the area generally, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of office floorspace would have on the provision of employment in the borough.</p>
5	Materials and Details (Approval of Details)
	<p>CONDITION: Details and samples of the proposed facing materials and detailing shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site, unless otherwise approved in writing by the Local Planning Authority.</p> <p>The details and samples should include:</p> <ul style="list-style-type: none"> a) External facing materials, including details of the proposed brick bond, mortar and pointing style b) Details of the junctions and corners of the proposed Glass Reinforced Concrete (GRC) components, including how these will be designed to avoid watermarks or staining to the surfaces below

	<ul style="list-style-type: none"> c) External balustrading d) External joinery e) Soffits, cills and reveals, the undersides of any projecting elements, and junctions of other external materials (and details of how these will be designed to avoid watermarks or staining to the surfaces below) f) Expansion gaps, which shall be designed to minimize their visual impacts g) Roof materials and edge details h) Rainwater goods (including locations, fixings, material and colour) i) Soil, vent and waste pipes which should (except for the termination) be constructed within the building j) Details of any other pipes, equipment or devices to be installed externally external surfaces of the building including meter boxes, service connection access, aerials and satellite dishes k) Details of wayfinding or signage to the proposed commercial units l) Detailed design drawings of the proposed PV panels which should show how their visual impact will be minimised m) Any other materials to be used <p>No additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details and samples as approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
6	Green Procurement Plan (Approval of Details)
	<p>CONDITION: Prior to the commencement of superstructure works, unless otherwise agreed in writing by the Local Planning Authority, a green procurement plan for sourcing the proposed materials shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to minimise the environmental impacts of the development.</p>
7	No Obscuring of Ground floor glazing (Compliance)
	<p>CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.</p> <p>REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.</p>
8	Boundary Treatments
	<p>CONDITION: Details and samples of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the hereby development.</p>

	<p>The details shall include information on the proposed materials, design, structure and dimensions of all walls, fences, screen walls, barriers, rails, retaining walls and hedges, and details as to how the boundary treatments would satisfy the requirements of Network Rail.</p> <p>The approved boundary treatments shall be installed as approved, prior to occupation of the hereby development unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development, to ensure that the resulting appearance and construction of the development is of a high standard, and to avoid unacceptable impacts on railway infrastructure.</p>
9	Secured by Design
	<p>CONDITION: Notwithstanding the plans hereby approved the residential units shall not be occupied until secured by design certification has been achieved, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing secure and safe development.</p>
10	Inclusive Design (compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design.</p> <p>Unless otherwise approved in writing by the Local Planning Authority and prior to the occupation of the residential units, one residential unit shall be constructed to comply with building regulation standard M4 (3) (wheelchair user dwellings), and all other residential units shall be constructed to comply with building regulation standard M4 (2) (accessible and adaptable dwellings)</p> <p>The following facilities shall be installed as shown on the approved plans prior to the occupation of the residential units:</p> <ul style="list-style-type: none"> a) 1 mobility scooter charging point b) 1 lift providing access to all dwellings c) 2 lifts providing access to the M4 (3) (wheelchair user dwelling) (which may include the lift required by part b of this condition) <p>The following facilities shall be installed within the each B1/B8 business unit prior to first occupation of that unit:</p> <ul style="list-style-type: none"> d) At least one wheelchair accessible WC <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
11	Hours of Operation (Compliance)
	<p>CONDITION: The B1/B8 business units at ground floor approved shall not operate outside the following hours, unless otherwise approved in writing by the Local Planning Authority:</p> <p>08:00 – 20:00 (Monday - Saturday)</p>

	<p>Notwithstanding the above hours, there shall be no opening on Sundays or Bank Holidays</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
12	Noise from fixed plant (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest residential window, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure an adequate level of internal amenity is provided for future residents, and to protect the amenities of the neighbouring occupiers from the proposed mechanical plant.</p>
13	Noise and Vibration
	<p>CONDITION: Notwithstanding the approved details, a full noise and vibration assessment shall be undertaken and submitted to and approved in writing by the Local Planning authority prior to the commencement of the hereby approved development. The submitted details shall include any required mitigation measures, and full particulars and details of a scheme for sound insulation between the proposed business and residential uses, and insulation to any plant areas and lift shafts. The building shall be designed to avoid harm to residential amenity from external noise sources, including from road and rail traffic and from the basement car parking, and from the proposed mechanical plant. Noise levels within habitable rooms shall not exceed the following levels:</p> <ul style="list-style-type: none"> - Bedrooms (23.00-07.00 hrs) 30 dB LAeq, and 45 dB Lmax (fast) - Living Rooms (07.00-23.00 hrs) 35 dB LAeq, - Kitchens, bathrooms, WC compartments and utility rooms (07.00 –23.00 hrs) 45 dB LAeq <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details as approved, shall be implemented prior to the first occupation of the development hereby approved, and shall be maintained thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
14	No use of flat roofs
	<p>CONDITION: The flat roof of the development hereby approved shall not be used as amenity spaces and shall not be accessed other than for maintenance.</p> <p>REASON: To ensure that the amenity of residents is not adversely affected</p>
15	Obscured Glazing
	<p>CONDITION: The hereby approved residential units shall not be occupied until the obscure</p>

	<p>glazed privacy screens shown on the approved plans have been installed, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the adjoining residential units.</p>
16	<p>External lighting</p> <p>CONDITION: Notwithstanding the approved details, no external lighting shall be installed unless revised full details of external lighting have been submitted to and approved in writing by the Local Planning Authority prior to the installation of any external lighting.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, and hours of operation. The details submitted shall include details of light spill and demonstrate that the proposed lighting would not result in increased light pollution, harm to biodiversity (including at the adjacent Site of Importance for Nature Conservation), harm to visual amenity, or harm to the safe operation of the highway.</p> <p>The external lighting shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any general or security lighting is appropriately designed and located, to avoid light pollution or harm to the adjacent Site of Importance for Nature Conservation), visual amenity, and the safe operation of the highway.</p>
17	<p>*Tree protection (Approval of Details)</p> <p>CONDITION: No works or development shall take place until an Arboricultural Impact Assessment (to comply with the recommendations of BS5837:2012), and a scheme of arboricultural protection measures including supervision and monitoring, have been submitted to and approved in writing by the local planning authority.</p> <p>The Arboricultural Impact Assessment shall assess the potential for impacts on the roots of nearby trees, including within the adjacent railway embankment Site of Importance for Nature Conservation (SINC).</p> <p>The scheme of protection and supervision shall be carried out as approved and shall be administered by a qualified Arboriculturist instructed by the applicant.</p> <p>REASON: In the interest of protecting retained and proposed tree health, biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
18	<p>Biodiverse roofs</p> <p>CONDITION: Notwithstanding the hereby approved details, a biodiverse roof shall be installed on all flat roofs prior to first occupation unless a feasibility assessment and alternative biodiverse/green roof plan is submitted to and approved in writing by the Local Planning Authority.</p> <p>The biodiverse roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); and b) planted/seeded with an agreed mix of species within the first planting season following

	<p>the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiverse (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiverse roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity</p>
19	Bird Boxes (Prior to Occupation)
	<p>CONDITION: Details of bird nesting and bat boxes shall be submitted to and approved in writing by the Local Planning Authority prior the occupation of the hereby approved development. The number and position of bird boxes needs to be determined on site by a qualified ecologist. The details shall include the exact location, specification and design of the habitats. There shall be at least three bat boxes.</p> <p>The bird and bat boxes shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
20	Energy Efficiency (Compliance)
	<p>CONDITION: The energy efficiency measures as outlined within the approved Sustainable Design and Construction Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, a revised Energy Strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
21	BREEAM (Compliance)
	<p>CONDITION: The development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

22	SUDS (Compliance)
	<p>CONDITION: The measures set out in the Sustainable Urban Drainage statement shall be carried out prior to the first occupation of the hereby approved development, unless otherwise approved in writing by the Local Planning</p> <p>REASON: In order to secure sustainable urban drainage, reducing the risk of flooding and to mitigate the impacts of the development.</p>
23	Water Consumption (Compliance)
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 105litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
24	Removal of PD rights: Solar (Compliance)
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or the provisions of any Order revoking and re-enacting that Order, no installation of solar equipment shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the adjoining residential units and the area generally, and to allow the Local Planning Authority to assess the impacts of additional external works.</p>
25	*Contamination (Approval of Details)
	<p>CONDITION: Prior to the commencement of development (including demolition) the following assessment shall be submitted to and approved in writing by the Local Planning Authority (in response to the NPPF and in accordance with CLR11 and BS10175:2011).</p> <p>a) A land contamination investigation (including intrusive investigation).</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).</p>

	REASON: To avoid unacceptable risk to health arising from contamination.
26	Deliveries and Servicing
	<p>CONDITION: A Delivery and Servicing plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the hereby approved development.</p> <p>The development shall be carried out and maintained in accordance with the approved details, unless otherwise approved in writing.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
27	Waste Management
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans 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.</p>
28	Cycle Parking Provision (Compliance)
	<p>CONDITION: The cycle storage areas and facilities shown on the hereby approved plans, shall be provided prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
29	*CEMP
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The Method of Demolition and Construction Statement shall include details and arrangements regarding:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; d) Details regarding the planned demolition and construction vehicle routes and access to the site; e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance; f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;

	<ul style="list-style-type: none"> g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting; i) Details of measures taken to prevent noise disturbance to surrounding residents; j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site; k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception) l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic using Fairbridge Road, Charles Street and Hornsey Road at all times, including emergency service vehicles; m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area. o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration. <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the details and measures approved in the Method of Construction Statement.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
30	<p>Air Quality (Approval of Details)</p> <p>CONDITION: Notwithstanding the approved details, prior to the commencement of superstructure works on the development hereby permitted, a site report detailing steps to minimise the development's future occupiers' exposure to air pollution shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be implemented and completed prior to occupation of the development and shall be permanently maintained thereafter</p> <p>Regard shall be had to the guidance from the Association of London Government "Air quality assessment for planning applications – Technical Guidance Note" and the GLA's "Air Quality Neutral" policy in the compilation of the report.</p> <p>REASON: To protect the amenities of the future occupants and to avoid harm to health arising from exposure to poor air quality.</p>

--	--

Recommended List of Informatives:

1	S106
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended).</p>
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision</p>

	will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
5	Roller Shutters
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
6.	Roof top plant
	The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.
7	Construction works
	Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
8	Thames Water
	<p>Your attention is drawn to the following informatives and advice included in the comments provided by Thames Water.</p> <p>Waste Comments</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a 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 groundwater.</p> <p>Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p>

	<p>Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.</p> <p>No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p> <p>We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing www.riskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality</p> <p>Water Comments</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
9	Highways Requirements

Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.

Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.

Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.

Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.

Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.

Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.

Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.

Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six months’ notice to meet the requirements of the Traffic Management Act, 2004.

Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.

Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council’s Highways contractors.

Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO’s) to be borne by developer.

All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the

	<p>developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk</p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980</p> <p>Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
10	Fire Safety
	<p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings.</p> <p>It is recommended that a fire strategy is developed at an early stage in consultation with the emergency services and including compliance with part B5 of the Building Regulations. In particular, consideration should be made to installing sprinkler systems to mitigate delays caused by the restricted access to the site for emergency vehicles.</p> <p>Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Andrew Marx on 020 7527 2045 or by email on andrew.marx@islington.gov.uk.</p>
11	Non-Road Mobile Machinery (NRMM)
	<p>CONDITION: An inventory of all Non-Road Mobile Machinery (NRMM) must be registered on the NRMM register https://nrmm.london/user-nrmm/register prior to the commencement of use of any NRMM at the application site. All NRMM should meet as minimum the Stage IIIA emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIA equipment is not available. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.</p> <p>REASON: To comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2016) and to minimise air pollution.</p>
12	Approved Documents

	<p>For the avoidance of doubt, the following plans and documents are not included in the approved plans for this decision:</p> <p>The following documents submitted with the application:</p> <p>Daylight and Sunlight ref 10324 (GIA, 22 June 2017) Energy Statement ref 2219 Issue 4 including appendices (T16 design, June 2017) Draft Green Performance Plan ref 2219 Issue 3 (T16 design, June 2017)</p> <p>The following drawings submitted with the application:</p> <p>Proposed Ground Floor Plan PP916/200_E Proposed First Floor Plan PP916/201_E Proposed Second Floor Plan PP916/202_E Proposed Third Floor Plan PP916/203_F Proposed North-East Elevation PP916/209_E</p> <p>The following amended drawings submitted in October 2017:</p> <p>Proposed First Floor Plan PP916/201_F Proposed Second Floor Plan PP916/202_F Proposed Third Floor Plan PP916/203_G Proposed North-East Elevation PP916/209_E</p>
--	---

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. Since March 2014 planning practice guidance for England has been published online.

2 Development Plan

The Development Plan is comprised of the London Plan 2016, Islington's Core Strategy 2011, Islington's Development Management Policies 2013, the Finsbury Local Plan 2013 and Islington's Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London

Policy 2.18 Green Infrastructure

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing Housing Supply

Policy 3.4 Optimising Housing Potential

Policy 3.5 Quality and Design of Housing Developments

Policy 3.6 Children and Young People's Play and Informal Recreation Facilities

Policy 3.7 Large Residential Developments

Policy 3.8 Housing Choice

Policy 3.9 Mixed and Balanced Communities

Policy 3.10 Definition of Affordable Housing

Policy 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

Policy 3.13 Affordable Housing Thresholds

Policy 3.16 Protection and enhancement of social infrastructure

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development

Policy 4.4 Managing Industrial Land and Premises

Policy 4.10 New and emerging sectors

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising emissions

Policy 5.3 Sustainable design & construction

Policy 5.4 Retrofitting

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage
 Policy 5.14 Water quality and wastewater infrastructure
 Policy 5.15 Water use and supplies
 Policy 5.16 Waste net self-sufficiency
 Policy 5.17 Waste capacity
 Policy 5.18 Construction, excavation and demolition waste
 Policy 5.19 Hazardous Waste
 Policy 5.20 Aggregates
 Policy 5.21 Contaminated land

6 London's transport

Policy 6.1 Strategic approach
 Policy 6.2 Providing public transport capacity and safeguarding land for transport
 Policy 6.3 Assessing effects of development on transport capacity
 Policy 6.4 Enhancing connectivity
 Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
 Policy 6.7 Better streets and surface transport
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.11 Smoothing traffic flow and tackling congestion
 Policy 6.13 Parking

B) Islington Core Strategy 2011

Policy CS 8 (Islington's Character)
 Policy CS9 (Built and Historic Environment)
 Policy CS10 (Sustainable Design)
 Policy CS11 (Waste)
 Policy CS12 (Housing)
 Policy CS13 (Employment Space)

7 London's living places and spaces

Policy 7.1 Lifetime neighbourhoods
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.13 Safety, security and resilience to emergency
 Policy 7.14 Improving air quality
 Policy 7.15 Reducing noise and enhancing soundscapes
 Policy 7.19 Biodiversity and access to nature
 Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy

C) Development Management Policies June 2013

DM2.1 Design
 DM2.2 Inclusive Design
 DM2.3 Heritage
 DM3.1 Mix of housing sizes
 DM3.4 Housing Standards
 DM3.5 Private outdoor space
 DM3.5 Play space

DM3.7 Noise and vibration (residential uses)
 DM5.1 New business floorspace
 DM5.2 Loss of existing business floorspace
 DM5.4 Size and affordability of workspace
 DM6.1 Healthy development
 DM6.2 New and improved public open space
 DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention
DM7.1 Sustainable design and construction
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling
DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport

DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new developments
DM9.1 Infrastructure
DM9.2 Planning obligations
DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Development Viability (January 2016)
- Environmental Design (October 2012)
- Inclusive Design in Islington (February 2014)
- Islington Urban Design Guide (January 2017)
- Location and concentration of uses (April 2016)
- Planning Obligations (Section 106) (December 2016)
- Preventing Wasted Housing Supply (July 2015)
- Streetbook (October 2012)

London Plan

- Affordable Housing & Viability (August 2017)
- Housing (March 2016)
- Social Infrastructure (May 2015)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- London Planning Statement (May 2014)
- Sustainable Design and Construction (April 2014)
- Use of planning obligations in the funding of Crossrail, and the Mayoral CIL (April 2013)
- Land for Industry and Transport (September 2012)
- Play and Informal Recreation (September 2012)
- All London Green Grid (March 2012)
- Planning for Equality and Diversity in London (October 2007)



CONFIDENTIAL

ATT: Will Thompson
CGMS
140 London Wall,
London
EC2Y 5DN.

Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: DRP/119

Date: 4 April 2017

Dear Will Thompson,

ISLINGTON DESIGN REVIEW PANEL

RE: 202 - 210 Fairbridge Road, N19 3HT (pre-application ref. Q2016/1777/MJR)

Thank you for attending Islington's Design Review Panel meeting on 14 March 2017 for the first review of the above scheme. The proposed scheme under consideration is for the demolition of the existing MOT Garage (Use Class B2) and the erection of a 4-5 storey mixed use building, comprising ground floor commercial units, 15 flats (Use Class C3) and ancillary cycle storage, refuse storage and outdoor amenity spaces (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (Chair), David Gibson, Sarah Featherstone, Stephen Archer and Martin Pearson on 14 March 2017 including a site visit in the morning and presentation from the design team followed by a questions and answers session and deliberations at the offices of the London Borough of Islington in the afternoon. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

Top storey and building height

The Panel were not convinced by the top storey and felt that the set-back storey was apologetic, suggesting that the proposed building was too high. Panel members felt that the building design and proportions would be improved if the ground floor height was increased to allow for a mezzanine level internally and the top storey removed. They felt that the loggia design (reduced in height given that there would no longer be a terrace behind) previously proposed would improve the appearance of the top storey (removing the set-back storey) and provide a better top to the building.

Ground floor

The Panel felt that the ground floor could be improved to better suit the light industrial employment within the area and that providing a 5m high ground floor may assist in doing this so that mezzanine levels could be provided internally and therefore more employment floor space in the Employment Growth Area. This would also potentially allow larger

entrance doors/openable frontages to units if necessary. They also commented that if this higher ground floor was provided, the top storey should be removed.

Panel members advised that the ground floor may work better with the entrances to the commercial units at one end of the elevation, away from the residential entrance, clearly separating the different entrances and uses. This could also help provide more flexible units that are more easily subdivided. Some panel members felt it was disappointing that the bin store was positioned centrally on the front elevation.

The Panel questioned the addition of a new tree in front of one of the commercial units and suggested that this may cause problems if vehicles need access into the unit.

Access decks

Panel members raised some concerns regarding privacy issues with the deck access to the flats and questioned whether the kitchens could front the deck access rather than the bedrooms to provide a more comfortable living environment. The daylight to the proposed flats was also questioned, along with the impact on the daylight if a different window arrangement was proposed to the bedrooms, providing greater privacy.

Summary

The Panel were supportive of the earlier iterations showing the higher ground floor level, with potential for a mezzanine level and also with the loggia design to the top level. They did, however, feel that the building would be improved with the removal of the top storey. Panel members also felt that the alterations to the ground floor level could improve the flexibility of the units in terms of internal layout and additional large openings/glazed areas to the frontage, as found on industrial buildings in the area. The Panel also felt that the separation of the residential entrance and core and the commercial entrances and core could be beneficial and should be explored further. Panel members advised the design team to look into providing further commercial floorspace - perhaps through the mezzanine and possibly an additional storey and reducing the residential units.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in the assessment of the proposal and determination of the application.

Yours sincerely,

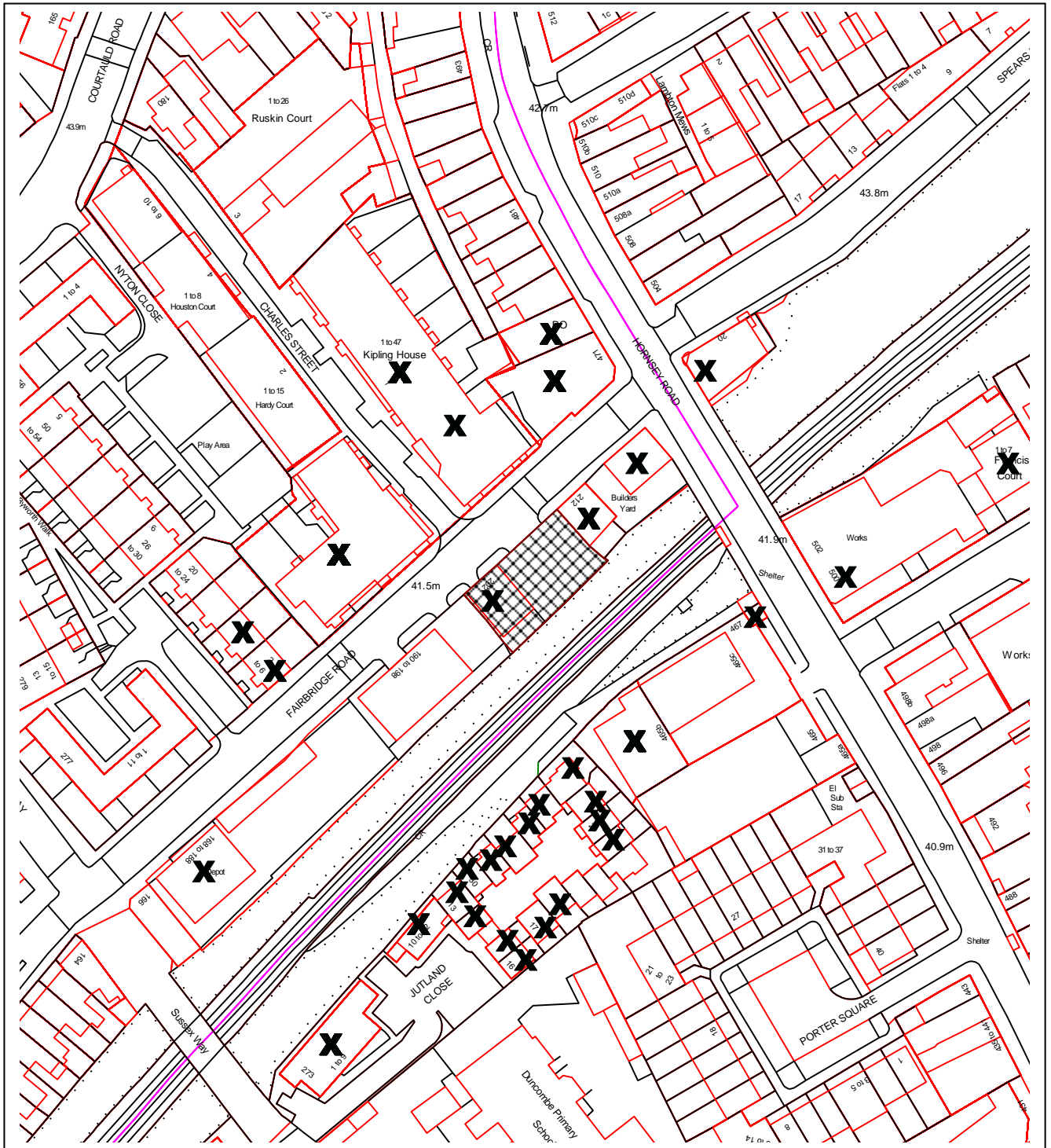


Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager

This page is intentionally left blank

Islington SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.
P2017-2754-FUL

This page is intentionally left blank

202-210 Fairbridge Road, N19 3HT

Independent Viability Review

Prepared on behalf of The London Borough of
Islington

6 September 2017



82 South Street, Dorking, RH4 2HD
www.bps-surveyors.co.uk
Tel: 01483 565 327

1.0 Introduction

- 1.1. BPS Chartered Surveyors has been instructed by The London Borough of Islington ('the Council') to review a viability assessment prepared by Savills on behalf of Dominvs Property Developments Ltd. ('the applicant') dated 7 July 2017 described as a draft report. This has been prepared in respect of the proposed development at 202-210 Fairbridge Road, N19 3HT
- 1.2. The subject site is located towards the north-eastern end of Fairbridge Road, close to the junction with the A103 Hornsey Road. The site measures 0.0437 hectares (0.108 acres) and is situated in an Employment Growth Area. It is approximately half a mile from Upper Holloway National Rail station and Archway Underground station.
- 1.3. The site currently comprises a vehicle repair/MOT centre (B2 use) and a garage building measuring 127.65m² (1,374ft²) and associated vehicle parking measuring 276.8m² (2,979ft²).
- 1.4. The proposed application is for the redevelopment of the site to include 15 residential units and 2 commercial units. The 15 residential units will comprise 11 x 2 bed units and 4 x 1 bed units. The two commercial units will be for B1 use and total 73.9m² (795ft²) and 110.8m² (1,193ft²) NIA respectively. The applicant proposes that 2 of the 15 residential units will be provided as shared ownership tenure affordable housing.
- 1.5. Savills viability assessment seeks to demonstrate that the scheme currently generates a small surplus of £79,000 which is insufficient to provide any additional affordable housing beyond the level proposed.
- 1.6. The current application follows extensive pre-application discussions and negotiations. Our advice to the Council was set out in our reports of 22 March 2017, 10 May 2017 and 5 July 2017. The pre-application exercise was productive in that a number of valuation inputs were agreed between ourselves and Savills and much of this agreement is now reflected in the current submission.
- 1.7. Our review has sought to scrutinise the costs and value assumptions that have been applied in the Savills viability appraisal in order to determine whether the current affordable housing offer represents the maximum that can reasonably be delivered given the viability of the proposed development.

2.0 Conclusions & Recommendations

- 2.1 We have reviewed the information provided by Savills and we are of the opinion that taking the points considered below the net residual value of the scheme demonstrates a considerable surplus when assuming the provision of two shared ownership units. We summarise our views in comparison to Savills in the table below;

Approach	Scheme Residual	EUV plus Premium	Surplus
Savills	£631,000	£552,000	£79,000
BPS	£825,000	£506,000	£319,000

- 2.2 The Mayor's SPG and Council's SPD sets out a clear approach to establishing a suitable benchmark land value. We see no reason to deviate from the EUV plus premium approach in this instance and are not persuaded that the Market approach advocated by Savills is any event compliant with PPG in that it takes no account of planning policy.
- 2.3 In our opinion the estimated existing use value of £460,000 appears broadly reasonable. A premium of 20% has been added to the EUV which we would consider to be high for a site of this nature given its declining appeal and uncertain income generating capabilities looking forward. As stated in our earlier reports we have reviewed the DWD report which does raise some concerns regarding the current use of the subject site in relation to a number of competitor sites in the vicinity, in particular newer facilities which may be more competitive. As such we consider the level of incentive to less than might be required from a more modern facility given its restrictions and apparently bleak future trading outlook. We are of the opinion that the EUV plus figure should therefore equate to £506,000.
- 2.4 Savills have proposed a blanket profit target equating to 20% of GDV based on the conclusions set out in their research paper. Reflecting relevant guidance we have given careful consideration to the specific circumstances of this development and take the view that a normal approach to profit would seek to adopt differential profit targets in respect of the commercial and affordable elements to reflect the different risk levels attaching to these elements.
- 2.5 For the purposes of our appraisal (see Appendix 2) we have adopted marginally higher shared ownership values than Savills reflecting a rate of £365 per sq ft compared to Savills suggested sale rate of £340 per sq ft. We view this figure being more representative of values more typically achieved for this tenure recognising that at this level we have made no allowance for equity staircasing which would serve to increase the value still further.
- 2.6 Our Cost Consultants, Geoffrey Barnett Associates, have reviewed the cost information provided by Consarc Design Group with their full report available at appendix 1. In summary they state that the costing for the residential element would appear high when compared to BCIS data but;

'...the Applicants costings overall are considered to be within acceptable estimating margins and reasonable for this development.'

- 2.7 When determining residential values for this scheme we have given considerable weight to sales evidence from the scheme known as The Joinery given its proximity to the subject site although we appreciate it does have superior amenities. When examining the second hand comparable evidence in conjunction the uplifted value of the units at The Joinery we accept the proposed values reflect the available evidence although we consider inclusion of a late stage review in any S106 as necessary as there could be scope to improve on these values over time.
- 2.8 In all other respects we are in agreement with the assumptions adopted by Savills which accord with the pre-application discussions.

3.0 Principles of Viability Assessment

- 3.1 Development appraisals work to derive a residual value. This approach can be represented by the simple formula below:

Gross Development Value - Development Costs (including Developer's Profit) = Residual Value

- 3.2 The residual value is then compared to a benchmark land value. Existing Use Value (EUV) and Alternative Use Value (AUV) are standard recognised approaches for establishing a land value as they help highlight the apparent differences between the values of the site without the benefit of the consent sought.
- 3.3 The rationale for comparing the scheme residual value with an appropriate benchmark is to identify whether it can generate sufficient money to pay a realistic price for the land whilst providing a normal level of profit for the developer. In the event that the scheme shows a deficit when compared to the benchmark figure the scheme is said to be in deficit and as such would be unlikely to proceed.
- 3.4 We note the GLA prefer EUV as a basis for benchmarking development as this clearly defines the uplift in value generated by the consent sought. We find the Market Value approach as defined by RICS Guidance Viability in Planning 2012 if misapplied is potentially open to an essentially circular reasoning. The RICS Guidance promotes use of a modified standard definition of "market Value" by reference to an assumption that the market values should reflect planning policy and should disregard that which is not within planning policy. In practice we find that consideration of compliance with policy is generally relegated to compliance somewhere on a scale of 0% to the policy target placing land owner requirements ahead of the need to meet planning policy.
- 3.5 There is also a high risk that the RICS Guidance in placing a very high level of reliance on market transactions is potentially exposed to reliance on bids which might a) represent expectations which do not mirror current costs and values as required by PPG. b) May themselves be overbids and most importantly c) need to be analysed to reflect a policy compliant position. To explain this point further, it is inevitable that if site sales are analysed on a headline rate per acre or per unit without adjustment for the level of affordable housing delivered then if these rates are applied to the subject site they will effectively cap delivery at the rates of delivery achieved of the comparable sites. This is an essentially circular approach which would effectively mitigate against delivery of affordable housing if applied.
- 3.6 The NPPF recognises at 173, the need to provide both land owners and developers with a competitive return. In relation to land owners this is to encourage land owners to release land for development. This has translated to the widely accepted practice when using EUV as a benchmark of including a premium. Typically, in a range from 5-30%. Guidance indicates that the scale of any premium should reflect the circumstances of the land owner. We are of the view that where sites represent an ongoing liability to a land owner and the only means of either ending the liability or maximising site value is through securing a planning consent this should be a relevant factor when considering whether a premium is applicable.

4.0 Benchmark Land Value

- 4.1 Savills had initially valued the site on the basis of a market value approach which sought to analyse site value by reference to other site transactions. The current FVA now seeks to benchmark the site by reference to the existing use value of the site and propose a value of £460,000 together with a land owner premium equating to 20% bringing the total proposed benchmark value to a figure of £552,000.
- 4.2 Savills continue to offer their analysis of market transactions in support of their market assessment and reference purchase price as being a relevant consideration. The three figures are summarised below;

Approach	Value
Existing Use Value plus Premium	£552,000
Purchase Price	£1,730,000
Market Value	£1,500,000-£2,000,000

Market Value

- 4.3 Savills proposed market value is based on three market transactions. We note that only one of the transactions was sold with the benefit of planning consent, 640 Holloway Road. The purchaser of this property sought to renegotiate the level of affordable housing under the now defunct Section 106 B provision but lost at appeal. It is evident from the appeal decision that the Inspector acknowledged a site value significantly below the purchase price as being relevant and support of the affordable housing provision identified by the consent. This decision serves to illustrate our primary objections to simplistic market analysis frequently proposed using the market value approach which are summarised below:
- a) Analysis should be confined to sites which are truly comparable. We do not consider the sites in this instance to be comparable, not least by dint of the age of the transactions and substantial dissimilarities between the subject site and those concerning the transactions
 - b) Analysis should reflect all three limbs of PPG including the need to reflect planning policy. The evidence provided by Savills makes no attempt to reconcile this aspect of PPG in its analysis.
 - c) In comparing sites relevant adjustments should be made between sites to account for differences. The analysis is provided on a simplistic rate per hectare basis which takes not account of density, site characteristics, current use or planning status.
- 4.4 The Mayor's recently adopted Housing and Viability SPG provides the following guidance:
- 4.1 The SPG also comments on alternative methods for establishing a suitable benchmark land value:

3.48 An alternative approach will only be considered in exceptional circumstances which must be robustly justified by the applicant. One alternative approach determines the benchmark land value using the market value of land having regard to Development Plan policies and material considerations²³. However, research published by RICS²⁴ found that the 'market value' approach is not being applied correctly and "if market value is based on comparable evidence without proper adjustment to reflect policy compliant planning obligations, this introduces a circularity, which encourages developers to overpay for site and try to recover some or all of this overpayment via reductions in planning obligations" (RICS 2015²⁵ p26). Thus a market value approach will generally not be accepted by the Mayor.

- 4.5 For the reasons outlined above and the marked preference for use of an EUV Plus approach in both the Mayor's and the Council's SPG we do not consider the figures referenced above to constitute a meaningful reference point from which to benchmark the site. Should the council wish for a more detailed analysis of the specific transactions we are willing to provide this.

Existing Use Value

- 4.6 The Existing Use of the site has been based on recent industrial transactions in the local area. The comparable evidence provided is as follows;

Address	Date	Term (yrs)	Rent	Area m ² (ft ²)	£ per m ² (ft ²)	Distance to Subject
21-22 Turle Rd	Dec-15	5	£36,768	339 (3,644)	£109 (£10.09)	1.1 km
260-266 York Way	Jul-15	-	£73,425	511 (5,500)	£144 (£13.35)	3.7 km
276 York Way	Sep-15	25	£217,936	1,576 (16,960)	£138 (£12.85)	3.5 km

- 4.7 The above evidence differs from the subject site in that they are predominantly purpose built industrial units with rates appearing to be calculated based on the building area. The York Way units are situated in a more established industrial area and both properties benefit from superior access to the main road. The unit at Turle Road has a very high site cover which would in our view detract from the overall rental rate which should be applied to this property. Neither of the roads affecting these sites would appear to be subject to any restrictions.
- 4.8 We have identified the following further evidence;

Address	Date	Size	Rent p.a.	£ per m ² (ft ²)
Unit 4, Bush Industrial Estate, Station Rd, N19 5UW	30/12/16	743 (8,001)	£83,000	£111.66 (£10.37)
Suite 2, 9-15 Elthorne Road, N19 4AJ	01/03/15	433 (4,659)	£30,000`	£69.31 (£6.44)

- 4.9 The unit at Station Road is situated in an industrial estate approximately 1 mile to the south west of the subject site. This space includes 632.6m² (6,809ft²) of warehouse floor area with ancillary office space over ground and first floors totalling 110.8m² (1,192ft²). There is also a dedicated forecourt loading area to the front and 12 allocated car parking spaces.
- 4.10 The suite at Elthorne Road has designated B2 use and is situated under half a mile from the subject site on a parallel road. The letting was for a term of 1 year only.
- 4.11 In determining a yield Savills have taken advice from local agents and have adopted a rate of 8.5%. We note that CBRE¹ research suggests Greater London prime industrial estate yields of 4.85% and secondary industrial estate yields of 8.25%. Given the location and specification of this site it would appear that 8.5% is a reasonable yield to apply, especially given that the units are currently vacant.
- 4.12 Savills have also provided the following sales evidence in support of their EUV;

Address	Distance to subject	Sq ft	Ha	Price	Price/ft ²	Price/Ha
86 Victoria Road	1.13 km	1,800	0.08	£1,780,000	£989	£21,960,000
2A Bartholomew Road	3.38	-	0.57	£5,950,000	-	£10,420,000

- 4.13 These capital transactions have been analysed by reference to capital value per sq ft. When applied to the subject site these sales suggest a value range of £437,500 to £923,000 which lends support for value derived by reference to the rent yield analysis. On this basis have agreed the current use value at a figure £460,000.
- 4.14 Savills has applied a premium of 20% to the EUV to “reflect its redevelopment potential”. If re-development potential were a relevant criteria from which to determine a premium then it would be reasonable to assume all sites would not generate premiums less than this figure, however this is not the case. We have considered guidance provided by PPG, The Mayor’s Housing and Viability SPG and the Council’s Development Viability SPD on the setting of a suitable premium. Some relevant extracts are set out below.
- 4.15 PPG provides the following guidance in this regard:

A competitive return for the land owner is the price at which a reasonable land owner would be willing to sell their land for the development. The price will need to provide an incentive for the land owner to sell in comparison with the other options available. Those options may include the current use value of the land or its value for a realistic alternative use that complies with planning policy.

Paragraph 24 PPG

- 4.16 It can be seen that the return to the land owner must be considered reasonable and must be balanced by consideration of the alternatives open to the land owner. In this instance the buildings are old tired and can be regarded as increasingly obsolete when weighed against modern occupier requirements. It is therefore

¹ CBRE Marketview, United Kingdom Monthly Index, February 2017

arguable that redevelopment provides the only sustainable alternative to the current use. It is therefore questionable that a land owner with few other options requires a high level of incentive to replace a declining asset.

- 4.17 The Mayor's SPG provides guidance in respect of the level of land owner premium representing the "plus" component of the EUV Plus approach

7.43 The 'Existing Use Value plus' (EUV+) approach to determining the benchmark land value is based on the current use value of a site plus an appropriate site premium. The principle of this approach is that a landowner should receive at least the value of the land in its 'pre-permission' use, which would normally be lost when bringing forward land for development. A premium is usually added to provide the landowner with an additional incentive to release the site, having regard to site circumstances.

3.46 When determining the EUV+ benchmark:

- The existing use value (EUV) is independent of the proposed scheme. The EUV should be fully justified based on the income generating capacity of the existing use with reference to comparable evidence on rents, which excludes any hope value associated with development on the site or alternative uses. This evidence should relate to sites and buildings of a similar condition and quality or otherwise be appropriately adjusted. Where an existing use and its value to a landowner is due to be retained in a development (and not lost as is usually the case), a lower benchmark would be expected. Where a proposed EUV is based on a refurbishment scenario, or a redevelopment of the current use, this is an alternative development scenario and the guidance relating to Alternative Use Value (AUV) will apply (see below).*
- Premiums above EUV should be justified, reflecting the circumstances of the site. For a site which does not meet the requirements of the landowner or creates ongoing liabilities/ costs, a lower or no premium would be expected compared with a site occupied by profit-making businesses that require relocation. The premium could be 10 per cent to 30 per cent, but this must reflect site specific circumstances and will vary.*

- 4.18 It is evident from this and the Council's SPD guidance that we would not expect the land owner in this instance to require a high end premium given the declining nature of the asset and the absence of any obvious alternative options to generate a sustainable value from the site. Savills have not identified an alternative use other than the proposed scheme in this regard.
- 4.19 In light of the guidance and the circumstances of the site we consider a land owner premium not in excess of 10% to be realistic.
- 4.20 We are of the opinion that the EUV plus should equate to £506,000 on this basis generating a difference from Savills proposed benchmark of £46,000.

5.0 Construction Costs

- 5.1 Our Cost Consultants, Geoffrey Barnett Associates, reviewed the cost information provided by Consarc Design Group as part of the pre-application process and these figures have remained unchanged as part of the application. Geoffrey Barnett's report is set out in appendix 1. In summary they state;

'The Applicant's costs for the Residential element appear to be higher by about 11% than the BCIS benchmark costs. The Applicant costs for the commercial element are considered to be acceptable.'

Regarding the Residential element, no specification information has been provided by the Applicant. The comparative elemental cost in Table 1 show that much of the difference between the Applicants total cost and the BCIS benchmark costs results from Fixtures & Fittings and Mechanical & Electrical and Lift services. The applicants higher cost for these elements seems to indicate that a high level of specification and equipment has been assumed and allowed for in the pricing.

Taking this into account the Applicants costings overall are considered to be within acceptable estimating margins and reasonable for this development.'

- 5.2 We note that the GIA has increased slightly by 27M2 which is reflected in the current scheme costs.

Developer's Profit

- 5.3 Savills have included profit at an overall rate of 20% on GDV and have also provided a 'Profit Paper' which attempts to justify the position.
- 5.4 The scheme comprises three elements. This being private residential sales, affordable housing and commercial development. Savills blanket approach does not seek to differentiate risk associated with the development by reference to the inclusion of these elements or by the scale of these elements but simply seeks to apply the conclusions of its profit research paper to this site.
- 5.5 The Mayor's Housing and Viability SPG provides the following guidance in relation to developer profit:

Developer profit

3.32 Developers will be seeking a competitive return in order to proceed with a scheme and to secure finance where required. The appropriate level of profit is scheme specific; evidence should be provided by applicants to justify proposed rates of profit taking account of the individual characteristics of the scheme, the risks related to the scheme, and comparable schemes. In line with PPG a rigid approach to assumed profit levels should be avoided and applicants cannot rely on typically quoted levels.

3.33 Factors that may be relevant when assessing scheme-specific target profit levels include the scheme's development programme, and whether it is speculative or provides pre-sold/ pre-let accommodation. Market forecasts and stock market trends may also provide an indication of perceived marketwide risk.

3.34 Profit requirements for affordable housing should reflect significantly lower levels of risk when compared to private residential units. Lower levels of return would normally be expected for commercial and private rented accommodation

- 5.6 The Council's SPD provides the following guidance which echoes that provides by the Mayor:

6.32. These improved conditions, together with the greater availability of development finance, have reduced risk and with it decreased typical profit levels required to ensure delivery compared with those seen following the financial crisis. In view of this it is considered that current profit levels for private residential / commercial components of a scheme are likely to fall within a range of 15-20% on Gross Development Costs (GDC), appropriate to current market conditions, depending on the circumstances of the proposal.

6.33. Profit requirements for affordable housing are much lower than those for market sale units given the lower levels of risk associated with securing occupation of affordable units compared with the sale of market units.

- 5.7 Our own considerable experience of developments across London where we review some 100-150 scheme per annum always acknowledge the different risks associated with different elements even when IRR analysis,. Consequently we see the adoption of blanket profit rate as aspirational rather than factual or even a representation of adopted market practice.
- 5.8 We accept that that 20% of private residential sales GDV is broadly reasonable though at the upper end of the expected scale. To put this comment in context we are considering a number of large single tower developments which have adopted a similar profit target in respect of the private residential element. These schemes differ from this scheme in having a long construction period and no ability to realise early sales receipts whilst committing to very significant construction costs. Therefore we consider acceptance of 20% to be very favourable to the developer in this instance.
- 5.9 We are however of the view that due to the much more stable and rational environment for commercial sales and lettings a lower order of risk is involved and that typically for schemes of this type a profit rate of 15% is not untypical
- 5.10 In respect of the affordable element the risks are very modest given the certainty of a purchaser at discounted prices given the current housing crisis. The profit should in our view reflect little more than project management and planning risk which is usually expressed as 6% of affordable housing costs but often also adopted as 6% of affordable housing revenue.
- 5.11 We see no reason why this scheme present unusual risks or should merit a departure from the reasoning offered by the SPG's and evident in the majority of planning schemes we have seen not only in the borough but also across London as whole.

- 5.12 We therefore in our analysis have adopted a profit rate of 20% on the private residential elements GDV. 15% on the commercial GDV and 6% of affordable housing GDV.
- 5.13 Professional Fees have been included at a rate of 12% on build costs. This is towards the upper end of acceptable range for a scheme of this scale and design, however we have agreed this input as part of the pre-application process.
- 5.14 Contingency has been included in the build costs at a rate of 2.11% as well as in the appraisal at a rate of 5%. We would generally argue that a contingency of no more than 5% is realistic for a new build development. In this instance we have accepted arguments that construction adjoining the railway does bring with it a heightened degree of design risk as such we accept the rates proposed.
- 5.15 The following assumptions have been adopted by Savills which were agreed as part of the pre-application process:
- Sales agent: 2%
 - Sales legal: 0.5%
 - Letting agent: 10%
 - Letting legal: 5%
 - Marketing: 1.5%
- 5.16 An 'all inclusive' finance rate of 7% has been included with in the appraisal. Whilst in reality development finance is a more complex amalgam of costs this figure is in line with the commonly accepted figures in financial viability appraisals. A credit rate of 1% has been applied to positive income streams.
- 5.17 The following planning obligations have been adopted by Savills
- Borough CIL: £290,293 (including indexation)
 - Mayoral CIL: £73,167 (including indexation)
 - S106 financial contributions: £44,187 (including carbon off-setting)

6.0 Residential Values

- 6.1 The residential sales values have been slightly adjusted by Savills in comparison to the estimates provided during the pre-application discussions the revised unit pricing is set out below:

Unit Ref	Floor	Beds	Sq m	Sq ft	Price	£/Sq ft
1.1	1	2	64.2	691	£485,000	£702
1.2	1	2	66.2	713	£490,000	£688
1.3	1	1	50.6	545	£355,000	£652
1.4	1	2	64.9	699	£485,000	£694
2.1	2	2	66.7	718	£495,000	£689
2.2	2	2	66.2	713	£495,000	£695
2.3	2	1	50.6	545	£357,500	£656
2.4	2	2	64.9	699	£490,000	£701
3.1	3	2	66.7	718	£500,000	£696
3.2	3	2	66.2	713	£500,000	£702
3.3	3	1	50.6	545	£360,000	£661
3.4	3	2	64.9	699	£495,000	£709
4.1	4	2	71.7	772	£525,000	£680
4.2	4	1	50.1	538	£362,500	£674
4.3	4	2	61.2	659	£475,000	£721
Total			925.6	9,963	£6,870,000	£690

- 6.2 Although unit values are slightly different the GDV total is only some £5,000 apart from the figures previously considered.
- 6.3 Savills are reliant upon comparison to the Joinery which opposite the subject property. The Joinery is part of a larger redevelopment by Family Mosaic which includes a large proportion of affordable housing. The private units are located in Ruskin Court and Hardy Court with the latter a conversion of a former industrial building. The units at this scheme have been, according to the particulars, completed to a good standard with units at Hardy Court benefiting from the warehouse features such as exposed brickwork.
- 6.4 We appreciate that The Joinery does contain a large proportion of affordable housing but it would appear that the tenures are split into separate blocks with the overall effect on value therefore debatable.
- 6.5 It is also debateable as to the impact on values in the application scheme of the presence of shared ownership tenure. The proposition that rented tenures reduce values stems from the notion that occupiers with a lesser financial stake in a property are less likely to respect, invest and maintain the property. To a large extent this is perception not necessarily reality though a depressive impact on values can sometimes be observed where schemes include high levels of rented tenure properties.
- 6.6 The unit pricing approach adopts higher rates per sq ft from the Joinery as can be observed by comparison with the sales identified by Savills in the table below:

Unit Ref	Floor	Beds	Sq m	Sq ft	Achieved Price	Price/ Sq ft	Date
RC-11	1	1	54	581	£365,000	£628	Mar-16
RC-17	2	1	54	581	£370,000	£637	Mar-16
RC-20	3	1	59	635	£394,000	£620	Mar-16
Average 1 Bed			56	599	£376,333	£628	
HC-06	1	2	64	689	£485,000	£704	Mar-16
HC-08	1	2	67	721	£490,000	£679	Mar-16
HC-09	1	2	66	710	£491,000	£691	Mar-16
HC-10	2	2	65	700	£500,000	£715	Mar-16
RC-12	2	2	80	861	£555,000	£645	Mar-16
RC-13	2	2	73	786	£495,000	£630	Mar-16
RC-14	2	2	78	840	£540,000	£643	Mar-16
RC-18	3	2	76	818	£545,000	£666	Mar-16
RC-19	3	2	73	786	£530,000	£675	Mar-16
Average 2 Bed			71	768	£514,556	£670	

- 6.7 We consider the Joinery to provide highly relevant evidence which is difficult not to accept as the most relevant evidence available, although slightly dated. Values at this scheme do however reflect levels below schemes considered lower down Holloway Road which show rates per sq ft at almost £100 above the proposed scheme pricing.
- 6.8 During pre-application we provided the Council with a summary of sales evidence adjusted by Land Registry HPI which is replicated below:

Type	Count	Average Area m ² (ft ²)	Average Value (+HPI)	£ per m ² (ft ²)
1 Bed	3	55.67 (599)	£386,682	£6,946 (£646)
2 Bed	9	71.33 (767.89)	£528,705	£7,412 (£689)

- 6.9 Savills in their report draw attention to Land Registry HPI figures which show marginally declining residential values in Islington. This reflects a wider trend across London of static if not falling sales values and a considerable reduction in the overall volume of sales.
- 6.10 Against this backdrop we accept the proposed unit pricing though consider a late stage review of viability should be included in any S106 Agreement in accordance with the Council's SPD to reflect the potential for improved sales values, allowing that planning consents have a three year life which can be easily extended through technical implementation of the consent.

Ground Rents

- 6.11 Ground rental income has been included at a rate of £350 per unit per annum with the total income capitalised at a rate of 5%. We are satisfied that this is a reasonable assumption.

Affordable Housing Values

- 6.12 Savills have identified units 1.1 and 1.2 as shared ownership tenure. These are two bed units. A valuation of these units has been provided in the sum of £238,500 equating to £340 per sq ft. This figure has been generated through adopting the following assumptions:
- Initial equity sale of 25%
 - 2% rent charged on the unsold equity
 - A deduction from gross income of 10% to reflect RP administrative costs
- 6.13 We have throughout the pre-application process that shared ownership values of £380 per sq ft are achievable. When examining shared ownership values we have not seen the suggested deduction from the gross rent suggested by Savills in other submission including those from RP's. There is also no allowance for the fact that rents under shared ownership tenures increase at the rate of 1% above inflation or to reflect the possibility that the purchaser may seek to escalate their equity ownership.
- 6.14 Adopting the same equity sale assumptions and rent assumptions as Savills but allowing for rental growth and no administrative deductions we calculate a value of £512,500 equating to £365 sq ft. This is before any allowance for equity staircasing. Consequently we do not accept the values as proposed.
- 6.15 The London Plan and relevant guidance identifies best practice being early engagement with Registered Providers. We recommend that RP's are contacted and offers secured to assess the likely market value of these units.

7.0 Commercial Space

- 7.1 The proposed scheme will also include two units designated for B1 use and totalling 88.5 sq m (953 sq ft) and 90 sq m (969 sq ft) GIA respectively. The unit sizes are slightly different from those identified in pre-application discussions.
- 7.2 Savills has valued the units based on the following assumptions
- Rent: £25/sq ft
 - Yield: 6.5%
 - Rent free: 6 months
 - Void period: 6 months
- 7.3 These assumptions were agreed during the course of pre-application discussions.

- 7.4 The rent assumptions was underpinned by reference to the following rental evidence;

Address	Date	Term	Area m ² (ft ²)	Rent p.a.	£ per m ² (ft ²)
1a Leeds Place	Aug-16	3	97.2 (1,046)	£25,000	£257 (£23.90)
Suite 4 Lysander Mews	Jul-16	5	133.4 (1,436)	£44,000	£330 (£30.64)
Suite 5 Lysander Mews	Jul-16	5	172.2 (1,854)	£54,000	£314 (£29.13)
469 Hornsey Road	Jul-15	1	179.3 (1,930)	£21,000	£117 (£10.88)
608 Holloway Road	Jul-15	10	126.3 (1,359)	£28,000	£222 (£20.60)

- 7.5 Although rents are sensitive to proximity to London Underground stations we consider the comparable evidence to broadly support the proposed rents given their location and size and we note an allowance has been made given that the proposed units will be new build. Our own research acknowledges that the above transactions should be considered the most relevant
- 7.6 The annual rental income has been capitalised at a rate of 6.5%. Examining equivalent yield data for office space CBRE research² would suggest that the rate applied is in line with market expectations given the location and specification of the proposed B1 space.
- 7.7 Further to the two comparable sales provided by Savills we have considered the property at 57 Stroud Green Road which sold for £550,000 in February 2016. The space totals 176m² (1,894ft²) which equates to a rate of £3,125 per m² (£290 per ft²). The space at the subject site equates to £4,140 per m² (£385/ft²).

BPS Chartered Surveyors

² CBRE Marketview, United Kingdom Monthly Index, February 2017

Appendix 1 - Geoffrey Barnett Associates Cost Report

**REVIEW OF CONSARC DESIGN GROUP
COST PLAN**

FOR

**202-210 FAIRBRIDGE ROAD
LONDON N19 3HT**

14th MARCH 2017

Geoffrey Barnett Associates

Chartered Quantity Surveyors

Project Coordinators

The Old Mill

Mill Lane

GODALMING

Surrey

GU7 1EY

Tel: 01483 429229

CONTENTS

- 1: INTRODUCTION**
- 2: BASIS OF REVIEW**
- 3: REVIEW AND COMMENTARY**
- 4: CONCLUSION**

1.0 INTRODUCTION

- 1.1 Geoffrey Barnett Associates are Chartered Quantity Surveyors, established in 1974, and have over 40 years' experience of providing quantity surveying, project co-ordination and construction cost management services to clients throughout the UK. The firm's experience covers a wide range of project types and sizes including new build residential and commercial developments, infrastructure projects and refurbishment projects.
- 1.2 This review relates to Savills (UK) Ltd cost plan dated 27th February 2017. The cost plan was prepared by Consarc Design Group on behalf of Savills.

2.0 BASIS OF REVIEW

- 2.1 The contract build cost estimate provided by the applicant is reviewed by comparison against the Building Cost Information Service (BCIS) construction cost data published by the RICS. The reason for using the BCIS service is that it provides a UK wide and fully independent database compiled and continually updated by input from varied project types and locations.
- 2.2 BCIS publish costs as average overall prices on a cost per sq metre basis and an elemental cost per sq metre basis for new build work. For new build construction, the BCIS cost levels are used as a baseline to assess the level of cost and specification enhancement in the scheme on an element by element basis.
- 2.3 Regarding refurbishment or conversion work on an existing building, BCIS provides overall cost per sq metre, but not on an element by element basis. However, it does provide cost information on a group element basis i.e. substructure, superstructure, finishing's, etc. For this reason, the review of contract build costs for a refurbishment project using BCIS presents more difficulty in assessing that an applicant's costs are reasonable.
- 2.4 BCIS costs are updated on a quarterly basis. The most recent quarters use forecast figures, the older quarters are firm costs based on historic project data. The BCIS also provides a location adjustment facility against a UK mean index of 100, which allows adjustment of costs for any location in the UK. The BCIS also publish a Tender Price Index based on historic tender prices. This allows adjustment of costs on a time basis where necessary.
- 2.5 BCIS average costs are available for various categories of buildings such as apartments, offices, shops, hotels, schools, etc.
- 2.6 BCIS average prices per sq meter include overheads and profit (OHP) and preliminaries costs. BCIS elemental costs include OHP but not preliminaries. Average prices per sq meter or elemental costs do not include for external services and external works costs. Demolitions and site preparation are excluded from all BCIS costs.

REVIEW OF CONSARC DESIGN GROUP COST PLAN

- 2.7 Ideally, a contract build cost estimate should be prepared by the applicant in the BCIS elements. If this is not available exactly in the BCIS format then, where relevant, we undertake analysis and adjustment to allow direct comparison to BCIS elemental benchmark costs. This requires access to the drawings, specifications, and any reports which have a bearing on cost.
- 2.8 The review of an applicant's contract build cost estimate against BCIS would typically require:
- Adjustment by location factor
 - Adjustment for abnormal and enhanced costs
 - Review of the applicants cost plan on element by element basis
 - More detailed analysis where there are significant deviance from BCIS costs
 - Adjustment of overheads & profit inclusions to provide direct comparison to BCIS
 - Addition of contractors' preliminaries costs
 - Addition of ancillary costs, such as fees, statutory charges, etc., as appropriate
- 2.9 These adjustments enable us to make a direct comparison with BCIS benchmark costs.
- 2.10 The floor areas stated in the applicants cost estimate are accepted and we do not attempt to check the floor areas.

3.0 REVIEW & COMMENTARY

- 3.1 The proposed development comprises a single 5 storey block of apartments comprising: -
- 4 x one bed flats
 - 11 x two bed flats
 - 2 x commercial units, plus residential and commercial waste facilities on ground floor
- Gross internal floor area
- | | | |
|---------------|------|----|
| • Residential | 1182 | m2 |
| • Commercial | 201 | m2 |
- 3.2 The Applicants cost estimate is broken down by building element, using the BCIS elements for both the residential and commercial elements.
- Using the areas and configuration of the buildings stated above we have calculated construction costs based on the BCIS Elemental Cost per m2 data for Flats (apartments) using the "upperquartile" costs.
- 3.3 For the residential units we have compared the applicants costs to our own calculation of the elemental costs based on the BCIS benchmark costs.

The comparison is shown in Table 1.

REVIEW OF CONSARC DESIGN GROUP COST PLAN

BCIS costs include overheads and profit but do not include preliminaries. The preliminaries costs have been added to the GBA costs in Table 1 to provide a direct comparison. We have used a preliminaries figure of 7% which is considered reasonable for this type and size of project.

The BCIS elemental costs used by GBA have been rebased to 1Q2017 to provide a direct comparison with the Applicant's costs.

- 3.4 The Applicant has included a 'design and build' contingency of 2%. This is intended to allow for additional unforeseen costs resulting from design development and is a reasonable allowance.
- 3.5 The elemental comparison in Table 1 shows an apparent difference in overall cost, the Applicants cost being higher by about 11%.

There is no specification provided in the Applicants cost plan document, so it is not possible to identify with any precision the reason for these differences.

- 3.6 The Applicants cost plan is for the whole project and includes both the residential units and the two commercial units on the ground floor. The residential and commercial build costs are not shown separately in the elemental summary.

The BCIS gives a mean cost per m2 figure of 962£/m2 for shops (shell only). The GIA of the GF commercial units is 201m2.

If the elemental summary in Table 1 is adjusted to take out the commercial units the adjusted total for residential only is as follows: -

	Applicant			BCIS		
	m2	£/m2	Cost £	m2	£/m2	Cost £
From Table 1	1,383		3,331,781	1,383		2,995,152
Less Commercial elements	-201		-224,715	-201	962	-193,362
Residential only	1,182	2,628	3,107,066	1,182	2,370	2,801,790

The above adjusted summary shows that for the residential units only the Applicant's cost plan shows a £/m2 cost of 2628 compared to a BCIS £/m2 figure of 2370, the Applicant being higher by £258/m2, or about 11%.

REVIEW OF CONSARC DESIGN GROUP COST PLAN

- 3.7 For the commercial element, the applicant has used an overall rate of £1118/m². BCIS give a mean rate of £962/m² for shell construction. However, since this is part of a residential development with presumably better elevational treatment, we consider the Applicants costs for the commercial element to be reasonable.

4.0 CONCLUSION

- 4.1 The Applicant's costs for the Residential element appear to be higher by about 11% than the BCIS benchmark costs. The Applicant costs for the commercial element are considered to be acceptable.
- 4.2 Regarding the Residential element, no specification information has been provided by the Applicant. The comparative elemental cost in Table 1 show that much of the difference between the Applicants total cost and the BCIS benchmark costs results from Fixtures & Fittings and Mechanical & Electrical and Lift services. The applicants higher cost for these elements seems to indicate that a high level of specification and equipment has been assumed and allowed for in the pricing.
- 4.3 Taking this into account the Applicants costings overall are considered to be within acceptable estimating margins and reasonable for this development.

Fairbridge Road
Islington
2 Shared Ownership Units

DRAFT

Development Appraisal
Prepared by BPS
BPS Surveyors
06 September 2017

**Fairbridge Road
Islington
2 Shared Ownership Units**
Summary Appraisal for Phase 1
Currency in £
REVENUE

Sales Valuation	Units	ft ²	Rate ft ²	Unit Price	Gross Sales
Residential	13	8,559	689.00	453,627	5,897,151
Affordable	<u>2</u>	<u>1,404</u>	365.00	256,230	<u>512,460</u>
Totals	15	9,963			6,409,611

Rental Area Summary

	Units	ft ²	Rate ft ²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Commercial Unit A	1	953	25.00	23,825	23,825	23,825
Commercial Unit B	1	969	25.00	24,225	24,225	24,225
Ground Rents	<u>15</u>			350	<u>5,250</u>	<u>5,250</u>
Totals	17	1,922			53,300	53,300

Investment Valuation
Commercial Unit A

Market Rent	23,825	YP @	6.5000%	15.3846	
(6mths Rent Free)		PV 6mths @	6.5000%	0.9690	355,177

Commercial Unit B

Market Rent	24,225	YP @	6.5000%	15.3846	
(6mths Rent Free)		PV 6mths @	6.5000%	0.9690	361,140

Ground Rents

Current Rent	5,250	YP @	5.0000%	20.0000	105,000
					821,317

GROSS DEVELOPMENT VALUE
7,230,928

Purchaser's Costs

(55,850)

(55,850)

NET DEVELOPMENT VALUE
7,175,078
NET REALISATION
7,175,078
OUTLAY
ACQUISITION COSTS

Residualised Price		825,239		825,239
Stamp Duty		30,762		
Agent Fee	1.00%	8,252		
Legal Fee	0.50%	4,126		
				43,140

CONSTRUCTION COSTS

Construction	ft ²	Rate ft ²	Cost	
Commercial Unit A	953 ft ²	110.65 pf ²	105,453	
Commercial Unit B	969 ft ²	110.65 pf ²	107,223	
Build Costs	<u>12,186 ft²</u>	275.69 pf ²	<u>3,359,512</u>	
Totals	14,108 ft²		3,572,188	3,572,188

Contingency	5.00%	178,609	
BAPA		75,000	
S106		44,187	
CIL		290,293	
Legal and Highways		15,000	
Knotweed Management		30,555	
			633,644

PROFESSIONAL FEES

Other Professionals	12.00%	428,663	
			428,663

MARKETING & LETTING

Marketing	1.50%	12,320	
Letting Agent Fee	10.00%	4,805	
Letting Legal Fee	5.00%	2,403	
			19,527

Fairbridge Road
Islington
2 Shared Ownership Units
DISPOSAL FEES

Sales Agent Fee	2.00%	16,426	
Affordable Disposal Fees	2.00%	10,249	
Sales Legal Fee	0.50%	4,107	
			30,782

MISCELLANEOUS FEES

Residential Profit	20.00%	1,200,430	
Commercial Profit	15.00%	107,448	
Affordable Profit	6.00%	30,748	
			1,338,625

FINANCE

Debit Rate 7.000%, Credit Rate 1.000% (Nominal)			
Land		102,440	
Construction		185,924	
Letting Void		(2,547)	
Other		(2,547)	
Total Finance Cost			283,269

TOTAL COSTS
7,175,078
PROFIT
0
Performance Measures

Profit on Cost%	0.00%
Profit on GDV%	0.00%
Profit on NDV%	0.00%
Development Yield% (on Rent)	0.74%
Equivalent Yield% (Nominal)	6.31%
Equivalent Yield% (True)	6.57%
IRR	6.74%
Rent Cover	0 mths
Profit Erosion (finance rate 7.000%)	N/A

DRAFT

Fairbridge Road
Islington
2 Shared Ownership Units

Development Appraisal
Prepared by BPS
BPS Surveyors
06 September 2017

APPRAISAL SUMMARY**BPS SURVEYORS**

**Fairbridge Road
Islington
2 Shared Ownership Units**

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft²	Rate ft²	Unit Price	Gross Sales
Residential	13	8,559	689.00	453,627	5,897,151
Affordable	<u>2</u>	<u>1,404</u>	365.00	256,230	<u>512,460</u>
Totals	15	9,963			6,409,611

Rental Area Summary

	Units	ft²	Rate ft²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Commercial Unit A	1	953	25.00	23,825	23,825	23,825
Commercial Unit B	1	969	25.00	24,225	24,225	24,225
Ground Rents	<u>15</u>			350	<u>5,250</u>	<u>5,250</u>
Totals	17	1,922			53,300	53,300

Investment Valuation**Commercial Unit A**

Market Rent	23,825	YP @	6.5000%	15.3846	
(6mths Rent Free)		PV 6mths @	6.5000%	0.9690	355,177

Commercial Unit B

Market Rent	24,225	YP @	6.5000%	15.3846	
(6mths Rent Free)		PV 6mths @	6.5000%	0.9690	361,140

Ground Rents

Current Rent	5,250	YP @	5.0000%	20.0000	105,000
					821,317

GROSS DEVELOPMENT VALUE**7,230,928**

Purchaser's Costs	(55,850)	(55,850)
-------------------	----------	----------

NET DEVELOPMENT VALUE**7,175,078****NET REALISATION****7,175,078****OUTLAY****ACQUISITION COSTS**

Residualised Price	825,239	825,239
Stamp Duty	30,762	
Agent Fee	1.00% 8,252	
Legal Fee	0.50% 4,126	
		43,140

CONSTRUCTION COSTS

Construction	ft²	Rate ft²	Cost
Commercial Unit A	953 ft²	110.65 pf²	105,453
Commercial Unit B	969 ft²	110.65 pf²	107,223
Build Costs	<u>12,186 ft²</u>	<u>275.69 pf²</u>	<u>3,359,512</u>
Totals	14,108 ft²		3,572,188

Contingency	5.00%	178,609	
BAPA		75,000	
S106		44,187	
CIL		290,293	
Legal and Highways		15,000	
Knotweed Management		30,555	
			633,644

PROFESSIONAL FEES

Other Professionals	12.00%	428,663	428,663
---------------------	--------	---------	---------

MARKETING & LETTING

Marketing	1.50%	12,320	
Letting Agent Fee	10.00%	4,805	
Letting Legal Fee	5.00%	2,403	
			19,527

Fairbridge Road
Islington
2 Shared Ownership Units
DISPOSAL FEES

Sales Agent Fee	2.00%	16,426	
Affordable Disposal Fees	2.00%	10,249	
Sales Legal Fee	0.50%	4,107	
			30,782

MISCELLANEOUS FEES

Residential Profit	20.00%	1,200,430	
Commercial Profit	15.00%	107,448	
Affordable Profit	6.00%	30,748	
			1,338,625

FINANCE

Debit Rate 7.000%, Credit Rate 1.000% (Nominal)			
Land		102,440	
Construction		185,924	
Letting Void		(2,547)	
Other		(2,547)	
Total Finance Cost			283,269

TOTAL COSTS
7,175,078
PROFIT
0
Performance Measures

Profit on Cost%	0.00%
Profit on GDV%	0.00%
Profit on NDV%	0.00%
Development Yield% (on Rent)	0.74%
Equivalent Yield% (Nominal)	6.31%
Equivalent Yield% (True)	6.57%
IRR	6.74%
Rent Cover	0 mths
Profit Erosion (finance rate 7.000%)	N/A

This page is intentionally left blank

202-210 Fairbridge Road N19 3HT
5 x Shared Ownership

Development Appraisal
BPS Surveyors
11 January 2018

APPRAISAL SUMMARY**BPS SURVEYORS**

202-210 Fairbridge Road N19 3HT
5 x Shared Ownership

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft²	Rate ft²	Unit Price	Gross Sales
Private Units	10	7,103	693.16	492,352	4,923,518
Shared Ownership	5	2,864	365.00	209,072	1,045,360
Totals	15	9,967			5,968,878

Rental Area Summary

	Units	ft²	Rate ft²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Commercial Unit A	1	953	25.00	23,825	23,825	23,825
Commercial Unit B	1	969	25.00	24,225	24,225	24,225
Ground Rents	10			350	3,500	3,500
Totals	12	1,922			51,550	51,550

Investment Valuation**Commercial Unit A**

Market Rent	23,825	YP @	6.5000%	15.3846	
(6mths Rent Free)		PV 6mths @	6.5000%	0.9690	355,177

Commercial Unit B

Market Rent	24,225	YP @	6.5000%	15.3846	
(6mths Rent Free)		PV 6mths @	6.5000%	0.9690	361,140

Ground Rents

Current Rent	3,500	YP @	5.0000%	20.0000	70,000
					786,317

GROSS DEVELOPMENT VALUE**6,755,195**

Purchaser's Costs

(53,470)

(53,470)

NET DEVELOPMENT VALUE**6,701,725****NET REALISATION****6,701,725****OUTLAY****ACQUISITION COSTS**

Residualised Price			548,051		
				548,051	
Stamp Duty		5.00%	27,403		
Agent Fee		1.20%	6,577		
Legal Fee		0.60%	3,288		
				37,267	

CONSTRUCTION COSTS

Construction	ft²	Rate ft²	Cost	
Commercial Unit A	953 ft²	114.47 pf²	109,090	
Commercial Unit B	969 ft²	114.88 pf²	111,319	
Residential Construction Costs	12,186 ft²	257.60 pf²	3,139,114	
Totals	14,108 ft²		3,359,522	3,359,522

Contingency	5.00%	167,976	
Mayoral CIL		62,753	
LBI CIL		241,576	
S.106		32,711	
			505,016

Other Construction

BAPA		75,000	
Legal and Highways		15,000	
Knotweed Management		30,555	
Non-recoverable VAT		75,000	
			195,555

PROFESSIONAL FEES

Professional Fees	12.00%	403,143	
			403,143

MARKETING & LETTING

Marketing	1.50%	84,598	
-----------	-------	--------	--

APPRAISAL SUMMARY**BPS SURVEYORS****202-210 Fairbridge Road N19 3HT****5 x Shared Ownership**

Letting Agent Fee	10.00%	4,805	
Letting Legal Fee	5.00%	2,403	
			91,805

DISPOSAL FEES

Sales Agent Fee	2.00%	99,870	
Sales Legal Fee	0.50%	24,968	
			124,838

MISCELLANEOUS FEES

Profit on Residential	20.00%	984,704	
Profit on Commercial	15.00%	107,448	
Profit on Affordable Housing	6.00%	62,722	
			1,154,873

FINANCE

Debit Rate 7.000%, Credit Rate 0.000% (Nominal)			
Land		71,789	
Construction		190,632	
Other		19,235	
Total Finance Cost			281,655

TOTAL COSTS**6,701,725****PROFIT****0****Performance Measures**

Profit on Cost%	0.00%
Profit on GDV%	0.00%
Profit on NDV%	0.00%
Development Yield% (on Rent)	0.77%
Equivalent Yield% (Nominal)	6.37%
Equivalent Yield% (True)	6.63%
IRR	6.35%
Profit Erosion (finance rate 7.000%)	N/A

This page is intentionally left blank

APPENDIX 4

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
Town Hall
Upper Street
LONDON N1 1YA

PLANNING COMMITTEE		AGENDA ITEM NO: B2
Date:	18 th July 2017	

Application number	P2016/3353/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	n/a
Conservation area	Hat and Feathers Conservation Area
Development Plan Context	Bunhill and Clerkenwell key area Central Activities Zone Employment Priority Area (General) Primary employment area Archaeological Priority Area Protected view 1A.2 (passes close to the site)
Licensing Implications	n/a
Site Address	9-12 Great Sutton Street, London, EC1V 0BX
Proposal	Demolition of existing buildings and redevelopment to provide a 6-storey (plus basement) building accommodating 1,307sqm (NIA) office floorspace at basement and first to fifth floors, and a 243sqm (NIA) retail (A1 use) unit at ground level, together with associated cycle parking and refuse and recycling storage.

Case Officer	Victor Grayson
Applicant	Frella Global Ltd and Kallion International Ltd
Agent	Savills

1 RECOMMENDATION

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

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

2 SITE PLAN (SITE OUTLINED IN RED)



3 PHOTOS OF SITE/STREET



Photograph 1: aerial view of site and surroundings from the east



Photographs 2 and 3: views of Great Sutton Street



Photograph 4: front elevation of 9-10 and 11-12 Great Sutton Street



Photograph 5: rear view of application site from the east.

4 SUMMARY

- 4.1 The application site is 0.4 hectares in size and is currently occupied by two office buildings of four storeys. The site is within the Central Activities Zone, an Employment Priority Area (General), the Hat and Feathers Conservation Area, and an Archaeological Priority Area.
- 4.2 The applicant proposes the demolition of all buildings on site, and the erection of a six-storey (plus basement) building accommodating a total of 1,307sqm (NIA) of office (B1) floorspace at basement and first to fifth floors, and 243sqm (NIA) of retail (A1) at ground level.

- 4.3 The redevelopment of the site is considered acceptable in principle, and the application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 4.4 The proposal is considered largely acceptable in terms of land use, inclusive design, transportation and servicing, archaeology, sustainability and energy, subject to conditions and an appropriate Section 106 agreement.
- 4.5 Objections have been received from neighbouring residents on amenity and other grounds. Amendments have been made to the proposed massing during the life of the application, and it is considered that the proposals now strike the right balance between making full use of this accessible site and respecting neighbour amenity. Although some adverse impacts would occur in relation to natural light and outlook, the weight to be given to these impacts is limited, and refusal of permission on these grounds is not recommended.
- 4.6 Noting the statutory duty placed on the council by the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of the Hat and Feathers Conservation Area when determining this application, the proposed development is considered acceptable in terms of its design and impact upon heritage assets. The existing buildings do not currently make a significant positive contribution to the conservation area, and their demolition is considered acceptable given that a building of a high quality design would replace them.
- 4.7 Appropriate Section 106 Heads of Terms have been agreed with the applicant.
- 4.8 The benefits of the proposed development (including the re-use of an underused site, the replacement of the existing floorspace with office floorspace of a better quality, the introduction of an A1 retail unit at ground floor level, and surface water run-off improvements) are noted and have been considered in the final balance of planning considerations, along with the shortcomings of the proposed development (the abovementioned neighbour amenity impacts, and also the basement floor-to-ceiling height). On balance, it is recommended that permission be granted.

5 SITE AND SURROUNDINGS

- 5.1 The application site is 0.4 hectares in size, and is almost square-shaped. The site is currently occupied by two buildings accommodating a total of 1,190sqm (NIA) of office floorspace. 9-10 Great Sutton Street is a flat-roofed four-storey building with roof-level structures. Its front elevation is of brick, and its glazed ground floor frontage provides some activation to this part of Great Sutton Street. The ground floor extends to the back of the site, while the first, second and third floor rear wing (which is not full-width) is set back from the site's rear boundary. Parts of the roof of 9-10 Great Sutton Street are used as a roof terrace by office staff, and planters and other items have been placed on the roof. 11-12 Great Sutton Street is also four storeys in height, with a five-storey stair core in the northwest corner of the building, brick elevations, a ground floor that extends to the site's rear boundary, a substantial rear wing at first, second and third floors, and glazing in the ground floor street frontage. Both buildings have a basement.

- 5.2 Surrounding buildings are in office, other commercial, and residential use, and many are five storeys in height, although some buildings are taller or shorter. The nearest residential properties are the three apartments at 13-14 Great Sutton Street, the 15 apartments at 5-8 Great Sutton Street, and the five apartments at 18 Clerkenwell Road. There also appear to be serviced apartments at 46-47 Great Sutton Street.
- 5.3 The site is within a relatively sensitive location in terms of heritage assets. The Hat and Feathers Conservation Area covers the site and adjacent land, the nearby Hat and Feathers PH is Grade II listed, there are locally-listed buildings at 16 Great Sutton Street and 76-78 Goswell Road, and several other nearby buildings currently make a positive contribution to the Hat and Feathers Conservation Area. The site is in an Archaeological Priority Area.
- 5.4 Protected view 1A.2 (Alexandra Palace to St Paul's Cathedral) passes close to the site, over land to the west.
- 5.5 Double yellow lines exist directly outside the site. The site is within a Controlled Parking Zone. The site has a PTAL score of 6b (excellent). Both the site's buildings back onto a rear yard which has vehicular access from Clerkenwell Road and Berry Street, and from which several neighbouring buildings can be serviced.
- 5.6 The application site and its surroundings have no trees or significant areas of soft landscaping.
- 5.7 The site is located within the Central Activities Zone (CAZ) and an Employment Priority Area (General).

6 PROPOSAL (IN DETAIL)

- 6.1 The applicant proposes the demolition of the site's existing buildings, and the erection of a building of six storeys (plus basement). This would cover the entire site at ground and first floor level (except where a lightwell is proposed adjacent to 13-14 Great Sutton Street), however massing would retreat from the edges of the site in a series of setbacks from second floor upwards. The top (fifth) floor would be set back on its north, south and west sides. Part of the fourth floor, adjacent to 13-14 Great Sutton Street, would have a lower floor-to-ceiling height, however this would not be reflected in the proposed front elevation.
- 6.2 The proposed building would provide a total of 1,307sqm (NIA) of office (B1) floorspace at basement and first to fifth floors, and 243sqm (NIA) of retail (A1) floorspace at ground floor level. Each use would have its own front entrance and bin store.
- 6.3 No on-site car parking is proposed. Space for the parking of a total of 26 cycles, and space for accessible cycles and mobility scooters, is proposed.
- 6.4 A palette of materials including white stone, buff bricks, special rubbed/carved bricks, bronze balustrades and metal cladding is proposed.
- 6.5 Inset front balconies are proposed at first to fourth floors. Roof terraces are proposed at second floor (rear, southeast corner), third floor (rear, southeast corner) and fifth floor level (front and rear).

Revision 1

- 6.6 The amendments and information received on 08/12/2016, 24/01/2017, 10/04/2017 and 25/04/2017 included an amended Daylight and Sunlight Study, drainage information, archaeological information and revisions to the proposed use of the basement and its floor-to-ceiling height. An updated schedule of accommodation and drawings were submitted with the amendments.
- 6.7 Neighbouring occupants were consulted on these amendments and information on 04/05/2017.

Revision 2

- 6.8 The proposals were further amended, and additional information was submitted, on 09/05/2017, 02/06/2017, 08/06/2017 and 09/06/2017. These amendments deleted the previously-proposed rooftop plant enclosure, and reduced some of the proposed massing at second floor level. Internal amendments were also proposed, floorspace figures were corrected, and new drainage information, a new Overheating Assessment, and an updated and corrected Daylight and Sunlight Study were submitted. A further updated schedule of accommodation and drawings were submitted with the amendments.
- 6.9 Neighbouring occupants were consulted on these amendments and information on 09/06/2017.

7 RELEVANT HISTORY

Planning Applications

- 7.1 14/12/2016 – Advertisement consent issued for the installation of a projecting sign (ref: P2016/2605/ADV).
- 7.2 12/11/2013 – Planning permission granted for retention of decking and 1.1m high railings (ref: P2013/3151/FUL). Condition 2 restricts the use of the roof terrace to the hours of 08:00 to 20:00 Monday to Friday.
- 7.3 11/07/2013 – Planning permission granted for replacement of existing ground floor windows with new glazed shopfront (ref: P2013/1436/FUL).
- 7.4 27/10/2011 – Planning permission granted for extension of the time limit for implementation of planning permission ref: P080779 dated 15/09/08 for the erection of a part single-storey, part 2-storey addition to roof of existing building containing 3 new residential units, and refurbishment of Great Sutton Street elevation and communal stairwell (ref: P111455).
- 7.5 15/09/2008 – Planning permission granted for the erection of a part single-storey, part 2-storey addition to roof of existing building containing 3 new residential units, and refurbishment of Great Sutton Street elevation and communal stairwell (ref: P080779).
- 7.6 07/10/2002 – Planning permission refused for the erection of a 2-storey office rear extension at first and second floor level (ref: P021099).

- 7.7 15/02/2000 – Planning permission granted for the conversion of first floor from B1 office to form a self-contained flat (ref: 992581).
- 7.8 28/09/1999 – Planning permission granted for the erection of new fourth and setback fifth floor for use as a 2-bedroom maisonette, elevational alterations at ground to third floors including new fenestration, formation of new spiral escape stair at rear and modification of ground floor rear extension to include stair from roof of rear extension to rear courtyard level (ref: 991658).
- 7.9 16/06/1999 – Planning permission granted for the erection of new fourth floor and setback fifth floor for use as a 2-bedroom maisonette and conversion of second and third floors to form a 2-bedroom flat on each floor, elevational alterations at ground to third floors including new fenestration, and formation of balconies on rear elevation (ref: 982396).
- 7.10 15/07/1985 – Planning permission refused for the change of use from light industrial (ground and basement) and warehouse (first second and third floors) to offices and studios, conference room and stores (391sqm) with one floor of light industry (95sqm) (ref: 850808).
- 7.11 Of note, planning permission P080779 (and its renewal under application P111455) has not been implemented, and has expired. It is therefore not a material planning consideration relevant to the current application.

Enforcement

- 7.12 02/02/2015 – Officers considered a complaint regarding an air conditioning unit (ref: E/2014/0507) and resolved not to take enforcement action.
- 7.13 25/03/2014 – Officers considered a complaint regarding a roof terrace (ref: E/2013/0499) and resolved not to take enforcement action.

Pre-application Advice

- 7.14 The council issued a pre-application advice letter on 27/04/2016, and advice was provided by officers in various emails at pre-application stage, and verbally at a meeting on 26/01/2016, all in response to a proposal for a six-storey (plus basement) building accommodating 1,025sqm (NIA) office floorspace, a 520sqm (NIA) retail showroom, and a three-bedroom residential unit. The main points included in the advice of 27/04/2016 were:

- Loss of office floorspace contrary to policy. Reallocation of some of the proposed non-B1 floorspace would be necessary. Development should include the maximum amount of business floorspace reasonably possible.
- Appropriate to include retail, leisure or other non-business uses at this site. New accommodation should be suitable for micro and small enterprises.
- Provision of affordable workspace strongly encouraged.
- Introduction of residential use acceptable in principle.
- Retail element should not have a detrimental impact on the vitality and viability of Town Centres.
- No need to submit a flood risk assessment.
- No objection to demolition of existing buildings.
- Officers satisfied that proposed development would generally be of a good design, appropriate to its context and to the conservation area. Vertical

element should be introduced to front ground floor elevation. Top floor balustrades should be pulled back from building edges.

- Archaeology must be addressed at application stage.
- Requirements of Basement Development SPD must be addressed.
- Full assessment of neighbour amenity impacts will be necessary.
- Level of failure against Vertical Sky Component and Average Daylight Factor tests is of concern. Applicant should explore how failures can be reduced. Queries raised regarding assumptions supporting applicant's testing methodology, and lack of No Sky Line / Daylight Distribution testing.
- Any elevated outdoor spaces should not adversely affect neighbour amenity.
- Explanation requested as to why only one residential unit proposed.
- Affordable housing small sites contribution of £60,000 would be payable.
- Any financial viability information will be published, and the requirements of the Development Viability SPD are noted.
- Policies regarding residential room sizes, amenity space, playspace, floor-to-ceiling heights, daylight and sunlight, noise and vibration and air quality must be complied with. True dual aspect of residential unit is welcomed.
- Development would be car-free, in compliance with policy.
- Biodiversity enhancements, greenery and green roofs required.
- Further information required regarding inclusive design, energy and sustainability, highways and transportation, and waste storage.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 194 adjoining and nearby properties on Berry Street, Charterhouse Square, Clerkenwell Road, Goswell Road, Great Sutton Street and Northburgh Street on 25/10/2016. A site notice and press advertisement were displayed on 03/11/2016. Following the receipt of further information and amended plans (Revisions 1 and 2) all neighbouring properties were reconsulted on 04/05/2017 and again on 09/06/2017. The public consultation period expired on 26/06/2017, however it is the council's practice to continue to consider representations made up until the date of a decision.
- 8.2 Objections to the proposed development from (or representing) a total of 16 unique addresses have been received from the public with regard to the application following the council's consultation. Objections from (or representing) 16 addresses were received following the council's initial consultation. Objections from five addresses were received following the council's first reconsultation, and from five following the council's second reconsultation.
- 8.3 The issues raised following the council's initial consultation can be summarised as follows (paragraph numbers refer to where the matter is addressed in this report):
- Development would be taller than existing buildings and would tower over neighbours. Disproportionate development project. Height of tallest building in the area would be exceeded. No precedent exists for such height, and a new precedent for height would be set. Existing variance in building heights would be lost. Height and width should be reduced. Height of existing buildings should not be exceeded (paragraphs 10.35-10.38 and 10.54-10.55);

- Harmful change to historic character and appearance of the area and conservation area. Proposal would not match the architectural heritage of the area, and would detract from architecturally sensitive area. Distinctiveness of Great Sutton Street would decrease. Industrial workshops character would be lost. Warehouses with elongated horizontal windows bring strong character to the area, and would be lost (**paragraphs 10.54-10.57**);
- New building would not be in keeping with existing buildings (**paragraphs 10.42-10.49**);
- Weak, uninformed design. Example of poor design (**paragraphs 10.42-10.46**);
- No objection to demolition and redevelopment (**paragraph 10.32**);
- Objection to loss of historic building. Existing building is over 100 years old (**paragraph 10.32**);
- Loss of attractive existing roof garden (**paragraph 10.32**);
- Loss of natural light to the 12 flats on the Clerkenwell Road side of the rear yard, flats 2, 8 and 9 (windows 29, 30 and 31) at 5-8 Great Sutton Street, all bedrooms at 5-8 Great Sutton Street, flats 1 and 6 at 2 Berry Street, flats 2 and 5 at 18 Clerkenwell Road, and second and third floor flats and windows 141-146 and 151-157 at flat 4 at 13-14 Great Sutton Street. Daylight and sunlight information inadequate due to assumptions regarding size of neighbouring rooms. In-person assessments of natural light impacts should be made. (**paragraphs 10.82-10.111**);
- Overlooking of / loss of privacy (from proposed unscreened roof terraces and a greater number of windows) to 12 flats on the Clerkenwell Road side of the rear yard, flats 9 and 15 at 5-8 Great Sutton Street, second floor flat at 13-14 Great Sutton Street, flats 1, 2 and 5 at 18 Clerkenwell Road, properties on Berry Street including flats 1 and 6 at 2 Berry Street, and outdoor amenity spaces. Elevations would be closer than the 18m specified in the council's guidance. Windows should be no larger or numerous than those of the existing buildings (**paragraphs 10.125-10.130**);
- Increased sense of enclosure to flats 1 and 6 at 2 Berry Street, flat 5 at 18 Clerkenwell Road, second floor flat and flat 4 at 13-14 Great Sutton Street, and rear yard. Outlook from windows 155-157 (flat 4, 13-14 Great Sutton Street) would be harmed, despite setbacks. Façade element at northwest corner of proposed development would further increase sense of enclosure. Outlook from windows 141-146 and 151-154 (flat 4, 13-14 Great Sutton Street) would be harmed, view of 5-8 Great Sutton Street from windows 141-146 would be replaced with new elevation (**paragraphs 10.117-10.122**);
- Light pollution to flats 1 and 6 at 2 Berry Street, flat 5 at 18 Clerkenwell Road and other properties across what is currently a dark rear yard (**paragraphs 10.131-10.132**);
- Noise from rooftop plant and unscreened roof terraces (**paragraphs 10.134-10.135**);
- Noise, dust, pollution, disturbance, inconvenience, vehicular movements and obstructed access during works over a long period. Work would be carried out at unsociable hours. Neighbours will already be affected by works at Hat and Feathers PH site. Adverse impacts of noise, vibration and dust on the work of the television production company at 13-14 Great Sutton Street. Recent works have been disruptive. Construction management proposals are generic and not specific to local issues (**paragraphs 10.136-10.139 and 10.189**);
- No work should be allowed before 09:00 or after 17:00, and no work should be allowed at weekends or on bank holidays. Proposed works between 17:00 and 18:00 on weekdays would be disruptive for children (**paragraph 10.139**);

- Proposed hours of works unacceptable as area is predominantly commercial – works should be carried out overnight (18:00 to 08:00 Monday to Friday) and at weekends (**paragraph 10.139**);
- Floor-to-ceiling heights should be reduced (**paragraphs 10.9-10.10**);
- Previous proposal (application P111455) was more aligned with neighbouring buildings and had less mass (**paragraph 7.11**);
- Temporary parking/loading restrictions during works would affect operation of nearby businesses. Agree that all construction deliveries should be pre-arranged with the site foreman and the car park at the Goswell Road / Great Sutton Street junction should be used (**paragraph 10.180**);
- Further details of site waste management are required (**paragraph 10.182**);
- Rear yard magnifies noise and creates wind (**paragraphs 10.136 and 10.140**);
- Development would adversely affect neighbours' ability to work from home (**paragraphs 10.134-10.138**);
- Additional sound insulation to 13-14 Great Sutton Street would be required. Background noise levels should be measured within 13-14 Great Sutton Street before works commence (**paragraph 10.134**);
- Health impacts of works (**paragraphs 10.136-10.138 and 10.189**);
- Damage to archaeological remains. Site has never been properly studied, and any construction/demolition here risks damaging this significant archaeological site (**paragraphs 10.61-10.66**);
- Potential damage to neighbouring properties. Adverse effect on stability of 13-14 Great Sutton Street (**paragraph 10.200**);
- Existing buildings may not be beautiful but serve their purpose and are occupied (**paragraph 10.32**);
- Many nearby commercial buildings have been refurbished and not demolished and replaced. Proposed development would set a precedent for other owners to do the same (**paragraphs 10.2-10.3, 10.6, 10.32 and 10.36**);
- New building would probably stand empty (**paragraph 10.8**);
- Tenants of flats sharing a party wall with the application site would be billed for a survey of the wall (**paragraph 10.201**);
- Inadequate consultation and communication with neighbouring residents (**paragraphs 8.1 and 8.6-8.7**); and
- Values of properties in the area would be reduced (**paragraphs 10.199**);

8.4 The issues raised following the council's first reconsultation (05/05/2017) can be summarised as follows:

- Previously-raised concerns reiterated regarding neighbour amenity, scale of development, character of the area, and noise and disturbance during works. Changes do not address previously-raised concerns.
- Detailed comparison (noting differences) between current proposals and previous scheme (ref: P111455) provided (**paragraph 7.11**);
- Windows 141, 143, 145, 151-153 and 155-157 have been omitted from the applicant's sunlight analysis (**paragraph 10.88**);
- Neighbours' sleep will be disrupted (**paragraphs 10.134 and 10.139**);
- Warm afternoon sun would be blocked, increasing the need for neighbours to use heating (**paragraphs 10.90-10.111**);
- Narrow street would lose sunlight (**paragraph 10.115**);
- Rear yard is intended for fire engine access, and not for more parked bicycles and waste storage (**paragraphs 10.176, 10.183 and 10.185-10.186**); and
- Residential use would be more appropriate (**paragraph 10.6**);

8.5 The issues raised following the council's second reconsultation (09/06/2017) can be summarised as follows:

- Previously-raised concerns reiterated regarding neighbour amenity, design and conservation, floor-to-ceiling heights and noise and disturbance during works.
- Addition of screening is welcomed, but revised proposals still fail to address neighbour amenity issues including loss of light, loss of privacy, light pollution, increased sense of enclosure and plant noise.
- Design of the proposal is poor, unfit, alien and repugnant (**paragraphs 10.42-10.49**);
- Offices in the area are becoming vacant as companies leave due to Brexit, and large office developments are progressing around Old Street. Housing is needed. Street is residential, and proposed development would reduce the number of existing flats (**paragraphs 10.6 and 10.8**); and
- Duration of works has not been specified (**paragraph 10.137**);

Applicant's Consultation

8.6 The applicant carried out local consultation at pre-application stage. The applicant's Planning Statement confirms that letters were sent to 77 neighbours occupying properties in Berry Street, Clerkenwell Road and Great Sutton Street, inviting them to a consultation event held at the Sutton Arms PH on Great Sutton Street on a Thursday evening (4pm to 8pm) on 28/04/2016. Two neighbours attended the event. According to the applicant, the occupant of flat 2, 13-14 Great Sutton Street sought general information about the proposed development and did not leave formal comments, while the occupant of flat 4, 13-14 Great Sutton Street expressed concerns regarding natural light, sense of enclosure, outlook and privacy impacts. The applicant notes that there then followed a further meeting and an exchange of emails with the occupant of flat 4, 13-14 Great Sutton Street.

8.7 Paragraph 8.48 of the applicant's Planning Statement sets out what changes the applicant made to the proposals in response to comments from neighbouring occupants. These include:

- Reduced massing at fifth floor level.
- Deletion of terraces from along boundary with 13-14 Great Sutton Street.
- Reduced floor-to-ceiling height along boundary with 13-14 Great Sutton Street.
- Provision of privacy screens to front and rear terraces at fifth floor level.

External Consultees

8.8 Historic England (Greater London Archaeology Advisory Service) (commented 15/05/2017) – The applicant's innovative approach to minimising archaeological impact is noted, as is the applicant's explanation as to how the development could be constructed with only minor harm to archaeological interest provided that conditions are applied to require implementation of this solution and a watching brief for the minor groundworks which would still be necessary. Two conditions (18 and 19) and one informative recommended. Archaeological fieldwork should comprise a watching brief, involving observation of groundworks and investigation of any features of archaeological interest that may be revealed, agreement of a working method (with contingency arrangements for significant discoveries), and the lodging of a report and archive.

- 8.9 London Fire and Emergency Planning Authority (commented 07/11/2016) – No objection, provided the proposals meet the requirements of the Building Regulations. Sprinklers should be installed.
- 8.10 Natural England (commented 03/11/2016) – No comment.
- 8.11 Thames Water (commented 26/10/2016) – Applicant should incorporate measures to avoid risk of backflow. Recommend condition requiring details of a piling method statement. Developer should demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Informative recommended regarding groundwater discharge. Developer is responsible for making proper provision for surface water drainage. No objection in relation to sewerage and water infrastructure capacity. Informative recommended regarding water pressure.
- 8.12 Transport for London (TfL) (commented 18/11/2016) – Car free development is welcomed subject to the council confirming that there is sufficient on-street blue badge parking provision (condition 12). TfL prefer servicing to be consolidated off-street and the council should carefully consider this matter. Delivery and Servicing Plan would need to be secured (condition 25). Construction Logistics Plan should be secured (condition 23) and TfL should be consulted on this document prior to discharge at conditions stage. Existing service vehicle access coincides with a bus stop on Clerkenwell Road and construction access therefore needs to be carefully considered to ensure there would be no harm to buses, pedestrians or cyclists. Proposed cycle parking is policy compliant, however short-stay parking should be provided on-street or in a publicly-accessible area. Lifts to basement cycle store should comply with dimensions set out in the London Cycle Design Guidance. Changing facilities for cyclists should be provided. The submitted draft Workplace Travel Plan is welcomed, and a full Travel Plan should be secured – this should include ambitious targets, particularly in relation to cycling uptake.

Internal Consultees

- 8.13 Building Control team (commented 04/07/2017) – No objections, however queries raised regarding means of escape (an alternative means of escape is required for every storey above 11m), the required separation of the single staircase between basement and ground level (the main staircase should not extend down to basement level), and the extent of unprotected area (justification and calculation will be required in relation to the extent of unprotected area in the proposed front elevation in relation to the street's width). Fire brigade access to more than 15% of the site's perimeter (from the street) would be available, and a protected firefighting shaft (core) is not required as no floor level is proposed above 18m (above street level). The proposed refuse/recycling and mobility scooter stores will need fire-rated enclosure and appropriate ventilation to the outside. The proposed external materials for the new building's elevations are not known to be flammable, however appropriate compartmentation will be necessary to inhibit fire spread.
- 8.14 Design and Conservation Officer (commented 04/11/2016) – No objections. The proposed building is a high quality contextual response to the conservation area and the applicant has responded positively to the pre-application advice. In a further comment made on 16/11/2016, the officer expressed support for the deletion of the rooftop plant enclosure from the proposals.
- 8.15 Energy Conservation Officer (commented 27/06/2017) – Proposed carbon dioxide saving is accepted. Carbon dioxide requirement would be £53,820. Proposed

development would achieve BREEAM “Excellent” (73%) which is considered appropriate. Proposed U-values show a good level of efficiency throughout the development, and are supported. Proposed air permeability is acceptable, but the applicant should seek to improve this. Regarding lighting, the proposed daylight and occupancy sensors, and LED technology, is supported. Mechanical cooling is not supported, however applicant’s information regarding overheating is accepted. The findings of the applicant’s Overheating Assessment satisfy the council’s requirements regarding thermal modelling. The applicant’s heat load and other information demonstrates that the proposed heating measures are appropriate, and that connection to the Bunhill DEN is not technically viable. Regarding future connection, the allocated space for a plate heat exchanger is welcomed, and adequate protected space for the pipework should be maintained. A lack of connection to (or establishment) of a shared heat network has been justified by the applicant. On-site combined heat and power (CHP) need not be provided. Proposed rooftop photovoltaic array (and its output) is welcomed. The submitted draft Green Performance Plan (GPP) is acceptable, however a full GPP will need to be submitted at a later stage.

- 8.16 Inclusive Design Officer (commented 13/12/2016) – The proposed accessible cycle storage spaces, provision of mobility scooter charging facilities, deletion of the previously-proposed spiral staircase, and confirmation of the proposed lift size is welcomed. The applicant’s information regarding refuge and evacuation are not accepted, as the proposed strategy effectively limits the number of mobility-impaired people permitted on a floor (other than the ground floor) to one (condition 11). Regarding the lobbies to the WCs on the upper floors, this space should be 1570mm deep and clear of any door swing.

- 8.17 Lead Local Flood Authority (commented 16/11/2016) – Noted that there was little to comment on, assuming that the applicant does not intend to amend the existing drainage on site. Queried what provisions are being made for the sub-surface areas of the building.

- 8.18 Nature Conservation Manager (commented 16/11/2016) – Satisfied from the ecologist’s report that this site has negligible ecological value. No conditions to recommend other than regarding bird/bat boxes and green roofs (15 and 16).

- 8.19 Pollution Team, Public Protection (commented 14/11/2016) – The site had previous potentially-contaminating uses, however the site is covered in hardstanding, and the proposal doesn’t include residential uses and would not change the sensitivity of receptors. Pollution Team would not necessarily recommend a specific condition relating to contaminated land. Condition regarding plant noise recommended (27). The site is within a densely developed area with commercial and residential uses close by. Previous development works along Great Sutton Street have given rise to complaints and the developer will need to fully consider the impacts of demolition and construction, and how these would be managed. Condition requiring a Construction Environmental Management Plan recommended (24).

- 8.20 Sustainability Officer (commented 10/02/2017) – Water efficiency measures are understood, however the opportunity to provide rainwater harvesting for landscaping elements should be fully explored, although it is noted that the proposals include little landscaping. Regarding materials, the commitment to achieve policy compliance is welcomed – this should be reflected in any BREEAM assessment submitted for this development (such as at conditions stage). The applicant’s additional information – and in particular the commitment to undertake a pre-demolition audit which would

inform the reuse of materials onsite – is welcomed. The proposed increase in the extent of green roof is encouraging, however an amended roof plan is needed. The applicant's information on internal design flexibility is accepted. Further comments were made regarding drainage on 27/06/2017. The applicant's efforts made so far are appreciated, and it is noted that the applicant intends to comply with the upper limit (50l/s/ha) of policy DM6.6, however the target is a greenfield run-off rate of 8l/s/ha. Officers appreciate that this is unlikely to be achievable at this particular site, however every effort to get as close as possible to it should be made. The potential for further improvements to run-off rates should be explored, and a clear l/s/ha figure for the development should be provided. In a final comment on 29/06/2017 the Sustainability Officer accepted the applicant's clarified and new information regarding drainage, and the proposed 35l/s/ha run-off rate.

9 RELEVANT POLICIES

- 9.1 Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents:

National Guidance

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

Development Plan

- 9.4 The Development Plan comprises the London Plan 2016 (incorporating Minor Alterations), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.5 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Bunhill and Clerkenwell key area
- Central Activities Zone
- Employment Priority Area (General)
- Primary employment area
- Hat and Feathers Conservation Area
- Archaeological Priority Area

- 9.6 Protected view 1A.2 (Alexandra Palace to St Paul's Cathedral) passes close to the site, over land to the west.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle of development
- Land use
- Design and conservation
- Archaeology
- Inclusive design
- Neighbour amenity
- Financial viability
- Sustainability, energy efficiency and renewable energy
- Highways and transportation
- Servicing
- Fire safety
- Contaminated land and air quality
- Planning obligations

Principle of Development

10.2 The site's existing buildings are dated, inefficient, and offer poor accessibility to people with disabilities. The site can accommodate a larger building, and is currently underused. Redevelopment of the site is considered acceptable in principle, as it provides an opportunity to reprovide office floorspace to a better standard than currently exists, and to use this relatively central and accessible site more efficiently. These are benefits of the proposed development which weigh positively in the balance of planning considerations relevant to this application.

10.3 The above in-principle position regarding redevelopment of the site accords with the National Planning Policy Framework's presumption in favour of sustainable development.

Land Use

Office use

10.4 All parts of the site are, or were most recently, in B1(a) (offices) and ancillary use. Existing floorspace totals 1,474sqm GIA (1,190sqm NIA).

10.5 No site allocation applies to the application site, however it is located within the Central Activities Zone (CAZ) and an Employment Priority Area (General).

10.6 Planning policies relevant to this site safeguard existing employment floorspace, and generally encourage office development. The renewal and modernisation of existing office stock in viable locations is also supported. The supporting text of London Plan policy 4.2 identifies a need for significant increases in office floorspace in the years to 2031. Part B of policy CS13 of Islington's Core Strategy 2011 states that in relation to existing employment floorspace, development which improves the quality and quantity

of existing business floorspace provision will be encouraged. Part Aii of policy BC8 in the Finsbury Local Plan 2013 states that within Employment Priority Areas (General and Offices), proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.

- 10.7 The proposal would provide 1,756sqm GIA (1,307sqm NIA) of business floorspace in the basement and from first to fifth floors of the proposed development. The proposed uplift in office floorspace (282sqm GIA, 117sqm NIA) is welcomed and is considered policy-compliant. Given the constraints of the site and the need to provide other uses at ground floor level (discussed later in this report), officers accept that the development would incorporate the maximum amount of business floorspace reasonably possible, in compliance with part Aii of policy BC8 of the Finsbury Local Plan.
- 10.8 The proposal would provide a higher quality, more accessible and more flexible employment space than the existing buildings currently offer. There is no reason to believe the development – if completed – would remain unoccupied.
- 10.9 Floor-to-ceiling heights of over 3m are proposed for the office floorspace at first to fifth floors, in compliance with the standard set out at paragraph 5.10 of the Development Management Policies document. At basement level, however, a floor-to-ceiling height of only 2.4m is proposed. This substandard internal height suggests the basement floorspace should not be counted towards the development's total office floorspace figure, and the proposed floor-to-ceiling height is certainly a shortcoming of the proposed development that weighs negatively in the balance of relevant planning considerations. However, it is acknowledged that the existing basement is already substandard and that the proposed space would not be unusable. The reasons for the proposed 2.4m floor-to-ceiling height (discussed later in this report in relation to archaeology) are noted. Given these considerations, refusal of permission is not recommended in relation to the quality of the basement accommodation.
- 10.10 A small area of reduced floor-to-ceiling height is proposed at fourth floor level, however this is not considered so significant as to warrant refusal of planning permission.
- 10.11 It must also be noted that natural light to the proposed basement would be limited, although this is already the case in respect of the existing basement. Rooflights are proposed along the west edge of the site (at the bottom of a lightwell) and at the front (north edge) in the floor of the proposed retail unit. The natural light from the retail unit would essentially be borrowed, and would be reliant upon no obstructions being placed over or close to the rooflights within the retail unit – to ensure this does not happen, condition 7 is recommended.
- 10.12 The applicant's initial submission did not clarify how the proposed office floorspace would be suitable for occupation by micro and small enterprises by virtue of its size and design, and the submitted floor plans do not show parts of the proposed business floorspace divided into units of 90sqm (GIA) or smaller. It is noted, however, that parts of the proposed basement and/or upper floors could be subdivided to provide suitable accommodation for micro and small enterprises without the quality (including natural lighting) of the remaining business floorspace being compromised, although no separate street entrance or core could be provided due to the constraints of the site. To ensure the development would comply with part Bii of policy BC8 of the Finsbury Local Plan, condition 14 is recommended, requiring the submission of floorplans showing 5% of the office floorspace subdivided to provide accommodation for such enterprises.

- 10.13 No affordable workspace is proposed, despite the applicant being strongly encouraged at pre-application stage to include an element of such floorspace in the proposed development. Given the “and/or” wording of part B of policy BC8 of the Finsbury Local Plan, however, and given that the proposed development includes office floorspace that – subject to the details required by condition 14 – may be suitable for occupation by micro and small enterprises by virtue of its design and size (thus meeting part Bii of policy BC8), the council cannot insist upon the provision of affordable workspace on site as part of the proposed development.
- 10.14 Part I of policy BC8 of the Finsbury Local Plan requires new business (including office) floorspace to be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation. The proposed B1 floorspace would be accessed from a lift and stair core on the east side of the building, so that all of the B1 floorspace could be occupied by a single organisation, or each floor could be separately occupied. Further subdivision of each floor would also be possible, as open floor plans and adequate floor-to-ceiling heights are proposed at first to fifth floors, allowing for a flexible fit out. The retail and business uses would have separate entrances and adequate separation of ancillary spaces.
- 10.15 The 1,190sqm (NIA) of office floorspace in the existing buildings could accommodate between 92 and 149 employees (full time equivalent, or FTE), based on the Home and Communities Agency’s (HCA’s) ratios of one employee per 8-13sqm NIA of offices (note that different ratios are given for different types of offices: one employee per 8sqm in a call centre, one per 11sqm in the technology, media and telecom (TMT) sector, and one per 13sqm in corporate offices, for example). With the 1,307sqm (NIA) of offices now proposed, between 100 and 163 employees (FTE) could be accommodated, using the same ratios.

Retail use

- 10.16 Part B of policy BC8 of the Finsbury Local Plan states that in the Employment Priority Area (General), the employment floorspace component of a development proposal should not be unfettered commercial office uses, but must – where appropriate – include retail or leisure uses at ground floor level.
- 10.17 Given the size of the site, and the existence of retail units and showrooms at ground floor level in other properties on Great Sutton Street, it is considered appropriate to provide an A1 retail unit at this site. This use is considered compatible with the B1 office floorspace proposed above and below.
- 10.18 An A1 retail unit of 243sqm (NIA) is proposed at ground floor level, with its own separate entrance from Great Sutton Street. Although this unit would separate the B1 basement from the B1 floorspace in the new building’s upper storeys, all the B1 floorspace would still be accessed from a single entrance and core, and the partial separation of the basement could make it attractive as a workspace for small and medium-sized enterprises (SMEs) and start-ups.
- 10.19 Using the HCA’s employee density ratios, the 243sqm (NIA) of A1 retail floorspace proposed could accommodate between 12 and 16 employees (FTE).
- 10.20 As more than 80sqm (NIA) of A1 retail floorspace is proposed, Development Management Policy DM4.4 (part B) applies. Little information regarding retail impact has been submitted by the applicant, however officers are of the view that the proposed 243sqm (NIA) of retail floorspace at this location within the CAZ would not

individually (or cumulatively with other development) have a detrimental impact on the vitality and viability of Town Centres within Islington (particularly the nearest Town Centre, Angel) or in adjacent boroughs, nor would it prejudice the prospect for further investment needed to safeguard their vitality and viability. The amenity impacts of the proposed retail unit would be limited, and – given that the unit could be used as a retail showroom similar to others on Great Sutton Street, Clerkenwell Road and Goswell Road – the development could support and complement existing clusters of similar uses within the CAZ. Parts Bii and iii of policy DM4.4 would therefore be complied with.

*Affordable housing
contribution*

10.21 With regard to the provision of residential accommodation as part of the development (as required by London Plan policy 4.3 and Finsbury Local Plan policy BC8), paragraph 11.1.6 of the Finsbury Local Plan confirms that proposals which would result in a net increase of office floorspace should provide at least 20% of the total net increase in floorspace as housing. In this case, with a total uplift in office floorspace of 282sqm (GIA) proposed, 56.4sqm of residential floorspace would be required.

10.22 Although the provision of residential floorspace would not be physically impossible at this site, given the requirements for ground floor uses set out under part B of Finsbury Local Plan policy BC8 and for full separation of uses in accordance with part I of the same policy, on-site residential use at this site is likely to result in an unacceptable reduction in B1 floorspace, or another significant compromise, unless the building envelope was increased further (which, as explained later in this report, is not considered possible). Instead, a financial contribution towards off-site affordable housing would be appropriate. This would be in lieu of on-site provision of residential accommodation and – in accordance with part D of policy BC8 and the formula on page 43 of the Planning Obligations (Section 106) SPD – officers have calculated this contribution to be £45,120.

*Other land use
considerations*

10.23 The application site is within Flood Zone 1 (and has a low probability of flooding), is less than one hectare in size, and is not within a Local Flood Risk Zone. The applicant was not required to submit a Flood Risk Assessment with the application. Sustainable urban drainage is considered in the Sustainability section of this report.

**Design and
Conservation**

10.24 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies relevant to design and conservation are set out in chapter 7 of the London Plan. Policies CS7, CS8, CS9 and CS10 in Islington's Core Strategy, policy BC7 in the Finsbury Local Plan, and

policies in chapter 2 of Islington's Development Management Policies, are also relevant. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (The Setting of Heritage Assets), the council's Urban Design Guide SPD and Conservation Area Design Guidelines for the Hat and Feathers Conservation Area, and the Mayor of London's Character and Context SPG are also relevant to the consideration of the current application.



Image 1: existing street view



Image 2: proposed street view

Site and surroundings

10.25 The site's existing buildings are described at paragraph 5.1 of this report

- 10.26 The context of the site must be noted. Directly to the east is a mixed use building comprising two blocks (“A” fronting Sutton Street and “B” fronting Clerkenwell Road, linked by a bridging glazed section) that rises to five, six and seven storeys. Beyond that building and further to the east is the car park / development site behind the Hat and Feathers PH. Abutting the application site to the west is 13-14 Great Sutton Street, which rises to six storeys including a setback fifth floor. 15 Great Sutton Street, at the corner of Berry Street, also rises to six storeys. Opposite the application site, to the north, most buildings are of five storeys, however 53 to 56 Great Sutton Street has six storeys (including a setback fifth floor). Behind the application site to the south is a five-storey building.
- 10.27 The site is within a relatively sensitive location in terms of heritage assets. The Hat and Feathers Conservation Area covers the site and adjacent land, the nearby Hat and Feathers PH is Grade II listed, there are locally-listed buildings at 16 Great Sutton Street and 76-78 Goswell Road, and several other nearby buildings currently make a positive contribution to the Hat and Feathers Conservation Area.
- 10.28 The Conservation Area Design Guidelines for the Hat and Feathers Conservation Area identify the characteristic features of the conservation area – these are discussed later in this report where relevant to the proposed development.

Demolition of existing buildings

- 10.29 On 01/10/2013, under the Enterprise and Regulatory Reform Act 2013, the need for Conservation Area Consent for the demolition of unlisted buildings in conservation areas was removed. Such works now require planning permission.
- 10.30 The Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the council to pay special attention to the desirability of preserving or enhancing the character and appearance of the Hat and Feathers Conservation Area when determining this application. Paragraph 138 of the NPPF states that the loss of a building which makes a positive contribution to the significance of a conservation area should be treated either as substantial or less than substantial harm, taking into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole.
- 10.31 Part C of policy BC7 in the Finsbury Local Plan states that new development should not result in the demolition or amalgamation of buildings with existing character value.
- 10.32 The site’s existing buildings date from the 1950s, are not of historic or architectural merit, and they currently do not make a significant positive contribution to the significance, character and appearance of the Hat and Feathers Conservation Area. The limited greenery (in planters) at roof level is not readily visible from public vantagepoints, and does not significantly enhance the conservation area. Given their contribution to the conservation area, and the high quality contextual design proposed by the applicant (considered in the following paragraphs), it is considered that the demolition of the site’s existing buildings is not in breach of paragraph 138 of the NPPF, is compliant with part B of Development Management Policy DM2.3, and is acceptable. Demolition of the site’s existing buildings would not set a precedent for the future demolition of other buildings within the conservation area – each case would continue to be assessed on its individual merits, specific site circumstances and relevant planning policies.

Height and massing

- 10.33 London Plan policy 7.4 states that development should have regard to the scale, mass and orientation of surrounding buildings, and that buildings should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. London Plan policy 7.6 states that buildings should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and should not cause unacceptable harm to the amenity of surrounding land and buildings. The Mayor of London's Character and Context SPG notes at paragraph 7.26 that "the key or essential characteristics of a place provide an important reference point against which change can be assessed or as a 'hook' for site planning and design".
- 10.34 At the local level, policy CS9 of Islington's Core Strategy sets out an aim for new buildings to be sympathetic in scale and appearance and to be complementary to local identity. Policy DM2.1 of Islington's Development Management Policies requires development to be based upon an understanding and evaluation of an area's defining characteristics, confirms that acceptable development will be required to respect and respond positively to existing buildings, and sets out a list of elements of a site and its surroundings that must be successfully addressed – this list includes urban form including building heights and massing. Part B of policy BC7 in the Finsbury Local Plan states that new buildings should be of a height, scale and massing that respects and enhances the immediate and wider context, consistent with the predominant building height.
- 10.35 Given the site's context, modest, medium-scaled development would be appropriate for this site.
- 10.36 The proposed height and massing is considered acceptable in townscape terms. The proposed six storeys above ground level (including a setback fifth floor) would respect and would sit comfortably within the site's context. Although the front parapet of the proposed building's fourth floor would stand half a storey taller than those of the neighbouring buildings, this would not be a significant interruption to the roofline of Great Sutton Street. The proposed fifth floor would be set back from this front parapet such that its visibility from street level would be suitably limited – although proposed elevation G200_E_N_001 rev A illustrates a building that would stand taller than its immediate neighbours, it would not appear unduly obtrusive or overdominant in views from street level. Height-to-width ratios along this part of Great Sutton Street would remain characteristic of this densely-developed part of the borough. There would not be a significant interruption to the pattern of heights common to perimeter block layouts, where the street block's tallest elements are normally found at its edges. A previously-proposed plant enclosure (above the fifth floor) has been deleted from the proposals. Notwithstanding the amenity impacts discussed later in this report, in terms of height and massing it is considered that the proposed development demonstrates sufficient sensitivity to the site's context, although it is likely that the height and massing proposed would be the maximum acceptable at this site. Approval of the proposed height would not set a precedent for the same height elsewhere in the conservation area – each case would continue to be assessed on its individual merits, specific site circumstances and relevant planning policies.
- 10.37 It is noted that a seven-storey development may yet (and could lawfully) be constructed at the Hat and Feathers PH site, which includes the empty land at 1-4 Great Sutton Street. The relevant permission for that site (ref: P010342) has

technically been implemented (commenced) with the sinking of foundations. This is a contextual consideration material to the current application for 9-12 Great Sutton Street.

- 10.38 The proposed height of the development is considered further in relation to impacts upon heritage assets later in this report.

Architecture and elevations

- 10.39 London Plan policy 7.6 states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It goes on to set out criteria against which planning applications should be assessed, stating that buildings should be of the highest architectural quality, should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and should comprise details that complement, not necessarily replicate, the local character.
- 10.40 Other policies are also relevant to architecture, including London Plan policy 7.4 (relating to local character) and Core Strategy policy CS9, which states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. This Core Strategy policy goes on to state that new buildings should be sympathetic in appearance to the local identity, should be based on coherent street frontages, and should fit into the existing context of façades. Finally, part G of policy CS9 notes that high quality contemporary design can respond to relevant challenges as well as traditional architecture, and that innovative design is welcomed.
- 10.41 Policies in chapter 2 of the Development Management Policies document are relevant to architecture and detailed design. In particular, policy DM2.1 states that all forms of development are required to be of high quality. Part B of policy BC7 in the Finsbury Local Plan states that new buildings should be of a high architectural quality and local distinctiveness, and that new development should reflect long established building lines, street frontages and plot widths. Part E of the same policy requires the use of vernacular and other high quality, complementary materials within new buildings. Further guidance is provided in Islington's Urban Design Guide SPD.



Image 3: existing street elevation



Image 4: proposed street elevation

- 10.42 The proposed front elevation to Great Sutton Street would respect and reinforce the street's existing (and historic) front building line. It would not be appropriate to set the building back from the pavement at this site.
- 10.43 For the proposed front elevation, images included in the submitted Design and Access Statement illustrate deep reveals to the proposed window apertures (between the proposed vertical elements) which would ensure adequate relief to the elevation. This relief would be augmented by the inset balconies at the northeast and northwest corners of the building.
- 10.44 Although the applicant proposes a balustrade close to the edge of the front elevation at fifth floor level, this is considered acceptable given that it would be of the same design as the balustrades to the inset balconies at first to fifth floor levels, and would therefore not appear as an isolated, incongruous feature at the top of the building.
- 10.45 For the rear of the proposed development, more simple, unadorned elevations are proposed – this is characteristic of the area, and is considered acceptable, however to ensure adequate relief is provided in these elevations, a condition requiring minimum reveal depths of 200mm is recommended (condition 5).



Image 5: existing rear elevation



Image 6: proposed rear elevation

- 10.46 In design terms the proposed A1 retail unit, and its extensive full-height glazing at ground floor level, is welcomed, as it would add interest and activation to the street in accordance with part Aii of Finsbury Local Plan policy BC7 and Islington's Urban Design Guide. Appropriate vertical elements have been included in the ground floor elevation, breaking up the proposed glazing.

Materials

- 10.47 Much thought has gone into the proposed palette of materials, which includes white stone for the horizontal elements proposed for the front elevations, buff bricks for the rear elevations, special rubbed/carved bricks for the vertical elements in the first to fourth floors of the front elevation, metal cladding to the setback fifth floor and inset panels adjacent to windows, and bronze balustrades. The submitted Design and Access Statement explains how the choice of these materials was inspired by nearby buildings, including 2 Old Street which has moulded brickwork which adds significant relief and interest to that building's elevations. A similar pattern (to that noted at 2 Old Street) is proposed in the special rubbed/carved bricks to the vertical elements of the

front elevation, and in the bronze balustrades. Little detail of the proposed metal cladding and inset panels has been provided, however the submitted elevations and images suggest that an appropriate bronze or brown colour is proposed. A high quality metal (such as anodised aluminium, and not powder-coated aluminium) can be secured by condition. Considered together, the proposed materials and their detailing are considered appropriate for this site, and they (particularly the special rubbed/carved bricks) are a benefit of the proposed development that weighs positively in the balance of relevant planning considerations. Without these materials, the proposed development would be of an inferior and less interesting design, and a different balance of planning considerations would apply.

- 10.48 Recommended condition 3 requires the submission and approval of details and samples of all external materials. Should inferior materials be proposed at conditions stage without convincing justification, officers would not be able to recommend the discharge of condition 3, as the quality of the materials currently proposed is a key consideration in the application-stage planning balance (and in officers' recommendation for approval of permission).
- 10.49 At paragraph 3.4.2 of the submitted Design and Access Statement the applicant suggests the proposed brickwork could be laid in a Flemish or English bond. This is considered appropriate for such a location within the Hat and Feathers Conservation Area, and an appropriate bond would help avoid the development's larger areas of blank brickwork (proposed to the rear of the building) appearing monotonous. Stretcher bond would not be appropriate for these elevations. It is recommended that Flemish or English bond be secured, and recommended condition 3 has been worded to reflect this.
- 10.50 Further wording to condition 3, requiring the submission of a Green Procurement Plan to demonstrate how the procurement of materials for the proposed development would promote sustainability, is also recommended.

Impacts on heritage assets

- 10.51 It is again noted that the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the Hat and Feathers Conservation Area when determining this application.
- 10.52 Policy DM2.3 states that new developments within Islington's conservation areas are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of Islington's conservation areas will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted. In relation to non-designated heritage assets such as the locally-listed buildings listed earlier in this report, proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted. Part C of policy BC7 in the Finsbury Local Plan requires the conservation and enhancement of heritage assets.
- 10.53 Section 12 of the National Planning Policy Framework, London Plan policy 7.8 and Core Strategy policy CS9 are also relevant.
- 10.54 The proposed development is considered appropriate in terms of its impact upon the Hat and Feathers Conservation Area. Regarding the proposed height and scale of the new building, although paragraph 1.21 the Conservation Area Design Guidelines for the Hat and Feathers Conservation Area state that "Most buildings in the area are

between three and five storeys high”, that “There are very few buildings over five storeys and most of these detract from the appearance of the area” and “Normally no new buildings or extension will be permitted above five storeys (about 18m above ground level)”, the immediate context of 9-12 Great Sutton Street, and the limited views that would be had of the proposed fifth floor, suggest that the proposed 6-storey building would be appropriate in this particular location. The proposal meets the general requirement of paragraph 1.20 of the conservation area guidance, which states that “New buildings... should conform to the height of existing development in the immediate area”.

- 10.55 Guidance provided at paragraph 1.24 (“New development should conform to the scale of existing buildings in the area”) would also be complied with. It is noted that, although the applicant proposes to replace two existing buildings with a single building, there would not be a significant loss of grain or character in this part of Great Sutton Street. The proposed development would have a footprint and plot width of a similar size to several other nearby buildings within the Hat and Feathers Conservation Area. Less than 3,000sqm (by any measurement) is proposed, and the new building would have a street frontage of less than 20m, therefore the requirement set out under paragraph 1.25 (for developments to be broken up into more than one building) does not apply.
- 10.56 The detailed design and materials of the proposed development are considered appropriate in the way they would relate to their context. The Conservation Area Design Guidelines for the Hat and Feathers Conservation Area note at paragraph 1.33 that the existing character and appearance of the area depends largely on the survival of a range of vernacular building materials, such as brick and stone, and adds that new buildings should blend in and reinforce this character. The proposed development would do so, with the proposed brick and stone complementing the materials of buildings immediately adjacent and opposite. The proposed grid-like treatment to the front elevation at first to fourth floors reflects nearby buildings, and the applicant correctly notes at paragraph 3.3.4 of the submitted Design and Access Statement that such an elevational treatment is characteristic of the conservation area.
- 10.57 The nearest listed building (the Hat and Feathers PH, which is Grade II listed) and locally-listed buildings (16 Great Sutton Street and 76-78 Goswell Road) are not immediately adjacent to the application site. The proposed development would not harm the setting of or detract from the significance of these heritage assets.

Other design considerations

- 10.58 The proposed development would not intrude into or crowd protected view 1A.2 (Alexandra Palace to St Paul’s Cathedral) which passes close to the site, over land to the west.
- 10.59 Part B of policy BC7 in the Finsbury Local Plan states that roof extensions, plant rooms and lift overruns should conform to prevailing building heights. Paragraphs 5.192 and 5.193 of Islington’s Urban Design Guide state that roof structures that are not an integral part of the building such as plant or railings should normally be avoided, particularly if they are visible from the public realm or would undermine residential amenity. If space for plant machinery is required this should be accommodated within the building envelope. Lift overruns that project above the roofline should be avoided. If this is not possible, they should be incorporated on the rear part of the roof, where they are not visible from the street. In accordance with this policy and guidance, the applicant proposes to accommodate plant at basement level, and no longer proposes a rooftop plant enclosure. Should it be the case that roof-level structures or installations

such as plant are required, approval of these would need to be sought pursuant to recommended condition 4. The same recommended condition requires details of the photovoltaic (PV) array proposed at roof level, to enable a full assessment of the visibility and impact of these installations to be made at conditions stage.

- 10.60 Officers advised the applicant that the proposed development did not need to be presented to Islington's Design Review Panel (DRP).

Archaeology

- 10.61 The application site is within an Archaeological Priority Area. The applicant's original and updated Historic Environment Assessments (the most recent dated January 2017) consider the archaeological potential of the site, noting that the site lies within the eastern part of the Pardon Churchyard, a 14th century burial ground used for victims of the plague and later incorporated into the precinct of the Charterhouse. The site is also adjacent to the conjectured course of a Roman road, and there may be post-medieval remains at the site.
- 10.62 In comments dated 24/11/2016 Historic England noted that the proposed development involved deepening the basement and new piling, which was likely to seriously harm or destroy surviving archaeological remains. Historic England therefore required further studies (including field evaluation involving the excavation of trial trenches) to inform the design of the proposed development. It was confirmed by Historic England that this matter could not be deferred to conditions stage, and that refusal of permission would be recommended if this archaeological information was not provided at application stage.
- 10.63 The applicant subsequently advised that trial trenches could not be dug at this stage, as the existing buildings cover all parts of the site at basement level, and the current basement tenant would not agree to excavations being carried out. The applicant therefore looked into an alternative way forward.
- 10.64 A Structural Engineer's Report (Sinclair Johnston, May 2017) was submitted by the applicant on 09/05/2017. This report explains that, in order to overcome Historic England's concerns regarding the impact of basement works upon buried heritage assets, the applicant now proposes to maintain the existing basement level, with the underside of the new basement slab to be no deeper than the underside of the existing slab (paragraph 3.2). The report states that the internal basement floor level would be raised by approximately 100mm to accommodate insulation and new finishes (although the submitted sections indicate that the floor-to-floor height would be slightly reduced from 2.95m to 2.9m). The existing pad foundations at the site would be reused, removing the need to excavate new pad foundations (which may have disturbed underlying archaeology).
- 10.65 In further comments dated 15/05/2017, Historic England noted the applicant's innovative approach to minimising archaeological impact, and also noted the applicant's explanation as to how the development could be constructed with only minor harm to archaeological interest provided that conditions are applied.
- 10.66 Two conditions related to archaeology (conditions 18 and 19) are recommended in the light of comments received from Historic England. These include a requirement for the submission of details of the final foundation design, and should the applicant's proposals be revised to include excavation, these requirements would ensure that the

development's archaeological implications would still be adequately assessed and addressed before works commence.

Inclusive Design

- 10.67 Paragraph 57 of the NPPF is relevant to the current proposal in relation to inclusive design. London Plan policy 7.2 requires all new development to achieve the highest standards of accessible and inclusive design, and refers to the Mayor's Accessible London SPG. At the local level, Development Management Policy DM2.2 requires all developments to demonstrate that they i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone; and iv) bring together the design and management of a development from the outset and over its lifetime. The Inclusive Design in Islington SPD is also relevant.
- 10.68 The proposed business floorspace would have lift access to each floor. Accessible WCs are proposed for the offices, and provision for the proposed retail unit would be secured by recommended condition 11.
- 10.69 Recommended condition 11 also requires the submission of other details relevant to inclusive design, to ensure the proposed office floorspace would comply with relevant planning policies and the relevant parts of the Inclusive Design in Islington SPD, including the requirements and guidance related to evacuation.

Accessible parking

- 10.70 No accessible parking is proposed on-site. This is considered acceptable, given the site's constraints and the impact on-site parking would have had upon the design of the proposed development. Applying the standard set out at page 39 of the Planning Obligations (Section 106) SPD (of one accessible parking bay required for the uplift in employee numbers divided by 33), with a likely total uplift of between 20 and 30 employees, one accessible parking space would be required. Noting that there may be limited scope for on-street provision close to the application site, recommended condition 12 requires the submission of a survey to ascertain where such a space could be provided. Should on-street provision not be possible, a financial contribution towards accessible transport initiatives can be accepted.

Neighbour Amenity

- 10.71 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.
- 10.72 London Plan policy 7.6 (part Bd) states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. Policy 7.15 (part B) states that development proposals should seek to manage noise by mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development; separating new noise sensitive development from major noise sources through the use of distance, screening or internal layout in preference to sole reliance on sound insulation; controlling and mitigating potential adverse effects through the application of good acoustic design principles; and promoting new technologies and improved practices to reduce noise at source and on the transmission path from source to receiver.

10.73 Development Management Policy DM2.1 (part Ax) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook. Paragraph 2.13 states that the design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing. This supporting text goes on to specifically reference relevant guidance prepared by the Building Research Establishment (BRE).

10.74 Officers have visited six neighbouring residential properties during the life of the application.

Daylight and sunlight

10.75 An updated and corrected analysis of the proposed development's impacts upon natural light received by occupants of neighbouring properties is provided in the applicant's Daylight and Sunlight Study dated 08/06/2017. This takes into account information regarding room sizes provided to the applicant by officers, and the massing amendments made by the applicant during the life of the application (Revision 2).

10.76 The submitted Daylight and Sunlight Study assesses impacts upon the following neighbouring properties:

- 5-8 Great Sutton Street
- 17 Clerkenwell Road
- 18 Clerkenwell Road
- 4 Berry Street
- 15 Great Sutton Street
- 13-14 Great Sutton Street
- 46-47 Great Sutton Street
- 48-49 Great Sutton Street
- 50-52 Great Sutton Street

10.77 The applicant's chosen methodology follows guidance provided by the BRE and used two tests to assess natural light impacts, namely the Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH) tests. Officers additionally asked the applicant to carry out testing using the No Sky Line / Daylight Distribution (NSL / DD) methodology. The applicant also provided the results of Average Daylight Factor (ADF) testing, however it should be noted that the ADF test is normally applicable to *proposed* residential units and in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties. Little weight can be attached to the applicant's ADF test results, as they rely on a range of inputs including assumptions regarding internal reflectivity, in addition to assumptions made regarding room sizes at some properties.

10.78 When using the BRE guidance to assist in the assessment of daylight and sunlight impacts, paragraph 1.6 of the BRE guidance must be noted. This confirms that:

"The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since

natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings”.

- 10.79 Regarding the weight to be attached to the BRE guidance, appeal decisions such as the decision dated 15/01/2014 relating to a major site in the south of the borough at Pentonville Road (ref: APP/V5570/A/13/2195285) generally indicate that closely adhering to BRE guidance is appropriate to ensure neighbour amenity is protected.
- 10.80 Regard must also be had to the scale and spacing of existing development in the area, and it must be noted that the application site at Great Sutton Street is a central location in a part of the borough which is characterised by dense development, and where it is reasonable to assume expectations of unusually high levels of amenity would be lower than in less dense, suburban areas.
- 10.81 With regard to daylight, the BRE guidance notes that where VSC figures are greater than 27%, enough daylight should still be reaching the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in daylight. Of note, the 0.8 figure is often expressed as a percentage in VSC analysis, such that a reduction of up to 20% would comply with this part of the BRE guidance if the 27% figure is also met.
- 10.82 The results of the applicant’s VSC testing can be summarised as follows:

Address	Number of windows tested	Windows failing 27% and 0.8x value test	Percentage of windows failing
5-8 Great Sutton Street	36	8	22%
17 Clerkenwell Road	13	10	77%
18 Clerkenwell Road	53	8	15%
4 Berry Street	7	0	0%
15 Great Sutton Street	11	0	0%
13-14 Great Sutton Street	72	40	56%
46-47 Great Sutton Street	30	2	7%
48-49 Great Sutton Street	19	15	79%
50-52 Great Sutton Street	74	5	7%
TOTAL	315	88	28%

Table 1: Summary of applicant’s VSC testing.

- 10.83 Many of the above tested windows have, however, been identified by the applicant as not serving habitable rooms. Using the applicant’s “use” categorisation, the VSC-failing windows can be further summarised as follows (figures for habitable room windows are shaded grey):

Address	Total VSC failures	Applicant’s categorisation	Windows failing VSC
5-8 Great Sutton Street	8	Non Domestic	6
		Habitable	2

17 Clerkenwell Road	10	Non Domestic	7
		Habitable	3
18 Clerkenwell Road	8	Non Domestic	3
		Habitable	5
13-14 Great Sutton Street	40	Non Domestic	7
		Non Habitable	2
		Reception room / kitchen	3
		Reception room / dining	8
		Habitable	9
		Bedroom	11
46-47 Great Sutton Street	2	Habitable	2
48-49 Great Sutton Street	15	Non Habitable	3
		Habitable	12
50-52 Great Sutton Street	5	Non Domestic	5

Table 2: VSC failures with applicant's room use categorisation

- 10.84 Of the windows that would fail VSC, 55 serve habitable rooms, according to the applicant's categorisation.
- 10.85 In situations where post-development VSC figures fail to comply with the levels suggested by the BRE, a further test can be carried out to measure the overall amount of daylight in a room. This is the Daylight Distribution (No Sky Line, or NSL) test. BRE guidance state that if the NSL moves so that the area of the existing room which does receive direct skylight is reduced to less than 0.8 times its former value, then this will be noticeable to the occupants, and more of the room will appear poorly lit. The 0.8 figure is often expressed as a percentage in NSL analysis, such that a reduction of up to 20% would be acceptable.
- 10.86 The applicant has provided NSL/DD test results but has set these out with reference to windows rather than rooms. The applicant's consultant has not visited neighbouring properties to ascertain room sizes and layouts, despite paragraph 2.2.8 of the BRE guidance stating that NSL/DD assessment is appropriate "Where room layouts are known". In addition, the applicant's consultant has apparently not referred to floor plans submitted with previous planning applications and held in the council's records. Instead, the applicant has used room dimension information provided by officers, and for other rooms has assumed depths of 3m. Much of the applicant's NSL/DD information therefore relies on unverified assumptions, which might call into question the accuracy of the applicant's results, however officers have visited several neighbouring properties and are of the view that enough is known about the most-affected neighbouring properties to enable an adequate assessment to be made.
- 10.87 The applicant's updated Daylight and Sunlight Study found no NSL/DD failures for residential habitable rooms at 5-8 Great Sutton Street, 17 Clerkenwell Road (actually block B of 5-8 Great Sutton Street), 4 Berry Street, 15 Great Sutton Street and 50-52 Great Sutton Street.
- 10.88 With regard to sunlight, the applicant has used the APSH test to ascertain whether the centre of adjacent windows (facing within 90° of due south) would receive 25% of annual probable sunlight hours, including at least 5% of those hours in the winter months between 21st September and 21st March. If the available sunlight hours are

both less than these amounts and less than 0.8 times their former value, occupants will notice a loss of sunlight.

- 10.89 Predictably, losses of sunlight would occur in the winter months to south-facing windows located to the north of the application site, and to the east-facing windows of 13-14 Great Sutton Street, however the greatest predicted impacts affect windows categorised by the applicant as non-habitable, and these impacts are not described in detail in the following paragraphs.

Property-by-property daylight and sunlight assessment

- 10.90 In Tables 3 to 11 below, the greatest daylight and sunlight impacts are indicated with cells shaded grey. In the case of daylight, this grey shading highlights the windows/rooms that would fail both the VSC and NSL/DD tests. In the case of sunlight, grey shading highlights the one window that would fail all (annual and winter) aspects of the APSH test.
- 10.91 The three lower floors of 5-8 Great Sutton Street are not in residential use. The upper storeys accommodate 15 flats ("The Roof Terrace Apartments"). Flats 4, 5, 6, 10, 11, 12, 14 and 15 are accessed via the core of block A which fronts Great Sutton Street, while flats 1, 2, 3, 7, 8, 9 and 13 are accessed via the core of block B which fronts Clerkenwell Road (but is also accessed from Great Sutton Street). Blocks A and B are connected by a predominantly-glazed bridging block which has residential windows facing east and west. Not all flats at 5-8 Great Sutton Street have windows facing the application site. The windows identified by the applicant as being within the rear (north-facing) elevation of 17 Clerkenwell Road are in fact in block B of 5-8 Great Sutton Street. Officers have visited four flats at 5-8 Great Sutton Street.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
6 (south-facing, third floor, residential)	16.9%	12.5%	0.74	55%	55%	1
15 (possibly not residential)	15.4%	10.5%	0.68	99%	99%	1
44 (third floor bedroom/study, flat 2)	14.3%	10.9%	0.76	96%	85%	0.89
45 (third floor bedroom/study, flat 2)	15.9%	11.2%	0.7	96%	85%	0.89
47 (fourth floor bedroom, flat 8)	21.1%	16.6%	0.79	58%	58%	1

Table 3: Daylight failure figures for 5-8 Great Sutton Street (including windows identified by applicant as 17 Clerkenwell Road)

- 10.92 Window 15 is a second floor west-facing window (to a room possibly not in residential use – the applicant's identification of this as a habitable room window is believed to be incorrect) in the building's glazed bridging block, and if that room's other daylight-compliant windows (16 and 19) are taken into account, an acceptable average VSC would be achieved. Flats 2 and 8 have other rooms with south-facing windows.

Window	Existing APSH	Proposed APSH	Factor of former value	Existing WPSH	Proposed WPSH	Factor of former value
6 (south-facing, third floor, residential)	44%	22%	0.5	9%	4%	0.44
7 (" ")	38%	29%	0.76	9%	6%	0.67
8 (fourth floor, residential)	54%	48%	0.89	16%	12%	0.75
15 (possibly not residential)	29%	21%	0.72	2%	0%	0.01
22 (third floor, residential, overhung)	35%	30%	0.86	4%	3%	0.75

Table 4: Sunlight failure figures for 5-8 Great Sutton Street

10.93 Window 15 also receives sunlight from windows 16 and 19.

10.94 At 13-14 Great Sutton Street a television production company (Zig Zag) occupies the basement, ground and first floor. There is no flat 1. Flat 2 occupies the second floor, and flat 3 occupies the third floor. Flat 4 is a duplex unit at fourth and fifth floors.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
126 (east-facing, second floor living room, flat 2)	8%	5.1%	0.64	44%	42%	0.95
128 (" ")	7.4%	4.4%	0.59	44%	42%	0.95
130 (" ")	6.9%	3.9%	0.57	44%	42%	0.95
133 (east-facing, third floor, flat 3)	18.3%	10.6%	0.58	74%	68%	0.92
135 (" ")	18%	9.8%	0.54	74%	68%	0.92
137 (" ")	17%	8.8%	0.52	74%	68%	0.92
141 (east-facing, fourth floor, flat 4)	27%	13.7%	0.51	100%	99%	0.99
142 (" ")	20.3%	15.7%	0.77	100%	99%	0.99
143 (" ")	25.9%	12.3%	0.47	100%	99%	0.99
144 (" ")	21.3%	15.7%	0.74	100%	99%	0.99
145 (" ")	23.5%	10.2%	0.43	100%	99%	0.99
146 (" ")	21.6%	15.2%	0.7	100%	99%	0.99
150 (east-facing, fifth floor, flat 4)	25.9%	19.4%	0.75	100%	100%	1
151 (" ")	34.3%	24.7%	0.72	100%	100%	1

152 (“ “)	34.3%	23.1%	0.67	100%	100%	1
153 (“ “)	34.3%	21.6%	0.63	100%	100%	1
154 (“ “)	24.3%	13.3%	0.55	100%	100%	1
155 (“ “)	34.5%	19.3%	0.56	100%	100%	1
156 (“ “)	24.6%	13.9%	0.57	100%	100%	1
157 (“ “)	34.7%	18.9%	0.54	100%	100%	1
161 (east-facing, second floor bedroom, flat 2)	5.3%	2.7%	0.51	21%	16%	0.76
162 (“ “)	6.7%	5.2%	0.78	21%	16%	0.76
163 (“ “)	4.6%	2.3%	0.5	21%	16%	0.76
164 (“ “)	7%	5.3%	0.76	21%	16%	0.76
165 (“ “)	3.9%	1.9%	0.49	21%	16%	0.76
167 (east-facing, third floor, flat 3)	14.7%	6.4%	0.44	96%	52%	0.54
168 (“ “)	14.1%	10.1%	0.72	96%	52%	0.54
169 (“ “)	13.3%	5.4%	0.41	96%	52%	0.54
170 (“ “)	14.8%	10.2%	0.69	96%	52%	0.54
171 (“ “)	11.5%	4.4%	0.38	96%	52%	0.54
172 (“ “)	14.9%	10%	0.67	96%	52%	0.54

Table 5: Daylight failure figures for 13-14 Great Sutton Street

- 10.95 Windows 126 to 131 form a group within a single aperture (serving a rear living room of flat 2), with obscure-glazed windows 126, 128 and 130 angled to face northeast, while clear-glazed windows 127, 129 and 131 face southeast. The northeast-facing windows would fail VSC, while the southeast-facing windows would pass. The living room would pass NSL/DD.
- 10.96 Further north along this east-facing elevation, windows 161 to 165 form another group of angled windows within a single aperture – these serve a bedroom. All these windows would fail VSC and NSL/DD.
- 10.97 No VSC figure has been provided for window 175 of flat 2, however this small window serves an open-plan kitchen and living room that also has north-facing windows.
- 10.98 For flat 3 (third floor), windows 167 to 172 are also angled and form a group within a single aperture. These serve a room identified by the applicant as habitable, and VSC and NSL/DD failures are predicted.
- 10.99 Some of the adjacent group of angled windows (133 to 138) would fail VSC, and are also categorised by the applicant as serving a habitable room which additionally receives light from south-facing window 132. This room is not predicted to fail NSL/DD.
- 10.100 For flat 4 (fourth and fifth floors), various windows are predicted to fail VSC, but the rooms would pass NSL/DD. Windows 141 to 146 are angled and serve a bedroom/study that also has south- and west-facing windows. At fifth floor level at flat 4, east-facing windows 150 to 157 would fail VSC, however these windows serve a large open-plan living room/kitchen also served by south-facing windows 147 and 148 (which would pass VSC), north-facing and west-facing windows.

Window	Existing APSH	Proposed APSH	Factor of former value	Existing WPSH	Proposed WPSH	Factor of former value
136 (east-facing, third floor, flat 3)	16%	12%	0.75	0%	0%	1
138 (" ")	18%	14%	0.78	0%	0%	1
168 (east-facing, third floor, flat 3)	19%	15%	0.79	1%	1%	1
170 (" ")	19%	15%	0.79	1%	1%	1
172 (" ")	19%	14%	0.74	1%	1%	1

Table 6: Sunlight failure figures for 13-14 Great Sutton Street

10.101 With regard to sunlight, APSH failures are predicted for five (but not all) of the east-facing windows serving flat 3, however winter failures are not predicted.

10.102 There are five flats at 18 Clerkenwell Road. These flats are understood to benefit from dual aspect, having north- and south-facing windows.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
52 (north-facing, second floor)	21.2%	16%	0.75	100%	61%	0.61
53 (" ")	23%	17.4%	0.76	100%	61%	0.61
55 (north-facing, third floor)	30.2%	23.9%	0.79	100%	97%	0.97
62 (north-facing, second floor)	25.1%	19.2%	0.76	100%	49%	0.49
63 (" ")	25.1%	19.6%	0.78	100%	49%	0.49

Table 7: Daylight failure figures for 18 Clerkenwell Road

10.103 All five of the windows listed above would fail VSC, and four of those would also fail NSL/DD.

10.104 Opposite the site, 46-47 Great Sutton Street are understood to be 14 serviced apartments.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
204 (south-facing, first floor)	16.5%	12.6%	0.76	98%	66%	0.67
205 (south-facing, second floor)	23.2%	17.6%	0.76	100%	85%	0.85

Table 8: Daylight failure figures for 46-47 Great Sutton Street

10.105 Window 204 would fail VSC and NSL/DD. Window 205 would fail VSC but would pass NSL/DD.

Window	Existing APSH	Proposed APSH	Factor of former value	Existing WPSH	Proposed WPSH	Factor of former value
190 (south-facing, first floor)	39%	31%	0.79	3%	3%	1
191 (" ")	40%	31%	0.78	3%	3%	1
195 (south-facing, third floor)	65%	58%	0.89	12%	9%	0.75
199 (south-facing, first floor)	42%	32%	0.76	3%	3%	1
204 (" ")	46%	33%	0.72	2%	2%	1
205 (south-facing, second floor)	59%	50%	0.85	7%	5%	0.71
206 (south-facing, third floor)	72%	63%	0.88	19%	13%	0.68

Table 9: Sunlight failure figures for 46-47 Great Sutton Street

10.106 For the four windows serving habitable rooms (as categorised by the applicant, although these units are understood to be serviced apartments) that would fail APSH, value differences are not significantly below the 0.8 target, and all these windows would still receive over 25% of annual probable sunlight hours. For three other windows, sub-target winter value differences are predicted, however these windows would still receive 5% of winter hours.

10.107 There is only one Council Tax record for 48 Great Sutton Street, and details of the use and internal layout of this property have not been provided by the applicant. At "48 to 49 Great Sutton Street" the applicant has assessed 19 windows, of which 16 are identified by the applicant as serving habitable rooms.

Window	Existing VSC	Proposed VSC	Factor of former value	Existing NSL/DD	Proposed NSL/DD	Factor of former value
210 (south-facing, first floor)	17.3%	12.7%	0.73	99%	58%	0.59
211 (" ")	18.2%	13.1%	0.72	99%	58%	0.59
212 (" ")	18%	12.9%	0.72	99%	58%	0.59
213 (south-facing, second floor)	24.3%	17.5%	0.72	99%	77%	0.78
214 (" ")	25%	17.7%	0.71	99%	77%	0.78
215 (" ")	25.1%	17.5%	0.7	99%	77%	0.78
216 (south-facing, third floor)	31.5%	24.1%	0.77	99%	99%	1
217 (" ")	32.1%	24.2%	0.75	99%	99%	1
218 (" ")	32.1%	23.9%	0.74	99%	99%	1
221 (south-facing, first floor)	18.3%	13.1%	0.72	100%	55%	0.55
222 (south-facing, second floor)	25.4%	17.8%	0.7	100%	68%	0.68
223 (south-facing, third floor)	32.3%	23.9%	0.74	100%	92%	0.92

Table 10: Daylight failure figures for 48-49 Great Sutton Street

10.108 Of the 12 windows listed in Table 10 above, VSC value differences are not significantly below the 0.8 target, and four would pass NSL/DD (another three would come close).

Window	Existing APSH	Proposed APSH	Factor of former value	Existing WPSH	Proposed WPSH	Factor of former value
210 (south-facing, first floor)	47%	34%	0.72	2%	2%	1
211 (" ")	51%	39%	0.76	3%	2%	0.67
212 (" ")	48%	36%	0.75	2%	2%	1
213 (south-facing, second floor)	59%	48%	0.81	8%	4%	0.5
214 (" ")	61%	48%	0.79	10%	4%	0.4
215 (" ")	62%	48%	0.77	11%	4%	0.36
216 (south-facing, third floor)	74%	61%	0.82	21%	11%	0.52
217 (" ")	75%	62%	0.83	22%	11%	0.5
218 (" ")	75%	62%	0.83	22%	11%	0.5
219 (south-facing, fourth floor)	81%	74%	0.91	28%	21%	0.75
221 (south-facing, first floor)	48%	36%	0.75	2%	1%	0.5
222 (south-facing, second floor)	61%	49%	0.8	11%	4%	0.36
223 (south-facing, third floor)	76%	63%	0.83	23%	11%	0.48

Table 11: Sunlight failure figures for 48-49 Great Sutton Street

- 10.109 Regarding sunlight, at first floor level and above, six windows would have an annual value difference of less than 0.8 (albeit not significantly less than), and no windows would receive less than 25% of annual probably sunlight hours. In terms of winter impacts, five windows would receive less than 5% of winter hours and would have a winter value difference of less than 0.8.

Daylight and sunlight summary

- 10.110 According to the applicant's testing, the majority of infringements against BRE daylight guidance would be minor. Difference values of 0.7 to 0.79 indicate that reductions in daylight would be noticed, however such reductions of between 20% to 30% are generally considered to be a lesser or minor infringement in dense urban areas such as this. It must also be noted that many of the affected habitable rooms are bedrooms, where BRE Guidance states that daylight is of less importance. Some of the affected rooms also have rooms on other elevations, and – if these had been fully taken into account by the applicant – lesser impacts on daylight may have been predicted. It must be noted, however, that some residents of flats in 13-14 Great Sutton Street currently keep curtains drawn behind some windows in order to overcome existing overlooking problems. The deletion of some massing from the rear of the proposed development at second floor level (Revision 2) has improved these impacts to a reasonable and acceptable level. Overall, it is recommended that the predicted impacts upon daylight be accepted.
- 10.111 Regarding sunlight, only one window definitely in residential use (window 6, which serves a third floor residential unit at 5-8 Great Sutton Street) would fail all (annual and winter) aspects of the APSH test. For the other tested windows, impacts are considered to be minor, due to failures being only marginally below the BRE's recommended value difference of 0.8, and/or because not all aspects of the APSH test would be breached (i.e., the BRE's standard for either annual or winter hours, but not both, would be breached). Some losses of sunlight would be experienced by occupants of neighbouring residential properties, however these losses are considered acceptable, and it is again noted that some adjacent properties currently have (and would continue to have) unusually high levels of amenity for such a central location. It is also again noted that the application site is located in a densely-developed part of the borough where some failures against BRE guidance can be accepted. It is not recommended that planning permission be refused on sunlight grounds.

Overshadowing

- 10.112 At paragraph 3.3.7 of the BRE guidance it is suggested that at least 50% of amenity areas should receive at least two hours of sunlight on 21st March, and that a two hours sun contour can be plotted on plans to illustrate a development's impact.
- 10.113 Despite the BRE guidance stating (at paragraph 3.3.3) that "The availability of sunlight should be checked for all open spaces where it will be required", the applicant at paragraph 4.6.1 of the updated Daylight and Sunlight Study has asserted that – as there are no nearby gardens or amenity areas directly to the north of the development – the proposed development would not create any new area which receive less than two hours of sunlight on 21st March. The applicant has not, therefore, carried out overshadowing testing.

- 10.114 While this lack of testing is regrettable, it is noted that the limited outdoor amenity spaces that do in fact exist close to the application site (namely, the roof terraces to the south and east sides of flat 4, 13-14 Great Sutton Street) are located such that they would continue to receive significant levels of natural light. The proposed fifth floor has been setback from the common boundary to limit impacts on these amenity spaces. Although some natural light would be lost, the unusually high level of amenity provided by these roof terraces (and the high level of amenity enjoyed by the residents of flat 4) limits the negative weight to be attached to this shortcoming.
- 10.115 Sunlight at street level is already limited, however some direct sunlight is likely to reach the road surface of Great Sutton Street in summer. The proposed development may result in some losses of this light, however this is considered unlikely to be so significant as to warrant refusal of permission.

Outlook

- 10.116 Outlook – the visual amenity provided by the immediate surroundings of a (usually residential) property, as experienced from its windows or outdoor spaces – can be affected by the close siting of another building or structure, which – depending on its proximity, size and appearance – can create an oppressive, increased sense of enclosure to the detriment of the amenities of rooms in a neighbouring property, particularly those of single aspect dwellings, or those that already have limited outlook. Outlook does not refer to views of a particular landmark or feature of interest, or long views over land not in the ownership of the viewer.
- 10.117 The proposed development would have greater height and massing than the two buildings it would replace. However, it would adhere to the site's existing front building line, and would be set back at fifth floor level. This part of Great Sutton Street has a façade-to-façade distance of approximately 10m. In this relatively densely-developed part of the borough, the proposed height and massing and resultant impact upon the outlook of residential properties to the north is not unusual, and is considered acceptable.
- 10.118 To the rear of the site, the yard's existing width (at ground floor level) of approximately 7.5m would be maintained. The proposed development, from second floor upwards, would be set back from the rear of the site boundary, and further setbacks are proposed at third, fourth and fifth floors. Given these setbacks, although neighbouring residents would look out onto greater massing than they currently do, it is not considered that the outlook of residential properties to the rear (south) would be significantly harmed by the proposed development. The rear yard would be more enclosed by the proposed development, however it is considered that this impact would not be so great as to warrant refusal of planning permission.
- 10.119 The southeast corner of the proposed development would extend beyond the rear building line of block A at 5-8 Great Sutton Street, however this rearward projection would not be significant at second floor upwards, where the neighbouring residential floors are located.



Image 7: existing third floor plan



Image 8: proposed third floor plan

10.120 To the west, habitable room windows and roof terraces face the application site. The proposed lightwell and setbacks, and the lower floor-to-ceiling height proposed for part of the fourth floor (although set behind a mock part of the front elevation at the site's northwest corner), would limit the massing along the site's western edge adjacent to 13-14 Great Sutton Street, however the proposed development would come slightly closer to these neighbouring windows and roof terraces and would rise higher than the existing building, and there would therefore be some loss of outlook which must weigh negatively in the balance of planning considerations relevant to this application. This negative weight, however, is limited by the fact that the abovementioned trimmed massing, lightwell and setbacks (including the significant setback at fifth floor level) would ensure that adverse impacts upon outlook would not be significant. It must also be noted that flat 4, 13-14 Great Sutton Street (a quadruple aspect duplex unit with roof terraces) has an unusually high level of amenity for such a central location, and that outlook from the roof terraces over the street and southwards would still be unobstructed. The two flats below would also continue to benefit from triple or quadruple aspect, and rear balconies.

10.121 Outlook from the non-residential buildings surrounding the application site would not be significantly affected by the proposed development, and in any case the amenities of such non-residential uses are not normally afforded the same level of protection as that appropriate to residential properties.

10.122 In summary, the proposed development would not be overbearing or lead to an unacceptable sense of enclosure for neighbouring occupiers, except – to an extent – in relation to 13-14 Great Sutton Street, where the impacts identified above must weigh negatively in the balance of planning considerations.

Privacy

10.123 Paragraph 2.14 of Islington's Development Management Policies states that "To protect privacy for residential development and existing residential properties, there should be a minimum distance of 18m between windows of habitable rooms. This does not apply across the public highway – overlooking across a public highway does not constitute an unacceptable loss of privacy". In the application of this policy,

consideration must be given to the nature of views between habitable rooms – for instance, where views between habitable rooms would be oblique as a result of angles or height differences between windows, there may be no harm.

- 10.124 Paragraph 2.3.36 of the Mayor of London's Housing SPG states that such minimum distances "can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density". This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor's guidance does not override Islington's Development Management Policies, and there remains a need to ensure that proposed developments maintain adequate levels of privacy for neighbouring residents.
- 10.125 The proposed development includes no residential accommodation or habitable rooms, therefore the 18m requirement does not necessarily apply. Nevertheless, there is potential for office windows to adversely affect the privacy of neighbouring residential properties.
- 10.126 For neighbouring residents to the north, the proposed development would increase the number of windows facing the street but would not bring office windows closer, and the façade-to-façade distance of approximately 10m would be maintained. It is therefore considered that the privacy of those properties – most of which are in non-residential use or are understood to be serviced apartments – would not be significantly reduced.
- 10.127 Residents to the south would look out onto an increased number of windows (as illustrated by images 5 and 6 in this report) and windows at levels where there currently are none. At parts of the site, proposed south-facing windows would come closer to neighbouring windows. Although this aspect of the proposed development raises the possibility of increased overlooking to the south, given the number of south-facing windows that already exist, and given likely hours that the proposed offices and the bedrooms opposite would be used (although it is noted that these hours would not be controlled), this risk and impact is not considered so great as to warrant refusal of planning permission.
- 10.128 To reduce overlooking of flats to the west at 13-14 Great Sutton Street, the applicant has proposed obscure glazing to six new windows (at second and fourth floors) that would face those existing residential habitable room windows, and no windows are proposed at third floor level, as illustrated in image 9 below. These measures are considered appropriate to ensure that the privacy of neighbouring residents is protected, and the retention of the obscure glazing would be secured by recommended condition 9.



Image 9: proposed west elevation



Photograph

- 10.129 Inset front balconies are proposed at first to fourth floors. These would not provide large areas for sitting out. The impacts of these outdoor spaces upon the amenities of properties to the north would be similar to those of the proposed front windows, and these impacts are similarly considered acceptable.
- 10.130 A roof terrace is proposed at second floor level at the rear of the proposed development, however this would not extend across the full width of the site to its southwest corner. A smaller roof terrace is proposed at third floor level at the site's southeast corner. Roof terraces are proposed at fifth floor level at the front and rear, and for these outdoor spaces 1.8m-high privacy screens are proposed approximately 5.5m away from the common boundary with 13-14 Great Sutton Street. Given the locations of the proposed terraces and privacy screens, given that parts of the roof of 9-10 Great Sutton Street are already used as a roof terrace by office staff, and given that conditions are recommended to ensure neighbouring amenity impacts are limited, it is considered that the proposed roof terraces are acceptable. Recommended condition 9 requires the retention of the abovementioned screening, condition 10 restricts the use of the roof terraces to the same weekday hours as those considered appropriate for the Farmiloe site on St John Street (and to fewer hours than those approved in 2013 for the existing roof terrace at 9-10 Great Sutton Street), and condition 16 restricts the use of the green roofs of the proposed development as outdoor amenity spaces for staff.

Light pollution

- 10.131 Residents have expressed concern that, given the proposed number and proximity of windows, light emanating from the proposed development (particular from the rear, affecting existing bedrooms surrounding the rear yard) would adversely affect neighbour amenity. It is noted that – for light pollution reasons – one resident of 13-14 Great Sutton Street already keeps curtains to her east-facing window closed when the existing offices are in use late at night.
- 10.132 Normal office hours are unlikely to require internal lighting of the proposed development late into the evenings, however – to enable flexible use of the proposed

office floorspace – it is not recommended that the hours of occupation of the development be restricted. This raises the possibility of late night light pollution occurring, should office staff need to work outside normal office hours. To address this, the applicant already proposes the use of daylight and occupancy sensors for the development's internal lighting, and blinds can additionally be used. Condition 8 requires the submission of details of such measures to address light pollution concerns.

Noise

- 10.133 The application site is located in an area subject to traffic noise. The area has a mix of commercial and residential uses located in close proximity to one another.
- 10.134 Although the proposed development would intensify the use of the site, the proposed development is not considered inappropriate in terms of the additional activity that would be introduced to the street and area, and the continued office use (and introduced retail use) of the site is considered appropriate, given the limited noise outbreak normally associated with such uses. Recommended condition 10 would limit noise nuisance related to the use of the proposed roof terraces. Additional sound insulation to 13-14 Great Sutton Street (beyond any that may be required under the Building Regulations) is not considered necessary.
- 10.135 To address potential noise caused by any rooftop plant that may be proposed in the future in relatively close proximity to residential uses, a condition is recommended. This relates to the provision of appropriate noise control measures (condition 27), to ensure that plant would not lead to unacceptable disturbance to neighbouring occupiers.

Other environmental impacts

- 10.136 It is acknowledged that – due to the constraints of the site, the narrowness and likely acoustics of Great Sutton Street and the yard behind the site, and the proximity of residential properties and other sensitive uses – there is certainly potential for demolition and construction works to significantly impact upon the amenities of neighbouring occupants.
- 10.137 To address potential disturbance and environmental impacts during construction (the duration of which has not been – and is not required to be – specified by the applicant), a condition (condition 24) is recommended requiring the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) to address noise, dust and other potential environmental impacts. The CEMP will also need to account for potential cumulative impacts, should any planning permissions for developments at nearby sites (such as the Hat and Feathers PH site) be implemented or progressed at the same time.
- 10.138 The Section 106 agreement referred to in Appendix A would ensure that construction is carried out in compliance with the Code of Construction Practice. Outside planning control there are further controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.
- 10.139 Neighbouring commercial and residential occupants have made differing comments as to what hours of works would be appropriate. The council's Code of Construction

Practice normally restricts noisy works to between 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays to ensure amenity impacts are limited. The comments of the television production company (Zig Zag) at 13-14 Great Sutton Street are noted, however the suggested overnight and weekend hours of works would significantly and unacceptably impact upon neighbouring residential amenity.

- 10.140 Although adjacent outdoor spaces (the street and rear yard) are narrow, given the proposed height of the proposed development, problems related to wind are not expected.

Neighbour amenity summary

- 10.141 The cumulative impacts caused by the proposed development must also be considered. Where a neighbouring property is predicted to lose natural light, that impact may be compounded or more acutely felt if the same property would also lose (or has limited) outlook, for example.
- 10.142 Regard must also be had, however, to the application site's central, dense location, where it is reasonable to assume expectations of unusually high levels of amenity would be lower than in less dense, suburban areas. In this context, and given the need to ensure efficient and optimised use of accessible sites, it is considered that some infringements of standards and requirements set out in relevant planning policies and guidance could be accepted. This reduces the weight to be attached to the proposed development's adverse impacts identified above.
- 10.143 Given the above assessment, while it is noted that the proposed development would cause some adverse impacts that must weigh negatively in the balance of planning considerations, it is not considered that they – either individually or cumulatively – are so significant as to warrant refusal of permission on neighbour amenity grounds. Many of the identified impacts are limited by site circumstances such as the unusually high levels of amenity provided by some neighbouring properties. Overall, a good level of neighbour amenity would be maintained by the proposed development. On the basis of this assessment, refusal of permission is not recommended on amenity grounds, however conditions and Section 106 clauses will need to be applied to protect amenity during both the development's demolition/construction and operational phases.

Financial Viability

- 10.144 At pre-application stage officers advised the applicant that no weight can be given to arguments for policy non-compliance on cost grounds unless financial viability information is submitted. No such information has been submitted with the current application.

Sustainability, Energy Efficiency and Renewable Energy

- 10.145 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.
- 10.146 Further planning policies relevant to sustainability are set out in chapter 5 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.

- 10.147 The council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Carbon dioxide calculations must include unregulated, as well as regulated, emissions, in accordance with Islington's policies.
- 10.148 Islington's Core Strategy policy CS10 (part A) states that all major development should achieve an on-site reduction in total (regulated and unregulated) carbon dioxide emissions of at least 40% in comparison with total emissions from a building which complies with the Building Regulations 2006, unless it can be demonstrated that such provision is not feasible. This 40% saving is equivalent to a 30% saving compared with the 2010 Building Regulations, and 27% compared with the 2013 Building Regulations. A higher saving (50% in comparison with total emissions from a building which complies with the Building Regulations 2006, which translates into a 39% saving compared with the 2013 Building Regulations) is required of major development in areas where connection to a decentralised energy network (DEN) is possible. Development Management Policy DM7.3 requires all major developments to be designed to be able to connect to a DEN, and connection is required if a major development site is within 500m of an existing or a planned future DEN.
- 10.149 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

Carbon dioxide emissions

- 10.150 The applicant's Energy and Sustainability Statement (Mecserve, issue 4.0, August 2016) and subsequent responses dated 08/12/2016, 13/02/2017 and 20/06/2017 confirm that the proposed development would achieve a reduction in regulated CO₂ emissions of 38.5% against the 2013 Building Regulations, and is therefore compliant with the relevant London Plan policy. For total (regulated and unregulated) emissions, a 29.4% reduction against the 2013 Building Regulations would be achieved, meeting the 27% saving required by Islington's policies (note that the 27% requirement, rather than the 39% requirement, is applicable as it is accepted that the development cannot connect to a DEN). This saving would be achieved through lowering U-values, improved airtightness, the installation of PV at roof level and other measures. In the light of comments from the council's Energy Conservation Officer, and given the constraints of the site, it is accepted that a greater saving could not be achieved.

- 10.151 Remaining carbon dioxide emissions would need to be offset with a payment of £53,820. It is recommended that this be included in a Section 106 agreement associated with any permission granted for the proposed development.
- 10.152 The Bunhill decentralised energy network (DEN) currently extends to within 150m of the application site. The applicant was therefore advised at pre-application stage that connection would be required. At application stage, however, the applicant explained that the proposed development would generate very little heating and hot water demand, that the efficiency of the proposed heating system is very high, and that the carbon emission rate of the DEN would not be significantly lower than that of the proposed on-site solutions (which include air source heat pumps). On the basis of this information, the council's Energy Conservation Officer has accepted that the proposed development's heat loads are too low to enable a viable connection to the DEN. It must be noted, however, that this conclusion has been based on technical viability information, rather than financial viability considerations (which cannot be taken into account without the submission of financial viability information by the applicant). It is recommended that future-proofing of the proposed development for future connection to the DEN be addressed and secured via the necessary Section 106 agreement. The applicant has confirmed that sufficient space can be reserved at basement level for the heat exchange plates and pipework required for future connection.
- 10.153 Given that no connection to the DEN is proposed, the applicant was required to explore the potential for a Shared Heating Network (SHN) linking nearby developments and/or existing buildings, as required by part D of Development Management Policy DM7.3. The applicant has provided information regarding the proposed development and its low heat demand, and the lack of sources of surplus heat in the surrounding area. This has been accepted by the Energy Conservation Officer as adequate justification for not establishing an SHN in connection with the proposed development.
- 10.154 In accordance with a request from officers, an Overheating Assessment, providing details of dynamic thermal modelling of the proposed development, was submitted by the applicant on 08/06/2017. The findings of this document are accepted.
- 10.155 Mechanical (active) cooling is proposed by the applicant. This would comprise reversible air source heat pumps. The use of active cooling is not usually supported unless evidence is provided to demonstrate that technologies from the higher levels of the London Plan cooling hierarchy cannot deliver sufficient heat control. The applicant has, however, submitted details of the passive cooling measures proposed as part of the development, and has argued that there would still be a residual risk of overheating that necessitates active cooling. The council's Energy Conservation Officer has accepted this argument, and it is noted that a high-efficiency active cooling system has been specified by the applicant.

Sustainability

- 10.156 The applicant proposes various measures in relation to sustainability and relevant planning policies, including a blue roof with a green roof surface at the top of the building, blue roofs beneath the proposed roof terraces, and measures relating to water efficiency. The applicant proposes to achieve BREEAM "Excellent", and a condition securing this is recommended (condition 21).
- 10.157 Additional commitments relating to sustainable materials were set out in the applicant's response (received 08/12/2016) to the Sustainability Officer's comments, and this response document is listed in **Page 158** to ensure its commitments are secured. A

further condition (3) is recommended to secure the submission and approval of a Green Procurement Plan.

- 10.158 It is also recommended that the applicant be required (via a Section 106 agreement) to sign up to Islington's Code of Construction Practice.
- 10.159 A draft Green Performance Plan (GPP) has been submitted with the application. This is considered to be acceptable as a draft, however a full GPP would need to be secured via a Section 106 agreement.

Trees, landscaping and biodiversity

- 10.160 The application site has no trees, and there are no street trees immediately outside the site. The applicant's ecological site walkover report found that the site has negligible potential for breeding birds or bats, that the site's potential for protected species was negligible or none, and that the redevelopment of the site would have no impact on biodiversity.
- 10.161 Measures to increase the site's currently-limited biodiversity interest, including through the installation of log piles for invertebrates, and bird and bat boxes, are secured by recommended condition 15.
- 10.162 The submitted roof plan shows areas of green roof. In the response document received on 08/12/2016 the applicant confirmed that the green roof would extend beneath the PV array. A condition (condition 16) is recommended, requiring the maximisation of green roof provision, and requiring the green roofs to meet the council's standard requirements as set out in Islington's Environmental Design SPD. There is otherwise little scope for significant soft landscaping as part of the proposed development.

Drainage

- 10.163 The applicant's submission lacked detail regarding sustainable urban drainage. Development Management Policy DM6.6 requires major developments to incorporate Sustainable Urban Drainage Systems (SUDS) and to be designed to reduce flow to a "greenfield rate" of run-off (8 litres/second/hectare) where feasible. Where it is demonstrated that a greenfield run-off rate is not feasible, rates should be minimised as far as possible, and the maximum permitted run-off rate will be 50 litres/second/hectare (l/s/ha).
- 10.164 The applicant suggested that these matters be dealt with at conditions stage, however officers have consistently argued that drainage is a key consideration that should have informed the design of the proposed development, and it is noted that other applicants have experienced difficulty in meeting the requirements of policy DM6.6 at a later design stage. The applicant submitted a Storm Water Management report (IWS Design, issue 04, June 2017) on 28/06/2017. This states that a run-off rate of 35l/s/ha would be achieved, which exceeds the target greenfield run-off rate, but is within the upper limit (50l/s/ha) of policy DM6.6. This is considered acceptable given the constraints of the site, and it is accepted that a better run-off rate cannot be achieved in this particular case. It is noted that the proposed development would reduce the extent of the site covered by impermeable surfaces, and that the proposed green and blue roofs would certainly improve the site's existing run-off rate which is very poor. A condition (17) securing the applicant's proposed drainage measures (and run-off rate of 35l/s/ha) is recommended.

- 10.165 The improved run-off rate would go some way towards addressing the comments of Thames Water regarding surface water and ground water discharge.

Highways and Transportation

- 10.166 Policies relevant to highways and transportation are set out in section 4 of the NPPF and chapter 6 of the London Plan. Islington's Core Strategy policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Detailed transport policies are set out in chapter 8 of Islington's Development Management Policies.

Existing conditions

- 10.167 Great Sutton Street subject to a 20mph speed limit and is a one-way street, with vehicular traffic moving east to west. There are pavements on both sides of the street.
- 10.168 Double yellow lines exist directly outside the application site, and there are single yellow lines, residents' parking / pay-at-machine and solo motorcycle parking spaces along Great Sutton Street's north kerb. The site is within a Controlled Parking Zone.
- 10.169 The site has a Public Transport Accessibility Level (PTAL) of 6b. There are bus stops nearby on Goswell Road and Clerkenwell Road. The nearest tube/railway stations are Barbican and Farringdon. A cycle lane has been marked along stretches of Clerkenwell Road.
- 10.170 Both the application site's buildings back onto a rear yard which has vehicular access from Clerkenwell Road and Berry Street, and from which several neighbouring buildings can be serviced. There are no dropped kerbs directly outside the site on Great Sutton Street.
- 10.171 There are bollards along Great Sutton Street's south pavement, directly outside the application site.

Trip generation, parking and cycle parking

- 10.172 The applicant's Transport Statement details the transportation and highways implications of the proposed development.
- 10.173 In terms of person trip generation, the applicant's consultant expects there to be no material change in numbers associated with the proposed B1 use, given what the consultant considers to be a minimal increase in floor area. Although this conclusion was made prior to the applicant's amendments and corrections to floorspace figures, officers are of view that – noting the potential employee numbers outlined earlier in this report – the consultant's conclusions remain largely valid. For the proposed A1 retail space, the consultant concluded that the majority of trips would be of a pass-by or linked nature, that the majority of these trips are expected to already be taking place in the vicinity, and that the A1 retail use is unlikely to have any impact in transport terms. Although officers note that some A1 uses can be unique and/or specialist destinations that attract large numbers of customers from a large catchment area, the scenario predicted by the applicant's consultant is considered more likely, and person trips are not likely to significantly increase, should the proposed development be built.
- 10.174 The applicant did not provide a full assessment (including predicted numbers for each mode of transport) of vehicular trip generation for the proposed development, but noted

that there would be some vehicle activity associated with the development, and that the increased number of trips would be so low as to be imperceptible. Officers agree with this conclusion. While predicted numbers of trips and a modal breakdown would have been useful, given the relatively small increases in floorspace proposed, and the likely increases in employment numbers, it is not considered necessary to require detailed trip generation information at this stage. Given existing conditions around the site, the site's public transport accessibility, and the applicant's proposals for on-site cycle parking (and no on-site car parking), it is considered that the majority of trips to and from the proposed business floorspace would involve sustainable modes of transport. It is further considered that the proposed development would have little, if any, additional adverse impact on local highways and public transport.

- 10.175 The proposed development would be car-free in accordance with Core Strategy policy CS10 and Development Management Policy DM8.5. Accessible parking is discussed earlier in this report.
- 10.176 At basement level a store for 20 cycles and one accessible cycle is proposed, adjacent to lockers and two showers. At ground floor level a separate store, accommodating six cycles and one accessible cycle, is proposed. In accordance with the standards set out at Appendix 6 of the Development Management Policies, for 1,756sqm (GIA) of B1 office floorspace, 22 cycle spaces and one accessible cycle parking space would be required. For the proposed 272sqm (GIA) of A1 retail floorspace, five cycle spaces and one accessible cycle parking space would be required. Both stores would be accessible from the street or via the proposed lift, and would be covered and secure. The proposed shower and changing facilities are considered acceptable, although clarification is needed as to whether these would be accessible to staff of the A1 retail unit. This matter and the small shortfall in cycle parking spaces for the B1 office use can be addressed via recommended condition 13, which also secures the overall provision of the cycle stores and facilities. TfL have asked for short-stay cycle parking spaces to be provided on-street or in a publicly-accessible area, however cycle parking hoops are already available outside 36-43 Great Sutton Street, and there is little or no space available closer to the application site where additional facilities could be provided without causing obstruction to pedestrians. The proposed internal lift (which would be used by office staff to access the basement cycle store) would be 1400mm by 2000mm which is smaller than the 1200mm by 2300mm required by TfL, and recommended condition 13 requires an increase in the size of the lift.
- 10.177 A draft Workplace Travel Plan has been submitted. This would encourage the use of more sustainable modes of transport. It is recommended that a requirement for a detailed, updated travel plan be included in a Section 106 agreement associated with any permission granted for the proposed development.

Other highways considerations

- 10.178 It is likely that footway and highway reinstatement works would be necessary following completion of the proposed development. This matter is referred to in the recommended Section 106 Heads of Terms.
- 10.179 The quality of the existing pedestrian environment surrounding the application site has been assessed by the applicant's consultant using Pedestrian Environment Review System (PERS) methodology, and the findings are set out in a standalone document. Although the consultant generally found the pedestrian environment to be positive, some deficiencies were noted, and these findings could inform future decisions as to where CIL moneys associated with the proposed development could be spent.

- 10.180 It is recommended that a Demolition and Construction Management and Logistics Plan (DCMLP) be secured by condition (23). This would additionally need to account for potential cumulative impacts and logistics implications, should any planning permissions for developments at nearby sites (such as the Hat and Feathers PH site) be implemented or progressed at the same time.

Servicing

- 10.181 The applicant's Transport Statement states that the yard to the rear of the application site is currently used infrequently for servicing, with most servicing carried out on-street from Berry Street and Great Sutton Street. The yard, however, can accommodate vehicles as large as 3.5t vans.
- 10.182 The applicant has states that servicing of the proposed development would be undertaken "on-site and on-street, as per the existing situation". As the proposed building would occupy all of the site, it is not clear how servicing could be carried out "on-site" and it is understood that this actually refers to servicing from the rear yard. The applicant predicts that deliveries will be undertaken predominantly by motorcycle, light panel vans or box vans, and that the proposed development would generate approximately three to four office deliveries per day. The proposed retail floorspace is predicted to generate an average of approximately one or two deliveries per day. The applicant believes these deliveries do not represent a material increase in comparison to the existing situation, and that there will be little or no material impact on the surrounding highway network. Officers agree with this conclusion, and it is noted that future servicing from the rear yard can be carried out with vehicles arriving and exiting in a forward gear, and that limited on-street servicing from legally parked vehicles is unlikely to adversely affect highway safety or neighbour amenity. It is, however, recommended that the submission, approval and implementation of a Delivery and Servicing Management Plan (DSMP) including a Waste Management Plan (WMP) be secured by condition (25). The risk of conflicts between servicing vehicles and buses using the bus stop on Clerkenwell Road is unlikely to be worsened by the proposed development, however this matter would be considered further when a submission is made pursuant to condition 25.
- 10.183 The proposed refuse and recycling stores are considered adequate, and are compliant with the council's current Recycling and Refuse Storage Requirements (June 2013). The stores are adequately sized to ensure that waste need not be stored outside in the rear yard. Both the office and retail stores would be located at ground floor level, and both would be accessed from the same corridor – this means that staff of the retail unit would have to bring waste out of the building and in through the office reception or back door, which is not ideal, and an amending condition (26) is recommended, requiring the provision of direct internal access to the retail unit's store.

Fire Safety

- 10.184 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire.
- 10.185 The London Fire and Emergency Planning Authority and the council's Building Control team have commented on the proposed development. Neither consultee has raised an objection to the proposed development in principle. It is noted that fire brigade access to more than 15% of the site's perimeter (from the street) would be available, and that a protected firefighting shaft (Page 162) required as no floor level is proposed above

18m (above street level). The proposed refuse/recycling and mobility scooter stores will need fire-rated enclosure and appropriate ventilation to the outside. The proposed external materials for the new building's elevations are not known to be flammable.

- 10.186 Queries have been raised, however, regarding means of escape (an alternative means of escape is required for every storey above 11m), the required separation of the single staircase between basement and ground level (the main staircase should not extend down to basement level), and the extent of unprotected area (justification and calculation will be required in relation to the extent of unprotected area in the proposed front elevation in relation to the street's width). Although these are matters relevant to the Building Regulations, their solutions may have implications relevant to planning, and the applicant's response is awaited. An informative (6), advising the applicant to contact the council's Building Control team in relation to fire safety, and to refer to the comments of the London Fire and Emergency Planning Authority dated 07/11/2016 (in which advice regarding the use of sprinklers was provided), is recommended.

Contaminated Land and Air Quality

- 10.187 Parts of the site have previously been in industrial use. The applicant's Phase 1 Desk Top Study confirms that previous uses since 1877 included factories and engineers' premises.
- 10.188 The council's Pollution Team noted that the site is covered in hardstanding, and that the proposed development does not include residential use and would not change the sensitivity of the receptors at this site. The applicant's Phase 1 Desk Top Study recommends that a watching brief is kept during demolition and ground works, however the council's Pollution Team did not recommend conditions related to contaminated land.
- 10.189 The whole of the borough has been designated by the council as an Air Quality Management Area. It is recommended that, for the proposed development's construction phase, the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including in relation to air quality, dust, smoke and odour) be secured by condition (condition 24). This would help ensure that the proposal would not detrimentally impact upon the amenity of the neighbouring occupiers with regard to air quality. Emissions from non-road mobile machinery would also need to be addressed in submissions made pursuant to condition 24.
- 10.190 The proposed development includes no on-site combined heat and power (CHP) facility or other potentially significant source of air pollution. For the development's operational phase, therefore, it is considered that conditions controlling emissions are not necessary. The council's Pollution Team has not recommended amendments or a condition relating to staff exposure to poor quality air.

Planning Obligations, Community Infrastructure Levy and Local Finance Considerations

Community Infrastructure Levy

- 10.191 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the

Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.192 Islington CIL of £61,912.16, and Mayoral CIL of £35,773.99, would be payable in relation to the proposed development.

Section 106 agreement

10.193 Prior to and following the amendment of the proposals, officers advised the applicant that a Section 106 agreement including relevant Heads of Terms would be necessary in order to mitigate the impacts of the proposed development. The necessary Heads of Terms are:

- Payment towards employment and training for local residents of a commuted sum of £3,780.
- A contribution towards Crossrail of £63,960 (from which the abovementioned Mayoral CIL would be deducted).
- A contribution towards provision of off-site affordable housing of £45,120.
- The repair and reinstatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of one work placement. The placement must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage. If this placement is not provided, a fee of £5,000 to be paid to the council.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,028, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of one additional accessible parking bay or a contribution towards bays or other accessible transport initiatives of £2,000.
- A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total amount: £53,820.
- Future-proofing of any on-site heating/hot water system so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Submission of a draft full Travel Plan for council approval prior to occupation, and of a full Travel Plan for council approval six months from first occupation of the development or phase (provision of Travel Plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

- 10.194 All payments to the council would be index-linked from the date of Committee and would be due upon implementation of the planning permission.
- 10.195 On 29/06/2017 the applicant's agent agreed to the drafting of a Section 106 agreement based on the above Heads of Terms.

National Planning Policy Framework

- 10.196 Paragraph 17 of the NPPF sets out 12 core planning principles that should underpin decision-taking. The current proposal is strong in relation to the principles relating to the reuse of land, promoting mixed-use development and achieving high quality design. With the recommended conditions and Section 106 agreement, the proposed development would go some way towards addressing the NPPF's core principle related to addressing climate change. The proposal is not considered to be fully compliant in relation to the principle relating to achieving a good standard of amenity for existing occupants.
- 10.197 In the final balance of planning considerations set out below, officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

Other Matters

- 10.198 Given that the applicant no longer proposes excavation of the site, the submission and assessment of details explaining how the proposed development would comply with the council's Basement Development SPD is not necessary. If, however, it transpires that the applicant's proposals need to change, and should excavation need to be carried out, recommended condition 20 would require details of these works to enable proper consideration of the likely impacts where relevant to planning, including in relation to the comments of Thames Water regarding piling.
- 10.199 The impact of the proposed development upon adjacent property values is not a material planning consideration, and planning permission cannot be withheld on these grounds.
- 10.200 Any damage to neighbouring properties during demolition and construction work is primarily a civil matter to be resolved by the parties involved, however recommended condition 23 requires the submission of a Demolition and Construction Management and Logistics Plan. This should ensure the developer gives consideration to the risk of damage to neighbouring property.
- 10.201 Party wall matters, and the costs involved in any necessary surveys, are not material planning considerations.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The benefits of the proposed development must be noted. These include the re-use of an underused site, the replacement of the existing floorspace with a higher quality, more accessible and more flexible employment space (and an uplift in office floorspace of 282sqm GIA, 117sqm NIA), the provision of a ground floor A1 retail unit with an active frontage, and the reduction of impermeable surfaces at the site. CIL

contributions towards transport and other infrastructure, although required in order to mitigate the impacts of the development, would also benefit existing residents and visitors to the area. A financial contribution towards affordable housing in the borough, and a construction-phase work placement, would be secured through a Section 106 agreement.

- 11.2 These benefits must, however, be weighed against the shortcomings of the proposed development, the material harm that the proposed development would cause, and the development's non-compliance with development plan policies. Officers' primary concerns relate to the impacts of the proposed development upon the amenities of some neighbouring properties, and the quality of the B1 office accommodation in the basement.
- 11.3 The comments made by residents and neighbouring businesses have been considered, as have responses from consultee bodies.
- 11.4 It must be noted that the statutory starting point in the council's assessment of planning applications is to assess them against all relevant Development Plan policies and other material considerations, then to determine them in accordance with the plan as a whole unless material considerations indicate otherwise.
- 11.5 In this case, the benefits of the proposed development (as amended) have been given due consideration, and are considered to outweigh those shortcomings of the development which cannot be adequately mitigated through the use of conditions and the provisions of a Section 106 agreement.
- 11.6 In conclusion, given the proposed development's adequate level of compliance with planning policies (including those of the NPPF and the London Plan), it is recommended that planning permission be granted.

Conclusion

- 11.7 It is recommended that planning permission be granted subject to conditions and Section 106 agreement Heads of Terms as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- Payment towards employment and training for local residents of a commuted sum of £3,780.
- A contribution towards Crossrail of £63,960 (from which Mayoral CIL would be deducted).
- A contribution towards provision of off-site affordable housing of £45,120.
- The repair and reinstatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of one work placement. The placement must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage. If this placement is not provided, a fee of £5,000 to be paid to the council.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,028, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of one additional accessible parking bay or a contribution towards bays or other accessible transport initiatives of £2,000.
- A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total amount: £53,820.
- Future-proofing of any on-site heating/hot water system so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Submission of a draft full Travel Plan for council approval prior to occupation, and of a full Travel Plan for council approval six months from first occupation of the development or phase (provision of Travel Plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

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

ALTERNATIVELY should this application be refused (including refusals on the direction of the Secretary of State or the Mayor of London) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure 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:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans and documents list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>G100_P_00_003 G100_P_AL_001 G200-P-B1-001 rev H G200-P-00-001 rev H G200-P-01-001 rev J G200-P-02-001 rev J G200-P-03-001 rev J G200-P-04-001 rev F G200-P-05-001 rev F G200-P-RF-001 rev F G200_E_N_001 rev A G200_E_S_001 rev A G200_E_W_001 rev A G200_E_E_001 rev A G200_S_AA_001 rev B G200_S_BB_001 rev A</p> <p>Schedules of Areas – Proposed (rev B, Squire and Partners, 01/06/2017) Planning Statement (Savills, August 2016) Design and Access Statement (Squire and Partners, August 2016) Daylight and Sunlight Study (Page 168) (Light Consulting, 08/06/2017)</p>

	<p>Transport Statement (TTP Consulting, August 2016)</p> <p>PERS Audit (TTP Consulting, October 2016)</p> <p>Draft Workplace Travel Plan (TTP Consulting, August 2016)</p> <p>Delivery and Servicing Plan (TTP Consulting, August 2016)</p> <p>Construction Management and Site Waste Management Plans (Clancy Consulting, 19/08/2016)</p> <p>Historic Environment Assessment (MoLA, January 2017)</p> <p>Structural Engineers Report (Sinclair Johnston, May 2017)</p> <p>Energy and Sustainability Statement (Mecserve, issue 4.0, August 2016) as amended by Response to Sustainability Officer Comments (Mecserve, received 08/12/2016) email from Aimee Squires (Savills, 13/02/2017, 12:45) and Further Response to Energy Officer's Comments (Mecserve, received 20/06/2017)</p> <p>Overheating Assessment (Mecserve, issue 02, June 2017)</p> <p>Storm Water Management report (IWS Design Limited, issue 04, June 2017)</p> <p>Ecological Site Walkover Letter Report (Greengage, 04/10/2016)</p> <p>Utilities Statement (Mecserve, August 2016)</p> <p>HIA Screening document (undated)</p> <p>Phase I Desk Top Study (Chelmer Consultancy Services, March 2016)</p> <p>REASON: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and samples (Details)</p> <p>CONDITION: A Green Procurement Plan for sourcing the materials to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste. The materials shall be procured and the development shall be carried out strictly in accordance with the Green Procurement Plan so approved.</p> <p>Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details and samples shall include:</p> <ul style="list-style-type: none"> a) brickwork, bond (to be Flemish or English) and mortar courses; b) special rubbed/carved bricks; c) white stone; d) metal cladding panels (including details of the edge and seams/gap treatments, method(s) of fixing, and any profiling); e) windows and doors; f) bronze balustrades; g) roofing materials; and h) any other materials to be used on the exterior of the development. <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and contributes positively to the significance of heritage assets in accordance with</p>

	<p>policies 5.3, 7.4, 7.5, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS7, CS9 and CS10 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1, DM2.3 and DM7.4 of Islington's Development Management Policies 2013.</p>
4	<p>Roof-level structures (Details)</p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene, the character and appearance of the area, or the settings and significance of heritage assets in accordance with policies 7.4, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS7 and CS9 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
5	<p>Window and door reveals (Compliance)</p> <p>CONDITION: All windows and doors in elevations other than the front elevation of the development hereby approved shall be set within reveals no less than 200mm deep unless otherwise agreed in writing by the Local Planning Authority. Windows and doors in the front elevation of the development hereby approved shall be set within deeper reveals as shown in the drawings and images hereby approved.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard, to ensure sufficient articulation in the elevations, and to ensure that the development enhances the settings and significance of heritage assets in accordance with policies 7.4, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS7 and CS9 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
6	<p>External pipes, cables and CCTV (Compliance and Details)</p> <p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>Notwithstanding the drawings hereby approved, no CCTV cameras or related equipment and installations are hereby approved.</p>

	<p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard, and to ensure that the development enhances the settings and significance of heritage assets in accordance with policies 7.4, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS7 and CS9 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
7	<p>Shopfront display (Compliance)</p> <p>CONDITION: The ground floor glazing to the front elevation of the development hereby approved shall not be painted, tinted or otherwise made obscure, and fixtures and fittings which may obscure visibility above a height of 1.4m above finished floor level shall not be placed within 2m of the inside of the window glass unless otherwise agreed in writing by the Local Planning Authority.</p> <p>No fixtures, fittings or window display items shall be placed over the rooflights (serving the basement office floorspace) to the floor of the ground floor A1 retail unit hereby approved.</p> <p>REASON: In the interests of pedestrian security, to secure passive surveillance, to secure and appropriate street / public realm frontage and appearance, to prevent the creation of dead / inactive frontages, and to ensure natural light reaches the basement office floorspace in accordance with policies 7.1, 7.3, 7.4, 7.5 and 7.6 of the London Plan 2016, policies CS7, CS8 and CS9 of Islington's Core Strategy 2011, policies BC7 and BC8 of the Finsbury Local Plan 2013 and policies DM2.1 and DM4.8 of Islington's Development Management Policies 2013.</p>
8	<p>Security and general lighting (Details)</p> <p>CONDITION: Notwithstanding the approved drawings listed under condition 2, details of general or security outdoor lighting (including full specification of all luminaries, lamps and support structures) and measures to prevent losses of amenity caused by internal illumination shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and future habitats from undue light-spill in accordance with policies 7.3, 7.5, 7.13 and 7.19 of the London Plan 2016, policies CS9, CS10 and CS15 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM6.5 of Islington's Development Management Policies 2013.</p>
9	<p>Obscure glazing and screening (Compliance)</p> <p>CONDITION: The obscure glazing to six west-facing windows and the 1.8 high screening to roof terraces shown on the drawings hereby approved shall be installed prior to first occupation, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local</p>

	<p>Planning Authority.</p> <p>REASON: To prevent overlooking of and loss of privacy to neighbouring residential properties, to ensure that the resulting appearance and construction of the development is to a high standard, and to ensure that the development is in accordance with policy 7.6 of the London Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
10	Roof terraces (Compliance)
	<p>CONDITION: The roof terraces of the development hereby approved shall not be used except between the hours of 09:00 and 19:00 Monday to Friday except in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To ensure that the amenity of neighbouring residential properties is not adversely affected in accordance with policies 7.6 and 7.15 of the London Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
11	Inclusive design – office and retail floorspace (Details)
	<p>CONDITION: Details including floorplans, sections and elevations of all office and retail floorspace at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development's business floorspace. The details shall include:</p> <ul style="list-style-type: none"> • accessible WC provision; • public entrances including sections showing level access, door furniture and manifestations to glazing; • space for the storage and charging of mobility scooters; • details of accessible changing facilities for staff; • details of evacuation arrangements for people with disabilities; and • details of how the development would comply with the relevant parts of the Inclusive Design in Islington SPD <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design in accordance with policy 7.2 of the London Plan 2016, policy CS12 of Islington's Core Strategy 2011, and policy DM2.2 of Islington's Development Management Policies 2013.</p>
12	Disabled parking bays (Details)
	<p>CONDITION: A survey identifying appropriate and available locations for additional disabled parking bays within the vicinity of the site shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved.</p> <p>REASON: To ensure adequate provision of parking for residents with disabilities in accordance with policy DM8.5 of Islington's Development Management Policies 2013.</p>
13	Cycle parking (Compliance)
	<p>CONDITION: Detailed drawings and specifications of the bicycle storage areas, the</p>

	<p>racks within them, and the lift providing access to the basement cycle storage area, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>The lift providing access to the basement cycle storage area shall have internal dimensions of not less than 1200mm by 2300mm.</p> <p>The bicycle storage areas, which shall be secure and provide for no less than 27 bicycle spaces (and additional space for accessible parking, the parking of trailers or tricycles, and the parking and charging of mobility scooters) shall be provided prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate and suitable bicycle parking is available and easily accessible on site and to promote sustainable modes of transport in accordance with policy 6.9 of the London Plan 2016, policy CS10 of Islington's Core Strategy 2011, and policy DM8.4 of Islington's Development Management Policies 2013.</p>
14	Micro and small enterprises (Details)
	<p>CONDITION: Details, including floorplans, of business accommodation suitable for occupation by micro and small enterprises shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development's business floorspace. The details shall confirm that no less than 5% of the development's business floorspace shall be suitable for occupation by micro and small enterprises.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure adequate provision of business accommodation suitable for occupation by micro and small enterprises in accordance with policy BC8 of the Finsbury Local Plan 2013.</p>
15	Biodiversity enhancements (Details)
	<p>CONDITION: Details of bat and bird nesting boxes/bricks and log piles for invertebrates shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The details to be submitted and approved shall include the exact location, specification and design of the installations.</p> <p>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. The boxes/bricks and log piles shall be installed prior to the first occupation of the development hereby approved.</p> <p>REASON: To ensure the development provides the maximum possible provision in respect of the creation of habitats and valuable areas for biodiversity in accordance with policy 7.19 of the London Plan 2016, policy CS15 of the Islington Core Strategy 2011 and policy DM6.5 of Islington's Development Management Policies 2013.</p>

	2013.
16	Green roofs (Details and Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, details of green roofs to the development hereby approved (including details of the extent of green roofs, and the species to be planted/seeded) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The green roofs shall:</p> <ul style="list-style-type: none"> • form biodiversity-based roofs with extensive substrate bases (depth 80-150mm); • cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and • be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. <p>An explanation as to why any areas of roof would not be covered with green roofs shall be included with the above details. Green roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level.</p> <p>The green roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The 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.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to protect neighbouring privacy, and to ensure surface water run-off rates are reduced in accordance with policies 5.3, 5.10, 5.11, 5.13 and 7.19 of the London Plan 2016, policies CS10 and CS15 of Islington's Core Strategy 2011, and policies DM2.1, DM6.5, DM6.6 and DM7.1 of Islington's Development Management Policies 2013.</p>
17	Sustainable urban drainage (Details)
	<p>CONDITION: Measures to ensure the development shall achieve a surface water run-off rate no greater than 35 litres per second per hectare shall be implemented in full prior to occupation of the development, 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 the development achieves appropriate surface water run-off rates in accordance with policy 5.13 of the London Plan 2016 and policy DM6.6 of Islington's Development Management Policies 2013.</p>
18	Archaeology – foundation design (Details)
	<p>CONDITION: No development shall take place until details of the final foundation design and construction method statement have been submitted to and approved in writing by the Local Planning Authority in consultation with Historic England.</p> <p>The development shall be carried out strictly in accordance with the details so</p>

	<p>approved, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: Heritage assets of archaeological interest may survive on the site and ground, foundation and construction works must be designed and implemented to minimise damage to such assets in accordance with section 12 of the National Planning Policy Framework, policy 7.8 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011 and policy DM2.3 of Islington's Development Management Policies 2013.</p>
19	<p>Archaeology – written scheme of investigation</p> <p>CONDITION: No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority in consultation with Historic England. No demolition or development shall take place other than in accordance with the approved WSI, which shall include a statement of significance and research objectives, and:</p> <ul style="list-style-type: none"> a) the programme and methodology of site investigation and recording and the nomination of (a) competent person(s) or organisation to undertake the agreed works; and b) the programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. <p>No development or demolition shall take place other than in accordance with the approved WSI.</p> <p>The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved WSI and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.</p> <p>REASON: Heritage assets of archaeological interest may survive on the site and it is appropriate to secure archaeological investigation in accordance with section 12 of the National Planning Policy Framework, policy 7.8 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011 and policy DM2.3 of Islington's Development Management Policies 2013.</p>
20	<p>Basement works – alternative proposals (Compliance and Details)</p> <p>CONDITION: The proposed basement and foundation works shall be carried out strictly in accordance with the Structural Engineer's Report (Sinclair Johnston, May 2017) unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Should alternative basement and foundation works (other than those set out in the Sinclair Johnston report dated May 2017) be proposed, no work shall commence until details of the alternative proposals have been submitted to and approved by the Local Planning Authority in consultation with (if the Local Planning Authority considers it necessary) Historic England and Thames Water.</p> <p>If considered necessary by the Local Planning Authority, the alternative proposals shall be accompanied by a Structural Method Statement, prepared by a Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MStruct.E). The statement shall be written in accordance with the requirements of Chapter 6 (Site</p>

	<p>investigations to inform design) and appendix B of Islington's Basement Development SPD 2016.</p> <p>The development shall be carried out strictly in accordance with the details so approved, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>The certifying professional that endorsed the Structural Method Statement (or a suitably qualified person with relevant experience) shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design approved within the Structural Method Statement and by a Building Control body.</p> <p>REASON: Heritage assets of archaeological interest may survive on the site, ground, foundation and construction works must be designed and implemented to minimise damage to heritage assets, damage to infrastructure and contamination of water resources, and to ensure that structural stability has been evaluated by a suitably qualified and experienced professional in accordance with paragraph 120 and section 12 of the National Planning Policy Framework, policies 5.14, 5.21 and 7.8 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011 and policies DM2.3 and DM6.1 of Islington's Development Management Policies 2013.</p>
21	BREEAM (Compliance)
	<p>CONDITION: All office and retail floorspace within the development hereby approved shall achieve a BREEAM (2011) New Construction Scheme rating of no less than "Excellent".</p> <p>REASON: In the interests of sustainable development and addressing climate change in accordance with policies 5.2 and 5.3 of the London Plan 2016, policy CS10 of Islington's Core Strategy 2011 and policy DM7.4 of Islington's Development Management Policies 2013.</p>
22	Energy/carbon dioxide reduction (Compliance)
	<p>CONDITION: The proposed measures relevant to energy as set out in Energy and Sustainability Statement (Mecserve, issue 4.0, August 2016) as amended by Further Response to Energy Officer's Comments (Mecserve, received 20/06/2017) hereby approved which shall together provide for no less than a 29.4% on-site total (regulated and unregulated) carbon dioxide reduction in comparison with total emissions from a building which complies with Building Regulations 2013 shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainable development and to ensure that the Local Planning Authority may be satisfied that the carbon dioxide reduction target is met in accordance with policies 5.2, 5.3 and 5.7 of the London Plan 2016, policy CS10 of the Islington Core Strategy 2011, and policies DM7.1 and DM7.3 of Islington's Development Management Policies 2013.</p>
23	Demolition and Construction Management and Logistics Plan (Details)
	<p>CONDITION: No demolition shall take place unless and until an updated Demolition and Construction Management and Logistics Plan (DCMLP) has been submitted to</p>

	<p>and approved in writing by the Local Planning Authority in consultation with Transport for London.</p> <p>The development shall be carried out strictly in accordance with the approved DCMLP throughout the demolition and construction period.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development in accordance with policies 6.3 and 6.14 of the London Plan 2016 and policy DM8.6 of Islington's Development Management Policies 2013.</p>
24	Construction Environmental Management Plan (Details)
	<p>A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, emissions from non-road mobile machinery, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality, in accordance with policies 7.14 and 7.15 of the London Plan 2016, policy CS12 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
25	Delivery and Servicing Management Plan and Waste Management Plan (Details)
	<p>CONDITION: An updated Delivery and Servicing Management Plan (DSMP), including a Waste Management Plan (WSP), shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to the first occupation of the development.</p> <p>The DSMP shall include details of all servicing and delivery requirements, including details of how waste (including recyclable waste) would be transferred and collected, and shall confirm the timings of all deliveries and collections from service vehicles.</p> <p>The development shall be carried out strictly in accordance with the DSMP (including the WSP) so approved.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development in accordance with policies 5.16, 6.3 and 6.14 of the London Plan 2016, policy CS11 of Islington's Core Strategy 2011, and policies DM2.1 and DM8.6 of Islington's Development Management Policies 2013.</p>
26	Waste storage (Compliance)

	<p>CONDITION: The dedicated refuse/recycling stores hereby approved shall be provided prior to first occupation of the development hereby approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The retail unit hereby approved shall be provided with direct internal access to its refuse/recycling store, 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 the necessary physical waste storage to support the development is provided in accordance with policy 5.16 of the London Plan 2016, policy CS11 of Islington's Core Strategy 2011 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
27	<p>Plant noise (Compliance and Details)</p> <p>CONDITION: The design and installation of any new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90,T}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:2014.</p> <p>A report to demonstrate compliance with the above requirements and prepared by an appropriately experienced and qualified professional shall be submitted to and approved by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the scheme and report so approved prior to first occupation, 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 development does not have an undue adverse impact on nearby residential amenity or business operations in accordance with policy in accordance with policy 7.15 of the London Plan 2016, policy CS12 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>

List of Informatives:

1	Section 106 Agreement
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	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.
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington's Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the council at cil@islington.gov.uk. The council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Sustainable Sourcing of Materials
	Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
5	Thames Water
	Your attention is drawn to informatives and advice included in Thames Water's comments of 26/10/2016.
6	Fire Safety
	It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Andrew Marx on 020 7527 2045 or by email on andrew.marx@islington.gov.uk You are also advised to refer to the comments of the London Fire and Emergency Planning Authority dated 07/11/2016.
7	Archaeology
	With regard to conditions 18 and 19, the foundation design of the development hereby approved is required to minimise disturbance of archaeological remains. The WSI will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's

Guidelines for Archaeological Projects in Greater London. Historic England have advised that conditions 18 and 19 are exempt from deemed discharge under Schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

APPENDIX 2 – RELEVANT POLICIES

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

1 National Guidance

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

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

2 Development Plan

The Development Plan comprises the London Plan 2016 (incorporating Minor Alterations), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) **The London Plan 2016 – Spatial Development Strategy for Greater London**

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

es

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – Strategic Priorities

Policy 2.11 Central Activities Zone – Strategic Functions

Policy 2.12 Central Activities Zone – Predominantly Local Activities

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

3 London's people

ople

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.16 Protection and enhancement of social infrastructure

4 London's economy

economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and

Policy 5.15 Water use and supplies

Policy 5.16 Waste net self-sufficiency

Policy 5.18 Construction, excavation and demolition waste

Policy 5.20 Aggregates

Policy 5.21 Contaminated land

6 London's transport

Policy 6.1 Strategic approach Policy

6.3 Assessing effects of development on transport capacity Policy 6.5

Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime neighbourhoods Policy 7.2 An inclusive environment Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and

offices
Policy 4.7 Retail and town centre development
Policy 4.10 New and emerging economic sectors
Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure

B) 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)
Policy CS10 (Sustainable Design)

archaeology
Policy 7.9 Heritage-led regeneration
Policy 7.11 London View Management Framework
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 7.18 Protecting local open space and addressing local deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

Policy CS11 (Waste)
Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)
Policy CS15 (Open Space and Green Infrastructure)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

C) Islington's Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive design
DM2.3 Heritage
DM2.4 Protected views

Shops, culture and services

DM4.4 Promoting Islington's Town Centres

Employment

DM5.4 Size and affordability of

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning obligations

workspace

DM9.3 Implementation

Health and open space

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

D) Finsbury Local Plan June 2013

BC7 Historic Clerkenwell

BC10 Implementation

BC8 Achieving a balanced mix of uses

BC9 Tall buildings and contextual considerations for building heights

3 Designations

The site has the following designations under the London Plan 2016, Islington's Core Strategy 2011, Islington's Development Management Policies 2013 and the Finsbury Local Plan 2013:

Islington Local Plan	London Plan
Bunhill and Clerkenwell key area Employment Priority Area (General) Primary employment area Hat and Feathers Conservation Area Archaeological Priority Area	Central Activities Zone

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

The following SPGs and SPDs are relevant:

Islington Local Plan

- Conservation Area Design Guidelines (Hat and Feathers Conservation Area)
- Environmental Design SPD
- Inclusive Design in Islington SPD
- Islington Urban Design Guide SPD
- Planning Obligations (Section 106) SPD
- Streetbook SPD

London Plan

- Accessible London: Achieving an Inclusive Environment SPG
- Central Activities Zone SPG
- The Control of Dust and Emissions During Construction and Demolition SPG
- Crossrail Funding SPG
- London Planning Statement SPG
- London View Management Framework SPG

- Planning for Equality and Diversity in London SPG
- Shaping Neighbourhoods – Character and Context SPG
- Social Infrastructure SPG
- Sustainable Design and Construction SPG
- Use of Planning Obligations in the Funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG



PLANNING COMMITTEE ADDENDUM REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
Town Hall
Upper Street
LONDON N1 1YA

PLANNING COMMITTEE		
Date:	6 February 2018	NON-EXEMPT

Application number	P2016/3353/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Not listed
Conservation area	Hat and Feathers Conservation Area
Development Plan Context	Bunhill and Clerkenwell key area Central Activities Zone Employment Priority Area (General) Primary employment area Archaeological Priority Area Protected view 1A.2 (passes close to the site)
Licensing Implications	None
Site Address	9-12 Great Sutton Street, London, EC1V 0BX
Proposal	Demolition of existing buildings and redevelopment to provide a 6-storey (plus basement) building accommodating 1,307sqm (NIA) office floorspace at basement and first to fifth floors, and a 243sqm (NIA) retail (A1 use) unit at ground level, together with associated cycle parking and refuse and recycling storage.

Case Officer	Amanda Peck
Applicant	Frella Global Ltd and Kallion International Ltd
Agent	Savills

1 RECOMMENDATION

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

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

securing the heads of terms as set out in Appendix 1 (Recommendation A) of the original committee report.

Application Deferred

1. The current application (P2016/3353/FUL) was previously heard at the Planning Committee held on the 18 July 2017. The application was deferred by Committee Members for the following reasons:
 - a) Advice from the Design Review Panel would be welcomed by the Committee given the mixed views on the quality of the design.
 - b) More detailed information regarding the sunlight and daylight loss measurements to be provided especially as results from the applicant's consultant is contrary to those obtained after visits by Planning Officers to neighbouring properties.
 - c) A written response from the London Fire and Emergency Planning in light of their fire safety concerns
2. Further information has been provided to clarify and address the above reasons for deferral. The responses to each of the above reasons are provided below and the original Committee Report is attached at Appendix 4.

Reason a)

3. The applicant presented to the DRP on 8 August 2017 and a copy of the DRP letter is attached at Appendix 1. The DRP were generally supportive of the scheme and were positive in relation to the design and the quality of materials proposed. The detailed points that were raised and the response to this are as follows:
 - a) The DRP suggested that the horizontal banding to the front elevation could be concrete rather than stone. Officers have discussed this further with Design and Conservation colleagues and agree that this can be addressed when details are submitted as part of the materials condition (condition 3 is to be amended to set this out);
 - b) The DRP encouraged the internal layout of the building to be reconsidered to improve the quality of the floorspace. Amended plans have consequently been submitted showing revisions to the lift and stair core to all floors, changes to the wall behind the glazing at ground floor, and inclusion of a back of house area to the fourth floor. The amended plans are attached at Appendix 2 and are considered by officers to improve the quality of the floorspace and address the DRP's comments; and
 - c) The DRP questioned whether the ground floor could be more robust in relation to the upper floors. Officers have discussed this further with Design and Conservation colleagues and agree that this can be addressed when details are submitted as part of the materials condition, for example by requiring textured or darker bricks in place of the lighter materials currently shown (condition 3 amended to secure these updated details).

4. In this regard, the following conditions are updated to reflect amended plans and documents received and also to secure measures identified by the DRP:
 - Condition 2 (drawing numbers) – to include updated documents and plans received);
 - Condition 3 - to specifically refer need for horizontal banding to be in concrete rather than stone and to specifically refer to a more robust treatment to the ground floor being required.

Reason b)

4. An amended daylight/sunlight report has been submitted (see below) and it is now apparent that the original officer assessment in the July 2017 committee had too many windows identified as failing one of the sunlight tests when they have actually passed. There are therefore actually 33 fewer windows that do not meet the sunlight tests than previously thought.
5. The applicant has carried out visits to 5 of the neighbouring residential units to ascertain the flat layouts and room sizes and has submitted an amended daylight/sunlight assessment taking this information into account. Formal public consultation was not required as the scheme has not changed in any way with the updated information serving as clarification. Officers have, however, emailed objectors to the application to update them on the committee meeting date.
6. As a result of the visits some of the room depths and layouts to the 5 units visited have been amended within the daylight/sunlight assessment, additional windows have been tested and addresses have been clarified, but the results have remained largely the same, as summarised below.

	Changes	Results
<u>Flat 2, 5-8 Great Sutton Street</u>	All window numbers remain as before. Clarified in report that part known as 17 Clerkenwell Road.	All windows passed the daylight and sunlight tests before and still pass.
<u>Flat 5, 18 Clerkenwell Road</u>	Windows clarified and additional ones tested. Clarified that this property is also known as 2 Berry Street	All windows passed the daylight and sunlight tests before and still pass including the additional windows
<u>Flat 1, 2 Berry Street</u>	Address changed from 18 Clerkenwell Road to 2 Berry Street in results table.	All windows passed the daylight and sunlight tests before and still pass.
<u>Flat 3, 13-14 Great Sutton Street</u>	Windows clarified and additional ones tested. Layout of the flat assumed to be 1 bed and confirmed as studio flat and this change has been made in report.	<ul style="list-style-type: none"> • 5 windows did not pass the Daylight Distribution test before with results of 0.54 as opposed to 0.8 ratio and they now pass this test. • 5 windows did not pass APSH sunlight test and still do not. To these windows there are the same results of between 0.74 and 0.79 ratio as opposed to 0.8 ratio.
<u>Flat 4, 13-14 Great Sutton Street</u>	All window numbers remain as before.	All windows met daylight and sunlight tests before and still pass.

7. A detailed analysis of the daylight/sunlight report can be found at paragraphs 10.71-10.111 of the previous committee report (appendix 4). The results above show that the assumptions made in the previous daylight/sunlight

assessment are largely correct and even when the flat layouts differ from the previous assumptions, the same results have been obtained from the sample of 5 flats.

8. The officer conclusions at paragraphs 10.110 and 10.111 are therefore still relevant; the infringements against BRE daylight guidance would be minor and only one window fails both the sunlight tests, with minor infringements to other windows.

Reason c)

10. The applicant has submitted a Fire Strategy, a Building Regulations appraisal carried out by an Approved Inspector and a fire consultation letter. The London Fire and Emergency Planning Authority consequently wrote to the applicant on 11 October to confirm that they are satisfied with the proposals and a copy of this letter is attached as appendix 3.

APPENDIX 1 – DRP letter



ATT: Aimee Squires
Savills,
33 Margaret Street,
London W1G 0JD

Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: DRP/130

Date: 29 August 2017

Dear Aimee Squires,

ISLINGTON DESIGN REVIEW PANEL

RE: 9-12 Great Sutton Street, London EC1V 0BX (planning application ref. P2016/3353/FUL)

Thank you for attending Islington's Design Review Panel meeting on 8 August 2017 for a first review of the above scheme. The proposed scheme under consideration is for Demolition of existing buildings and redevelopment to provide a 6-storey (plus basement) building accommodating 1,307sqm (NIA) office floor space at basement and first to fifth floors, and a 243sqm (NIA) retail (A1 use) unit at ground level, together with associated cycle parking and refuse and recycling storage (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (chair), Lotta Nyman, Marcus Lee, Tim Ronalds and Jeremy Foster on 8 August 2017 including a site visit and presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Panel were generally supportive of the proposals and gave very positive feedback in relation to the design. They provided the following comments:

The Panel were very impressed with the quality of the materials proposed, in particular the special bricks. Some panel members raised concerns over the use of the white stone for the horizontal banding and soffits and suggested that a high quality white concrete may work better with the bricks and may also be more appropriate to the surrounding context. This would also remove the need for the joints between the pieces of stone.

Panel members discussed the façade approach and the appropriateness of the vertical division of the front elevation with a regular rhythm of uniform bays and large glazing infills. The discussion centred on the loss of the existing plot widths and resulting double width building, but generally panel members were supportive of the design team's approach. The Panel liked the design approach used to the front elevation, but felt that some improvements could be made to the ground floor where the visual composition was weaker.

Panel members questioned some elements of the internal arrangement and in particular the wall behind the glazing at ground floor level and the location of the core in relation to the balconies. The Panel encouraged the design team to develop this further.

Summary

The Panel commended the design approach and use of high quality materials and detailing. The area where panel members raised some concerns, was with the plan and the structure and whether the design team had succeeded to bring the same level of thought to these areas as they had to the elevations.

There was some discussion about how the building comes to ground floor and how robust that element feels in relation to the composition of the upper floors. The Panel also discussed the proposed scale of the front elevation and its reference to the existing plot widths, but accepted the design team's justification for their approach. Some concerns were raised in relation to the appearance of the design and use of materials that are appropriate to the industrial/manufacturing character of the buildings in the area. Panel members were very supportive of the choice of special brick, but felt that a white concrete may be more successful than the stone proposed for the horizontal banding and soffits.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification, please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at planning application stage, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

A handwritten signature in grey ink, appearing to read 'Lucy' or 'Luciana', written in a cursive style.

Luciana Grave
Design Review Panel Coordinator
Design & Conservation Team Manager

Page 191

Floor plan of the second floor. The plan shows a large blue-shaded area labeled "Office (B1)" on the left. To the right of this area are several smaller rooms and corridors. Labels include "120" at the top right, "110" and "100" in the middle right, "130" and "140" at the bottom right, and "150" at the bottom center. There are also labels for "ELEVATOR" and "STAIRS".

13

Office (B1)

PLANT

STAIR

ELECTRICAL ROOM

MECHANICAL ROOM

WATER TREATMENT

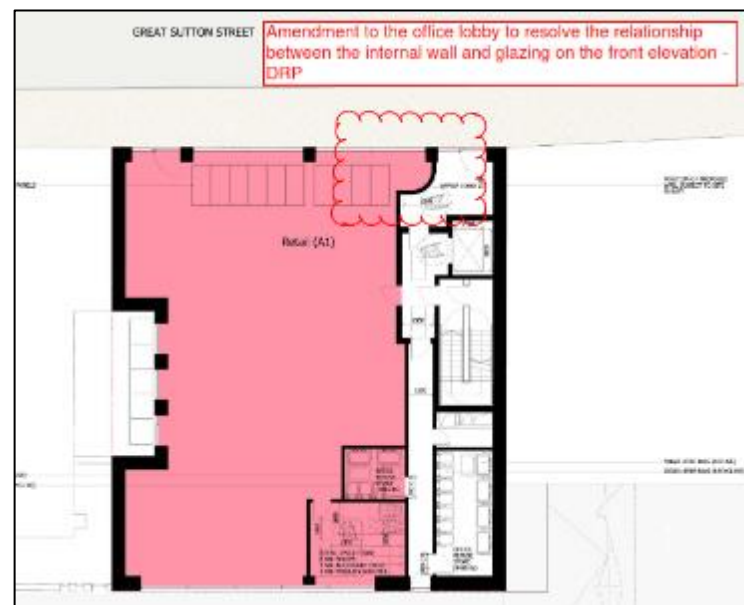
5 to 8

Reconfiguration of service area at basement level - LFEPA

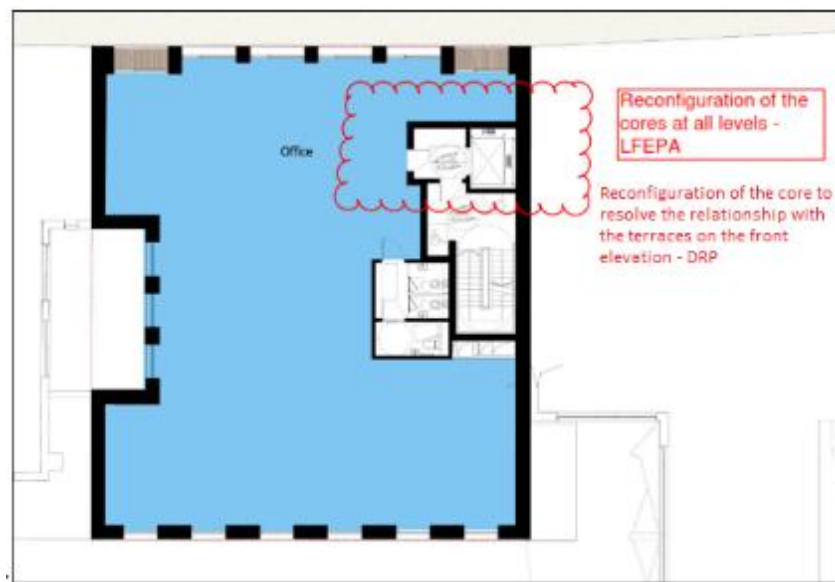
Reconfiguration of service area at basement level - LFEPA

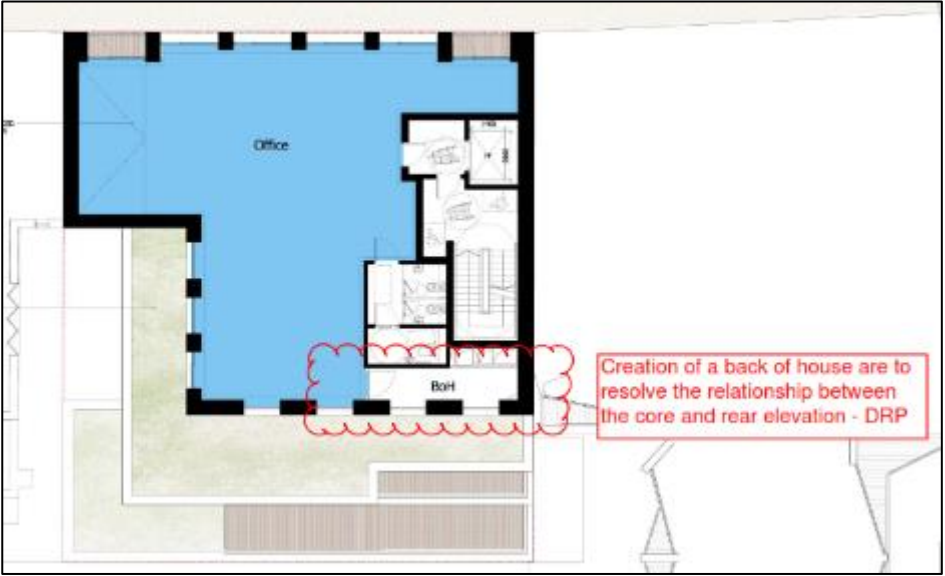


All floors



Fourth floor





APPENDIX 3 – LFEPA letter



Fire Safety Regulation, North East 1 Team
169 Union Street London SE1 0LL
T 020 8555 1200 x89171

Minicom 020 7960 3629
london-fire.gov.uk

Andrew Dubber
Approved Design
Suite 4:1 29 Lincolns Inn Fields
Holborn
London
WC2A 3EE

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 11 October 2017
Our Ref 03-015075
Your Ref AD/LT/E17-0868

Dear Sir

RECORD OF CONSULTATION/ADVICE GIVEN

REGULATORY REFORM (FIRE SAFETY) ORDER 2005 ARTICLE 46 THE BUILDING (APPROVED INSPECTORS ETC.) REGULATIONS 2010

SCOPE OF WORKS: New multi storey commercial building including basement.
PREMISES: 9-12 Great Sutton Street, London, EC1V 0BX

The Brigade has been consulted with regard to the above-mentioned premises and makes the following observations:

The Brigade is satisfied with the proposals

This Authority strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. Please note that it is our policy to regularly advise our elected Members about how many cases there have been where we have recommended sprinklers and what the outcomes of those recommendations were. These quarterly reports to our Members are public documents which are available on our website.

Any queries regarding this letter should be addressed to **Duncan New**. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,



Assistant Commissioner (Fire Safety Regulation)

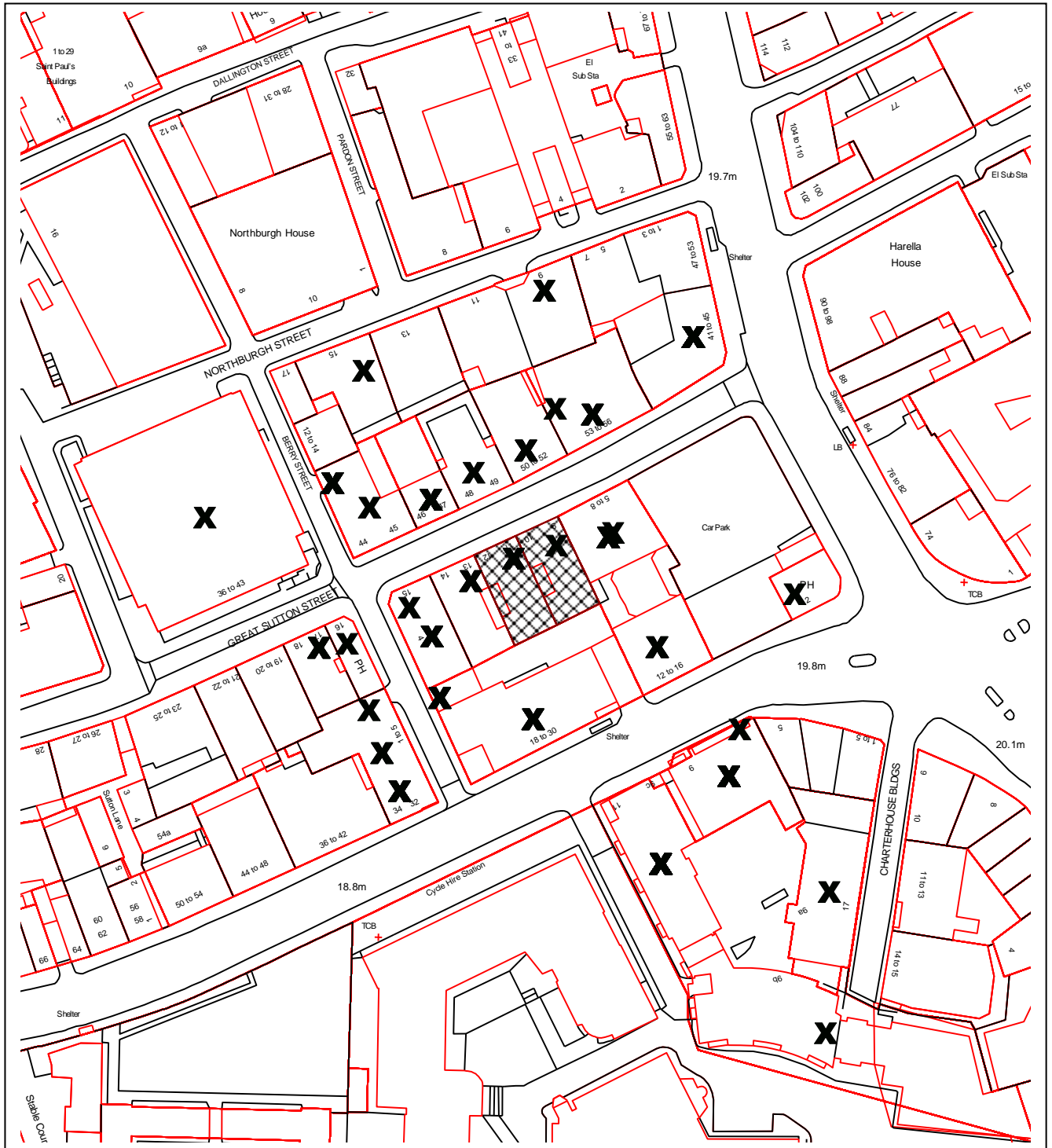
FS_D_01 (Rev 25, 11/10/2017) Page 1 of 2

Reply to Duncan New
Direct T 0208 555 1200

The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.

This page is intentionally left blank

Islington SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

This page is intentionally left blank

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 333
Town Hall
LONDON N1 1YA

PLANNING COMMITTEE		AGENDA ITEM: B3
Date:	6 February 2018	NON-EXEMPT

Application number	P2016/4533/FUL
Application type	Full Planning Application
Ward	Junction Ward
Listed building	Not listed
Conservation area	No
Development Plan Context	Archway Town Centre Article 4 Direction (Office to residential) Core Strategy Key Area (Archway) Archway Town Centre Adjacent to Strategic and Local Cycle Route Within 50m of a Conservation Area Within 100 m of a Strategic Road Network Road Within 100m of a TFL Road Network Adjacent to a Site of Importance for Nature Conservation (SINC) Adjacent to National Rail Owned Land
Licensing Implications	None
Site Address	724 Holloway Road, London, N19 3JD
Proposal	Demolition of existing building and construction of a part two, part six-storey mixed use building providing 1,802m ² of B1(a) office floorspace over basement, ground, first and second floors and 10 residential flats (three x 1-bedroom, six x 2-bedroom, one x 3-bedroom) above.

Case Officer	Peter Munnelly
Applicant	Mr C Freed
Agent	Mr M. Pender - PPM Planning Limited

1. RECOMMENDATION

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

- the conditions set out in Appendix 1 (Recommendation B); and

2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 (Recommendation A).

2. SITE PLAN (site outlined in red)

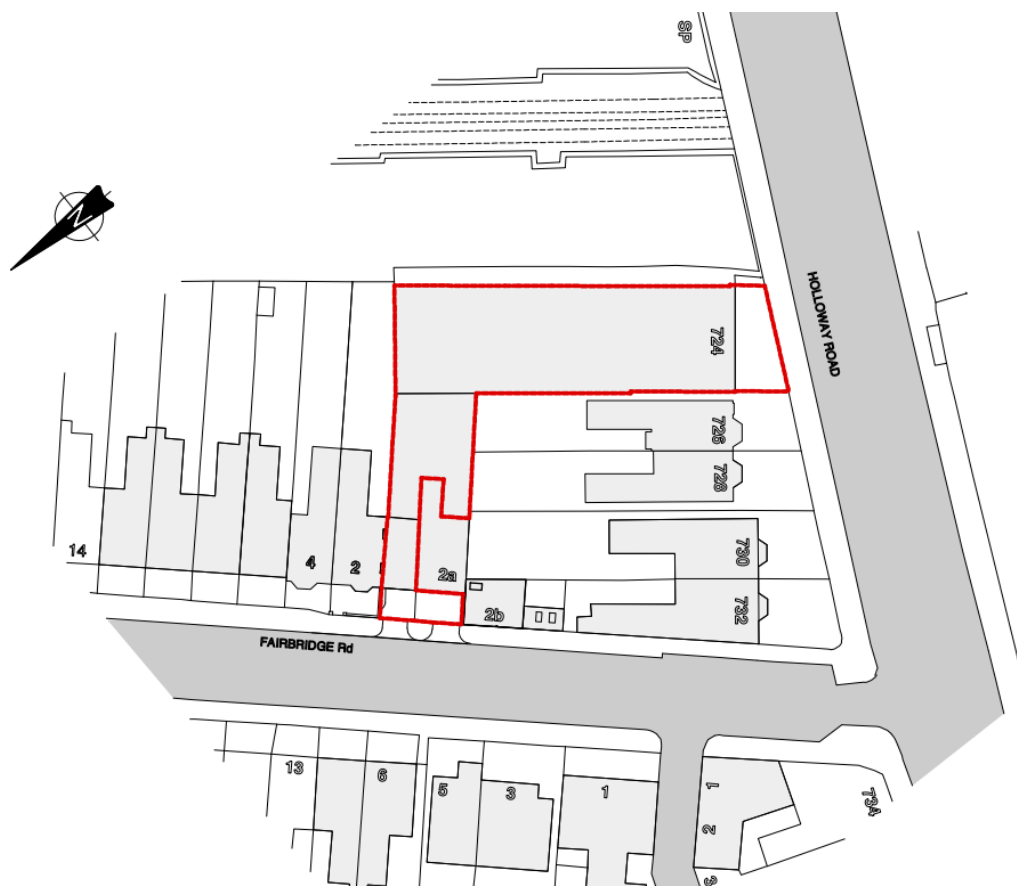


Fig. 1. Site Boundary

3. PHOTOS OF SITE/STREET



Fig 2: View from St John's Church



Fig. 3: View of site frontage from Holloway Road



Figure 4: Aerial view of rear of the site across Fairbridge Road

4. SUMMARY

- 4.1 The application seeks permission for the demolition of an existing three storey brick built Class B1/B8 use building and the erection of a part-two, part-six storey over basement mixed use building providing office floor space and 10 residential units on upper floors.
- 4.2 The L-shaped site has its main frontages facing Holloway Road and the adjacent railway lands. There is also access from nearby Fairbridge Road through a ground floor undercroft arrangement, this opening being part of 2a Fairbridge Road, a 5 storey mixed use building. A single storey section links the two separate arms of the site coverage. The site is located within Archway Town Centre and the replacement of a non-town centre Class B8 use with a substantial increase in Class B1 office floorspace, inclusive of SME workspace together with 10 new residential units is compliant with land use policy. Independently verified financial viability reviews have demonstrated that the provision of on-site affordable housing is not viable.
- 4.3 The proposal would have a similar 'warehouse' appearance to the existing building which has generous floor the ceiling heights although would benefit from a large basement and three additional floors. It is considered that any increased bulk of the proposed building compared to the existing site coverage and would not detract from the street-scene. Significantly, basement alterations aside, the above ground building envelope will be largely the same as that resolved to be granted Planning Permission by the Committee on the 19th April 2016. This was subject to a legal agreement which has yet to be completed.
- 4.4 It is considered the proposal in terms of sunlight/daylight, outlook and privacy would not have a significant impact on the residential amenities of neighbouring residential occupiers. Suitable conditions have been recommended to protect this existing amenity along with securing details with regard to materials, Sustainable Urban Drainage, sustainability features and other details as necessary to ensure the proposed development is acceptable.
- 4.5 The applicant proposes a reduction in total CO2 emissions of 20.2% and while this falls below the policy target reduction of 27% it is considered acceptable and to be the highest achievable reduction at the site. The development exceeds the London Plan on regulated emissions and to

mitigate against the remaining carbon dioxide emissions a financial contribution of £70,012 will be secured through legal agreement.

- 4.6 The proposal includes high performance building fabric, appropriate air tightness, 100% low energy efficient lighting and passive design measures resulting in a highly efficient and well-insulated building. Solar photovoltaic panel array and Air Source Heat Pumps are proposed and the proposed dwellings are to include sustainable measures that are equivalent to the former Code for Sustainable Homes Level 4, which is in accordance with policy. The Office element of the site is detailed to be BREEAM 'Excellent' and a condition (7) is recommended to secure this.
- 4.7 In terms of Highways and Transport the proposal does not include any on-site residential or commercial parking and servicing would take place from a dedicated bay on Fairbridge Road. The small and difficult to access vehicular forecourt off Holloway Road would be removed and in overall terms the arrangements are not considered to give rise to any highways safety impacts. Refuse collection would continue to take place on-street while there would be 19 cycle parking spaces associated with the residential element provided at ground floor and 23 spaces for the commercial floorspace spread over the main entrance and within individual commercial unit floorplates – the latter being secured by Condition 14.
- 4.8 All other matters relevant to planning are considered to be acceptable. As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and a legal agreement.

5. SITE AND SURROUNDING

- 5.1 The current building on the application site was originally constructed by a tile roofing company in 1910 but has been heavily altered and modified over its lifetime. The building at three storeys in height (plus basement) has its main frontage onto Holloway Road, behind a small forecourt although its long south east elevation is clearly visible to those moving north on Holloway Road. Although three storeys, its generous floor to ceiling dimensions mean the building is broadly the same height as adjoining four storey buildings. The building has a secondary ground floor entrance from Fairbridge Road which runs off Holloway Road. This entrance is through an undercroft beneath an existing 5 storey mixed use (office/residential) building known as 2a Fairbridge Road. Adjacent to 2a is a recently built, 3 storey residential property known as 2b Fairbridge Road of contemporary design.
- 5.2 The application site sits on the north eastern side of Holloway Road immediately to the north west of railway lands that carry the London Overground (Barking – Gospel Oak). These lands are designated a Site of Important Nature Conservation. Across Holloway Road to the south west is St John's Church, which is Grade II* listed. The church gives its name to the eponymous St John's Grove Conservation Area whose north western boundary extends to Holloway Road. It was designated in 1990 (extended 2003). The immediate neighbouring buildings to the north and west of the application site are predominantly 3-4 storey Victorian residential properties, which have gradually been converted into flats.
- 5.3 Holloway Road (A1) is a main arterial road which is a designated TfL red route. It also a designated as a Strategic Cycle Route within Islington's Cycle Network. Fairbridge Road is designated a Local Cycle Route within the same hierarchy.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposed development would comprise the demolition of the existing building on the site and the construction of a part two, part six storey (plus basement) building comprising 1802 square metres of B1(a) floorspace, and 10 residential units (comprising 3 x 1 bedroom, 6 x 2 bedroom and 1 x 3 bedroom units). The six storey element (with its upper floor set back) would front Holloway Road whilst the two storey (plus basement) element would link into the existing 2a Fairbridge Road building. Access from Fairbridge Road would be to one single commercial unit (Unit 5) although the proposed on-street loading bay would be located in-front of this entrance.
- 6.2 The proposed building would be predominantly of a 'warehouse' style design, constructed from brick with crittal style windows, a set-back metal clad fifth floor and a further set back glass sixth floor. A two storey building would link the main body of the development to the ground floor entrance on Fairbridge Road. The enlarged basement would replace the existing basement feature taking in the the north west corner of the site and extending under the existing forecourt up to the footpath on Holloway Road.
- 6.3 The proposal does not include any on-site residential or commercial parking. An on-street loading/servicing bay is proposed on Fairbridge Road. This bay will be located at the point of the existing crossover in front of 2a Fairbridge Road which is proposed to be stopped up. The difficult to access vehicular forecourt off Holloway Road would be removed as part of the scheme and in overall terms the arrangements are not considered to give rise to any highways safety impacts. Refuse collection would continue to take place on-street. A total of 19 cycle on-site parking spaces are proposed to serve the residential element provided with 23 spaces for the commercial floorspace set across stands within the main entrance and within individual commercial units themselves.
- 6.4 The applicant proposes a reduction in total CO2 emissions of 20.2% set against the 2013 Building Regulations baseline. The development however exceeds the London Plan on regulated emissions and to mitigate against the remaining carbon dioxide emissions an offset contribution of £70,012 will be secured in any legal agreement.
- 6.5 An energy efficient and well-insulated building will result from use of high performance building fabric, appropriate air tightness, 100% low energy efficient lighting and passive design measures. A Solar photovoltaic panel array and Air Source Heat Pumps are proposed and the dwellings are to include sustainable measures that are equivalent to the former Code for Sustainable Homes Level 4, which is in accordance with policy. The Office element of the site is detailed to be BREEAM 'Excellent' and a condition (7) is recommended to secure this. CHP and communal heating were considered however the relatively small size of the development and low heat loads precluded such measures.
- 6.6 The scheme includes extensive areas of biodiverse green roof while the SUDs strategy has been reviewed and supported by the Lead Local Flood Authority subject to submission of maintenance details.
- 6.7 The scheme has been subject to a number of alterations:

Revision 1

- 6.8 The plans were amended to alter the internal arrangements and access ramps, and additional information addressing Highways, Access and Sustainability comments were submitted on 16th January 2017.

Revision 2

- 6.9 A further viability assessment was submitted on 17th January 2017 and additional details/plans relating to Ecology, Highways and Access and Inclusive Design were submitted on 1st and 2nd February 2017.

Revision 3

- 6.10 Further clarification on the Daylight and Sunlight report was submitted on 14th and 23rd February 2017.

Revision 4

- 6.11 Following concerns about quality of basement accommodation larger windows were introduced into the south east elevation, lightwells were introduced into the north east elevation both resulting in better ventilation and light conditions, linkages between lower ground and ground floor units were removed resulting in more consistent commercial floorplates with smaller SME units relocated to upper floors. The quantum of excavation has been reduced and the residential bike storage area moved to ground floor from basement to facilitate ease of use. These details were provided in July 2017.

7. RELEVANT HISTORY:

Planning Applications:

- 7.1 **P2015/4816/FUL** - Demolition of existing building and construction of a part two, part six-storey mixed use building providing 1423sqm of B1(a) office floorspace over basement, ground, first and second floors; and 7 residential flats (1 x 1 bedroom, 5 x 2 bedroom, 1 x 3 bedroom) above – **Resolution to Grant at Planning Committee on 19th April 2016** subject to Legal Agreement which has yet to be signed. As part of this legal agreement the maximum small sites affordable housing contribution of £350,000 was agreed to be paid.
- 7.2 **P2014/1974/PRA** - Prior Approval application for change of use of ground (part), first and second floors of existing B1[a] office to thirteen (13) residential units Class C3 [8 X 1-bedroom and 5 X 2-bedroom] - **Refused Permission** due to there being insufficient evidence to demonstrate that the building was primarily used for Class B1 office purposes (officers being of the view that the use was Class B8 storage).
- 7.3 **920875** - Erection of a rear first floor level extension of 37sqm - **Granted Conditional Permission** (11/11/1992).
- 7.4 **861610** - Change of use of part of the ground floor (rear) of existing office premises to provide staff and client dining facilities and recreational facilities - **Refused Permission** (16/02/1987).
- 7.5 **860456** - Change of use of front of ground floor from office to recreation facilities for staff and clients - **Granted Conditional Permission** (15/08/1986).
- 7.6 **821084** - Change of use from warehousing and wholesale use to offices and elevational alterations - **Granted Conditional Permission** (10/01/1983).

ENFORCEMENT:

- 7.7 None

PRE-APPLICATION ADVICE:

7.8 None

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 112 adjoining and nearby properties at Fairbridge Road, Marlborough Yard, Criterion Mews and Holloway Road on the 29th November 2016. A site notice and press advert were displayed on 1st December 2016. The public consultation on the application therefore expired on 22nd December 2016. However, it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report 2 responses had been received from the public (Upper Floors No.2 and No. 16 Fairbridge Road). The points raised are summarised below with reference to which sections of this report address those particular concerns:

- The proposal would result in an unacceptable loss of light to the neighbouring properties (paras. 10.53-10.98);
- The daylight/sunlight assessment should include calculations of light at other times of the year (paras. 10.53-10.98);
- The daylight sunlight report does not assess 4, 6 and 8 Fairbridge Road and the proposal would have a detrimental impact upon these properties (paras. 10.53-10.98);
- The submitted plans do not reflect the additions to the rear of properties, notably 4 and 6 Fairbridge Road (paras.10.53-10.98);
- The fifth floor terrace should not be used for recreation as it overlooks the gardens on the south side of Fairbridge Road (paras. 10.46);
- There is insufficient daylight to the basement level employment space (paras. 10.118); and
- The developer has redacted information (See Condition 2).

Internal Consultees

Planning Policy: (Viability & land use). The proposal complies with Council land use policies to maximise business use on a site within a Town Centre while the loss of Class B8 floorspace and replacement with Class B1 is not inconsistent with general land use policy objectives. An appropriate amount of workspace suitable for occupation by micro or small enterprises would appear to have been provided at first and second floor level. Islington Core Strategy policy CS12 is clear that sites capable of delivering 10 or more units' gross are required to provide the maximum viable level of on-site affordable housing, especially social rented housing, subject to a financial viability assessment.

Access and Inclusive Design: Details of how the mobility scooter storage space is accessible has not been provided and it would be beneficial to have a left handed and right handed transfer option to the first and second floor W.Cs.

Design and Conservation: The proposed demolition and reconstruction of the host property is considered to be acceptable in principle subject to fine details.

Energy and Energy efficiency: No objections subject to conditions and Carbon offsetting contribution.

Sustainability Officer: The SUDS proposed are acceptable subject to a condition relating to a management strategy being imposed. The Green Roofs are acceptable and a condition should be imposed relating to substrate depth and biodiversity quality of these.

Highways: No objection subject to TfL comments relating to Construction Management Plan relating to Holloway Road. Highways re-instatement should be secured in the legal agreement.

Public Protection (Noise): Did not object to previous application subject to conditions securing details in relation to plant noise, sound proofing between the residential and office uses and the submission of an Environmental Construction Management Plan.

Tree Preservation Officer: No objections. The tree protection measures within the submitted Arboricultural Method Statement are acceptable.

Refuse and Recycling: No response received.

Biodiversity and Nature Conservation: The recommendations in the ecological report should be adhered to during the development phase and following construction. Further details are required regarding bird/bat boxes and a bat survey is required.

External Consultees

8.3 **Transport for London (Road Network):** No objection in principle subject to conditions requiring details of demolition, delivery and servicing to be submitted. The applicant has provided TfL with an updated, draft Construction Management Plan which they offer no objection subject to potential further discussion in respect of the Holloway Road bus stop relocation, additional works to facilitate HGV access to site, Highway Licensing and a Section 278 Agreement. Previous concern raised regarding the lifts being of an insufficient size to allow bikes to be transported to the cycle store can now be discounted as the residential bike store is now at ground floor.

Thames Water: The proposal should include protection to the property to avoid backflow at a later date. No objection subject to conditions and informatives.

London Overground: No response received.

Network Rail: No objection subject to conditions and informative. Subsequent to this initial response it was noted that Network Rail had lodged objection to two other nearby schemes where there had been proposed basement digs of varying size. In light of this Network Rail was again consulted to confirm its position. The re-consultation has, to date, resulted in no further response.

Crime Prevention Officer: The design and layout are acceptable from a security perspective. It is recommended that a set of secondary communal doors are added to the residential part of the scheme and there is an opportunity to add post-boxes to the external door in the lobby.

London Fire and Emergency Planning: The Brigade is satisfied with the proposal.

Better Archway Forum: The residential cycle entrance is impractical. The lack of daylighting to the basement questions its use for anything other than storage. The awkwardness of the proposal indicates that either scheme has been ill thought through or that there are further plans for the site not detailed here.

Environment Agency: No response received.

Other Consultees

8.4 None

9. RELEVANT POLICIES

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

National Guidance

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.

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

Development Plan

9.4 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

9.5 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Archway Town Centre

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
- Density
- Accessibility
- Landscaping, Trees and Biodiversity
- Neighbouring Amenities
- Quality of Residential Accommodation
- Quality of Office Accommodation

- Dwelling Mix
- Affordable Housing and Financial Viability
- Sustainability, Energy Efficiency and Renewable Energy
- Highway and Transportation
- Planning Obligations/Mitigation/CIL

Land-use

- 10.2 The site was the subject of a previous planning application (ref: P2015/4816/FUL) which was reported to Islington Planning Committee on 19th April 2016. Planning Committee resolved to grant planning permission subject to a legal agreement, however, at the time of writing this report the legal agreement had not yet been signed.
- 10.3 The application differs from the 2015 scheme presented to Committee by introducing an extensive basement floor (a small basement area currently exists) resulting in an increased amount of B1(a) floorspace. In effect this additional basement commercial floorspace allows three additional residential units to be provided at third floor level. Notwithstanding the basement feature, the scale and external envelope of the building from ground level remains unchanged from the 2015 application. It is therefore considered that the principle of the demolition of the existing building and its redevelopment to provide B1 and residential floorspace has therefore previously been considered acceptable. Notwithstanding this an assessment of the land use is set out below.

Office Use

- 10.4 The site lies within Archway Town Centre where part D of Policy DM4.4 states that *'the change of use of ground floor units from main town centre uses to other uses within town centres will generally be resisted'*. The lawful use of the ground floor of 724 Holloway Road is currently B8, which is not a main town centre use and is therefore not considered to be appropriate for the site's location. The proposed office use is classified within the Development Management Policy DM5.1 as being an appropriate main town centre use. The proposal therefore complies with this part of this policy and would aid the vitality of the Town Centre. Policy DM5.2 of the Development Management Policies resists the loss of Business floorspace but in this instance whilst there is a loss of B8 floorspace, there is an overall increase in B1 business floorspace. The table below highlights the changes in floorspace by type and quantum:

	B1(a)	B8	C3	Total
Existing GIA (sqm)	846	568	0	1414
April 2016 Committee scheme (sqm)	1673	0	453	2126
Proposed GIA (sqm)	1802	0	970	2772

Fig 5. Floorspace comparisons

- 10.5 The existing site comprises of 568 sqm of business (warehousing, B8 use) floorspace, and a further 846 sqm of office (B1(a)) floorspace. The proposed scheme would deliver 1,802 sqm of new high quality office floorspace at basement, ground, first, and second floor level. The existing office floorspace in the building is of a low quality and is in need of substantial improvement. As such, the continued use of the site for office space is consistent with policy.

- 10.6 Class B1(a) office space is defined within the Development Plan Chapter 5 Development Management Policies 2013 as a 'business' use. Core Strategy policy CS5 promotes the importance of the development of business floorspace to contribute to wider employment growth within the borough. Policy DM5.1 supports this position, encouraging the intensification, renewal and modernisation of existing business floorspace. Furthermore, B1 floorspace would support higher employment densities and thus create additional employment opportunities within the borough.
- 10.7 Policy DM5.1 requires that a scheme incorporates the maximum amount of business floorspace reasonably possible on the site. The proposal would result in an uplift of 388 sqm of business floorspace at the site, representing an approximately 21% increase in employment floorspace over the existing.
- 10.8 Affordable Workspace: Policy DM5.4 addresses the affordability and suitability of employment floorspace for small and micro enterprises. Part A states that "Within EGAs and town centres, major development proposals for employment floorspace must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises."
- 10.9 As set out in paragraph 5.25 of the DMP, the figure of 5% of gross floorspace should be taken as the starting point for provision. The space should either be provided as separate small units for SME businesses (affordable by virtue of their size) or let to the council as Head Leaseholder at a peppercorn rent for at least 10 years; (in such cases the council will then engage with approved workspace providers to manage the space and ensure it is occupied by target sectors).
- 10.10 In this instance the low value floorspace is replaced by B1(a) floorspace and will include 8 units (amounting to approximately 722 sqm) of B1(a) floorspace generally suitable for occupation by SME's across the ground first and second floors of the proposed building. It is considered that this more than re-provides the low value workspace as required by Policy DM5.4. These units would be suitable for occupation by SME's by nature of their size and design, rather than providing affordable workspace at a peppercorn rent. These units all measure 80 to 100 sqm and represent 40% of the total office space provided. This approach is supported by Policy DM5.4, which accepts a provision of SME units OR affordable workspace, unless it can be demonstrated to the Council that the site is not suitable for such. The SME units as defined on the proposed plans would be protected from amalgamation or subdivision by Condition 6.
- 10.11 Each of SME units would be independently accessible, with a lift and staircase giving level access. A communal reception area for all Units other than Unit 5 is accessed from the Holloway Road entrance (Unit 5 will have its own entrance off Fairbridge Road). Each unit will enjoy generous 3m floor to ceiling heights and natural light from windows (which mainly replicate in size and location fenestration to the existing building).
- 10.12 There is also a policy requirement for developments to provide jobs and training opportunities including on-site construction training during the construction phase of the development and training opportunities during the operational phase. These are to be secured as part of the accompanying legal agreement.

Residential Use

- 10.13 Paragraph 49 of the NPPF states that proposals for new housing should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should normally approve applications for residential development, provided that there are not strong economic reasons why such development would be inappropriate.
- 10.14 Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy 3.4 (and table 3.2) seek to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity.
- 10.15 Notably Core Strategy Policy CS1(B) (Archway) encourages the use of underused land to meet the overall Borough housing target over the plan period. As a key policy area Archway will be expected to provide 800-1400 residential units over the lifetime of the Core Strategy and this proposal will help meet that target.
- 10.16 It is therefore the case that there is a policy presumption in favour of the delivery of new housing in this location, and the scheme would deliver 10 units which would contribute towards the Borough's targets.

Summary

The proposal would introduce a greater quantum of business floorspace at the site than currently exists, while also providing new residential use on upper floors. Both of these are considered to be appropriate and complementary uses to a town centre location such as this.

Design

- 10.17 Planning policies relevant to design are set out in chapter 7 of the London Plan, Policy CS9 and policies in chapter 2 of Islington's Development Management Policies.
- 10.18 The application site is located directly opposite the Grade II listed St Johns Church. Policy DM2.3 requires that new development within the setting of a listed building does not harm its significance.
- 10.19 The proposed retention of the overall design and general massing of the originally proposed building which Committee resolved to approve is considered to be acceptable. The proposed additions at roof level were revised down through the pre-application process from two additional storeys, to one storey with set-back second storey additions and were considered to be acceptable in the previous application.
- 10.20 The Council's Design and Conservation Team have reviewed the proposal and raise no objection, however further details of materials and balustrades are required, which will be sought under Condition 3.
- 10.21 The main bulk of the building is designed in the style of a Victorian warehouse, of which the original building on the site was an example. The proposed development take its cue from this style of architecture, with Crittal style windows, facing brickwork and recessed balconies which evoke the character of the recessed enclaves which would have been used for the winch and/or crane from street level. It is considered that the proposed design would echo the character of the area, especially with regard to its location adjacent to the railway. The contemporary addition at roof level would serve to distinctly contrast this style of vernacular and read as a new

addition, though it would be set-back from the street elevation and would not be prominent in views of the building.

- 10.22 It is considered that the increased bulk of the proposed building compared to what currently exists on the site would not detract from the street-scene, nor have any significant adverse effect on the setting of any nearby heritage assets, including the Grade II listed church located opposite. The site does not fall within a Conservation Area, but is located adjacent to the St John's Grove Conservation Area. However, for the reasons set out above the development would not detrimentally impact views into, out of and within the Conservation Area.
- 10.23 The proposed building respects the established front building line of the existing Victorian terraced properties to the north of the application site, and does not project any further forward than either 726 or 728 Holloway Road, which themselves are set back approximately 2 metres from no. 730 and 732 Holloway Road.
- 10.24 There have been a number of revisions both from the scheme put before Committee in 2016 and from the drawings that were originally submitted as part of this application. The changes largely relate to fenestration and the need to increase light to the basement and ground floor commercial space.
- 10.25 The proposed basement, although significantly larger than that resolved to be approved in the previous application at the site, would have only one obvious above ground manifestation. This would take the form of a covered glazed lightwell fronting onto Holloway Road, which would be incorporated into the hard landscaping. This would form a distinctive strip across the front of the site, albeit at a lower level than the pavement at Holloway Road. Subject to appropriate detailing in the landscaping (Condition 23), this feature is considered to be acceptable. The other manifestation is the enlargement of windows on the south east elevation at basement level. This increase has necessitated some additional excavation between the proposed building and the Network Rail lands. Because of this excavation however most of the enlargement will be difficult to discern from any point south of the site and the deepening of the 8 windows at this level is considered to cause no harm to the proposed design and appearance.
- 10.26 In addition to the above two lightwells have been introduced on the north east elevation. One of these is single storey in height and reveals itself in the form of two new windows on the north east elevation which directly face the garden of No. 2 Fairbridge Road. The windows are at a perpendicular angle to the direction of outlook from the rear of the house and there will be no direct overlooking from the office space due to the lightwell space. The other new lightwell will serve Commercial Unit 5 which is that space accessed from Fairbridge Road. Sited internally it will utilise a new skylight with the result that the change will only marginally alter the appearance of the building envelope in this location.
- 10.27 In summary and taking into account the 2016 resolution to approve the same building envelope and the above referred changes it is considered that the scale and design of the proposed building is appropriate to the site and would not detract from the character and appearance of the locality.

Density

- 10.28 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The development proposes a total of 10 new residential dwellings comprised of 28 habitable rooms (hr) over a site area of approximately 0.0738 hectares.
- 10.29 The site has a public transport accessibility level (PTAL) of 6a (Excellent). In terms of the character of the area, this would be defined as 'Urban' by the London Plan. The London Plan for

areas of this PTAL rating identifies the suggested residential density range of 200-700 hr/ha or 70-260 u/ha.

- 10.30 The proposed development has a residential density of 379 hr/ha and 136 u/ha, both of which are within the density range of the London Plan policy.

Accessibility

- 10.31 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.

A new National Standard

- 10.32 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard.
- 10.33 Planners are only permitted to require (by condition) that housing be built to Category 2 and or 3 if they can evidence a local need for such housing i.e. housing that is accessible and adaptable. The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. In this regard, as part of this assessment, these emerging revised London Plan policies are given significant weight and inform the approach below.

Accessibility Assessment:

- 10.34 The proposal provides one (F2) wheelchair accessible unit (Category 3) amounting to 10% of the total number of units provided as measured by habitable rooms, which is in accordance with policy requirements. The other nine units are detailed to be Category 2 compliant and this is secured by condition (11).
- 10.35 The site has a dual lift core to the residential upper floors, a lift serving the office floor space, platform lifts within the commercial area accessed from Fairbridge Road and ramped access of an appropriate gradient onto Holloway Road. As such, the proposal would have step free access. Accessible W.Cs are provided on every floor of the commercial development and a mobility scooter charging and storage point has been provided for both the commercial and residential floorspace.
- 10.36 The plans detail that there are two wheelchair accessible parking bays on Fairbridge Road opposite the site, however, these are not related to the use of the site. The proposal generates a requirement for two additional wheelchair accessible parking bays to be provided. The legal agreement requires the applicant to provide a contribution towards the provision of accessible parking bays within the locality where this may be possible or to provide a contribution towards other accessible transport initiatives.
- 10.37 There are limited opportunities for providing a safe drop-off point on Holloway Road as this is a TfL Red Route, but the proposed loading bay on Fairbridge Road would provide a safe area for a drop-off and although not convenient it would ensure that wheelchair users would not need to cross a road.

Landscaping, Trees and Biodiversity

- 10.38 Policy DM6.5 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas, which expands on the aims of Core Strategy Policy CS15. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation.
- 10.39 The proposal includes limited scope for landscaping, with only two external areas fronting the two entrances. The ability to provide soft landscaping in these two areas is further limited by the need to provide cycle storage, refuse storage and level access. Notwithstanding this the area fronting Holloway Road is detailed to include some hard and soft landscaping and a condition (23) is recommended requiring details of the landscaping to be submitted to and approved in writing by the Local Planning Authority.
- 10.40 The submitted Arboricultural Impact Assessment details four mature trees and a grouping of small trees within close proximity to the site. All but one of these trees are located upon the western side of the railway embankment, with one tree located within the rear garden of a property fronting Holloway Road. The development would not require the removal of any of these trees and the proposed tree protection and mitigation measures set out in the submitted Arboricultural Impact Assessment are sufficient.
- 10.41 The site adjoins the Upper Holloway Railway Cutting Site of Importance for Nature Conservation (SINC) to the east. The trees and vegetation upon the railway embankment immediately next to the site, which form the SINC, have recently been cleared with this area used for storage of materials in association with the strengthening works to the nearby road bridge being undertaken by Network Rail as the Statutory Undertaker. This is highly likely to have reduced the biodiversity within this part of the SINC, however protection of its potential to support habitat and wildlife is still considered appropriate.
- 10.42 The proposed building would have the same footprint as the existing building, albeit with three additional storeys, an enlarged basement and the provision of a lightwell on the south east side of the site. The proposal would include biodiverse green roofs, a green wall as well as bat and bird nesting boxes, which are secured by conditions (12 and 24). A condition (25) is recommended requiring a bat survey to be undertaken prior to any work (inclusive of demolition) being undertaken. This together with the tree protection measures detailed in the submitted Arboricultural Impact Assessment, and the condition (4) requiring a Construction and Environmental Management Plan to be submitted would ensure that the proposal would not detrimentally impact upon the SINC during or post development.

Neighbour Amenity

- 10.43 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook. This need to consider neighbouring residential amenity is also required by London Plan Policies 7.14 and 7.15.
- 10.44 Overlooking/Privacy: Policy identifies that *‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’*. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For

instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm.

- 10.45 The proposed development would in effect create an additional two storeys (increasing the height of the building from 12m as existing to 18m as proposed) over what is currently experienced at 724 Holloway Road. While the increase in height would be noticeable from the rear gardens of 726 – 732 Holloway Road, rear windows within these properties would retain adequate outlook to the north-west towards Fairbridge Road and the rear gardens of Nos.2a, 4 and 6 Fairbridge Road. This would be due to the lower two storey element of the scheme actually being lower in height than the current (part-single, part two storey) building which adjoins No.2a Fairbridge Road. Equally because of this proposed arrangement, the scheme could not be said to unduly worsen the sense of enclosure to the rear of these properties. Furthermore because of the oblique arrangement of windows to rear of 2A and 2B and 4 Fairbridge Road to development, officers are of the view that occupiers of these properties would not experience any significant increase in a sense of enclosure over what is currently experienced through the existing building.
- 10.46 The proposed windows to the north-west elevation of the proposal would either fall behind a balcony (with privacy screen) to the residential units at fifth floor level, be at oblique angles to the rear of the neighbouring properties fronting Holloway Road, or would be obscure glazed in order to ensure there would be no opportunity of overlooking or loss of privacy to neighbouring residential windows and gardens. On the boundary with 2 Fairbridge Road where the proposed building would face onto the gardens of Fairbridge Road, there is no access to the flat roof created by the set back at third floor for the occupiers of the residential units. At fourth floor level, the habitable room windows facing Fairbridge Road gardens are set back from the boundary and a privacy screen is utilised on the north west elevation of this flat (Flat 10) to negate any overlooking concerns to the rear of those adjoining properties on Holloway Road. On the fifth floor the terrace would also be set back on the boundary with Fairbridge Road with inaccessible green roof areas preventing overlooking of the same Holloway Road properties referred to above. A condition to secure these details, along with a requirement for the windows serving the office floorspace which overlook the rear garden of 726 Holloway Road to be permanently fixed shut is proposed under Condition 3 and Condition 16. The windows on the south east and south west elevations would face over a railway and busy road respectively and would not result in any overlooking.
- 10.47 Noise and Disturbance: The proposed development would be unlikely to cause any specific nuisance with regard to noise and disturbance to neighbouring occupiers given the existing use and as the proposed use as offices and residential are considered to be appropriate to and compatible with the existing residential neighbouring properties. Furthermore, the site makes use of the two existing entrances to the site for the office use, with the additional residential site users accessing the site from Holloway Road. It is not considered that the level of pedestrian activity that these arrangements would generate would give rise to any discernible increase in the level of noise, disturbance, litter or antisocial behaviour for local residents.
- 10.48 All servicing for the office development would be carried out using a proposed on-street loading bay on Fairbridge Road, which reduces the current reliance the inappropriately located servicing area off Holloway Road. A condition requiring the submission of details of servicing to be submitted once an end user/s is in place is recommended, this would ensure that servicing relating to the occupation of the units does not unduly impact on neighbouring residential amenity.
- 10.49 The proposed development would be internally lit in a similar fashion to the existing building, however a condition is recommended (18) to secure details of any external lighting in order to ensure there would be no impact on neighbouring residents with regard to light pollution.

- 10.50 Basement: The development would include extensive excavation works to create a basement under the majority of the building and extending below the open area fronting Holloway Road. The applicant has submitted a Structural Method Statement that details that the works can be completed without any adverse impact upon the structural stability of the neighbouring properties, other adjacent structures, adjoining land and gardens or the adjoining public highway. Officers have reviewed that Statement and are satisfied with its conclusions in this regard.
- 10.51 The construction of the building, and particularly the basement would involve piling to ensure that there is no damage to neighbouring sites, the railway cutting or nearby TfL structures due to ground movement. With regard to the railway cutting and TfL structures, conditions are recommended requiring details of piling to be submitted to and approved in writing by the Local Planning Authority in discussion with Network Rail and TfL.
- 10.52 A condition (4) is recommended requiring an overarching Construction and Environmental Management Plan to be submitted prior to commencement of the development to minimise disruption to surrounding streets and residential amenity.

Analysis of Sunlight and Daylight Losses for Neighbouring properties

- 10.53 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 10.54 BRE Guidelines (2011) paragraph 1.1 states:
- 10.55 *“People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by”. Paragraph 1.6 states: “The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings”.*
- 10.56 BRE Guidance: Daylight to existing buildings
- 10.57 The BRE Guidelines stipulate that the diffuse daylighting of the existing building may be adversely affected if either:
- the VSC (Vertical Sky Component) measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value (or reduced by more than 20%), known as “the VSC test”.
 - the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value (or reduced by more than 20%), known as the “No Sky Line” (NSL) or “Daylight Distribution” (DD) test.
- 10.58 At paragraph 2.2.7 of the BRE Guidelines it states:

“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”

10.59 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

10.60 At paragraph 2.2.8 the BRE Guidelines state:

“Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.

10.61 Paragraph 2.2.11 states:

“Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.”

10.62 The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.

10.63 The BRE Guidelines at its Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is:

“in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”

10.64 Paragraphs 1.3.45 and 1.3.46 of the Mayor of London's Housing SPD state that:

“Policy 7.6Bd requires new development to avoid causing ‘unacceptable harm’ to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently

experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”

10.65 BRE Guidance: Sunlight to existing buildings

10.66 The BRE Guidelines state in relation to sunlight at paragraph 3.2.11:

“If a living room of an existing dwelling has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected.”

10.67 This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours (APSH), or less than 5% of annual (winter) probable sunlight hours between 21 September and 21 March (WPSH) and;
- Receives less than 0.8 times its former sunlight hours (or a 20% reduction) during either period and;
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

10.68 The BRE Guidelines state at paragraph 3.16 in relation to orientation:

“A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.”

10.69 The Guidelines go on to state (paragraph 3.2.3):

“... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.”

10.70 BRE Guidance: Open spaces:

10.71 The Guidelines also state that it is good practice to check the sunlighting of open spaces where it will be required and would normally include:

10.72 *“gardens to existing buildings (usually the back garden of a house), parks and playing fields and children’s playgrounds, outdoor swimming pools and paddling pools, sitting out areas such as those between non-domestic buildings and in public squares, focal points for views such as a group of monuments or fountains”.*

10.73 At paragraph 3.3.17 the guidelines state:

10.74 *“It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is*

recommended that the centre of the area should receive at least two hours of sunlight on 21 March.”

10.75 BRE Guidance: New buildings

10.76 For new residential properties, paragraph 2.1.8 of the BRE guidance states:

“Daylight provision to new rooms may be checked using the average daylight factor (ADF). The ADF is a measure of the overall amount of daylight in a space.”

10.77 British Standard BS 8206-2 “Code of Practice for Daylighting” recommends the following minimum ADF levels for new housing:

- Bedrooms: 1% ADF
- Living Rooms: 1.5% ADF
- Kitchens: 2% ADF

10.78 The BRE guidelines also note at paragraphs 2.1.10 and 2.1.11 that where there are multiple windows, the ADF due to each one can be added together, and that interiors with very high ADFs (over 6%) sometimes have problems with summertime overheating or excessive heat loss in winter.

10.79 Residential dwellings at the following properties listed and detailed on the map below have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:

- 1 – 3 (inclusive) Fairbridge Road; and
- 720 – 732 (even) Holloway Road.

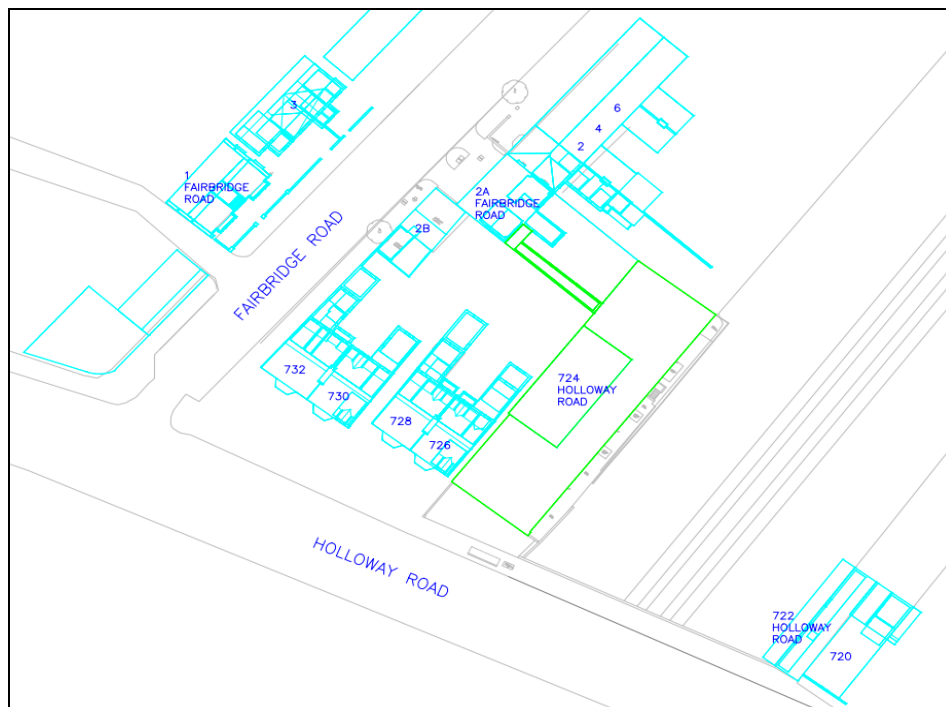


Figure 6. Adjoining properties assessed

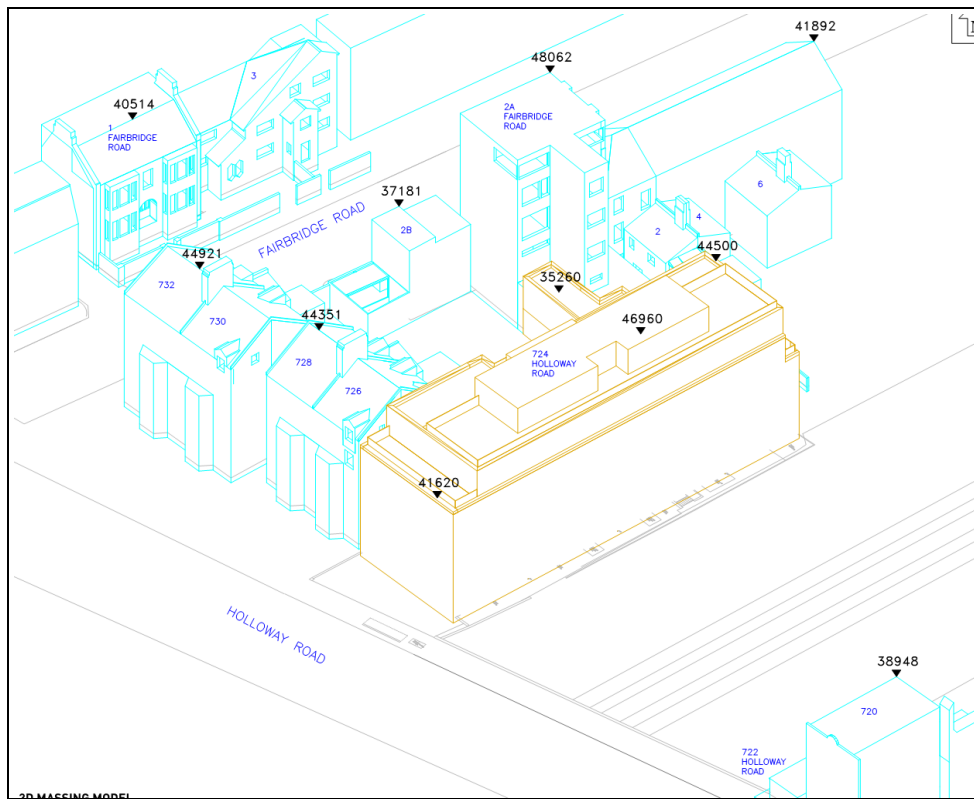


Figure 7. 3D Massing of Proposal and surrounds looking north.

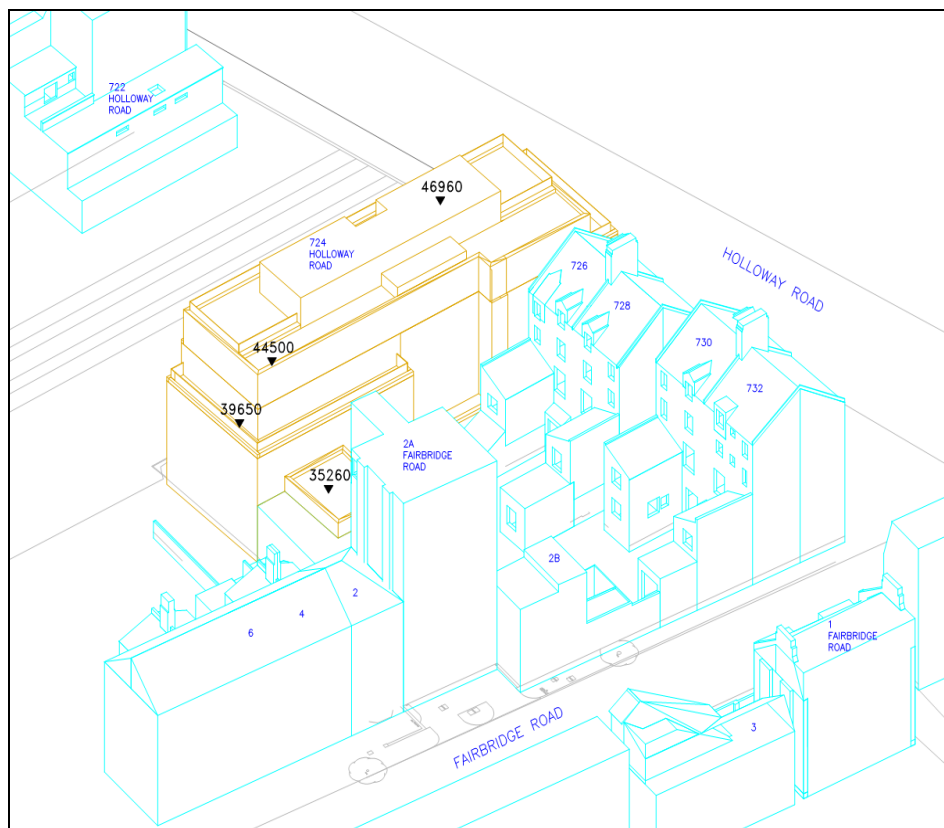


Figure 8. 3D Massing of Proposal and surrounds looking south

10.80 Daylight and Sunlight Assumptions for neighbouring Residential properties

- 10.81 Surrounding uses are a mix of residential and commercial with the majority being the former. Daylight testing was applied to residential properties in line with relevant design policies within Islington's Core Strategy and Development Management Policies Document.
- 10.82 Officers note the applicant's commentary as to where information on internal arrangements has been sourced (planning applications and estate agent detail). It is also noted that where information is not available from these sources, assumptions are based on external inspection and officers are satisfied that such assumptions are reasonably accurate.
- 10.83 There are no other unimplemented planning permissions within the area of study and for purposes of clarity 2A Fairbridge Road is a first floor flat within the four storey 1970's commercial building and 2B Fairbridge Road is the contemporary designed 3-storey dwelling located immediately to the west of this building. No. 2 Fairbridge Road is the first 3-storey Edwardian terraced building whose rear garden abuts the site. Numbers 726-732 Holloway Road are a mix of flats and maisonettes whilst No.722 to the south of the railway cutting provides commercial and community uses at ground with residential use on its upper floors.

Assessment: Daylight to existing buildings

- 10.84 The proposed redevelopment would result in the potential for loss of daylight to neighbouring properties as referenced above. To demonstrate the impacts, a sunlight and daylight assessment was submitted with the application. This considers the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines.
- 10.85 The daylight tests were applied to the above mentioned residential properties near to the site. A total of 100 windows facing the site were assessed. The Daylight Sunlight Report demonstrates that of this total 6 windows would suffer reductions in VSC. In most of these cases however the loss is mitigated by the fact that the windows are not the sole source of daylight to the rooms they serve. The following drawings and commentary detail where those windows are located and likely impacts.

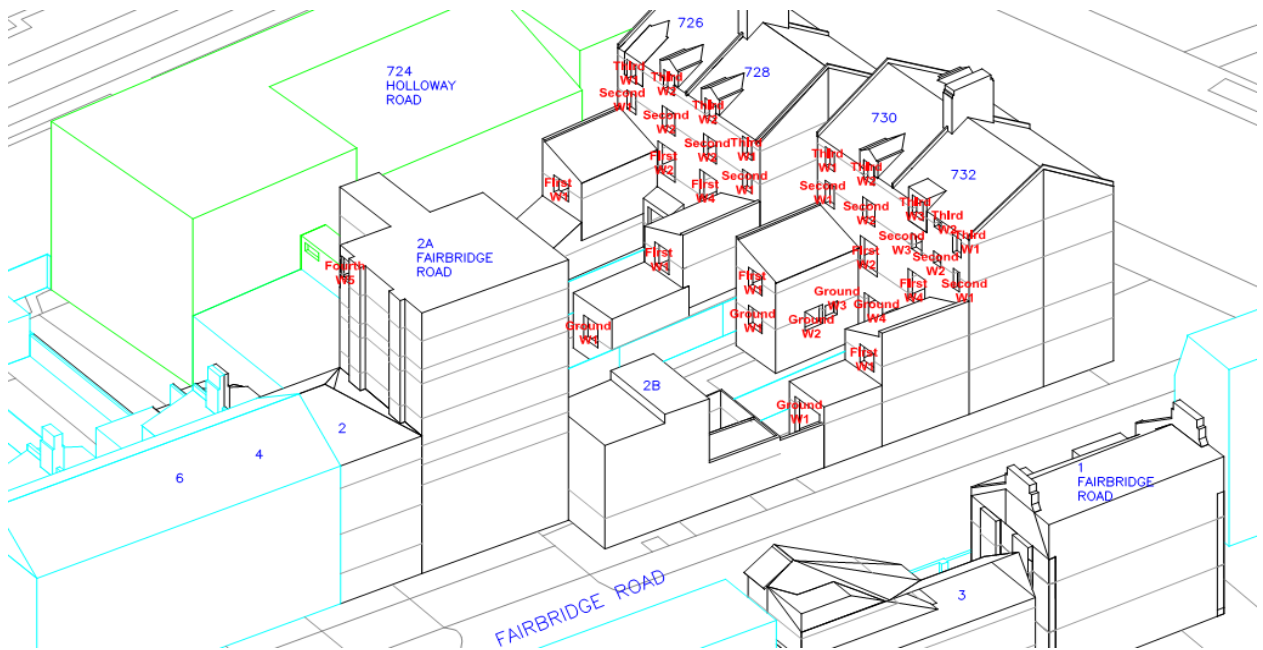


Figure 9. Windows of adjoining properties looking south west.

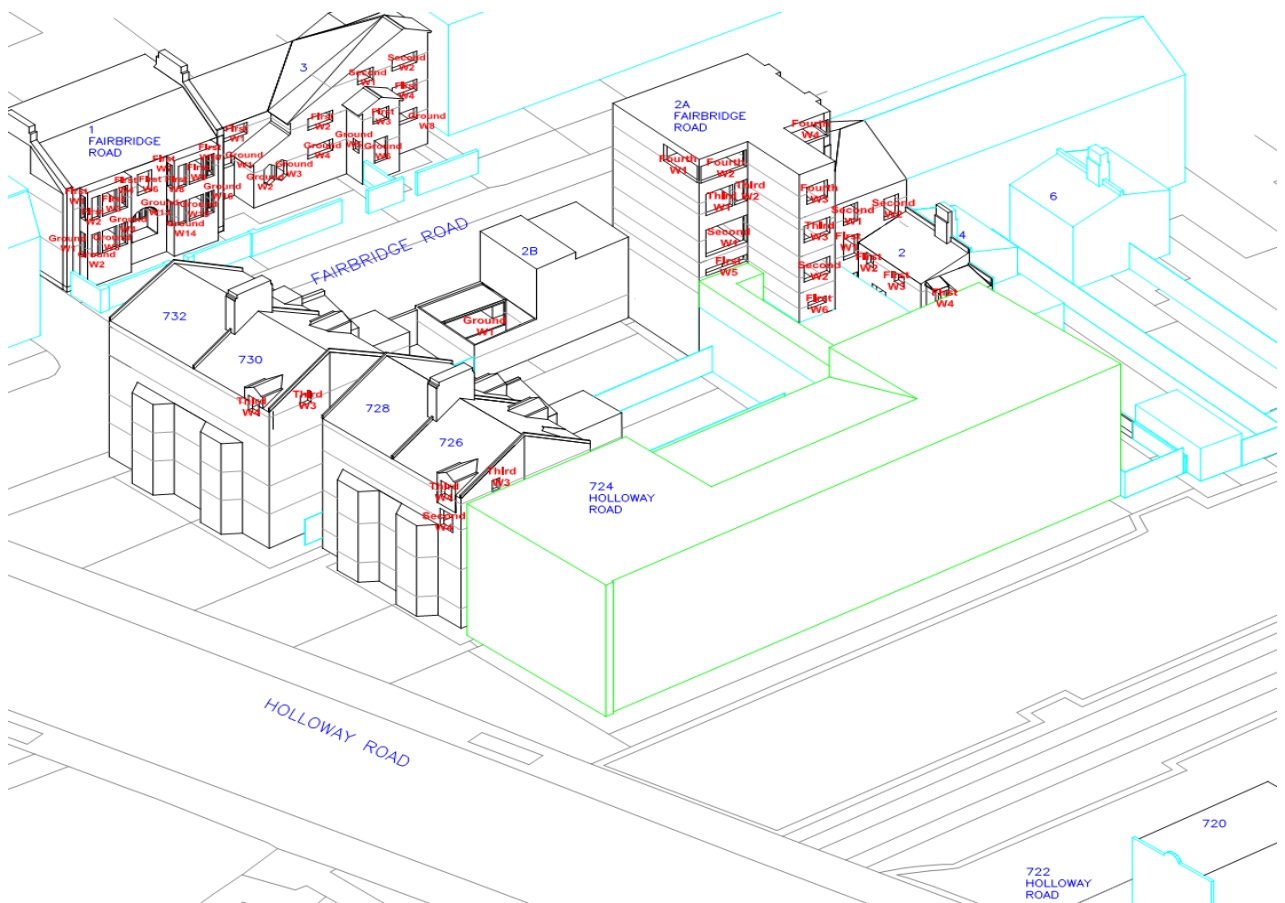


Figure 10. Windows of properties looking north east.

- 10.86 1-3 (Inclusive) Fairbridge Road With regard to Daylight Distribution, the assessment details that with one exception, all windows to these properties would not have reductions in excess of 20% and would therefore be in accordance with the BRE Guidelines. The one window which fails the Daylight Distribution Test is a ground floor window serving 2 Fairbridge Road. However, it fails by only 1%, which is considered to be a very small transgression and the effect would be negligible. The room modelled is small in scale (3.8 sqm), which results in the actual light reduction being small. This is in all probability a non-habitable room but was modelled and tested for completeness.
- 10.87 With regard to sunlight, two windows to the rear of 2 and 2A Fairbridge Road fail APSH tests, Room 2 at first floor level of 2 Fairbridge Road fails both summer and winter with Room 4 at first floor level of 2A Fairbridge Road failing only in winter. However, it is noted that it would only be these two windows, over two separate residential units which would fail the APSH test, and all the remaining windows of these properties will still have adequate access to sunlight, with two windows at No. 2 having improvements in sunlight levels. Therefore, it is considered that there will not be an unacceptable impact on the overall standard of accommodation to 2 or 2A Fairbridge Road.
- 10.88 720-730 (even) Holloway Road: The Daylight Sunlight Report details that two windows at 726 Holloway Road and four windows at 728 Holloway Road would have reductions in VSC in excess of 20%. However, the two windows at 726 Holloway Road (a second and third floor window) are both frosted and appear to serve bathrooms, which would not require testing. Notwithstanding this, these windows are located in rooms with two openings, the second of which in both cases have high levels of VSC. Two of the affected windows at 728 Holloway Road would have reductions of 30%, which in this context and due to one of these windows serving a room with two openings, is considered to be a lesser/minor infringement in an urban area. The two first floor windows affected within this property appear to serve a bathroom. The windows fall on the south-east elevation on an existing back addition, and currently face out over the rear of 726 Holloway Road. Each of these two windows would retain 65% of their existing VSC, and as there are two windows serving the same room it is considered that this would be acceptable in this case. While there would be reductions in VSC to other windows these would all be within BRE Guidelines.
- 10.89 With regard to Daylight Distribution, with one exception, all of the rooms would be in accordance with the BRE Guidelines. The one failing room would be a ground floor room in 728 Holloway Road. The room is to the side elevation of an existing back addition and while it is acknowledged that the room would substantially fail the BRE test (at 0.5 of its former value), the window in question already falls behind existing additions, extensions and the existing building at 724 Holloway Road.
- 10.90 With regard to annual sunlight, while a third floor window at 726 Holloway Road would have a reduction in sunlight of over 20%, this room is served by two windows, the second of which receives high levels of sunlight.
- 10.91 Four windows to the ground and first floor of 728 Holloway Road would fail APSH tests. The windows affected are the flank windows on the rear extensions that currently have limited sunlight availability because of their orientation and existing buildings. The front windows to 728 Holloway Road would continue to have access to sunlight well in excess of the BRE guidelines, and as such it is considered that the occupants would maintain adequate access to sunlight.
- 10.92 Additionally, four windows will have winter sunlight reduced. At 726 Holloway Road a window at second floor will marginally fail (reduction of 25%). There will be an increase in the reduction within a window at third floor however this is one of two windows to the same room with the other window suffering no loss of sunlight (see 10.88 above). Two windows at No. 2 and 2A

Fairbridge Road suffer winter sunlight loss however it can be noted that the same windows are not affected by significant daylight loss.

- 10.93 All other tested windows would be in accordance with the BRE Guidelines for sunlight.
- 10.94 It is noted that a representation has been received which questions why the properties at 4, 6 and 8 have not been tested and considers the daylight/sunlight model to not take account of extensions. The closest adjoining building, 2 Fairbridge Road has acceptable levels of daylight and sunlight and therefore there is no requirement to test the properties beyond this. The general layout of the further properties on the daylight/sunlight model is generally representative and acceptable.
- 10.95 Overshadowing: The BRE guidelines state that to appear adequately sunlit throughout the year at least half of an amenity space should receive at least 2 hours of sunlight on 21st March (the spring equinox, when day and night are roughly the same length of time). The gardens at 2 and 4 Fairbridge Road, and 732 and 726 Holloway Road would have no change to the level of sunlight received on the 21st March. The garden at 2A Fairbridge Road would experience a reduction in sunlight from 48% to 47%, which is not considered to be a significant reduction.
- 10.96 Only 40% of the garden at 730 Fairbridge Road currently receives sunlight on the 21st March and while the proposal would reduce this to 34%, this constitutes a change of 16%, which is in accordance with the BRE Guidelines.
- 10.97 The garden at 728 Holloway Road currently receives 33% sunlight on the 21st March and the proposal would reduce this to 13%, constituting a 71% change. Whilst this is a considerable percentage change, due to the existing low amount of sunlight any change is disproportionately high and the reduced area would still continue to be useable.
- 10.98 Daylight/Sunlight Summary: A comprehensive impact assessment of the proposed development on surrounding rooms and gardens in all nearby dwellings has taken place. Testing was in accordance with BRE Report 209, Site Layout Planning for Daylight and Sunlight: A guide to good practice (second edition 2011). The results of the assessment show good levels of adherence with only minor transgressions to all but one property. Room 2 within No.728 Holloway Road falls below BRE guidelines on daylight in regard to the two windows which serve it. The proposed level of light to this room is however consistent with side extensions and within an inner city context. As acknowledged by the BRE in their guidelines must be viewed flexibly and considering the wider adherence to the required standards of all other tested windows the infraction is considered acceptable.

Quality of Residential Accommodation

- 10.99 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly increased from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards.
- 10.100 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes of policy DM3.4.
- 10.101 Aspect and outlook: Nine of the 10 units would be dual aspect. Although unit F3 would have a single aspect, it constitutes a 1-bedroom unit and would have large window openings with a south east aspect, which is considered to be acceptable in this case.
- 10.102 With the exception of the bedroom serving unit F5 all of the units would have an acceptable outlook. The bedroom in unit F5 is detailed to have two obscurely glazed windows, which would

not provide any outlook. While the south west facing window would be required to be obscurely glazed (see 'Overlooking/Privacy' section below), the north west facing window would need to be partially unobscured to ensure there was an outlook to this room. As such, condition 16 requires details of obscure glazing to this unit to be submitted to ensure there is an appropriate outlook from this room and no unacceptable overlooking to the neighbouring properties.

10.103 Overlooking/Privacy: Unit F1 and F6 would each have a north west facing window within 9 metres of a window to a habitable room in unit F5. The plans detail the side window in unit F5 to be obscurely glazed and as such this would ensure there is no unacceptable mutual overlooking within the site. Furthermore, the residential units would not be overlooked by the surrounding properties.

10.104 Daylight/Sunlight: Policy DM3.4 requires all residential development to maximise natural light enabling direct sunlight to enter the main habitable rooms for a reasonable period of the day. The BRE Guidelines detail the level of light rooms should receive through the assessment of daylight and sunlight.

10.105 The submitted assessment of the proposed residential units tests the habitable rooms at third floor level. This assessment details that all but one habitable room at third floor level would exceed the BRE Guidelines, and in some cases significantly. Although one living room/kitchen/diner (F1) on the south west corner of the site would fall below the BRE Guidelines, the main opening to this room is set back from the building frontage to provide the minimum acceptable level of amenity space. Furthermore, the room has a deep layout, with the kitchen set to the rear, ensuring that the more readily used spaces have the greater access to daylight.

10.106 Although the submission does not include an assessment of the windows at fourth and fifth floor level, these floors have more openings and a greater elevation and would therefore receive greater levels of daylight. Furthermore, while an assessment of vertical sky component (VSC) has not been submitted for the proposed units, the ADF is a more reliable measurement of daylight.

10.107 The assessment of sunlight for the proposed new units details that of the five third floor level living rooms, three would receive sufficient sunlight (through a combination of windows and aspect), one would not require testing as it is not within 90 degrees of due south and one living/kitchen/dining room would have insufficient levels of annual sunlight. The living/kitchen/dining room which falls below the BRE Guidelines would actually receive sufficient levels of winter sunlight but fails to accord with guidance largely because of its set back to provide amenity space and the room has been laid out to maximise sunlight to the most used part of the room. In light of this and that the room would only fall marginally below the minimum standards, it is considered in this case to be acceptable.

10.108 Of the bedrooms at third floor level that require testing for sunlight two would fall below the BRE Guidelines. One again has a set back window from the façade to enable the provision of amenity space but would also receive high levels of daylight for a bedroom. Whilst the other bedroom would have a dual aspect, good levels of daylight and would have a window only marginally falling below the BRE Guidelines for sunlight.

10.109 The submitted daylight/sunlight assessment relates to the third floor of the development as this would have the least potential for daylight/sunlight and has set back windows and smaller window openings. When rising up through the building the access to daylight/sunlight would be improved. As such, it is considered in this case that the proposed new units would, on balance, receive acceptable levels of daylight and sunlight.

- 10.110 Amenity Space: Policy DM3.5 of the Development Management Policies identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. The minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above). With the exception of unit F10 all of the units would have levels of amenity space in accordance with this policy.
- 10.111 Unit F10 is proposed to have a roof terrace measuring 22 sqm, which is 8 sqm below the minimum standards for a family unit. However, due to the site constraints, the provision of the amenity space as a single larger area set away from Holloway Road and the proximity of the site to a number of large open spaces such as Whittington Park, this is considered to be acceptable.
- 10.112 Noise: A condition (10) is recommended requiring all residential units to include sufficient sound insulation to meet British Standards and to protect from the adjacent railway line. Conditions (8 and 10) is also recommended regarding plant noise and ground borne noise from the railway.
- 10.113 Air quality and ventilation: Conditions are recommended that secure details of ventilation in order to protect the residential amenity of the future occupiers.
- 10.114 Refuse: Separate commercial and residential refuse stores are provided to the Holloway Road and Fairbridge Road entrances. The proposed location and capacity of the stores are in accordance with relevant guidance and are considered acceptable.
- 10.115 Play Space: The proposal would result in a child yield of 1, which requires 5 square metres of play space to be provided based on Islington's requirement of 5 square metres per child (including semi-private outdoor space, private outdoor space and gardens suitable for play). All of the units have a minimum of 5 sqm of amenity space which would therefore be sufficient.

Quality of Office Accommodation

- 10.116 The proposed office space would be divided up to form 13 different sized units. A number of the units, including those suitable for occupation by SME's are spread across two levels, resulting in some areas not benefitting from natural light or an outlook.
- 10.117 However, each of the units has at least one floor which benefits from natural light in the form of windows, lightwells or rooflights. Areas with restricted or no access to natural light would provide space suitable for storage or activities which do not normally require natural light.
- 10.118 Officers were initially concerned that the basement space would be wholly deficient in terms of natural light. This was because the space was single aspect with no direct light arrangement proposed. Initially an unsatisfactory internal lightwell arrangement was proposed. Further revisions to the scheme have resulted in the provision of an external lightwell across the railway lands elevation allowing deeper windows, the bases of which will extend into the basement space allowing direct light. Although the arrangement may still require the need for artificial light in some areas of the basement commercial units, the larger windows (which will face south) are considered a significant improvement on the original proposals.

Dwelling Mix

- 10.119 The scheme proposes a total of 10 residential units with an overall mix comprised of:

Dwelling Type	Private (No. units / %)	Policy DM3.1 Target Mix
One Bedroom	3 / 30%	10%
Two Bedroom	6 / 60%	75%
Three Bedroom	1 / 10 %	15%
Four Bedroom or more	0 / 0%	0%
TOTAL	10	100%

Figure 11. Dwelling Mix

10.120 Part E of policy CS12 of the Islington Core Strategy requires a range of unit sizes to meet the needs in the borough, including maximising the proportion of family accommodation. In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies.

10.121 The dwelling mix has an over provision of 1 bedroom units and a generally acceptable level of 2 and 3 bedroom units.

10.122 Although the proposal includes the provision of only one family unit, regard has to be given to the constraints of the site and characteristics of the development. As the residential units are at upper floor level the provision of suitable amenity space would be restricted by the available space and design implications of providing adequately sized amenity space, as shown by unit F10 of the proposal. This would be further exacerbated were the amalgamation of one bed units be explored.

10.123 For the reasons set out above it is considered that on balance, the proposed dwelling mix is acceptable in this instance.

Affordable Housing and Financial Viability

10.124 London Plan policies 3.9 (mixed and balanced communities), 3.12 (negotiating affordable housing) and 3.13 (affordable housing thresholds) seek to provide a more balanced mix of tenures in all parts of London and that the maximum reasonable amount of affordable housing should be sought for all planning applications. Policy CS12 (G) states that Islington will meet its housing challenge to provide more affordable homes by:

- requiring that 50% of additional housing to be built in the borough over the plan period should be affordable.
- requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough.
- seeking the maximum reasonable amount of affordable housing, especially social rented housing, from private residential and mixed-use schemes over the threshold set above, taking account of the overall borough wide strategic target. It is expected that many sites will deliver at least 50% of units as affordable, subject to a financial viability assessment, the availability of public subsidy and individual circumstances on the site.
- delivering an affordable housing tenure split of 70% social housing and 30% intermediate housing'

- ensuring affordable housing units are designed to a high quality and be fully integrated within the overall scheme.

- 10.125 The submitted Planning Statement, Affordable Housing Statement and initial financial viability assessment (dated November 2016) approached the provision of affordable housing as an off-site contribution, contrary to the aims of Islington Core Strategy Policy CS12. The submitted justification for this is the assumption that the proposal falls within the definition set out in the National Planning Policy Guidance for Planning Obligations (paragraph 031) and Written Ministerial Statement (WMS) whereby it constituted a 'small scale' development as it comprises 10-units or less.
- 10.126 Islington Core Strategy policy CS12 is clear that sites capable of delivering 10 or more units gross are required to provide the maximum viable level of on-site affordable housing, especially social rented housing, subject to a financial viability assessment.
- 10.127 Although the initial submission asserts that in light of guidance in the NPPG and WMS, financial contributions should not be sought from small sites, the applicant, acknowledging the 2016 7-unit scheme (which Committee resolved to approve and which delivered a £350,000 small sites contribution) offered a 'commuted sum' payment of £60,000. This offer was made notwithstanding a financial viability assessment submitted which concluded that a 10-unit open market scheme would incur a small deficit of £130,620. The £60,000 contribution was made on the basis that the applicant was confident that residential market values in this location would continue to (slowly) increase and the development would therefore achieve a small surplus at that point sales commence.
- 10.128 The Council appointed its external viability consultants (BPS Chartered Surveyors) to undertake a review of the financial viability information. Following a number of revisions and clarifications regarding S106 and CIL contributions, BPS were in agreement with the inputs, assumptions and findings of the applicant's viability assessment.
- 10.129 Although the scheme fails to provide a development surplus on a market-housing only basis, for transparency and clarity officers requested that the applicant model the provision of 10% and 30% on-site affordable housing. The assessment assumed the affordable units to be shared ownership due to 'issues of practicality' in delivery affordable rental units in a single block of flats. The conclusion of the assessment was that the provision of 10% and 30% affordable units at the site would result in deficits of £315,000 and £815,000 respectively demonstrating that the provision of any on-site affordable housing would put result in significant deficit and prevent deliverability of the scheme. These viability scenarios have again been reviewed both by BPS and the Council's own Chartered Surveyors and found to be realistic.
- 10.130 In looking at both the 7 unit and 10 unit schemes the problematical conclusion is that a scheme with more residential units would actually deliver less of an affordable housing contribution. A significant factor in this anomalous situation is the cost of the basement excavation associated with the 10-unit scheme. The applicant has acknowledged this rather incongruous situation and has also noted the Council's policy priorities in terms of delivering affordable housing across the borough. As a result, there has been an acceptance that in the very least a comparable affordable contribution to that achieved on the 7-unit scheme would need to be achieved.
- 10.131 The developer has therefore agreed to reduce target profit levels (maintaining a figure which the NPPF assumes to be reasonable) allowing a contribution of £350,000 to be generated as a commuted sum. The viability appraisal demonstrating how this figure has been achieved has again been reviewed by the Council's in-house Surveyors and found to be relatively robust.

10.132 Officers are satisfied that currently no affordable housing could be delivered on-site and that the maximum reasonable financial contribution has been achieved, the significantly enhanced offer matching that agreed in 2016 for the 7-unit scheme.

10.133 A S106 clause is provided that the agreed offer is supplemented by a further viability review mechanism to be set in place at a time once sales have commenced and that an increased financial contribution towards the provision of affordable housing may be paid to the council, to be determined in accordance with the SPD, in the event that analysis reveals any such potential. In accordance with the NPPF and the Islington Development Viability SPD the applicant has signed a Statutory Declaration to confirm that all Viability assessments are a true and fair reflection of the viability of the development and that they consider the scheme as proposed to be deliverable based on this information.

Sustainability, Energy Efficiency and Renewable Energy

10.134 The London Plan (2015) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.

10.135 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013, unless it can be demonstrated that such provision is not feasible. A higher saving (50% in comparison with total emissions from a building which complies with the Building Regulations 2006, which translates into a 39% saving compared with the 2013 Building Regulations) is required of major development in areas where connection to a decentralised energy network (DEN) is possible. Typically all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock (CS10).

10.136 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

10.137 Carbon Emissions: The applicant proposes a reduction in total CO₂ emissions of 20.2%, compared to a 2013 Building Regulations baseline. While this falls below the policy target reduction of 27%, the Council's Energy Officer has reviewed the overall strategy and considers this to be the highest achievable reduction at the site. Notwithstanding this, the development exceeds the London Plan policy requirement of 35% reduction on regulated emissions. In order to mitigate against the remaining carbon dioxide emissions generated by the development a financial contribution of £70,012 will be secured in the legal agreement.

- 10.138 Efficiency: The proposal would include high performance building fabric, appropriate air tightness, 100% low energy efficient lighting and passive design measures. This would result in a highly sustainable building in terms of emissions.
- 10.139 Heating and shared heating networks: Policy DM7.3 of the Development Management Policies document identifies that major development should connect to a Shared Heating Network linking neighbouring development and existing buildings, unless it can be demonstrated that this is not reasonably possible. There is no network within 500 metres of the site, the site does not fall into an opportunity area as identified in the London Plan and there are no opportunities for a shared network in the vicinity. In such cases, policy 5.6 of the London Plan and Islington's Environmental Design SPD set out that a site wide CHP should be provided, or where not feasible then a communal heating (and cooling where relevant) system should be installed.
- 10.140 CHP and communal heating have also been considered at the site but are considered unfeasible due to the small size of the development and the low heat loads. Individual condensing combination gas boilers have however been specified for the residential units and an Air Source Heat Pump for space heating and electric heaters for hot water in the non-residential units. Mechanical ventilation is specified for both parts of the development and active cooling for the non-residential area. However, the applicant has confirmed that low temperature, insulated pipework is to be installed that would allow future connection to a district heating network. This provision has been assessed by the Council's Energy Conservation Officer and is considered to be acceptable in this case. The legal agreement and condition 17 secure the implementation of the proposal, inclusive of its future proofed design, in accordance with the submitted Energy Strategy.
- 10.141 Renewables: The proposal includes the provision of a solar photovoltaic panel array on the roof of the development and Air Source Heat Pumps. This is supported as it maximises the potential of a green sustainable form of energy.
- 10.142 Overheating and Cooling: The Thermal Modelling Report shows how passive strategies to reduce the risk of overheating have been followed before mechanical ventilation and a variable refrigerant system (VRF) are specified. The installation of comfort cooling in the non-residential area is justified due to the failure of some units to meet overheating criteria under current climate conditions and others being close to failure. The overheating modelling and cooling hierarchy is acceptable.
- 10.143 Sustainability: The proposed dwellings are all detailed to include sustainable measures that are equivalent to the former Code for Sustainable Homes Level 4, which is in accordance with policy. The Office element of the site is detailed to be BREEAM 'Excellent' and a condition (7) is recommended to secure this.
- 10.144 Green Performance Plan: This is secured in the legal agreement.
- 10.145 Sustainable Urban Drainage: The SUDS strategy has been reviewed and accepted by the Lead Local Flood Authority subject to maintenance details being approved. The details are secured by condition (Condition 20) and the responsibility of maintenance placed on the applicant.
- 10.146 Green Roofs and Water Usage: The proposal includes extensive biodiverse green roofs and a green wall which are secured by condition 12. The water usage of the proposal is secured by condition 26.
- 10.147 Basement: The Council's Sustainability Officer has assessed the submitted details relating to ground water and flooding and considers the proposed basement to be in accordance with the requirements of the Islington Basement Development SPD (2016).

10.148 The energy and sustainability measures proposed are, on balance, considered to be acceptable, and accord with London Plan and Islington Policies.

Highways and Transportation

10.149 The site has a Public Transport Accessibility Level (PTAL) of 6a, which is 'Excellent'. The site is located in close vicinity to a number of bus routes, Upper Holloway Overground Station and Archway Underground Station.

10.150 Public Transport Implications: Although the proposal would result in a greater number of site users. However, due to the excellent level of accessibility at the site and the provision of cycle parking, the proposal would not detrimentally impact upon the surrounding transport infrastructure. A Travel Plan is secured in the legal agreement.

10.151 Vehicle Parking: The site does not currently include any formal parking arrangements and no parking is proposed within the site as part of the application. Residential occupiers of the new units would not be eligible to attain on-street car parking permits for the surrounding Controlled Parking Zone (CPZ) in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure and this is secured in the legal agreement. The exceptions to this would be where, in accordance with Council parking policy, future persons occupying the residential development are currently living in residential properties within Islington prior to moving into the development and they have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit. These residents are able to transfer their existing permits to their new homes. Residents who are 'blue badge' (disabled parking permit) will also be able to park in the CPZ.

10.152 Delivery and Servicing Arrangements: The existing site includes a small external forecourt fronting Holloway Road, which has previously been used to service the building. However, Holloway Road is a Red Route, and the forecourt is partially blocked by a bus stop. The forecourt itself has extremely limited space for vehicles to manoeuvre, turn around and exit in forward gear, and additionally requires ramped access to allow for step-free access, further restricting the available space. The proposed development would be serviced from a proposed on-street loading bay on Fairbridge Road. The bay would be adjacent to an existing nominal vehicular entrance to the application site where there is currently a crossover. While an on-street servicing arrangement is not ideal, it is considered that due to the location of the application site and the restrictions on Holloway Road it would be acceptable in this instance. The crossover would be stopped up and a designated loading bay space clearly marked. Transport for London and the Council's own Highways Officers have accepted this arrangement and it is not considered that, given the relatively low number of deliveries associated with the uses on the site, this would give rise to any highways safety impacts.

10.153 Concerning the hours of delivery, a condition is recommended requiring details of the proposed Delivery/Servicing Plan, including hours, frequency, location and size of vehicles to be submitted to and approved in writing by the Local Planning Authority.

10.154 Refuse collection would continue to take place on-street, as is currently the case.

10.155 Cycle Parking: In accordance with Appendix 6 of the Development Management Policies 2013 the proposal would provide 19 cycle parking spaces (inclusive of an accessible cycle parking space) for the residential element of the proposal. The 18 standard spaces would be in one room at ground floor level (having been moved from the basement in an earlier iteration of the scheme).

10.156 The proposed office element of the scheme would see 4 covered cycle stands (providing 8 spaces) to the front of the property onto Holloway Road and an accessible cycle space within

the main entrance. Appendix 6 of the Development Management Policy would require 23 cycle parking spaces for the quantum of floorspace proposed. It is considered there is sufficient space within the proposed commercial units to provide any shortfall in the overall cycle parking. It is often now the case that employers prefer to keep medium to high value bicycles within internal office/studio space and an area could be set aside in each unit to allow the scheme to meet the 23 space requirement. As such, a condition (14) is recommended requiring details of all cycle parking provision to be submitted to and approved in writing by the Local Planning Authority.

10.157 Construction: The legal agreement secures the repair and re-instatement of the footways and highways adjoining the development; and that the development would be constructed in compliance with the Code of Construction Practice and secures a monitoring fee. Condition 4 secures details of a Construction and Environmental Management Plan to be submitted prior to commencement of development to minimise disruption to surrounding streets and residential amenity.

Planning Obligations/Mitigations/CIL

10.158 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required to mitigate the direct impacts of a particular development. This means that the measures required to mitigate the negative impacts of this development in terms of carbon emissions, lack of accessible parking spaces and local accessibility cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset, accessible transport, highway reinstatement and local accessibility investment required to ensure that the development does not cause unacceptable impacts on the local area.

10.159 None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.

10.160 The carbon offset and accessible transport contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment. Furthermore, in the event that policy compliant onsite accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.

10.161 The highway and footway reinstatement requirement is also very clearly site-specific. The total cost will depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.

10.162 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments.

10.163 The agreement will include the following agreed heads of terms:

- Viability review in line with the Islington Development Viability Supplementary Planning Document (2016). Submission of residential sales values and build cost information at an advanced stage of the development process on sale of 75% of private residential units. Reasonable fees of consultant appointed by the council to be paid for by the applicant. In

the event of an improvement in viability, an increased financial contribution towards the provision of affordable housing to be paid to the council, to be determined in accordance with the SPD and capped at the equivalent of the council's affordable housing target;

- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required;
- Compliance with Code of Employment and Training including delivery of 1 work placement during the construction phase of the development, lasting a minimum of 26 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/2015). If these placements are not provided, LBI will request a fee of £5,000;
- Compliance with the Code of Local Procurement;
- Contribution of £2954 towards employment and training for local residents;
- Compliance with the Code of Construction Practice, including a monitoring fee of £1388, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site;
- Car free residential units – removal of future residents rights to obtain an on street parking permit;
- The provision of two additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of £4000;
- Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD);
- The wheelchair accessible unit shall be required to be marketed as such for a minimum period of 6 months. Developers should include prominent information on the design standards met by the unit and the specific qualities and capacity of the wheelchair accessible unit in their marketing brochures and show rooms, on their websites and any billboards used to advertise the development;
- CO2 offset contribution of £70,012;
- Green Performance Plan;
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future;
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

10.164 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community

Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted CIL Charging Schedule 2012 and the Islington adopted CIL Charging Schedule 2014 and is likely to be £87,701.81 for the Mayoral CIL and £143,189.62 for the Islington CIL. This will be payable to the London Borough of Islington after the planning consent has been implemented. The payments would be chargeable on implementation of the private housing.

Other

- 10.165 Representation has been received which states that the developer has redacted information. The submitted documents and plans are available in full on the Council's website and the proposal has been assessed on the basis of the documents/plans submitted.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 A summary of the proposal and its acceptability is provided at paragraphs 4.1 – 4.5 of this report.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions and a s106 agreement securing the heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- Off-Site affordable housing contribution of £350,000.
- Viability review in line with the Islington Development Viability Supplementary Planning Document (2016). Submission of residential sales values and build cost information at an advanced stage of the development process on sale of 75% of private residential units. Reasonable fees of consultant appointed by the council to be paid for by the applicant. In the event of an improvement in viability, a financial contribution towards the provision of affordable housing to be paid to the council, to be determined in accordance with the SPD and capped at the equivalent of the council's affordable housing target;
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required;
- Compliance with Code of Employment and Training including delivery of 1 work placement during the construction phase of the development, lasting a minimum of 26 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/2015). If these placements are not provided, LBI will request a fee of £5,000;
- Compliance with the Code of Local Procurement;
- Contribution of £2954 towards employment and training for local residents;
- Compliance with the Code of Construction Practice, including a monitoring fee of £1388, and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site;
- Car free residential units – removal of future residents' rights to obtain an on street parking permit;
- The provision of two additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of £4000;
- Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD);
- The wheelchair accessible unit shall be required to be marketed as such for a minimum period of 6 months. Developers should include prominent information on the design standards met by the unit and the specific qualities and capacity of the wheelchair accessible unit in their marketing brochures and show rooms, on their websites and any billboards used to advertise the development;

- CO2 offset contribution of £70,012;
- Green Performance Plan;
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future;
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

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

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

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>HRH-01, HRH-E3, HRH-E4, HRH-E5, HRH-02, HRH-03, HRH-04 Rev C HRH-05 Rev C, HRH-06 Rev C, HRH-07 Rev C, HRH-08 Rev C, HRH-09 Rev C HRH-10 Rev A, HRH-11 Rev A, HRH-12 Rev A, HRH-13 Rev B, HRH-14 Rev B, Outline Construction Logistics Plan (June 2017), BREEM 2014 Pre-assessment Report (23 Nov 2016), Ecology Report (6 February 2017), Energy Strategy Report (14 Nov 2016 & 16 Jan 2017), Sustainability Statement (14 Nov 2016 & 13 Feb 2017), Arboricultural Impact Assessment (7 Oct 2016), Air Quality Assessment (6 October 2016), Green Performance Plan 916 Nov 2016), Viability Study (November 2016), Viability Update (16 June 2107), Flood Risk Assessment (Oct 2106), Sunlight/Daylight Report (23 Oct 2015),</p>

	<p>Sunlight/Daylight letter (13 Feb 2017), Noise & Vibration Assessment (22 Jun 2015), Transport Statement (1 Sep 2016), Design and Access Statement (8 Nov 2016)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials (Details)</p> <p>CONDITION: Details including drawings at scale 1:20 and samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on the development. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Facing brickwork(s); sample panels of proposed brickwork to be used showing the colour, texture, bond, and pointing; b) cladding materials and glazing; c) Windows, including materials, profile, reveal depth (minimum 150mm) and detailing; d) Entrance doors and balustrades; e) Privacy screen of at least 1.7m in height to the fifth floor residential balcony overlooking the rear gardens of 726 – 732 Holloway Road and no.2 Fairbridge Road; f) Any other materials used; g) A green procurement plan for sourcing the proposed materials. <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste. The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to ensure that the resulting appearance and construction of the development is of an acceptably high standard, so as to preserve and enhance the character and appearance of the surrounding townscape.</p>
4	<p>Demolition, Environmental and Construction Management and Logistics Plan (Details)</p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Demolition, Environmental and Construction Logistics and Management Plan has been submitted to the Local Planning Authority and approved in writing. This</p> <ul style="list-style-type: none"> a) Proposed access routes for construction traffic; vehicular numbers and type b) Permitted hours of access for construction; c) Proposed on-site management measures to ensure that movement of vehicles in and out of the site is safe (and in forward gear); d) Using freight operators who can demonstrate their commitment to best practice - for example, members of our Freight Operator Recognition Scheme (FORS) e) Consolidating deliveries so fewer journeys are needed; f) Using sustainable delivery methods; h) Details of the methods to be used and the measures to be undertaken to control the emission of noise arising from demolition and construction works; and noise, air quality including dust, smoke and odour, vibration, and TV reception <p>The report shall assess impacts during the construction phases of the development on the road network, nearby residents and other occupiers together with means of</p>

	<p>mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the details so approved at all times and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential amenity, highway safety, the free flow of traffic on the surrounding highway network, and to mitigate the impacts of the development.</p>
5	External pipes, cables and CCTV (Details)
	<p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>
6	Affordable Workspace (Compliance/Details)
	<p>CONDITION: The business accommodation suitable for occupation by micro and small enterprises detailed on drawings HRH/02 Rev A, HRH/03 Rev B and HRH/04 Rev A shall be laid out in accordance with those approved drawings and retained as such permanently thereafter. The micro and small enterprise units shall not be amalgamated with other micro and small units at the site or with the remainder of the office space and shall each be let to a single occupant. Any space that is not provided as physically separate units and is larger than 90sqm requires details to be submitted, prior to occupation, demonstrating how the floorspace meets the needs of small or micro enterprises through its design, management and/or potential lease terms.</p> <p>REASON: In the interests of ensuring that the proposed development contributes to a mixed and flexible employment base and specifically supports the ability of small and medium enterprises to find suitable small (and by virtue of it being small) affordable workspace in the borough.</p>
7	BREEAM (Compliance)
	<p>CONDITION: The development shall achieve a BREEAM Office rating (2014) of no less than 'Excellent' for the office accommodation.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
8	Fixed Plant (Compliance)
	<p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is</p>

	provided.
9	Sound Insulation between uses (Details)
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed office use (B1a use class) and the residential use (C3) of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on the relevant part of the development.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, 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.</p> <p>REASON: To ensure that the development does not have an adverse impact on amenity.</p>
10	Sound Insulation from External Sources (Details)
	<p>CONDITION: Prior to superstructure works commencing on site a scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast) Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>Groundborne noise shall not exceed 40dB LAmax,Slow as measured in the centre of any residential room.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, 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.</p> <p>REASON: To ensure the future residents of the development do not experience unacceptable levels of noise from the railway or adjacent road network.</p>
11	Inclusive Design (Compliance)
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, 9 (nine) of the residential units shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) and 1 (one) of the units shall be constructed to meet the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Wheelchair user dwellings' M4 (3).</p> <p>A total of 1 x 2-bed unit shall be provided to Category 3 standards and shall be fully fitted out and ready for a wheelchair user at handover.</p> <p>A total of 3 x 1-bed, 5 x 2-bed and 1 x 3-bed units shall be provided to Category 2 standards.</p>

	<p>Building Regulations Approved Plans and Decision Advice Notice, confirming that these requirements will be achieved, shall be submitted to and approved in writing by Local Planning Authority prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs.</p>
12	Green Biodiversity Roofs and Wall (Details)
	<p>CONDITION: Notwithstanding the details hereby approved, prior to commencement of the development, details of the biodiversity green roofs and wall(s) shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm);</p> <p>b) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum); and</p> <p>c) a maintenance plan for the green / biodiverse roofs/wall to cover the lifetime of the development.</p> <p>The biodiversity green roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs/wall shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity and maximises the sustainable urban drainage (SUDs) benefits of the scheme in order to minimise the potential for increased flood risk as a result of the development.</p>
13	Refuse and Recycling (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans 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 prevent unacceptable impacts on the functioning and amenity of the area.</p>
14	Cycle Parking (Details)
	<p>CONDITION: Notwithstanding the details hereby approved, prior to superstructure works commencing on site, details of the bicycle storage areas providing no less than 42 cycle parking spaces (19 for residential use and 23 for office use), shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>These spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p>

	<p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
15	<p>Delivery and Servicing Plan (Details)</p> <p>CONDITION: A delivery and service management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The plan shall include details of all servicing for the development, from a loading bay fronting Fairbridge Road including hours, frequency, location (confirmation) and size of vehicles.</p> <p>The development shall be carried out strictly in accordance with the details so approved.</p> <p>REASON: In order to secure highway safety and free flow of traffic, local residential amenity and to mitigate the impacts of the development.</p>
16	<p>Obscure Glazing (Compliance/Details)</p> <p>CONDITION: Notwithstanding the hereby approved plans, prior to the first occupation of unit F5 of the development hereby approved details of obscure glazing to the third floor level, north west facing window of the bedroom in unit F5 shall be submitted to and approved in writing by the Local Planning Authority and maintained as such thereafter.</p> <p>All windows at ground, first, second and fourth floor levels on the north east facing elevation of the building and the eastern most window at third floor level of the north east facing elevation shall be obscure glazed and permanently fixed shut, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of preventing direct overlooking and in addition to prevent undue noise disturbance to the residential properties in immediate proximity to the development site. This condition is considered necessary to protect the residential amenity of the Holloway Road properties.</p>
17	<p>Energy Efficiency (Details)</p> <p>CONDITION: The energy measures as outlined within the approved Energy Strategy shall together provide for no less than a 20.2% on-site total C02 emissions reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>Should, following further assessment, the approved energy measures be found to be no longer suitable, a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The revised energy strategy shall provide for no less than a 20.2% on-site total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the CO2 emission reduction targets are met.
18	Security & General Lighting (Details)
	<p>CONDITION: Details of general and any security outdoor lighting, including full specification of all luminaries, lamps and support structures and hours of use, shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, protecting the setting of and character of the designated heritage assets, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
19	Use of flat roof for maintenance only (compliance)
	<p>CONDITION: Any flat roofs other than those shown on the plans hereby approved as terraces shall not be used except for the purposes of maintenance access.</p> <p>REASON: To protect the privacy of the adjoining occupiers.</p>
20	Sustainable Urban Drainage (Details)
	<p>CONDITION: Notwithstanding the plans submitted, details of a drainage strategy for a sustainable urban drainage system and its ongoing maintenance shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits.</p> <p>The submitted details shall include the scheme's peak runoff rate and storage volume for the 1 in 100year storm plus 33% climate change allowance and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec. The drainage system shall be installed/operational prior to the first occupation of the development. The details shall demonstrate how the site will manage surface water in excess of the design event, and shall set out a clear maintenance plan for the system.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
21	Ventilation (Details)
	<p>CONDITION: Prior to occupation of the residential units, full details of ventilation for the residential accommodation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the future residents of the development do not experience</p>

	overheating or poor quality air.
21	Piling - Thames Water (Details)
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimize the potential for damage to subsurface sewage infrastructure and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water, Network Rail and Transport for London. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewage utility infrastructure and therefore information is required in order to ensure no such damage occurs.</p>
22	Piling Method Statement - Railway (Details)
	<p>CONDITION: No development may commence until detailed design and method statements (in consultation with Network Rail and London Underground) for all of the foundations, basement and ground floor structures, or for any other structure below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> a) Provide details on all structures; b) Accommodate ground movement arising from the construction thereof; and c) Mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels. <p>The works shall then be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>REASON: To ensure that the development does not impact on existing London Overground and Network Rail transport infrastructure.</p>
23	Holloway Road Forecourt Landscaping (Details)
	<p>CONDITION: Notwithstanding the drawings hereby approved, a landscaping plan for the forecourt fronting Holloway Road shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the site. The details shall include:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) soft plantings: including grass and turf areas, shrub and herbaceous areas; c) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; d) Details of handrails to ramps in accordance with BS8300:2009; e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls, hedges and the feature metal gate to the community centre; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and g) any other landscaping feature(s) forming part of the scheme.

	<p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping shall have a two-year maintenance / watering provision following planting and any shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity and sustainability, to ensure that a satisfactory standard of visual amenity is provided and maintained, and to facilitate and promote inclusive and sustainable communities.</p>
24	Bird and Bat Nesting Boxes (Details)
	<p>CONDITION: Details of bird and/or bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.</p> <p>The nesting boxes/bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
25	Bat Survey (Details)
	<p>CONDITION: A Bat Survey shall be carried out prior to any works, including demolition and vegetation clearance, commencing on site. The survey should include an initial ground level inspection of all trees to be removed or requiring management to identify trees and other areas with features of potential value to roosting bats. The results of the survey, including any proposed actions or mitigation measures, should be submitted in the form of a method statement and approved in writing by the Local Planning Authority prior to any work commencing on site.</p> <p>REASON: To ensure the development does not create harm to wildlife, habitats and valuable areas for biodiversity.</p>
26	Water Usage (Compliance)
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>

List of Informatives:

1	Positive Statement
	INFORMATIVE: 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

	<p>website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	S106
	INFORMATIVE: You are advised that this permission has been granted subject to the completion of a S106 legal agreement to secure agreed planning obligations.
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
4	Superstructure
	INFORMATIVE: 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.
5	Network Rail
	<p>INFORMATIVE: In order to ensure the safe operation of the railway, Network Rail reminds the applicants of their requirements to:</p> <p>Future maintenance: The development must ensure that any future maintenance can</p>

be conducted solely on the applicant's land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space, and therefore all/any building should be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. The reason for the 2m (3m for overhead lines and third rail) stand-off requirement is to allow for construction and future maintenance of a building and without requirement for access to the operational railway environment which may not necessarily be granted or if granted subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air space to facilitate works. The applicant / resident would need to receive approval for such works from the

Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land . No structure/building should be built hard-against Network Rail's boundary as in this case there is an even higher probability of access to Network Rail land being required to undertake any construction / maintenance works. Equally any structure/building erected hard against the boundary with Network Rail will impact adversely upon our maintenance teams' ability to maintain our boundary fencing and boundary treatments.

Drainage: No Storm/surface water or effluent should be discharged from the site or operations on the site into Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 - 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Plant & Materials: All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Scaffolding: Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed . The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling: Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the

commencement of works and the works shall only be carried out in accordance with the approved method statement.

Fencing: In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Lighting: Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration: The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Landscaping: Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebрина"

Not Permitted: Alder (Alnus Glutinosa), Aspen - Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

	As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts AssetProtectionAnglia@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from their website at www.networkrail.co.uk/aspx/1538.aspx .
6	Thames Water
	<p>INFORMATIVE: The applicants are reminded that Thames Water does not allow connections for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p> <p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provision of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 0203 577 9483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
7	Transport for London
	INFORMATIVE: Separate agreement(s) with TfL will or may be required in respect of the ultimate removal of the existing vehicle crossovers on Holloway Road, the proposed basement works and scaffolding and hoarding licenses and protection of London Overground services (and with Network Rail for the infrastructure itself).

APPENDIX 2: RELEVANT POLICIES

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

1. **National Guidance**

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

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

2. **Development Plan**

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.13 Affordable housing thresholds

Policy 3.16 Protection and enhancement of social infrastructure

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.2 Offices
Policy 4.3 Mixed use development and offices
Policy 4.7 Retail and town centre development
Policy 4.8 Supporting a successful and diverse retail sector
Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction

Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.8 Heritage assets and archaeology
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing Challenge)

Policy CS13 (Employment Spaces)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.6 Play space

DM3.7 Noise and vibration (residential uses)

Shops, cultures and services

DM4.4 Promoting Islington's Town Centres

Employment

DM5.1 New Business Floor space

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Employment

DM5.1 New Business Floor space

DM5.4 Size and affordability of workspace

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

3. Designations

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

- Archway Town Centre

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidelines

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

Islington Local Plan

- Environmental Design
- Inclusive Landscape Design
- Planning Obligations and S106

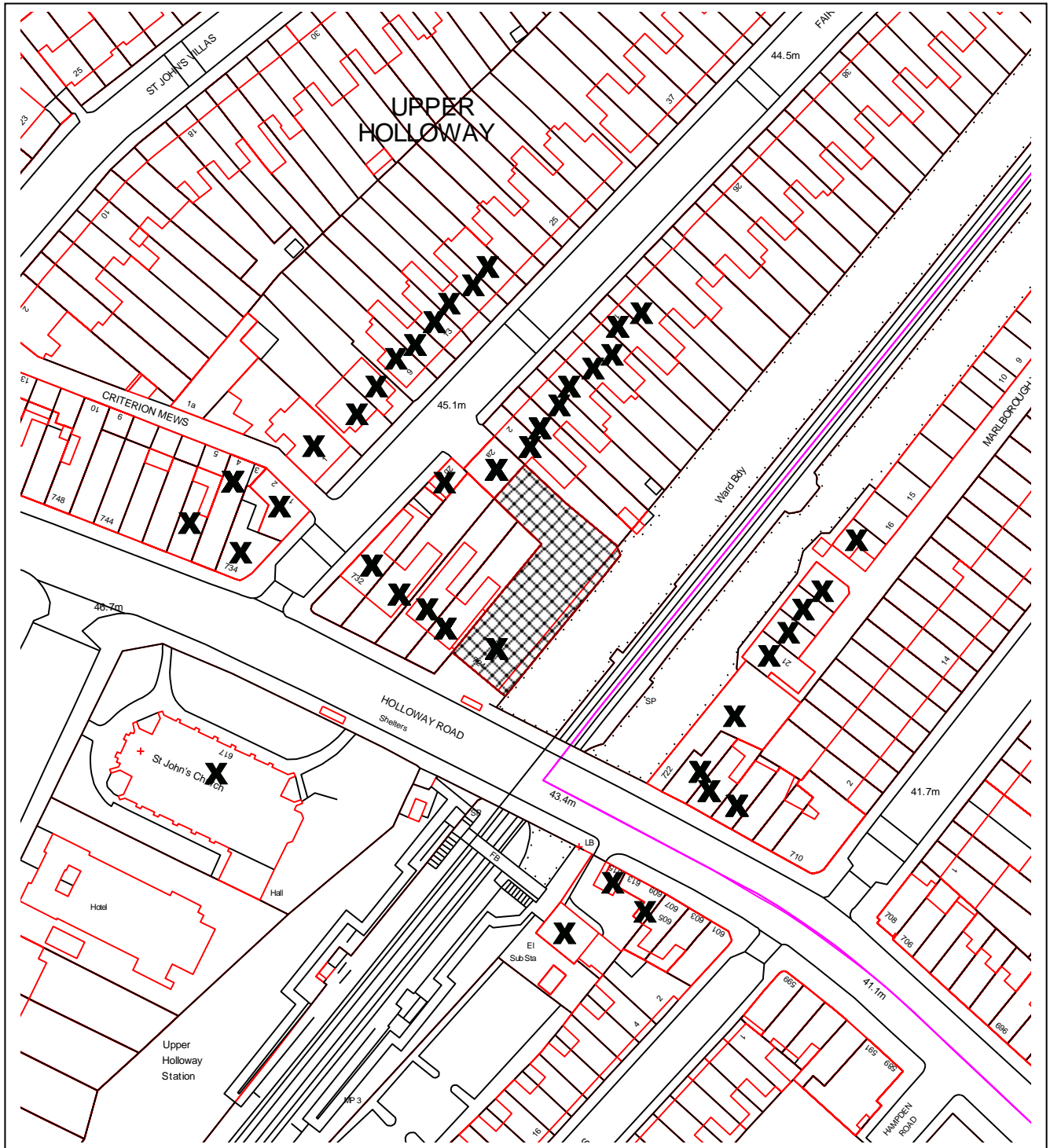
London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing

- Urban Design Guide
- Conservation Area Design Guidelines
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

This page is intentionally left blank

Islington SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.
P2016-4533-FUL

This page is intentionally left blank

PLANNING COMMITTEE REPORT



ISLINGTON

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING COMMITTEE		AGENDA ITEM NO: B4
Date:	6 February 2018	

Application number	P2017/3389/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No
Conservation area	Within 50 metres of the Hat and Feathers Conservation Area.
Development Plan Context	Core Strategy: CS7 - Key Area Bunhill & Clerkenwell Employment Priority Area (General) Central Activities Zone (CAZ)
Licensing Implications	None
Site Address	Gee Street, London EC1V
Proposal	Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 3,956 sqm (GIA) office (Use Class B1a) floorspace on part ground floor and Levels 1-6 and 94 sqm (GIA) retail floorspace on part ground floor.

Case Officer	Simon Greenwood
Applicant	Chait Investment Corporation Ltd
Agent	CBRE – Matt Gore

1. RECOMMENDATION

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

- subject to the conditions set out in Appendix 1 of the attached 7 November 2017 report; and
- conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990

securing the heads of terms as set out in Appendix 1 of the attached 7 November 2017 report.

DEFERRALS

- 1.1 The application was deferred at the Council's Development Control Committee meeting of 7 November 2017 in order that the applicant could address Members concerns that the scheme was not policy compliant with regards to the provision of retail or leisure floor space on the ground floor. In response, the applicant proposed a ground floor retail unit and the relocation of the small and micro office workspace to part ground floor and part first floor.
- 1.2 The revised plans were the subject of a second public consultation whereupon it transpired that some local residents did not receive the initial consultation letters.
- 1.3 The application was referred to the Planning Committee meeting of 5 December 2017. The Case Officer reported verbally at the meeting that a further 8 objections had been received following publication of the report raising concerns which are summarised as follows:

Excessive height; overbearing visual impact; loss of daylight; increased footfall; increased demand for on-street parking; out of character; overlooking and loss of privacy – in particular by reason of narrow road and excessive amount of glass; offices will overlook bedrooms and bathrooms; light pollution; measures to address light pollution don't work in practice.
- 1.4 The application was deferred a second time so that the applicant could provide a more permanent solution to the issue of overlooking and loss of privacy.
- 1.5 The relevant excerpt of the minutes of the 5 December Planning Committee is attached as Appendix 1 to this report. Copies of the previous Planning Committee Reports are attached as Appendix 2.

2. APPLICANT'S RESPONSE

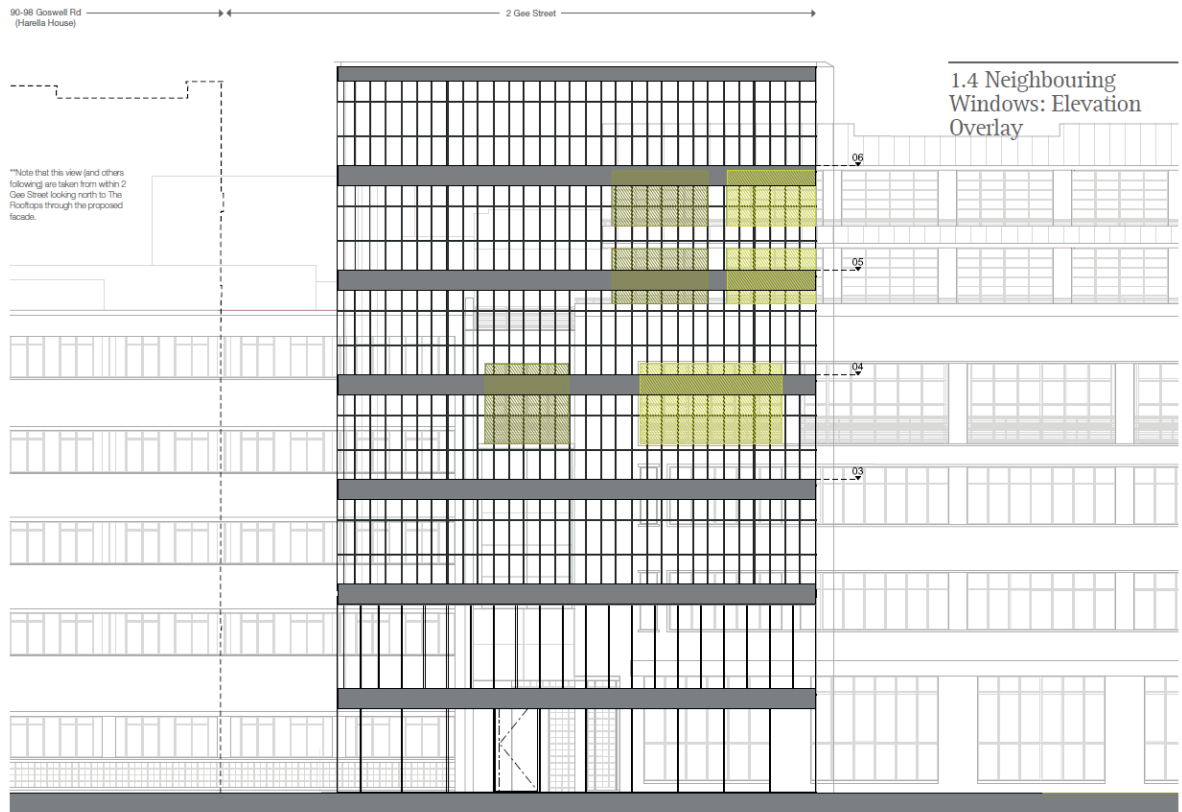
- 2.1 The applicant has provided a detailed response to the Committee's reason for deferral. The response makes reference to three examples of office and residential buildings facing each other across narrow (8.5m-9.5m) roads on Gee Street and Bastwick Street. The applicant also notes that Islington Council policy is clear that privacy distances do not apply to facing commercial and residential uses across a highway.
- 2.2 The applicant's submission identifies that the minimum separation between the proposed office block and The Rooftops is 9.3m on the lowest residential floor, increasing to 10.4m on the next floor and then to 13.5m at penthouse level.
- 2.3 The applicant has identified that 3 dwellings could be most directly overlooked and the windows serving these are identified below.

Windows serving dwellings which could be most directly overlooked



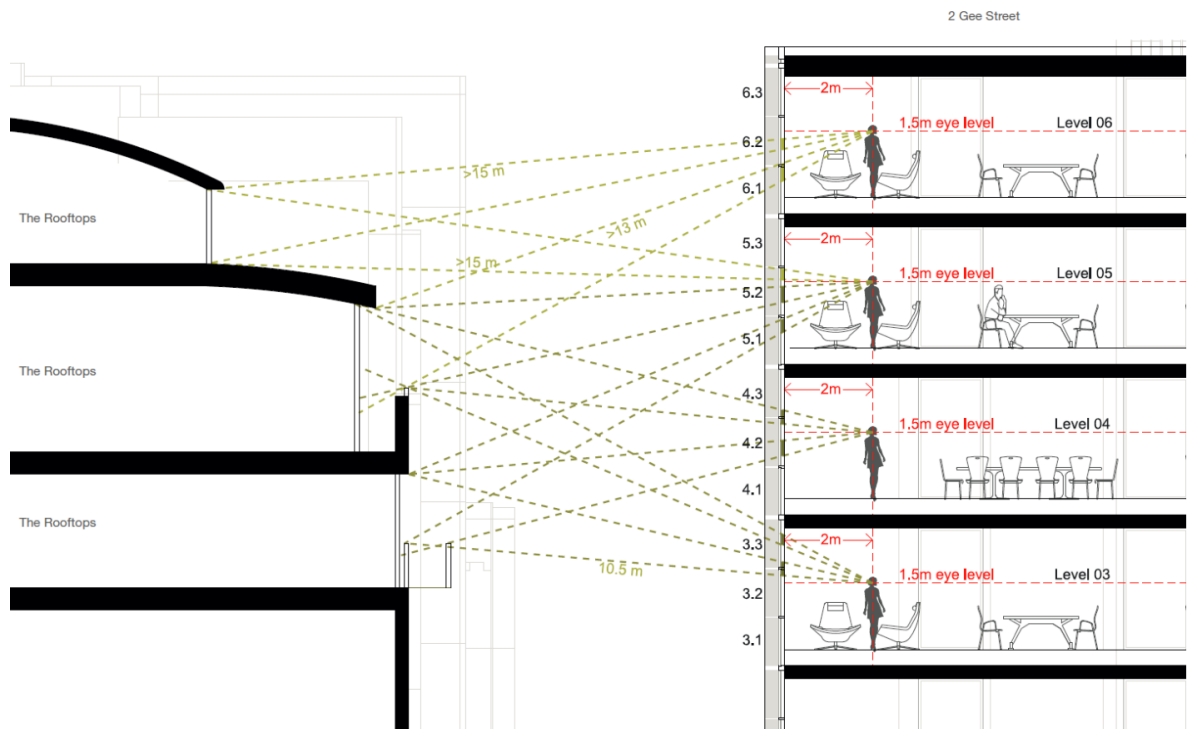
- 2.4 The submission identifies the areas within the proposed building where mitigation measures would be required to respond to the Committee's reason for deferral.

View from within proposed building looking towards The Rooftops with locations for mitigation measures indicated in yellow

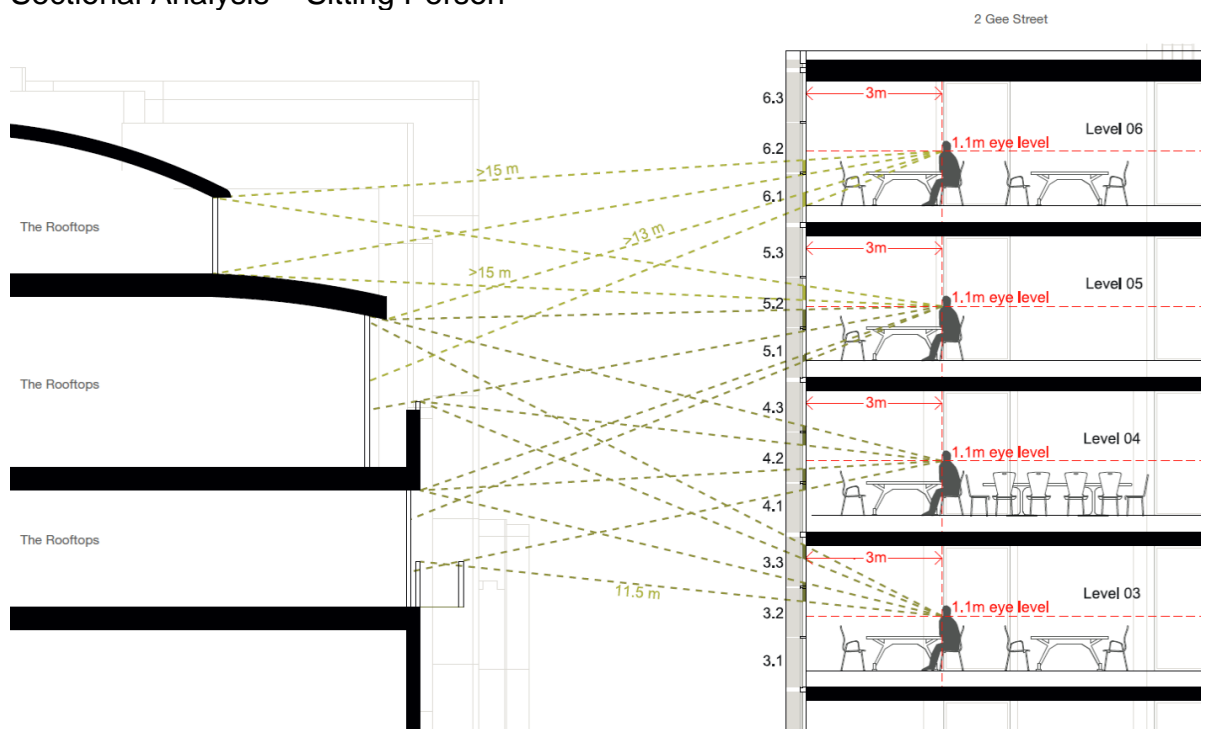


- 2.5 The applicant's submission includes a Sectional Analysis which demonstrates that occupants of the proposed development on the fifth floor may typically have opportunities to overlook dwellings over three floors at The Rooftops, whilst occupants on the third, fourth and sixth floors may typically have opportunities to overlook dwellings over two floors at The Rooftops. The assumption of a person standing 2m from the window edge within the proposed development is considered appropriate for normal office users within any future development.

Sectional Analysis – Standing Person

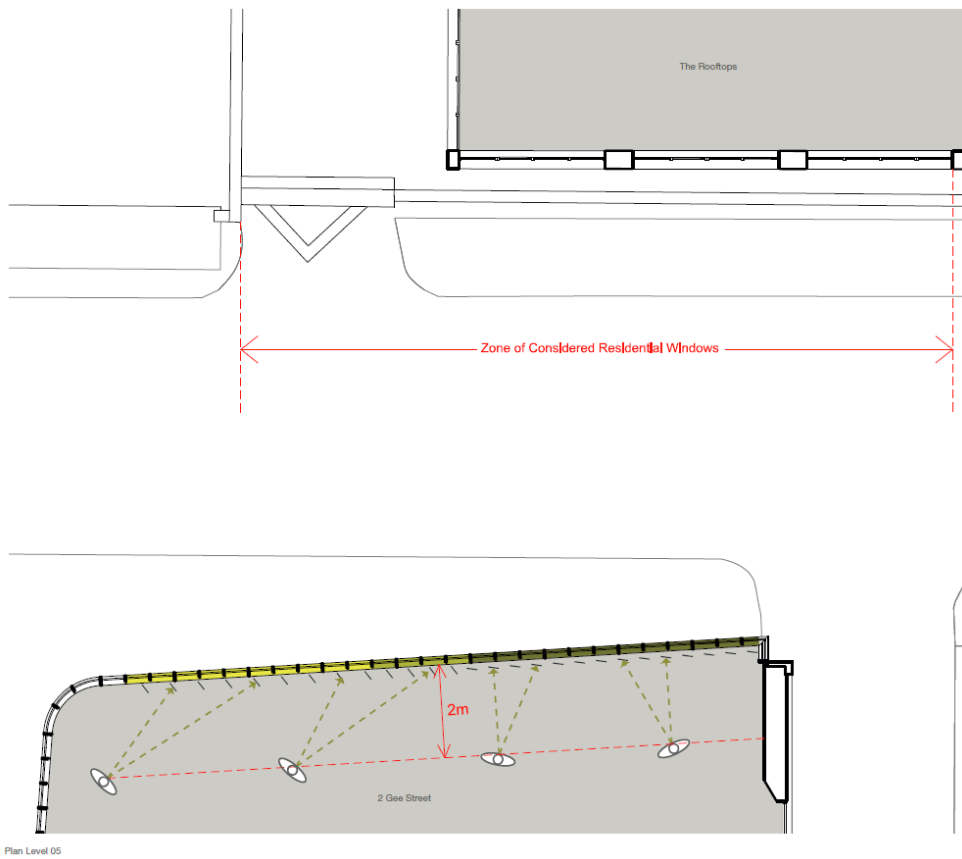


Sectional Analysis – Sitting Person



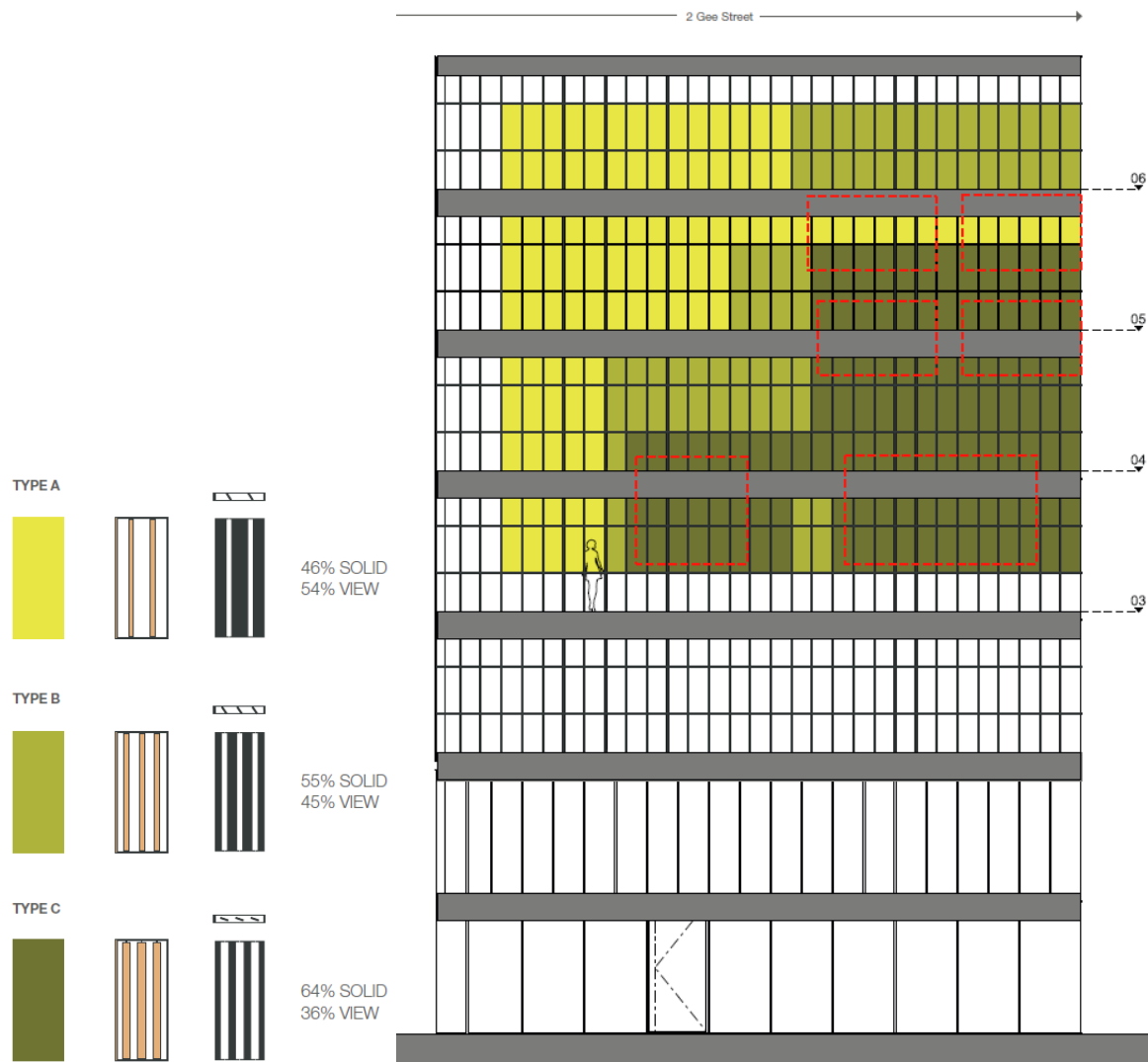
The applicant proposes internal louvres to mitigate overlooking of residential units within The Rooftops. Where residential windows are directly opposite the office floorplate the louvres are rotated to block out the view, whilst where views are more oblique the louvres are orientated to allow straight views out whilst screening angled ones. The applicant has demonstrated this arrangement on the fifth floor plan below and advises that a similar exercise has been carried out for the third, fourth and sixth floors.

Fifth Floor Plan – Louvre arrangement



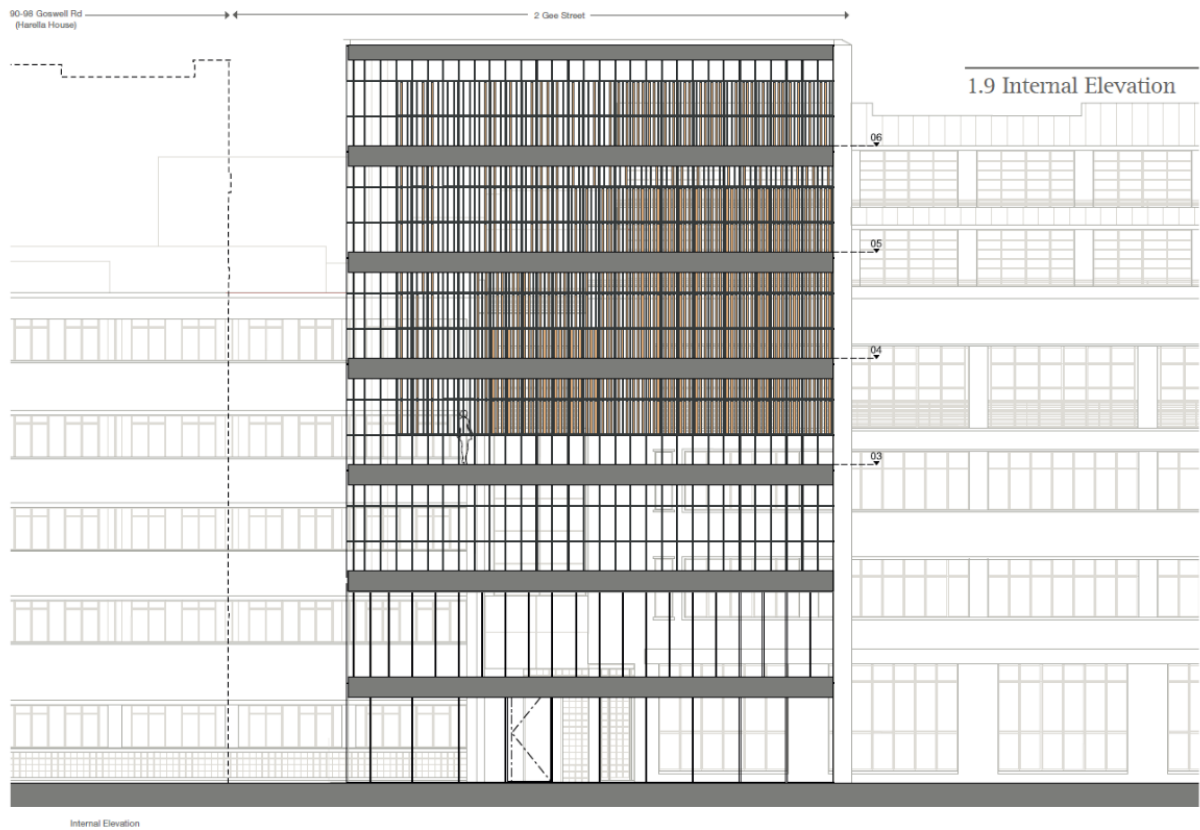
- 2.6 The applicant's submission advises that the sectional and plan analysis carried out has informed the arrangement of louvres indicated on the following diagram. The red dashed lines indicates the positioning of the residential windows at The Rooftops.

Location and arrangements of louvres.

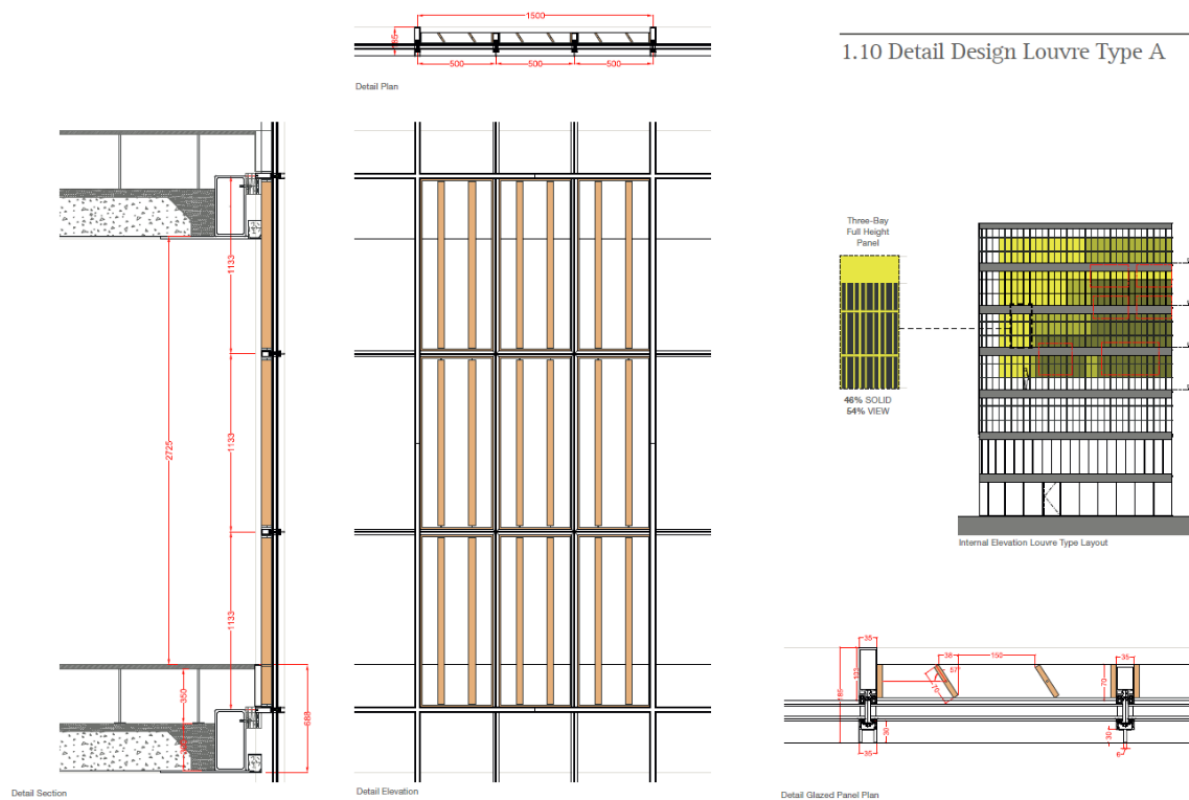


- 2.7 The applicant's submission also includes an internal elevation plan and detailed design plans to illustrate the proposed arrangement of the louvres.

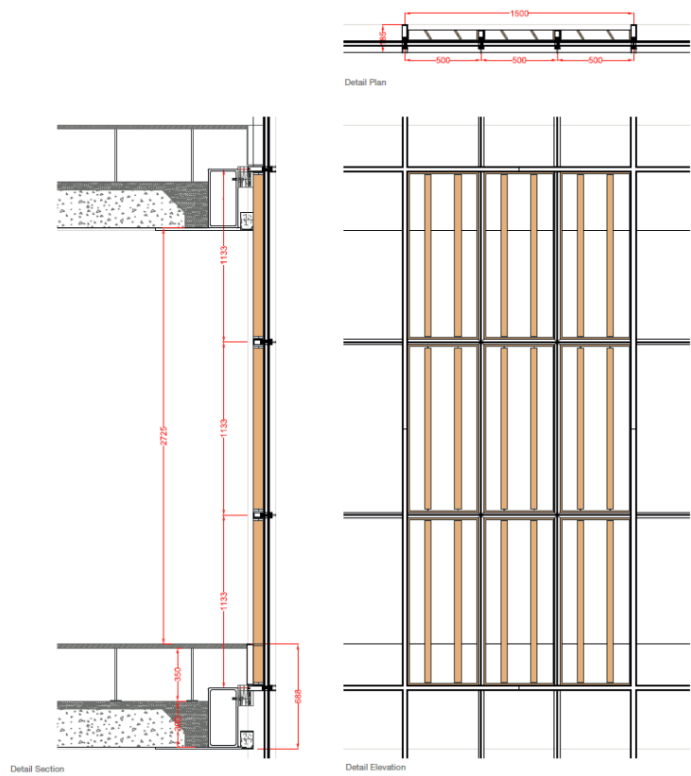
Internal Elevation Plan



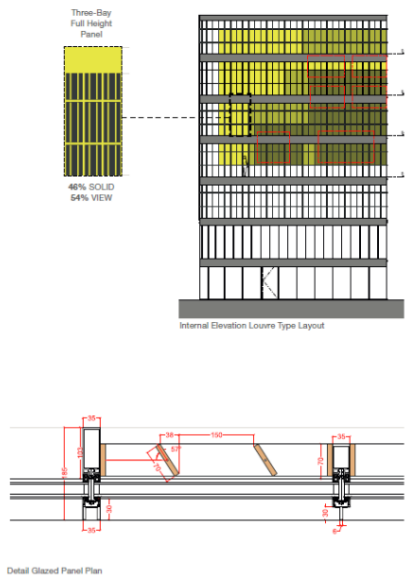
Detailed design louvre type A



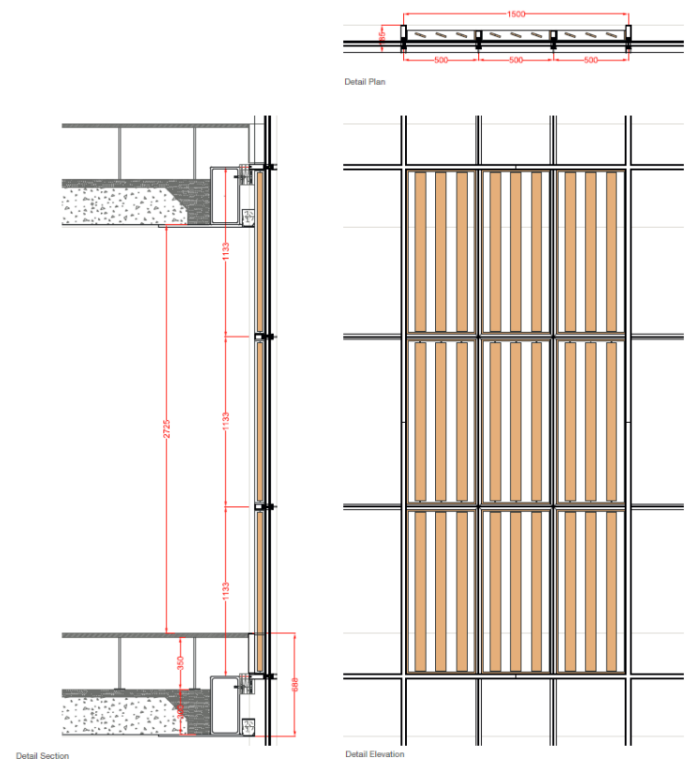
Detailed design louvre type B



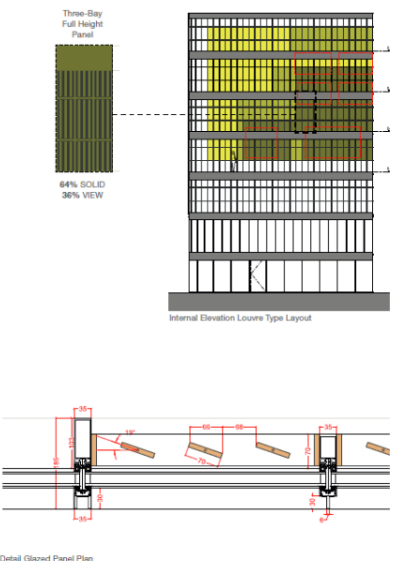
1.10 Detail Design Louvre Type A



Detailed design louvre type C

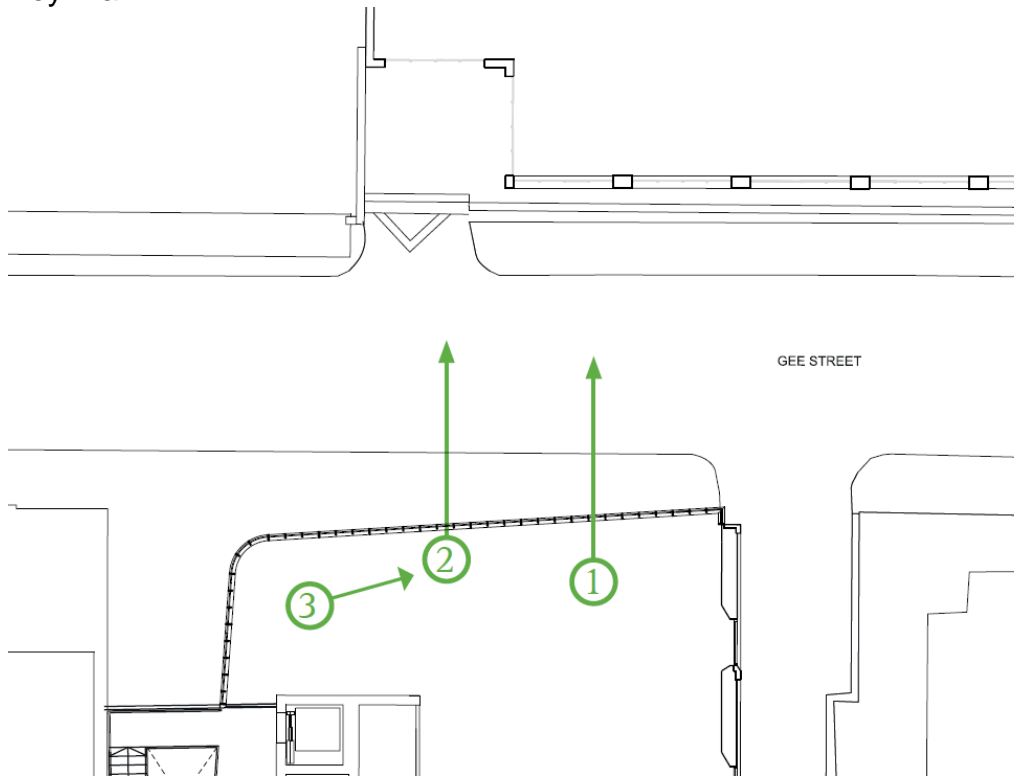


1.12 Detail Design Louvre Type C

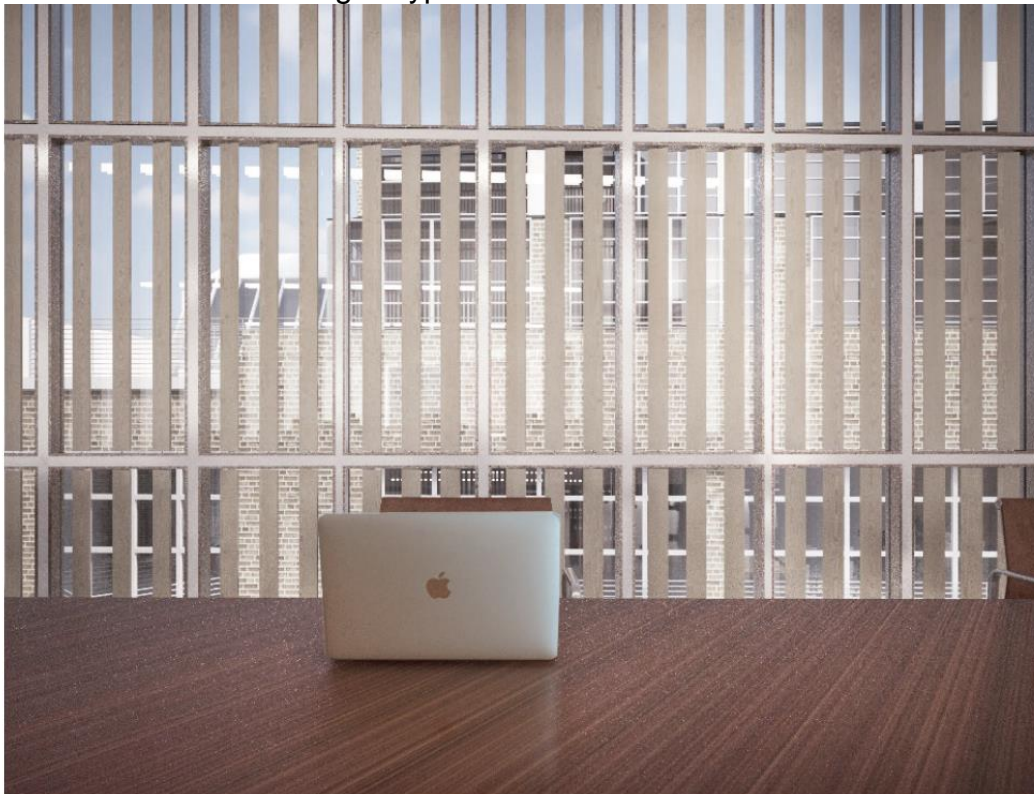


- 2.8 The applicant has also produced CGIs to demonstrate the extent of overlooking from three standing and sitting positions at different viewpoints within the proposed building.

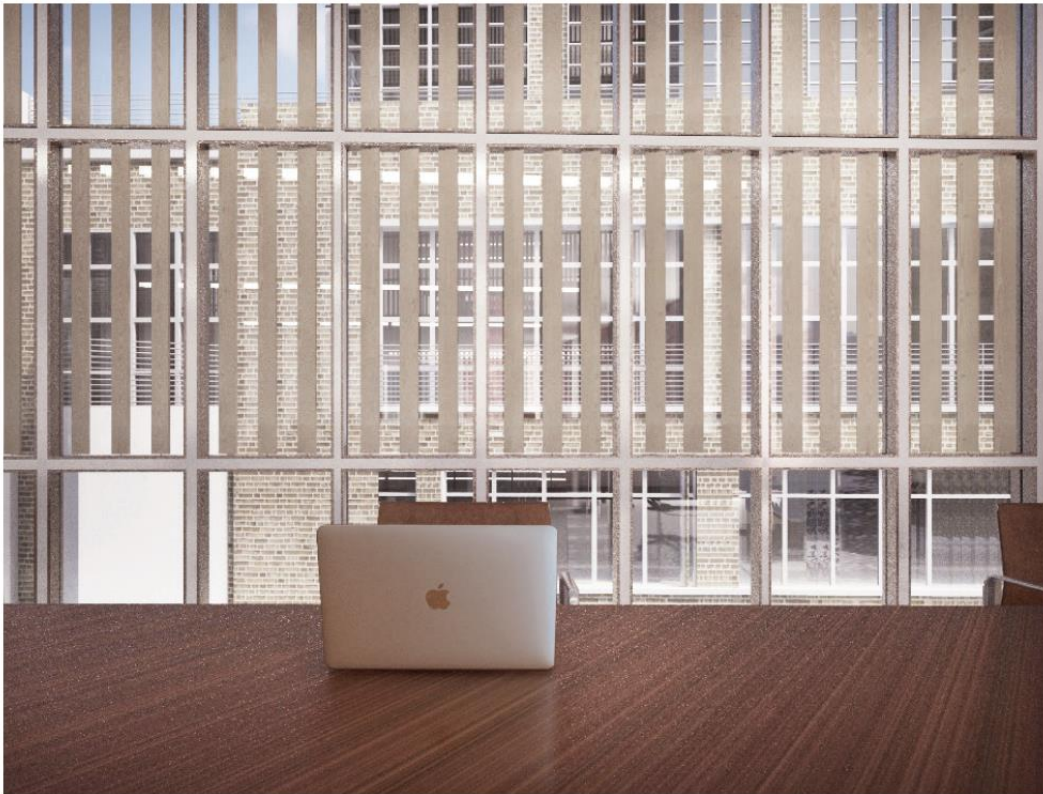
Key Plan



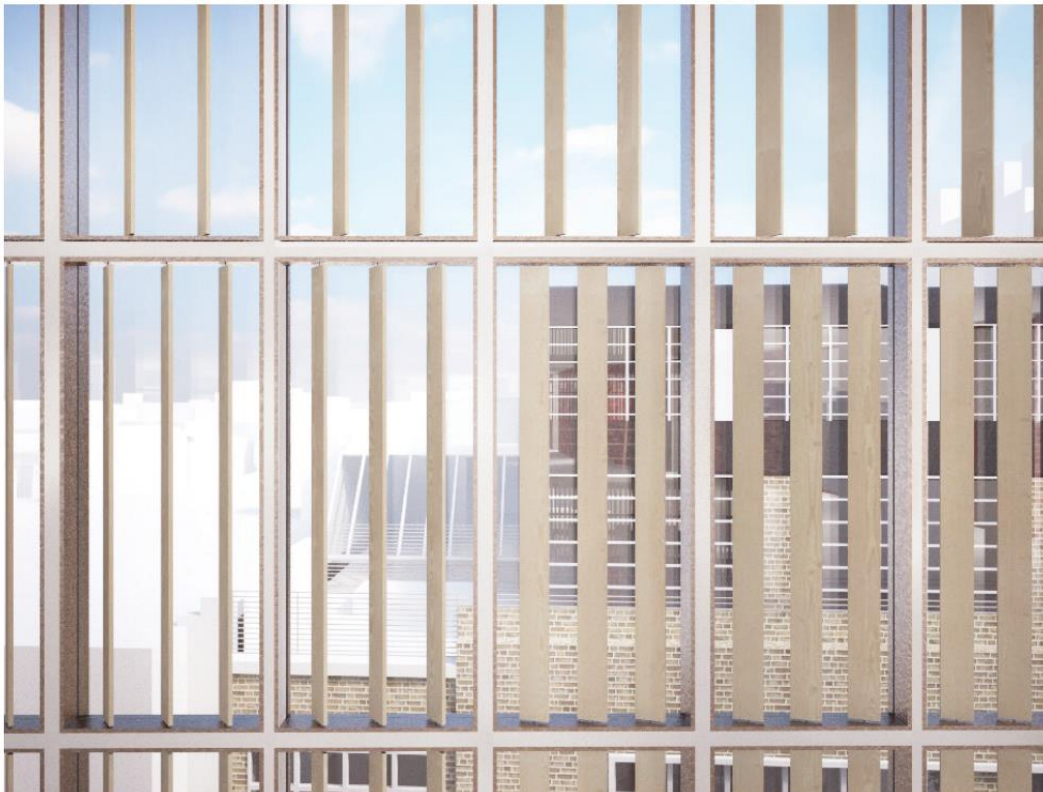
Position 1 Level 4 Sitting – Type C louvres



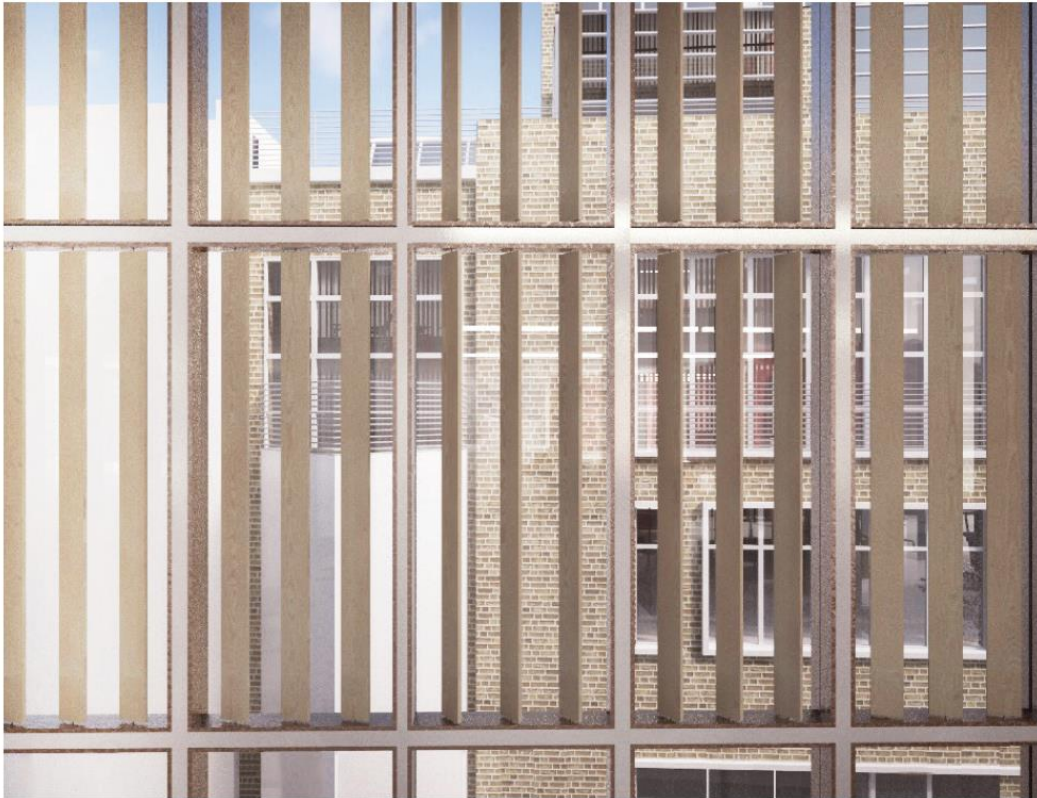
Position 1 Level 3 Sitting – Upper 2 panels Type C louvres; Lower panel no louvres



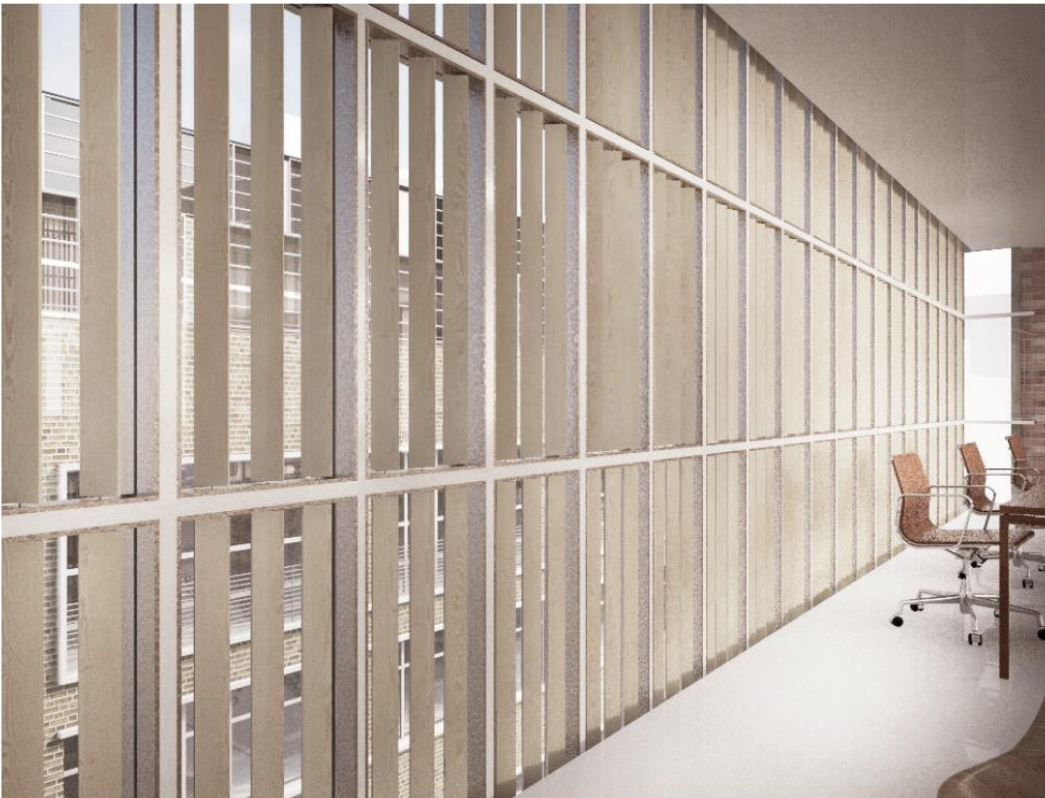
Position 2 Level 5 Standing - Upper panels Type A louvres; Lower two panels Type B (left) and Type C (right)



Position 2 Level 3 Standing – Upper 2 panels Type C louvres, Lower panel no louvres



Position 3 level 4 Sitting – Upper 2 panels Type B louvres, Lower panel Type C louvres



- 2.9 The applicant has responded to comments that the glazed elevation would act as a 'mirror' which would reflect activity within the flats. The applicant states that this would not occur and mirrored glazing is not proposed. It is considered unlikely that there would be any significant opportunities to view activity from the flats on the glazed surface of the building.
- 2.10 The applicant has also provided a CGI of the external appearance of the building with the louvres installed and the proposal is considered acceptable in this regard.

CGI of exterior of building with louvres installed



Consultation

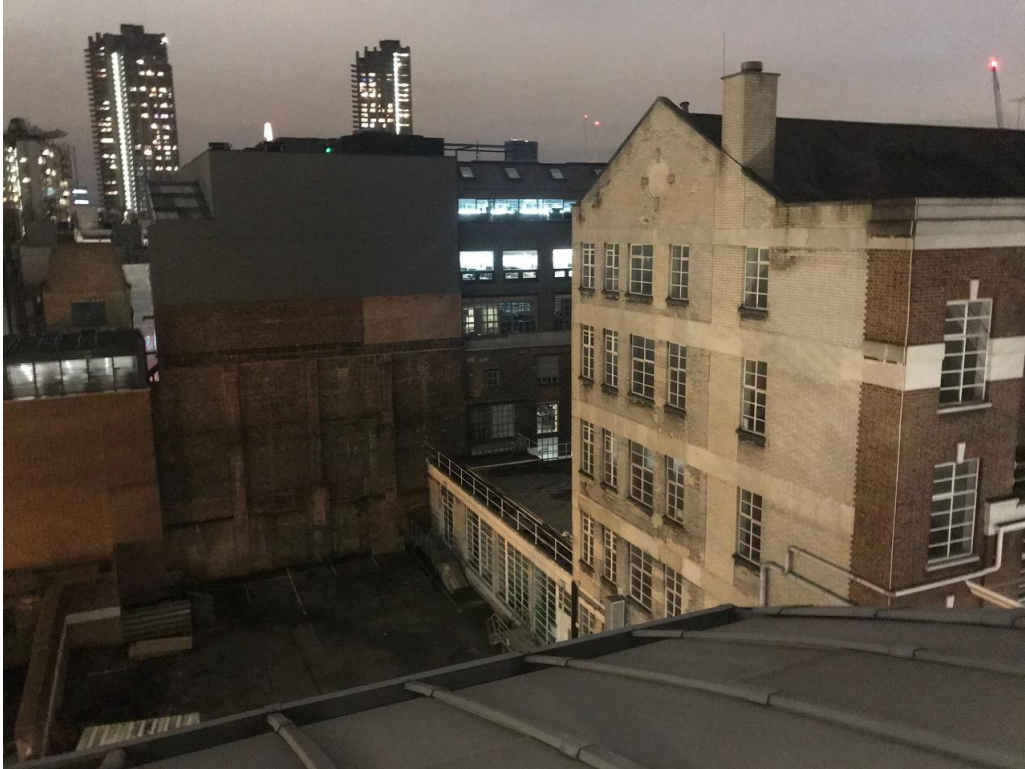
- 2.11 A formal re-consultation on the amendments to the scheme was not undertaken. However, seven residents from the Rooftops who made representations following the previous consultation were emailed by the case officer with details of the applicant's proposed amendments on 10th January 2018 and invited to comment.
- 2.12 At the time of writing five representations have been received which appear to represent a larger number of households within The Rooftops. Some representations make references to approval having been granted, which would

appear to be a misunderstanding, and these references are omitted. The representations are summarised as follows:

- Proposed internal louvres won't protect privacy as the wide angles mean that anyone can walk up to the glass and look through directly into the rooftops private rooms
- Applicant's submission notes that proposed louvres will not be unduly visible externally due to the reflectivity of the glass façade – private activity within dwellings at The Rooftops will also therefore be reflected onto by the façade and will be publicly visible from the street
- Proposed terraces and roof terrace have not been removed and will result in a loss of privacy. *Officer note: fifth and sixth floor external terraces are proposed but no roof terrace is proposed.*
- No measures are proposed to prevent light pollution (other than the light sensors in the first design) - the offices will be open late at night and cleaners will trigger lights resulting in unacceptable nuisance.
- Committee report dismissed overlooking of dwellings within The Rooftops on the basis that it occurred across a public highway – Gee Street is a narrow one-way street and Officer's assessment represents an extreme and possibly deliberate mis-representation of the situation leading to a flawed and unsound recommendation - the Planning Committee agreed that it was a significant consideration given the short separation distances.
- Previous committee offices report states that the offices will be unoccupied when residents are home and this is untrue. *Officer note: the previous committee report stated that 'The proposed development will provide office floorspace which will generally be unoccupied at times when residential dwellings may be most intensively occupied...'*
- Objectors raised concerns regarding light pollution and the provision of external terraces but the applicant's submission does not address these matters. *Officer note: the application was not deferred in order to address these matters.*
- The Design Review Panel raised initial concerns regarding the glazed north façade, which is now considered unsuitable for privacy reasons
- Residents of The Rooftops will consider a legal challenge if planning permission is granted.
- Proposed development is insensitive and ill considered.
- Design of building results in harm to the character of the area / proposed design would appear incongruous in relation to Harella House and surrounding context.

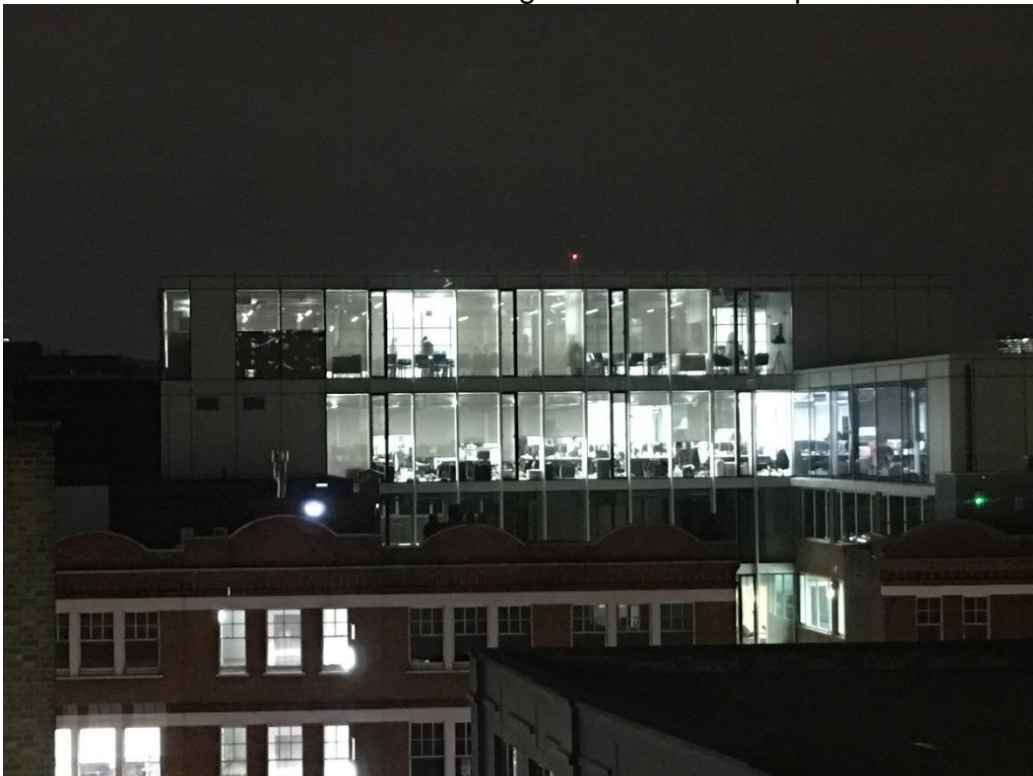
2.13 The following photograph taken from one of the flats within the Rooftops has also been submitted to demonstrate the separation of the dwellings to the proposed building (which would have the same front building line as the adjacent Harella House).

View of application site from dwelling within The Rooftops



- 2.14 A photograph of the nearby Sutton Yard building has also been submitted. The accompanying representation states that this building is approximately ten times the distance from the Rooftops than the application site and results in a harmful light pollution impact.

View of the Sutton Yard from dwelling within The Rooftops



Previous Report

- 2.15 Overlooking of The Rooftops was addressed as follows in the original committee report:

'The subtext to Policy DM2.1 at paragraph 2.14 of the Development Management Policies document sets out guidance to be applied in assessing overlooking of existing residential properties from new residential development.

The proposed development will provide office floorspace which will generally be unoccupied at times when residential dwellings may be most intensively occupied, and accordingly the guidance is not directly applicable. The policy subtext can nevertheless offer a helpful guideline and it states that:

'To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy.'

In the application of the above guidance it should be acknowledged that the nature of views between rooms can vary. For instance, where the views between rooms are oblique as a result of angles or height difference between windows, there may be no harm.

There are residential units to the upper floors of 15-27 Gee Street. However, any overlooking of these flats will occur across a public highway and would therefore not constitute an unacceptable loss of privacy.'

- 2.16 On the basis that the overlooking would occur across a public highway it is considered that the above assessment represents a correct interpretation of the guidance provided within the Council's Development Management Policies document.

Assessment of proposed mitigation measures

- 2.17 It is considered that an expectation of nil overlooking in a densely built up urban environment is unrealistic. The proposed measures would not eliminate opportunities for overlooking of dwellings within The Rooftops. However, it is considered that the applicant has proposed carefully considered measures which would prevent opportunities for any excessive overlooking by occupants of the proposed offices, whilst maintaining the quality of the proposed development.
- 2.18 It should be noted that there are measures that could be implemented within the affected dwellings to provide total privacy, as required, which could typically involve the use of curtains or blinds.
- 2.19 It is considered that the applicant has satisfactorily addressed the committee's reasons for deferral.

Other matters

- 2.20 The representations received from neighbouring residents reiterate concerns regarding light pollution and also address overlooking from the proposed fifth and sixth floor terraces, raising concerns that these issues have not been addressed within the applicant's submission. It should be noted that the application was deferred only for the applicant to seek a more permanent solution to the issue of overlooking and loss of privacy
- 2.21 The proposed fifth and sixth floor terraces will not face the residential dwellings at The Rooftops. They will face east/north-east towards the Stafford Crips estate and should not afford any significant opportunities for overlooking of The Rooftops. Any overlooking would occur across a distance of over 20m, across a public highway, and at an oblique angle. Accordingly, any limited overlooking that may occur from the fifth and sixth floor terraces is not considered to result in a harmful loss of privacy. It should also be noted that recommended condition 23 would restrict the use of the roof terrace to between 9am and 7pm on Mondays to Fridays only.
- 2.22 The following additional condition is recommended to ensure that the proposed development does not result in undue harm to the amenities of the occupants of nearby residential dwellings from light pollution.

Internal lighting

CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted. These measures might include:

- Automated roller blinds;
- Lighting strategies that reduce the output of luminaires closer to the façades;
- Light fittings controlled through the use of sensors.

The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.

REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.

- 2.23 A representation was previously received from the Clerkenwell and Shoreditch County Court raising concerns in relation to noise and disturbance during the construction period affecting court proceedings, and construction traffic impeding access to the court building by custody vehicles. It is recommended that conditions 4, 16 and 18 are revised as follows:

4 - Construction Environmental Management Plan (Details)

CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with Her Majesty's Court and Tribunal Service (Clerkenwell and Shoreditch County Court) prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: In the interests of residential and local amenity, and air quality.

16 - Construction Management Plan and Construction Logistics Plan (Details)

CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority in consultation with Her Majesty's Court and Tribunal Service (Clerkenwell and Shoreditch County Court).

The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.

The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.

REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.

18 - Delivery and Servicing Plan (Details)

CONDITION: A Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Her Majesty's Court and Tribunal Service (Clerkenwell and Shoreditch County Court), prior to the first occupation of the development hereby approved.

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.

REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.

Appendix 1 – 5 December 2017 Planning Committee meeting minutes - Excerpt

SITE OF ELECTRICITY SUB-STATION OPPOSITE 15-27 GEE STREET AND CAR PARK SPACES 90-98 GOSWELL ROAD, EC1 (Item B3)

Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 3,956 sqm (GIA) office (Use Class B1a) floorspace on part ground floor and Levels 1-6 and 94 sqm (GIA) retail floorspace on part ground floor.

(Planning application number: P2017/3389/FUL)

In the discussion the following points were made:

- Members were informed that item was deferred at the Committee on 7 November 2017 as there were concerns about the lack of provision of an active retail or leisure floor space on the ground floor.
- Members were advised that the applicant had addressed this concern through the introduction of a ground floor retail unit on part of the ground floor fronting Gee Street whilst the small/micro unit office workspace would be located partly on the ground floor and partly on the first floor.
- The Planning Officer advised that the Council has received a number of representations and that the Planning Service had been advised that the initial consultation letters produced in September were not received. The re-consultation was therefore the first notice received by some residents who had now written Accordingly, residents have raised concerns that they have not been provided with sufficient time to provide responses. Members were advised that the Council had fulfilled its statutory publicity requirements for major planning applications set out within The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- The Planning Officer advised that 8 further objections have been received which raise concerns which are summarised as follows. Excessive height, overbearing visual impact, loss of daylight, increased footfall, increased demand for on-street parking, out of character, overlooking and loss of privacy – in particular by reason of narrow road and excessive amount of glass, offices will overlook bedrooms and bathrooms, light pollution, measures to address light pollution don't work in practice. Objectors requested the Planning Committee visit flats at the rooftops (15-27 Gee Street to appreciate the impact of the proposed development).
- The Planning Officer also advised that a representation had been received from Clerkenwell and Shoreditch County Court raising concerns regarding noise and disturbance during the construction period affecting court proceedings and construction traffic impeding access to the court building by custody vehicles. It was therefore recommended that conditions 4 and 18 be revised to indicate that Her Majesty's Court and Tribunal service are consulted on the Construction Management Plan and Construction Logistics Plan and the Delivery and Servicing Management Plan.
- Objectors who addressed the Committee stated that the road width was 5.4m and that over this distance the potential for overlooking and loss of privacy was felt to be acute. They raised concerns over the length of the office

working day to include cleaner's hours and raised concerns for safety. They did not consider curtains to be appropriate due to potential for them not to be used.

- In addressing these concerns, the applicant referred to the policy applying between facing residential habitable room windows and not to apply across a highway. However, the agent did advise that they would be willing to accept a planning condition to address overlooking requiring such features as blinds.
- Councillor Fletcher in her discussions felt that the massing was acceptable but that she held concerns regarding privacy and the provision of sheet glass opposite residents. It was queried what discussions regarding privacy took place with officers. Planning Committee - 5 December 2017 8
- Councillor Convery advised that the retail provision was satisfactory and referred to the Baltic Street application where obscure glazing / fins were provided to address privacy across the highway.
- The Committee agreed to defer the item so as to allow the applicant provide a more permanent solution to the issue of overlooking and loss of privacy. Suggestions of using obscure glazed windows was noted.

Councillor Kay proposed a motion to Defer. This was seconded by Councillor Fletcher and carried.

RESOLVED:

That consideration of the application be deferred for the reasons outlined above.

PLANNING COMMITTEE REPORT



ISLINGTON

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

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	5 December 2017	

Application number	P2017/3389/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No
Conservation area	Within 50 metres of the Hat and Feathers Conservation Area.
Development Plan Context	Core Strategy: CS7 - Key Area Bunhill & Clerkenwell Employment Priority Area (General) Central Activities Zone (CAZ)
Licensing Implications	None
Site Address	Gee Street, London EC1V
Proposal	Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 3,956 sqm (GIA) office (Use Class B1a) floorspace on part ground floor and Levels 1-6 and 94 sqm (GIA) retail floorspace on part ground floor.

Case Officer	Simon Greenwood
Applicant	Chait Investment Corporation Ltd
Agent	CBRE – Matt Gore

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1 of the attached 7 November 2017 report; and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the attached 7 November 2017 report.

2. DEFERRAL

- 2.1 The application was deferred at the Council's Development Control Committee meeting of 7 November 2017 in order that the applicant could address Members concerns that the scheme was not policy compliant with regards to the provision of retail or leisure floor space on the ground floor.
- 2.2 A copy of the previous Planning Committee Report is attached as Appendix 1 to this report.

3. APPLICANT'S RESPONSE

3.1 The applicant has prepared a detailed response which seeks to address the Committee's reasons for deferral as follows:

- Inclusion of a ground floor retail unit on part of the ground floor fronting Gee Street (Class A1);
- Relocation of the small and micro office workspace to part ground floor and part first floor. The level of small and micro floorspace is 203 square metres which is greater than 5% of the total employment floorspace of the whole development (retail and office); and
- Amendment to the ground floor element of the Gee Street elevation to provide a retail entrance.
- Update in cycle parking provision to reflect the revised mix of the development.

3.2 It is considered that the proposed revisions satisfactorily respond to the reasons for deferral.

Consultation

3.3 Consultation letters were sent out to all neighbouring residents consulted as part of the initial consultation on 14 November 2017 providing 14 days for further comments. The description of development was as follows:

Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 4,050 sqm (GIA) office (Use Class B1a) floorspace. PLEASE NOTE: You are being

reconsulted on the above application as revised drawings have been submitted.

- 3.4 The description of development made clear that revised drawings had been received therefore any persons with an interest in the development would have been able to review the revised plans and understand that a retail unit was being introduced. However, the description of development did not make specific reference to the introduction of a retail unit.
- 3.5 One objection has been received which is summarised as follows:
- Gee Street does not need additional retail. The EC1V area has extensive retail units. Gee Street is primarily residential and is heavily used.
 - It is extremely concerning that this modification was not explicitly identified in the consultation letter. This is a major amendment to the scheme and residents should have been made aware that the proposal will now include a retail unit.
 - Will traffic calming measures be applied to Gee Street to mitigate the impact of this project?
- 3.6 It is unfortunate that the description of development in the consultation letters did not identify the introduction of the retail unit. It is noted that the retail unit comprises 94sqm (GIA) of the 4,059 (GIA) total floorspace proposed. It is not considered that any neighbouring residents have been unduly prejudiced as a result of the omission in the revised description of development. The corrected description of development is included in the above report title.
- 3.7 It is not anticipated that a 94sqm retail unit will result in additional vehicular movements which would give rise to a requirement for traffic calming measures on Gee Street.



ISLINGTON

PLANNING COMMITTEE REPORT

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



PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	7 November 2017	

Application number	P2017/3389/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No
Conservation area	Within 50 metres of the Hat and Feathers Conservation Area.
Development Plan Context	Core Strategy: CS7 - Key Area Bunhill & Clerkenwell Employment Priority Area (General) Central Activities Zone (CAZ)
Licensing Implications	None
Site Address	Gee Street, London EC1V
Proposal	Demolition of existing boundary walls and brick substation enclosure and erection of a seven storey building to provide 4,050 sqm (GIA) office (Use Class B1a) floorspace.

Case Officer	Simon Greenwood
Applicant	Chait Investment Corporation Ltd
Agent	CBRE – Matt Gore

4. RECOMMENDATION

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

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

5. SITE PLAN (site outlined in red)

Site location plan



6. PHOTOS OF SITE/STREET

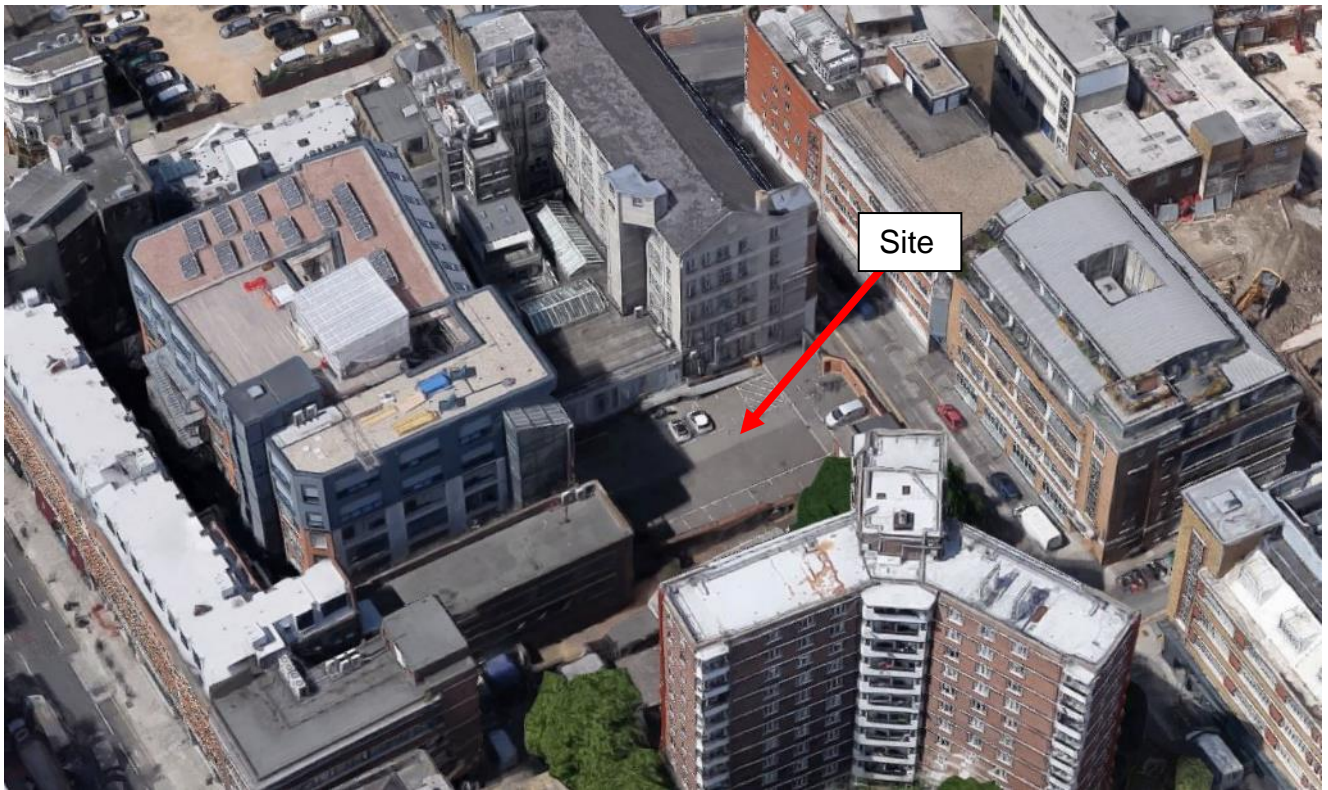
Aerial View



Birds eye view looking from south to north



Birds eye view looking from east to west



Birds eye view looking from north to south



View of site looking west down Gee Street (site indicated in red)



View of site from Goswell Road looking east down Gee Street (site indicated red)



7. SUMMARY

- 7.1 The 677m² site is located on the southern side of Gee Street and currently accommodates a car park along with an electricity sub-station. The site is located in a highly accessible location within the Central Activities Zone (CAZ) and within an Employment Priority Area (General).
- 7.2 It is proposed to relocate the existing substation to Harella House and erect a 7 storey office building (4,050m² GIA) fronting Gee Street with a courtyard adjacent to Harella House.
- 7.3 The policy framework along with the available evidence base provides a strong justification for the provision of new office floorspace in this location. The delivery of new offices on the site is therefore strongly supported.
- 7.4 There is a policy requirement for the delivery of on-site housing along with active, complementary uses at ground floor level. The applicant has satisfactorily demonstrated that a solely office scheme is appropriate in this instance. A payment in lieu of on-site housing of £648,000 is proposed.
- 7.5 207m² of ground floor office floorspace suitable for use by small and micro enterprises is proposed which represents 5.1% of the overall floor space and is in accordance with the Council's policy requirements.
- 7.6 The design approach is informed by the architectural and historic context of the site and the elevational treatment of the building features brickwork within a concrete, gridded frame and a glass and metal curtain walling system. It is considered that the proposed development represents a high quality of architecture and is supported in design terms.
- 7.7 The proposal is considered acceptable in terms of its impact upon the residential amenities of the occupants of nearby dwellings. Furthermore, the proposal is considered acceptable in relation to technical matters, subject to the recommended conditions.
- 7.8 The proposal would deliver flexible, high quality office accommodation in an area of high demand whilst enhancing the street scene and the character of the area. The proposal is considered acceptable in planning terms and it is recommended that planning permission be granted.

8. SITE AND SURROUNDINGS

- 8.1 The 677m² site is located on the southern side of Gee Street and currently accommodates a car park along with an electricity sub-station to its north-east corner. The five storey Harella House is located immediately to the west of the site at the junction of Gee Street and Goswell Road and is in office use.
- 8.2 To the north of the site on the opposite side of Gee Street is 100-102 Goswell Road which is a five storey office building and 15-27 Gee Street which is a 6 storey mixed use office and residential building.

- 8.3 To the south of the site is the Morelands complex which comprises offices and includes a five storey frontage building on Old Street (Nos. 5-23) and a six storey building to the rear with a windowless elevation adjoining the southern boundary of the application site. To the south-east of the site is 27 Old Street which is in office use and comprises a five storey frontage building and a three storey building to the rear with a windowless elevation adjoining the southern boundary of the application site.
- 8.4 There is service road immediately to the east of the site which leads to single storey buildings accommodating plant and caretaker facilities associated with the Stafford Cripps Estate. The Stafford Cripps Estate itself is further to the east and comprises three Y shaped 12 storey residential blocks set within generous grounds.
- 8.5 There is residential accommodation within the upper floors of 15-27 Gee Street (opposite the site) and within the upper floors of 86 Goswell Road (to the west of the site) whilst the remainder of the surrounding area predominantly comprises commercial and office uses.
- 8.6 The site is not located within a Conservation Area. However, the Hat and Feathers Conservation Area is located to the west (along Goswell Road and south along Old Street) and the site has some visibility from within the Conservation Area on Goswell Road. The St Luke's Conservation Area is located to the east and south of the site and the site cannot be viewed from this conservation area.
- 8.7 The site has a Public Transport Accessibility Level (PTAL) rating of 6a (excellent) which is the highest level of accessibility.
- 8.8 The site is located within the Central Activities Zone and is designated as an Employment Priority Area (General).

9. PROPOSAL (IN DETAIL)

- 9.1 It is proposed to relocate the existing substation to Harella House and erect a 7 storey office building (4,050m² GIA) fronting Gee Street with a courtyard adjacent to Harella House.
- 9.2 207m² of ground floor office floorspace suitable for use by small and micro enterprises, representing 5.1% of the overall floor space. The remaining office floorspace is intended to be flexible and therefore suitable for a single occupier or multiple occupiers.
- 9.3 The proposal includes access to external terraces on the fifth and sixth floors of the building which are intended to recess the building more into its frame, thereby mitigating some of the bulk of the building. The terraces will provide external amenity space for occupants of the building.
- 9.4 The proposal includes a courtyard entrance to the building accessed from Gee Street, which is inspired by similar features in the locality. The courtyard area is landscaped at ground level and provides access into an office reception and central

core at ground level. A courtyard gate will be provided which will be open and discreetly located during office hours and will be closed outside of office hours to ensure that the recessed courtyard is effectively managed. A stair core will be provided behind the courtyard and adjoining the rear wall of Harella House which is intended to be a visually attractive feature within the overall composition of the building.

- 9.5 The materiality of the scheme is intended to reflect the industrial built context of Clerkenwell. The eastern façade features textured pink brickwork within a gridded frame which is inspired by the gridded nature of exposed party walls in the surrounding area. The brickwork is recessed more into the frame and becomes lighter in colour as the height increases. A metal glazing system inspired by crittal windows in the surrounding area is proposed on the north facade.

10. RELEVANT HISTORY

- 10.1 Planning permission was refused in June 2015 for the change of use of the site from private car park (Use Class Sui Generis) to commercial car park (Use Class Sui Generis) (application reference P2015/1736/FUL) on the following ground:

‘The proposed public car park would represent an unsustainable use of the site by virtue of encouraging private car journeys which would increase unacceptably traffic movements around the site and surrounding area. The proposed development is considered contrary to Policy CS10 of the Core Strategy and Policy DM8.5 of Islington's Development Management Policies document, which seek to promote sustainable transport choices.’

Harella House

- 10.2 Planning permission was granted in February 2017 for minor external alterations to Harella House including the replacement of windows and entrance door, provision of relocated substation, removal of roof structures including plant room, remodelling of existing single storey rear extension, infilling of lower ground level rear lightwell, provision of consolidated plant enclosure, provision of new balustrade to terraces and other associated works (application reference P2016/5042/FUL).
- 10.3 The application granted approval for the relocation of the substation which is currently located on the application site.

Pre-application Advice

- 10.4 Pre-application discussions took place with Officers which commenced with a meeting in June 2016 and was followed by a further meeting in July 2016.
- 10.5 Following the meetings and in response to the Council's pre-application advice the scheme was revised to incorporate a reduction the overall height and bulk of the proposed block and to amend the way in which the elevations were articulated.

11. CONSULTATION

Public Consultation

- 11.1 Letters were sent to occupants of 296 adjoining and nearby properties on Bastwick Street, Gee Street, Goswell Road and Old Street on 11 September 2017. A site notice and a press advert were displayed on 14 September 2017. The public consultation of the application therefore expired on 5 October 2017. However, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 11.2 At the time of the writing of this report a total of 1 objection and 1 representation expressing support for the proposal had been received from the public with regard to the application. The issues raised within the objection can be summarised as follows (with the paragraph(s) that provides responses to each issue indicated within brackets):

Objections

- Daylight and Sunlight Report does not assess the full impact on Parmoor Court as it only extends to the 6th floor and dwellings on the 7th and 8th floor will also be affected (paragraph 11.72)
- Increased pressure on on-street car parking (paragraphs 11.34-11.36)
- Dust pollution during construction period (paragraphs 11.78-11.79).

Applicant's Consultation

- 11.3 The applicant carried out a consultation exercise with local residents in March 2017. A public exhibition was held on Tuesday 28 and Wednesday 29 March 2017 and 400 newsletters were distributed to local residents, groups and businesses. The consultation is detailed within a Statement of Community Involvement which accompanied the planning application.

External Consultees

- 11.4 Metropolitan Police (Crime Prevention) – no objections raised.
- 11.5 Thames Water – no objections raised.
- 11.6 London Fire and Emergency Planning Authority – no objections raised.

Internal Consultees

- 11.7 Access Officer – the proposal has been revised to incorporate an accessible cycle parking space, an accessible shower and a mobility scooter parking space and charging point. No objections are raised in terms of accessibility.
- 11.8 Design and Conservation Officer – no objections raised to the principle of the development including its massing, height and general architectural approach. However, there are some outstanding concerns relating to the detailed architectural

design of the scheme. Accordingly, a condition (No. 3) should be attached to any planning permission to secure the following:

- Details of materials and elevational detailing including a suitable brickwork bond (preferably a Flemish bond) and satisfactory detailing at the junction of the eastern and northern elevations;
- Appropriate detailing to the courtyard gate on Gee Street;
- Satisfactory details of the appearance of the rooftop plant and plant screen.

11.9 Energy Conservation Officer – at the time of writing the applicant had responded to most of the queries and concerns raised by the Council's Energy Conservation Officer. The applicant has been requested to explore whether there are opportunities to further improve the energy efficiency of the building. A verbal update will be provided at the committee meeting.

11.10 Public Protection Division (Noise) – no objections raised subject to a condition restricting plant noise levels (No. 7).

11.11 Public Protection Division (Air Quality) – no objections raised subject to a condition securing measures to minimise future occupiers' exposure to air pollution (No. 14).

11.12 Highways Officer – no objections raised.

11.13 Sustainability Officer – no objections raised.

Other Consultees

11.14 Design Review Panel – The proposal was considered by the Design Review Panel at pre-application stage on 16 September 2016. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The Panel's observations are attached at **Appendix 3** and are detailed below:

Massing, height and design approach

The Panel felt that the design development had been very positive in relation to height and massing of the new building. They thought that the proposed height responded well to the surrounding context.

Panel members thought there were a lot of positive aspects in the design, in particular, the gap between Harella House and the proposed new building which would insert a lightwell between them with the stair, keeping the existing east elevation of Harella House exposed. This would serve both as a reminder of the historic gable end but also provide some detail relief.

However, there was some concern raised in relation to the different treatments and lack of integration of the front (north) and the side (east) elevations. They felt that the corner of the building needed to be better expressed and the junction between the two different treatments needed to be properly resolved. Further consideration should be given to how the building meets the ground; most buildings nearby have a clearly articulated plinth.

Officer note: Following the comments of the DRP the interface between the glazed Gee Street (north) façade and the brick side (east) facade has been revised and rationalised. The Crittal treatment of the northern elevation no longer wraps around the corner of the building. This allows a clear distinction between the differing elevational treatment. There is a subtle connection between the two facades on the second floor level where the horizontal precast concrete profile continues along the glazed Gee Street facade, wrapping into the entrance courtyard.

Elevational treatment and materiality

The Panel commended the design team for their presentation and approach to materiality. They thought the success of the scheme will be very much dependant on achieving the right detail and appearance.

In terms of the palette of materials, there was a general positive response in particular in relation to the east elevation. Panel members welcomed the proposed use of bricks, the expression of the frames, the set backs to assist in articulating the elevation, the introduction of the terrace. However, they thought clarification was needed on how the concrete frame would meet the ground.

In relation to the North façade, there were some concerns raised in relation to implementation and detail and whether the design would be technically successful. The Panel felt that whilst the initial inspiration may have been a crittal façade, it appeared that due to technical constraints, a different system would be used. Panel members were also unclear about the appearance of the slabs through the curtain walling and stated that details of floor slabs and spandrels needed to be further explored/clarified.

Officer note: To provide further clarity and confidence regarding the quality of the north façade further detailed design development of the curtain walling and the bespoke caps has been carried out. The cap profiles are C and T sections and additional detail is provided within the Design and Appearance section of this report. The application submission has included eastern elevation drawings which provide clarity on the appearance of the building at ground floor level.

The Panel commented on the proportions of Harella House north street elevation and the expression of bottom, middle and top. They felt the ground floor of the proposed building appeared squat and considered that the articulation of the base would benefit from relating more closely to Harella House.

Officer note: In response to comments made about the ground floor proportion, the number of glazing bars on ground and first floor is reduced. A horizontal precast concrete profile/banding has been introduced at second floor level which accentuates this architectural change as well as allowing greater transparency at street level. When the proposal is viewed from Goswell road the change also relates positively to the articulation of the

adjacent Harella House tying in with the proportions and banding of the render and brickwork treatment of this building.

Servicing and implications on design

The Panel felt that a major outstanding issue that needed to be resolved was the servicing/loading bay solution and how it would relate to the substation. Panel members noted that as currently proposed the proposed servicing did not comply with the requirements of the Council's Highways department and encouraged Highways and Planning to find a compromise that would suit both their requirements. The Panel commented that if the proposals were to change and the servicing were to be provided on the ground floor there may be sense in retaining the substation within the new building rather than moving it to Harella House.

Officer note: The Council's Highway advisor had initially raised concern over the servicing proposals. However, following further clarification over how and when servicing would take place, and taking account of the existing single yellow line marked in Gee Street opposite the site, the Highway officer retracted the concerns relating to servicing and deliveries and now supports the proposal.

Summary

The Panel felt that the redevelopment of the car park presented a positive opportunity to improve not only the site but its relationship with the public realm.

Panel members were positive in principle about the height, massing and general design approach. However, concerns were raised in relation to the detail of the front street elevation and the junction/integration between front and side elevations. The Panel also raised concerns about the uncertainty surrounding the servicing requirements as this could have a significant impact on the ground floor and the appearance of the building.'

Officer note: These outstanding matters of the front elevation, junction/integration between the front and side elevations of the building and the servicing arrangement have been responded to positively in the application submission as detailed above.

12. RELEVANT POLICIES

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

National Guidance

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

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

Development Plan

- 12.3 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy (2011) and Development Management Policies (2013) and Finsbury Local Plan (2013). The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 12.4 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013:

Islington Local Plan

- Bunhill and Clerkenwell Key Area
- Employment Priority Area (General)

London Plan

- Central Activities Zone (CAZ)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

13. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 13.1 EIA screening is not required by this development, as the site is less than 0.5 hectare.
- 13.2 The applicant team did not submit a request for an Environmental Impact Assessment (EIA) scoping opinion, however the general characteristics of the site and the proposed development are not considered to fall within Schedule 1 or 2 development as set out in the Environmental Impact Assessment Regulations (2017). In particular, the site is significantly less than 0.5 hectares in size and it is not in a sensitive area as defined by the Regulations (nor is it considered appropriate in this case to bring other, local designations into consideration as allowed for under paragraph 032 (ref: 4-032-20170728) of the NPPG). As such, the proposal is not considered to be EIA development.

14. ASSESSMENT

- 14.1 The main issues arising from this proposal relate to:
- Land use:
 - Office use
 - Lack of on-site housing
 - Lack of ground floor retail or leisure use
 - Loss of car park
 - Provision of workspace suitable for small or micro enterprises

- Design and conservation
- Accessibility
- Neighbouring amenity
- Sustainability, energy efficiency and renewable energy
- Highways and transportation
- Planning obligations.

Land-use policy

Office use – planning policy and studies

14.2 Chapter 1 of the London Plan sets out the Context and Strategy and Table 1.1 details a projection that between 2011 and 2036 employment in Islington will have grown by 27.1%, from 196,000 to 249,000 jobs.

14.3 Policy 2.10 of the London Plan is concerned with the strategic priorities of the CAZ and states, inter alia, that boroughs should:

‘enhance and promote the unique international, national and Londonwide roles of the CAZ, supporting the distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world’s most attractive and competitive business locations.’

14.4 Policy 4.1 of the London Plan is concerned with Developing London’s Economy and states, inter alia, that:

‘The Mayor will work with partners to:

- a1) promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises, including the voluntary and community sectors
- d) support and promote the distinctive and crucial contribution to London’s economic success made by central London and its specialist clusters of economic activity
- e) sustain the continuing regeneration of inner London and redress its persistent concentrations of deprivation.’

14.5 Policy 4.2 of the London Plan is concerned with Offices and states, inter alia, that ‘the Mayor will and boroughs and other stakeholders should:

- a) support the management and mixed use development and redevelopment of office provision to improve London’s competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises.
- d) seek increases in the current stock where there is authoritative, strategic and local evidence of sustained demand for office-based activities in the context of policies 2.7, 2.9, 2.13 and 2.15–2.17’

14.6 The Mayor of London's Central Activities Zone Supplementary Planning Guidance (SPG) (2016) states at paragraph 1.1.3 that:

'The CAZ is an internationally and nationally significant office location, complemented by the north of the Isle of Dogs and Tech City. The density, scale and mix of business functions and activities in the CAZ is unique. This agglomeration results in exceptional levels of productivity which cannot be replicated elsewhere in the UK and provides national level benefits.'

14.7 The SPG further notes at paragraph 1.3.1 that 'The supply of sufficient office floorspace, in terms of type, size and cost within the CAZ...to meet growing demand are central to London's economic success.'

14.8 The Islington Core Strategy identifies the site as being located within the Bunhill and Clerkenwell Key Area and notes at paragraph 2.8.2 that 'Overall, it is estimated that the Bunhill and Clerkenwell area may need to accommodate an additional 14,000 B-use jobs and around 3,200 new homes by 2025.'

14.9 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states, inter alia, that:

'A. Employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy...Creative industries and Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and encouraged. Accommodation for small enterprises will be particularly encouraged.'

14.10 Policy CS13 of the Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business floorspace will be encouraged in the CAZ and town centres, where access to public transport is greatest. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development should provide jobs and training opportunities, including through a proportion of small, micro and/or affordable workspace or affordable retail space.

14.11 Paragraph 3.4.3 of the Core Strategy notes that employment in Islington is expected to increase by around 35,000 to 45,000 jobs between 2012 and 2027. Furthermore, it notes that the Islington Employment Study 2008 projected that just over 50% of these jobs will be provided within B-use floorspace. Paragraph 3.4.4 states that

'The CAZ is expected to continue to be the most attractive location for increases in B-use floorspace, accounting for around 75% of total growth. In terms of the Key Areas identified in the Spatial Strategy, Bunhill and Clerkenwell is expected to account for around 70% of the borough's new B-use floorspace'.

14.12 The Islington Employment Land Study (2016) notes at paragraphs 7.3.1-7.3.2 that:

‘One consequence of the recent rapid growth in office employment in London is that vacancy rates are currently low. A vacancy rate of 8% is generally considered to be an optimal one, and the London Office Policy Review 2012 advises boroughs to factor in this level of vacancy in terms of planning for future supply. This permits the market to function with an appropriate degree of choice or churn without applying significant upward or downward pressure on rents.

Where existing vacancy rates are below 8% then additional supply should be added to the forecast to account for this shortfall. At 2014, the base date for our forecasts, the estimated vacancy rate in Islington’s CAZ area was almost 4%.’

14.13 The Study further notes at paragraph 7.8.1 that:

‘For the period 2014-2036, employment as a whole in Islington is projected to increase by 50,500. Continued high levels of growth are projected for the future. Islington is forecast to have high levels of employment growth in the types of professional and technical services sectors that generate demand for office space. The London Office Policy Review 2012 had a guideline figure of 433,000 sq m over the period 2011-2036, and our revised forecasts come out with broadly the same figure. Once we have adjusted for the current low vacancy rate our forecasts in total give a planning target of 400,000 sq m of office floorspace for the period 2014-2036 to meet forecast demand and allowance of an 8% vacancy factor.’

14.14 Against the backdrop of an identified requirement to deliver new office floorspace Islington Council’s Annual Monitoring Reports (AMR) have identified consistent net losses in office floorspace over recent years as follows:

Reporting Period	Net loss Class B1(a) floorspace (m²)
1 April 2011 – 31 March 2012	4,630
1 April 2012 – 31 March 2013	7,923
1 April 2013 – 31 March 2014	7,705
1 April 2014 – 31 March 2015	15,635

14.15 The application is accompanied by a Market Demand Analysis which identifies that in May 2017 approximately 33,000m² of B1(a) floorspace was vacant and available in the EC1V postcode within which the site lies. The analysis also identified the following:

- The area has a vacancy rate of 4.8%, significantly lower than the optimal rate of 8% and the current vacancy rate of 5.7% found in the City as a whole;
- The market within this area is characterised by small units, with 87.5% of available units being less than 1,500m² in size - this presents little potential opportunity for large office occupiers to take space in this area;
- The quality of the office floorspace available is also limited with only two of the current 24 available units in the area being considered to provide good quality space;

- Historically, this area primarily provided floorspace for creative and ‘tech’ companies, with such companies taking 45% of total floorspace in 2006, whilst in 2017, this has reduced to 14% showing that the occupier market is becoming much more diverse and attractive;
- Across Central London active demand for space stands at circa 595,000m² - it is estimated that there is around 32,000m² of demand from office occupiers in the EC1V market.

14.16 It is therefore the case that, in land use terms, the policy framework along with the available evidence base provides a very strong justification for the provision of new, high quality office floorspace on the application site.

Requirement for mix of uses in the CAZ – planning policy

14.17 Policy 4.3 of the London Plan states that ‘Within the Central Activities Zone...increases in office floorspace...should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies within this plan’.

14.18 Core Strategy Policy CS12(B) makes clear that proposed development which results in the reduction of land supply for conventional housing will be refused.

14.19 Policy BC8 of the Finsbury Local Plan is concerned with achieving a balanced mix of uses and states, inter alia, that:

‘A. Within the Employment Priority Areas (General and Offices) designated on the Policies Map and shown on Figure 16:

- ii. Proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.

B. Within the Employment Priority Area (General) designated on the Policies Map and shown on Figure 16, the employment floorspace component of a development or change of use proposal should not be unfettered commercial office (B1(a)) uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:

- i. A proportion of non-B1(a) business or business related floorspace (e.g. light industrial workshops, galleries and exhibition space), and/or
- ii. Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and/or
- iii. Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.

For proposals in excess of 10,000m² gross employment floorspace, the proportion of micro, small and/or affordable workspace or retail space to be provided should be equivalent to at least 5% of the total amount of proposed employment floorspace.

D. Throughout the area, major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.

I. New business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation; and should provide full separation of business and residential floorspace where forming part of a mixed use residential development.'

14.20 Policy DM5.1 is concerned with New Business Floorspace and states, inter alia, that:

'E. Within the Central Activities Zone (CAZ) major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.

F. New business floorspace must be designed to:

i) allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business accommodation, particularly for small businesses...'

14.21 The subtext at paragraphs 5.9-5.10 states, inter alia, that:

'London Plan Policy 4.3 states that, within the CAZ, strategically important office developments should provide for a mix of uses, including housing. Policy DM5.1 quantifies this requirement by stating that major development proposals which would result in a net increase of office floorspace should also incorporate housing; and that the total amount of housing floorspace should be equivalent to at least 20% of the total net increase in office floorspace...Where it is not appropriate for housing to be provided on site, an equivalent financial contribution will be sought for the development of affordable housing off-site by the council. This will be determined based on the number of additional housing units that would be required on-site to achieve a genuine mixed use development...'

14.22 The proposal does not include housing or ground floor retail or leisure uses and would therefore fail to meet the requirements of Policies CS12, DM5.1 and BC8 and London Plan Policy 4.3. This matter is considered in the assessment of the proposed land use below.

Affordable Workspace - planning policy

14.23 Policy 2.7 of the London Plan identifies that the Mayor and boroughs should manage and improve the stock of industrial capacity to meet both strategic and local needs, including those of small and medium size enterprises, start-ups and businesses

requiring more affordable workspace, including flexible, hybrid office/industrial premises.

14.24 Policy BC8 of the Finsbury Local Plan is detailed above and requires the provision of 5% of the uplift in office floorspace to be provided as affordable workspace. The policy indicates that the workspace can be provided as micro, small and/or affordable workspace.

14.25 The subtext at to Policy BC8 at paragraph 11.1.5 advises that, 'Micro and small workspaces are considered to be workspaces in business use (B use classes) with a gross internal floor area of around 90m² (gross) or less and which will be offered to occupants on favourable and flexible terms.'

14.26 Policy DM5.4 of the Council's Development Management Policies Document is concerned with the size and affordability of workspace and states, inter alia, that:

'A. Within Employment Growth Areas and Town Centres, major development proposals for employment floorspace must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises.

C. Where workspace is to be provided for small or micro enterprises, but is not within physically separate units, the applicant will be required to demonstrate that the floorspace will meet the needs of small or micro enterprises through its design, management and/or potential lease terms.'

14.27 Paragraphs 5.27-5.28 state, inter alia, that:

'The design of workspace for small or micro enterprises will vary, depending on the end occupier or sector. In general; however, applicants should demonstrate that workspace for small/micro enterprises incorporates:

- a basic, but good quality fit-out, which incorporates servicing to all areas of workspace;
- flexible internal arrangements that permit a number of different internal work areas to be accessed from shared spaces;
- good standards of internal sound insulation;
- a range of shared spaces and facilities, such as communal breakout space, kitchen areas, bike storage and goods lifts; and external space reserved for loading/unloading.'

14.28 The applicant proposes 207m² (5.1% of the total floor space) of small/micro workspaces in accordance with policies BC8 and DM5.4.

14.29 The applicant has advised that viability considerations informed the decision to provide small/micro units rather than affordable workspace. The application site is a cleared site and accordingly there is no existing floorspace on the site to discount against the proposed floorspace in calculating the Mayoral Crossrail levy and Islington Community Infrastructure Levy (CIL). The scheme gives rise to a requirement for a Mayoral CIL payment of £261,524.66, a Crossrail contribution of

£305,475.34 and an Islington CIL payment of £390,426.78 as well as a payment in lieu of on-site affordable housing of £648,000. Furthermore, the applicant proposes to connect to the Bunhill District Energy Network in accordance with Policy DM7.3, which is understood to be more expensive than alternative options. As noted above, the provision of micro/small workspaces is policy compliant.

Land use assessment

Office floorspace

- 14.30 As noted above, the policy framework and available evidence base provides very strong support for the delivery of new office floorspace and employment growth in this location. The proposal would result in the delivery of 4,050m² new office floorspace to contribute towards meeting an identified need, with corresponding economic and employment benefits, and is welcomed.

Lack of on-site housing

- 14.31 The proposed development does not include residential floorspace. An alternative mixed-use scheme featuring four residential units on the 6th floor is detailed within the Design and Access Statement which accompanied the planning application. The details of the alternative scheme demonstrate that the provision of 20% of the GIA as residential floorspace would result in a less efficient scheme due to the requirement for a separate residential entrance, lobby, core, refuse and cycle storage which would result in a corresponding reduction in business floorspace. It is therefore proposed to make a £648,000 financial contribution in lieu of on-site housing. It is noted that if housing were proposed on-site it would not give rise to a requirement for on-site affordable housing as it would be below the 10 unit threshold indicated in Policy CS12. In this alternative scenario a financial contribution of £240,000 would be sought in accordance with the Affordable Housing Small Sites Contribution SPG, which is significantly lower than the £648,000 which would be secured under the application proposal.
- 14.32 In view of the fact that the applicant has demonstrated that a mixed use scheme would undermine the efficiency and functionality of the building, and given the evidence base and policies which lend strong support for the delivery of new office floorspace in this location, it is considered that there is sufficient justification in this instance to accept a payment in lieu of on-site housing.

Lack of ground floor retail or leisure use

- 14.33 Policy BC8(B) requires that new development of employment floorspace should include retail or leisure floorspace at ground floor level. The provision of retail or leisure floorspace would be at the expense of office floorspace, for which there is a demonstrably strong demand in this location. Gee Street is not located within a designated Town Centre or Shopping Frontages where retail and leisure uses are focused. Gee Street has the characteristics of a secondary street in the context of the surrounding area and does not feature any other examples of retail or leisure uses at ground floor level. Accordingly, the introduction of an active commercial retail or leisure use at ground floor level is considered out of keeping with the established character of Gee Street. The applicant also notes that the viability and long term success of such a unit is of question given its isolation from other similar uses and relative absence of significant footfall which helps sustain such uses, and this point is acknowledged. Accordingly, it is considered that there is sufficient justification in this instance to provide unfettered office floorspace within the proposed block.

Loss of car park

- 14.34 The scheme involves the loss of the existing car park. Core Strategy Policy CS10(H) seeks to minimise Islington's contribution to climate change by 'encouraging sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use, and requiring that all new developments are car-free.'
- 14.35 Development Management Policies policy DM8.5(E) states that 'proposals for the redevelopment of existing car parks for a different use shall be subject to the car-free restriction within this policy and the Core Strategy.' The proposed loss of existing parking is in keeping with the borough's car free strategy and is supported.

Relocation of substation

- 14.36 The existing substation detracts from the appearance of the street scene and its relocation to Harella House is considered beneficial in character terms.

Design & Appearance

- 14.37 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 14.38 London Plan Policy 7.4 is concerned with Local Character and states, inter alia, that:
- 'Buildings, streets and open spaces should provide a high quality design response that:
- a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
 - b) contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area
 - c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings
 - d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.'

- 14.39 London Plan Policy 7.6 is concerned with architecture and states, inter alia, that:

'Buildings and structures should:

- a) be of the highest architectural quality
- b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c) comprise details and materials that complement, not necessarily replicate, the local architectural character
- d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

- e) incorporate best practice in resource management and climate change mitigation and adaptation
- f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g) be adaptable to different activities and land uses, particularly at ground level
- h) meet the principles of inclusive design
- i) optimise the potential of sites.'

14.40 Policy DM2.1 (Design) requires all forms of development to be of a high quality, to incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Development which fails to take the opportunities available for improving the character and quality of an area and the way that it functions will not be supported.

Height of block

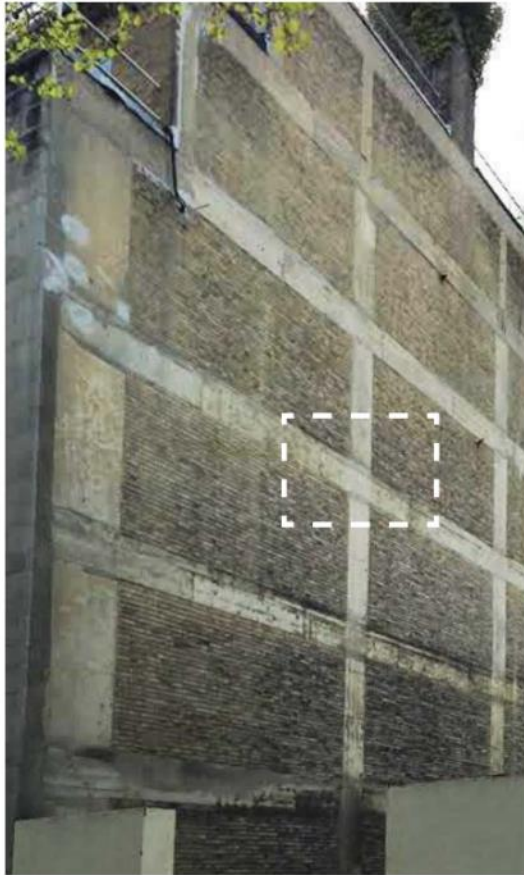
14.41 In terms of the context of the site, Harella House immediately to the west is 5 storeys high. 100-102 Goswell Road on the opposite side of Gee Street to the north is 5 storeys high whilst the adjoining 15-27 Gee Street is 6 storeys high. To the south of the site is the 27 Old Street which comprises a five storey frontage building and a 3 storey building to the rear which adjoins the south-east boundary of the application site. The adjoining Morelands complex comprises a 5 storey frontage building and a 6 storey building to the rear which adjoins the southern boundary of the application site. The buildings fronting Old Street effectively prevent views of the proposed new building from the south and southwest. The Stafford Cripps Estate to the east of the site comprises three 12 storey blocks and it is noted that these buildings benefit from a spacious landscaped setting.

14.42 In view of the context of the application site, the seven storey height of the proposed building is not considered excessive or to result in a building which is overly prominent, and is therefore considered acceptable.

Eastern facade

14.43 The principal elevations of the building visible from Gee Street would be the eastern facade and the front elevation facing onto Gee Street. The eastern facade is inspired by the gridded exposed party walls found in the locality and is composed of regular gridded brick bays and glazing.

Gridded exposed party walls in the locality



Gee Street, Clerkenwell



Kiffen Street, Shoreditch

Existing eastern elevation



Proposed eastern elevation



- 14.44 The eastern elevation will feature three shades of dusky pink brickwork laid in a running bond, lightening in colour to the upper floors. The design has been articulated and textured by varying the depth of the brick bays on the elevation, which creates shadows on the upper levels and reveals the chamfer of the façade frame. This approach is intended to present subtle shifts in the façade geometry and form and to create refinement and relief.

Variation in colour and varying depth of brick bays on the east elevation



- 14.45 When looking from the east to the west along Gee Street the proposed new building would appear quite prominent. The visual impact of the eastern elevation is moderated through the deeper reveals and setbacks in the elevation to the upper levels. It is considered that the pattern and rhythm of the bays on the east elevation is successful in breaking up its visual mass. The elevational treatment and use of materials on the eastern elevation is supported in design terms.

Northern facade

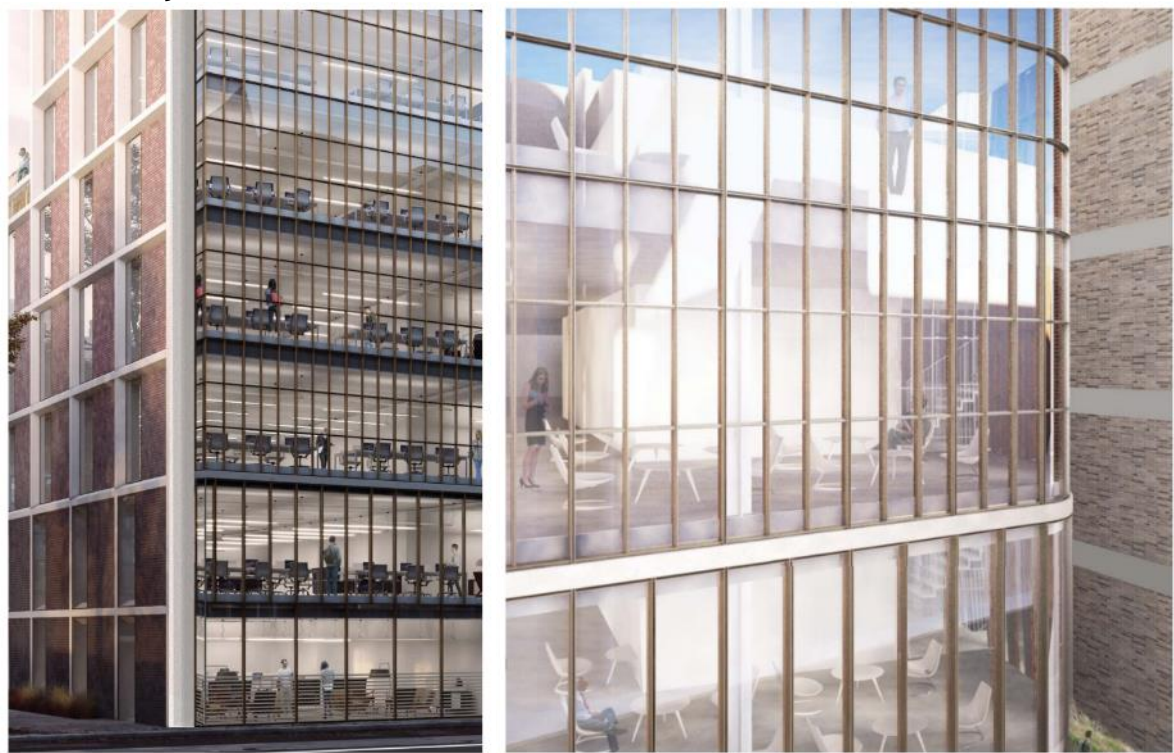
- 14.46 The proposed north elevation of the facade including where it turns into the courtyard space is a composed of glass and metal. The proportions and detailing of the facade are inspired by the industrial past of the surrounding area and by a number of old factory and warehouse style buildings in the area which feature crittal windows.

Crittall windows in the locality



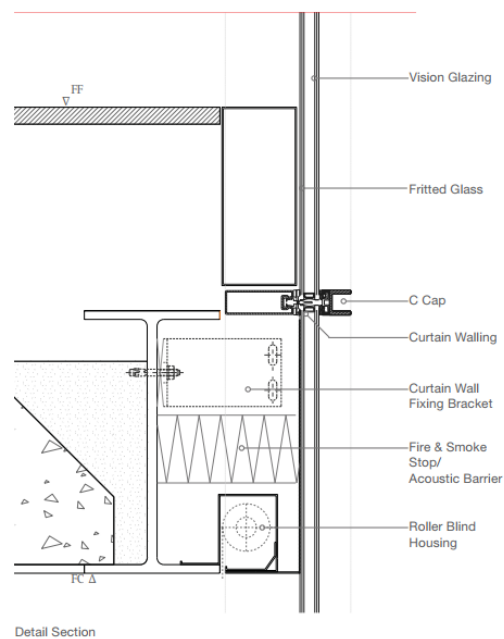
14.47 The northern façade will feature a curtain walling system which would appear as crittal window style glazing.

Northern façade elevational treatment



14.48 The application is accompanied by a detailed design for the curtain walling bespoke cap system. This responds to the comments from the DRP regarding potential technical constraints associated with the curtain walling system and its detailed appearance. The submission of this detailed design information is considered to satisfactorily address the DRP comments in this regard.

Curtain walling bespoke cap system – Detail section



- 14.49 The glazing would be set back to form a small courtyard where the proposed building adjoins Harella House and is inspired by examples of similar features in the locality. This approach is intended to integrate the proposed building with Harella House and allows the existing party wall to be seen and contribute positively to the entrance space. There would be a horizontal precast concrete profile at second floor level of the proposed building at a similar level to a horizontal band on Harella House and this is intended to provide a subtle connection between two buildings. It is considered that the design approach would provide a suitable interface between the eastern end of Harella House and the proposed office building.

Courtyard entrance and interface with Harella House



Views from the west

- 14.50 In views of Gee Street from the west, much of the proposal would be screened by Harella House.

Existing view from the west on Goswell Street



Proposed view from the west on Goswell Street



Conclusion

- 14.51 It is considered that there is a strong rationale and justification for the proposed design approach which has been informed by the architectural and historic context of the site. The height and massing of the proposed building is considered appropriate and the treatment of the eastern elevation is successful in mitigating against any impression of bulk. The treatment of the northern elevation in particular is considered to represent a high quality design approach. The proposed building has been carefully considered in architectural terms and represents a high quality of detailed architectural design.

Accessibility

- 14.52 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances.
- 14.53 The Council's Accessibility Officer observed that the proposed development did not include mobility scooter parking/charging points, accessible cycle parking and accessible shower facilities. The applicant has submitted an amended ground floor plan which satisfactorily addresses these matters. The proposed development is considered acceptable in terms of accessibility.

Neighbouring Amenity

- 14.54 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 14.55 Daylight and Sunlight: In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 14.56 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

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

The area of the working plane in a room which can receive direct skylight is not reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).

- 14.57 The No Sky-Line or Daylight Distribution contour shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.
- 14.58 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to proposed residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.
- 14.59 Sunlight: the BRE Guidelines confirm that windows which do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:
- In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.*
- In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.*
- 14.60 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasizes that advice given here is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.
- 14.61 The application site is located within an accessible location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.
- 14.62 It is noted that the BRE Guidelines are predicated upon a suburban development model and the 'ideal' baseline target values they set out are based upon a suburban situation i.e. the level of light that would be expected in a situation with two storey dwellings facing one another across a reasonable width road.
- 14.63 The Mayor of London's Housing SPD is primarily concerned with the impacts of new residential development but can be considered more generally relevant in stating at paragraphs 1.3.45-46 that:

'Policy 7.6Bd requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.'


14.64 The following 4 properties contain residential dwellings which need to be assessed in terms of daylight/sunlight impacts:


- 1-60 Parmoor Court;
- Upper Floors of 86 Goswell Road;
- 100-102 Goswell Road;
- 3 Upper Floors of 15-27 Gee Street.

14.65 The assessment demonstrates that all of the rooms within 100-102 Goswell Road will experience no transgression beyond the BRE Recommendations in relation to any loss of daylight and sunlight.

14.66 The following table identifies all cases where there will be a loss of daylight which exceeds the BRE recommendations in terms of the VSC or the NSL method of assessment. As noted above, the BRE Guidelines indicate that there would only be a real noticeable loss of daylight in cases where there the loss would exceed the recommendations under both the VSC and the NSL method of assessment.

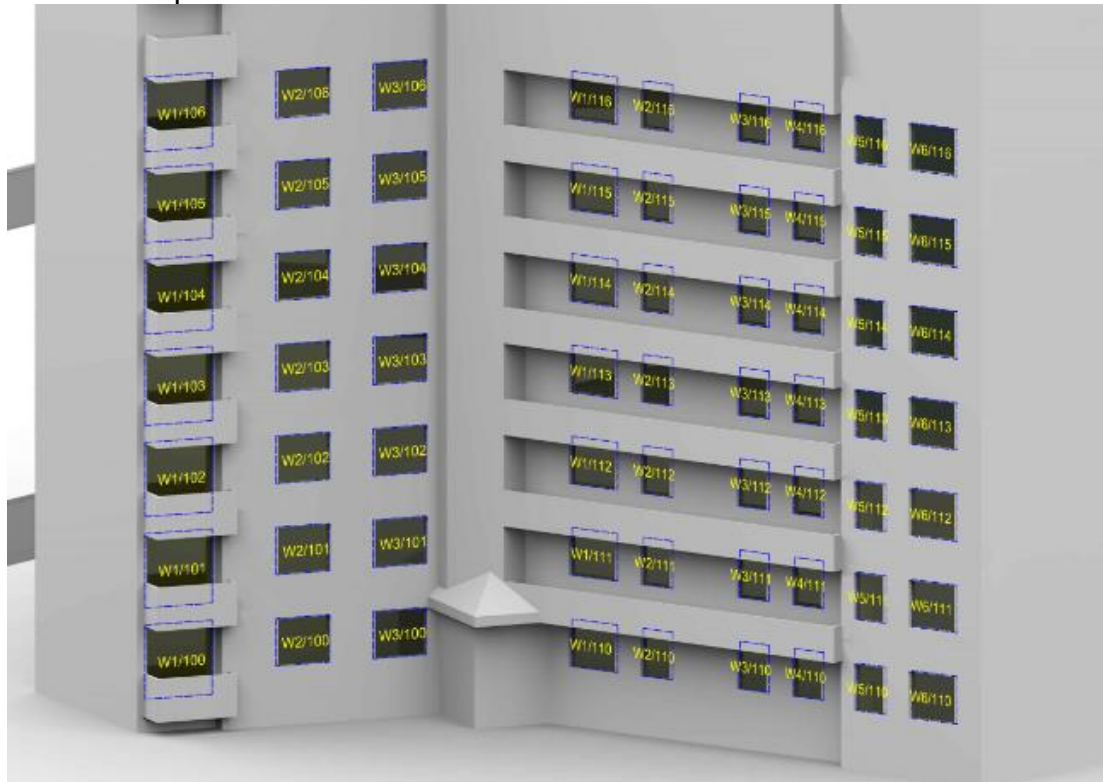
Daylight losses in excess of BRE recommendations (indicated in **bold**)

 Achieves compliance with BRE Guidelines for one method of assessment – no real noticeable loss of daylight

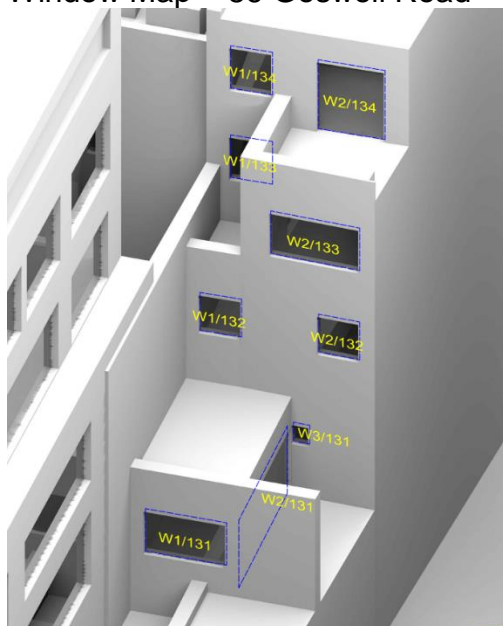
 Does not achieve compliance with BRE Guidelines for either VSC or NSL – noticeable loss of daylight

		Vertical Sky Component			No Sky Line (Daylight Distribution)			
Room / Window	Room use	Existing (%)	Proposed (%)	Factor of former value (target: 0.8)	Whole room m ²	Previous m ²	Proposed m ²	Factor of former value (target: 0.8)
1-60 Parmoor Court								
R1/100 W1	Living Room	21.69	17.15	0.79	8.0	7.8	7.6	0.97
R1/110 W1	Kitchen	22.22	16.21	0.73	8.9	8.6	5.0	0.58
R3/110 W3	Bedroom	23.45	17.84	0.76	5.4	5.2	3.0	0.58
R4/110 W4	Bedroom	22.39	17.29	0.77	5.5	5.1	3.1	0.61
R6/110 W6	Kitchen	21.89	17.99	0.82	11.1	8.8	5.1	0.58
R2/111 W2	Kitchen	25.30	19.44	0.77	6.0	5.9	3.8	0.66
R3/111 W3	Bedroom	25.38	20.06	0.79	5.4	5.2	3.5	0.67
R4/111 W4	Bedroom	24.34	19.47	0.8	5.5	5.2	3.7	0.71
R6/111 W6	Kitchen	24.20	20.37	0.84	11.1	9.5	5.9	0.62
R2/112 W2	Kitchen	27.08	21.66	0.8	6.0	5.9	4.6	0.79
R6/112 W6	Kitchen	26.60	22.90	0.86	11.1	9.7	6.8	0.70
86 Goswell Road								
R1/131 W1	Unknown	11.20	7.91	0.71	33.0	15.2	7.8	0.51
R2/132 W2	Unknown	11.70	10.82	0.94	11.7	8.4	5.1	0.60
15-27 Gee Street								
R2/173 W2	Unknown	29.50	16.38	0.55	30.6	30.6	28.3	0.93
R3/173 W3	Unknown	29.45	21.37	0.73	32.0	32.0	0.0	1.0
R1/174 W2	Unknown	32.54	21.33	0.66	21.5	21.5	0.0	1.0
R1/174 W3	Unknown	32.41	23.86	0.74				

Window Map – 1-60 Parmoor Court



Window Map – 86 Goswell Road



- 14.67 Two kitchens and three bedrooms at 1-60 Parmoor Court would experience a reduction in VSC and NSL in excess of the BRE recommendations. It is noted that the reduction in VSC for these units is not significantly in excess of the 20% reduction considered acceptable within the BRE Guidelines. It is also noted that the retained VSC levels are reasonable for dwellings in a built up urban context. The reductions in daylight distribution for these rooms is considered acceptable in view of the VSC results.

- 14.68 One window at 86 Goswell Road will experience a 29% reduction in VSC and a 49% reduction in daylight distribution. The report notes that this window is located directly adjacent to Moorlands and is therefore subject to a lower existing VSC level and therefore a 3.4% reduction reflects disproportionately as a percentage reduction.
- 14.69 Four windows serving 15-27 Gee Street will experience notable reductions in VSC but limited or nil reductions in NSL due to the size of the windows. The VSC test takes a calculation point from the centre of the window and therefore does not take into account the size of the window (which in this case are wide) whilst the NSL test considers the size of the window and the overall distribution of daylight within the room.
- 14.70 Only one room relevant for sunlight assessment would experience a transgression beyond the BRE Guidelines in terms of sunlight. Room R4/110 W4 located on the ground floor of 1-60 Parmoor Court would receive 23% APSH which is 2% below BRE Guidance and in view of the urban context is considered reasonable.
- 14.71 In view of the densely built up urban context of the site and given the above considerations it is considered that the daylight and sunlight impacts of the proposal would not be unduly harmful in planning terms.
- 14.72 An objection has been received from a resident of Parmoor Court that an assessment of the daylight and sunlight impact upon rooms to the 7th floor and above has not been carried out. On the basis that the impact to the lower floors is considered acceptable, and given that there will be less impact to the rooms at higher levels, it is not considered necessary to assess these rooms.
- 14.73 Overlooking / Privacy: The subtext to Policy DM2.1 at paragraph 2.14 sets out guidance to be applied in assessing overlooking of existing residential properties from new residential development. The proposed development will provide office floorspace which will generally be unoccupied at times when residential dwellings may be most intensively occupied, and accordingly the guidance is not directly applicable. The policy subtext can nevertheless offer a helpful guideline and it states that:
- ‘To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’.
- 14.74 In the application of the above guidance it should be acknowledged that the nature of views between rooms can vary. For instance, where the views between rooms are oblique as a result of angles or height difference between windows, there may be no harm.
- 14.75 The proposal is considered acceptable in terms of overlooking of nearby office buildings to the south and west. There are residential units to the upper floors of 86 and 100-102 Goswell Road. However, these units are located approximately 30m

from the proposed building and this is considered to be a sufficient distance to ensure that there will be no unduly harmful overlooking.

- 14.76 There are residential units to the upper floors of 15-27 Gee Street. However, any overlooking of these flats will occur across a public highway and would therefore not constitute an unacceptable loss of privacy.
- 14.77 The proposed eastern elevation of the proposed office building would have windows facing directly towards residential units within Parmoor Court. These flats are approximately 25m from the proposed building, which is considered a sufficient distance to ensure that no unduly harmful overlooking would occur. The north-western arm of Parmoor Court includes flats which have a south-westerly outlook towards the proposed building, albeit at an oblique angle. There are two windows and a balcony served by doors on each floor. The windows are located more than 18m from the site whilst the balconies are approximately 16m from the site. In view of the distance from the proposed building and the oblique angle of the balcony doors as well as the non-residential use of the proposed development it is considered that no unduly harmful loss of privacy will occur within the accommodation served by these doors.

Relationship of proposed building with Parmoor Court



Outlook / Sense of Enclosure: The impact of a development on outlook can be considered a material planning consideration if there is an undue sense of enclosure for neighbouring residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical with key factors in this assessment being the local context and arrangement of buildings and uses.

- 14.78 In view of the siting of the building in relation to neighbouring residential properties it is considered that the proposed development would not result in any unduly harmful loss of outlook or visual impact.
- 14.79 Construction Impacts: In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is required to comply with the Council's Code of Construction Practice. Compliance would need to be secured as part of a section 106 agreement together with a payment towards the monitoring of the site to ensure its neighbourliness. This payment is considered be an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project. The submission of a method statement for the construction phase and a construction logistics plan would also be required.
- 14.80 The Council's Environmental Health (Pollution) Officer has recommended that a Construction Environmental Management Plan (CEMP) is secured by condition (No. 4), in particular to ensure that a satisfactory acoustic environment is maintained for hearings and procedures at the nearby Clerkenwell and Shoreditch County Court on Gee Street. The CEMP would also be required to address other environmental impacts including (but not limited to) air quality (including dust), smoke and odour, vibration and TV reception.
- 14.81 Noise: The application is accompanied by a Noise Report which sets out suitable noise level limits for plant installed as part of the proposed development.
- 14.82 The Council's Environmental Health (Pollution) Officer has raised no objections to the proposal subject to a condition restricting plant noise levels.
- 14.83 Air Quality: Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM6.1 of the Development Management Policies document requires that development should not cause significant harm to air quality, cumulatively or individually.
- 14.84 The application is accompanied by an Air Quality Report which advises that good practice measures will ensure any impact on air quality from construction activity will be reduced to an acceptable level. The Report further advises that, based upon the air quality assessment carried out, there will be no requirement for air quality mitigation measures during the operational stage of the development.
- 14.85 The Council's Environmental Health (Pollution) Officer does not accept the Report's recommendation that air quality mitigation measures would not be required for the operational stage of the development as the site is predicted to exceed annual mean nitrogen dioxide objective levels. Accordingly, it is recommended that measures to minimise future occupier's exposure to air pollution is secured by condition 9No. ??).
- 14.86 Subject to the above recommended conditions the proposal is considered acceptable in terms of air quality.

Sustainability, Energy Efficiency and Renewable Energy

- 14.87 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 14.88 Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

BE LEAN

Energy efficiency standards

- 14.89 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The proposed U-values for the development are: external walls = 0.20w/m²k, roof = 0.13w/m²k, floors = 0.20 w/m²k and glazing = 1.5w/m²k. These U-values are generally consistent with the values suggested in the Council's SPD. The air permeability would be 3m³/m²/hr.
- 14.90 LED lighting with occupancy and daylight sensor control systems are proposed and these measures are supported.
- 14.91 The Council's Energy Conservation Officer notes that the development falls short of the London and Islington carbon reduction targets. It is therefore recommended that additional improvements to the energy demand reduction measures are targeted in order to deliver further CO₂ reductions. At the time of writing a response was awaited from the applicant and an update will be provided at the committee meeting.

BE CLEAN

District heating

- 14.92 Policy DM7.3B requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.

- 14.93 The applicant proposes connection to the Bunhill Heat Network and this is welcomed and supported. The applicant has also confirmed that the scheme will be futureproofed for connection to the Network if connection is not currently feasible.

BE GREEN

Renewable energy technologies

- 14.94 The Energy Strategy indicates that photovoltaic arrays covering an area of 24m² would be provided on roof and which would produce an output of 3kWp and would deliver a saving of 1.47 tCO₂ per year. There is a very constrained area on the roof available for PV and it is not feasible to expand the area of the proposed system. The Council's Energy Conservation Officer has advised that, given that the development falls short of its emissions targets, the applicant should investigate the feasibility of increasing the output per area through greater panel efficiencies. At the time of writing a response was awaited from the applicant and an update will be provided at the committee meeting. Further details of renewable energy technologies will be secured by condition should planning permission be granted (condition 11).
- 14.95 The proposed development is expected to achieve a BREEAM rating of 'Excellent' with a score of 73.79% and this is supported (condition 5).
- 14.96 Carbon Emissions: Policy CS10A states that the promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.
- 14.97 Paragraphs 2.0.8 – 2.0.10 detail the Council's energy hierarchy which should be followed in meeting the Council's CO₂ emissions reduction target. The final stage of the hierarchy requires developers to:

'...offset all remaining CO₂ emissions (Policy CS10) through a financial contribution, secured via a Section 106 agreement, towards measures which reduce CO₂ emissions from the existing building stock (e.g. through solid wall insulation of social housing). For all major developments the financial contribution shall be calculated based on an established price per tonne of CO₂ for Islington. The price per annual tonne of carbon is currently set at £920, based on analysis of the costs and carbon savings of retrofit measures suitable for properties in Islington.

The applicant proposes a reduction on regulated emissions of 27.5% compared to a 2013 baseline target, which falls short of the London Plan target of 35%. The development is predicted to achieve a reduction in total emissions of 12.2% compared to a 2013 Building Regulations Baseline, which falls short of the Islington requirement of 39%. The scheme therefore gives rise to a requirement for a carbon offset contribution of £137,825.

- 14.98 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising

temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.

- 14.99 The applicant has provided evidence to demonstrate how the lower levels of the cooling hierarchy have been maximised and it is accepted that active cooling, provided via a centralised chiller plant, would be required within the development.
- 14.100 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate', where feasible.
- 14.101 The proposed development will incorporate a 29m² storage tank underneath the building in order to achieve a discharge rate of 50 l/s/ha into the public sewer on Gee Street.
- 14.102 The Council's Sustainable Design Officer has reviewed the proposals and raises no objection subject to further details to be secured by condition. Thames Water raise no objections to the proposal in relation to foul or surface water drainage. It is recommended that the Sustainable Urban Drainage System proposals are secured by condition (No. 13).
- 14.103 Green Performance Plan: This would be secured through the Section 106 legal agreement.

Highways and Transportation

- 14.104 The site has a Public Transport Accessibility Level (PTAL) rating of 6a indicating excellent accessibility.
- 14.105 Cycle access and parking: Development Management Policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. Appendix 6 of the Development Management Policies document details a requirement for cycle parking to be provided at a rate of 1 long stay space per 80m² (GIA) for office uses, which equates to a requirement for 50 cycle parking spaces.
- 14.106 Table 6.3 of the London Plan details a requirement for cycle parking to be provided at a rate of one long stay space per 90m² and one short stay space per 500m² for the first 5,000m² and one space per 5,000m² thereafter. London Plan standards therefore give rise to a requirement for 45 long stay and 8 short stay cycle parking spaces.
- 14.107 It is proposed to provide 51 secure, covered cycle parking spaces at ground floor level including 1 accessible cycle parking space, in accordance with Islington's requirements. Five showers and cycle lockers will also be provided.

- 14.108 Servicing, deliveries and refuse collection: The proposed development will be serviced from a single yellow line area opposite the site on Gee Street. The single yellow line area restricts the parking of cars (not loading vehicles) between 8.30am and 6.30pm.
- 14.109 A refuse and recycling store would be provided at ground floor level and during collections the bins would be wheeled through the bicycle store to the entrance courtyard area on Gee Street.
- 14.110 In order to ensure satisfactory delivery and servicing arrangements it is recommended that a Delivery and Servicing Plan (DSP) is secured by condition should planning permission be granted (condition No. 18).
- 14.111 The Council's Highways Officer has raised no objections to the proposed delivery, servicing and refuse collection arrangements.
- 14.112 Vehicle parking: Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. Development Management Policies policy DM8.5(E) states that 'proposals for the redevelopment of existing car parks for a different use shall be subject to the car-free restriction within this policy and the Core Strategy.' The proposed loss of existing parking is in keeping with the borough's car free strategy and is supported
- 14.113 Disabled car parking is not proposed on-site and it was agreed at pre-application stage that this could be justified in highway safety and townscape terms and the need to make efficient use of the site. The applicant has agreed to make a contribution of £14,000 towards the provision of accessible transport initiatives, to be secured through a Section 106 agreement.
- 14.114 The proposals involve the removal of the existing crossover used to access the car park and this will be carried out under a Section 278 agreement, to be secured under the Section 106 agreement.
- 14.115 Construction Management Plan and Construction Logistics Plan: The Transport Statement proposes measures to minimise the highways impacts of the proposed development during the construction period. It is recommended that a full Construction Management Plan and Construction Logistics Plan be secured by condition (No. 16) should planning permission be granted.
- 14.116 Travel Plan: The application is accompanied by a Framework Travel Plan which details proposals to promote sustainable travel amongst future occupiers of the building. It is recommended that a full Travel Plan be secured through the Section 106 legal agreement, should planning permission be granted.
- 14.117 The Council's Highways Officer has raised no objections to the proposal and the proposal is considered acceptable in highways terms.

Planning Obligations, Community Infrastructure Levy and local finance considerations

14.118 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.

14.119 The Section 106 agreement would include the following agreed Heads of Terms:

- Contribution of £137,825 towards offsetting projected residual CO2 emissions of the development;
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required;
- Compliance with the Code of Employment and Training;
- Facilitation of 3 work placements during the construction phase of the development, lasting a minimum of 26 weeks, or a fee of £15,000 to be paid to LBI;
- Compliance with the Code of Local Procurement;
- Compliance with the Code of Construction Practice, including a monitoring fee of £4,050;
- Provision of 7 additional accessible parking bays or a contribution of £14,000 towards provision of on-street bays or other accessible transport initiatives;
- Submission of a Green Performance Plan and a post occupation Green Performance Plan;
- Submission of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development;
- Submission of a final post occupation Green Performance Plan;
- Payment of Council's fees in preparing and monitoring the S106;
- Connection to the Bunhill Heat Network, or futureproofing for connection if it is not currently feasible;
- Provision of micro/small workspace;
- Payment towards employment and training of local residents of a commuted sum of £39,929;
- A contribution towards Crossrail of £567,000 (note: the Mayoral CIL liability is deducted from this sum);
- Contribution towards off-site housing of £648,000.

14.120 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

15. SUMMARY AND CONCLUSION

Summary

15.1 The 677m² site is located on the southern side of Gee Street and currently accommodates a car park along with an electricity sub-station. The site is located in a highly accessible location within the Central Activities Zone (CAZ) and within an Employment Priority Area (General).

- 15.2 It is proposed to relocate the existing substation to Harella House and erect a 7 storey office building (4,050m² GIA) fronting Gee Street with a courtyard adjacent to Harella House.
- 15.3 The policy framework along with the available evidence base provides a strong justification for the provision of new office floorspace in this location. The delivery of new offices on the site is therefore strongly supported.
- 15.4 There is a policy requirement for the delivery of on-site housing along with active, complementary uses at ground floor level. The applicant has satisfactorily demonstrated that a solely office scheme is appropriate in this instance. A payment in lieu of on-site housing of £648,000 is proposed.
- 15.5 207m² of ground floor office floorspace suitable for use by small and micro enterprises is proposed which represents 5.1% of the overall floor space and is in accordance with the Council's policy requirements.
- 15.6 The design approach is informed by the architectural and historic context of the site and the elevational treatment of the building features brickwork within a concrete, gridded frame and a glass and metal curtain walling system. It is considered that the proposed development represents a high quality of architecture and is supported in design terms.
- 15.7 The proposal is considered acceptable in terms of its impact upon the residential amenities of the occupants of nearby dwellings. Furthermore, the proposal is considered acceptable in relation to technical matters, subject to the recommended conditions.
- 15.8 The proposal would deliver flexible, high quality office accommodation in an area of high demand whilst enhancing the street scene and the character of the area. The proposal is considered acceptable in planning terms and it is recommended that planning permission be granted.

Conclusion

- 15.9 The proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1–RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. Contribution of £137,825 towards offsetting projected residual CO2 emissions of the development;
2. The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required;
3. Compliance with the Code of Employment and Training;
4. Facilitation of 3 work placements during the construction phase of the development, lasting a minimum of 26 weeks, or a fee of £15,000 to be paid to LBI;
5. Compliance with the Code of Local Procurement;
6. Compliance with the Code of Construction Practice, including a monitoring fee of £4,050;
7. Provision of 7 additional accessible parking bays or a contribution of £14,000 towards provision of on-street bays or other accessible transport initiatives;
8. Submission of a Green Performance Plan and a post occupation Green Performance Plan;
9. Submission of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development;
10. Submission of a final post occupation Green Performance Plan;
11. Payment of Council's fees in preparing and monitoring the S106;
12. Connection to the Bunhill Heat Network, or futureproofing for connection if it is not currently feasible;
13. Provision of micro/small workspace;
14. Payment towards employment and training of local residents of a commuted sum of £39,929;
15. A contribution towards Crossrail of £567,000;
16. Contribution towards off-site housing of £648,000.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

1	Commencement (compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list (compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: 13505 AP L00 01 100; 13505 AP LXX 01 141; 13505 E LXX 01 142; 13505 E LXX 01 151; 13505 E LXX 01 152; 13505 E LXX 01 001; 13505 AP L00 02 100; 13505 P L00 00 100 Rev. A; 13505 P L01 00 101; 13505 P L02 00 102; 13505 P L03 00 103; 13505 P L04 00 104; 13505 P L05 00 105 Rev. A; 13505 P L06 00 106; 13505 P L07 00 107 Rev. A; 13505 A LXX 04 141; 13505 A LXX 04 142; 13505 A LXX 04 143; 13505 A LXX 05 151; 13505 A LXX 05 152; Daylight and Sunlight Report prepared by Point 2 Surveyors (May 2017) - amended version received 21 September 2017; Noise Report prepared by Applied Acoustic Design (16 June 2017); Air Quality Assessment prepared by Resource and Environmental Consultants Ltd (May 2017); Design and Access Report prepared by Piercy and Company (June 2017) (as amended by revised page 48 submitted by email on 17 October 2017) ; Draft Construction Management Plan prepared by CBRE (April 2017); Drainage Strategy (DMag-1608-DrSt1) prepared by Davies Maguire (October 2016); Market Demand Analysis prepared by CBRE (June 2017); Planning Statement prepared by CBRE (August 2017); Sustainable Design and Construction Statement prepared by Elementa (19.10.2017); Draft Green Performance Plan prepared by Elementa (October 2017) Transport Statement prepared by Steer Davies Gleave (May 2017); Framework Travel Plan prepared by Steer Davies Gleave (May 2017).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and Samples (Compliance and Details)
	Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of

	<p>the works commence on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Brickwork, bond and mortar courses; b) Window treatment (including glazing, sections and reveals); c) Doors; d) Curtain walling; e) Balustrades; f) Terraces; g) Green procurement plan for sourcing the proposed materials; h) Courtyard gate; i) Plant screen; j) Roofing materials; k) Updated Green Procurement Plan for sourcing the proposed materials; l) Any other materials to be used. <p>The Updated Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Construction Environmental Management Plan (Details)</p> <p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
5	<p>BREEAM (Compliance)</p> <p>CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
6	<p>Green/Brown Biodiversity Roofs (Details)</p> <p>CONDITION: Notwithstanding the roof plan indicated on drawing reference 13505-A-L07-00-107 details of a lightweight biodiversity (green/brown) roof</p>

	<p>shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site unless it is satisfactorily demonstrated that it is not feasible. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth to be agreed); and b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum) unless it can be robustly demonstrated that this mix cannot be provided. <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
7	<p>Fixed Plant (Compliance)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: In the interests of neighbouring residential amenity.</p>
8	<p>Piling Method Statement (Details)</p> <p>CONDITION: No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.</p>
9	<p>Energy Efficiency – CO2 Reduction (Compliance/Details)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than an 12.2% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013 as detailed within the Sustainability Statement shall be installed and operational prior to the first</p>

	<p>occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to the commencement of the development:</p> <p>a) A revised Energy Strategy, which shall provide for no less than a 12.2% onsite total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulations 2013. This shall include the details of any strategy needed to mitigate poor air quality (such as mechanical ventilation).</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
10	<p>Renewable Energy (Compliance)</p> <p>CONDITION: The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for no less than 1.94% on-site regulated CO₂ reduction as detailed within the 'Energy Strategy' shall be installed and operational prior to the first occupation of the development.</p> <p>Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</p> <p>a) a revised scheme of renewable energy provision, which shall provide for no less than 1.94% onsite regulated CO₂ reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
11	<p>Solar Photovoltaic Panels (Details)</p> <p>CONDITION: Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Area of panels; and - Design (including elevation plans).

	<p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
12	Cycle Parking Provision (Compliance)
	<p>CONDITION: The long stay bicycle parking indicated on approved plan reference 13505-A-L00-00-100 Rev. A which shall provide no less than 50 long stay parking spaces and 1 accessible parking space shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
13	Sustainable Urban Drainage System (Compliance)
	<p>CONDITION: The development hereby permitted shall incorporate the Sustainable Urban Drainage Systems proposals detailed within the Drainage Strategy (DMag-1608-DrSt1 – October 2016) prepared by Davies Maguire unless otherwise agreed in writing by the Local Planning Authority. The drainage system will achieve a discharge rate of 50l/s/ha (or 3l/s based on site area). The drainage system shall be installed/operational prior to the first occupation of the development and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
14	Air Quality (Details)
	<p>CONDITION: Prior to the commencement of works on the development hereby permitted, a site report detailing steps to minimise the development's future occupiers' exposure to air pollution shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.</p> <p>REASON: In order to ensure satisfactory air quality for future occupants of the development.</p>
15	Roof-top Plant and Lift Overrun
	<p>CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <ul style="list-style-type: none"> • roof-top plant; • ancillary enclosures/structure; and • lift overrun <p>The development shall be carried out strictly in accordance with the details so</p>

	<p>approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
16	<p>Construction Management Plan and Construction Logistics Plan (Details)</p>
	<p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
17	<p>Refuse/Recycling Provided (Compliance)</p>
	<p>CONDITION: The dedicated refuse / recycling enclosures shown on plan reference 13505-A-L00-00-100 Rev. A 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.</p>
18	<p>Delivery and Servicing Plan (Details)</p>
	<p>CONDITION: A Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
19	<p>Cycle Lockers and Showers (Compliance)</p>
	<p>CONDITION: Unless otherwise approved in writing by the local planning authority, changing facilities and showers, including no less than 5 showers (including 1 accessible shower) and 19 lockers, shall be provided in accordance with the drawings reference 13505-A-L00-00-100 Rev. A hereby approved and maintained throughout the life of the building for the use of</p>

	<p>occupiers of the building.</p> <p>REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters.</p>
20	Retention of Current Architect (Compliance)
	<p>CONDITION: The current architect shall be retained for the design development phase of the project unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure continuity in the design approach and the standard of the appearance and construction of the development.</p>
21	Mobility Scooter Storage and Charging Facilities (Compliance)
	<p>CONDITION: The mobility scooter parking space with charging points indicated on plan reference 13505-A-L00-00-100 Rev. A shall be made available prior to first occupation of the building unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interests of providing an accessible and inclusive development.</p>
22	Construction Method Statement (Details)
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved CMS shall accord with the Code of Construction Practice and be strictly adhered to throughout the construction period. The CMS shall cover:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
23	Roof terraces (Compliance)
	<p>CONDITION: The roof terraces of the development hereby approved shall not be used except between the hours of 09:00 and 19:00 Monday to Friday except in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To ensure that the amenity of neighbouring residential properties is not adversely affected in accordance with policies 7.6 and 7.15 of the London</p>

	Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.
24	External pipes, cables and CCTV (Compliance/Details)
	CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved. Should CCTV or additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. REASON: To ensure that the resulting appearance and construction of the development is to a high standard.
25	Landscaping (Detail)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; b) proposed trees: their location, species and size; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and e) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>

List of Informatives:

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

2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
4	Thames Water (Surface Water Drainage)
	<p>With regard to surface water drainage it is the responsibility of a 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 groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.</p>
5	Thames Water (Mains Water Pressure)
	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
6	Groundwater Risk Management Permit
	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
7	Thames Water Main
	<p>There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.</p>
8	Secured by Design
	<p>You are advised that, where relevant, the development hereby approved should incorporate all of the 'Secured by Design' requirements detailed in the 'Commercial Developments 2015' Guide.</p>
9	CIL Informative
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable</p>

	<p>to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</p>
--	---

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

3 London's people

Policy 3.2 Improving health and addressing health inequalities

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime Neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.14 Improving air quality

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)

Policy CS8 (Enhancing Islington's Character)

Policy CS13 (Employment Spaces)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Health and open space

DM6.1 Healthy development

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

D) Finsbury Local Plan June 2013

Role Within London's Central Activities Zone

BC8 Achieving a balanced mix of uses

Delivery and Monitoring

BC10 Implementation

3. Designations

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Bunhill and Clerkenwell Key Area

- Central Activities Zone (CAZ)

- Employment Priority Area (General)

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Planning Obligations and S106
- Urban Design Guide
- Environmental Design
- Inclusive Design in Islington

London Plan

- Accessible London: Achieving an Inclusive Environment
- The Control of Dust and Emissions during Construction and Demolition
- Shaping Neighbourhoods: Character and Context
- Sustainable Design & Construction
- Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy
- Central Activities Zone

**APPENDIX 3:
OCTOBER 2017**

DESIGN REVIEW PANEL LETTER DATED 7

CONFIDENTIAL

ATT: Mr Joe Wilson
CBRE Limited,
St Martin's Court,
10 Paternoster Row,
London EC4M 7HP

Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: DRP/100

Date: 7 October 2016

Dear Joe Wilson,

ISLINGTON DESIGN REVIEW PANEL

RE: Car Park Adjoining Harella House, Gee Street, London, EC1V 3RE (pre-application ref. Q2016/1770/MJR)

Thank you for attending Islington's Design Review Panel meeting on 16 September 2016 for a first review of the above scheme. The proposed scheme under consideration is for refurbishment works to the existing office (use Class B1) building known as Harella House, including installation of balustrades to the terraces facing Gee Street and redevelopment of the existing car park (ancillary to Harella House) to create a new 7 storey office building (use Class B1).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (chair), David Crookes, George Saumarez Smith, Shahriar Nasser and Martin Pearson on 16 September 2016 including a site visit, presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

Panel's observations

The Panel welcomed the principle of redeveloping the currently redundant car park and the potential for improvement of the public realm and relationship with the street. During their discussion, the Panel made the following observations:

Massing, height and design approach

The Panel felt that the design development had been very positive in relation to height and massing of the new building. They thought that the proposed height responded well to the surrounding context.

Panel members thought there were a lot of positive aspects in the design, in particular, the gap between Harella House and the proposed new building which would insert a lightwell between them with the stair, keeping the existing east elevation of Harella House exposed. This would serve both as a reminder of the historic gable end but also provide some detail relief.

However, there was some concern raised in relation to the different treatments and lack of integration of the front (north) and the side (east) elevations. They felt that the corner of the building needed to be better expressed and the junction between the two different treatments needed to be properly resolved. Further consideration should be given to how the building meets the ground; most buildings nearby have a clearly articulated plinth.

Elevational treatment and materiality

The Panel commended the design team for their presentation and approach to materiality. They thought the success of the scheme will be very much dependant on achieving the right detail and appearance.

In terms of the palette of materials, there was a general positive response in particular in relation to the east elevation. Panel members welcomed the proposed use of bricks, the expression of the frames, the set backs to assist in articulating the elevation, the introduction of the terrace. However, they thought clarification was needed on how the concrete frame would meet the ground.

In relation to the North façade, there were some concerns raised in relation to implementation and detail and whether the design would be technically successful. The Panel felt that whilst the initial inspiration may have been a crital façade, it appeared that due to technical constraints, a different system would be used. Panel members were also unclear about the appearance of the slabs through the curtain walling and stated that details of floor slabs and spandrels needed to be further explored/clarified.

The Panel commented on the proportions of Harella House north street elevation and the expression of bottom, middle and top. They felt the ground floor of the proposed building appeared squat and considered that the articulation of the base would benefit from relating more closely to Harella House.

Servicing and implications on design

The Panel felt that a major outstanding issue that needed to be resolved was the servicing/loading bay solution and how it would relate to the substation. Panel members noted that as currently proposed the proposed servicing did not comply with the requirements of the Council's Highways department and encouraged Highways and Planning to find a compromise that would suit both their requirements. The Panel commented that if the proposals were to change and the servicing were to be provided on the ground floor there may be sense in retaining the substation within the new building rather than moving it to Harella House.

Summary

The Panel felt that the redevelopment of the car park presented a positive opportunity to improve not only the site but its relationship with the public realm.

Panel members were positive in principle about the height, massing and general design approach. However concerns were raised in relation to the detail of the front street elevation and the junction/integration between front and side elevations. The Panel also raised concerns about the uncertainty surrounding the servicing requirements as this could have a significant impact on the ground floor and the appearance of the building.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.



Confidentiality

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in the assessment of the proposal and determination of the application.

Yours sincerely,

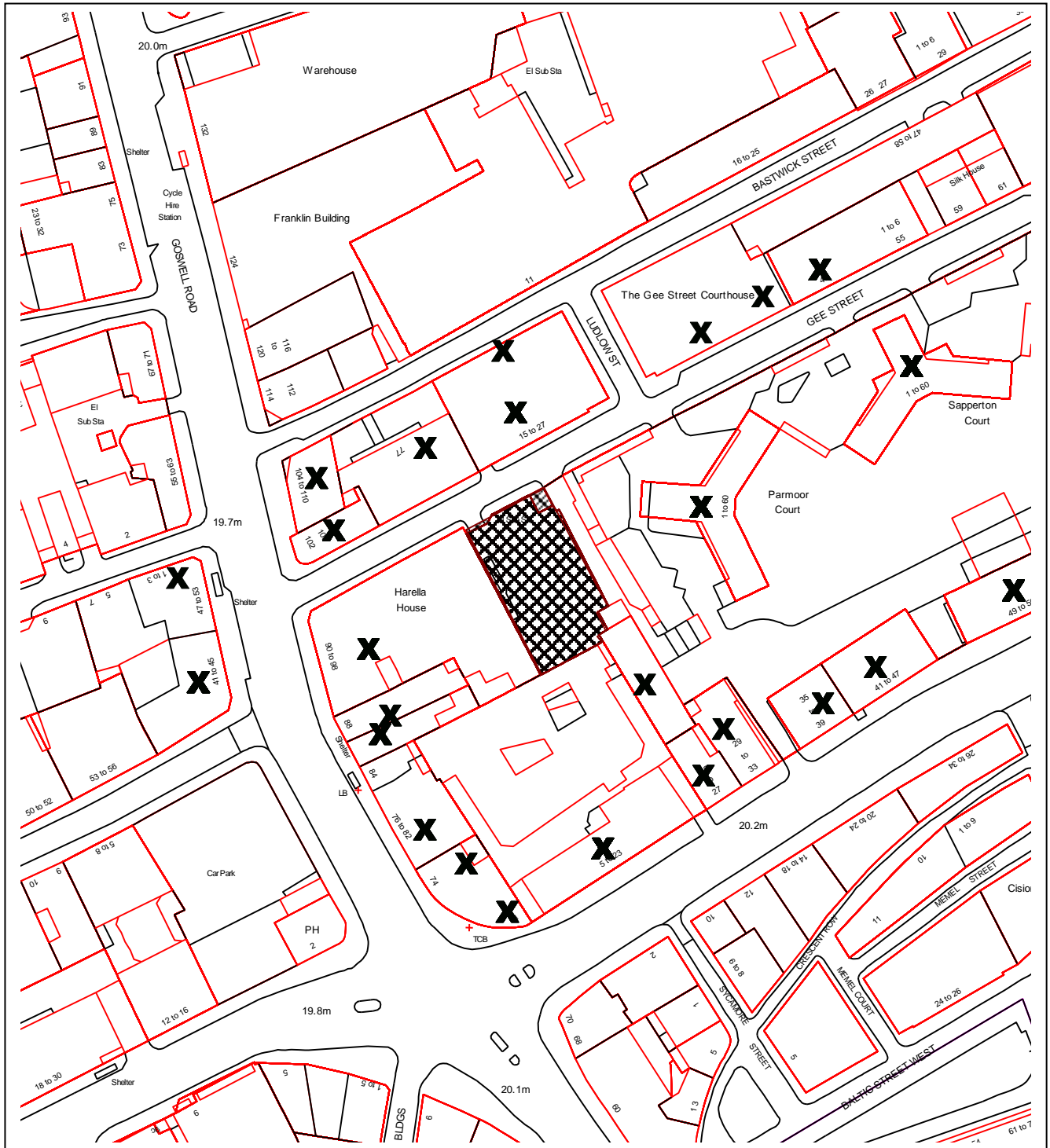
A handwritten signature in black ink, appearing to read 'Lucy', enclosed within a thin black rectangular border.**Luciana Grave**

Design Review Panel Coordinator
Design & Conservation Team Manager



This page is intentionally left blank

Islington SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

This page is intentionally left blank