



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 - Islington Town Hall on **10 September 2018 at 7.30 pm.**

Yinka Owa
Director – Law and Governance

Enquiries to : Zoe Lewis
Tel : 020 7527 3486
E-mail : democracy@islington.gov.uk
Despatched : 31 August 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.**

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>	
Councillor Klute (Chair)	- St Peter's;	Councillor Poyser	- Hillrise;
Councillor Picknell (Vice-Chair)	- St Mary's;	Councillor Williamson	- Tollington;
Councillor Kay (Vice-Chair)	- Mildmay;	Councillor Chowdhury	- Barnsbury;
Councillor Convery	- Caledonian;	Councillor Wayne	- Canonbury;
Councillor Graham	- Bunhill;	Councillor Champion	- Barnsbury;
Councillor Khondoker	- Highbury West;	Councillor Webbe	- Bunhill;
Councillor Chapman	- Junction;	Councillor Hamitouche	- Barnsbury;
Councillor Cutler	- St Peter's;	Councillor Lukes	- Highbury East;
Councillor Woolf	- Canonbury;	Councillor Gantly	- Highbury East;
Councillor Nathan	- Clerkenwell;	Councillor Gill	- St George's;

Quorum: 3 councillors



A. Formal Matters

Page

1. Introductions

Councillor Gary Poole welcomed everyone to the meeting and officers and members introduced themselves. It was noted that the procedure for the conduct of the meeting was detailed in the agenda papers.

2. Apologies for Absence

None.

3. Declarations of Substitute Members

None.

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

6. Minutes of Previous Meeting

1 - 8

B.	Consideration of Planning Applications	Page
1.	Judd House, 18-29 Mora Street, London, EC1V 8BT	13 - 58
2.	N1 Centre and Basement Car Park, Parkfield Street, London, N1 0PS	59 - 108
3.	N1 Centre and Car Park [Basement], Parkfield Street, London, N1	109 - 218
4.	Rebond House, 98-124 Brewery Road, London, N7 9BG	219 - 264
5.	Street Record, Sonderburg Road, Islington, London	265 - 272
6.	Zimco House, 16-28 Tabernacle Street and 10-14 Epworth Street	273 - 274
C.	Consideration of other planning matters	
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, 9 October 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 Zoe Lewis on 020 7527 3486. 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.

London Borough of Islington

Planning Committee - 9 July 2018

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 9 July 2018 at 7.30 pm.

Present: **Councillors:** Klute (Chair), Kay (Vice-Chair), Convery, Graham, Khondoker, Chapman, Cutler, Nathan and Woolf

Councillor Martin Klute in the Chair

9 **INTRODUCTIONS (Item A1)**

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

10 **APOLOGIES FOR ABSENCE (Item A2)**

Apologies were received from Councillor Picknell.

11 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

There were no declarations of substitute members.

12 **DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

13 **ORDER OF BUSINESS (Item A5)**

The order of business would be B3, B2 and B1.

14 **MINUTES OF PREVIOUS MEETING (Item A6)**

RESOLVED:

That the minutes of the meeting held on 7 June 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

15 **36-44 TABERNACLE STREET, LONDON, EC2A 4DT (Item B1)**

Partial demolition of existing 4-storey B1(a) office building, and construction of a new part 5, part 6-storey 3,592sqm B1(a) office building.

(Planning application number: P2018/1410/FUL)

In the discussion the following points were made:

- The Chair advised the committee that a previous application had been granted. This meant the committee should only consider differences between this application and the previous one.
- The planning officer advised that the application sought to increase the floorspace by building on the open service yard. There would still be two SME units at ground floor level.
- In response to members' questions about refuse arrangements and other schemes approved for the area, the planning officer advised that the senior highways officer

had assessed this and had confidence in the refuse collection arrangements and the implications of the scheme in relation to other schemes in the vicinity.

- The planning officer advised that the energy officer was now satisfied with the application.
- The planning officer stated that with the uplift in workspace, the affordable housing contribution had been increased from £84,000 to £329,920.
- In response to a question from a member, the planning officer stated that the SME units would be at 100% market rent.
- The applicant confirmed that the uplift in floorspace was 30% with the SME floorspace increasing to 5% of the new total floorspace. The planning officer indicated that the Heads of Terms would reflect this figure.
- In response to a request from a member to include affordable workspace, the applicant advised that this would not be possible from a commercial perspective and confirmed that this was not required by policy.
- Glazing and light pollution were discussed and it was considered that the condition in the report would secure mitigation measures were in place.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to 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 officer report.

16

7-8 WAKLEY STREET AND 328 CITY ROAD, LONDON, EC1 (Item B2)

Demolition of all existing buildings and erection of part 1, part-2 and part 5 plus basement buildings to provide 3,330sqm of commercial (B1) floorspace and 670sqm of residential (C3) floorspace over 8 units. Associated refuse and cycle storage.

(Planning application number: P2018/0429/FUL)

In the discussion the following points were made:

- The planning officer reported that the first sentence of Paragraph 6.5 of the officer report should read, "The proposed development will provide 8 residential units within a block fronting Wakley Street, which represents a reduction of 18 units from the previously approved scheme".
- The chair questioned whether the building would be higher than that in the previous scheme and was advised by the applicant that if it was, it was only a marginal increase.
- In response to questions about the carbon offsetting, the planning officer stated that the carbon reduction indicated in the report was based on the energy efficiency of the building and renewable energy proposals.
- A member raised concern that the affordable workspace would be let at 75% of market value which was still a significant amount. The applicant stated that the offer of 10% of the uplift in commercial floorspace as affordable workspace was in excess of policy requirements and in addition they were providing a small sites contribution and CIL contribution. The member asked the applicant to improve their affordable workspace offer and the applicant agreed to increase the offer to 50% market value for 7.5 years. The affordable workspace floorspace would remain at 10% of the uplift in commercial floorspace.
- Concern was raised about the impact the height of the building could have on the neighbouring building at No. 9. Wakley Street.
- A member requested that the reference to the living wage in the Section 106 agreement be changed to refer to the current living wage.

Councillor Klute proposed a motion to condition that the Wakley Street building should be no higher than that in the previous scheme and that there should be no plant on top of the building. This was seconded by Councillor Chapman and carried.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report plus the additional condition outlined above and subject to 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 officer report with the reference to the London Living Wage being amended to refer to the current London Living Wage and the reference to affordable workspace being amended to require the applicant to provide the space at 50% market rate for 7.5 years.

17 GRENVILLE WORKS 2A INC. 1 GRENVILLE ROAD AND 500-502 HORNSEY ROAD, LONDON, N19 (Item B3)

Demolition of buildings and redevelopment of the land to provide 16 dwellings and 2215sqm of commercial floorspace together with landscaping, service yards, cycle storage, bin storage and associated works across two sites. The north site (500-502 Hornsey Road) would provide 490sqm of B1 (business) floorspace at ground floor and 16 dwellings above (2x1 beds, 11x2 beds and 3x3 beds, Use Class C3) within a 3-4 storey building. The south site (Grenville Works, 2a Grenville Road) would provide 1725sqm of B1 floorspace within a 4-storey building.

(Planning application number: P2017/3242/FUL)

In the discussion the following points were made:

- The planning officer reported that:
 - The applicant should be JPA and not Dominus
 - The first line of condition 14 in Appendix 1 of the officer report should state “At least 1725sqm (GIA) of B1(c) floorspace shall be provided.”
 - Under paragraph 6.3 of the officer report, the policy team had now provided their response to the consultation and they had no comments.
 - Paragraph 7.28 of the officer report should be amended to state that it was only the building to the north that had been reduced by one storey.
 - Paragraph 161 of the officer report incorrectly stated that there were 7 objections. There had been 11 objections from 10 addresses but some had not been logged when there was a change of officer. Four objectors had had notifications sent on 4 July 2018 instead of 27 June 2018. Some of their points had been covered in the officer report in paragraph 6.2 as they were made by other objectors or had not been made by others but had been included in the officer report in the assessment. The officer addressed the remaining points in the presentation. These included – overbearing/oppressive impact; overshadowing; lack of contextual information; noise from users; cumulative impacts with other developments; light pollution and lack of consultation by the developer.
 - Additional information had been submitted by the applicant covering daylight/sunlight impacts on the adjacent garden and clarifying why additional tests had not been carried out on windows.
 - The officer advised that the following conditions should be added to the list of those in the officer report:
 - DELIVERY AND SERVICING PLAN

Planning Committee - 9 July 2018

CONDITION: The development shall be carried out strictly in accordance with the Delivery and Servicing plan hereby approved.

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

- DELIVERIES, COLLECTION AND LOADING

CONDITION: Deliveries, collections, unloading and loading associated with the B1 commercial uses shall only be between the following hours:

Monday to Saturday - (08:00 - 20:00)

Sundays/Bank Holidays - not at all

REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic

- HOURS OF OPERATION

CONDITION: The B1 commercial floorspace hereby approved shall not operate outside the hours of 07:30 - 21:00

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

- REMOVAL OF PD RIGHTS

CONDITION: Notwithstanding the provisions of Classes C, D, G, J or M of Part 3 or Class D, E of Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by any Order revoking and re-enacting that Order, no change of use of the B1 floorspace shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.

REASON: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS 14 of the Islington Core Strategy (2011), policies DM4.1, DM4.2, DM4.3, DM4.4, DM4.12 of the Development Management Policies (2013) and Policies BC3 and BC8 of the Finsbury Local Plan. (2013)

- NO OBSCURING OF SHOPFRONTS

CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.

REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.

- PLANT NOISE AND FIXED PLANT

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

Planning Committee - 9 July 2018

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: 1997.

The development shall be carried out strictly in accordance with the scheme 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.

REASON: To secure an appropriate internal residential environment.

- Concerns were raised about the differing costs shown within the viability assessments. The BPS representative stated that one figure was an electronic calculation created by the toolkit and the other figure was calculated by the applicant following the submission of a number of documents including the cost plan. BPS had run their own cost appraisal and concluded that the costs would be £8.2 million, similar to the applicant's figure and this would result in a deficit.
- In response to a question about the policy team comments, the planning officer advised that they were happy that the commercial floorspace was being maximised and considered the quality of the floorspace to be good.
- The relationship between the south side proposed development and the adjoining house was considered.
- In response to a member's question as to why there were no affordable housing contributions, the BPS representative advised that the site was deemed not to be viable. If this changed in the future, the Section 106 would induce an advanced stage viability review.
- Concerns were raised by residents regarding:
 - The impact on the adjacent property;
 - That the scheme was putting all the existing commercial floorspace on the south site and creating residential units on the north site;
 - Not all the DRP comments had been taken into account and the scheme was a bland design
 - There were existing parking issues and the scheme did not secure adequate parking controls or deliveries/servicing and it was not clear how this would be managed or enforced, taking into account the existing weight restriction on Grenville Road. Road narrowing should be required.
- Following a request from a member the applicants confirmed that they would be willing to provide the affordable workspace at a peppercorn rent for 10 years.
- A member raised concern that the applicant was unable to provide clarification on the viability figures.
- A member asked whether the current owners who had been on the site for 40 years had any outstanding mortgages or loans on the land. The applicant responded that there were no outstanding mortgages or loans on the land.
- In response to questions from members the applicant confirmed that 28 people were employed across the two sites. Each of the tenants had been offered new accommodation on site.
- In response to a request from a member that the applicants provide the affordable workspace in perpetuity, the applicants stated that the current offer of 5% exceeded the council's guidance.
- Concerns were raised about the lack of affordable housing based on a viability assessment that lacked clarity and where the applicant would be making a profit as well as benefitting from an Existing Use Value.

Planning Committee - 9 July 2018

- A member commented that on other sites in the borough applicants had changed their architect and planning consultant team in order to produce a more suitable scheme.
- A member noted that the applicant's commitment to providing affordable workspace rather than SME workspace should be secured with this or any future applications.
- A member raised concern about whether the development would optimise the use of the land in this locality. It was added that it might be more beneficial to have the commercial development on the northern site and the housing site on the southern site as the land use around the southern site was residential.
- Concerns were raised about design and the lack of community engagement.

Councillor Chapman proposed a motion to refuse planning permission due to concerns about viability, design and servicing. This was seconded by Councillor Khondoker and carried.

RESOLVED:

That planning permission be refused for the reasons set out above, the wording of which was delegated to officers.

WORDING DELEGATED TO OFFICERS

**Grenville Works 2A inc. 1 Grenville Road and 500-502 Hornsey Road, London, N19
Minute 17**

Reasons for refusal:

1. The application fails to demonstrate that the proposed new dwellings would contribute to balanced and sustainable communities by providing the maximum reasonable affordable housing delivery taking into account of the borough-wide strategic target of 50% and the financial viability of the proposal, in line with the NPPF (2018), the London Plan (2016) and the borough's strategic priorities contrary to the NPPF (2018), London Plan (MALP) 2016 Policies 3.10, 3.11 and 3.12 and Islington Core Strategy (2011) Policy CS12, Islington Development Management policy DM2.1 and Islington's Planning Obligations SPD 2014 and Viability SPD 2016.
2. By virtue of its uncharacteristic elevational treatment; uncharacteristic street frontages, cluttered haphazard design appearance and design of a residential character, the proposed development would cause unacceptable harm to the public realm and streetscape; contrary to Paragraphs 17 and 56 of the NPPF, London Plan 2016 Policies 7.4, 7.5, 7.6 and 7.7; Islington Core Strategy (2013) Policy CS8; Islington Development Management Policy (2013) DM2.1 and the Islington Urban Design Guide 2017.
3. The application fails to demonstrate that adequate provision for on-site servicing, waste storage, operational parking, collections and deliveries is provided, thus the proposal would cause unacceptable harm to surrounding parking stresses, pedestrian safety and the safe and efficient operation of the highway contrary to 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).
4. In the absence of an appropriate S106 legal agreement the proposed development fails to mitigate its impacts and secure compliance with the Development Plan. The proposal is therefore contrary to London Plan (MALP) 2016 Policy 6.9, Islington Core Strategy policy CS 18, Islington Development Management Policies (2013) Policy DM9.2 and Islington's Planning Obligations SPD (2014).

The meeting ended at 10.05 pm

CHAIR

This page is intentionally left blank

COMMITTEE AGENDA

1 Judd House
18 - 29 Mora Street
LONDON
EC1V 8BT

2 N1 Centre & Basement Car Park
Parkfield Street
London
N1 0PS

3 N1 Centre & Car Park [Basement], Parkfield Street, London N1

4 Rebond House
98 - 124 Brewery Road
London
N7 9BG

5 Street Record
Sonderburg Road
Islington
London

6 Zimco House, 16 - 28 Tabernacle Street & 10-14 Epworth Street
Islington, London, EC2A 4DD

1 Judd House
18 - 29 Mora Street
LONDON
EC1V 8BT

Ward: Bunhill

Proposed Development: Use of the property as Office (Class B1a) and associated external alterations to the front and rear facade. including the creation of a new office entrance, installation of new external metal staircase within the existing lightwell, replacement of existing windows and doors with new steel framed windows and doors and installation of new full height curtain wall screen to provide access to the new external stair.

Application Number: P2017/4339/FUL

Application Type: Full Planning Application

Case Officer: David Nip

Name of Applicant: Talal (UK) Developments Ltd

Recommendation:

2 N1 Centre & Basement Car Park
Parkfield Street
London
N1 0PS

Ward: St. Marys

Proposed Development: Conversion of existing 100 space basement car park and reconfiguration of basement and ground level floorspace (resulting in a net increase in lettable floor space of 1,351sqm) to provide a mix of units, including additional Retail (A1) floor space and Leisure (D2) floorspace, retaining 27 car parking spaces. Conversion of unit at first floor level from Retail (A1) to Restaurant and Cafe (A3). Demolition of redundant staircase between first and second floor. Removal and replacement of shopfront on Liverpool Road.

The proposal retains the Angel Wings Sculpture.

Application Number: P2018/2124/FUL
Application Type: Full Planning Application
Case Officer: Matthew Duigan
Name of Applicant: PEC Parkfield Limited

Recommendation:

3 N1 Centre & Car Park [Basement], Parkfield Street, London N1

Ward: St. Marys

Proposed Development: Erection of a new kiosk and first floor bridge/outdoor restaurant seating area, and extended first floor balcony involving the raising of the Angel Wings by 3 meters.

Conversion of existing 100 space basement car park and reconfiguration of ground and basement level floorspace to provide a mix of retail units, including additional 1945sqm of flexible Retail (A1) and Leisure (D2) floorspace, retaining 27 parking spaces. Conversion and extension to first floor retail unit 5A (A1) to provide restaurant/café (A3). Partial demolition of 2 external staircases. Installation of first floor awnings. Partial external terracotta cladding and projecting windows to west elevation. Replacement hard and soft landscaping, and associated works.

Application Number: P2017/2964/FUL
Application Type: Full Planning Application
Case Officer: Matthew Duigan
Name of Applicant: --

Recommendation:

4 Rebond House
98 - 124 Brewery Road
London
N7 9BG

Ward: Caledonian

Proposed Development: Four storey extension to the existing rear (north) elevation, part three part four storey extension to the west of the existing building, four storey extension to the east of the existing building and a single storey addition at roof level to provide 1195m2 of flexible class B1(c)/B8 (Light Industrial/Storage and Distribution) use at ground floor level; and flexible B1(a/b/c) (Office, Research and Development, Light Industrial) floorspace above (3539m2), together with associated reconfigured parking and servicing arrangements.

Application Number: P2017/1969/FUL
Application Type: Full Planning Application
Case Officer: Peter Munnelly
Name of Applicant: .

Recommendation:

**5 Street Record
Sonderburg Road
Islington
London**

Ward: Finsbury Park

Proposed Development: Stopping-up and Diversion of Highways - Sections 247 and 253 of the Town and Country Planning Act 1990' for the length of Corker Walk (adjacent to Sonderburg Road).

Application Number: P2018/2240/FUL

Application Type: Full Planning (Council's Own)

Case Officer: Stefan Sanctuary

Name of Applicant: Rosemarie Jenkins (Islington Council)

Recommendation:

**6 Zimco House, 16 - 28 Tabernacle Street & 10-14 Epworth Street
Islington, London, EC2A 4DD**

Ward: Bunhill

Proposed Development: RECONSULTATION - Full address of site confirmed and revised drawings submitted - revised design including removal of proposed fourth floor lift service and fire lift.

Demolition of the existing building (in Use Classes B1(a) offices, and B8 storage and distribution). Erection of a new building of 6 storeys, including retention of existing basement, plus rooftop plant and enclosure; and associated works, to provide 9,273sqm (GIA) for use as B1(a) offices.

Application Number: P2018/0523/FUL

Application Type: Full Planning Application

Case Officer: Thomas Broomhall

Name of Applicant: .

Recommendation:

This page is intentionally left blank



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

PLANNING COMMITTEE	AGENDA ITEM NO:
Date: 10 th September 2018	

Application number	P2017/4339/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	N/A
Conservation area	Moorfields
Development Plan Context	Core Strategy Key Area: Bunhill and Clerkenwell Finsbury Local Plan – City Road Basin area Central Activities Zone (CAZ).
Licensing Implications	N/A
Site Address	Judd House, 18-29 Mora Street, London EC1V 8BT
Proposal	Use of the property as Office (Class B1a) and associated external alterations to the front and rear façade, including the creation of a new office entrance, installation of new external metal staircase within the existing lightwell, replacement of existing windows and doors with new steel framed windows and doors and installation of new full height curtain wall screen to provide access to the new external stair.

Case Officer	David Nip
Applicant	Talal (UK) Developments Ltd
Agent	Claire Clark - Rolfe Judd Planning Ltd

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**

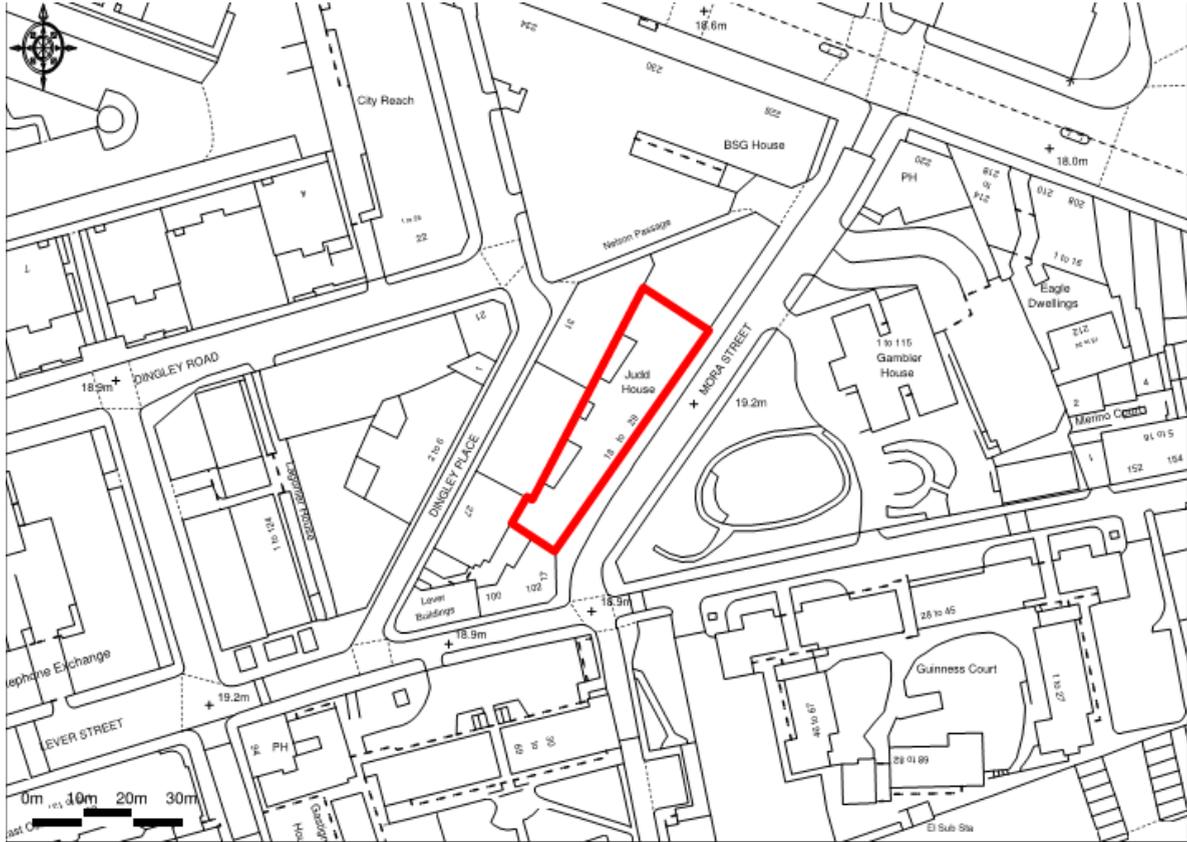


Fig 2.1 Site Plan. Application site outlined in red.

3. PHOTOS OF SITE AND SURROUNDINGS



Image 1 Aerial view



Image 2 Front Elevation of Judd House (left), view from the junction of Mora Street and Lever Street.



Image 3 Front elevation of Judd House from across the open space adj. Gambier House



Image 4 Side Elevation (from Mora Street/City Road junction)



Image 5 Existing Ground floor interior (Note: Some of the proposed ground floor windows (left) have already been installed as per previous consent P2016/0419/FUL)

4. **SUMMARY**

- 4.1 The proposed development would change the use of the existing building, which is currently vacant to office. The building was last used as a hostel back in 2006.
- 4.2 The loss of the hostel use has been justified by the applicant as the previous hostel was granted planning permission to a particular group which no longer exist; furthermore, weight is given to the fact that the site has been vacant for over 12 years and therefore, it is considered that the proposal represents a good opportunity to bring the building back into active use. The proposed office use is considered to be an acceptable use for this site, taking into account its location and context of the area, the proposed office use can be supported in general.
- 4.3 The proposal would reuse the existing building with alterations to improve its appearance. The overall visual impact to the streetscene and the surrounding conservation area is considered to be minimal for major development. Although the energy aspect of the scheme would not fully meet the Local Plan target for a major development, regard must be given that the proposal reuses the existing building and would introduce significant improvement on energy efficiency compared to the existing building. The proposal would also have acceptable impacts on neighbouring amenity, and would be serviced from Mora Street directly at the front of the site, with the agreement of the Council's Highways Team, as well as TfL, who manages City Road.
- 4.4 The proposed development would not include any housing, but would make a financial contribution of £277,600 towards off-site affordable housing.

- 4.5 The proposed development would not provide affordable workspace on site; officers accept that the proposal would reuse the existing building rather than a new build, and the quantity of the affordable workspace that the scheme can provide would be insufficient to be meaningful. Therefore, it is agreed that in this particular case, it would be acceptable to provide off site contribution (payment in-lieu) to support council's delivery of affordable workspace elsewhere within the borough. Notwithstanding the application site falls outside of an Employment Priority Area, the provision of affordable workspace is encouraged by policies, and as such officers considered that the proposed off site affordable workspace contribution weigh in favour of the proposal.
- 4.6 The proposal would bring the building back into active usage with an acceptable use for the building in the long term. The active use of the building would positively contribute towards the strengthening of the City Road Basin as an office location, and would be a sustainable and well-designed development that would preserve and enhance the character of the Moorfields Conservation Area. Approval is recommended subject to planning conditions and a s.106 agreement.

5. **SITE AND SURROUNDINGS**

- 5.1 The site is located on the west side of Mora Street and is approximately 0.06ha in area. The site currently comprises a 3 storey building with two main accesses from Mora Street on each end of the building. It is understood that Judd House was built circa 1925 as a warehouse building. It is suggested that the back in 1950s, the building was used as an office for Lilywhites sports retailer.
- 5.2 The site is located within the Finsbury Local Plan - City Road Basin Area (Policy BC2) and is within the Central Activities Zone (CAZ). The site is also within the Moorfield Conservation Area. The site has a PTAL rating of 6a.
- 5.3 The area has a predominantly commercial character, particularly along City Road. There are also a mix of commercial and residential uses within the locality.
- 5.4 Adjoining the west of the site, at 29-31 Dingley Place, is a four/five storey residential building which was originally built as a warehouse and was converted into residential use in the 90s (planning ref. 931225, 940253) with construction of roof extension for one of the flat approved in 2009 (ref. P090650).
- 5.5 To the east of the site across Mora Street, Gambier House was constructed in 1968 and is a twenty storey residential tower block comprising 115 flats, located on a triangular site between Mora Street and Lever Street.
- 5.6 To the north of the site along Mora Street, it is a small council owned parking area.
- 5.7 To the south of the site is a corner building at 17 Mora Street, which is a 3 storey building that has attained permission to be used as 3 residential units back in 2004 (ref. P041022). However, council tax record seems to suggest that the building has been used as a single residential unit.
- 5.8 The site is located within the Central Activities Zone (CAZ), in an area characterised by a variety of uses comprising retail and office uses as well as residential. It is not within an Employment Priority Area, but it is adjacent to the Dingley Road Employment Priority Area (General) (to the west).
- 5.9 The application site forms part of Moorfields Conservation Area, which covers a section of the south side of City Road and the west side of Mora Street. The building is not listed nor

locally listed.

- 5.10 Mora Street is a one-way street that connects City Road on the north and Lever Street on the south, and it is identified as a local cycle route; however, it does not form part of the TFL Road Network.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal would convert the existing building on site, which comprises 1,736 sqm (GIA) of floorspace, for B1(a) office use, it is understood that the previous use of the site was a hostel, with the use ceasing more than 10 years ago.
- 6.2 The existing building is not a heritage asset, however, it is considered that the building does contribute positively within the context of the conservation area. The building footprint covers most of the plot with three small yard areas to the rear. The building footprint is not going to be changed under this application.
- 6.3 The proposed development would convert the use of the building to office (Use Class B1). There is no new floorspace created under this application.
- 6.4 The external changes are alteration to the front and rear façade. To the front, the windows would be replaced with new steel framed windows and doors; at the rear, it is proposed to install new full height curtain wall screen to facilitate the new central access stairwell. The flat roofs would comprises photovoltaic panels.
- 6.5 The building would include cycle storage and waste storage internally, and servicing would take place from Mora Street.
- 6.6 There would be one centralised circulation core, with at least 2 lifts and accessible WCs on each floor, allowing the building to be used by one large occupier. The existing stairwell on both sides would be retained and provide secondary stair access to the proposed office accommodation.

7. RELEVANT HISTORY

- 7.1 The following history is considered most relevant to the application site.

Planning History

- 7.2 **861330** - Change of use of building (1856 sq.m) from warehousing and offices to light industry (printing photographic processing and model making) graphic design and illustration work together with associated showroom and office space and external alterations including fitting of new entrance doors and canopy and new windows at ground floor front. Approved 16/02/1987
- 7.3 **890894** - Use as B1. (Section 53 Determination under previous Town and Country Planning Act 1971) Does not constitute development 25/09/1989.
- 7.4 **951596** - Change of use to reception centre/hostel including a warden's flat, alterations to elevation and the erection of a rear staircase enclosure. Approved 11/06/1997.
- 7.5 **P002669** - Relaxation of planning condition 3 of planning permission reference 95/1596 which required for opening casements at the rear of building to be replaced with non-opening windows, to now permit opening windows. Refused permission and take

enforcement 31/07/2001.

- 7.6 **P082587** - Change of use from a homeless hostel to an unrestricted generic hostel use for any type of occupier. Refused 20/03/2009.
- 7.7 **P092484** - Erection of single storey roof extension and replacement of windows, plus change of use of existing hostel to provide 14 x two-bedroom, 3 x one-bedroom and 3 x self-contained studio units for temporary occupation. Application withdrawn 16/07/2012.
- 7.8 **P112375** - Erection of single storey roof extension, replacement of windows and change of use of existing 33 bedroom hostel to provide 20 self-contained residential units (18 two-bedroom and 2 studios, including 5 for social rent). Application withdrawn 22/03/2012.
- 7.9 **P120376** - Erection of single storey roof extension, replacement of windows and change of use of existing hostel to provide 20 self-contained residential units (including 10 affordable units). Application withdrawn 16/07/2012.
- 7.10 **P2013/4474/FUL** - Use of building for Class C3 (residential) use and part single storey roof level extension to create 22 residential units. Application withdrawn 28/02/2014.
- 7.11 **P2014/4498/COL** - Certificate of lawfulness (existing) in connection with the lawful use of the building as a nil use. Refused 17/12/2014.
- 7.12 **P2015/3008/FUL** - Erection of a single storey roof extension to existing 3-storey office building (Class B1), to create 3 no. residential units (3 x 2-beds) with terrace areas, together with external alterations including: installation of 8 no. new windows and 7 no. tri-folding doors (Front Elevation, Proposed Third Floor), and 5 no. new doors (Rear Elevation, Proposed Third Floor); installation of 2 no. new windows (South and Rear Elevations, Proposed Third Floor); replacement of 42 no. existing windows (Front Elevation, Ground, First and Second Floors); insertion of balcony (above existing Second Floor, Front Elevation); replacement of existing double entrance doors and canopy, provision of new cornice detailing, refurbishment of 2 no. fire exit doors (Front Elevation, Ground Floor), and; new paint finishes to existing brickwork (Front Elevation). Refused 02/10/2015.
- 7.13 **P2016/0419/FUL** - External alterations to front elevation including replacement of 42no. existing windows with double glazed windows, new paint finishes to existing brickwork (Ground, first and second floors), replacement of existing recessed double entrance doors, refurbishment of existing canopy, new paint finish to existing eyebrow lintel to ground floor windows and installation of 13 no. white aluminium column uplighters, replacement of existing roller shutter door with new matching window, and replacement of 2 no. existing fire exit doors (Ground Floor). Approved 28/04/2016.
- 7.14 **P2016/1810/COLP** - Certificate of Lawfulness to establish the lawful use of Judd House as Use Class B1 (Office). Refused 30/06/2016.
- 7.15 **P2016/3979/AOD** - Submission of details pursuant to Condition 3 (Windows) of planning permission ref: P2016/0419/FUL, dated 28 April 2016. Approved 15/12/2016.
- 7.16 **P2017/2417/COLP** - Certificate of Lawfulness for the proposed lawful use of the property as B1(a) offices. Refused 01/02/2018

7.17 No pre-application sought prior to submission of the application.

8. CONSULTATION

Public Consultation

8.1 The application has been publicly consulted on 13 Nov 2017. Site and press notice have also been issued. The consultation process expired on 4 Dec 2018. Letters were sent to the surrounding neighbours on Mora Street, Lever Street, Dingley Place and City Road. A re-consultation has been carried out on 13 Feb 2018 and it expired on 06 Mar 2018, letters were sent out to the residents at Gambier House to the east of the site.

8.2 At the time of writing, **no objections** were received from the neighbouring residents.

External Consultees

8.3 **Transport for London:** Originally responded and requested a servicing and delivery plan to be submitted; and having reviewed the submitted Servicing and Delivery Plan, no objection was raised.

Internal Consultees

8.4 **Planning Policy:** The proposed loss of hostel would need to be assessed against policy DM3.9. The submitted statement (21 Feb 2018 by Rolfe Judd) is considered acceptable and sufficient to demonstrate the loss of hostel in this case would be acceptable subject to an appropriate alternative use.

With regard to the office development, the site is not within EPA so FLP policy BC8 Part J applies. Given that the site is in close proximity to Old Street and latest evidence suggests pressing need for office, the provision of office here is acceptable. It is noted that DM5.1 does not apply in the FLP area, as per footnote in the policy.

Policy BC8 Part D will apply on mixed use development within the Finsbury Local Plan area. Part I will also apply re: design of the office floorspace.

Applicant should investigate SME space in line with part J(ii). There is no requirement for affordable workspace.

8.5 **Inclusive Design:** Although the proposal is not a new building, the proposed conversion to office should have step-free access for the site accesses, and all parts of the building should be fully accessible. There should also be accessible WCs provided on each floor, and an accessible cycle storage at the ground floor level.

The new office layout should also incorporate two refuge points, and/or at least one fire-fighting lift. Details with regard to the compartmentation of the circulation area should be submitted by planning condition.

8.6 **Design and Conservation:** No objection in relation to the external changes.

8.7 **Energy Officer:** The proposal would not meet the London Plan and Islington Carbon reductions target, but it would meet the BREEAM Excellent standards and follows the London Plan hierarchies. The Draft Green Performance Plan is agreed in principle and should be secured as part of the s106 agreement. *(Officer comment: the reductions in*

carbon emissions are considered to be maximized based on the fact that the proposal would utilise the existing building fabric rather than proposing a new construction, therefore, there is a limit on achieving the carbon reduction target, furthermore, a carbon offset contribution of £61,410 is to be secured through the s.106 agreement to offset the remaining emissions. Condition 10 requires compliance with BREEAM “excellent”, details of roof level PV panels are to be secured by condition 12).

- 8.8 **Highways:** No objection raised to the submitted information.
- 8.9 **Transport Engineering:** No objection to the submitted Delivery and Servicing Plan. Noted a minor error on the plan states that vehicles will turn right to Lever Street, and then turn right again to Bath Street. In fact, the vehicle would need to turn left from Mora Street to Lever Street, and then left again to Bath Street.
- 8.10 **Public realm (Waste Management):** Accept the details submitted in relation to the waste management of the site.
- 8.11 **Inclusive Economic Team:** With regard to affordable workspace, the council would normally prioritise the delivery of physical Affordable Workspace. Nonetheless, when the space is unsuitable (i.e. too small to operate as a serviced office/workspace) for onsite delivery we seek an equivalent financial contribution.

The council has identified a number of council assets across other town centres towards the north and southern areas of the borough that are currently underutilised. While the council is actively seeking additional funding opportunities to renovate these buildings and to maximise affordable workspace, these contributions could help speed up the process of converting these buildings. This contribution will help shape and maximise the delivery of much sought workspaces in the borough. Workspaces that are offered at genuinely affordable rates; that bring benefit to the local economy; and that bring opportunity and are inclusive of the local community.

- 8.12 **Development Viability:** I have looked at the site and the current application in great detail now and reviewed a more refined list of comparables in the immediate vicinity of the subject site.

I now conclude that a rental value on a pound per square foot basis of £55 psf (£592 per sqm) would be a fair assumption for the completed scheme. I note the applicant’s reference of 5% of the floor space equating to 65 sqm; it is important that the 5% of the total floor space figure is 5% of the total Net Internal Floor Area (NIA) in order to accurately calculate the affordable workspace contribution.

Lastly, I note the applicant’s comments regarding whether the affordable workspace contribution is payable in 10 annual instalments or upon the leasing of the building. We would require the contribution to be paid to the Council upon implementation of Planning Permission alongside other S.106 contributions and CIL.

9. **RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES**

- 9.1 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);

- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- As the development affects the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;
- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

9.2 The National Planning Policy Framework 2018 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It is worth noting that the NPPF was revised and adopted on 24 July 2018. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

9.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Furthermore, paragraph 11 of the staffstates that plans and decisions should apply a presumption in favour of sustainable development, for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

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

9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

9.7 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.

9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal

duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Development Plan

9.9 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

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

- Core Strategy Key Area: Bunhill and Clerkenwell
- Finsbury Local Plan
- Central Activities Zone (CAZ)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. **ASSESSMENT**

10.1 The main issues for consideration are:

- Principle of Development and Land Use
- Design and Conservation
- Neighbouring Amenity
- Accessibility
- Sustainability
- Highways and transportation
- Obligations and CIL

Principle of Development

10.2 The existing building has been vacant for at least 10-12 years, it is currently dated, inefficient, and offers poor accessibility to people with disabilities. It is accepted that the quality of the building will need to be improved, in order to bring it back into active use. The proposed development is considered acceptable in principle, as it provides an opportunity to provide office floorspace, 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 change of use of the site accords with the National Planning Policy Framework's presumption in favour of sustainable development.

- 10.4 The building is understood to have been built as a warehouse and office; planning permission for change of use to a light industrial use was granted in 1986 (ref 861330). In 1989, a certificate under s53 of the Town and Country Planning Act 1971 was granted for the use of the building as Use Class B1 (ref 890894).
- 10.5 The hostel use was introduced to the building in 1997, where planning permission was granted for "*Change of use to reception centre/hostel including a warden's flat, alterations to elevation and the erection of a rear staircase enclosure.*" (ref 951596). The last known use of the building was a hostel, which ceased operation back in 2004-2006.
- 10.6 The proposal under this application would change the use of the building to provide 1,735sqm (GIA) of business floorspace under Class B1. It is estimated that the proposed new office floorspace would create approx. 110 full time jobs within the site.
- 10.7 No site allocation applies to the application site, however, it is located within the Central Activities Zone (CAZ). Planning policies relevant to this site safeguard existing hostel use; but on the other hand, it is also recognised that policies also encourage office development within the CAZ in general.

Loss of hostel use

- 10.8 The existing lawful use of the site is considered to be hostel, when planning permission was granted in 1997 for change of use of the building. It is noted that condition 4 of the 1997 permission ref P951596 stated that the permission was only granted for the benefit of Paddington Churches Housing Association Limited or other Housing Association registered with the Housing Corporation only.
- 10.9 Policy DM3.9F states that the loss of hostels use would not be supported unless: i) Adequate replacement accommodation will be provided for the particular group; or ii) it can be demonstrated that the accommodation is no longer needed for the particular group; or iii) it can be demonstrated that the existing accommodation is unsatisfactory for modern standards and/or not fit for purpose for its current use.
- 10.10 The submitted planning statement dated 21 Feb 2018 has confirmed that the Paddington Church's Housing Association (PCHA) no longer exists, and the Housing Corporations was abolished in 2008. In terms of the site history, the property was used as an Asylum seekers hostel between 1997 and 1999; from 1999 to 2006, the building was operated as a hostel by Paddington Church's Housing Association. The property remained vacant for at least 3 years from 2006 (likely up to 5 years from 2004) and Paddington Churches Housing Association sold the hostel in 2009 due to lack of demand and vacancy.
- 10.11 It is worth noting that planning permission was refused in 2009 (ref P082587) for change of use from a homeless hostel to an unrestricted generic hostel use for any type of occupier. The refusal was due to insufficient and inadequate information submitted to justify the development impact on neighbouring amenity, and highways/transportation.
- 10.12 Based on the planning history and the submitted information, it is accepted that the particular group (Paddington Churches Housing Association and the Housing Corporations) that previously benefitted from the planning permission had vacated the building for three to six years before selling the property, and the accommodation is no longer required.
- 10.13 In relation to DM3.9F (iii), the agent has further explained that the existing building is unsatisfactory for modern standards, one of the reason is due to a fire in 2007 which has significantly damaged the building. The property has been vacant for 12-14 years and would

require total refurbishment to bring it back to use. An Internal Condition Report has been submitted by Chartered Building Surveyors Johnson Gillies Limited, who concluded that following inspection of the site in Dec 2017, it is considered that the property is currently not compliant with Building Regulations for any use.

- 10.14 Therefore, it is considered that the proposed loss of hostel is acceptable to that policy DM3.9F is met.
- 10.15 Policy DM3.9G states that where the loss of a hostel is acceptable, development should provide accommodation to meet an acute need identified by the council's housing development, which may include social housing. The proposed development would not provide any residential accommodation (i.e. social housing); However, the proposed development would provide an appropriate level of offsite affordable housing contribution which is in accordance to the FLP policy BC8(D) (Please see the "Housing in the Central Activities Zone" section below). Furthermore, the proposed change of use would not result in extra floorspace on site, the reusing of the existing building as office under a single occupancy is considered to be acceptable, and it would be undesirable to subdivide the building to provide housing on site, which would result in reduction of B1 floorspace and further losses of floorspace due to the introduction of a residential access core from the ground floor level.
- 10.16 It is also worth noting that there were four planning applications submitted to the LPA but withdrawn between 2009 and 2013, which sought for provision of residential units on this site (ref: P092484, P112375, P120376 and P2013/4474/FUL), and there has been no successful application for introducing housing to this site. Taking this into account, it is considered that the proposed change of use to office would remain in accordance with policy DM3.9G.

Proposed Office Use

- 10.17 The revised National Planning Policy Framework (NPPF) July 2018 para 117 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Para 118(D) of the NPPF states that planning decisions should promote and support the development of under-utilised land and buildings, and Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans.
- 10.18 London Plan (LP) Policy 2.10 recognises that development within the area should enhance and promote the unique international, national and London wide 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; in appropriate parts of the CAZ, the LPA should ensure that development of office provision is not strategically constrained and that provision is made for a range of occupiers especially the strategically important financial and business services.
- 10.19 The provision of new office stock in viable locations is also supported. The supporting text of LP policy 4.2 identifies a need for significant increases in office floorspace in the years to 2031. Part A of policy CS13 of Islington's Core Strategy 2011 states that new employment floorspace is encouraged, particularly business floorspace, to locate in the CAZ with excellent public transport accessibility, the site is considered to be capable of accommodating a diverse range of businesses and enterprises.

- 10.20 The proposal comprises change of use from the lawful hostel use to provide new office floorspace (1735sqm GIA, 1314sqm NIA), which is welcomed in principle and is considered policy-compliant. Officers accept that the existing building is modest in scale and the proposal to reuse the building would incorporate the maximum reasonable amount of business floorspace on site, without the necessity to extend the existing building, bearing in mind its conservation area context.
- 10.21 The Council's recent Employment Land Study (2016) estimates that employment in the borough will increase by approximately 50,000 jobs up to 2036, identifies a shortfall in the current pipeline of office supply (when compared to projected needs) of around 400,000sqm (approx. 18,000sqm annually on average) in order to meet forecast demand. The need to deliver office space has become even more pressing given the large scale loss of B1a space to permitted development rights in Islington. The study states the southern end of Islington within the CAZ will be the most attractive location for office occupiers, particularly for the professional, scientific and technical services activities which have been expanding rapidly in London and which are projected to experience further substantial growth.
- 10.22 The proposed development would provide a total of 1,735sqm GIA of new office floorspace, which would positively contribute to the supply of new office accommodation within the City Road Basin/Old Street area. The existing building will be brought back to active use after 12-14 years of vacancy, which is also considered to be a significant benefit to the area. The policy priority in land use terms is therefore to secure new employment floorspace within this area, in order to support the borough's potential for jobs growth.
- 10.23 In accordance with Core Strategy policy CS13, the proposed office development would provide an appropriate amount of planning contributions which mitigate the impact of the development, this includes the provision of training opportunities at construction stage (1 placement = £5,000), as well as employment and training contribution during the operation of development (£18,425).
- 10.24 It is considered that the development is acceptable in land use terms with regard to the development plan and the cascade of policies from the London Plan, Islington Core Strategy, Development Management Policies, Finsbury Local Plan, and as such would make an efficient use of this brownfield site. The proposal would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth.

Affordable Workspace

- 10.25 The site does not form part of the Employment Priority Area and therefore, the provision of affordable workspace and/or workspace suitable for occupation by micro and small enterprises is not required. Part J of the Finsbury Local Plan Policy BC8 states that for sites outside the Employment Priority Area, micro and small workspace/retail spaces that do not impact on the amenity or character are encouraged. Furthermore, FLP policy BC2, which covers sites within the City Road Basin area, states that the proposed development should incorporate a diverse mix of employment spaces, including offices, small and affordable workspaces.
- 10.26 Despite there being no policy requirement for the provision of affordable workspace, the applicant has discussed various options for the provision of affordable workspace or SME units, both on-site and off-site.
- 10.27 Generally, provision of affordable workspace should be made on site; however, when the

development proposal is not suitable for on-site delivery then an equivalent financial contribution can be accepted, to enable the council to deliver and support the provision of Affordable Workspace elsewhere within the borough. It is acknowledged that not every development can achieve this objective without compromising other aspects of the proposal, as some of the Affordable Workspace may be too small to operate as a serviced office.

- 10.28 Part F of policy DM5.4 states that in exceptional circumstances, where the proportion of small, micro or affordable workspace to be provided on site does not meet the council's expectation, and where it can be demonstrated that the on-site provision of such workspace is inappropriate or would have an unacceptable impact on the viability of a scheme, financial contributions will be sought to secure equivalent provision off site.
- 10.29 As set out in paragraph 5.25 of the DMP, 5% floorspace has been taken as the starting point for provision; for this application, it is equivalent to 65sqm (NIA) of operational B1 floorspace. This is considered to be of insufficient size to create a useable unit. From a design point of view, it is accepted that the proposal to reuse the building poses difficulties to the provision of affordable workspace as opposed to a scheme comprising a new building with dedicated Affordable Workspace area.
- 10.30 Having discussed extensively with the agent over the Affordable Workspace issue, it is considered that due to the size, access and layout of the existing building, an on-site affordable workspace provision would not be desirable in this instance, and an off-site payment in lieu financial contribution would be preferable.
- 10.31 The agreed off-site payment is calculated based on the 5% NIA of the scheme (65sqm), the average annual rent of office premises within the local area (agreed at £55 per sq ft following consultation with the Development Viability Team) and a 10-year period (equivalent to the peppercorn rate requirement for on-site provision). The total offsite contribution for affordable workspace would be £384,800 and this will be secured by section 106 agreement.

Housing in the Central Activities Zone

- 10.32 London Plan (LP) Policy 2.10 recognises the 'mixed' nature of much of the CAZ and seeks to enhance and promote the unique international, national and London wide role of the CAZ through the promotion of a range of mixed uses, and LP Policy 2.11 indicates that boroughs should ensure that development proposals to increase office space within the CAZ incorporate a mix of uses including housing, subject to compliance with other policies. LP Policy 4.3 states that within the CAZ increases in office floorspace should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan. In the supporting text to this policy, paragraph 4.15 states that London's economic growth depends heavily on an efficient labour market and this in turn requires adequate housing provision to sustain it.
- 10.33 In order to achieve the requirement for housing to be delivered alongside business uses, Part D of FLP policy BC8 states that within the CAZ, major development proposals that would result in a net increase in office floorspace should incorporate housing, and where less than 20% of the total net increase in office floorspace is to be housing, an equivalent contribution will be sought for the provision of housing off-site. The supporting text (paragraph 11.1.6) states that 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.

- 10.34 In this case, with a total uplift in office floorspace of 1735sqm (GIA) proposed, 347sqm of

residential floorspace would be required.

- 10.35 Although the provision of residential floorspace would not be physically impossible at this site, given the requirements 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 commercial floorspace, or another significant compromise, unless the building envelope was increased further (which is unlikely to be considered acceptable taking into account its existing appearance of the building and the character of the conservation area). 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 £277,600.

Other land use considerations

- 10.36 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.

Delivery and Infrastructure

- 10.37 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 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.

Land Use Summary

- 10.38 Although there is policy support for the retention of hostel uses, evidence has been provided to demonstrate that the loss of the lawful hostel use would not result in a shortfall of that specific use, and given the building has been vacant for at least 12 years, it is unlikely that the hostel use would be brought back to active use in the future, due to the site's location and the condition of the existing building.
- 10.39 The proposed development would provide a significant amount of B1 office space, for which there is high demand and a significant shortfall, and would contribute substantially to the stock of office floorspace both within the borough, and within CAZ specifically.
- 10.40 It is important to highlight that notwithstanding the site falls outside the Employment Priority Area, the proposal would make a significant financial contribution to provision of both affordable housing and affordable workspace elsewhere within the borough.
- 10.41 It is the view of officers that the proposed development would be acceptable, subject to compliance with other development plan policies.

Design and Conservation

- 10.42 The revised NPPF 2018 recognizes that the creation of high quality buildings and places is

fundamental to what the planning and development process should achieve. Good design is key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 10.43 London Plan 2016 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. These policies are supported locally by Islington Policies CS8 and CS9 which encourage traditional street patterns and sympathetic building designs, and DM2.1 and DM2.3 which require development to be of high quality contextual design and to conserve or enhance the conservation area's significance (where the proposal would affect the setting of a conservation area).
- 10.44 The Planning (Listed Buildings and Conservation Areas) Act 1990 (amended) requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area; it also requires decision maker to have special regard to preserve or enhance the significance of heritage assets through the planning process. The proposal has been considered within the context of the Conservation Area and the surrounding buildings.
- 10.45 The application site comprises a 3 storey 15 no. bay building of brick construction. The building is not listed but it is located within the Moorfields Conservation Area. There are no adjacent listed buildings. It is important to note that the building would be retained as part of the proposal.
- 10.46 The external changes to the front elevation includes:
- Refurbishing existing side doors RAL 7012
 - Replace existing roller shutter RAL 7012
 - Fully shielded fixture light angles towards column
 - "Basalt Grey" RAL 7012 paint applied brick work in lieu of existing beige paint
 - Re-cladding of existing canopy in powder coated metal sheets RAL 7012
 - Replacement windows with powder coated steel framed windows to ground, first and second floors RAL 7012
 - Paint finish to eyebrow lintels to ground floor windows
- 10.47 To the rear elevations, the proposed alteration comprises:
- "Basalt Grey" RAL 7012 paint applied brick work in lieu of existing beige paint
 - Replacement windows with powder coated steel framed windows to ground, first and second floors.
 - Curtain wall screen
- 10.48 It is noted that planning permission has been approved under P2016/0419/FUL for *"External alterations to front elevation including replacement of 42no. existing windows with double glazed windows, new paint finishes to existing brickwork (Ground, first and second floors), replacement of existing recessed double entrance doors, refurbishment of existing canopy, new paint finish to existing eyebrow lintel to ground floor windows and installation of 13 no. white aluminium column uplighters, replacement of existing roller shutter door with new matching window, and replacement of 2 no. existing fire exit doors (Ground Floor)."*
- 10.49 The changes approved through P2016/0419/FUL are similar to the proposed change under

this application; the main difference is that there is a proposed replacement roller shutter under this application, in order to facilitate the new bin storage; whilst in the 2016 application the roller shutter was replaced it with a new window that matched with the rest of the front fenestration design.

- 10.50 It is judged that the proposed alterations would not cause additional harm to the overall appearance of the building and would not result in any harm to the character or setting of any other nearby heritage assets. The proposal has been reviewed by the Design and Conservation Team who raised no objection.
- 10.51 The rear elevations are not visible from the street scene and are highly enclosed by the lightwells between the site and the adjacent no. 29-31 Dingley Place. The proposed rear changes are considered to be in keeping with the appearance of the building and would not cause harm to the character of the area.
- 10.52 The proposed elevations and materials are considered to be contextual, well related to their respective townscape environments, and of high quality.

Design and Conservation Summary

- 10.53 The proposed external changes to the front and rear elevations are considered to be relatively minor in scale, and are appropriate to the setting of the site, with the materials and detailing being contextual and high quality. The existing building will be retained and it is considered that the proposed change would not be harmful to the character and significance of the Moorfields Conservation Area.
- 10.54 The proposal is considered to be acceptable in terms of its design and conservation impacts.

Accessibility

- 10.55 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.
- 10.56 Islington Policy DM2.2 requires all new developments to demonstrate inclusive design, including that all developments should demonstrate that they provide for ease of and versatility in use, deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. All development needs to be assessed against this policy background to ensure genuinely inclusive design from the outset and for the lifetime of the development.
- 10.57 The existing building has no step-free access, and was not built to high accessible design standards. Whilst retaining the fabric of the building, the proposed new layout will create a level access entrance at the central of the building on the ground floor, it would remove all of the inherent accessibility barriers with the existing building, by providing well located entrances, WCs, circulation, and internal spaces would result in an accessible building to modern standards.
- 10.58 The proposal would result in the equivalent requirement of 3 additional blue badge parking spaces, and a financial contribution of £6,000 is to be secured through the s.106 agreement to enable the location of this space, or other accessibility improvements within the immediate vicinity. It is noted that there are controlled parking spaces directly outside the

site that are suitable for drop-offs but not for all-day parking.

- 10.59 The council's Inclusive Design officer has provided feedback, and welcomed the proposed access improvement to the existing building, including provision of step free access to all floors, including accessible WCs, and the new centralised entrance designs. The outstanding matter is the details of accessible cycle storage and the dimensions of the accessible toilet on each floor; it is considered that details of accessible WC across all three floors should be provided. Condition (no.5) is recommended to secure the Inclusive Design and access measures.
- 10.60 Subject to the condition, it is considered that the proposed development would represent significant access improvement to the existing building and would be acceptable in terms of Inclusive Design.

Neighbouring Amenity

- 10.61 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.
- 10.62 Policy DM2.1 identifies a minimum distance of 18 metres between windows, other than those facing a highway, '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.

Overlooking, privacy, enclosure

- 10.63 The proposed development does not comprise any extension to the building and there are no new openings proposed. In terms of privacy, enclosure and overlooking, it is judged that the proposed change of use and the associated works would not cause additional impact towards neighbours including the Dingley Place residents to the rear, and the residential properties.
- 10.64 The rear yards comprise a number of existing windows which directly overlooks the Dingley Place building at rear, however, it is noted that all windows overlooked by the site building are obscured glazed and officers therefore accepted that there would be no unacceptable impact on privacy, enclosure or overlooking to nearby residents.



Image 6. A rear lightwell between Judd House (left) and the adjacent building at 29-31 Dingley Place (right), there is no overlooking between the two sites as the glazing are either obscured or replaced by louvres.

Noise and disturbance

- 10.65 The proposed development will continue to be accessed via Mora Street, and the majority of servicing will take place from the loading bays directly in front of the site, so there will not be a significant increase in activity, or resultant disturbance to adjoining neighbours.
- 10.66 The proposed change of use would not result in uplift of floorspace and it is judged that the nature of the proposed B1 use would not lead to additional noise which impact on the neighbours. The proposal does not include the sale of alcohol, or any bar/restaurant areas, and the noise impacts arising from office workers are unlikely to be significant. There are no new outdoor/roof terraces proposed under this application.
- 10.67 Despite there being no demolition works proposed, it is anticipated that there would be some noise and disturbance generated by the construction works and this will need to be reviewed and agreed by the LPA prior to the commencement of works. A Construction Environment and Management Plan (condition no.13) is recommended to secure details of the management and noise mitigation measures during the construction.
- 10.68 Officers consider that subject to the recommended conditions the proposal will not result in unacceptable impacts in terms of noise and activity.

Neighbouring amenity summary

- 10.69 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity. The proposal is thus considered acceptable in accordance with London Plan Policies 7.6, 7.14 and 7.15, and Development Management Policy DM2.1.

Biodiversity, Landscaping and Trees

- 10.70 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 Development Proposals must protect, contribute to and enhance the

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

- 10.71 The site does not include any green space or vegetation, and there would be no impacts on any nearby trees. There is a small open space on the other side of Mora Street, adjacent Gambier House with a number of trees and greenery. It is considered that the proposed development would not affect the landscaping and biodiversity of the site and the surrounding area.

Security and External Lighting

- 10.72 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.
- 10.73 Paragraph 180 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 (MALP) 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 neighbouring amenity, and to disturb dark corridors for wildlife.
- 10.74 External lighting is proposed to the front elevation, however, this is to illuminate the columns of the building, rather than for security reasons. Although given the existing permeable elevation design on both the front and rear elevation, with the new glazed curtain wall at rear, it is considered that additional external lighting is unlikely to be necessary. Nonetheless, a condition (no.9) is recommended requiring details of any external lighting to be approved by the Council, to avoid excessive light pollution and ensure a well-designed and safe environment in accordance with the above policies.

Health and Air quality

- 10.75 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.
- 10.76 Of additional concern cumulatively in London is the impact of the number of concurrent construction projects underway and the resultant harm to air quality. Rather than a comprehensive redevelopment of the site, the existing building will be retained and refurbished as part of the proposal. The proposed physical work is minor in scale as it will not result in any significant demolition or excavation works; although there will still be construction dust, waste, machinery, material storage and vehicles which all have the potential to negatively impact air quality. A Construction and Environmental Management Plan is required to demonstrate the acceptability of the proposed works and this is secured by condition (no.13).

- 10.77 The site is well located in relation to public transport and has a Public Transport Accessibility Level (PTAL) of 6a (Excellent). The site is approximately 500 metres from Old Street Underground Station, which provides train services on the Northern Line. It is located at close proximity to three bus routes (30, 73 and 476) on City Road.
- 10.78 City Road (which gives access to Mora Street) forms part of the Transport for London Route Network (TLRN), therefore the highways and transportation impacts will be partially fall on roads managed by TfL.
- 10.79 Access to the building by pedestrians is solely from Mora Street. The site benefits from public transport links including the bus routes on City Road, the Old Street Underground and rail station as the main modes of transport. The development would be car free, with no car parking proposed on-site. A full travel plan is required for developments equal to or more than 2,500sqm. The proposed development is less than 2500sqm and therefore, a Transport Assessment would not be required.

Cycling

- 10.80 The proposed cycle store would have 24 cycle stands, 2 showers, a changing room and a drying room, which would comply with the Islington Cycle Standards (Appendix 6 to the Development Management Policies), and would exceed the London Plan Standards. It would be located at the ground floor level, and would have direct access from the side entrance. The cycle store would have step free access and would be secured and accessible. No details of accessible cycle storage and shower were provided, condition 5 is recommended to secure the details of the accessible cycle storage.
- 10.81 No short stay cycle storage is proposed for visitors, due to the relatively narrow pavement. It is noted that there are Sheffield stands on Lever Street, and there are TFL Cycle Hire stands on Windsor Terrace, Macclesfield Road and Bath Street.
- 10.82 Condition 14 is recommended to ensure that the cycle storage facilities are provided and maintained for the lifetime of development.

Servicing and refuse

- 10.83 Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 10.84 The site is accessed from Mora Street which is a one-way southbound road connecting City Road to the north with Level Street to the south. There are double yellow lines along the east side of the road, with Permit Holder or Pay by Phone parking along the majority of the west side. There is also a section of single yellow line on the west side at the south end of the road.
- 10.85 The applicant has submitted a Delivery and Servicing Management Plan (April 2018) in support of the application, to demonstrate that the new office development would have an acceptable impact on Delivery and Servicing
- 10.86 In terms of refuse and recycling storage, there is a dedicated area at the ground floor level which can be accessed directly from Mora Street.

- 10.87 The proposed office development would require 5 Eurobins, and the collections will occur twice a week. 3 of the bins will be allocated for recycling to comply with the 50% capacity target for recycling storage requirements from the Street Management Services.
- 10.88 The proposed refuse and recycling storage has been accepted by the Council's Street Management Services.
- 10.89 The site falls within Zone C of Islington's Controlled Parking Zone (CPZ) which operates at all times between Monday – Saturday and from 00:00 – 06:00 on Sundays. Loading and unloading is permitted on yellow lines for up to 40 minutes during the hours of control.
- 10.90 The proposed servicing is on-street from the single yellow lines at the site frontage on Mora Street. It is written in the submitted statement that the vehicle servicing of the site will be managed by the "Goods In Manager", to ensure that vehicles loading and unloading of the site are in line with local restrictions.
- 10.91 It is anticipated that the office development would generate up to 7 two way vehicles per day. Typically, the average duration of stay for a delivery vehicle would be less than 10 minutes.
- 10.92 Most of the deliveries will be undertaken by small to medium sized vehicles, to minimise the servicing of the site on the highway network. If any larger vehicles (up to 10m) turn up, it could be accommodated on-street on the single yellow lines outside the site.
- 10.93 Both TfL and the Council's Highway Team have reviewed the submitted delivery and servicing plan and no objection was raised. Condition 15 is recommended to ensure that the proposed Servicing and Delivery Plan is complied with by the occupiers for the lifetime of development.
- 10.94 For refuse and recycling storage, the Council's waste guidance note suggests 2,600L of waste storage per 1,000sqm of floorspace for B1a uses, based on collections occurring once a week. For the proposed floorspace, the number of Eurobins (1,100 litres capacity) required would be 5 Eurobins. The proposed capacity and layout of the refuse storage would be sensible and comply with the Council's guidance on refuse and recycling storage. The Council's Street Environment Services accepted the proposed arrangement. Condition 16 is recommended to secure the provision of refuse storage as proposed prior to the occupation.

Vehicle parking

- 10.95 No vehicle parking is proposed on-site. A financial contribution of £6,000 is proposed to secure on-street blue badge parking bays, or alternative accessibility improvements to be agreed by the Council's highway officers. The financial contribution is to be secured by the s.106 agreement.

Construction impacts

- 10.96 There is no Construction and Environmental Management Plan (CEMP) submitted for this application. The proposed internal and external works which facilitate the proposed change of use would have some impact to the local area during the construction period. It is considered that a Construction and Environmental Management Plan should be submitted prior to commencement, outlining measures for the routing, accommodation, loading and unloading of construction vehicles. A construction programme should also be provided within the CEMP and once a contractor has been appointed. This will set out indicative timescales for each phase of construction. Given the existing building will be retained, and

the scale of the development in relatively minor for a major development, it is anticipated that the construction period would not be long enough to pose an unacceptable impact to the surrounding neighbours.

10.97 Subject to compliance with a construction and environmental management plan (recommended condition 13), the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbour amenity, the wider environment, or the safe and efficient operation of the highway network.

10.98 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 £6,369 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

10.99 The application sets out adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. 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

10.100 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.

10.101 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 – Reduce Energy Demand

10.102 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 Uvalues are generally consistent with

the values suggested in the Council's SPD. The air permeability would be 3m³/m²/hr.

- 10.103 The applicant has submitted information to demonstrate how energy consumption of the building will be reduced. It is important to note that certain aspects of the scheme are fixed by the existing building, including its size, design, orientation and window areas, it is accepted that the retention of the existing building would mean that there is a limit on the passive design measures that can be incorporated into this refurbishment.
- 10.104 Compared to the baseline target (the existing building in its current condition), the proposed "Be Lean" measures will provide a carbon reduction of 55.2% on regulated emissions. However, if the scheme is assessed against the Building Regulations 2013 Part L2A target, the it would only result in 2.6% of reduction at this stage.

Zero Carbon

- 10.105 Policy CS10A states that development will 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. 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 scheme therefore gives rise to a requirement for a carbon offset contribution of £61,410.

BE CLEAN - District Heating

- 10.106 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.
- 10.107 The applicant explains that the cost of connection to the Bunhill DEN would be significantly high and would only provide modest benefit to the development. Due to the scale of refurbishment and the heating/cooling demand that the building will generate, it was considered that the proposed connection would not be economically feasible. Having reviewed the submitted information, officers accept that the proposed connection to DEN for this office refurbishment proposal would generate limited public benefit and therefore, the proposal remains in consistent with the relevant policy including policy DM7.3.

BE GREEN – Renewable Energy

- 10.108 The submitted Energy Assessment indicates that the existing flat roof area is viable for providing photovoltaic arrays covering an area of 35m² would be provided on roof and which would deliver a saving of approx. 2.2 tonnes of CO₂ per year. There is a constrained area on the roof available for PV and it is not possible to expand the area of the proposed system,

taking into account its conservation area context. Further details of renewable energy technologies will be secured by condition should planning permission be granted (condition 12).

- 10.109 It is noted from the Council's Energy Conservation Officer that the development falls short of the London and Islington carbon reduction targets. However, it is worth noting that the proposed development does not provide a new building and consideration is given to the fact that the energy efficiency of the building will be significantly improved when compared to the existing building, in order to bring it back into active use.
- 10.110 Overall, the total site wide regulated carbon saving through the combination of energy efficient design and renewable technologies is 8.2% when compared against a compliant L2A baseline model. However, the saving is 57.8% when compared against the existing Judd House development.
- 10.111 The proposed development is expected to achieve a BREEAM rating of 'Excellent' with a score of 71.9% and this is supported (condition 10).

Overheating and Cooling

- 10.112 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.
- 10.113 The applicant has provided evidence to demonstrate how the lower levels of the cooling hierarchy have been maximised. Due to the existing glazing layout and the building fabric, only certain areas are openable. It is not a new building and therefore, there is a limit to introduce passive cooling measures on site. Overall, it is accepted that active cooling would be required within the development and that was introduced at the "Be Lean" stage of the Energy Assessment.

Sustainable Urban Drainage System (SUDS)

- 10.114 Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water runoff to a 'greenfield rate', where feasible.
- 10.115 Due to the nature of the proposed conversion and the scale of the proposed works, the Council's Sustainable Design Officer has reviewed the proposal and raises no objection as the proposal is a refurbishment of the existing building and it would not result in an increase of building footprint and impermeable surface area. The nature of the B1 use would not result in an intensification of water use when compared to the previous hostel use. It is recommended that the Sustainable Urban Drainage System proposals are secured by condition (No. 11).

Green Performance Plan

- 10.116 This would be secured through the Section 106 legal agreement.
- 10.117 The applicant has submitted a statement to detail the energy performance of the building post conversion. Although the proposed office development will be re-using the existing building, it is still expected that the energy performance of the building would need to be improved post development.
- 10.118 The existing building is an early 20th century brick-built building with old windows throughout, some of the existing windows are broken and has poor performance. The submitted Building Regulation Report Part L states that the existing building does not comply with England Building Regulations Part L 2013.
- 10.119 The new office accommodation is expected to have a significant improvement on energy performance from the existing building. The Council's Energy Conservation officer has reviewed the proposal and the submitted draft Green Performance Plan is broadly acceptable and this will be secured under the Section 106 agreement.

Building Fabric

- 10.120 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. structure, steel, brick, concrete etc. These details were not supplied with the application, so a green procurement plan is recommended to be required by condition 4.

Sustainability Summary

- 10.121 In order to ensure that the building performs in accordance with the key sustainability indicators set out within the sustainability statement and energy strategy, a Green Performance Plan (GPP) is to be secured by the s.106 agreement (based on the draft GPP which was submitted with the application).
- 10.122 Whilst the proposal does not comply with the Building Regs target for new building, it is acknowledged that the proposal is a refurbishment and therefore, the shortcomings identified in the Energy Assessment is considered reasonable in this instance. Whilst the proposal would still weigh against the relevant sustainability policies; however, officers give significant weight to the fact that the building has been vacant for many years and the proposal to bring the building back into normal use would provide significant public benefit; it is also acknowledged the 57.8% reduction of carbon emission when compared to the existing building. Therefore, there is no overall objection raised on sustainability grounds, and as set out above, it is recommended that the relevant sustainability requirements are secured by planning conditions and s.106 obligations.

Fire Safety

- 10.123 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. A Fire safety strategy has not been provided, and a condition (no.6) is recommended to secure further details in relation to the consideration of fire safety prior to occupation, and to pay particular regard to the provision of a sprinkler system, wheelchair refuges on each floor, a firefighting lift and a compartmentalised staircase for fire escape.

Planning Obligations and CIL

- 10.124 The proposal would not result in the creation of new floorspace, therefore, it has been

confirmed by the CIL officer that the proposal would not be liable to pay the Islington Community Infrastructure Levy (CIL) and Mayor of London CIL (including Crossrail contribution).

10.125 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.

10.126 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.

- Affordable housing contribution of £277,600
- Affordable workspace contribution of £384,800
- Compliance with the Council's Code of Local Procurement
- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Employment and training contribution – Operation of development of £18,425
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,735
- Accessible parking contribution of £6,000.
- Carbon Offsetting payment of £61,410 (index linked).
- Submission of, and compliance with, a Green Performance Plan
- 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 The proposed loss of the hostel use has been justified and the proposed office use is considered to be an acceptable use for this site, taking into account its location and the context of the area in CAZ.

11.3 The proposed improvement to the appearance of the building is also considered to be acceptable in relation to the streetscene and the surrounding conservation area. Although the energy aspect of the scheme would not fully meet the London and Local Plan target, the proposed refurbishment of the building would still represent significant improvement in energy terms. The proposal would also have acceptable impacts on neighbouring amenity and local highways.

11.4 The proposal would provide the appropriate contribution to mitigate the impact of the development, including the offsite provision of affordable housing and affordable workspace.

11.5 Consequently, it is considered that the proposed development would comply with the relevant national, regional, and local planning policies (including the Islington Core Strategy, the Islington Development Management Policies, Finsbury Local Plan and associated Supplementary Planning Documents).

- 11.6 It is recommended that planning permission is 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:

- Affordable housing contribution of £277,600
- Affordable workspace contribution of £384,800
- Compliance with the Council's Code of Local Procurement
- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Employment and training contribution – Operation of development of £18,425
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,735
- Accessible parking contribution of £6,000.
- Carbon Offsetting payment of £61,410 (index linked).
- Submission of, and compliance with, a Green Performance Plan
- 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 to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

1	Commencement (compliance) CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. 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).
2	Approved plans list (compliance) CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: Approved Drawings: Location Plan; Existing Ground Floor Plan; 1010 PL 00 Existing First Floor Plan; 1011 PL00 Existing Second Floor Plan 1012 PL00; Existing Roof Plan 1013 PL00; Existing Front Elevation and Section 1030 PL00; Existing Rear and Side Elevations 1031 PL 00; Proposed Ground Floor Plan 110 PL 00; Proposed First Floor Plan; 1101 PL 00 Proposed Second Floor Plan 1102 PL 00 Proposed Roof plan 1103 PL00 Proposed Front Elevation 1300 PL00; Proposed Rear Elevation 1301 PL00; Proposed Side Elevation and Section 1302 PL00 Approved Documents: Change of Use Submission Oct 2017 – Rolfe Judd Planning Delivery and Servicing Management Plan April 2018 – Caneparo Associates BREEAM Pre-assessment report for planning July 2018 – Verte Internal Condition Report Feb 2018 – Johnson Gillies Limited Sustainable Energy Assessment Report – 03/07/2018 Issue No. N2 Draft Green Performance Plan Rev C Aug 2018 - Verte Statement from Rolfe Judd Planning in relation to loss of hostel use 21 Feb 2018 The approved plans expressly listed within this condition shall take precedence over any plans referred to or appended to the documents listed in this condition. 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.

3	Materials and detailing (Prior to commencement)
	<p>CONDITION: Details and samples of all detailing and facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works unless otherwise agreed in writing by the Local Planning Authority. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:</p> <ul style="list-style-type: none"> a) External facing materials, including lintels and cladding; b) Details of the main entrance door on Mora Street; c) Windows and doors (including sections and reveals), including details of the doors to bin store; d) Rainwater goods (including locations, fixings, material and colour); e) Details and locations of all internal and external soil, vent and waste pipes, which should (except for the termination) be constructed within the building; f) Details of any other equipment or devices to be installed on the external surfaces of the building including meter boxes, service connection access, aerials and satellite dishes; g) All other external materials. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Green procurement plan (Prior to commencement)
	<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>
5	Inclusive Design (Pre-commencement)
	<p>CONDITION: Notwithstanding the approved plans the scheme shall be constructed in accordance with the principles of Inclusive Design, prior to commencement of development, the following inclusive design features serving the accommodation hereby approved shall be submitted to and approved by the Local Planning Authority. The agreed measures shall be implemented and installed and prior to the first occupation of the development hereby approved.</p> <p>The measures include:</p> <ul style="list-style-type: none"> a) 1 wheelchair accessible WCs to each floor for the B1 Office building b) Step free access for the entrance to lobby area c) Step free access to the cycle storage d) One accessible shower e) One accessible cycle parking space

	<p>The development shall be carried out strictly in accordance with the details as approved, shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities, in accordance with policy 7.2 of the London Plan 2016, Policies CS7 and CS9 of the Islington Core Strategy 2011 and Islington's Development Management Policy DM2.2.</p>
6	Fire Escape Strategy (Pre-occupation)
	<p>CONDITION: Prior to the occupation of the office development, a Fire Escape Strategy shall be submitted to and approved in writing by the Local Planning Authority in consultation with London Fire Brigade Emergency Planning Authority.</p> <p>The works shall be undertaken in accordance with the details of the Fire Strategy hereby approved.</p> <p>REASON: In the interests of fire safety of the building.</p>
7	Flat roof restriction (Compliance)
	<p>CONDITION: The roof shall not be used as an amenity space, and shall only be accessed in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To ensure that the amenity of residents is not adversely affected</p>
8	Energy Efficiency – CO2 Reduction (Prior to commencement)
	<p>CONDITION: Prior to the commencement of superstructure works, a revised Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The energy efficiency measures as outlined within the revised Sustainable Design and Construction Statement shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall achieve a 8.2% reduction of regulated carbon emissions against Building Regulations 2013, and a 4.6% reduction of regulated and unregulated carbon emissions against Building Regulations 2013.</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. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

<p>9</p>	<p>External Lighting (Compliance/Prior to Specific Works)</p> <p>CONDITION: Notwithstanding the approved plans, no external lighting shall be installed, unless details of external lighting across the site 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 lighting measures 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 resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings.</p>
<p>10</p>	<p>BREEAM (Compliance)</p> <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>
<p>11</p>	<p>SUDS (Prior to commencement)</p> <p>CONDITION: A Sustainable Urban Drainage statement shall be submitted and approved by the local planning authority, the measures agreed shall be installed and implemented 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>
<p>12</p>	<p>Photovoltaic panels (Prior to Occupation)</p> <p>CONDITION: Prior to first occupation of the development hereby approved, manufacturers' specifications and a scheme of the detailed designs and layout of the equipment and mechanical systems to be implemented in relation to the proposed PV panels(s) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>These details relating to the PV panels shall include but not be limited to: location of PV panels; area of panels; design (including section drawings showing the angle of panels in-situ, and elevation plans) and the energy performance;</p> <p>The solar photovoltaic panels as approved shall thereafter be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interests of ensuring that the proposed mechanical plant would achieve the performance standards assumed by the approved sustainability statement, to avoid harm to the character of the conservation area and neighbouring amenity, to secure sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>

13 Construction and Environmental Management Plan (Prior to Commencement)

CONDITION: Notwithstanding the details submitted with the application, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

The Method of Demolition and Construction Statement shall include details and arrangements regarding:

- 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 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;
- e) Details of waste storage within the site to prevent debris on the surrounding highway and a scheme for recycling/disposing of waste resulting from construction works;
- f) 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;
- 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 neighbouring 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 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.

The report shall assess the impacts during the preparation and construction phases of the development on the Transport for London controlled City Road, 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.

No demolition or development shall begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning during the construction period in accordance with the approved details. The demolition and development shall thereafter be carried out in accordance with the details and measures approved in the Method of Construction Statement.

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

	<p>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>
14	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The cycle storage areas shown on the hereby approved plans, shall be provided prior to the first occupation of the development, and maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate cycle and accessibility scooter parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
15	<p>Deliveries and Servicing (Compliance)</p> <p>CONDITION: The development shall be carried out and maintained in accordance with the submitted Delivery and Servicing Management plan, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on local highways network and neighbouring residential amenity.</p>
16	<p>Refuse storage (Compliance)</p> <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>

List of Informatives:

1	<p>S106</p> <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	<p>Superstructure</p> <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	<p>Car-Free Development</p> <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 will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
4	<p>Roof top plant</p> <p>The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.</p>
5	<p>Construction works</p> <p>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.</p>
6	<p>Highways Requirements</p> <p>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.</p> <p>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.</p> <p>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</p>

	be agreed with streetworks officer. Contact streetworks@islington.gov.uk .
7	Highways Requirements (2)
	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>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.</p>
8	Highways Requirements (3)
	<p>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.</p> <p>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 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>
9	Secured by Design:
	You are reminded to refer to the provisions of the Secured by Design Commercial Developments 2015 Guide (or any replacement guidance), in relation to the risk of crime within both the public and non-public areas of the proposed development, and preventative measures.
10	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. 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. 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.

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 2018 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 2.10 CAZ Strategic Priorities

Policy 2.11 CAZ Strategic Functions

Policy 2.12 CAZ Local Activities

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 3.18 Education facilities

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development

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 5.5 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 5.20 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

7 London's living places and spaces

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

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)
- Policy CS11 (Waste)

- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.9 Heritage-led regeneration
- Policy 7.13 Safety, security and resilience to emergency
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.18 Protecting local open space 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 CS12 (Meeting the Housing Challenge)
- Policy CS13 (Employment Spaces)
- Policy CS 15 (Open Space and Green Infrastructure)

Infrastructure and Implementation

- Policy CS 18 (Delivery and Infrastructure)
- Policy CS 19 (Health Impact Assessments)
- Policy CS 20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Housing

DM3.9 Houses in Multiple Occupation, hostels and student accommodation

Employment

DM5.1 New business floorspace

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development

DM6.2 New and improved public open space

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction

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 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations June 2013.

- Central Activities Zone (CAZ)
- Core Strategy Key Area: Bunhill and Clerkenwell
- Finsbury Local Plan – City Road Basin Area
- Conservation Area (Moorfields)
- Local Cycle Routes
- Within 100m TLRN

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

The following SPGs and/or SPDs are relevant:

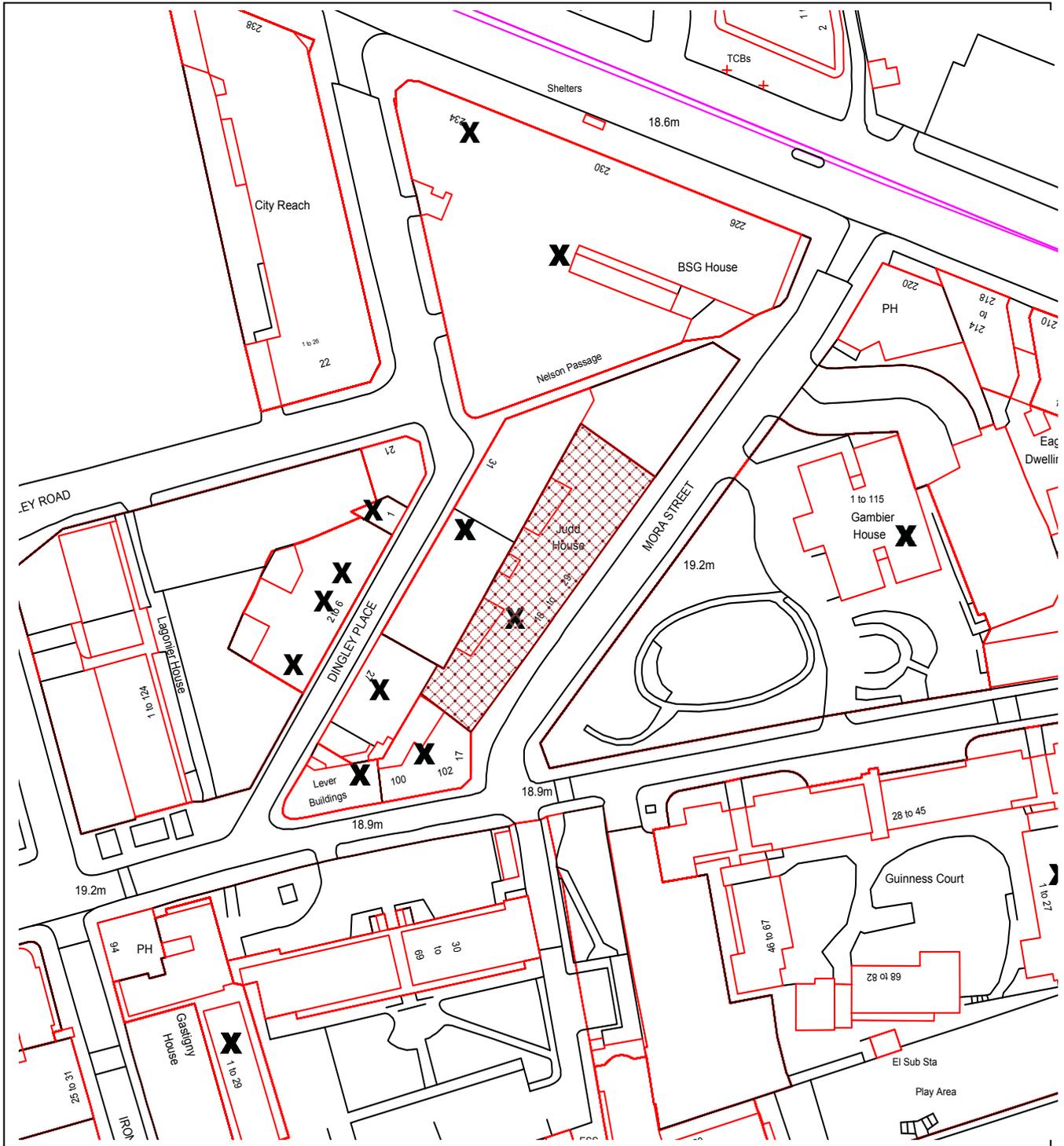
Islington Local Development Plan

- Affordable Housing Small Sites Contributions (October 2012)
- Development Viability (January 2016)
- Environmental Design (October 2012)
- Inclusive Design in Islington (February 2014)
- Islington Urban Design Guide (January 2017)
- Planning Obligations (Section 106) (December 2016)

London Plan

- Affordable Housing & Viability (August 2017)
- Crossrail Funding (March 2016)
- Housing (March 2016)
- Central Activities Zone (March 2016)
- 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)
- London's Foundations (March 2012)
- Planning for Equality and Diversity in London (October 2007)

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.
P2017/4339/FUL

This page is intentionally left blank



ISLINGTON

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

PLANNING COMMITTEE REPORT

PLANNING COMMITTEE	AGENDA ITEM NO:
DATE: 10 September 2018	NON-EXEMPT
Application number	P2018/2124/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	15-24 Bromfield Street (adjacent to north) are Grade II listed.
Conservation area	Partially within Angel conservation area. Adjoins Barnsbury and Chapel Market/Penton Street conservation areas.
Development Plan Context	Angel Town Centre (primary retail frontage) Core Strategy Key Area: Angel and Upper Street Central Activities Zone Crossrail 2 safeguarding area Protected Vista (Alexandra Palace to St Paul's Cathedral) Open Space OS 111 Archaeological Priority Area
Licensing Implications	Licenses required for Use Class A3 (cafes and restaurants).
Site Address	N1 Centre & Car Park [Basement], Parkfield Street, London N1
Proposal	Conversion of existing 100 space basement car park and reconfiguration of basement and ground level floorspace (resulting in a net increase in lettable floor space of 1,351sqm) to provide a mix of units, including additional Retail (A1) floor space and Leisure (D2) floorspace, retaining 27 car parking spaces. Conversion of unit at first floor level from Retail (A1) to Restaurant and Cafe (A3). Demolition of redundant staircase between first and second floor. Removal and replacement of shopfront on Liverpool Road.
Case Officer	Matt Duigan
Applicant	PEC Parkfield Limited
Agent	CBRE

1 RECOMMENDATION

1.1 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 set out in Appendix 1.

2 SITE PLANS



Figure 2.1 Site Location Plan

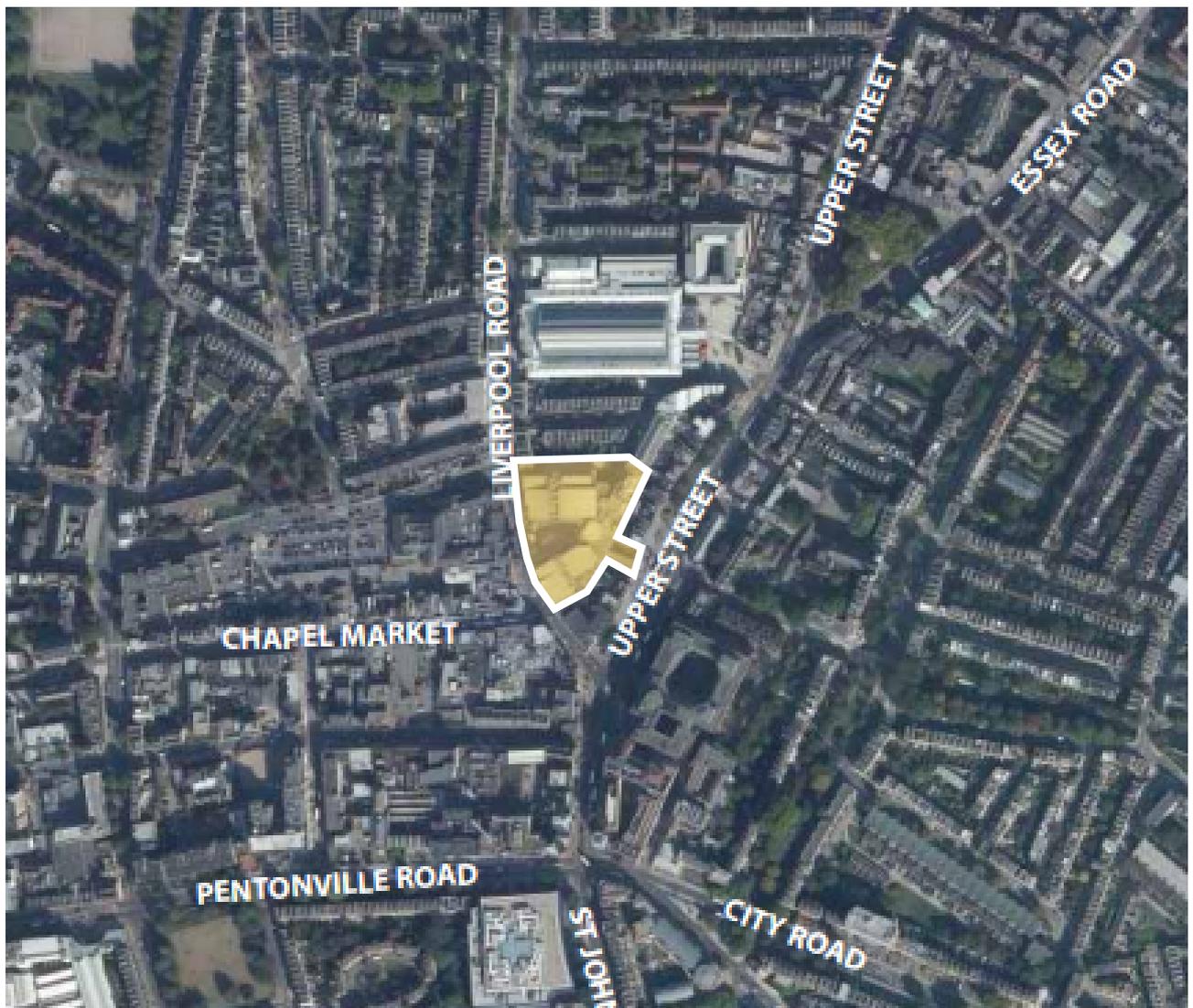


Figure 2.2 Site Context Diagram

3 SUMMARY

- 3.1 This application follows on from another planning application for the same site considered by the Committee on 7 June 2018, namely application ref: P2017/2964/FUL.
- 3.2 Below ground level, the current application (ref: P2018/2124/FUL) is very similar to application ref: P2017/2964/FUL. In particular converting part of the basement car park to be used as retail and leisure (gym) floor space. At the ground floor level, there would also be alterations to the configuration of one retail unit, improving alignment with the street and refreshing the shop front. A new small retail unit is proposed at ground level (to accord with the Council's small shops policy). It is worth noting at this point that the previous application involved small forward extensions to all of the shops fronting the open space area, and this is not proposed in the current application (less additional floor space is being proposed as a result).
- 3.3 This current application also proposes a change of use of one shop at first floor to a Café/restaurant to support the Centre's food and drink offering.
- 3.4 The loss of the basement car parking has been justified and would not result in a shortfall in parking in the town centre, additionally sufficient blue badge parking would be retained in

accordance with development plan policies. There would also be refurbished public toilets and additional cycle parking and electric vehicle charging points.

3.5 The mix of leisure, retail and food-and drink uses are considered to contribute positively to the development of Angel as a major town centre and is compliant with the development plan. Importantly, the additional retail floor space, allows the centre to attract additional occupiers, thereby improving the vitality and viability of the centre, and this part of Angel Town Centre overall.

3.6 This application does not propose any changes to public art and limits above ground works, to those which would not be contentious (for example, no first floor bridge is proposed), the aim being to secure a fall-back position should application ref: P2017/2964/FUL not be approved.

4 SITE AND SURROUNDINGS

4.1 The application site is an existing privately managed shopping centre within Angel town centre. The site is triangular in shape, with three entrances (onto Liverpool Road, Upper Street, and Parkfield Street), and has frontages onto all three of those roads.

4.2 The shopping centre is mostly arranged around a central area of ground level public open space fronting Liverpool Road, which is lined on both sides by a mix of shops, cafes and restaurants.

4.3 There are two pedestrian arcades at ground level; one leading to Upper Street, lined with shops on either side; and one leading to Parkfield Street which is more utilitarian in function and appearance, with public toilets, lift access, and an entrance to a first and second floor live music venue. On Parkfield Street there are also loading and storage areas, along with a vehicular access ramp leading to the basement car park.

4.4 The basement car park currently provides parking for 100 cars, including 10 spaces suitable for wheelchair users.

4.5 At ground level, the predominant use is retail. At first floor there is a mix of retail and restaurants, accessed by external walkways, and an entrance to the second floor nine-screen cinema.

4.6 There is a mix of uses in the surrounding areas, generally with active frontage town centre uses at ground level, and a mix of residential, offices and other employment uses on upper levels.

4.7 The site is within the Central Activities Zone (CAZ); within Angel Town Centre, and forms a key component of the primary retail frontage within the Town Centre. Angel Town Centre is classed as a "Major Town Centre" by the London Plan.

4.8 The site is not subject to a site allocation, but two sites on the other side of Liverpool Road (including the large Sainsbury's store and car park) are within the primary retail frontage and allocated for future redevelopment for town centre uses.

4.9 The site is subject to an Article 4 Direction which introduced the requirement for planning permission for change of use from A1 (retail) to A2 (professional services).

4.10 The site is within a cumulative impact area for licensing purposes.

4.11 The central public space within the site is designated as an open space (OS 111).

- 4.12 The part of the site which fronts Upper Street is located within the Angel conservation area. The site directly adjoins the Barnsbury conservation area to the north, and on the opposite (west) side of Liverpool Road is the Chapel Market/Penton Street conservation area. The row of houses to the north of the site at 15-24 Bromfield Street (and those opposite) are Grade II listed. 25 Bromfield Street, 57 Liverpool Street, and the majority of adjacent units at 1-36 Upper Street are locally listed.
- 4.13 The site is within the Islington Village Archaeological Priority Area.
- 4.14 The site is almost entirely within the viewing corridor for the Mayor's Protected Vista VC1: View from Alexandra Palace viewing terrace to St. Paul's Cathedral (and the part of the site outside the viewing corridor is within the assessment area).
- 4.15 The site is highly accessible and benefits from a Public Transport Accessibility Level (PTAL) of 6A. Liverpool Road and Parkfield Street are part of the Islington highway network, and Upper Street is part of the TFL road network. There are bus routes outside the site on Liverpool Road and Upper Street, and Angel Underground Station is approximately 300m away.
- 4.16 The site is within Environment Agency Flood Risk Zone 1.

PHOTOS OF SITE



Figure 4.1 Central Open Space



Figure 4.2 Typical Shopfront Elevations (Southern side of open space)

5 THE PROPOSAL

- 5.1 At basement level, the existing 100 space car park would be partially converted, retaining 27 parking spaces. Disabled car parking, along with electric vehicle charging points and bicycle storage is proposed in the basement.
- 5.2 The converted car park floorspace would be turned into retail and leisure floor space, resulting in three new units. One unit would be integrated with the unit labelled on the plans as MSU-1 (which is currently occupied by H&M) to create a larger unit. Another unit would be a new leisure unit, for use as a gym within Use Class D2, and would be accessed at basement level via the staircase and lifts in the existing circulation core. The third unit would be integrated with the unit labelled on the plans as MSU 8-9 (currently occupied by GAP) to create a larger retail unit.
- 5.3 The retail space shown on the plans as MSU 8-9 (the ground floor of GAP) would be further subdivided to provide an additional small retail unit (labelled as SU 9 on the plans) at ground level. The Public toilets are to be refurbished
- 5.4 At first floor, retail space currently occupied by GAP would be converted to a separate restaurant/café (A3) unit (labelled as LSU 5A on the plans).
- 5.5 The southern external staircase adjacent to Liverpool Road (which connects the first and second floors) would be removed, and the floor space at first floor, adjacent to Liverpool Road would also be changed from Use Class A1 (retail) to Use Class A3 (restaurants and cafes). There would be two new projecting full height “box” windows to that unit overlooking Liverpool Road, to enliven the façade.
- 5.6 There would be no change to the existing kiosk or to the existing Angel Wings sculpture.

6 RELEVANT HISTORY

Planning applications

- 6.1 Outline Planning Permission 96/1563. Mixed use redevelopment comprising retail, leisure, restaurants, crèche, public lavatories, administration and management facilities and car parking. Approved 15/04/1998.
- 6.2 Planning permission ref: 98/1487 (Redevelopment to provide a basement car park, shops at ground and part first floor levels, restaurants at first floor and nine screen cinema at upper levels and including crèche, public lavatories and management facilities). Approved 16/03/1999.
- 6.3 The consent (conditions 4 and 10) and legal agreement for planning permission ref: 98/1487 require the parking spaces, including disabled parking spaces, to be provided and maintained as such. The legal agreement requires contributions towards the necessary provision of public art.
- 6.4 Amendment application ref. 99/1433 Amendment to permitted scheme for redevelopment to provide basement car park, shops at ground and part first floor levels, restaurants at first floor level and a nine screen cinema at upper levels and including a crèche, public lavatories and management facilities. Approved 03/05/2000. The amendment entails:
- 1) Extending the basement to include the area below the existing service/loading area, and the area below the Upper Street entrance walkway.
 - 2) Part of unit MSU.4 to be changed from retail to live music venue. This will also include part of basement area below the service/loading area referred to above and relocation of the management suite. (Total floorspace for the music venue (approx. 1,200 sqm)
- 6.5 Planning permission P012431 was granted on 09/04/2002 for "Installation of a retail kiosk with Angel Wings above" and permission P012432 was granted on 26/03/2002 for "Installation of illuminated suspended stainless steel ring"
- 6.6 Application reference P2017/2964/FUL originally proposed the following:
- "Removal of the Angel wings sculpture and kiosk, erection of a new kiosk and first floor bridge/outdoor restaurant seating area, and extended first floor balcony. Conversion of existing 100 space basement car park and reconfiguration of ground and basement level floorspace to provide a mix of retail units, including additional 1945sqm of flexible retail (a1) and leisure (d2) floorspace, retaining 27 parking spaces. Conversion and extension to first floor retail unit 5a (a1) to provide restaurant/café (a3). Partial demolition of 2 external staircases. Installation of first floor awnings. Partial external terracotta cladding and projecting windows to west elevation. Replacement hard and soft landscaping, and associated works."*
- 6.7 That application was considered at the 7 June 2018 Planning Committee meeting. The Committee deferred determination of the scheme for the following reasons:
- To enable further investigation into the retention of the wings and structural evidence that demonstrated that the bridge could not be provided with the wings remaining

- To require an agreement from applicants that the wings would not be removed until an alternative permanent location within the angel area was identified
- To enable the detailed wording of the s106 to be provided within the officer report (or the agreement appended in support of the application) when the scheme was next presented to the committee.
- There was concern that the existing Angel wings was a local landmark for the area and had obtained a level of cultural significance. They supported the identity and permanent sense of place for the Angel town centre that the Angel wings brought to the site. Their loss would undermine the sense of 'place' and identity established over the 20 years they have been in place. There was additional concern that the original legal agreement secured 1% of development value on public art and that the level of equivalence was not demonstrated by the alternative art strategy. In the event that the wings were justified to be moved (into an alternative location within the Angel) a degree of equivalence of quality of art was currently lacking. Obligations should reflect the requirement for equivalence.

6.8 The Applicant has revised application ref: P2017/2964/FUL, such that it now retains the Angel Wings Sculpture, mounted on raised footings, above the proposed new first floor bridge (which connects the first floor terraced areas).

Pre application advice

6.9 Pre-application advice was given in May 2017. The pre-application advice given by the Council stated that the increase in floorspace for town centre uses would be acceptable in principle. Some loss of parking may also be acceptable in principle, but evidence would be needed to justify the amount of spaces lost with regard to the viability and vitality of other town centre functions, and inclusive design needs.

7 CONSULTATION

7.1 The application was subject to public consultation, in all 950 letters were sent to occupants of adjoining and nearby properties on 05/07/2018, and 21 site and notices were erected near the site 06/09/2017.

7.2 Additionally, the application was advertised in the press.

7.3 The public consultation period ended on 02/08/2018. In practice, representations have been received continually during the lifetime of the application, notwithstanding the 21-day consultation periods. It is the Council's practice to continue to accept representations until the decision date.

7.4 The consultation responses received are summarised as follows.

Public Consultation Objections

7.5 At the time of writing, objections were received from 17 neighbouring occupiers. The issues raised by the public objections are summarised as follows (with officer comments in brackets):

Public Art

7.6 The Angel Wings installation is a place-specific symbol for both the shopping centre and the wider area of the Angel, which is inherent to the character of Angel and should be retained

or replaced elsewhere within the Angel area. The “Angel” and “Halo” complement each other, and there is very little public art in this location. It is important to ensure the Angel Wings Sculpture is not damaged when it is moved. *(For the avoidance of doubt, this application does not propose removal of or any works to the public art).*

Loss of Light to Public Open Space

- 7.7 The proposal will result in the loss of light to the public space. *(For the avoidance of doubt, this application does not propose any works that could result in a loss of light to the open space).*

Anti-Social Behaviour and Crime

- 7.8 The reduction in parking and increase in footfall arising from the proposed development will increase the existing anti-social behaviour. *(The proposed retail and restaurant uses are not likely to materially increase antisocial behaviour, and to minimise opportunities for antisocial behaviour, CCTV is to be secured by the s.106 agreement, and Secured by Design / Secured Environments and Park Mark Certification by condition 8. An informative also reminds the developer that certain uses will require licenses, and will need to demonstrate that the operation of the business would not add to the existing problems as the site is in a “cumulative impact area”).*

Neighbour Amenity

- 7.9 Increased plant noise or light pollution is objected to *(Plant noise is to be controlled by condition 9 and no additional external lighting is proposed).*
- 7.10 The outdoor restaurant seating space will cause noise pollution to nearby residents *(Condition 10 is recommended to limit opening hours of the restaurants to 23:00, including all outdoor restaurant seating to be moved indoors by 23:00)*
- 7.11 The servicing of the existing units causes noise pollution, disruption and conflict between commercial and residential occupiers, and these problems will be increased by the new units. *(Servicing and Deliveries are to be managed via the 4 existing dedicated servicing bays and a Servicing and Delivery plan, to be secured by condition 11).*
- 7.12 There are existing problems with the operation of the O2, with patrons generating noise and disturbance late at night. The proposals will exacerbate issues *(Condition 10 is recommended to limit opening hours of the restaurants to 23:00, the scheme would not bring about an intensification of the live music venue use. The location of the gym use in the basement would prevent noise breakout associated with users of the gym).*

Loss of Parking

- 7.13 Parking spaces are scarce in the locality, and the loss of parking will make it harder to park. *(The reduced amount of parking proposed is considered in the paragraph 9.2 onwards, and paragraph 9.65 onwards. A travel plan is to be secured by the s.106 agreement to reduce rather than displace private vehicle use).*

Land Use

- 7.14 More retail units are unnecessary as there are already shops nearby. *(The proposal would result in additional large retail units for high street retailers, which would increase the diversity of shops in the Town Centre, and the Town Centre is a sustainable location for new shops).*

- 7.15 The proposed kiosk is too small for a shop but could be used as a venue for promoting Islington tourists. *(This application does not propose to change the existing Kiosk in any way).*

Construction Impacts

- 7.16 Increased traffic, noise, pollution, damage to nearby listed buildings, and congestion as a result of construction works. *(Condition 12 is recommended to limit construction impacts, in addition to a s.106 obligation to comply with the Code of Construction Practice).*

Other issues

- 7.17 There is lack of landscaping. *(The limited scope of this application and the nature of the space, which is heavily used by pedestrians, there is limited opportunity for soft landscaping. Observations on site are that the existing hard landscaping is fit for purpose. In view of the situation, no objection is raised in relation to the scheme from a landscaping perspective).*

Responses in support of the proposal

- 7.18 In addition to the concerns raised above, 2 submissions were received in support of the proposal. In summary, the submissions welcomed retention of the Angel Wings Sculpture.

Statutory, Internal and External Consultation Responses

Design and Conservation:

- 7.19 There is no objection to the proposals, subject to the previously recommended conditions that ensure the new shopfronts and balustrading and any new external materials are acceptable.

Greater London Archaeological Advisory Service (GLAAS)

- 7.20 No objection. Although within the Islington Village Archaeological Priority Area, the site is covered by a modern basement across its whole area, and no archaeological remains are likely to survive.

Metropolitan Police

- 7.21 No objection, subject to the recommended conditions.

Transport for London (Crossrail Safeguarding)

- 7.22 No objection.

Transport for London (Road Network Development)

- 7.23 No objection in principle. The proposed number of cycle spaces should comply with the London Plan, and end-of-trip facilities should be provided; the reduction of onsite parking is supported; the reduction of disabled spaces is justified; 10% of parking spaces should include electric charging; the Construction Phase Plan should be updated.

- 7.24 *The footway and road must not be blocked during construction, nor should construction material be stored on the highway. If road closures are required, separate approvals will be required from TfL under the Traffic Management Act 2004.*

- 7.25 *(Condition 13 is recommended requiring 46 cycle parking spaces, which is in excess of the London Plan standards; and end-of-trip facilities. 6 electric charging points are proposed in the car park, to be secured by condition 14. Condition 12 requires a more detailed pre-*

commencement Construction and Environmental Management Plan once contractors and dates are known).

London Underground Infrastructure Protection

7.26 No objection.

London Fire & Emergency Planning Authority

7.27 No objection. *(An informative recommended sprinklers).*

Licensing

7.28 No objection. An informative is recommended, reminding the applicant of the need to apply for the relevant licenses.

Thames Water

7.29 No objection.

Islington Business Improvement District (BID)

7.30 The proposed improvements to the retail offer, increased employment opportunities, change of use from an under-used car-park to increased retail provision, and improved frontages are supported by the BID.

Environmental Pollution (Acoustics)

7.31 The submitted acoustic report includes a background survey, but does not clarify the proposed plant or the impact on residents. Due to the distance between the plant and the residential units, this can be managed by planning conditions. *(As the users are not yet known, it is not possible to approve every item of external plant at this stage. Condition 9 is recommended to impose an absolute limit on noise; and requiring a further assessment to demonstrate compliance prior to occupation of new units, including noise mitigation if required.)*

Environmental Pollution (Construction Impacts)

7.32 No objection, subject to conditions. *(Condition 12 is recommended requiring a Construction and Environmental Management Plan, and the s.106 agreement requires compliance with the Construction Code of Practice).*

Accessible Design

7.33 No objection, subject to acceptable disabled parking spaces, mobility scooter charging and accessible cycle storage. Corduroy paving should be provided adjacent to steps, and benches should have arm rests and backs. The proposed basement units are stepped, and information needs to be provided as to how these will be designed to be accessible. *(4 disabled parking spaces are to be retained, cycle and scooter spaces are to be secured by condition 15, details of the accessibility to the basement units are to be secured by conditions 16 and 17).*

Highways

7.34 No objection raised. A CEMP should be provided (to be secured by condition 12)

Waste Management

7.35 A condition is required to ensure a waste management scheme is secured.

Energy

- 7.36 The proposal will comply with BREEAM Excellent, and a carbon offset payment is required. Further information is requested with regard to further carbon savings; thermal modelling; and the proposed air source heat pumps. *(A revised energy strategy is recommended by condition 6).*

Sustainability

- 7.37 No objection.

8 RELEVANT POLICIES AND LEGISLATION

- 8.1 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

- 8.2 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

- 8.3 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

- 8.4 The site has the following designations under the London Plan 2016 (amended), Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations June 2013:

- Angel Town Centre (primary retail frontage)
- Core Strategy Key Area: Angel and Upper Street
- Central Activities Zone
- Crossrail 2 safeguarding area
- Protected Vista (Alexandra Palace to St Paul's Cathedral)
- Open Space OS 111
- Archaeological Priority Area

Supplementary Planning Guidance (SPG) / Document (SPD)

- 8.5 The relevant SPGs and SPDs are listed in Appendix 2.

Environmental Impact Assessment (EIA)

- 8.6 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.

Statutory Duties

- 8.7 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 of the Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
 - As the development is within or adjacent to a conservation area, the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990).
- 8.8 National Planning Policy Framework (NPPF): states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means: approving development proposals that accord with the development plan without delay.
- 8.9 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 8.10 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.11 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 8.12 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

- 8.13 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9 ASSESSMENT

Key issues

9.1 The key issues are as follows:

- Land Use
- Design
- Highways, transport and loss of car parking
- Sustainability

Land use

Loss of Car Parking

9.2 The proposal would partially convert the existing basement car park, resulting in a reduction in car parking from 100 spaces to 27 spaces.

9.3 The Angel Central Shopping Centre has exceptional public transport accessibility, being within a central London location close to an underground station, with several bus routes, and in a high density area with a large catchment of local residents.

9.4 In recognition of the borough's excellent accessibility, Policy DM8.5 states that parking will only be allowed for non-residential developments where it is essential for operational requirements and therefore integral to the nature of the business or service. In such cases, parking will only be permitted where an essential need has been demonstrated to the satisfaction of the council and where the provision of parking would not conflict with other council policies.

9.5 Given the policy steer towards sustainable, car-free development, and the availability of car parking spaces within the surroundings, officers are supportive in principle of the proposed reduction in car parking spaces.

9.6 The application was accompanied by a framework Travel Plan, and a Transport Statement including a parking stress survey. These are assessed in more detail in paragraph 9.66 onwards (Highways and Transportation) of this report, but officers are of the view that the reduction would create parking stress or impact on the operational requirements of the town centre.

9.7 The proposed reduction in car parking spaces would promote other, more sustainable, forms of transport whilst being compatible with the operational needs of town centre businesses and blue badge holders, and is considered acceptable in principle.

Retail (Use Class A1) Floorspace

9.8 The site is located within the Angel Town Centre which is classed as a "Major Town Centre" by the London Plan, and town-centre uses are promoted in this location. Policy CS5

supports the continued function of Angel and Upper Street as the main shopping area, and CS8 supports clusters of retail uses to avoid Islington becoming a dormitory borough.

- 9.9 Policy DM4.4 states that the council will seek to maintain and enhance the retail and service function of Islington's Town Centres. It requires development to contribute positively to the vitality and viability of the town centre, and to provide a variety of different sized retail units.
- 9.10 Within Town Centres, development should contribute positively to the vitality and viability of the centre; provide a variety of different sized retail units; and comply with the council's policies on Inclusive Design.
- 9.11 While the proposal would not result in the construction of additional floor space, it would see the conversion of car parking spaces into retail and gymnasium floor space. Over all there would be an increase of 1,351sqm of lettable area.
- 9.12 The site is within a primary retail frontage, and although Policy DM4.5 of the Development Management Policies (2013) resists changes of use away from retail space in primary retail frontages, the retail floorspace converted to Café space at the first floor level would be more than compensated for by the additional retail space created at basement level. Overall there will be a net increase in retail space, and as such is considered to comply with Policy DM4.5.
- 9.13 The proposed new retail floorspace would in part arise from the amalgamation of retail units to form larger shops at ground and basement level. In certain situations, amalgamation of units is resisted by Policies CS14 and DM4.1; where it would detrimentally affect the character of the local area; or where it would cause unacceptable adverse impacts on the local environment and/or amenity. In this case, the surrounding streets are generally comprised of smaller retail units stretching along Chapel Market, Islington High Street, and Upper Street; and the shopping centre contributes to the town centre's overall balance of unit sizes by providing larger units. The amalgamation of retail units would not result in the loss of small or independent shops, or restrict the supply of small shop units, and in that respect the proposal is considered acceptable.
- 9.14 Policy DM4.1 states that the council places great weight on the retention of small and independent shops, and requires proposals for retail development of less than 2,500sqm (as is the case with the current application) to provide for smaller units.
- 9.15 A retail assessment was submitted in support of the planning application, which show that at present, 5 units out of 26 (19%) can broadly be considered "small" (36-104sqm). Following the development, 6 of 29 units (21%) would be similarly small (33-104sqm). Although 10% of the uplift in floorspace would not be secured as small units, the overall percentage of small units would be increased, and the proposal is therefore considered to enable the retention of small and independent shops in line with Policy DM4.1.
- 9.16 The proposed reconfiguration and extensions to retail floorspace increases the availability of larger units, which act as "anchors" to the town centre and would improve the overall mix of unit sizes within the centre as a whole.
- 9.17 As there are limited opportunities to provide large units elsewhere within the traditional buildings on the adjacent shopping streets, and the proposal would include an additional small unit, officers consider that the increase in both overall floorspace and unit sizes would complement the diversity of the town centre, and would not result in any harm to small and independent retailers.

Restaurants and Cafe (Use Class A3) Floorspace

- 9.18 The proposal would result in one additional restaurant to the existing cluster of first floor restaurants. The proposed restaurant is an appropriate town centre use and is supported by Policy DM4.4.
- 9.19 Policy DM4.3 states that proposals for cafes, restaurants, drinking establishments, nightclubs and other similar uses will be resisted where they would result in negative cumulative impacts due to unacceptable concentrations of uses. The proposed first floor restaurant is not considered likely to result in unacceptable concentration of uses, nor (subject to appropriate conditions) would it cause unacceptable disturbance or detrimentally affect the amenity, character and function of the area. The restaurant use would support the primary function of the shopping centre as a destination, and due to its location within a managed centre and away from residential properties, would not result in unacceptable noise disturbance to neighbours. It would also sit well alongside the existing evening economy uses, the cinema and music venue, at the shopping centre. The proposed restaurant contributes appropriately to the balance of high street uses, in a location which would minimise impacts on neighbour amenity.

Leisure (Use Class D2) Floorspace

- 9.20 At basement level, there would be two new units provided, one for A1 retail in conjunction with the ground level ground floor unit(s), and the other as a gym within Use Class D2. This would be supported by Policy DM4.4 which directs D2 uses to designated Town Centres. Use Class D2 includes a wide range of uses, including music and concert halls and similar facilities used for events; as the impacts of such uses have not been justified within the application, condition 22 is recommended to restrict use to a gym or sports facility within Use Class D2.

Delivery and Infrastructure

- 9.21 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 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, including a local employment and training contribution and a construction training placement.
- 9.22 As there are a number of existing s.106 agreements in place arising from the original shopping centre and alterations over time, there are a number of existing and ongoing planning obligations which should be updated to reflect the alterations to the centre. A s.106 legal agreement has therefore been drafted which carries over and amends previous s.106 obligations where necessary, removes those which are superseded, and introduces additional obligations to ensure the delivery of the schemes' benefits.
- 9.23 Further details of planning obligations are set out in paragraph 9.100 onwards of this report, and as a summarised list in Appendix 1.

Land Use Summary

- 9.24 The proposed development would change basement car parking space to retail and leisure (Gym) uses. At the first floor there would be a change of use of existing retail space to a Café/restaurant space. The scheme would result in rational arrangement of spaces,

prioritising retail at ground level, with restaurants at first floor; and with a mix of retail and leisure uses within the basement.

- 9.25 The loss of car parking to town centre uses is supported by the development plan, and the development would result in sufficient provision for blue badge holders and avoid wider highways impacts. Although the proposal would not provide 10% of the new floorspace as small retail units, large units are inherent to the unique role of the shopping centre within the town centre and an additional small unit would be provided to ensure availability of a mix of unit sizes and retailers.
- 9.26 It is worth noting that since the scheme was considered by the Committee on 7 June 2018, the Government published (on 24 July 2018) a revised National Planning Policy Framework (NPPF). Of particular relevance to this application is that the revised NPPF acknowledges that there are rapid changes affecting the retail sector (namely the effects that changed shopping habits are having on town centres), and that planning policy should allow centres to grow and diversify in response to these changes. This proposal would help the centre to remain competitive and viable, and is considered to be in alignment with the revised NPPF.
- 9.27 The proposed land uses would support the development of Angel town centre as a retail and leisure destination, and are considered acceptable in principle subject to compliance with the other development plan policies.

Design and Conservation

- 9.28 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. These policies are supported locally by Islington Policies CS8 and CS9 which encourage sympathetic building designs, and DM2.1 and DM2.3 which require development to be of high quality contextual design and to conserve or enhance the conservation area's significance (where the proposal would affect the setting of a conservation area). Furthermore, Policy CS5 states that the historic character of the area will be protected and enhanced with high quality design encouraged so that it respects the local context of Angel and Upper Street and its surroundings.
- 9.29 The majority of the site is not within a conservation area, although the entrance onto Upper Street is within the Angel Conservation Area (CA18) as shown in Figure 9.1. As noted in the "Site and Surroundings" section of this report and marked in Figure 9.2, the row of houses to the north of the site at 15-24 Bromfield Street (and those opposite) are Grade II listed and 25 Bromfield Street is locally listed. 57 Liverpool Street, and the majority of adjacent units at 1-36 Upper Street are also locally listed.

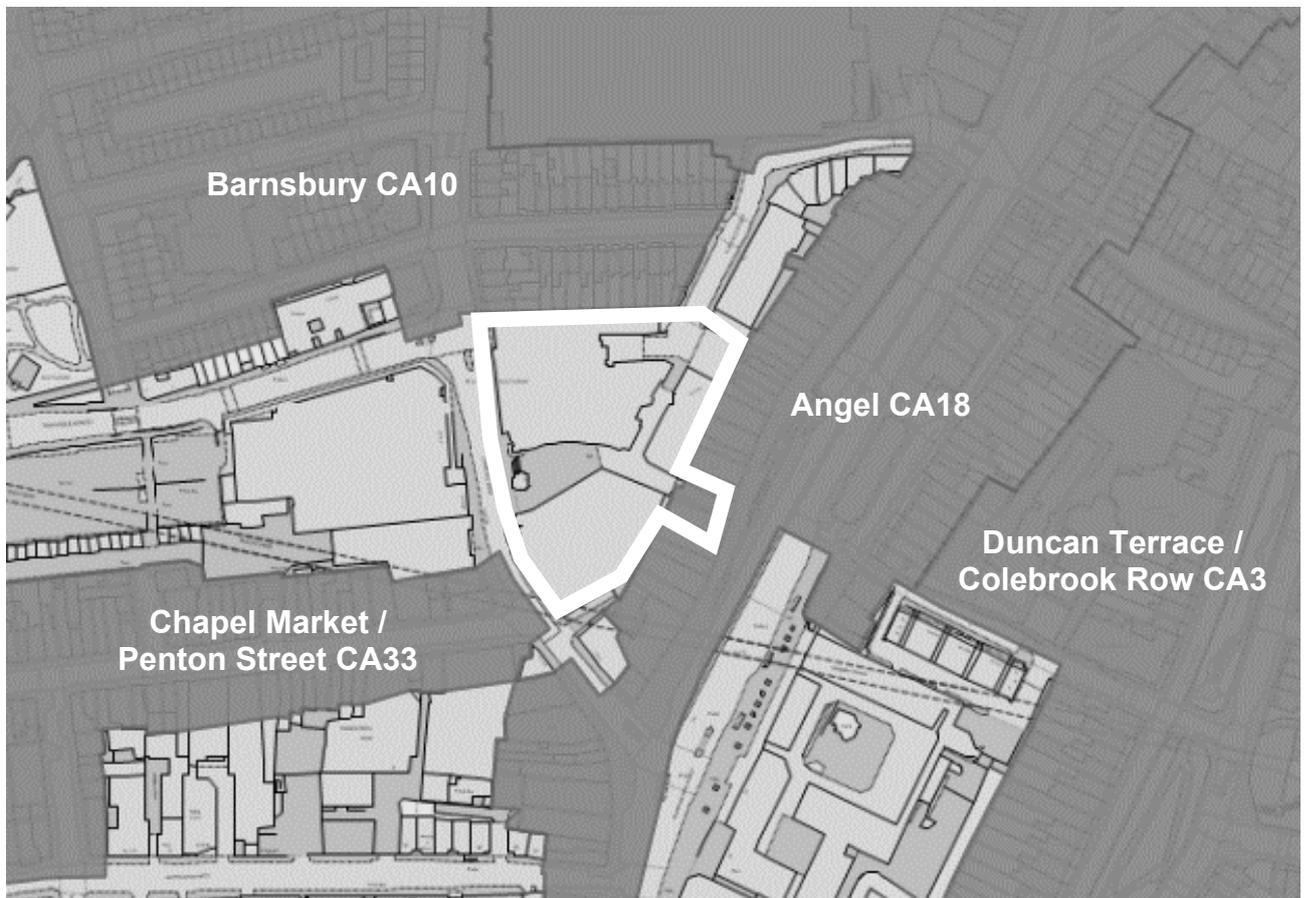


Figure 9.1 Map showing adjacent Conservation Areas (shaded).



Figure 9.2 Map showing nearest listed building (shaded) and locally listed buildings (marked with crosses).

Proposed Demolition

- 9.30 The proposal would demolish an existing redundant stair connecting the first and second floor levels. The stair case is not located within a conservation area and is of little architectural merit. There is no objection raised to its removal.

Further External Alterations

- 9.31 At ground level, the southern frontage of the centre facing onto Liverpool Road has a small (brick and concrete) recessed area. This is to be remodelled and realigned to provide a glazed frontage. The change improves the visibility of the retail store, and enlivens this part of the centre, enhancing the overall appearance, and is supported.
- 9.32 There would be a new shop front created for the proposed small retail unit. The space created by the removal of the external stair connecting the first and second floor levels, would be used to accommodate external seating, providing interest and activity to the dead end balcony. Condition 3 is recommended to ensure the detailed design of the balustrade and shopfront is acceptable.

Heritage and Views

- 9.33 The part of the site which fronts Upper Street is located within the Angel conservation area, and the site adjoins the Barnsbury conservation area to the north, and the Chapel Market/Penton Street conservation area on the opposite (west) side of Liverpool Road. The row of houses to the north of the site at 15-24 Bromfield Street (and those opposite) are Grade II listed. 25 Bromfield Street, 57 Liverpool Street, and the majority of adjacent units at 1-36 Upper Street are locally listed.
- 9.34 In accordance with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF, local planning authorities shall have special regard to the desirability of preserving any listed building or its setting (or any features of special architectural or historic interest which it possesses), and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 9.35 The proposed development is predominantly internal to the site, and would have limited visual impact on the surrounding streets. The only visual impact (external to the site) is on Liverpool Road, and this is limited to the positive alterations at ground and first floor level, where a recess is to be better activated and an external stair is to be removed.
- 9.36 The site is almost entirely within the viewing corridor for the Mayor's Protected Vista VC1: View from Alexandra Palace viewing terrace to St. Paul's Cathedral, and the part of the site which falls outside the viewing corridor is within the assessment area for the same viewing corridor. As there would be no increase in height, the proposal would not affect views of St Paul's Cathedral.
- 9.37 The site is within the Islington Village Archaeological Priority Area, although no excavation is proposed. The consultation response from GLAAS raised no concerns, noting that the site is completely built over, including a modern basement, and archaeological remains of importance are unlikely to remain.
- 9.38 There are further heritage assets within the wider vicinity of the site, but having considered the impacts of the development on its surroundings, officers are of the view that there would be no unacceptable heritage impacts as a result of the proposal.

9.39 The proposal would not result in any harm to the character or setting of any other nearby heritage assets.

Accessibility

9.40 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.

9.41 Islington Policy DM2.2 requires all new developments to demonstrate inclusive design, including that all developments should demonstrate that they provide for ease of and versatility in use, deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. All development needs to be assessed against this policy background to ensure genuinely inclusive design from the outset and for the lifetime of the development.

9.42 The existing centre is relatively accessible, with step-free access to all areas, and the sloped central open space negotiating level changes across the site. There is lift access to all levels and a central escalator, with step-free access to WCs and all units.

9.43 The proposal would result in the net loss of 73 parking spaces, of which 6 are off-street wheelchair parking bays. A parking survey was undertaken which demonstrated that no more than 4 wheelchair spaces would be in use at any one time, and on that basis it is proposed that 4 wheelchair spaces would be retained.

9.44 The council's inclusive design officer provided feedback, and raised no objection but recommended that detailed design measures to address internal layouts, inclusive outdoor seating, WCs and mobility scooter charging are secured (by condition 18).

Neighbour Amenity

9.45 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.

9.46 The application relates primarily to internal changes (including change of use of the basement). The additional external development proposed includes removal of a stair connecting the first and second floor level (there by making space for a small amount of seating which would be associated with a Café/restaurant adjacent to Liverpool Road). The outdoor seating is opposite two existing large retail units. There are no residential units adjacent to the proposed external seating area, and no residential neighbours would be affected by loss of outlook, privacy, sunlight or daylight as a result of the works.

9.47 It is noted that neighbour objections were received with regard to noise and disturbance. Although anti-social behaviour in the wider town centre and on the surrounding streets is not something that can be completely controlled by the owners of the shopping centre, reasonable steps should be taken to minimise the amenity impacts of the proposed development.

9.48 The Council's environmental health (acoustics) officer considered the application and is of the opinion that externally audible plant noise can be effectively managed by planning

conditions, having had regard to the likely distance between the plant areas and the residential units. It would be appropriate for details of plant to be secured prior to the occupation of the new units. Condition 9 is recommended, imposing an absolute limit on noise, and requiring a further assessment to demonstrate compliance prior to occupation of new units, including noise mitigation if it is required.

- 9.49 As the development would result in busy town centre uses, in a town centre location, some noise and disturbance is to be expected. Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity. The proposal is thus considered acceptable in accordance with London Plan Policies 7.6, 7.14 and 7.15, and Development Management Policy DM2.1.

Biodiversity, Landscaping and Trees

- 9.50 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.

- 9.51 There are no trees on the site, nor between the site and Liverpool Road. The site is completely paved over, with no existing soft landscaping.

Security

- 9.52 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.
- 9.53 Given the publically accessible nature of the site, it is recommended that secured by design certification be secured by condition 8, and CCTV secured by the s.106 agreement to ensure a well-designed and safe environment in accordance with the above policies.

Health and Air quality

- 9.54 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)). The whole borough is an AQMA and 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.
- 9.55 An air quality assessment was not provided with the application, and in order to ensure that the proposed development would avoid exposing visitors to excessive air pollution, condition 25 is recommended to secure an Air Quality Neutral Assessment and appropriate mitigation against the GLA's Sustainable Design and Construction SPG benchmarks if necessary.
- 9.56 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 is relatively minor as it will not result in major demolition or excavation works, although there will still 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 condition 15 is recommended to secure a Construction and Environmental Management Plan to ensure that the proposal complies with these standards.

Highways and Transportation

- 9.57 The site has a Public Transport Accessibility Level (PTAL) rating of 6A which reflects its excellent accessibility by public transport. Liverpool Road and Parkfield Street are part of the Islington highway network, and Upper Street is part of the TFL road network. There are buses outside the site on Liverpool Road and Upper Street, and Angel Underground Station is approximately 300m away.

Transport Statement and Travel Plan

- 9.58 The application was accompanied by a detailed Transport Statement, and a framework Travel Plan. The baseline data within the Travel Plan identifies very low car private vehicle usage (4%), with walking (45%) and buses (32%) as the main modes. The Travel Plan aims to halve private vehicle and taxi use, and increase cycling, underground and bus use. The results of the Transport Assessment have been considered, and the aims of the framework travel plan are supported by officers, with a full travel plan and monitoring to be secured by the s.106 agreement, as required by the Planning Obligations SPD.

Cycling

- 9.59 The existing site does not provide a substantial amount of cycle storage, with 14 spaces provided within the basement; the site is however adjacent to the TFL cycle hire stand on Liverpool Road. The proposal would introduce 32 additional secure cycle parking spaces at basement level, in accordance with the Islington cycle parking standards (which are more onerous than the London Plan standards). Condition 13 is recommended to secure the additional cycle storage, including accessible cycle stands, and access to end-of trip facilities for staff.

Servicing and refuse

- 9.60 Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 9.61 The site currently has 4 loading bays with space for waste collection and vehicle turning, accessed via Parkfield Street (for which Islington Council is the highways authority). These allow servicing activities from the multiple uses on-site to take place simultaneously without obstructing the highway. There is a site office adjacent to the loading area and courier deliveries are made using the same loading area.
- 9.62 The proposal would continue use of these loading bays for the additional new units. It is noted that the proposed new floorspace would mostly be allocated to existing units to increase their sizes, that vehicle movements overall are likely to reduce as a result of the travel plan and reduction in parking spaces, and that the additional floorspace would be for similar uses to the existing, thereby resulting in similar types of servicing movements.

- 9.63 A response was received from the Council's highways officer and no objection was raised.
- 9.64 Condition 11 is recommended to secure an updated servicing, delivery and waste management plan prior to commencement of use (including hours of activity, trip minimisation etc.) to ensure that the proposed development does not have an undue impact on amenity.
- Vehicle parking
- 9.65 The site currently has 100 parking spaces on site, of which 10 (10%) are wheelchair accessible. The proposal would remove 73 parking spaces, retaining 27, of which 4 (15%) would be wheelchair accessible.
- 9.66 The application was accompanied by the results of a parking stress survey of the surrounding streets, and a car park capacity study to ascertain the occupancy rates of the car park.
- 9.67 The capacity study showed that there are times when in excess of 27 parking spaces are in use within the existing car park at any one time.
- 9.68 During the week, the occupancy exceeded 27 cars between 08:00 and 18:00, with the maximum accumulation being 41 vehicles. The local Controlled Parking Zone (CPZ) is operational between 08:30 and 18:30 on weekdays, which coincides with the maximum demand for parking on those days, and although vehicles are able to use other car parks and metered bays, the CPZ would prevent cars simply spilling out into residents parking bays during the week.
- 9.69 The capacity survey also showed that occupancy of car parking spaces exceeds 27 on weekends between 09:00 and 20:00, with the maximum accumulation at 50 vehicles. The maximum "overspill" demand shown by the capacity survey (in excess of the proposed 27 spaces) is therefore for 23 spaces outside the car park. Between 08:30 and 13:30 on Saturdays the CPZ is in operation, again providing a buffer for residents, which means that between 13:30 and 20:00 on Saturdays, and all day on Sundays, there is the potential for vehicles to park within residents' bays on the surrounding streets.
- 9.70 The Transport Assessment included a parking stress survey, which identifies that there are over 700 on-street parking spaces within 500m of Angel Central, with average parking stresses of 59%. The maximum overspill demand for parking identified by the capacity survey, of up to 23 vehicles, would represent less than 3% of the total on-street capacity in the area and given the average local parking stress is unlikely to result in unacceptable impacts on neighbour amenity.
- 9.71 Although impacts on all residents should be considered, the nearest residents who raised concerns about parking are on Bromfield Street and as there is no direct access from the Car Park (for vehicles unable to find a space in the car park) to Bromfield Street, and drivers would have to travel 1km to the nearest space on Bromfield Street (due to the road layout), it is unlikely that the overspill demand for parking arising from the loss of spaces would significantly impact on those residents.
- 9.72 Notwithstanding the results of the parking survey, the Transport Assessment is intended to show a worst case scenario, and as noted above the Travel Plan target is to reduce private car use by users of the Shopping Centre by 50% which would further reduce the demand for parking.

- 9.73 The car park capacity study showed that no more than 2 disabled spaces were in use at any one time. Of the 27 spaces proposed, 4 (15%) would be disabled parking bays, which is considered adequate to accommodate the needs of blue badge holders.
- 9.74 Of the parking spaces retained, and in accordance with the guidance provided by TFL, 6 charging points for electric vehicles are proposed within the car park, to be secured by condition 17.
- 9.75 During the public consultation exercise, responses were received from neighbours objecting to the loss of car parking due to people parking on the surrounding streets and making noise late at night. As the parking surveys showed availability of parking spaces within the car park from 18:00 onwards on weekdays, and 21:00 onwards on Saturdays, it is apparent that late-night antisocial behaviour caused by vehicle occupants on-street is not a direct result of parking capacity at the on-site car park, and the reduction in on-site parking spaces is unlikely to have an impact on antisocial behaviour. Notwithstanding, it is recommended that the previous requirement for CCTV is carried forward into the s.106 agreement.
- 9.76 Given the policy steer towards sustainable, car-free development, and the additional availability of car parking spaces within the surroundings, officers are supportive in principle of the proposed reduction in car parking spaces, and it has been demonstrated that the reduction would not have a harmful impact on parking stress or the operational requirements of the town centre.

Construction impacts

- 9.77 A draft Construction and Environmental Management Plan (CEMP) was submitted, outlining measures for the minimisation of amenity impacts on the surrounding streets. Two options for construction compounds were suggested, both on site. As the CEMP 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 wider vehicle movements, dates of deliveries, or reference to other works, which may affect the site depending on timescales. A condition (no.15) is therefore recommended to secure an expanded and up-to-date (at the time of works) CEMP detailing specific measures, and expanded to take account of other nearby developments, highway works, and notification of neighbours.
- 9.78 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 is to be secured by a s.106 obligation.
- 9.79 Subject to compliance with an expanded construction management plan (and recommended condition 12), the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbour amenity, the wider environment, and maintain the safe and efficient operation of the highway network.
- 9.80 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 £1,900 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

- 9.81 The application sets out adequate provision for servicing, accessibility, cycle parking, vehicle parking, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. 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

- 9.82 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. A Sustainable Design and Construction Statement was submitted with the application, followed by an Energy Statement Addendum, which were considered by the Council's sustainability officer and energy officer.

Flooding and Sustainable Urban Drainage Systems (SUDS)

- 9.83 Policy DM6.6 expects all major development to include details to demonstrate that SUDS has been incorporated and will be properly maintained.
- 9.84 The site is located in Flood Zone 1 and has low risk of flooding, and although there is risk of surface water flooding in Islington the site is not within a Critical Drainage Area or within an identified Local Flood Risk Zone. The site is completely built over, including at basement level, and the proposal would not introduce any areas of new roof or outdoor space which are capable of accommodating SUDS. The applicant has explored options of retrofitting SUDS features, none of which are feasible. The Council's sustainability officer has considered the submitted details and agreed that due to the limited physical works and existing constraints there are no increased flood risks, and equally no realistic opportunities for new SUDS features.

Energy Efficiency, CO2 Emissions, and Renewable Energy

- 9.85 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.
- 9.86 Islington Policy CS10 A and Section 2 of the Environmental Design SPD set out targets 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.
- 9.87 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."
- 9.88 There are no DENs within 500m, and it is accepted that as the centre does not currently benefit from a communal heating system, it would not be possible for it to connect to a

network. Condition 6 requires additional exploration of the feasibility of future connection, to ensure that any necessary futureproofing works can be incorporated into the development.

- 9.89 The proposal would comply with the Building Regulations 2013 CO2 emissions standards, by 0.3% - 0.4%, well short of the policy targets. However, the policy targets are based on new-build standards, and the proposal is for the conversion of an existing underground space within the shopping centre, without opportunities for new external construction or substantial re-building. It would achieve BREEAM Excellent, with a comfortable margin. As the conversion would comply with BREEAM excellent and there is no policy requirement to upgrade the parts of the building which would not be redeveloped, refusal on that basis is not recommended.
- 9.90 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." As the proposal would not achieve the carbon reduction targets, there is a requirement for the remaining emissions to be offset. The financial contribution has been calculated by the as £80,960 and is to be secured by the s.106 agreement.
- 9.91 The Council's Energy Officer requested further details relating to energy savings, including details of passive cooling and the proposed air source heat pumps. Condition 9 is recommended to secure an updated Energy Statement which maximises any further opportunities for carbon reductions.
- 9.92 The proposal would re-use an existing space; it would comply with BREEAM Excellent, and a financial contribution would be provided to offset the outstanding carbon emissions. On that basis it is considered acceptable in terms of energy efficiency.

Building Fabric

- 9.93 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. structure, steel, brick, concrete etc. These details were not supplied with the application, so a green procurement plan is recommended to be required by condition 4.

Contamination

- 9.94 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. Planning decisions need to consider whether the site is suitable for its new use taking account of ground conditions and natural hazards or former activities such as pollution arising from previous uses; and in doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land. 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.

9.95 There is an existing petrol interceptor located at basement level for any light infrequent spills that may pose as a risk to the surface water drainage network. The proposal would reduce the number of parking bays and would reduce the associated risk to the surface water network.

9.96 The application was considered by the Council's pollution officer and no objection was made on the basis of land contamination.

Sustainability Summary

9.97 In order to ensure that the building performs in accordance with the key sustainability indicators set out within the sustainability statement and energy strategy, a Green Performance Plan (GPP) is to be secured by the s.106 agreement.

9.98 No overall objection is raised on sustainability grounds, and as set out above, it is recommended that the relevant sustainability requirements are secured by planning conditions and s.106 obligations.

Fire Safety

9.99 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. The proposal was considered by London Fire Brigade and no objections were raised. A fire safety strategy was provided, and an informative (no.10) has been included in the recommendation to remind the applicant of the need to consider the requirements of the Building Regulations in relation to fire safety at an early stage, with particular regard to the provision of a sprinkler system.

Planning Obligations and CIL

9.100 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.

9.101 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.

9.102 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.

9.103 The existing shopping centre is subject to a number of planning obligations, some of which have been varied over time and some which would be superseded by the proposed development. A draft s.106 agreement has been prepared which would carry over the required obligations, and in order to mitigate the direct additional impacts of the proposed

development and ensure the application is acceptable in planning terms, would secure the following additional planning obligations.

- Retention of Angel Wings and Halo Sculptures on site.
- Participation in a town centre co-ordinating body (*This is the re-provision of a previous s.106 obligation, and requires co-ordination in a town centre body if one is in place; currently that body is the Angel Business Improvement District*).
- Use of Town Square for Civic Events. (*This is the re-provision of a previous s.106 obligation. The 2004 agreement requires use of the open space for fixed seating, public art, and civic events up to 200 days a year and not on event days; each stall, promotion etc. shall last no more than 3 weeks, and the open aspect is to be maintained at all times. Furthermore, for 12 days per year, the open space can be used by Council or a Council Agency for civic or community events without charge.*)
- Pedestrian Route through site. (*This is the re-provision of a previous s.106 obligation, and requires a pedestrian route to be retained through the site.*)
- Storage of baskets and trolleys within units. (*This is the re-provision of a previous s.106 obligation to prevent external clutter*)
- CCTV. (*This is the re-provision of a previous s.106 obligation*)
- 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.
- Compliance with the Code of Employment and Training
- Compliance with the Council's Code of Local Procurement
- 2 construction training placements, or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere.
- Local employment and training contribution of £21,607.50.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,900.
- Accessible transport contribution of £20,000, and provision of 4 wheelchair accessible parking bays.
- Carbon Offsetting payment of £80,960 (index linked).
- Feasibility Study into District Energy Network (DEN) connection on first replacement of heating/cooling plant.
- Submission of, and compliance with, a Green Performance Plan
- Crossrail funding contribution (to be offset against the Mayoral CIL payment). To be secured in two stages: Payment (1) £120,870 for all new floorspace. Payment (2) for the uplift in A1 floorspace.
- Submission of a draft full Travel Plan for Council approval prior to occupation; full Travel Plan including a travel survey for Council approval 6 months from first occupation of the development; and a Travel Plan update submitted to the Council including a travel survey three years after occupation of the development.

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

10 SUMMARY AND CONCLUSION

Conclusion

- 10.1 As set out in the above assessment, the proposal has been assessed against the development plan and the comments made by residents and consultees.
- 10.2 Consequently, and on balance, the officer recommendation is that the proposed development would broadly comply with the provisions of the relevant national, London Plan, and local planning policies (including the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents), subject to the recommended planning conditions and s.106 obligations.
- 10.3 It is recommended that planning permission is granted subject to conditions and s.106 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:

- Participation in a town centre co-ordinating body
- Use of Town Square for Civic Events.
- Pedestrian Route through site.
- Storage of baskets and trolleys within units.
- CCTV.
- 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.
- Compliance with the Code of Employment and Training
- Compliance with the Council's Code of Local Procurement
- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Local employment and training contribution of £21,607.50.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,900.
- Accessible transport contribution of £20,000, and provision of 4 wheelchair accessible parking bays.
- Carbon Offsetting payment of £80,960 (index linked).
- Feasibility Study into District Energy Network (DEN) connection on first replacement of heating/cooling plant.
- Submission of, and compliance with, a Green Performance Plan
- Crossrail funding contribution
- Submission of a draft full Travel Plan for Council approval prior to occupation; full Travel Plan including a travel survey for Council approval 6 months from first occupation of the development; and a Travel Plan update submitted to the Council including a travel survey three years after occupation of the development.
- 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 to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions

	Condition
1	<p>Commencement (Compliance)</p> <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	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Approved Drawings:</p> <p>3059-A-P-0010A Rev P01, 3059-A-P-0102A Rev P01, 3059-A-P-0112A Rev P01, 3059-A-P-0122A Rev P01, 3059-A-P-0132A Rev P01, 3059-A-P-0200A Rev P01, 3059-A-P-0300A Rev P01, 3059-A-P-1102A Rev P01, 3059-A-P-1122A Rev P01, 3059-A-P-1132A Rev P01, 3059-A-P-0530A Rev P01, 3059-A-P-0302A Rev P02, 3059-A-P-0518A Rev P02, 3059-A-P-1112A Rev P02.</p> <p>Approved Documents:</p> <p>External Noise Survey Report Rev: 1 (AECOM dated 21/07/2018), Sustainable Design and Construction Statement Rev: v03a (AECOM dated 22/06/2018), Construction Phase Plan P-MS01A (Group 9 dated 21/08/2017), Statement of Community Involvement (Quatro June 2018), Planning Statement (CBRE June 2018), Framework Travel Plan 23087402 (Steer Davies Gleave June 2018), Retail Assessment (CBRE dated 15/06/2018), Design and Access Statement 3059_A_DAS_5010A_P01 Rev P01 (Haskoll June 2018), Transport Statement 23087402 (Steer Davies Gleave June 2018), HIA Screening, Summary of Amendments (CBRE July 2018).</p>

	<p>The approved plans expressly listed within this condition shall take precedence over any plans referred to or appended to the documents listed in this condition.</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>
<p>3</p>	<p>Materials and Details (Prior to commencement of external works)</p> <p>CONDITION: Details and samples of all detailing and facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of relevant external works hereby approved unless otherwise agreed in writing by the Local Planning Authority. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:</p> <ul style="list-style-type: none"> a) Details of new shop fronts to MSU 6, SU 9 and LSU 7 as identified on plans: 3059AP0200A Rev P01, 3059AP1112A Rev P01, 3059AP1122A Rev P01. b) details of any new louvres, ventilation panels or screens; c) any new external handrails or balustrading; d) Any new external windows, doors and shutters, including to the public toilets; e) All other new external materials to be used above ground level. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development, to avoid detracting from the settings of the adjacent heritage assets, and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<p>4</p>	<p>Green procurement plan (Prior to commencement of external works)</p> <p>CONDITION: Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of external works, 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>
<p>5</p>	<p>BREEAM (Compliance)</p> <p>CONDITION: The development hereby approved 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>
<p>6</p>	<p>Energy Strategy (Prior to commencement, excluding demolition)</p>

	<p>CONDITION: Prior to the commencement of development hereby approved, other than demolition, a revised Energy Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The revised Energy Statement shall include evidence covering the following:</p> <ul style="list-style-type: none"> a) Further reductions to CO2 emissions; b) Further improvements to energy efficiency parameters; c) Full results of dynamic thermal modelling and further discussion regarding cooling hierarchy and active cooling; d) Additional information regarding the feasibility of connection to a future District Energy Network; e) Further information regarding heat loads and shared heat networks/ CHP. <p>The energy efficiency measures as outlined within the revised Energy 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 development shall be carried out strictly in accordance with the details as approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
<p>7</p>	<p>Air Source Heat Pump (Prior to Occupation)</p> <p>CONDITION: Prior to first occupation of the development hereby approved, manufacturers' specifications and a scheme of the detailed designs and layout of the equipment and mechanical systems to be implemented in relation to the proposed air source heat pump(s) and/or any other renewable energy source shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The external plant as approved shall thereafter be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interests of ensuring that the proposed mechanical plant would achieve the performance standards assumed by the approved sustainability statement, to avoid harm to neighbour amenity, to secure sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
<p>8</p>	<p>Secured by Design (Compliance)</p>

	<p>CONDITION: The hereby approved development shall achieve Secured by Design (Secured Environments as well as Park Mark accreditation) Certification prior to occupation of the development, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to secure safe and secure urban environments and avoid creating new opportunities for crime.</p>
<p>9</p>	<p>Plant Noise (Prior to occupation)</p> <p>CONDITION:</p> <ul style="list-style-type: none"> a) The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014. b) Prior to occupation of the development hereby approved, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The report shall assess the noise from the installed mechanical plant to demonstrate compliance with the noise limits in part (a) of this condition. c) If noise mitigation measures are required to ensure compliance with the noise limits set out in this condition, they shall be implemented prior to the verification report being submitted to the Council. <p>The development hereby approved shall thereafter operate in adherence with the noise limits in part (a) of this condition, and be maintained as such thereafter.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
<p>10</p>	<p>Hours of opening (Compliance)</p> <p>CONDITION: Unless otherwise approved in writing by the Local Planning Authority, the hereby approved A1 (shop) uses shall not operate outside the hours of 07:00 – 23:00.</p> <p>All non-fixed outdoor furniture shall be moved indoors and external doors closed by 23:00 each day.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<p>11</p>	<p>Delivery and Servicing Management Plan and Waste Management Plan (Prior to occupation)</p> <p>CONDITION: A 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 prior to the first occupation of the development hereby approved.</p>

	<p>The DSMP shall include details of all servicing and delivery requirements for the various use within the development, 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>All servicing/deliveries/collections relating to the development shall only occur within the designated servicing area located on Parkfield Street, and shall not occur from surrounding streets.</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, and to ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<p>12</p>	<p>Construction and Environmental Management Plan (Prior to Commencement)</p> <p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development (including demolition).</p> <p>The CEMP 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 highway and a scheme for recycling/disposing of waste resulting from demolition and construction works; 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;
- i) Details of measures taken to prevent noise disturbance to surrounding residents following the guidance of BS5228+A1:2014;
- 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 of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and
- m) 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.
- n) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development, 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.

No demolition or development shall begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning during the construction period in accordance with the approved details. The demolition and development shall thereafter be carried out in accordance with the details and measures approved in the Method of Construction Statement.

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 order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.

13 Cycle Parking and End of Trip facilities (Compliance)

CONDITION: Prior to the first occupation of the development, the 46 cycle storage spaces shown on the hereby approved plans, in addition to a wheelchair accessible facility for showering for use by staff of the premises, shall be installed and made available, and shall be maintained as such thereafter.

REASON: To ensure adequate cycle storage and end of trip facilities are available and easily accessible on site and to promote sustainable modes of transport.

<p>14</p>	<p>Electric car charging points (Compliance)</p> <p>CONDITION: 6 electric car charging points shall be provided within the basement car park prior to the first occupation of the development hereby approved, and maintained as such thereafter.</p> <p>REASON: To promote sustainable modes of transport.</p>
<p>15</p>	<p>Wheelchair Accessible Parking (Compliance)</p> <p>CONDITION: 4 wheelchair accessible (blue badge) car parking spaces shall be provided within the basement car park prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate accessibility and inclusive design.</p>
<p>16</p>	<p>Inclusive Design: Units (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the internal layout, gradients of ramps, and details of the means of providing step-free access to all areas within the unit marked on the approved plans as “New MSU 8-9” shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation of the same unit.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<p>17</p>	<p>Inclusive Design: Units (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the internal layouts, gradients of ramps, and details of the means of providing step-free access to all areas within the unit marked on the approved plans as “New Leisure Unit” shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation of the same unit.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<p>18</p>	<p>Inclusive Design: Public Realm (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the scheme shall be constructed in accordance with the principles of inclusive design, and details of the following inclusive design features shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation of the approved development.</p> <ul style="list-style-type: none"> a) A facility for the charging of mobility scooters; b) One wheelchair accessible WC. <p>The development shall be carried out strictly in accordance with the details as approved, shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<p>19</p>	<p>Small Retail Unit (Compliance)</p>

	<p>The hereby approved small retail unit labelled on the approved plans as “New SU 9” shall be provided prior to first occupation or use of the new accommodation hereby approved.</p> <p>That unit shall not be amalgamated nor incorporated into the adjacent retail units unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of ensuring that the proposed development contributes to the viability and vitality of the town centre and specifically supports the ability of small and micro retailers to find suitable accommodation.</p>
<p>20</p>	<p>Removal of PD rights: A1 Retail (Compliance)</p> <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 units within Use Class A1 here by approved 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 town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for retail uses would have on the viability and vitality of the town centre.</p>
<p>21</p>	<p>Removal of PD rights: A3 Restaurants and Cafes (Compliance)</p> <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 units within Use Class A3 here by approved 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 town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for restaurants and cafes would have on the viability and vitality of the town centre.</p>
<p>22</p>	<p>Gym (Compliance)</p> <p>CONDITION: The hereby approved D2 use unit labelled on the approved plans as “NEW LEISURE UNIT” shall be used only as a Gym within Use Class D2 and no other use within that use class. 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 same floorspace other than for a Gym 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 town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for leisure and retail uses would have on the viability and vitality of the town centre.</p>

23	<p>Public Toilet opening hours (Compliance)</p> <p>CONDITION: The public toilets within the development shall be open and available for use for the duration of the opening hours of the A1 (shops).</p> <p>REASON: In the interests of Inclusive Design, and to promote healthy development.</p>
24	<p>Amplified Noise (Compliance)</p> <p>No music or other amplified noise arising from the hereby approved development shall be audible at nearest residential windows.</p> <p>REASON: To ensure that the operation of the development does not impact on residential amenity.</p>

List of Informatives

1	<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	<p>DEFINITION OF ‘SUPERSTRUCTURE’ AND ‘PRACTICAL COMPLETION’</p> <p>A number of conditions attached to this permission have the time restrictions ‘prior to first occupation of the hereby approved development’ or similar.</p> <p>With regard to the development, the Council considers that “first occupation of the hereby approved development” shall be taken to mean the sooner of either:</p> <p>(a) first occupation of any of the new or extended units (for A1, A3, and/or D2 Use), and/or;</p> <p>(b) the first occupation of the approved bridge and extended first floor walkway.</p>

<p>3</p>	<p>COMMUNITY INFRASTRUCTURE LEVY (CIL) (GRANTING CONSENT)</p> <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 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 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>
<p>4</p>	<p>ROLLER SHUTTERS</p> <p>The scheme hereby approved does not suggest the installation of external roller shutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external roller shutters to be a material alteration to the scheme and therefore constitute development. Should external roller shutters be proposed, a new planning application must be submitted for the council's formal consideration.</p>
<p>5</p>	<p>EXTERNAL PLANT</p> <p>The applicant is advised that any additional external plant not shown on the approved plans will require a separate planning application.</p>
<p>6</p>	<p>CONSTRUCTION WORKS</p> <p>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.</p>

<p>7</p>	<p>HIGHWAYS REQUIREMENTS (1)</p> <p>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. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>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. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>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.</p> <p>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.</p>
<p>8</p>	<p>HIGHWAYS REQUIREMENTS (2)</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>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.</p>

<p>9</p>	<p>HIGHWAYS REQUIREMENTS (3)</p> <p>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.</p> <p>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 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>
<p>10</p>	<p>CROSSRAIL 2</p> <p>Applicants should refer to the Crossrail 2 Information for Developers available at crossrail2.co.uk. Crossrail 2 will provide guidance in relation to the proposed location of the Crossrail 2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to contact the Crossrail2 Safeguarding Engineer in the course of preparing detailed design and method statements.</p> <p>In addition, the latest project developments can be found on the Crossrail 2 website www.crossrail2.co.uk which is updated on a regular basis.</p>
<p>11</p>	<p>FIRE SAFETY</p> <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. 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>

<p>12</p>	<p>LICENSING</p> <p>The applicant is advised that any of the units selling alcohol, providing late night food, entertainment, providing special treatments such as nails, beauty, tanning, spas or gambling premises would need the relevant licences from the licensing team. The site is in a cumulative impact area and as such if opening beyond 2300, must be able to prove that the operation of the business would not add to the problems already associated with a very busy area.</p>
<p>13</p>	<p>ADVERTISEMENT CONSENT</p> <p>The applicant is reminded of the need to seek advertisement for external signage and advertisements, in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).</p>
<p>14</p>	<p>DEVELOPMENT</p> <p>Reference to 'Development' within the wording of the conditions relates to the development set out in the description of development.</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 revised National Planning Policy Framework 2018 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

Context and Strategy

1.1 Delivering the strategic vision and objectives for London

London's places

2.9 Inner London

2.10 Central Activities Zone – Strategic

2.11 Central Activities Zone – Strategic Functions

2.15 Town Centres

2.18 Green Infrastructure

London's people

3.1 Ensuring equal life chances for all

3.2 Improving health and addressing health inequalities

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

3.16 Protection and enhancement of social infrastructure

London's economy

4.1 Developing London's economy

4.6 Support for and Enhancement of Arts, Culture, Sport and Entertainment

4.7 Retail and Town Centre Development

4.8 Supporting a Successful and Diverse Retail Sector and Related Facilities and Services

4.9 Small Shops

4.11 Encouraging a Connected Economy

4.12 Improving opportunities for all

London's response to climate change

5.1 Climate change mitigation

5.2 Minimising emissions

5.3 Sustainable design & construction

5.4 Retrofitting

5.5 Decentralised energy networks

5.6 Decentralised energy in development proposals

5.7 Renewable energy

5.8 Innovative energy technologies

5.9 Overheating and cooling

5.10 Urban greening

5.11 Green roofs and development site environs

5.12 Flood risk management

5.13 Sustainable drainage

5.14 Water quality and wastewater infrastructure

5.15 Water use and supplies

5.16 Waste net self-sufficiency

5.17 Waste capacity

5.18 Construction, excavation and demolition waste

5.19 Hazardous Waste

5.20 Aggregates

5.21 Contaminated land

London's transport

6.1 Strategic approach

6.2 Providing public transport capacity and safeguarding land for transport

6.3 Assessing effects of development on transport capacity

6.4 Enhancing connectivity

6.5 Funding Crossrail and other strategically important transport infrastructure

6.7 Better streets and surface transport

6.9 Cycling

6.10 Walking

6.11 Smoothing traffic flow and tackling congestion

6.12 Road Network Capacity

6.13 Parking

B) Islington Core Strategy 2011

CS 5 Angel and Upper Street

CS 8 Enhancing Islington's character

CS 9 Protecting and enhancing Islington's built and historic environment

CS 10 Sustainable design

CS 11 Waste

C) Islington Development Management Policies 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM2.4 Protected Views

DM2.5 Landmarks

Shops, culture and services

DM4.1 Maintaining and promoting small and independent shops

London's living places and spaces

7.1 Lifetime neighbourhoods

7.2 An inclusive environment

7.3 Designing out crime

7.4 Local character

7.5 Public realm

7.6 Architecture

7.8 Heritage assets and archaeology

7.11 London View Management Framework

7.12 Implementing the London View Management Framework

7.13 Safety, security and resilience to emergency

7.14 Improving air quality

7.15 Reducing noise and enhancing soundscapes

7.18 Protecting Open Space and Addressing Deficiency

7.19 Biodiversity and access to nature

Implementation, monitoring and review

8.1 Implementation

8.2 Planning obligations

8.3 Community infrastructure levy

CS 13 Employment spaces

CS 14 Retail and services

CS 15 Open space and green infrastructure

CS 18 Delivery and infrastructure

CS 19 Health Impact Assessment

DM4.2 Entertainment and the night-time economy

DM4.3 Location and concentration of uses

DM4.4 Promoting Islington's Town Centres

DM4.5 Primary and Secondary Frontages

DM4.8 Shopfronts

DM4.9 Markets and specialist shopping areas

DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

DM6.1 Healthy development

DM6.2 New and improved public open space
DM6.3 Protecting open space
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

3. DESIGNATIONS

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations June 2013.

- Angel Town Centre (primary retail frontage)
- Core Strategy Key Area: Angel and Upper Street
- Central Activities Zone
- Crossrail 2 safeguarding area
- Protected Vista (Alexandra Palace to St Paul's Cathedral)
- Open Space OS 111
- Archaeological Priority Area

4. SUPPLEMENTARY PLANNING GUIDANCE (SPG) / DOCUMENT (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Basement Development (January 2016)
Culture and Night Time Economy (Draft SPG April 2017)
Environmental Design (October 2012)
Inclusive Design in Islington (February 2014)
Inclusive Landscape Design (January 2010)
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)

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

Student Accommodation Contributions for Bursaries (June 2013)
Vale Royal/Brewery Road LSIS Discussion Paper (2017)

London Plan

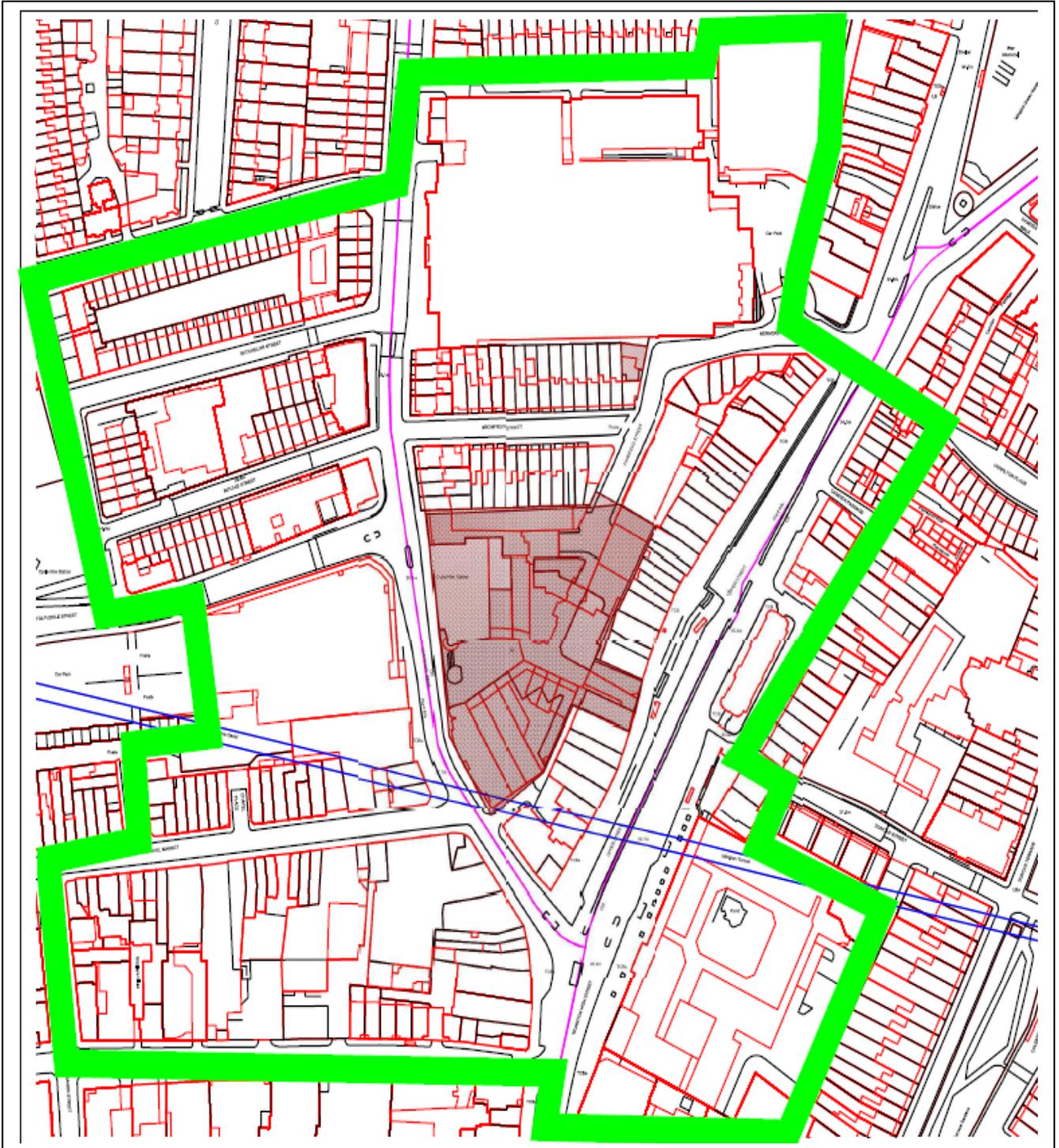
Crossrail Funding (March 2016)
Central Activities Zone (March 2016)
Culture & the Night-Time Economy (2017)
Social Infrastructure (May 2015)
Accessible London: Achieving an Inclusive Environment (October 2014)
The control of dust and emissions during construction and demolition (July 2014)
Town Centres (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)
Play and Informal Recreation (September 2012)

All London Green Grid (March 2012)
London View Management Framework (March 2012)
London's Foundations (March 2012)
Planning for Equality and Diversity in London (October 2007)

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.
P2018/2124/FUL
All addresses within green boundary line have been consulted

This page is intentionally left blank



PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	10 September 2018	

Application number	P2017/2964/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	15-24 Bromfield Street (adjacent to north) are Grade II listed.
Conservation area	Partially within Angel conservation area. Adjoins Barnsbury and Chapel Market/Penton Street conservation areas.
Development Plan Context	<p>Angel Town Centre (primary retail frontage)</p> <p>Core Strategy Key Area: Angel and Upper Street</p> <p>Central Activities Zone</p> <p>Crossrail 2 safeguarding area</p> <p>Protected Vista (Alexandra Palace to St Paul's Cathedral)</p> <p>Open Space OS 111</p> <p>Archaeological Priority Area</p>
Licensing Implications	Licenses required for Use Class A3 (cafes and restaurants).
Site Address	N1 Centre & Car Park [Basement], Parkfield Street, London N1
Proposal	<p>Erection of a new kiosk and first floor bridge/outdoor restaurant seating area, and extended first floor balcony involving the raising of the Angel Wings by 3 meters.</p> <p>Conversion of existing 100 space basement car park and reconfiguration of ground and basement level floorspace to provide a mix of retail units, including additional 1945sqm of flexible Retail (A1) and Leisure (D2) floorspace, retaining 27 parking spaces. Conversion and extension to first floor retail unit 5A (A1) to provide restaurant/café (A3). Partial demolition of 2 external staircases. Installation of first floor</p>

	awnings. Partial external terracotta cladding and projecting windows to west elevation. Replacement hard and soft landscaping, and associated works.
--	--

Case Officer	Matt Duigan
Applicant	Pec Parkfield Limited
Agent	CBRE – Gillian Nicks

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 this 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 this report.

2. DEFERRAL

2.1 The application was deferred at the Planning Committee meeting of 7 June 2018 for the following reasons:

- To enable further investigation into the retention of the wings and structural evidence that demonstrated that the bridge could not be provided with the wings remaining.
- To require an agreement from the applicant that the wings would not be removed until an alternative permanent location within the Angel area was identified.
- To enable the detailed wording of the S106 to be provided within the officer report (or the agreement appended in support of the application) when the scheme was next presented to the committee.
- There was concern that the existing Angel Wings was a local landmark for the area and had obtained a level of cultural significance. They supported the identity and permanent sense of place for the Angel Town Centre that the Angel Wings brought to the site. Their loss would undermine the sense of 'place' and identity established over the 20 years they have been in place. There was additional concern that the original legal agreement secured 1% of development value on public art and that the level of equivalence was not demonstrated by the alternative art strategy. In the event that the Wings were justified to be moved (into an alternative location within the Angel) a degree of equivalence of quality of art was currently lacking. Obligations should reflect the requirement for equivalence.

2.2 The relevant excerpt of the minutes of the 7 June 2018 Planning Committee is attached as Appendix 2 to this report. A copy of the previous Planning Committee Report is attached as Appendix 3.

3. APPLICANT'S RESPONSE

- 3.1 The Applicant has revised the application so that it is now proposed to retain the Angel Wings Sculpture. Various options for retaining the sculpture on site were investigated, with the preferred option being to raise the height of the sculpture so that it would sit over the top of the proposed new bridge, as shown in the image below:



Image 3.1



Image 3.2

- 3.2 The proposal would increase the overall height of the sculpture by approximately 3m. The description of development has therefore been altered to remove reference to "Removal of the Angel Wings sculpture". Other elements of the proposal remain the same as previously considered by the Committee.



Image 3.3

3.3 The proposal would allow pedestrians to walk beneath the sculpture.

4. CONSULTATION

4.1 A formal re-consultation on the amendments to the scheme was undertaken. All of the people who had been notified previously or made representations have been re-notified. A total of 950 letters were sent to occupants of adjoining and nearby properties on 24/07/2018, and 21 site notices were erected near the site on the same day.

4.2 Additionally, the application was advertised in the press. The public consultation period ended on 23/08/2018. In practice, representations have been received continually during the lifetime of the application. It is the Council's practice to continue to accept representations until the decision date.

4.3 The consultation responses received are summarised as follows.

Public Consultation

4.4 At the time of writing, objections were received from 28 neighbouring occupiers. It is also of note that 14 submissions (in the form of pro-forma post cards) were received, which simply state support for the proposal. The issues raised in objections are summarised below (with officer comments in brackets).

4.5 It is not clear as to what is happening to the external stair cases. Nor is it clear how access to the site will be afforded from Liverpool Road (*The existing spiral stair case is to be retained. The external stair between the first and second floor is to be removed. This element of the proposal has not changed. Access from Liverpool Road is largely unaltered, pedestrians would walk into the centre from the footway.*)

4.6 What is happening to the proposed kiosk? What materials will it be composed of and access will there be? (*The proposed Kiosk is unaltered when compared to the scheme previously considered by the Committee on 7 June 2018. A condition (3) is recommended to ensure the materials are acceptable. It is of note that the materials for the kiosk are described in detail at paragraphs 10.74 to 10.84 of the original Committee report which is attached at*

Appendix 3 of this report. The Applicant has undertaken a structural investigation, which concludes raising the sculpture in the location proposed is workable).

- 4.7 Will the wings remain in the existing place or is the proposal to change their position/raise them? If so has a structural assessment been taken? *(The Angel Wings Structure is to be retained, albeit raised by 3m. A structural assessment has been undertaken, and the proposed location of the artwork is sensible from a structural perspective).*
- 4.8 Is there a process in place to protect the wings as a local landmark in progress? *(The Angel Wings sculpture is not Locally Listed. There is a separate process (unrelated to the planning application process) for imposing such a designation).*
- 4.9 What is the development on public open space mentioned in the proposal? *(There would be a bridge over-sailing the open space, which in effect represents development on the open space).*
- 4.10 What is the extension of the proposed bridge, placing and dimensions? what will the bridge dimensions be? Also what structural assessments have been made to its proposal in relation to the wings? *(The bridge would be 16.5m long and 3.5m wide, albeit that the central part of the bridge is wider, acting as the roof over the new Kiosk. Structural studies have been undertaken, and these have informed the Applicant's proposal to ensure the footings of the sculpture remain in the same place).*
- 4.11 What shop fronts on Liverpool Road are affected? What type and quality of cladding will be used? *(The proposals in relation to the shop fronts along Liverpool Road are unaltered from the scheme considered by members on 7 June, similarly the palette of materials remains the same. A condition (3) is recommended to ensure the materials are acceptable. It is of note that the materials, cladding and external changes are described in detail at paragraphs 10.74 to 10.91 of the previous Committee report which is attached at Appendix 3 of this report).*
- 4.12 What new landscaping is proposed *(Landscaping proposals remain unchanged from the scheme considered by Committee on 7 June 2018. These are described in detail at paragraphs 10.92 to 10.103 of the previous Committee report which is attached at Appendix 3 of this report).*
- 4.13 How will the car park side access for pedestrians change? Will there be improved access between floors/lifts? What safety provisions will be put in place, lighting, pathways etc? *(No changes are proposed to pedestrian access from the car park, although the public toilets are to be refurbished. Lighting and CCTV are to be secured, and condition 10 requires the Applicant to achieve Secure by Design accreditation from the Metropolitan Police).*
- 4.14 The public open space may be privatised. *(Planning obligations are recommended to ensure that there are controls in place to ensure the open space is not privatised).*
- 4.15 Assurance is needed that the Angel Wings sculpture will not be damaged during the construction works and that they are returned to the site, safe and sound, to live on as the Angel icon. There is an objection to the scheme until such time as the Applicant demonstrates how the sculpture will be protected during construction and provides a guarantee to ensure reinstatement back on site following construction. *(Planning obligations are to be secured to ensure the public art is appropriately safeguarded during construction and works to mount it on raised legs, and to ensure the sculpture is reinstated on site in the manner shown on the proposed plans).*
- 4.16 The Angel Wings sculpture should remain on site even during construction. There is concern that the sculpture may be "broken in transit", "mistakenly taken down" or

“accidentally damaged”. *(The Applicant has considered retaining the sculpture on site during works, however for practical and health and safety reasons, it is proposed that the sculpture be removed temporarily during construction works and works to mount the sculpture on longer legs).*

- 4.17 Initial reporting of the proposals in the press by CBRE did not mention that the sculpture was to be removed. Additionally, the amount to be invested in the centre differs in various press articles. *(The concern does not relate to the way the planning application was originally described (which was accurate). It is also noted that the description of development has now changed, in that the sculpture is now proposed to be retained. For clarity, the Applicant advises that the cost of works would be £11 million).*
- 4.18 The consultation has not been wide enough. *(The size of the consultation area is considered proportionate to the scale and kind of development proposed. For clarity, the consultation accords with statutory requirements).*
- 4.19 Servicing and deliveries currently cause noise and disturbance, which affects the amenity of near-by residents. Damage may be caused to listed buildings by servicing vehicles. *(A condition (13) is recommended to ensure servicing proposals are appropriate and any impacts to neighbours adequately mitigated).*
- 4.20 The public toilets should be open when restaurants are open and events are on at the O2 venue. *(It is noted that the restaurants and the O2 event venue accommodate toilets within each premises. Condition 25 recommends controlling the opening hours of the public toilets to align with the opening hours of the retail units in the centre. This is considered reasonable, balancing the need to provide facilities for shoppers, and equally maintaining control over safety and security of the public toilets at other times).*
- 4.21 The reduction in car parking, will exacerbate on street parking pressure. *(The loss of parking is considered acceptable given the sites proximity to public transport. This is addressed in detail at paragraphs 10.2 to 10.8 of the original report (attached at Appendix 3 of this report)).*
- 4.22 Access to the site from Parkfield Street should be restricted after 10.30pm, this is to stop noise and disturbance from affecting neighbouring residents. *(The impact to neighbours has been assessed and is discussed at paragraphs 8.9 and 10.109 to 10.116 of the original Committee report, which is attached at Appendix 3 of this report. Subject to conditions, which are recommended, it is considered that impacts from this proposal would be adequately mitigated. It is noted that this application relates primarily to an increase in retail space (it would not increase the capacity of the upper level event venue)).*
- 4.23 There is a lack of demand for restaurants and more retail space should be provided instead. The scheme should be rejected until such time as the specific occupiers are known. *(The site is in a busy town centre location; no objection is raised to this use in planning policy terms. The restaurant space would complement the existing restaurant cluster at the site).*

Statutory, Internal and External Consultation Responses

Design and Conservation:

- 4.24 The revised design was considered by the Council’s Urban Design and Conservation officer who advised that the intention to make better use of the underutilised basement parking space and to enhance the general appearance of the N1 Centre, especially the activation of the Liverpool Road frontage, is welcomed.

- 4.25 The Urban Design and Conservation officer raised no objection to the retention and raising of the Angel Wings sculpture. The advice given was that the proposed bridge will re-instate a more meaningful street frontage. The existing situation is undermined by the existing gap and the proposal will enhance the public open space. The proposed materials are high quality, robust and contextual. All other aspects of the proposals are acceptable in design terms.

Transport and Highways

- 4.26 My comments do not change from those made on the original application. There was minimal impact on the highway. The Construction Management Plan will need to be secured by condition.

Sustainability

- 4.27 My previous comments still apply.

Energy

- 4.28 My comments are the same as my original ones.

Environmental Pollution, Policy & Projects Team

- 4.29 Previous Environmental Pollution, Policy & Projects Team comments apply.

Town Centre Manager

- 4.30 The employment that would be created and retained as a result of this scheme is vital to Angel Town Centre. With regard to P2017/2964/FUL, we welcome the principles of the scheme and are pleased that a solution may have been found. The most important element for Angel is the £11m investment in the upgrade of a tired and old centre, in which the original scheme was elegant and uplifting.

- 4.31 We would recommend that if the wings are to be retained that materials that are more sympathetic to the surroundings and which fit into the scheme so that it looks like an integral part of the design. It is disappointing that neither of the two schemes are of the quality and elegance of the original application. I would have preferred for the wings to have been re-located to another site within the Angel, but appreciate the complexities of this.

Metropolitan Police

- 4.32 No objection subject to conditions and planning obligations to secure security lighting, CCTV, and Secure by Design accreditation.

Crossrail 2

- 4.33 No objection.

London Fire and Emergency Planning Authority

- 4.34 The London Fire Brigade promotes the installation of sprinkler suppression systems.

London Underground Ltd

4.35 No objection.

Thames Water

4.36 No objection.

5. ASSESSMENT

5.1 The Committee resolved to defer determination of the scheme for 4 reasons, which are discussed below:

Deferral Reason No. 1: To enable further investigation into the retention of the wings and structural evidence that demonstrated that the bridge could not be provided with the wings remaining.

5.2 The Applicant has advised that various options were considered to facilitate both the retention of the Angel Wings Sculpture on site as well as the construction of the proposed bridge, and these options are discussed below:

Repositioning the bridge

5.3 The Applicant considered positioning the bridge further into the site, so as to avoid any conflict with the Angel Wings Sculpture. However, a bridge in this location would adversely impact upon the openness of the main area of designated open space. Additionally, repositioning the bridge further into the site would lessen circulation past the first floor units closest to Liverpool Road. This option would not have the benefit of creating a more meaningful street frontage (which the Council's Design officer has noted is a benefit of the current scheme).

5.4 The height of the bridge relates to the existing height of the first floor walkway, raising the bridge above the wings would not facilitate easy circulation. Lowering the bridge beneath the sculpture would conflict with ground level structures and movement of pedestrians.

Repositioning the Angel Wings Sculpture

5.5 The potential to relocate the Angel Wings onsite was also considered, in particular, placing the sculpture on the roof of the Centre (Liverpool Road side). However, taking account of the way the roof has been built, additional strengthening would be required. The Applicant advises that the strengthening works would add cost to the overall project and the strengthening may need to continue down through the structure to foundation level (conflicting with the cinema and other uses inside the centre).

5.6 Relocating the sculpture above the existing 2nd floor roof space at the Upper Street was also investigated. The Applicant advises that putting the Angel sculpture on this area would be possible, but it would require relocation of roof top plant and equipment (adding cost and complexity to the overall project). Officers note that the Upper Street entrance is within the Angel Conservation Area, and with a wing span of 19m, the sculpture would have an imposing visual appearance at this entrance (there would be the potential for conflict with the character and appearance of the Conservation Area).

5.7 Another area considered was on the new bridge link itself. However, putting the sculpture on the new bridge link would reduce the useable space on the bridge. The bridge would need to be larger so as to allow circulation around the sculpture. Officers consider that a larger bridge would exacerbate the impact to the openness and light reaching the

designated open space. There would also be concerns over the potential visual impact that a larger bridge would have. The Applicant advises that bridge link would need to be designed to accommodate the footprint and load of the sculpture, which would add to the cost of the bridge superstructure.

- 5.8 Re-orienting and moving the sculpture further into the designated open space was also considered. However, the Angel Wings is a large sculpture, with a base foot print of approximately 7m x 7m and a wingspan of 19m. Moving the sculpture further into the site would impact upon the openness and usability of the designated open space.

Preferred Option: Raising the Angel Wings Sculpture Above the Bridge

- 5.9 The Applicant provided reports prepared by a structural engineer, which noted that the sculpture is currently supported on a combination of the piled basement retaining wall and the reinforced concrete transfer beams which span onto the basement columns which are supported on piled foundations. As a result of the position of the sculpture, half of the weight of the sculpture is transmitted directly into the basement retaining wall. The Applicant advises that from a structural perspective it would be preferable for the sculpture's footings to remain in their current position.
- 5.10 The Applicant's preferred solution is to raise the wings, such that the footings would remain in the same location, but the overall height would increase by approximately 3m. This height allows the bridge to be located beneath the sculpture. The Applicant advises that the altered height and general approach has been endorsed by the original artist.
- 5.11 No objection is raised to the proposal from an urban design perspective. Officers are of the view that the scale of the public art (19m wing span) benefits from the elevated position. The raised height would enable members of the public to sit and walk beneath the wings, adding visual interest to the Liverpool Road frontage.
- 5.12 A further analysis of overshadowing of the open space area was undertaken to check that the raised sculpture did not result in any undue overshadowing of the open-space. The study confirms there would be no undue impacts. It is considered that the revised scheme addresses the first deferral reason.

Deferral Reason No. 2: To require an agreement from applicants that the wings would not be removed until an alternative permanent location within the Angel area was identified.

- 5.13 The permanent location is now proposed to be onsite. The Applicant has advised that the wings would need to be temporarily removed from site during the construction works and works to mount the sculpture on raised legs.
- 5.14 Given concerns over the removal of the sculpture from the site, even for a temporary period, the Applicant was asked to explain why the sculpture could not be retained on site during the construction. In response the Applicant advised that the wings have to be moved to accommodate the new bridge and kiosk. Given the weight and wingspan, relocating the wings further into the site poses risks that the wings could collide with existing structures, and in any event would act as a significant impediment to circulation and movement during the construction works. The Applicant also advised that mounting the sculpture on longer legs would be best be done by temporarily removing the wings from the site, taking them to a workshop where the work can be carried out, with the wings being reinstated over the bridge afterwards.

- 5.15 A planning obligation is required to ensure that if the Public Art is removed temporarily from site during construction works and works to attach the sculpture to longer legs, that it is re-installed in accordance with the proposed plans as soon as is practicable. This is described in detail below.

Deferral Reason No. 3: To enable the detailed wording of the S106 to be provided within the officer report (or the agreement appended in support of the application) when the scheme was next presented to the committee.

- 5.16 The detailed wording of the planning obligation to ensure the sculpture is delivered back on site (post construction works), in the manner shown on the proposed plans is set out below:

Definition: *Angel Wings Method Statement*

A written statement setting out full details of the removal and reinstatement of the Angel Wings Sculpture which shall include the following details:

- *insurance against damage or loss during the entire construction process from removal to reinstatement;*
- *how the Angel Wings Sculpture will be dismantled and removed from site;*
- *transportation arrangements away from site;*
- *storage location and conditions, including security and protection;*
- *work needed to make the legs longer and to connect the wings to the longer legs;*
- *transportation arrangements back to site;*
- *how the raised Angel Wings Sculpture will be reinstated on the Site;*
- *evidence that the artist has been consulted on the removal and reinstatement and that representations by the artist have been taken into account;*
- *evidence that all stages of process of removal and reinstatement has been informed by an appropriately qualified construction contractor; and*
- *time table/programme of works.*

Clause: *Public Art:*

Prior to any works being undertaken to the Angel Wings Sculpture the Owner shall submit to the Council for its written approval the Angel Wings Method Statement for the removal and reinstatement of the existing Angel Wings Sculpture.

The Owner will not undertake any works to the Angel Wings Sculpture unless in accordance with the approved Angel Wings Method Statement and will at all times work in compliance with the provisions set out in the Angel Wings Method Statement.

The Owner covenants to reinstate the Angel Wings Sculpture on the Site in accordance with the Planning Permission and the Angel Wings Method Statement within 9 months of their removal from the Site or such earlier time frame as may be set out in the approved Angel Wings Method Statement.

w

The Owner shall not Occupy or permit the Occupation of the restaurant/café (A3) located on the first floor and the kiosk prior to the reinstatement of the Angel Wings Sculpture.

The Owner shall not use or permit the use of the bridge forming part of the Development prior to the reinstatement of the Angel Wings Sculpture.

Unless otherwise agreed by the Council the halo sculpture located on the Upper Street elevation of the Site shall be retained and not removed from the Site.

- 5.17 The Council's legal advisor has advised that the Council's remedy for a breach of the proposed planning obligation would be an injunction. As an injunction is a court order, failure to comply may lead to serious sanctions of contempt of court. Where the respondent in breach is a company, it is well established that a director may be committed for contempt. The sanctions/penalties that the Court may impose include:
- Committal to prison for up to two years;
 - A fine, which may not be subject to any statutory limit; or
 - Sequestration of the respondent's assets.
- 5.18 While it would be for the Courts to determine the severity of the penalty, the sanctions are considered to provide sufficient assurance that the Angel Wings Sculpture would be delivered in accordance with the proposed plans. Although the S106 legal agreement has not been completed, the Applicant has agreed to these terms.

Deferral Reason No. 4: There was concern that the existing Angel Wings was a local landmark for the area and had obtained a level of cultural significance. They supported the identity and permanent sense of place for the Angel Town Centre that the Angel Wings brought to the site. Their loss would undermine the sense of 'place' and identity established over the 20 years they have been in place. There was additional concern that the original legal agreement secured 1% of development value on public art and that the level of equivalence was not demonstrated by the alternative art strategy. In the event that the Wings were justified to be moved (into an alternative location within the Angel) a degree of equivalence of quality of art was currently lacking. Obligations should reflect the requirement for equivalence.

- 5.19 It is now proposed that the sculpture will remain on site (albeit raised above the proposed bridge). It is considered that the applicant has satisfactorily addressed the committee's reasons for deferral. Planning obligations are to be secured to ensure all public art on site will be retained on site.

Other matters

- 5.20 Retaining the Angel Wings sculpture does not alter other aspects of the scheme which are considered acceptable. The visual relationship between the sculpture and proposed external palette of materials is also considered acceptable.
- 5.21 It is worth noting that since the scheme was considered by the Committee on 7 June 2018, the Government published (on 24 July 2018) a revised National Planning Policy Framework (NPPF). Of particular relevance to this application is that the revised NPPF acknowledges that there are rapid changes affecting the retail sector (namely the effects that changed shopping habits are having on town centres), and that planning policy should allow centres to grow and diversify in response to these changes. This proposal would help the centre to remain competitive and viable, and is considered to be in alignment with the revised NPPF.

6. CONCLUSION

- 6.1 The amended proposal is considered to adequately address the reasons that the scheme was deferred on 7 June 2018. Officers consider that the appearance of the sculpture in the street scene would benefit from being raised, and it is noted that the Council's Urban Design and Conservation officer raises no objection to the proposal.
- 6.2 Subject to the conditions and planning obligations set out at Appendix 1 of this report, approval is recommended.

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:

- Provision onsite of the Angel Wings Sculpture as per the proposed plans retention of public art.
- Participation in a town centre co-ordinating body.
- Use of Town Square for Civic Events.
- Pedestrian Route through site.
- Storage of baskets and trolleys within units.
- CCTV.
- 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.
- Compliance with the Code of Employment and Training
- Compliance with the Council's Code of Local Procurement
- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Local employment and training contribution of £21,607.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,900.
- Accessible transport contribution of £20,000, and provision of 4 wheelchair accessible parking bays.
- Carbon Offsetting payment of £80,960 (index linked).
- Feasibility Study into District Energy Network (DEN) connection on first replacement of heating/cooling plant.
- Submission of, and compliance with, a Green Performance Plan
- Crossrail funding contribution (to be offset against the Mayoral CIL payment). To be secured in two stages: Payment (1) £120,870 for all new floorspace, other than flexible D1/A1 floorspace. Payment (2) for the uplift in A1 floorspace (for the flexible D1/A1 unit on first commencement of A1 use, unless no A1 use within 10 years).
- Submission of a draft full Travel Plan for Council approval prior to occupation; full Travel Plan including a travel survey for Council approval 6 months from first occupation of the development; and a Travel Plan update submitted to the Council including a travel survey three years after occupation of the development.
- 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 to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions

No.	Condition
1	<p>Commencement (Compliance)</p> <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	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Approved Drawings:</p> <p>3059-A-P-0200 Rev P03; 3059-A-P-0300 Rev P03; 3059-A-P-0301 Rev P03; 3059-A-P-0305 Rev P03; 3059-A-P-0404 Rev P03; 3059-A-P-0406 Rev P03, 3059-A-P-0430 Rev P02; 3059-A-P-0431 Rev P02; 3059-A-P-0501 Rev P03; 3059-A-P-0503 Rev P03; 3059-A-P-0505 Rev P04; 3059-A-P-0506 Rev P04; 3059-A-P-0511 Rev P04; 3059-A-P-1102 Rev P03; 3059-A-P-1112 Rev P03; 3059-A-P-1122 Rev P03; 3059-A-P-1132 Rev P03; 3059-A-P-0010 rev.P01; 3059-A-P-0102 rev.P01; 3059-A-P-0112 rev.P01; 3059-A-P-0122 rev.P01; 3059-A-P-0132 rev.P01; 3059-A-P-0400 rev.P01; 3059-A-P-0402 rev.P01; 3059-A-P-0205 rev.P01; 3059-A-P-0302 rev.P01; 3059-A-P-0303 rev.P01; 3059-A-P-0307 rev.P01; 3059-A-P-0510 rev.P01; 3059-A-P-0512 rev.P01; 3059-A-P-0515 rev.P02; 3059-A-P-0517 rev.P01; 3059-A-P-0520 rev.P02; 3059-A-P-0011 rev.P02; 3059-A-P-0012 rev.P02; 3059-A-P-0014 rev.P01.</p> <p>Approved Documents: Angel Central – Post-submission note (CBRE); Angel Central – Updates to Planning Application 2017/2964/FUL (CBRE); Summary of Amendments to Planning Application P2017/2964/FUL – DAS Supplement CBRE Global Investors/Haskoll July 2018), Angel Central consultee responses – Transport for London, ref. 23087401 (Steer Davies Gleave, 12 October 2017); Solar Study (Haskoll, July 2018); BREEAM</p>

Addendum (Aecom); Energy Statement Addendum (Aecom); Framework Travel Plan ref. 23087401 (Steer Davies Gleave, July 2017); Transport Statement ref 23087401 (Steer Davies Gleave, July 2017); Open Space Assessment (CBRE, August 2017); Construction Phase Plan P-MS01A (RG Group, 21st August 2017); Application Cover Letter (CBRE, 24 July 2017); External Noise Survey Project Number: 60509147 (Aecom, June 2017); Planning Statement (CBRE, July 2017); Retail Assessment (CBRE 24 July 2017); Islington HIA screening (Pre-application reference number Q2017/1224/MJR); AECOM Structural Notes 1 and 2 (AECOM July 2018);

The approved plans expressly listed within this condition shall take precedence over any plans referred to or appended to the documents listed in this condition.

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.

3 Materials and Details (Prior to commencement of external works)

CONDITION: Details and samples of all detailing and facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant works hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:

- a) External facing materials, including terracotta cladding and method of fixing;
- b) Details of external paintwork to walls visible from Upper Street, Parkfield Street and/or Liverpool Road;
- c) Details of new fascias and shopfront fittings;
- d) details of any louvres, ventilation panels or screens;
- e) external handrails or balustrading;
- f) copings, soffits, cills and reveals (and details of how these will be designed to avoid watermarks or staining to the surfaces below), the undersides of any projecting elements, and junctions of external materials including expansion gaps;
- g) details of the proposed bridge, including frameless glass handrail to the side facing Liverpool Road and balustrading to the side facing the central open space;
- h) details of the proposed frameless glass kiosk, including glass reflectivity, structural supports, external junctions, doors, and manifestations;
- i) details of any replacement external fittings, including rainwater goods (including locations, fixings, material and colour); pipes; any other equipment or devices to be installed on the external surfaces of the building including meter boxes, service connection access, aerials and satellite dishes;

	<p>j) Any new external windows, doors and shutters, including to the public toilets;</p> <p>k) All other external materials.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development, to avoid detracting from the settings of the adjacent heritage assets, and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<p>4</p>	<p>Green procurement plan (Prior to commencement of external works)</p> <p>CONDITION: Prior to the commencement of external 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>
<p>5</p>	<p>Landscaping (Prior to commencement of external works)</p> <p>CONDITION: Details and samples of all external hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority, in accordance with time frames set out below. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:</p> <ul style="list-style-type: none"> a) External paving materials, including at first floor level shall be provided prior to commencement of the relevant paving works; b) Details of soft landscaping, including specification and maintenance schedule shall be provided prior to commencement of the relevant part of the development hereby approved; c) Any fixed items or furniture, including benches, bollards, and bins shall be provided prior to commencement of the relevant part of the development hereby approved; d) Access points for water and electricity for community events shall be provided prior to commencement of the relevant part of the development hereby approved; e) Details of all other external materials shall be provided prior to commencement of the relevant part of the development hereby approved; <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development, and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<p>6</p>	<p>External Lighting (Compliance/Prior to Specific Works)</p>

	<p>CONDITION: Details of external lighting relevant to the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to its installation.</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 lighting measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development hereby approved (unless related to the new Bridge, in which case, prior to first use of the Bridge) and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as limiting light pollution.</p>
<p>7</p>	<p>BREEAM (Compliance)</p> <p>CONDITION: The development here by approved 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>
<p>8</p>	<p>Energy Strategy (Prior to commencement, excluding demolition)</p> <p>CONDITION: Prior to the commencement of development, other than demolition, a revised Energy Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The revised Energy Statement shall include evidence covering the following:</p> <ul style="list-style-type: none"> a) Further reductions to CO2 emissions; b) Further improvements to energy efficiency parameters; c) Full results of dynamic thermal modelling and further discussion regarding cooling hierarchy and active cooling; d) Additional information regarding the feasibility of connection to a future District Energy Network; e) Further information regarding heat loads and shared heat networks/ CHP. <p>The energy efficiency measures as outlined within the revised Energy 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 development shall be carried out strictly in accordance with the details as approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
9	<p>Air Source Heat Pump (Prior to Occupation)</p> <p>CONDITION: Prior to first occupation of the development hereby approved, manufacturers' specifications and a scheme of the detailed designs and layout of the equipment and mechanical systems to be implemented in relation to the proposed air source heat pump(s) and/or any other renewable energy source shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The external plant as approved shall thereafter be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interests of ensuring that the proposed mechanical plant would achieve the performance standards assumed by the approved sustainability statement, to avoid harm to neighbour amenity, to secure sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
10	<p>Secured by Design (Compliance)</p> <p>CONDITION: The hereby approved development shall achieve Secured by Design (Secured Environments) Certification prior to occupation of the development, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to secure safe and secure urban environments and avoid creating new opportunities for crime.</p>
11	<p>Plant Noise (Prior to occupation)</p> <p>CONDITION:</p> <ol style="list-style-type: none"> a) The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014. b) Prior to occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The report shall assess the noise from the installed mechanical plant to demonstrate compliance with the noise limits in part (a) of this condition. c) If noise mitigation measures are required to ensure compliance with the noise limits set out in this condition, they shall be implemented prior to the verification report being submitted to the Council.

	<p>The development shall thereafter operate in adherence with the noise limits in part (a) of this condition, and be maintained as such thereafter.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
12	<p>Hours of opening (Compliance)</p> <p>CONDITION: Unless otherwise approved in writing by the Local Planning Authority, the hereby approved A1 (shop) or A3 (café / restaurant) uses shall not operate outside the hours of 07:00 – 23:00.</p> <p>All non-fixed outdoor furniture shall be moved indoors and external doors closed by 23:00 each day.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
13	<p>Servicing and Deliveries (Prior to occupation)</p> <p>CONDITION: A Delivery and Servicing Plan 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>All servicing/deliveries/collections relating to the development shall only occur within the designated servicing area located on Parkfield Street, and shall not occur from surrounding streets.</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, and to ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
14	<p>Construction and Environmental Management Plan (Prior to Commencement)</p> <p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (including demolition).</p> <p>The CEMP 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 highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- 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;
- i) Details of measures taken to prevent noise disturbance to surrounding residents following the guidance of BS5228+A1:2014;
- 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 of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and
- m) 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.
- n) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development, 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.

No demolition or development shall begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning during the construction period in accordance with the approved details. The demolition and

	<p>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>
15	<p>Cycle Parking and End of Trip facilities (Compliance)</p> <p>CONDITION: Prior to the first occupation of the development, the 46 cycle storage spaces shown on the hereby approved plans, in addition to a wheelchair accessible facility for showering for use by staff of the premises, shall be installed and made available, and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle storage and end of trip facilities are available and easily accessible on site and to promote sustainable modes of transport.</p>
16	<p>Electric car charging points (Compliance)</p> <p>CONDITION: 6 electric car charging points shall be provided within the basement car park prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To promote sustainable modes of transport.</p>
17	<p>Wheelchair Accessible Parking (Compliance)</p> <p>CONDITION: 4 wheelchair accessible (blue badge) car parking spaces shall be provided within the basement car park prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate accessibility and inclusive design.</p>
18	<p>Inclusive Design: Units (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the internal layout, gradients of ramps, and details of the means of providing step-free access to all areas within the unit marked on the approved plans as “New MSU 8-9” shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation or use of the same unit.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
19	<p>Inclusive Design: Units (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the internal layouts, gradients of ramps, and details of the means of providing step-free access to all areas within the unit marked on the approved plans as “New Leisure Unit” shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation or use of the same unit.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>

<p>20</p>	<p>Inclusive Design: Public Realm (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the scheme shall be constructed in accordance with the principles of inclusive design, and details of the following inclusive design features shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation of the approved development (with the exception of details relating to the new Bridge, in which case, prior to first use of the Bridge):</p> <ul style="list-style-type: none"> a) External benches, including armrests and backs; b) A facility for the charging of mobility scooters; c) One wheelchair accessible WC. <p>The development shall be carried out strictly in accordance with the details as approved, shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<p>21</p>	<p>Small Retail Unit (Compliance)</p> <p>The hereby approved small retail unit labelled on the approved plans as “New SU 9” shall be provided prior to first occupation or use of the new accommodation hereby approved.</p> <p>That unit shall not be amalgamated nor incorporated into the adjacent retail units unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of ensuring that the proposed development contributes to the viability and vitality of the town centre and specifically supports the ability of small and micro retailers to find suitable accommodation.</p>
<p>22</p>	<p>Removal of PD rights: A1 Retail (Compliance)</p> <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 units hereby approved within Use Class A1 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 town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for retail uses would have on the viability and vitality of the town centre.</p>
<p>23</p>	<p>Removal of PD rights: A3 Restaurants and Cafes (Compliance)</p> <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 units hereby approved within Use Class A3 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 town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for restaurants and cafes would have on the viability and vitality of the town centre.</p>
<p>24</p>	<p>Flexible Use Unit (Compliance)</p> <p>CONDITION: The hereby approved flexible A1/D2 use unit labelled on the approved plans as “NEW LEISURE UNIT” shall be used only as a Gym within Use Class D2 and no other use within that use class, or for retail within Use Class A1. 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 same floorspace other than for a Gym or a Use within Use Class A1 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 town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for leisure and retail uses would have on the viability and vitality of the town centre.</p>
<p>25</p>	<p>Public Toilet opening hours (Compliance)</p> <p>CONDITION: The public toilets within the development shall be open and available for use for the duration of the opening hours of the A1 (shops).</p> <p>REASON: In the interests of Inclusive Design, and to promote healthy development.</p>
<p>26</p>	<p>Kiosk Design (Prior to occupation)</p> <p>CONDITION: Prior to first occupation of the unit labelled “New Kiosk” on the approved plans, a tenant design strategy for that unit shall be submitted to and approved by the Local Planning Authority.</p> <p>The strategy shall include the following:</p> <ul style="list-style-type: none"> a) The total height of any fixed or moveable furniture and/or display units and/or items placed above, shall be no greater than 1.4m above the finished floor level of the unit; b) No ceiling features or signage to be positioned less than 3.35m above finished floor level; c) A clear uninterrupted view through the unit between 1.65m below the 3.35m ceiling shall be maintained at all times; d) Details of signage, which shall be internal and no greater than 700mm wide; e) Details of utility and service provision within the unit. <p>The unit shall thereafter be maintained in accordance with the approved tenant signage strategy unless otherwise approved in writing by the Local Planning Authority.</p>

	REASON: To ensure a transparent and visually lightweight appearance, to maintain sightlines out of the site, and to maintain a sense of openness to the public open space.
27	<p>Amplified Noise (Compliance)</p> <p>No music or other amplified noise arising from the hereby approved development shall be audible at nearest residential windows.</p> <p>REASON: To ensure that the operation of the development does not impact on residential amenity.</p>

List of Informatives

1	<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	<p>DEFINITION OF ‘SUPERSTRUCTURE’ AND ‘PRACTICAL COMPLETION’</p> <p>A number of conditions attached to this permission have the time restrictions ‘prior to first occupation of the hereby approved development’ or similar.</p> <p>With regard to the development, the Council considers that “first occupation of the hereby approved development” shall be taken to mean the sooner of either:</p> <p>(a) first occupation of any of the new or extended units (for A1, A3, and/or D2 Use), and/or;</p> <p>(b) the first occupation of the approved bridge and extended first floor walkway.</p>
3	<p>COMMUNITY INFRASTRUCTURE LEVY (CIL) (GRANTING CONSENT)</p> <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 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’ *. 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	<p>ROLLER SHUTTERS</p> <p>The scheme hereby approved does not suggest the installation of external roller shutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external roller shutters to be a material alteration to the scheme and therefore constitute development. Should external roller shutters be proposed, a new planning application must be submitted for the council's formal consideration.</p>
5	<p>EXTERNAL PLANT</p> <p>The applicant is advised that any additional external plant not shown on the approved plans will require a separate planning application.</p>
6	<p>CONSTRUCTION WORKS</p> <p>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.</p>
7	<p>HIGHWAYS REQUIREMENTS (1)</p> <p>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. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>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. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>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.</p> <p>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.</p>
8	<p>HIGHWAYS REQUIREMENTS (2)</p>

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.

9 HIGHWAYS REQUIREMENTS (3)

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 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

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.

Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980

Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.

<p>10</p>	<p>CROSSRAIL 2</p> <p>Applicants should refer to the Crossrail 2 Information for Developers available at crossrail2.co.uk. Crossrail 2 will provide guidance in relation to the proposed location of the Crossrail 2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to contact the Crossrail2 Safeguarding Engineer in the course of preparing detailed design and method statements.</p> <p>In addition, the latest project developments can be found on the Crossrail 2 website www.crossrail2.co.uk which is updated on a regular basis.</p>
<p>11</p>	<p>FIRE SAFETY</p> <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. 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>
<p>12</p>	<p>LICENSING</p> <p>The applicant is advised that any of the units selling alcohol, providing late night food, entertainment, providing special treatments such as nails, beauty, tanning, spas or gambling premises would need the relevant licences from the licensing team. The site is in a cumulative impact area and as such if opening beyond 2300, must be able to prove that the operation of the business would not add to the problems already associated with a very busy area.</p>
<p>13</p>	<p>ADVERTISEMENT CONSENT</p> <p>The applicant is reminded of the need to seek advertisement for external signage and advertisements, in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).</p>
<p>14</p>	<p>DEVELOPMENT</p> <p>Reference to 'Development' within the wording of the conditions relates to the development set out in the description of development.</p>

APPENDIX 2 – 7 JUNE 2018 PLANNING COMMITTEE MEETING MINUTES - EXCERPT

N1 CENTRE AND CAR PARK [BASEMENT], PARKFIELD STREET, LONDON, (Item B1)

Removal of the Angel Wings sculpture and kiosk, erection of a new kiosk and first floor bridge/outdoor restaurant seating area, and extended first floor balcony. Conversion of existing 100 space basement car park and reconfiguration of ground and basement level floorspace to provide a mix of retail units, including additional 1945sqm of flexible retail (A1) and leisure (D2) floorspace, retaining 27 parking spaces. Conversion and extension to first floor retail unit 5A (A1) to provide restaurant/café (A3). Partial demolition of 2 external staircases. Installation of first floor awnings. Partial external terracotta cladding and projecting windows to west elevation. Replacement hard and soft landscaping and associated works.

Councillor Convery proposed a motion to defer the application. This was seconded by Councillor Klute and carried.

RESOLVED:

That consideration of the application be deferred for the following reasons:

1. To enable further investigation into the retention of the wings and structural evidence that demonstrated that the bridge could not be provided with the wings remaining.
2. To require an agreement from applicants that the wings would not be removed until an alternative permanent location within the Angel area was identified.
3. To enable the detailed wording of the S106 to be provided within the officer report (or the agreement appended in support of the application) when the scheme was next presented to the committee.
4. To address the following concerns:
 - There was concern that the existing Angel Wings was a local landmark for the area and had obtained a level of cultural significance. They supported the identity and permanent sense of place for the Angel Town Centre that the Angel Wings brought to the site. Their loss would undermine the sense of 'place' and identity established over the 20 years they have been in place.
 - There was additional concern that the original legal agreement secured 1% of development value on public art and that the level of equivalence was not demonstrated by the alternative art strategy. In the event that the Wings were justified to be moved (into an alternative location within the Angel) a degree of equivalence of quality of art was currently lacking. Obligations should reflect the requirement for equivalence.

APPENDIX 3: 7 JUNE COMMITTEE REPORT



ISLINGTON

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

PLANNING COMMITTEE REPORT

PLANNING COMMITTEE	AGENDA ITEM NO:	B1
DATE: 7 JUNE 2018	NON-EXEMPT	

Application number	P2017/2964/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	15-24 Bromfield Street (adjacent to north) are Grade II listed.
Conservation area	Partially within Angel conservation area. Adjoins Barnsbury and Chapel Market/Penton Street conservation areas.
Development Plan Context	Angel Town Centre (primary retail frontage) Core Strategy Key Area: Angel and Upper Street Central Activities Zone Crossrail 2 safeguarding area Protected Vista (Alexandra Palace to St Paul's Cathedral) Open Space OS 111 Archaeological Priority Area
Licensing Implications	Licenses required for Use Class A3 (cafes and restaurants).
Site Address	N1 Centre & Car Park [Basement], Parkfield Street, London N1
Proposal	Removal of the Angel Wings sculpture and kiosk, erection of a new kiosk and first floor bridge/outdoor restaurant seating area, and extended first floor balcony. Conversion of existing 100 space basement car park and reconfiguration of ground and basement level floorspace to provide a mix of retail units, including additional 1945sqm of flexible Retail (A1) and Leisure (D2) floorspace, retaining 27 parking spaces. Conversion and extension to first floor retail unit 5A (A1) to provide restaurant/café (A3). Partial demolition of 2 external staircases. Installation of first floor awnings. Partial external terracotta cladding and projecting windows to west elevation. Replacement hard and soft landscaping, and associated works.
Case Officer	Jan Slominski
Applicant	Pec Parkfield Limited
Agent	CBRE Ltd

1 RECOMMENDATION

1.1 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 set out in Appendix 1.

2 SITE PLANS



Figure 2.1 Site Location Plan

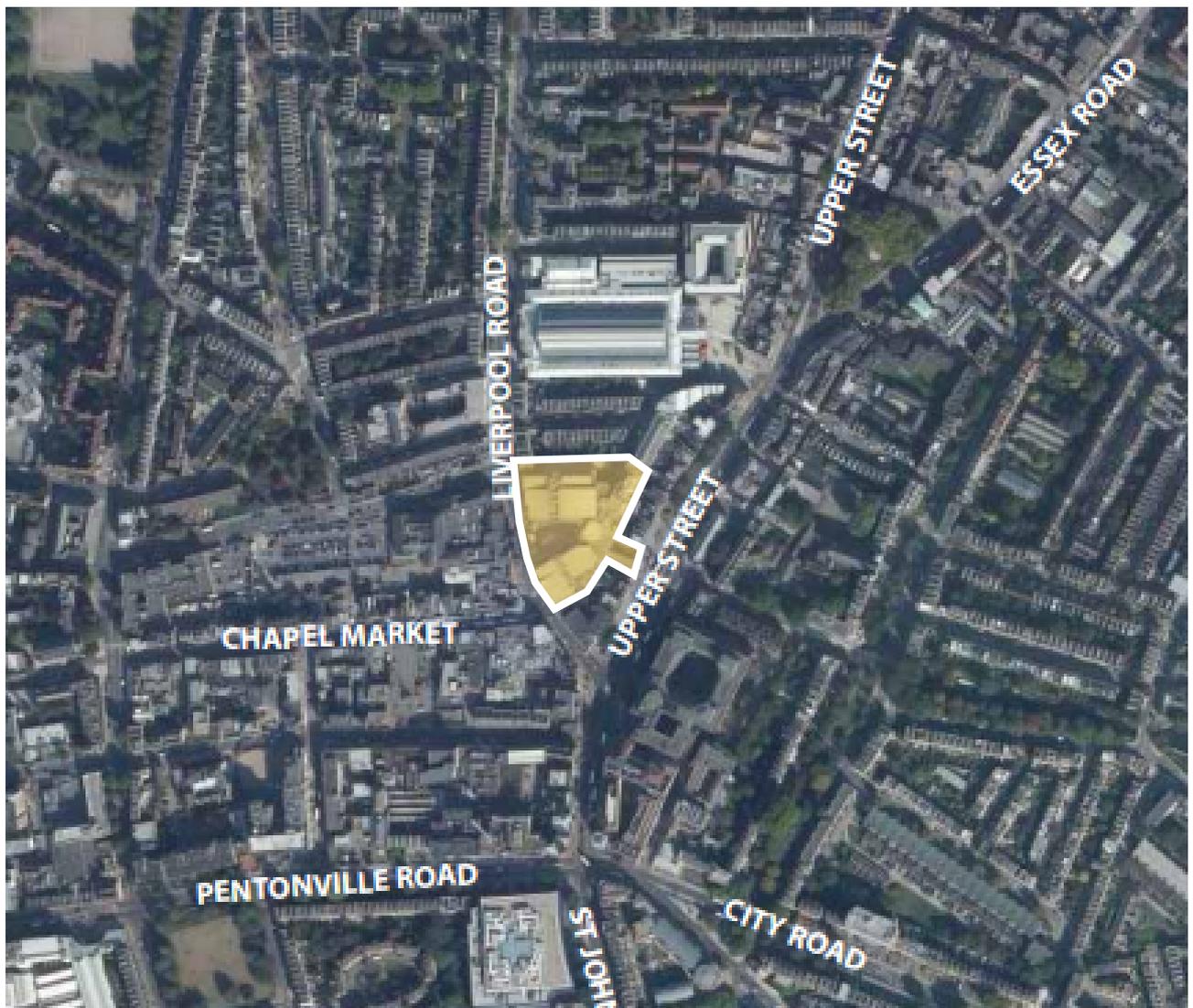


Figure 2.2 Site Context Diagram

3 SUMMARY

- 3.1 The proposed development would extend and refurbish the existing Angel Central Shopping Centre, which is a modern shopping and entertainment complex in Angel town centre (built around 2002). The shopping centre is functional and well located, but has not been significantly upgraded since it was first opened, and has a tired appearance.
- 3.2 The proposal would convert part of the basement car park to increase the amount of floorspace for retail, leisure, and food and drink uses. The Angel Wings sculpture and freestanding kiosk located within the outdoor public space would be removed, and in their place a visually lightweight kiosk and first floor bridge structure would be constructed. The bridge would complete a first floor loop around the public space, and would provide additional outdoor restaurant seating.
- 3.3 There would be alterations to the configuration of retail units, with some existing units enlarged, a new small retail unit at ground level, and an extension and change of use at first floor to create a larger cluster of food and drink uses.
- 3.4 The loss of the basement car parking has been justified by the proposal, would not result in a shortfall in parking in the town centre, and would retain sufficient blue badge parking in

accordance with development plan policies to promote more sustainable forms of travel. The increase in retail floorspace, and the mix of leisure, retail and food-and drink uses are considered to contribute positively to the development of Angel as a major town centre and are broadly compliant with the development plan.

- 3.5 The proposed bridge structure and extended first floor terrace would increase the amount of space at first floor for circulation and outdoor seating. This element of the proposal would be a departure from the development plan, as it would be development on open space. However, the bridge would contribute positively to the function of the shopping centre by improving the circulation and quality of space at first floor level, and would result in additional publicly accessible outdoor space. The replacement kiosk (under the bridge) would be a mostly glazed, visually lightweight unit (in place of the existing heavy, solid existing kiosk), and the bridge itself has been designed as a minimal, lightweight structure with high quality materials and detailing. The public space itself would also be improved with new paving. Officers consider that the departure from policy is, on balance, justified by the benefits and design improvements arising from the proposal.
- 3.6 As a result of the bridge's location, a prominent public sculpture, the "Angel Wings," would be removed. That sculpture is a modern piece, but has quickly become established as a feature within the town centre (and the current Angel Central logo features an image of Angel Wings). The Angel Wings would be relocated to another site; details of its relocation are yet to be confirmed and following a public campaign to keep the sculpture in the town centre, nearby sites are being considered, although none have yet been agreed. A decant strategy is recommended by officers to be secured by the s.106 agreement to ensure its appropriate relocation, prioritising local locations. Although the sculpture itself is not protected by planning policy, the London Plan promotes new public art and there is a requirement (the s.106 agreement) for the Shopping Centre to include public art. The proposal would provide a new piece to ensure the continued display of Public Art. The applicant's selected artist is Troika, whose concept is yet to be finalised but is based on an interactive calendar which changes daily. The proposed artwork would be subject to a separate planning application, and a s.106 obligation is recommended by officers to ensure that the new artwork is provided before the new bridge and floorspace open to the public.
- 3.7 The proposal includes general external refurbishment, to modernise the appearance of the centre. The external upgrades would include new terracotta cladding to the Liverpool Road entrance to create greater presence within the Town Centre, new shopfront fascias, lighting, balconies and facing materials within the Shopping Centre. There would also be refurbished public toilets, additional cycle parking, and electricity and water facilities made available for public and community events to improve the range of community events which can take place.
- 3.8 Overall, the scheme would improve the existing shopping centre, and would act as a draw to the town centre. Although there are conflicts with the development plan, the proposed extensions and design improvements are aligned with the thrust of the strategic policies, which is to support economic development in the town centre. The proposed development on open space has been well resolved by the proposal, and the relocation of the Angel Wings sculpture is both required in order to achieve the improved first floor circulation, and justified by the proposed replacement artwork. Although there has been significant public objection to the loss of the Angel Wings sculpture, officers consider that, on balance, the

development would contribute to the sustained growth of Angel town centre as a Major Centre, and could be considered a sustainable form of development.

4 SITE AND SURROUNDINGS

- 4.1 The application site is an existing privately managed shopping centre within Angel town centre. The site is triangular in shape, with three entrances (onto Liverpool Road, Upper Street, and Parkfield Street), and has frontages onto all three of those roads.
- 4.2 The shopping centre is mostly arranged around a central area of ground level public open space fronting Liverpool Road, which is lined on both sides by a mix of shops, cafes and restaurants. Within the open space there is a freestanding retail kiosk, with a freestanding large public art installation above, known as the Angel Wings.
- 4.3 There are two pedestrian arcades at ground level; one leading to Upper Street, lined with shops on either side; and one leading to Parkfield Street which is more utilitarian in function and appearance, with public toilets, lift access, and an entrance to a first and second floor live music venue. On Parkfield Street there are also loading and storage areas, along with a vehicular access ramp leading to the basement car park. The basement car park currently provides parking for 100 cars, including 10 spaces suitable for wheelchair users.
- 4.4 At ground level, the predominant use is retail. At first floor there is a mix of retail and restaurants, accessed by external walkways, and an entrance to the second floor nine-screen cinema.
- 4.5 There is a mix of uses in the surrounding areas, generally with active frontage town centre uses at ground level, and a mix of residential, offices and other employment uses on upper levels.
- 4.6 The site is within the Central Activities Zone (CAZ); within Angel Town Centre, and forms a key component of the primary retail frontage within the Town Centre. Angel Town Centre is classed as a "Major Town Centre" by the London Plan.
- 4.7 The site is not subject to a site allocation, but two sites on the other side of Liverpool Road (including the large Sainsbury's store and car park) are within the primary retail frontage and allocated for future redevelopment for town centre uses.
- 4.8 The site is subject to an Article 4 Direction which introduced the requirement for planning permission for change of use from A1 (retail) to A2 (professional services).
- 4.9 The site is within a cumulative impact area for licensing purposes.
- 4.10 The central public space within the site is designated as an open space (OS 111).
- 4.11 The part of the site which fronts Upper Street is located within the Angel conservation area. The site directly adjoins the Barnsbury conservation area to the north, and on the opposite (west) side of Liverpool Road is the Chapel Market/Penton Street conservation area. The row of houses to the north of the site at 15-24 Bromfield Street (and those opposite) are Grade II listed. 25 Bromfield Street, 57 Liverpool Street, and the majority of adjacent units at 1-36 Upper Street are locally listed.
- 4.12 The site is within the Islington Village Archaeological Priority Area.
- 4.13 The site is almost entirely within the viewing corridor for the Mayor's Protected Vista VC1: View from Alexandra Palace viewing terrace to St. Paul's Cathedral (and the part of the site outside the viewing corridor is within the assessment area).

- 4.14 The site is highly accessible and benefits from a Public Transport Accessibility Level (PTAL) of 6A. Liverpool Road and Parkfield Street are part of the Islington highway network, and Upper Street is part of the TFL road network. There are bus routes outside the site on Liverpool Road and Upper Street, and Angel Underground Station is approximately 300m away.
- 4.15 The site is within Environment Agency Flood Risk Zone 1.

5 PHOTOS OF SITE AND SURROUNDINGS



Figure 5.1 Angel Central from Liverpool Road, with Angel Wings in the foreground.



Figure 5.2 Angel Wings at night



Figure 5.3 Kiosk below Angel Wings (to be removed)



Figure 5.4 Central Open Space



Figure 5.5 Typical Shopfront Elevations (Southern side of open space)



Figure 5.6 Upper Street Entrance and Shopfronts



Figure 5.7 Parkfield Street Entrance, with car park entrance and servicing bays.

6 PROPOSAL

- 6.1 The proposed development would remove the Angel Wings sculpture and kiosk. In their place a new first floor bridge/outdoor restaurant seating area would be erected, which would connect the existing first floor walkways to create a loop. The bridge would mostly be 3.5m wide, although it would vary with wider sections in the middle (above the kiosk) and at the southern end. The first floor walkway on the north and east sides of the open space would also be extended to 4.2m in width (an increase of 2.7m). Paragraph 10.77 and Figure 10.5 Proposed First Floor Bridge (Amended) describe the proposed bridge in greater detail.
- 6.2 Beneath the bridge, there would be a new mostly glazed, kiosk, in a similar position to the existing kiosk.
- 6.3 The proposal would replace the Angel Wings sculpture with an alternative piece of public art elsewhere in the site. That piece of art has not been finalised, but the artist and concept have been selected by applicant's Art Steering Group following a public competition, consultation and a commissioning exercise. The selected artist is Troika, whose concept is based on an interactive calendar which changes daily. The proposed artwork would be subject to a separate planning application, and although details have not been included as part of the current application, a s.106 obligation is recommended to ensure the new artwork is provided before the new bridge and floorspace open to the public.
- 6.4 At basement level, the existing 100 space car park would be partially converted, retaining 27 parking spaces. The converted floorspace would result in three new planning units. One unit would be integrated with unit MSU-1 (currently H&M) to create a larger unit. Another unit would be a new leisure unit, for use as a gym within Use Class D2, and would be accessed at basement level via the staircase and lifts in the existing circulation core. The third unit would be integrated with unit MSU 8-9 (currently GAP) to create a larger unit. MSU 8-9 (GAP) would be further subdivided to provide an additional small retail unit (SU 9) at ground level, and at first floor would be converted to a separate restaurant/café (A3) unit (LSU 5A).
- 6.5 The two existing external spiral staircases adjacent to Liverpool Road would be partially demolished. The southern staircase would be removed, and the space at first floor integrated as an extension to LSU 5A (currently the first floor of GAP), which would also be changed from Use Class A1 (retail) to Use Class A3 (restaurants and cafes). There would be two new projecting full height "box" windows to that unit overlooking Liverpool Road, to enliven the façade.
- 6.6 The northern staircase would be straightened at ground level, to allow a widened entrance to the public space adjacent to Liverpool Road. Both staircase areas would be re-clad at upper level in terracotta cladding.
- 6.7 At ground level, the public toilets would be combined with the storage/janitor office and refurbished to create enlarged public toilets including one wheelchair accessible WC.
- 6.8 At the first floor external walkways, awnings would be installed outside the restaurant and café units.
- 6.9 Within the retained central open space, there would be replacement hard and soft landscaping. There would also be associated design alterations including replacement balustrading, cladding to the escalator, and re-cladding of external walls including at the

Upper Street and Parkfield Street entrances, and new ceilings and lighting within the semi-enclosed part of the shopping centre.

6.10 The following image shows the proposed development from Liverpool Road.



Figure 6.1 Proposed Liverpool Road elevation including Cladding, Bridge and glass kiosk

6.11 A number of further images are included in the “Design and Conservation” section of this report, along with descriptions and assessment of the proposed changes.

7 RELEVANT HISTORY

Planning applications

- 7.1 Outline Planning Permission 96/1563. Mixed use redevelopment comprising retail, leisure, restaurants, crèche, public lavatories, administration and management facilities and car parking. Approved 15/04/1998
- 7.2 Planning permission ref: 98/1487 (Redevelopment to provide a basement car park, shops at ground and part first floor levels, restaurants at first floor and nine screen cinema at upper levels and including crèche, public lavatories and management facilities). Approved 16/03/1999
- 7.3 The consent (conditions 4 and 10) and legal agreement for planning permission ref: 98/1487 require the parking spaces, including disabled parking spaces, to be provided and maintained as such. The legal agreement requires contributions towards the necessary provision of public art.
- 7.4 Amendment application ref. 99/1433 Amendment to permitted scheme for redevelopment to provide basement car park, shops at ground and part first floor levels, restaurants at first floor level and a nine screen cinema at upper levels and including a crèche, public lavatories and management facilities. Approved 03/05/2000. The amendment entails:
- 1) Extending the basement to include the area below the existing service/loading area, and the area below the Upper Street entrance walkway.
 - 2) Part of unit MSU.4 to be changed from retail to live music venue. This will also include part of basement area below the service/loading area referred to above and relocation of the management suite. (Total floorspace for the music venue (approx.1200 sqm)

- 7.5 Planning permission P012431 was granted on 09/04/2002 for “Installation of a retail kiosk with Angel Wings above” and permission P012432 was granted on 26/03/2002 for “Installation of illuminated suspended stainless steel ring”
- 7.6 A number of further applications for signage and advertisement consent have been submitted, which are not listed here for conciseness but are available on the Council’s website. Notable, application P2017/2432/ADV for new signage at 15-16 Upper Street (the south side of the Upper Street entrance) was approved on 9th August 2017 following the omission of a large first floor sign facing Upper Street.

Pre application advice

- 7.7 Pre-application advice was given in May 2017.
- 7.8 The advice given stated that the increase in floorspace for town centre uses would likely be acceptable in principle. Some loss of parking may also be acceptable in principle, but justification needed to be provided to justify the amount of spaces lost with regard to the viability and vitality of other town centre functions, and inclusive design needs.
- 7.9 At pre-application stage the proposed bridge and kiosk were much larger than currently proposed. Concerns were raised about the design quality of the proposal, and officers advised that the bridge and kiosk would risk visually cutting-off the public open space. It was highlighted that the development plan resists development on open space, and that the development should provide additional open space which results in better overall provision in terms of quantity and quality in order to comply with the NPPF.
- 7.10 No information was provided on replacement artwork at pre-application stage. It was advised that the Angel Wings is viewed as a local landmark, and although it was acknowledged that there is no specific protection for that individual piece of art, any replacement artwork needs to be of high quality and well justified.
- 7.11 In summary, the pre-application advice was that the principles of improved external design and increased floorspace for town centre uses are likely to be acceptable, but that further revisions and justification would need to be amended in order to comply with the relevant planning requirements, in particular with regard to design quality, the proposed bridge, and replacement artwork.

8 CONSULTATION

- 8.1 The application was subject to public consultation, and following amendments was subject to re-consultation.
- 8.2 Letters were sent to occupants of adjoining and nearby properties on 30/08/2017, and site and press notices were published on 07/09/2017.
- 8.3 Following revisions to the design of the proposed bridge, external cladding, and facing materials, the application was subject to re-consultation for a further 21 days. Letters were sent to occupants of adjoining and nearby properties on 07/02/2018. In total, letters were sent to 1012 neighbours; and further site notices and press notices were published on 12/02/2018.
- 8.4 The public consultation period ended on 05/03/2018. In practice, representations have been received continually during the lifetime of the application, notwithstanding the 21-day

consultation periods. It is the Council's practice to continue to accept representations until the decision date.

8.5 The consultation responses received are summarised as follows.

Public Consultation Objections

8.6 At the time of writing, objections were received from 25 neighbouring addresses.

8.7 A petition was also received against the removal of the Angel Wings sculpture, which was included 569 paper signatures and 367 signatures on an online change.org petition (936 signatures in total). 138 emails to the petition's organiser objecting to the proposal were also provided to the Council, although it is unclear whether any of those overlap with the signatures or those who wrote directly to the Council.

8.8 The issues raised by the public objections are summarised as follows (with officer comments in brackets):

Anti-Social Behaviour and Crime

8.9 The reduction in parking and increase in footfall arising from the proposed development will increase the existing anti-social behaviour on Bromfield Street, including littering, drug use, urination, drinking, abusive language and loud music from parked vehicles. *(Existing anti-social behaviour from vehicles is not a direct impact of the proposed development. The proposed retail and restaurant uses are not likely to materially increase antisocial behaviour if well managed, and to minimise opportunities for antisocial behaviour, CCTV is to be secured by the s.106 agreement, external lighting by condition 6, and Secured by Design / Secured Environments Certification by condition 11. An informative also reminds the developer that certain uses will require licenses, and will need to demonstrate that the operation of the business would not add to the existing problems as the site is in a "cumulative impact area")*

Neighbour Amenity

8.10 Increased plant noise or light pollution is objected to *(Plant noise is to be controlled by condition 12 and details of external lighting, including hours of illumination, required by condition 6).*

8.11 The outdoor restaurant seating space will cause noise pollution to nearby residents *(Condition 13 is recommended to limit opening hours of the restaurants to 23:00, including all outdoor restaurant seating to be moved indoors by 23:00)*

8.12 The servicing of the existing units causes noise pollution, disruption and conflict between commercial and residential occupiers 24 hours a day, and these problems will be increased by the new units. *(Servicing and Deliveries are to be managed via the 4 existing dedicated servicing bays and a Servicing and Delivery plan, to be secured by condition 14).*

8.13 Noise from the proposed media screen will result in harm to amenity. *(An outdoor video screen was originally proposed, but has been removed from the proposal).*

Loss of Parking

8.14 Parking spaces are scarce in the locality, and the loss of parking will make it harder to park. *(The reduced amount of parking proposed is considered in the paragraph 10.2 onwards,*

and paragraph 10.133 onwards. A travel plan is to be secured by the s.106 agreement to reduce rather than displace private vehicle use.)

Public Art

- 8.15 The existing Angel Wings installation is a place-specific symbol for both the shopping centre and the wider area of the Angel, which is inherent to the character of Angel and should be retained or replaced elsewhere within the Angel area. The “Angel” and “Halo” complement each other, and there is very little public art in this location. *(The proposed replacement public art is considered in paragraph 10.49 onwards)*

Loss of Public Open Space

- 8.16 The proposed upper level walkway, rather than introducing additional public space, will result in a barrier for the public, and the first floor space will result in loss of light to the public space, undermining its usability. *(The loss of open space is considered in paragraph 10.27 onwards).*

Land Use

- 8.17 More retail units are unnecessary as there are already shops nearby. *(The proposal would result in additional large retail units for high street retailers, which would increase the diversity of shops in the Town Centre, and the Town Centre is a sustainable location for new shops).*
- 8.18 The proposed kiosk is too small for a shop but could be used as a venue for promoting Islington tourists. *(The proposed kiosk is a similar size to the existing kiosk, which has been used for food and drink uses).*

Construction Impacts

- 8.19 Increased traffic, noise, pollution, damage to nearby listed buildings, and congestion as a result of construction works. (Condition 15 is recommended to limit construction impacts, in addition to a s.106 obligation to comply with the Code of Construction Practice).

Public Comments in support or neutral

- 8.20 In addition to the 25 objections, 2 public comments were also made, summarised as follows:
- The pop up markets are always a welcome addition to the area.
 - Affordable leisure provision for teenagers and young people is scarce in Islington and the proposed leisure use could be a good opportunity to address some of that shortage.
 - Additional soft landscaping and planting would be welcomed.

Statutory, Internal and External Consultation Responses

Design and Conservation:

- 8.21 No objection to removal of Angel Wings, subject to re-provision. Any re-use of the existing sculpture must be meaningful. Following amendments to make the proposed bridge slimmer with improved materials, improved cladding, and sightlines through the proposed kiosk, no objection to the proposed design subject to the recommended conditions.

Greater London Archaeological Advisory Service (GLAAS)

- 8.22 No objection. Although within the Islington Village Archaeological Priority Area, the site is covered by a modern basement across its whole area, and no archaeological remains are likely to survive.

Metropolitan Police

- 8.23 No objection, subject to the recommended conditions.

Transport for London (Crossrail Safeguarding)

- 8.24 No objection.

Transport for London (Road Network Development)

- 8.25 No objection in principle. The proposed number of cycle spaces should comply with the London Plan, and end-of-trip facilities should be provided; the reduction of onsite parking is supported; the reduction of disabled spaces is justified; 10% of parking spaces should include electric charging; the Construction Phase Plan should be updated. *(Condition 16 is recommended requiring 46 cycle parking spaces, which is in excess of the London Plan standards; and end-of-trip facilities. 6 electric charging points are proposed in the car park, to be secured by condition 17. Condition 15 requires a more detailed pre-commencement Construction and Environmental Management Plan once contractors and dates are known).*

London Underground Infrastructure Protection

- 8.26 No objection.

London Fire & Emergency Planning Authority

- 8.27 No objection. *(An informative recommended sprinklers).*

Licensing

- 8.28 No objection. An informative is recommended, reminding the applicant of the need to apply for the relevant licenses.

Thames Water

- 8.29 No objection.

Emily Thornberry MP

- 8.30 The concerns raised by members of the public with regard to the retention of the Angel Wings sculpture should be taken into consideration.

Islington Business Improvement District (BID)

- 8.31 The proposed improvements to the retail offer, increased employment opportunities, change of use from an under-used car-park to increased retail provision, bridge link, and improved frontages are supported by the BID.

Environmental Pollution (Acoustics)

- 8.32 The submitted acoustic report includes a background survey, but does not clarify the proposed plant or the impact on residents. Due to the distance between the plant and the residential units, this can be managed by planning conditions. *(As the users are not yet known, it is not possible to approve every item of external plant at this stage. Condition 12 is recommended to impose an absolute limit on noise; and requiring a further assessment to demonstrate compliance prior to occupation of new units, including noise mitigation if required.)*

Environmental Pollution (Construction Impacts)

- 8.33 No objection, subject to conditions. *(Condition 15 is recommended requiring a Construction and Environmental Management Plan, and the s.106 agreement requires compliance with the Construction Code of Practice).*

Accessible Design

- 8.34 No objection, subject to acceptable disabled parking spaces, mobility scooter charging and accessible cycle storage. Corduroy paving should be provided adjacent to steps, and benches should have arm rests and backs. The proposed basement units are stepped, and information needs to be provided as to how these will be designed to be accessible. *(4 disabled parking spaces are to be retained, cycle and scooter spaces are to be secured by condition 16, details of the accessibility to the basement units are to be secured by conditions 19 and 20, and details of accessible public realm are to be secured by condition 5).*

Highways

- 8.35 No objection raised. A CEMP should be provided (to be secured by condition 15)

Planning Policy

- 8.36 There is currently an open space deficiency in St Mary's Ward. The existing open space should be protected, with its benefits maximised and maintenance secured by a s.106 obligation. The proposed first floor walkway will create a sense of enclosure that will have a detrimental effect on the open nature of the space below and its amenity for users, and development which will have a negative effect on the quality, function and amenity value for users is inconsistent with policies CS15 and DM6.3. However, given how connected the open space is to the function of the shopping centre, users may view the proposals as improving the amenity of the open space through the provision of additional seating and planting that will make the space more pleasant for people stopping there to rest during a shopping trip. *(The planning balance with regard to the open space is considered in the "Open Space" and "Planning Balance" sections of this report. The existing s.106 agreement requires the provision and maintenance of the public space, which is to be carried over in the new s.106 agreement.)*

Waste Management

- 8.37 No objection.

Energy

8.38 The proposal will comply with BREEAM Excellent, and a carbon offset payment is required. Further information is requested with regard to further carbon savings; thermal modelling; and the proposed air source heat pumps. (A revised energy strategy is recommended by condition 9).

Sustainability

8.39 No objection. Due to the minor nature of the works and that they will not lead to increased flood risk, a pragmatic approach should be taken to the drainage/SUDS requirements. The proposed planters in the public realm are supported, and incorporation of green roofs and permeable paving are encouraged where feasible. (Details of landscaping are to be secured by condition 5).

Arts Officer

8.40 The Angel Wings sculpture is a landmark for Angel, by an artist of international standing, and is inherent to the current branding of the centre. The sculpture does not restrict views into the Centre, but if the freestanding kiosk below was removed or replaced with a glass kiosk, views into the centre would be improved. If the sculpture is moved, the developer would need to cover the costs of relocation and ongoing maintenance, insurance, cleaning and eventual decommissioning. However, suitable sites have not been identified for the relocation of the Angel Wings in the Town centre. *(The existing s.106 agreement requires the provision of public art, which is to be carried over in the new s.106 agreement, however there is no formal protection offered for the specific piece of art on the site which will be relocated. The planning balance with regard to the provision of public art is considered in the "Planning Balance" section of this report.)*

8.41 Design Review Panel (August 2017)

8.42 The scheme was considered by the Islington Design Review Panel (DRP) on 8th August 2017, and the letter summarising the DRP's advice stated the following *(with officer comments in brackets)*:

8.43 "Panel members welcomed proposals to improve the Angel Central Shopping Centre, especially making a better use of underutilised parking space and enhancing its general appearance. The Panel felt that detailing and quality of materials would be critical to the success of any scheme and that the site must be understood as a piece of public realm / part of the high street and good connections made between the site and the spaces that it adjoins. Greater consideration should be given to improvements to the Parkfield Street entrance and the Upper Street entrance which panel members felt could be better celebrated and more inviting. Some Panel members felt a light luxurious terrazzo would have a greater positive impact than the proposed dark granite flooring." *(The detailing and quality of materials was substantially improved since the DRP review, in particular the proposed painted metal cladding on the Liverpool Road elevation is now proposed to use terracotta. Detailed assessment of materials and details is required by condition 3).*

8.44 "The large window to the upper part of the Upper Street elevation is currently one of its better features and should be a clear architectural expression and not undermined by visual clutter or advertising." *(No changes are proposed to the upper floor window at 15-16 Upper Street which is the elevation referred to; notably application P2017/2432/ADV for new signage at that unit was approved on 09 August 2017, but only after a previously proposed first floor advert on the Upper Street elevation was removed from the application).*

- 8.45 “The Panel commented that the impact of the bridge needed to be considered as part of the potentially greater positive results in terms of how people move through the site. Some panel members felt that it could provide a buffer to noise and pollution of traffic on Liverpool Road. However, the bridge as currently designed risks cutting off the public open space, undermining its sense as a public space, and eroding the quality of the open space. The bridge structure including the columns appeared large and the Panel felt that the bridge should be a slimmer, lighter and more elegant structure.” *(The design of the bridge was amended to result in a slimmer structure, with fewer supports and a smaller footprint. There would be frameless glass balustrading with no handrail to the Liverpool Road elevation to ensure a minimal appearance).*
- 8.46 “They advised that lines of visibility from the Upper Street entrance to the square ought to be considered as part of the design process. The Panel commented that if footfall increases it would be important to know whether the proposed circulation routes and vertical circulation provisions will be adequate. Panel members expressed that the design of the kiosk should be very well detailed.” *(The design of the kiosk was amended to be a minimal frameless glass structure. Construction details would be required by condition 3, and condition 27 requires a tenant design strategy to ensure sightlines through the kiosk and to minimise clutter)*
- 8.47 “The Angel Wings sculpture was discussed by the Panel and they considered it to be a quite extraordinary work of art with a short but important history. Consequently, they felt that its loss must be justified by the highest quality proposals and any re-use must be meaningful.” *(The quality of the proposed bridge was substantially improved, and assessed further in paragraph 10.74 onwards).*
- 8.48 “Summary: Panel members welcomed proposals to improve the Angel Central Shopping Centre, especially making a better use of underutilised parking space and enhancing its general appearance. However, the Panel felt that that detailing and quality of materials would be critical to the success of the scheme. Panel members stated that good connections must be made between the site and the public realm that it adjoins and greater consideration should be given to improvements to the Parkfield Street and Upper Street entrances. The Panel stated that the impact of the bridge needs to be considered as part of the potentially greater positive results in terms of how people move through the site but it must be a lighter and more elegant structure as currently it risks eroding the quality of the open space. They also commented that the removal of the Angel Wings sculpture should be justified.” *(The scheme was amended in response to the DRP comments, such that officers are of the view that the proposed detailing and materials would be of high quality; that the proposed bridge addresses the DRP’s concerns, that the scheme justifies the replacement of the Angel Wings sculpture through good placemaking and new public art; and that the amendments to the circulation spaces and entrances would improve the experiences of people moving through the site.).*

9 RELEVANT POLICIES AND LEGISLATION

- 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 (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 has the following designations under the London Plan 2016 (amended), Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations June 2013:

- Angel Town Centre (primary retail frontage)
- Core Strategy Key Area: Angel and Upper Street
- Central Activities Zone
- Crossrail 2 safeguarding area
- Protected Vista (Alexandra Palace to St Paul's Cathedral)
- Open Space OS 111
- Archaeological Priority Area

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.5 The relevant SPGs and 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.

Statutory Duties

- 9.7 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 of the Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)

- As the development is within or adjacent to a conservation area, the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990).
- 9.8 National Planning Policy Framework (NPPF): Paragraph 14 states: “at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means: approving development proposals that accord with the development plan without delay.
- 9.9 At paragraph 7 the NPPF states: “that sustainable development has an economic, social and environmental role”.
- 9.10 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.11 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.12 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.13 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 9.14 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10 ASSESSMENT

Key issues

10.1 The key issues are as follows

- Land Use
- Development on open space
- Loss and replacement of Public Art
- Design and public realm
- Highways, transport and loss of car parking
- Sustainability

Land use

Loss of Car Parking

10.2 The proposal would partially convert the existing basement car park, resulting in a reduction in car parking from 100 spaces to 27 spaces.

10.3 Paragraph 27 of the NPPF states that people should be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities, although at Paragraph 40 it is stated that Local Planning Authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure.

10.4 The Angel Central Shopping Centre has exceptional public transport accessibility, being within a central London location close to an underground station, with several bus routes, and in a high density area with a large catchment of local residents.

10.5 In recognition of the borough's excellent accessibility, Policy DM8.5 states that parking will only be allowed for non-residential developments where it is essential for operational requirements and therefore integral to the nature of the business or service. In such cases, parking will only be permitted where an essential need has been demonstrated to the satisfaction of the council and where the provision of parking would not conflict with other council policies.

10.6 Given the policy steer towards sustainable, car-free development, and the availability of car parking spaces within the surroundings, officers are supportive in principle of the proposed reduction in car parking spaces.

10.7 The application was accompanied by a framework Travel Plan, and a Transport Statement including a parking stress survey. These are assessed in more detail in paragraph 10.136 onwards (Highways and Transportation) of this report, but officers are of the view that the reduction would not have cause undue harm to parking stress or the operational requirements of the town centre.

10.8 The proposed reduction in car parking spaces would promote other, more sustainable, forms of transport whilst being compatible with the operational needs of town centre businesses and blue badge holders, and is considered acceptable in principle.

Retail (Use Class A1) Floorspace

10.9 The site is located within the Angel Town Centre which is classed as a "Major Town Centre" by the London Plan, and town-centre uses are promoted in this location. Policy CS5 supports the continued function of Angel and Upper Street as the main shopping area, and CS8 supports clusters of retail uses to avoid Islington becoming a dormitory borough.

- 10.10 Policy DM4.4 states that the council will seek to maintain and enhance the retail and service function of Islington's Town Centres. It requires development to contribute positively to the vitality and viability of the town centre, and to provide a variety of different sized retail units.
- 10.11 Within Town Centres, development should contribute positively to the vitality and viability of the centre; provide a variety of different sized retail units; and comply with the council's policies on Inclusive Design.
- 10.12 The proposal would introduce a net uplift of 1,652sqm of retail (A1) floorspace at ground and basement level, an additional 1,945 sqm of flexible A1/D2 floorspace within the basement, and a net uplift of 287sqm restaurant (A3) use at first floor. The proposed uplift in floorspace would support the vitality and viability of the town centre, and would be acceptable in principle.
- 10.13 Policy DM4.5 supports the primary retail frontages and secondary retail frontages, and resists change of use away from retail. The site is within a primary retail frontage, and although Policy DM4.5 resists change of use away from retail uses, the retail floorspace lost at first floor level would be replaced at basement level with an overall net increase, so the proposal is not considered contrary to that policy.
- 10.14 The proposed new retail floorspace would in part arise from the amalgamation of retail units to form larger shops at ground and basement level. In certain situations, amalgamation of units is resisted by Policies CS14 and DM4.1; where it would detrimentally affect the character of the local area; or where it would cause unacceptable adverse impacts on the local environment and/or amenity. In this case, the surrounding streets are generally comprised of smaller retail units stretching along Chapel Market, Islington High Street, and Upper Street; and the shopping centre contributes to the town centre's overall balance of unit sizes by providing larger units. The amalgamation of retail units would not result in the loss of small or independent shops, or restrict the supply of small shop units, and in that respect the proposal is considered acceptable.
- 10.15 Policy DM4.1 states that the council places great weight on retention of small and independent shops, and requires proposals for less than 2,500sqm of retail floorspace (i.e. including the proposed development) to incorporate appropriate space for small and independent retailers.
- 10.16 The proposed reconfiguration and extensions to retail floorspace are geared towards increasing the availability of larger units which act as "anchors" to the town centre and would improve the overall mix of unit sizes within the centre as a whole.
- 10.17 A retail assessment and addendum were submitted in support of the planning application, which show that at present, 5 units out of 26 (19%) can broadly be considered "small" (36-104sqm). Following the development, 6 of 29 units (21%) would be similarly small (33-104sqm). Although 10% of the uplift in floorspace would not be secured as small units, the overall percentage of small units would be increased, and the proposal is therefore considered to enable the retention of small and independent shops in line with Policy DM4.1.
- 10.18 As there are limited opportunities to provide large units elsewhere within the traditional buildings on the adjacent shopping streets, and the proposal would include an additional small unit, officers consider that the increase in both overall floorspace and unit sizes would add to the diversity of the town centre without harming small and independent retailers.

Restaurants and Cafe (Use Class A3) Floorspace

- 10.19 The proposal would result in one additional restaurant to the existing cluster of first floor restaurants. In order to support those restaurants, the proposal includes retractable canopies and additional outdoor seating areas surrounding the central open space. The proposed restaurant is an appropriate town centre use and would be supported by Policy DM4.4.
- 10.20 Policy DM4.3 states that proposals for cafes, restaurants, drinking establishments, nightclubs and other similar uses will be resisted where they would result in negative cumulative impacts due to unacceptable concentrations of uses. The proposed restaurant is not considered likely to result in unacceptable concentration of uses, nor (subject to appropriate conditions) would it cause unacceptable disturbance or detrimentally affect the amenity, character and function of the area. The restaurant use would support the primary function of the shopping centre as a destination, and due to its location within a managed centre and away from residential properties, would not result in unacceptable noise disturbance to neighbours. It would also sit well alongside the existing evening economy uses, the cinema and music venue, at the shopping centre. The proposed restaurant is considered to contribute to a well-planned balance of high street uses, in a location which would minimise impacts on neighbour amenity.

Leisure (Use Class D2) Floorspace

- 10.21 At basement level, there would be a new flexible use unit provided for use as either A1 retail in conjunction with the adjacent ground floor unit(s), or as a gym within Use Class D2. This would be supported by Policy DM4.4 which directs D2 uses to designated Town Centres. Use Class D2 includes a wide range of uses, including music and concert halls and similar facilities used for events; as the impacts of such uses have not been justified within the application, condition 25 is recommended to restrict use to a gym or sports facility within Use Class D2.

Delivery and Infrastructure

- 10.22 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 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, including a local employment and training contribution and a construction training placement.
- 10.23 As there are a number of existing s.106 agreements in place arising from the original shopping centre and alterations over time, there are a number of existing and ongoing planning obligations which should be updated to reflect the alterations to the centre. A s.106 agreement has therefore been drafted which carries over and amends previous s.106 obligations where necessary, removes those which are superseded, and introduces additional obligations to ensure the delivery of the schemes' benefits.
- 10.24 Further details of planning obligations are set out in paragraph 10.170 onwards of this report, and as a summarised list in Appendix 1.

Land Use Summary

- 10.25 The proposed development would increase the amount of floorspace within Angel town centre for retail, restaurant and leisure uses, and would result in rational arrangement of spaces; prioritising retail at ground level, with restaurants and outdoor seating at first floor; and with a mix of retail and leisure uses within the basement. The loss of car parking to town centre uses is supported by the development plan, and the development would result in sufficient provision for blue badge holders and avoid wider highways impacts. Although the proposal would not provide 10% of the new floorspace as small retail units, large units are inherent to the unique role of the shopping centre within the town centre and an additional small unit would be provided to ensure availability of a mix of unit sizes and retailers.
- 10.26 The proposed land uses would support the development of Angel town centre as a retail and leisure destination, and are considered acceptable in principle subject to compliance with the other development plan policies.

Open Space

- 10.27 The central paved area within the centre, adjacent to Liverpool Road, is designated as public open space (OS 111). This is suitable for public events and markets, and for the display of public art (currently the Angel Wings sculpture). Figure 10.1 shows the open space designation.



Figure 10.1 Designation: N1 Centre Open Space (OS 111, Policy DM6.3)

- 10.28 Islington's Open Space, Sport and Recreation Assessment (2009) audited and analysed the open space, sport and recreation facilities in the borough and highlighted the need to protect and enhance the borough's existing open space provision, which has only grown in importance as its population has increased. Amongst London boroughs, Islington has the lowest amount of open space per head of population, which will be amplified as Islington's population continues to rise, increasing the pressure and demand on existing provision. None of the borough's open spaces can be considered to be surplus to requirements - all spaces serve a function and have value, or the potential to be of value, to local communities; and the development plan therefore offers protection for open space.

- 10.29 The open space policy within Islington's Core Strategy, as set out in Policy CS15 part A, is to protect all existing local open spaces. Part B of the policy seeks to improve the quality and function of open spaces for all users, and part C aims to improve access to open space, particularly in those areas that currently have little or no open space locally. Development Management Policy DM6.3 part A states that "Development is not permitted on any public open space and significant private open spaces." The Islington Urban Design Guide (2017) states that where the opportunity exists to redevelop a site, the feasibility of creating new open space (or improving the existing) should be identified at the earliest stages of appraisal and conceptual design.
- 10.30 The provision and protection of the open space on the site is further supported by London Plan Policies 1.1 and 2.2; 2.10, 7.1, 7.5, 7.6, 7.18; and Islington Policies CS8, DM6.2 and DM6.5.
- 10.31 The proposed development includes the replacement of the existing freestanding kiosk, a new bridge walkway, and the widening of the existing northern walkway balcony. The proposed kiosk, bridge, and widened first floor balcony, would be development on open space, therefore the proposal would not comply with the development plan and justification is required.
- 10.32 Further to the above development plan policy protection for open space, NPPF paragraph 74 sets out tests for development on open space, and states that existing open space should not be built on unless it complies with one of the following tests:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 10.33 With regard to the first test, the Council's most up-to-date evidence shows that the open space is not surplus to requirements, and the applicant's open space assessment does not describe it as surplus. The third test for development on open space relates to sports and recreational provision. The proposal would retain appropriate "recreational" facilities by providing additional outdoor seating areas, and no sports facilities would be affected.
- 10.34 The key policy test to justify development on open space is therefore whether the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, and whether the proposed development is therefore justified.
- 10.35 The open space at the development site is identified as a neighbourhood Civic Space in the Open Space, Sport and Recreation Assessment. Civic spaces provide a setting for civic buildings and community events; space for relaxation; typically has no restrictive boundary, fence or hedge; is largely hard surfaced; makes provision for informal recreation including basic amenities of seating and bins; and may include street tree planting.
- 10.36 The amenity value of the open space is not historical, but relates to its function as a Civic Space. The applicant's open space assessment shows the uses of the different areas within

the public space, i.e. the central event or “dwell” space, and the circulation routes surrounding.

- 10.37 The area of open space to be built over is primarily circulation space, and although its character would be changed, it would be retained with a set of public realm improvements (planting, new steps and paving, etc.). The circulation routes and the function of the central part of the space would be unchanged.
- 10.38 The loss resulting from the proposed development is best described as a reduction to the openness of the area beneath the bridge and extended walkway, and a reduction in the open feel of the central space, due to the perception of a visual barrier at first floor level. It would also result in the loss of a suitable location for the display of public art.
- 10.39 Similarly, the extension of the northern balcony would not result in a fully enclosed space and would maintain a sense of general openness of the adjacent space at ground level. The reduction in openness of that space would be replaced by “equivalent or better provision in terms of quantity and quality in a suitable location,” by the new first floor outdoor space which would be directly above. This would provide additional circulation space, and outdoor seating for both public and restaurant use. The use of this first floor bridge area for public recreation and restaurant seating is considered appropriate, would add vibrancy to the open space, and would complement the main functions of the town centre. As the design of the first floor public seating area has not been considered in detail (with regard to furniture, landscaping, inclusive design etc.) details are to be secured by condition 5.
- 10.40 The reduction in openness to the retained central portion of the open space is more notable. Within the pre-application advice, it was advised that the development should be seamlessly connected to the rest of the town centre, and concerns were raised about internalising the central space and turning its back on the public realm. That triangular space is enclosed on two sides, and open to Liverpool Road on the third side, although the openness on that side is restricted by the freestanding kiosk. As a result of the proposal, that kiosk would be removed, and the bridge and new kiosk would be inserted to complete a third side to the open space, although the design of the kiosk (predominantly glazed) would result in some sense of visual permeability. As the existing circulation routes would be retained, and additional open space would be provided at first floor (including improved first floor circulation), the impact of the reduction in openness is limited to the perception of openness and sightlines within the central space.
- 10.41 Considerations relating to design are considered in the “Design and Conservation” section of this report, concluding that the visual impact of the bridge, and its intrusion into the open space has been minimised.
- 10.42 Although the proposed bridge structure and widened walkway would result in development on open space, and some detrimental effect to the quality of the open space would occur in terms of overshadowing, restricted sight-lines and an increased sense of enclosure, the proposal would improve the overall amount and amenity of the open space through the provision of additional seating, planting, and circulation space (at first floor) which will improve the functionality of that space. The loss of openness and sightlines experienced within the central open space are considered to be minimised by the amended design, and would be mitigated by improvements to the functionality of that space for community use; by an increase in functional and fit for purpose outdoor spaces at ground and first floor; and by improvements to circulation at first floor level.

- 10.43 The central space is currently subject to s.106 planning obligations which require the space to be maintained as open space and pedestrian route, with fixed seating, public art and civic events and the use of external stalls for up to 200 days a year, in addition to up to 12 civic events (without charge). There are limitations to the use of that space, arising from the availability of electricity, water, and the public toilet opening times. The proposed development would address those shortfalls, and would introduce new higher quality paving and a pop up power and water location for use when stalls and events occupy the square. The landscaping design will be secured by condition 5 and extended public toilet opening in line with the opening times of the centre (as required by Policy DM6.1), secured by condition 26.
- 10.44 The additional impact of the development over open space, is that it results in the loss of one of its current key functions, which is to host a significant piece of public art (the Angel Wings sculpture).
- 10.45 In order to re-provide public art, the applicant proposes to provide artwork in a different form (as explained in the “Public Art” section of this report). Options for the selection of an artist to be commissioned to provide new artwork have been presented informally to the Council. Whilst those options do not form part of the current planning application, and would need to be subject to a separate application for the Council’s consideration, it has been demonstrated that public art could be provided on the site in alternative locations and that the proposed bridge would not prejudice the provision of new public art on the site.
- 10.46 Whether the displacement of artwork to an alternative location would be capable of achieving equivalent or better provision in terms of quantity and quality in a suitable location, (as required by NPPF paragraph 74) is highly subjective. Subject to the re-provision of an equivalent work of public art, the loss of that particular function of the open space would not conflict with the NPPF and neither the NPPF nor the development plan policies would support refusal of the application on that basis.
- 10.47 Officers are therefore of the view that the harm resulting from the development on open space (the bridge and balcony extension) would be mitigated by equivalent provision, and would comply with the first and/or second of the above NPPF tests.
- 10.48 The scheme is considered to comply with the paragraph 74 of the NPPF, and officers therefore consider that the departure from the development plan is justified.

Public Art

- 10.49 The proposed development would result in the loss of the existing Angel Wings sculpture, which is currently located within the central open space.
- 10.50 London Plan Policy 7.5 supports the integration of high quality public art, and states that opportunities for the integration of high quality public art into the public realm should be considered when making planning decisions. Furthermore, the Islington Planning Obligations SPD (2016) states that in accordance with London Plan Policy 7.5, public art may be sought as a part of new development where this can be appropriately provided.
- 10.51 Islington Core Strategy Policy CS5 (E) states that Angel will be strengthened as a cultural destination by protecting and encouraging arts and entertainment uses.
- 10.52 The Islington Planning Obligations SPD states that Art provided as part of a development should:

- Be accessible to the public;
- Be integrated within public open space where this is being provided (using features such as decorative lighting, water features or paving);
- Be discussed with the Council's Arts Officer at an early stage, before subsequent submission to the Council for approval; and
- Where possible, involve artists, local residents and other groups at an early stage in the design process.

10.53 Draft New London Plan Policy SD4 (E), promotes the unique concentration and diversity of art within the CAZ, and the supporting text (2.4.9) states that arts, culture, tourism and entertainment activities are a defining feature of the vibrant and distinctive character of the CAZ.

10.54 The provision of public art on the site is secured by the legal agreement attached to planning permission 981487, which required on-site the provision of public art in order to make the proposal acceptable in planning terms.

10.55 It should be noted that the legal agreement does not specify the form of the artwork, and the Angel Wings sculpture itself is not protected by planning policy.

10.56 The proposal would remove the Angel Wings sculpture in order to allow the new bridge to be erected, and the sculpture would be relocated elsewhere.

10.57 The design of the art (the Angel Wings sculpture) is such that it is aesthetically related to the design of the shopping centre, and there has been significant public interest in its retention, including a petition (online and on paper) with over 900 signatures calling for the Angel Wings to be retained on site. The consultation responses and petition offer some variation on views, with members of the public stating either that the sculpture should be retained in its current location, or kept within the Town Centre. Many of the consultation responses have identified it as part of the character of the Town Centre, or as a local landmark. An abstract version of it also features in the current branding of the shopping centre, further highlighting the distinctiveness it offers to the town centre.

10.58 The sculpture is by a relatively well known artist (Wolfgang Buttress and it is viewed as a local landmark.

10.59 The consistency and number of petition signatures exemplify the strong public opinion that the Angel Wings contribute to the character of the Town Centre, and should be retained for members of the public to enjoy.

10.60 Although planning decisions need to be taken in accordance with the development plan and other material considerations, and public opinion in itself is not a planning consideration, in this case the public opinion adds weight to the importance of public art on the site, and the significant role it can have in terms of placemaking and defining local character.

10.61 Although there is clearly a lot of public affection for the Angel Wings, and the role of public art on the site is important, there is no specific protection for that piece of art in terms of planning policy. The requirement of planning policy, and the existing s.106 agreement, is for a work of public art to be provided; however the form of that art is not specified.

10.62 The applicant has stated an intention to relocate the Angel Wings sculpture elsewhere in the borough, although no suitable alternative location has yet been found for it locally. It should

be noted that relocation on public land would result in the need for maintenance, insurance, and a decommissioning strategy (which would need to be resourced by the applicant).

- 10.63 In its place, a new piece of public art would be commissioned and erected. That commissioning process has begun, and there has been public involvement in the curation and selection of an artist shortlist. The applicant has submitted an arts strategy document to the Council for information, which will guide the curation and installation of a new piece of art. The developer has progressed an Art competition which has been subject to public consultation and involvement, and has resulted in a shortlist of artists being selected to develop potential artwork.
- 10.64 The artist selected as a result of the competition is Troika, whose concept is a 'Millennial Calendar' that displays and celebrates public interest in commemorative days. The intention is to provide a new experience every day for visitors to Angel. The calendar is intended to be an illuminated display which will be backlit, with a changing message of the commemorative day and will make use of LEDs linked to a PC with a calendar database that updates the message on a daily basis each night.
- 10.65 Although the concept and artist have been chosen, the final artwork has not been fully worked up and further development work is needed before it is finalised. It has however been demonstrated that it would be possible to introduce new artwork to the site which would add local distinctiveness and have landmark quality.
- 10.66 The new artwork would need to comply with the above policies and guidance, and that artwork would itself require separate planning permission to be granted by the Council. As with any planning application, the planning application for the new artwork will be subject to public consultation, including opportunities for local people to make their views known ahead of the Council making its decision.
- 10.67 As above, the existing sculpture is not offered specific protection, its relocation (rather than decommissioning) will ensure ongoing public access to it, a new artwork commissioning process is underway, and it has been demonstrated that new public art of commensurate quality could be provided. It would be possible for the proposed development to be considered a sustainable and policy compliant form of development, on the basis that a replacement piece of Public Art would be secured via a s.106 agreement to replace the Angel Wings sculpture; and on that basis, refusal of the application as a result of the loss of the Angel Wings sculpture is not recommended.
- 10.68 In order to ensure the above, the recommended s.106 agreement includes the following provisions:
- The requirement that the sculpture will not be removed until new public art has been designed and received planning permission.
 - Temporary relocation (for no longer than 2 years) of the existing Angel Wings Artwork in a location agreed by the Council following consideration of locations prioritising those in Angel Town Centre and the Borough of Islington over other locations. This requirement is intended to facilitate an additional window of opportunity to find a local permanent place for re-location in the event that the temporary location is not local, and includes provision for public access to the sculpture during the temporary period.
 - Permanent relocation of the Artwork in a location agreed by the Council, again following consideration of locations which may become available during the temporary period,

prioritising those in Angel Town Centre and the Borough of Islington over other locations. This requirement also includes provision for public access to the sculpture in its eventual permanent location.

- No use of the proposed bridge or new floorspace prior to the installation of a new work of public art.

10.69 Officers consider that the above requirements will ensure that opportunities are taken to source a local location for the Angel Wings sculpture, including a temporary period which would allow opportunities to consider locations which may not currently be available. The s.106 obligations will also ensure that a new work of Public Art will be in place, and that although this will result in different character, there will be a work of Public Art to continue to strengthen Angel Town Centre as a cultural destination in accordance with Policy CS5 (E).

Design and Conservation

10.70 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.

10.71 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. These policies are supported locally by Islington Policies CS8 and CS9 which encourage traditional street patterns and sympathetic building designs, and DM2.1 and DM2.3 which require development to be of high quality contextual design and to conserve or enhance the conservation area's significance (where the proposal would affect the setting of a conservation area). Furthermore, Policy CS5 states that the historic character of the area will be protected and enhanced with high quality design encouraged so that it respects the local context of Angel and Upper Street and its surroundings.

10.72 The majority of the site is not within a conservation area, although the entrance onto Upper Street is within the Angel Conservation Area (CA18) as shown in Figure 10.2. As noted in the "Site and Surroundings" section of this report and marked in Figure 10.3, the row of houses to the north of the site at 15-24 Bromfield Street (and those opposite) are Grade II listed and 25 Bromfield Street is locally listed. 57 Liverpool Street, and the majority of adjacent units at 1-36 Upper Street are also locally listed.

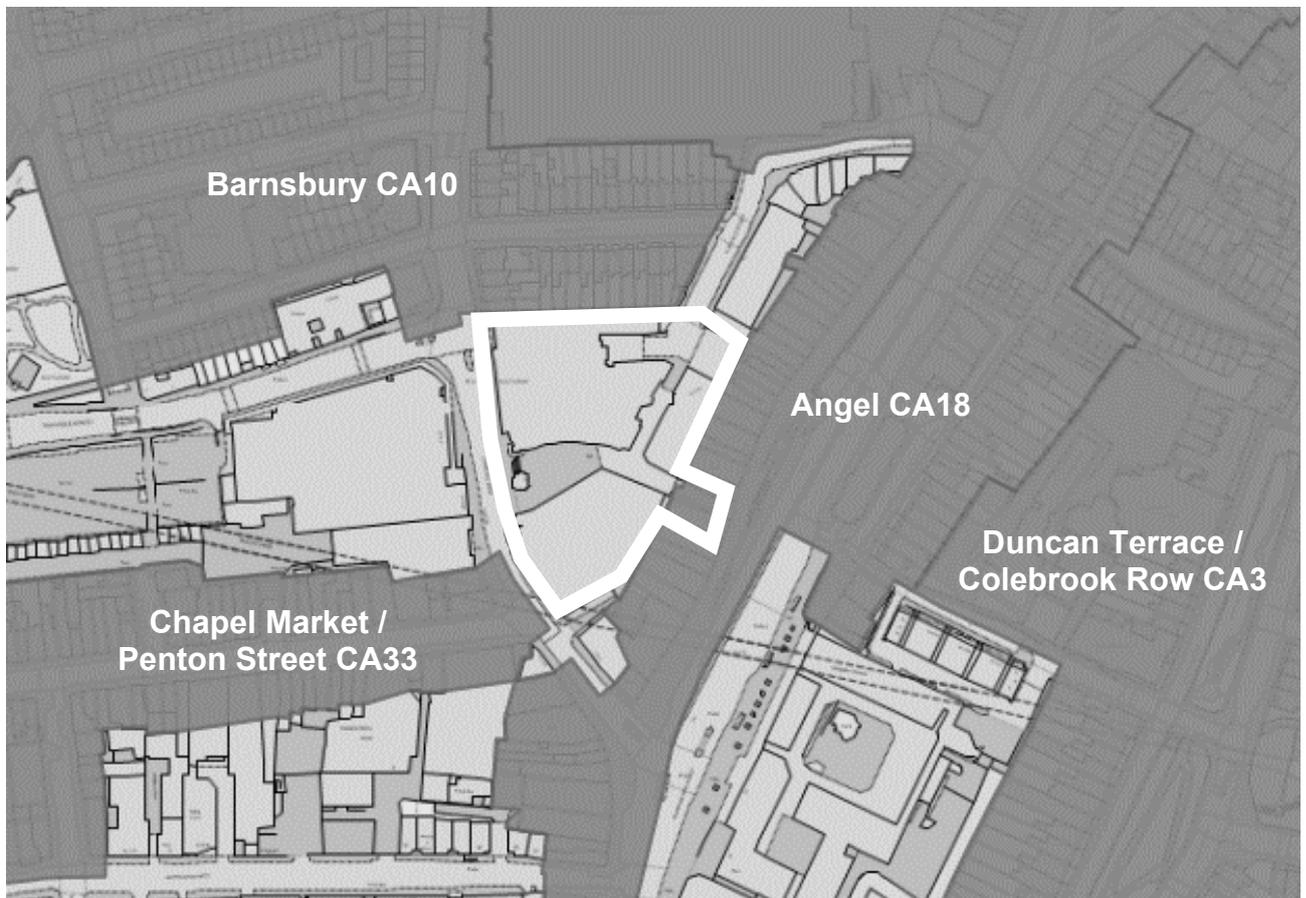


Figure 10.2 Map showing adjacent Conservation Areas (shaded).



Figure 10.3 Map showing nearest listed building (shaded) and locally listed buildings (marked with crosses).

Proposed Demolition

- 10.73 The proposal would demolish the existing freestanding kiosk within the central open space, and would partially demolish both spiral staircases adjacent to Liverpool Road. None of those items are located within a conservation area, and no objection is raised to the demolition.

Proposed Bridge, Kiosk and Staircase cladding

- 10.74 Following the removal of the existing kiosk and Angel Wings sculpture, the proposal would erect a new bridge and extended northern and eastern balcony walkways, to extend and linking both “arms” of the first floor, and create a circular route at first floor.
- 10.75 An earlier version of the scheme was considered by the Design Review Panel, who stated that the bridge risks cutting off the public open space, undermining its sense as a public space, and eroding the quality of the open space. The Panel felt that bridge structure including the columns appeared large, and that a lighter and more elegant structure” would be required, and that the detailing and quality of materials would be critical to its success.
- 10.76 The DRP also noted that lines of visibility from the central space (at ground level) currently extend to the frontages of the buildings opposite on Liverpool Road, and that the bridge would restrict those sight lines. The panel did not however object to the principle of the bridge, and stated that its impact needs to be considered as part of the potentially greater positive results in terms of how people move through the site (including at first floor).
- 10.77 Since the DRP review the bridge has been redesigned to address those comments, as shown in the following images.

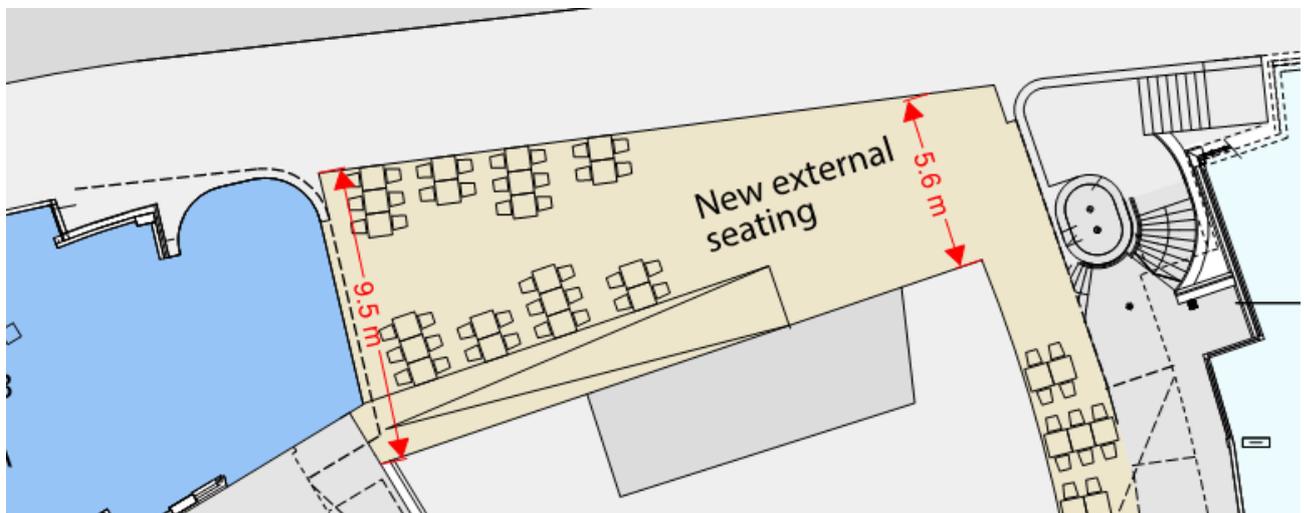


Figure 10.4 DRP Stage Proposed First Floor Bridge

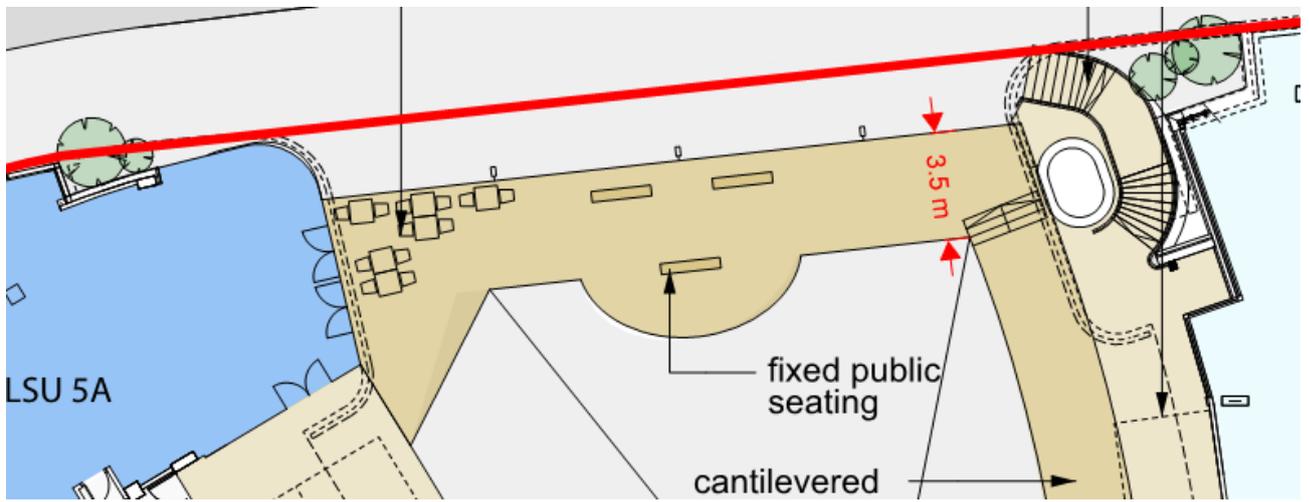


Figure 10.5 Proposed First Floor Bridge (Amended)



Figure 10.6 DRP Stage Proposed West Elevation



Figure 10.7 Proposed West Elevation (Amended)

- 10.78 The footprint of the bridge was reduced during the lifetime of the application to minimise intrusion over the open space, as evident from Figure 10.4 and Figure 10.5. As well as having a smaller footprint, the proposed bridge, as amended, would be a slimmer and simpler structure than that previously proposed, in response to the DRP comments.
- 10.79 There would be supports within the kiosk structure to minimise visible structure, with two discreetly located light bronze anodised metal 20cm wide columns on the south side of the bridge, and three further slanted vertical supports (dark bronze anodised metal) with integrated lighting on the north side which would offer a high quality, simple, and uncluttered design. Further necessary columns would be discreetly integrated into the glazed kiosk below and within the shadow of the bridge.
- 10.80 The floorplate thickness would be minimised at 0.35m and further tapered at the edges to appear slim, and the outward facing (Liverpool Road) side would be minimally detailed with frameless glass balustrading and no handrail. This would result in an elegant, visually lightweight appearance.
- 10.81 The design and detailing have been significantly improved in response to the DRP feedback. On the street facing side there is a discreet frameless glass balustrade, with only three elegant angled columns with high quality metal detailing. The design and materials of the bridge and the adjacent cladding to the existing staircases were also amended during the lifetime of the planning application to result in visual contrast between the bridge and the rest of the scheme, giving it the appearance as a minimal structure within the open space, rather than a continuation of the Liverpool Road elevations. The edges of the bridge would be clad in stainless steel to offer subtle contrast and demarcate it as a separate item within the open space, whilst being cohesive with the overall palette of external metals.
- 10.82 Adjacent to the ends of the bridge, the existing spiral staircases adjacent to Liverpool Road would both be amended. The northern staircase leads from second floor to ground level, and would be reduced so that it leads only from first floor to ground level, and the southern staircase would be removed and the space incorporated into the adjacent retail / restaurant

units. New cladding would be provided in the form of terracotta “baguettes” as shown in Figure 10.8, which would reference the warm brick colour used in the surrounding buildings on Liverpool Road, and the use of terracotta for detailing and building elevations within the wider town centre. This is considered a high quality, contextual material which would upgrade the appearance of the entrance to the site and its presence on Liverpool Street.



Figure 10.8 Detailed Render of proposed terracotta cladding

- 10.83 Beneath the bridge, a replacement kiosk is proposed. The kiosk has also been amended from a part-glazed structure (Figure 10.6) to being fully glazed (Figure 10.7) in curved structural glazing with black silicone joints. There is approximately a 1.48m drop in levels from one side of the kiosk (Liverpool Road) to the other (the central open space), such that the topography would allow a natural area for low-level furniture (cash registers, merchandising, displays etc.) without obstructing the lightweight appearance of the kiosk. A “clear zone” has been identified within the kiosk to allow views through without obstruction by signage or furniture etc. as shown in Figure 10.9.

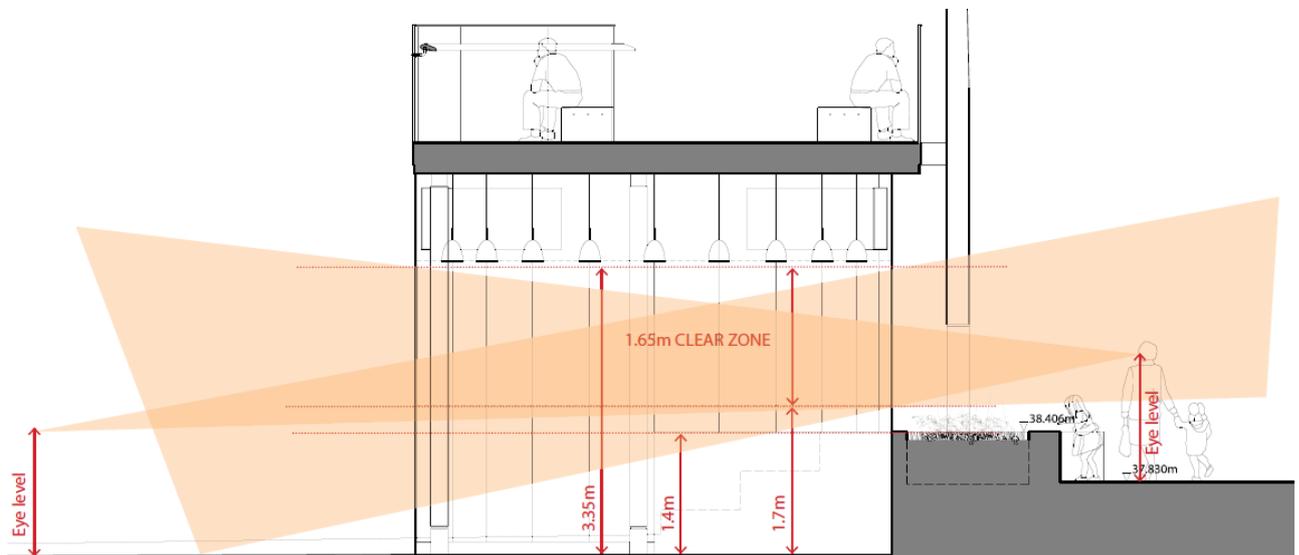


Figure 10.9 Section through proposed kiosk

- 10.84 Figure 10.9 shows that although not invisible, the proposed kiosk would offer a high degree of transparency which would result in substantially improved relationship with the public realm (compared to the existing solid kiosk). To ensure that those visual permeability benefits are realised, and contribute to the balanced justification for development on open space in the way proposed, condition 27 is recommended requiring that no fixed items (including furniture, light fittings, merchandise, and signage) shall be installed or fixed to the kiosk between 1.65m and 3.35m above finished floor level, i.e. the “clear zone” shown in Figure 10.9. The kiosk would offer limited uses, as it has no back-of house, storage, or kitchen areas, but the details submitted with the application show that it would be possible to continue in a similar use to existing (a tea shop), and within the overall balance of unit sizes and uses in the Shopping Centre, officers consider that the kiosk would offer a functional unit.

Further External Alterations

- 10.85 The submitted Design and Access statement acknowledges that the Shopping Centre has a tired appearance, and the application proposed several measures to refresh its appearance and to address some of the existing maintenance concerns.
- 10.86 The existing render, reconstituted stone, and grey metal cladding are identified as resulting in a cold, dull and grey appearance, with high maintenance requirements which in places creates a tired or dirty appearance. A refreshed material palette is proposed, using metal cladding, both smooth and perforated, in light and dark bronze to add warmth in materials which are easy to clean and maintain.
- 10.87 The proposal would re-render the return walls adjacent to the Upper Street elevation. This would be acceptable, and as these walls are within the conservation area the colour of the render is to be secured by condition 3 to avoid a garish appearance. The existing metal slat balustrading and stone parapets (which are difficult to clean and have a dirty appearance) will be replaced by 1.35m glazed balustrades and metal fascias.

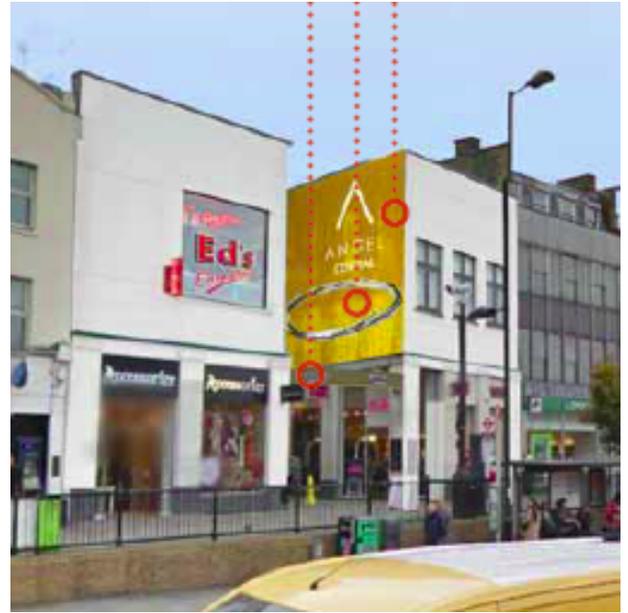


Figure 10.10 Existing and Proposed Upper Street Entrance

- 10.88 The central part of the shopping centre is a modern arcade type space, partially enclosed by shopfronts and ceilings, but open at each end. The proposal would replace the ceilings and insert new lighting to create brighter spaces at ground and first floor levels. The shopfronts and fascias would be updated throughout, with light bronze anodised metal fascias and perforated pilasters (with backlighting), and black granite kick plates, shown in Figure 10.11.

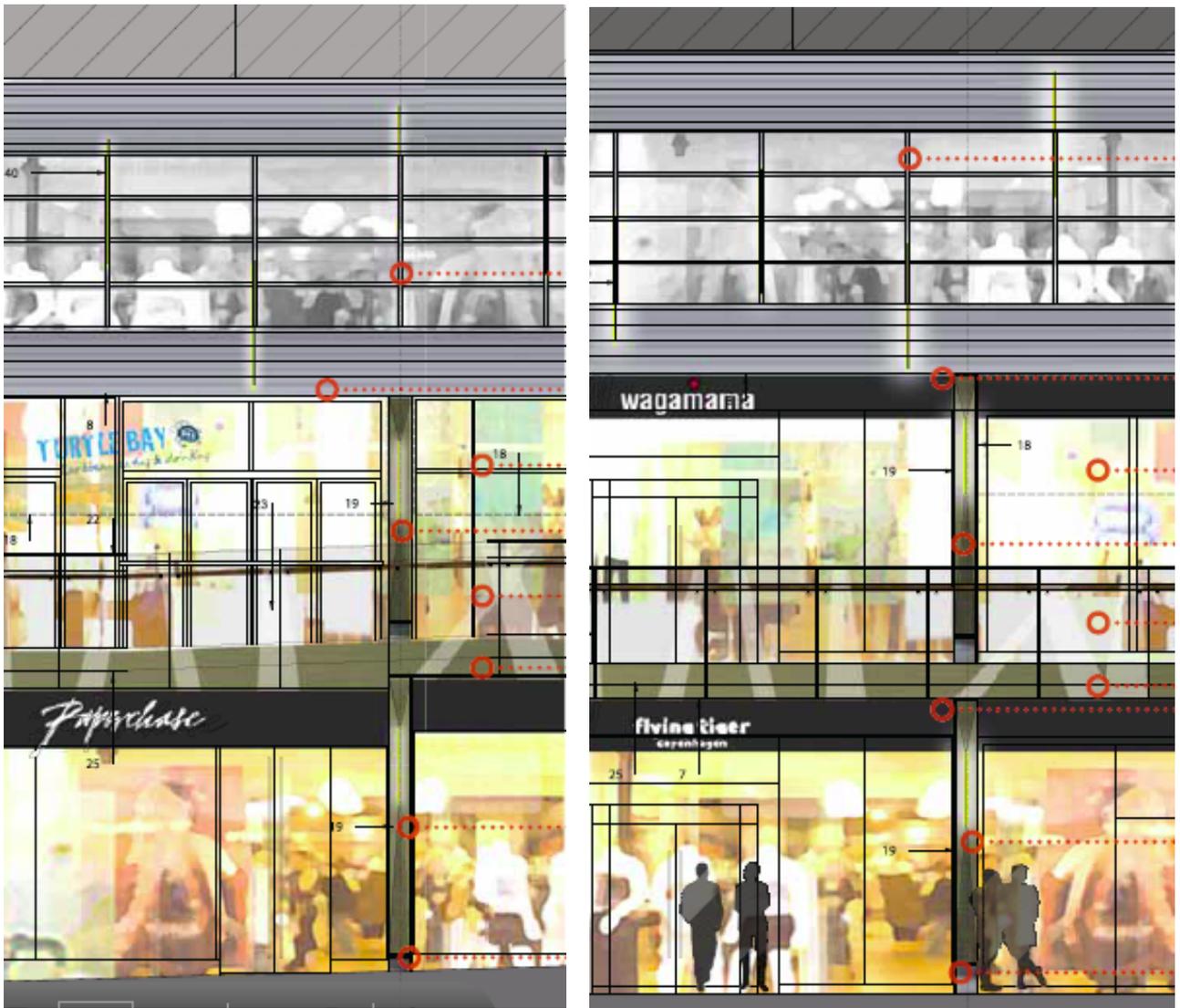


Figure 10.11 Typical South (left) and North (right) shopfront elevations

- 10.89 There would be new anodised bronze, ceramic tile, and/or glass walls to the internal circulation areas including around the lift/staircase core, music venue entrances and the toilets, which would better integrate the appearance of the Parkfield Street entrance to the main parts of the centre, and visually differentiate it from the servicing entrances. The central escalator would also be re-clad in perforated, anodised metal panels, and the balcony within the Upper Street walkway would have a new metal fascia and underside, and glass balustrading. There would be further minor alterations, consistent with the new design approach and material palette described above.



Figure 10.12 Existing and Proposed Escalator and Ceiling Cladding

10.90 There would also be new mesh cladding (as vertical extensions to the ceilings), which would fold vertically to create more dramatic facades over the Parkfield Street entrance (Figure 10.13) and on the upper floor south east elevation visible from Upper Street (Figure 10.14), including new signage and backlighting features.



Figure 10.13 Existing and proposed Parkfield Street entrance



Figure 10.14 Existing and proposed south east elevation and Upper Street walkway

10.91 All materials and detailing are to be secured by condition 3.

Public Realm and Landscaping

10.92 The proposal also includes the repaving of the central open space area (as shown in Figure 10.15 and

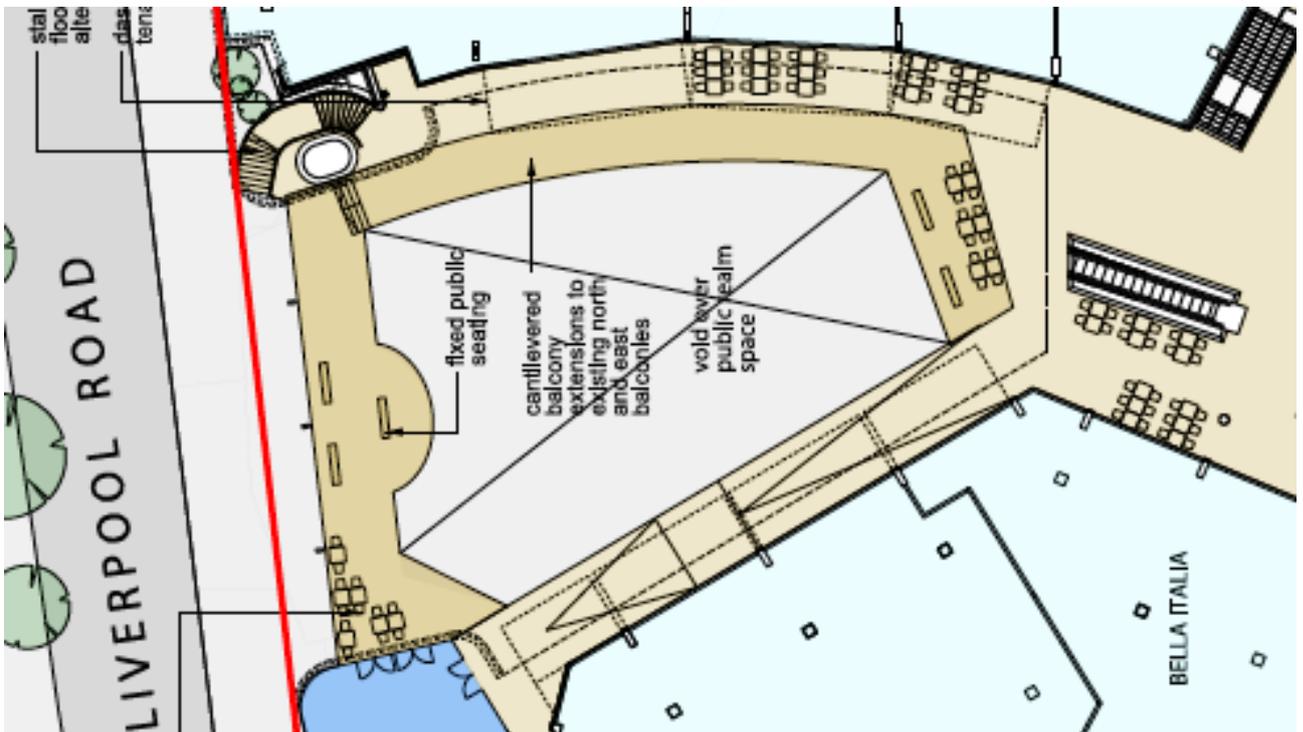


Figure 10.16), along with the internalised walkways and the upper floor terraces. It is proposed that stone paving would be used, which would upgrade the appearance of the space. Large steps are proposed adjacent to Liverpool Road which could be used as tiered seating for community events, and a planter is proposed to the west of the Kiosk. There would also be new external benches. Whilst the planning impacts would be minimal, the landscaping improvements would significantly upgrade the appearance of the centre and the open space, and are considered a benefit. Details of landscaping are to be secured by condition 5.

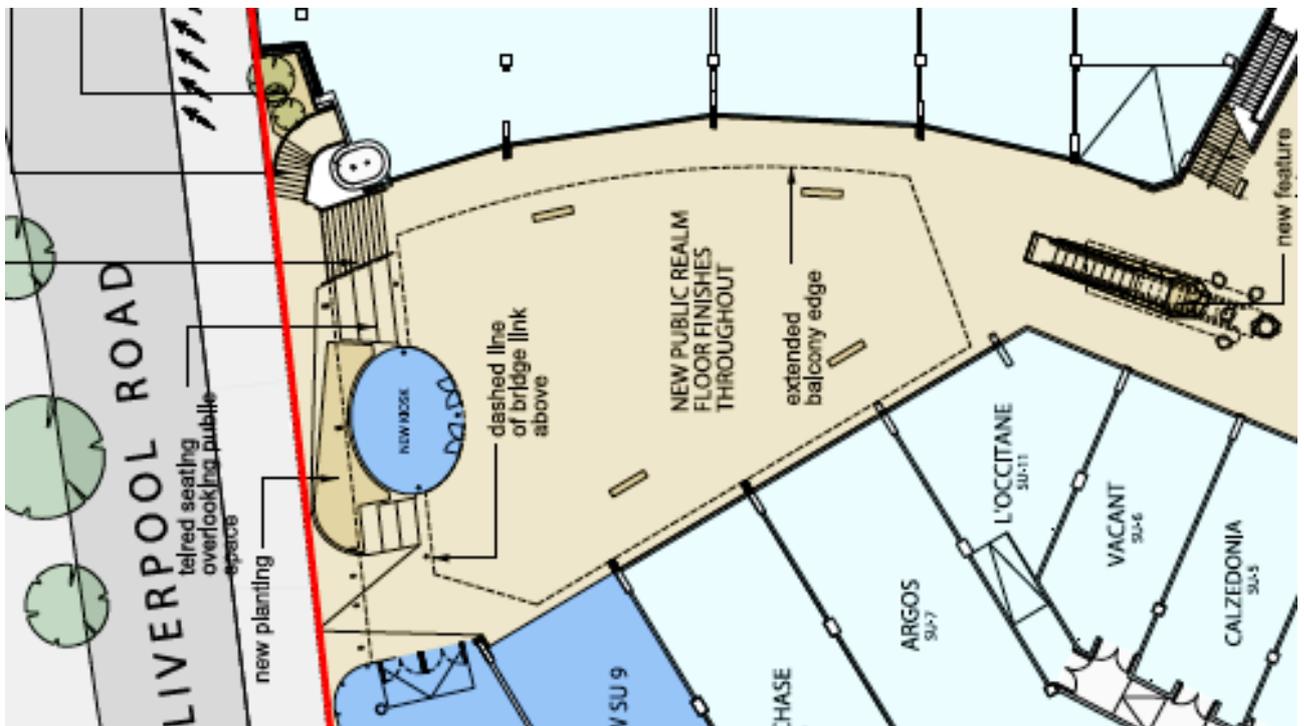


Figure 10.15 Indicative Proposed Ground Floor landscaping

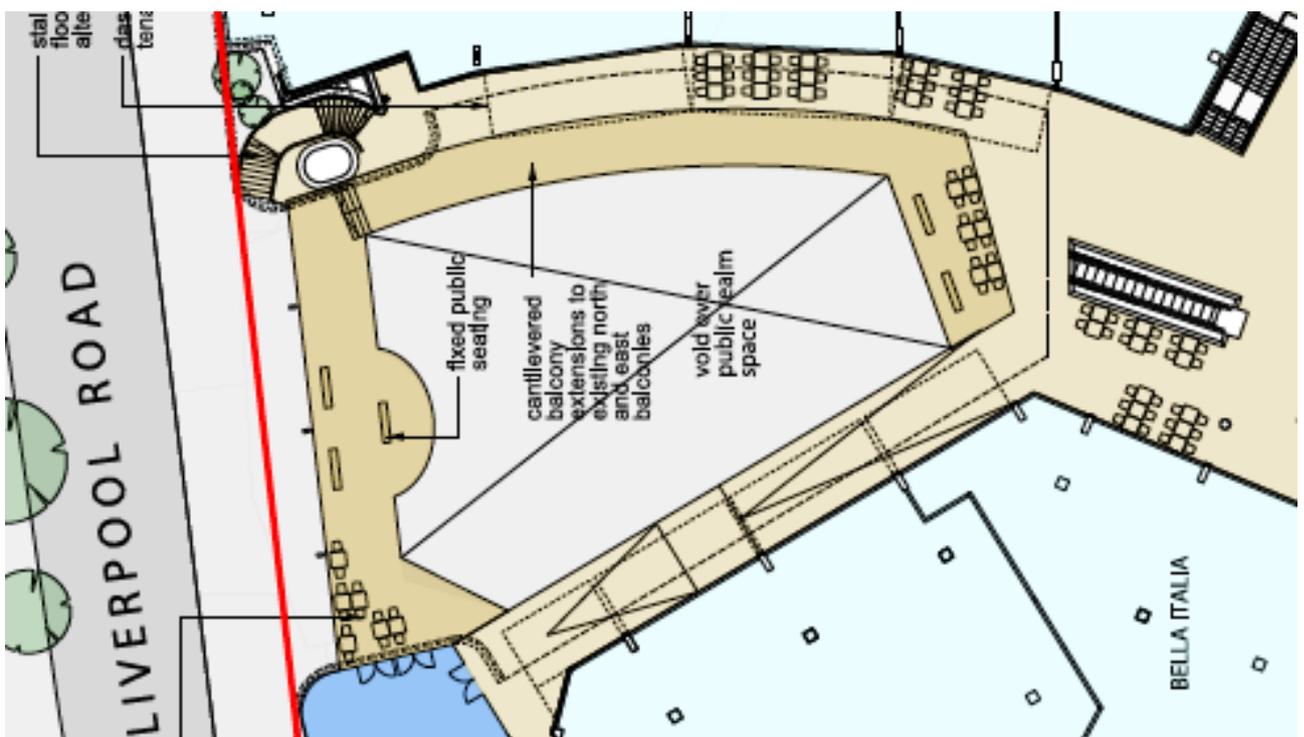


Figure 10.16 Indicative Proposed First Floor landscaping

Heritage and Views

10.93 The part of the site which fronts Upper Street is located within the Angel conservation area, and the site adjoins the Barnsbury conservation area to the north, and the Chapel Market/Penton Street conservation area on the opposite (west) side of Liverpool Road. The row of houses to the north of the site at 15-24 Bromfield Street (and those opposite) are

Grade II listed. 25 Bromfield Street, 57 Liverpool Street, and the majority of adjacent units at 1-36 Upper Street are locally listed.

- 10.94 In accordance with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF, local planning authorities shall have special regard to the desirability of preserving any listed building or its setting (or any features of special architectural or historic interest which it possesses), and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 10.95 The proposed development is predominantly internal to the site, and would have limited visual impact on the surrounding streets.
- 10.96 The frontage onto Upper Street would be redecorated, and subject to condition 3 to secure appropriate materials and details, would preserve the existing character of Upper Street and the Angel conservation area, and the settings of the locally listed buildings on Upper Street.
- 10.97 Similarly, the entrance onto Parkfield Street would be redecorated, but would have limited visual impact to the settings of the Grade II listed buildings on Bromfield Street, or the locally listed 25 Bromfield Street (on the corner with Parkfield Street). Subject to condition 3 the proposal would preserve the settings and heritage value of those buildings.
- 10.98 The greatest visual impact (external to the site) is on Liverpool Road. The proposed bridge and kiosk, new windows, and re-cladding would generally fall into line with the frontages on Liverpool Road. The proposed terracotta cladding is a contextual material which would tone down the existing visual dominance of the shopping centre's white rendered elevation on the approach to the Angel conservation area and the Chapel Market/ Penton Street conservation area. The buildings opposite are modern and are not heritage assets, and the nearest heritage assets (the locally listed "The Angelic" at 57 Liverpool Street and the buildings within the Chapel Market/ Penton Street conservation area) would not be adversely affected by the appearance of the proposed works on and adjacent to the Liverpool Road elevation.
- 10.99 The central open space within the shopping centre is not a designated heritage asset.
- 10.100 The site is almost entirely within the viewing corridor for the Mayor's Protected Vista VC1: View from Alexandra Palace viewing terrace to St. Paul's Cathedral, and the part of the site which falls outside the viewing corridor is within the assessment area for the same viewing corridor. As there would be no increase in height, the proposal would not affect views of St Paul's Cathedral.
- 10.101 The site is within the Islington Village Archaeological Priority Area, although no excavation is proposed. The consultation response from GLAAS raised no concerns, noting that the site is completely built over, including a modern basement, and archaeological remains of importance are unlikely to remain.
- 10.102 There are further heritage assets within the wider vicinity of the site, but having considered the impacts of the development on its surroundings, officers are of the view that there would be no unacceptable heritage impacts as a result of the proposal.
- 10.103 The proposal would not result in any harm to the character or setting of any other nearby heritage assets.

Accessibility

- 10.104 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.
- 10.105 Islington Policy DM2.2 requires all new developments to demonstrate inclusive design, including that all developments should demonstrate that they provide for ease of and versatility in use, deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. All development needs to be assessed against this policy background to ensure genuinely inclusive design from the outset and for the lifetime of the development.
- 10.106 The existing centre is relatively accessible, with step-free access to all areas, and the sloped central open space negotiating level changes across the site. There is lift access to all levels and a central escalator, with step-free access to WCs and all units.
- 10.107 The proposal would result in the loss of 73 parking spaces, of which 6 are off-street wheelchair parking bays. A parking survey was undertaken which demonstrated that no more than 4 wheelchair spaces would be in use at any one time, and on that basis it is proposed that 4 wheelchair spaces would be retained.
- 10.108 The council's inclusive design officer provided feedback, and raised no objection but recommended that detailed design measures to address internal layouts, inclusive outdoor seating, WCs and mobility scooter charging are secured (by condition 21); and that accessible cycle storage is secured (by condition 16).

Neighbour Amenity

- 10.109 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.
- 10.110 The application relates primarily to internal changes (including change of use of the basement), and external redecoration. The additional external development proposed is the extension of the first floor walkway/bridge, and the replacement of the existing kiosk; situated adjacent to the Liverpool Road boundary and opposite two existing large retail units. There are no residential units adjacent to the proposed bridge, and no residential neighbours would be affected by loss of outlook, privacy, sunlight or daylight as a result of the works.
- 10.111 The application was not accompanied by a sunlight and daylight assessment, but a solar study was provided as part of the open space assessment to demonstrate that part of the open space would still experience sunlight during the day.
- 10.112 It is noted that neighbour objections were received with regard to noise and disturbance. Although anti-social behaviour in the wider town centre and on the surrounding streets is not something that can be completely controlled by the owners of the shopping centre, reasonable steps should be taken to minimise the amenity impacts of the proposed development.
- 10.113 Whilst the proposed external seating area and bridge would not result in unacceptable daylight, sunlight, and overlooking impacts they do have the potential to result in additional

noise. The site is located on a busy main road, and outdoor restaurant seating is a feature of the existing upper floor walkways. In order to avoid unacceptable harm to neighbours within the wider surroundings, conditions 12 and 28 are recommended to limit use of the outdoor areas until 11pm every day, with no music from the first floor restaurants to be audible at the nearest sensitive receptors (i.e. existing residential windows).

- 10.114 A background noise survey was submitted with the application. No details of the proposed plant have been provided, and it is noted that the neighbour objections also highlighted disturbance from existing external plant. The Council's environmental health (acoustics) officer considered the application and is of the opinion that externally audible plant noise can be effectively managed by planning conditions, having had regard to the likely distance between the plant areas and the residential units. As the future occupants of the additional floorspace are not yet known, it would be appropriate for details of plant to be secured prior to the occupation of the new units. It is however noted that if any additional plant is required externally to the building, it will require separate express planning permission. Condition 12 is recommended, imposing an absolute limit on noise, and requiring a further assessment to demonstrate compliance prior to occupation of new units, including noise mitigation if it is required.
- 10.115 As the development would result in busy town centre uses, in a town centre location, some noise and disturbance is to be expected. Officers however consider that subject to the recommended conditions the proposal will not result in unacceptable impacts in terms of noise and activity, in particular at night.
- 10.116 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity. The proposal is thus considered acceptable in accordance with London Plan Policies 7.6, 7.14 and 7.15, and Development Management Policy DM2.1.

Biodiversity, Landscaping and Trees

- 10.117 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.
- 10.118 There are no trees on the site, nor between the site and Liverpool Road. The site is completely paved over, with no existing soft landscaping. The application proposes a small areas of soft landscaping (shown on Figure 10.15), partly to soften the visual impact of the proposed bridge and to improve the pedestrian environment. Details of soft landscaping are to be secured by condition 5 to ensure maximisation of biodiversity benefits.

Security and External Lighting

- 10.119 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.
- 10.120 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 (MALP) 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.

- 10.121 No details of external lighting were submitted with the application. It is recommended that details of external lighting and secured by design certification are secured by conditions 6 and 11, and CCTV secured by the s.106 agreement to ensure a well-designed and safe environment and avoid excessive light pollution in accordance with the above policies.

Health and Air quality

- 10.122 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)). The whole borough is an AQMA and 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.

- 10.123 An air quality assessment was not provided with the application, and in order to ensure that the proposed development would avoid exposing visitors to excessive air pollution, condition 29 is recommended to secure an Air Quality Neutral Assessment and appropriate mitigation against the GLA's Sustainable Design and Construction SPG benchmarks if necessary.

- 10.124 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 is relatively minor as it will not result in major demolition or excavation works, although there will still 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 condition 15 is recommended to secure a Construction and Environmental Management Plan to ensure that the proposal complies with these standards.

Highways and Transportation

- 10.125 The site has a Public Transport Accessibility Level (PTAL) rating of 6A which reflects its excellent accessibility by public transport. Liverpool Road and Parkfield Street are part of the Islington highway network, and Upper Street is part of the TFL road network. There are buses outside the site on Liverpool Road and Upper Street, and Angel Underground Station is approximately 300m away.

Transport Statement and Travel Plan

- 10.126 The application was accompanied by a detailed Transport Statement, and a framework Travel Plan. The baseline data within the Travel Plan identifies very low car private vehicle usage (4%), with walking (45%) and buses (32%) as the main modes. The Travel Plan aims to halve private vehicle and taxi use, and increase cycling, underground and bus use. The results of the Transport Assessment have been considered, and the aims of the framework travel plan are supported by officers, with a full travel plan and monitoring to be secured by the s.106 agreement, as required by the Planning Obligations SPD.

Cycling

- 10.127 The existing site does not provide a substantial amount of cycle storage, with 14 spaces provided within the basement; the site is however adjacent to the TFL cycle hire stand on Liverpool Road. The proposal would introduce 32 additional secure cycle parking spaces at basement level, in accordance with the Islington cycle parking standards (which are more onerous than the London Plan standards). Condition 16 is recommended to secure the additional cycle storage, including accessible cycle stands, and access to end-of trip facilities for staff.

Servicing and refuse

- 10.128 Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 10.129 The site currently has 4 loading bays with space for waste collection and vehicle turning, accessed via Parkfield Street (for which Islington Council is the highways authority). These allow servicing activities from the multiple uses on-site to take place simultaneously without obstructing the highway. There is a site office adjacent to the loading area and courier deliveries are made using the same loading area.
- 10.130 The proposal would continue use of these loading bays for the additional new units. It is noted that the proposed new floorspace would mostly be allocated to existing units to increase their sizes, that vehicle movements overall are likely to reduce as a result of the travel plan and reduction in parking spaces, and that the additional floorspace would be for similar uses to the existing, thereby resulting in similar types of servicing movements.
- 10.131 A response was received from the Council's highways officer and no objection was raised.
- 10.132 The proposed arrangements are provisional, as although the existing arrangements are in use, the end users of the increased and additional units are not known. Condition 14 is recommended to secure an updated servicing, delivery and waste management plan prior to commencement of use (including hours of activity, trip minimisation etc.) to ensure that the proposed development does not have an undue impact on amenity.

Vehicle parking

- 10.133 The site currently has 100 parking spaces on site, of which 10 (10%) are wheelchair accessible. At pre-application stage, the developer proposed to remove all parking. Although car-free developments are supported in principle by Policy DM8.5, concerns were raised by officers that this may displace rather than reduce parking; and that the development needs to ensure that it does not undermine the function of the town centre or harm the availability of parking spaces for blue badge holders. In particular, it is important that efforts to reduce dependency on private vehicles avoid simply displacing the impacts onto surrounding streets.

- 10.134 The results of the “Angel Central: Peak Customer Research 2016” (Appendix B to the submitted Transport Statement) identifies that only 4% of surveyed visitors arrived by car, and the draft Travel Plan targets a reduction in private car use of 50%.
- 10.135 The proposal would remove 73 parking spaces, retaining 27, of which 4 (15%) would be wheelchair accessible.
- 10.136 The application was accompanied by the results of a parking stress survey of the surrounding streets, and a car park capacity study to ascertain the occupancy rates of the car park.
- 10.137 The capacity study showed that there are times when in excess of 27 parking spaces are in use within the existing car park at any one time.
- 10.138 During the week, the occupancy exceeded 27 cars between 08:00 and 18:00, with the maximum accumulation being 41 vehicles. The local Controlled Parking Zone (CPZ) is operational between 08:30 and 18:30 on weekdays, which coincides with the maximum demand for parking on those days, and although vehicles are able to use other car parks and metered bays, the CPZ would prevent cars simply spilling out into residents parking bays during the week.
- 10.139 The capacity survey also showed that occupancy of car parking spaces exceeds 27 on weekends between 09:00 and 20:00, with the maximum accumulation at 50 vehicles. The maximum “overspill” demand shown by the capacity survey (in excess of the proposed 27 spaces) is therefore for 23 spaces outside the car park. Between 08:30 and 13:30 on Saturdays the CPZ is in operation, again providing a buffer for residents, which means that between 13:30 and 20:00 on Saturdays, and all day on Sundays, there is the potential for vehicles to park within residents’ bays on the surrounding streets.
- 10.140 The Transport Assessment included a parking stress survey, which identifies that there are over 700 on-street parking spaces within 500m of Angel Central, with average parking stresses of 59%. The maximum overspill demand for parking identified by the capacity survey, of up to 23 vehicles, would represent less than 3% of the total on-street capacity in the area and given the average local parking stress is unlikely to result in unacceptable impacts on neighbour amenity.
- 10.141 Although impacts on all residents should be considered, the nearest residents who raised concerns about parking are on Bromfield Street and as there is no direct access from the Car Park (for vehicles unable to find a space in the car park) to Bromfield Street, and drivers would have to travel 1km to the nearest space on Bromfield Street (due to the road layout), it is unlikely that the overspill demand for parking arising from the loss of spaces would significantly impact on those residents.
- 10.142 Notwithstanding the results of the parking survey, the Transport Assessment is intended to show a worst case scenario, and as noted above the Travel Plan target is to reduce private car use by users of the Shopping Centre by 50% which would further reduce the demand for parking.
- 10.143 For large developments, the Council’s guidance on wheelchair accessible parking spaces can result in excessive provision, which is not tailored to the needs of specific users, and in this case evidence was provided to support the proposed provision. The car park capacity study showed that no more than 2 disabled spaces were in use at any one time. Of the 27

spaces proposed, 4 (15%) would be disabled parking bays, which is considered adequate to accommodate the needs of blue badge holders.

- 10.144 Of the parking spaces retained, and in accordance with the guidance provided by TFL, 6 charging points for electric vehicles are proposed within the car park, to be secured by condition 17.
- 10.145 During the public consultation exercise, responses were received from neighbours objecting to the loss of car parking due to people parking on the surrounding streets and making noise late at night. As the parking surveys showed availability of parking spaces within the car park from 18:00 onwards on weekdays, and 21:00 onwards on Saturdays, it is apparent that late-night antisocial behaviour caused by vehicle occupants on-street is not a direct result of parking capacity at the on-site car park, and the reduction in on-site parking spaces is unlikely to have an impact on antisocial behaviour. Notwithstanding, it is recommended that the previous requirement for CCTV is carried forward into the s.106 agreement.
- 10.146 Given the policy steer towards sustainable, car-free development, and the additional availability of car parking spaces within the surroundings, officers are supportive in principle of the proposed reduction in car parking spaces, and it has been demonstrated that the reduction would not have a harmful impact on parking stress or the operational requirements of the town centre.

Construction impacts

- 10.147 A draft Construction and Environmental Management Plan (CEMP) was submitted, outlining measures for the minimisation of amenity impacts on the surrounding streets. Two options for construction compounds were suggested, both on site. As the CEMP 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 wider vehicle movements, dates of deliveries, or reference to other works, which may affect the site depending on timescales. A condition (no.15) is therefore recommended to secure an expanded and up-to-date (at the time of works) CEMP detailing specific measures, and expanded to take account of other nearby developments, highway works, and notification of neighbours.
- 10.148 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 is to be secured by a s.106 obligation.
- 10.149 Subject to compliance with an expanded construction management plan (and recommended condition 15), the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbour amenity, the wider environment, and maintain the safe and efficient operation of the highway network.
- 10.150 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 £1,900 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

- 10.151 The application sets out adequate provision for servicing, accessibility, cycle parking, vehicle parking, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. 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

- 10.152 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. A Sustainable Design and Construction Statement was submitted with the application, followed by an Energy Statement Addendum, which were considered by the Council's sustainability officer and energy officer.

Flooding and Sustainable Urban Drainage Systems (SUDS)

- 10.153 Policy DM6.6 expects all major development to include details to demonstrate that SUDS has been incorporated and will be properly maintained.
- 10.154 The site is located in Flood Zone 1 and has low risk of flooding, and although there is risk of surface water flooding in Islington the site is not within a Critical Drainage Area or within an identified Local Flood Risk Zone. The site is completely built over, including at basement level, and the proposal would not introduce any areas of new roof or outdoor space which are capable of accommodating SUDS. There would be a small area of soft landscaping (details to be secured by condition 5), and the applicant has explored options of retrofitting SUDS features, none of which are feasible. The Council's sustainability officer has considered the submitted details and agreed that due to the limited physical works and existing constraints there are no increased flood risks, and equally no realistic opportunities for new SUDS features. Officers are of the view that refusal of the application is not warranted on that basis.

Energy Efficiency, CO2 Emissions, and Renewable Energy

- 10.155 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.
- 10.156 Islington Policy CS10 A and Section 2 of the Environmental Design SPD set out targets 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.
- 10.157 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.”

- 10.158 There are no DENs within 500m, and it is accepted that as the centre does not currently benefit from a communal heating system, it would not be possible for it to connect to a network. Condition 9 requires additional exploration of the feasibility of future connection, to ensure that any necessary futureproofing works can be incorporated into the development.
- 10.159 The proposal would comply with the Building Regulations 2013 CO2 emissions standards, by 0.3% - 0.4%, well short of the policy targets. However, the policy targets are based on new-build standards, and the proposal is for the conversion of an existing underground space within the shopping centre, without opportunities for new external construction or substantial re-building. It would achieve BREEAM Excellent, with a comfortable margin. As the conversion would comply with BREEAM excellent and there is no policy requirement to upgrade the parts of the building which would not be redeveloped, refusal on that basis is not recommended.
- 10.160 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.” As the proposal would not achieve the carbon reduction targets, there is a requirement for the remaining emissions to be offset. The financial contribution has been calculated by the as £80,960 and is to be secured by the s.106 agreement.
- 10.161 The Council’s Energy Officer requested further details relating to energy savings, including details of passive cooling and the proposed air source heat pumps. Condition 9 is recommended to secure an updated Energy Statement which maximises any further opportunities for carbon reductions.
- 10.162 The proposal would re-use an existing space; it would comply with BREEAM Excellent, and a financial contribution would be provided to offset the outstanding carbon emissions. On that basis it is considered acceptable in terms of energy efficiency.
- 10.163 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. structure, steel, brick, concrete etc. These details were not supplied with the application, so a green procurement plan is recommended to be required by condition 4.
- 10.164 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. Planning decisions need to consider whether the site is suitable for its new use taking account of ground conditions and natural hazards or former activities such as pollution arising from previous uses; and in doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land. 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.

- 10.165 The existing car park has potential for oil or petrol spillage which, if not controlled, could result in groundwater contamination. There is an existing petrol interceptor located at basement level for any light infrequent spills that may pose as a risk to the surface water drainage network. The proposal would reduce the number of parking bays and would reduce the associated risk to the surface water network.
- 10.166 The application was considered by the Council's pollution officer and no objection was made on the basis of land contamination.
- 10.167 In order to ensure that the building performs in accordance with the key sustainability indicators set out within the sustainability statement and energy strategy, a Green Performance Plan (GPP) is to be secured by the s.106 agreement.
- 10.168 No overall objection is raised on sustainability grounds, and as set out above, it is recommended that the relevant sustainability requirements are secured by planning conditions and s.106 obligations.
- 10.169 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. The proposal was considered by London Fire Brigade and no objections were raised. A fire safety strategy was provided, and an informative (no.10) has been included in the recommendation to remind the applicant of the need to consider the requirements of the Building Regulations in relation to fire safety at an early stage, with particular regard to the provision of a sprinkler system.

Planning Obligations and CIL

- 10.170 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.
- 10.171 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.
- 10.172 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.
- 10.173 The existing shopping centre is subject to a number of planning obligations, some of which have been varied over time and some which would be superseded by the proposed development. A draft s.106 agreement has been prepared which would carry over the required obligations, and in order to mitigate the direct additional impacts of the proposed

development and ensure the application is acceptable in planning terms, would secure the following additional planning obligations.

- Participation in a town centre co-ordinating body (*This is the re-provision of a previous s.106 obligation, and requires co-ordination in a town centre body if one is in place; currently that body is the Angel Business Improvement District*).
- Use of Town Square for Civic Events. (*This is the re-provision of a previous s.106 obligation. The 2004 agreement requires use of the open space for fixed seating, public art, and civic events up to 200 days a year and not on event days; each stall, promotion etc. shall last no more than 3 weeks, and the open aspect is to be maintained at all times. Furthermore, for 12 days per year, the open space can be used by Council or a Council Agency for civic or community events without charge.*)
- Pedestrian Route through site. (*This is the re-provision of a previous s.106 obligation, and requires a pedestrian route to be retained through the site.*)
- Decommissioning and replacement of Public Art.
- Storage of baskets and trolleys within units. (*This is the re-provision of a previous s.106 obligation to prevent external clutter*)
- CCTV. (*This is the re-provision of a previous s.106 obligation*)
- 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.
- Compliance with the Code of Employment and Training
- Compliance with the Council's Code of Local Procurement
- 2 construction training placements, or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere.
- Local employment and training contribution of £21,607.50.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,900.
- Accessible transport contribution of £20,000, and provision of 4 wheelchair accessible parking bays.
- Carbon Offsetting payment of £80,960 (index linked).
- Feasibility Study into District Energy Network (DEN) connection on first replacement of heating/cooling plant.
- Submission of, and compliance with, a Green Performance Plan
- Crossrail funding contribution (to be offset against the Mayoral CIL payment). To be secured in two stages: Payment (1) £120,870 for all new floorspace, other than flexible D1/A1 floorspace. Payment (2) for the uplift in A1 floorspace (for the flexible D1/A1 unit on first commencement of A1 use, unless no A1 use within 10 years).
- Submission of a draft full Travel Plan for Council approval prior to occupation; full Travel Plan including a travel survey for Council approval 6 months from first occupation of the

development; and a Travel Plan update submitted to the Council including a travel survey three years after occupation of the development.

- 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

Planning Balance

- 11.1 The proposed development introduces new development over the existing open space, as well as substantial improvements to the public realm and external environment of the shopping centre, and increased capacity for retail, food and drink, and leisure uses within the town centre. As assessed within this report, the new bridge over the open space can be considered a sustainable form of development; and the benefits which flow its erection, in terms of better circulation space and additional space for outdoor restaurant seating and recreation, would contribute to the development of Angel Town Centre as a visitor destination.
- 11.2 The installation of the bridge would displace, and ultimately result in the loss of, the Angel Wings Sculpture. Significant public opposition has been received to the loss of the sculpture, mainly citing its contribution to the character of Angel town centre. The removal of the sculpture would result in the loss of a landmark feature which contributes to the local distinctiveness and character of its setting. Although the sculpture itself is not afforded any explicit protection by the development plan (or planning legislation), there are planning requirements for the provision of a work of public art and for developments to respect and enhance the local distinctiveness of the Town Centres.
- 11.3 The weight of objection to the loss of public art not only helps define the merits of the Angel Wings, but also in so far as it demonstrates that the display of Public Art within Angel Town Centre has the capacity to affect large numbers of people, and that Art has an important role to play in placemaking and defining character. Consequently, it is vital that new high quality public art continues to be provided on the site, albeit in a different form.
- 11.4 Although the loss of the sculpture would result in the loss of some existing character and local distinctiveness, it would be necessary in order to accommodate the new bridge structure and the benefits which flow from it, in terms of outdoor seating, improved circulation, and to a lesser extent the further benefits arising from the development (including increased floorspace and external refurbishment). New artwork has been proposed which has been commissioned following extensive public engagement, and led by a steering group including a variety of people with local interests. The steering group has chosen Troika's concept to be developed further, which is an interactive "Millennial Calendar" which changes every day. The public consultation has demonstrated that a modern artwork may, over time, become an established contributor to the character and distinctiveness of the Town Centre. Although details of the new artwork are yet to be confirmed, and will need to be considered separately by the Council via a standalone planning application, it has been demonstrated that the proposal would continue to provide a significant and distinctive work of public art.
- 11.5 Officers consider that the proposal would, subject to the recommended s.106 obligations, ensure that the fullest opportunities are taken to source a new location for the Angel Wings sculpture, and ensure that a new work of Public Art will be in place, evolving the character

of the Angel Central shopping centre and strengthening Angel Town Centre as a cultural destination.

- 11.6 Furthermore, the proposal would support more sustainable forms of transport, create a more attractive pedestrian environment, and would result in a significant net uplift in floorspace for retail, leisure, restaurant and café uses, with associated contributions to local employment and Crossrail.
- 11.7 Although the proposal would result loss of an established piece of Public Art, the displacement of the Angel Wings is well justified and necessary to deliver the scheme's full range of benefits. The proposal would ensure opportunities for new art, and would contribute to the vitality, viability, and attractiveness of the Town Centre. On balance, and subject to the recommended planning conditions and legal agreement, the officer view is that the proposed development can be considered a sustainable form of development and therefore, in accordance with the NPPF, approval is recommended.

Conclusion

- 11.8 As set out in the above assessment, the proposal has been assessed against the development plan and the comments made by residents and consultees.
- 11.9 Consequently, and on balance, the officer recommendation is that the proposed development would broadly comply with the provisions of the relevant national, London Plan, and local planning policies (including the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents), subject to the recommended planning conditions and s.106 obligations.
- 11.10 It is recommended that planning permission is granted subject to conditions and s.106 legal agreement heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 OF THE 7 JUNE 2018 COMMITTEE REPORT: 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:

- Participation in a town centre co-ordinating body
- Use of Town Square for Civic Events.
- Pedestrian Route through site.
- Decommissioning and replacement of Public Art.
- Storage of baskets and trolleys within units.
- CCTV.
- 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.
- Compliance with the Code of Employment and Training
- Compliance with the Council's Code of Local Procurement
- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Local employment and training contribution of £21,607.50.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,900.
- Accessible transport contribution of £20,000, and provision of 4 wheelchair accessible parking bays.
- Carbon Offsetting payment of £80,960 (index linked).
- Feasibility Study into District Energy Network (DEN) connection on first replacement of heating/cooling plant.
- Submission of, and compliance with, a Green Performance Plan
- Crossrail funding contribution (to be offset against the Mayoral CIL payment). To be secured in two stages: Payment (1) £120,870 for all new floorspace, other than flexible D1/A1 floorspace. Payment (2) for the uplift in A1 floorspace (for the flexible D1/A1 unit on first commencement of A1 use, unless no A1 use within 10 years).
- Submission of a draft full Travel Plan for Council approval prior to occupation; full Travel Plan including a travel survey for Council approval 6 months from first occupation of the development; and a Travel Plan update submitted to the Council including a travel survey three years after occupation of the development.
- 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 to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions

No.	Condition
1	Commencement (Compliance) CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. 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).

2

Approved plans list (Compliance)

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

Approved Drawings: 3059-A-P-0010 rev.P01; 3059-A-P-0102 rev.P01; 3059-A-P-0112 rev.P01; 3059-A-P-0122 rev.P01; 3059-A-P-0132 rev.P01; 3059-A-P-0400 rev.P01; 3059-A-P-0402 rev.P01; 3059-A-P-1102 rev.P02; 3059-A-P-1112 rev.P02; 3059-A-P-1122 rev.P02; 3059-A-P-1132 rev.P02; 3059-A-P-0404 rev.P02; 3059-A-P-0406 rev.P02; 3059-A-P-0430 rev.P01; 3059-A-P-0200 rev.P02; 3059-A-P-0205 rev.P01; 3059-A-P-0300 rev.P02; 3059-A-P-0301 rev.P02; 3059-A-P-0302 rev.P01; 3059-A-P-0303 rev.P01; 3059-A-P-0305 rev.P02; 3059-A-P-0307 rev.P01; 3059-A-P-0431 rev.P01; 3059-A-P-0501 rev.P02; 3059-A-P-0503 rev.P02; 3059-A-P-0505 rev.P03; 3059-A-P-0506 rev.P03; 3059-A-P-0510 rev.P01; 3059-A-P-0511 rev.P03; 3059-A-P-0512 rev.P01; 3059-A-P-0515 rev.P02; 3059-A-P-0517 rev.P01; 3059-A-P-0518 rev.P01; 3059-A-P-0520 rev.P01; 3059-A-P-0011 rev.P02; 3059-A-P-0012 rev.P02; 3059-A-P-0013 rev.P03; 3059-A-P-0014 rev.P01.

Approved Documents: Angel Central – Post-submission note (CBRE); Angel Central – Updates to Planning Application 2017/2964/FUL (CBRE); Design & Access Statement 3059_A_DAS_5010_P02 rev.02 (Haskoll, February 2018); Angel Central consultee responses – Transport for London, ref. 23087401 (Steer Davies Gleave, 12 October 2017); Solar Study (Haskoll, October 2017); BREEAM Addendum (Aecom); Energy Statement Addendum (Aecom); Framework Travel Plan ref. 23087401 (Steer Davies Gleave, July 2017); Transport Statement ref 23087401 (Steer Davies Gleave, July 2017); Open Space Assessment (CBRE, August 2017); Construction Phase Plan P-MS01A (RG Group, 21st August 2017); Application Cover Letter (CBRE, 24 July 2017); External Noise Survey Project Number: 60509147 (Aecom, June 2017); Planning Statement (CBRE, July 2017); Retail Assessment (CBRE Global Investors 24 July 2017); Islington HIA screening (Pre-application reference number Q2017/1224/MJR).

The approved plans expressly listed within this condition shall take precedence over any plans referred to or appended to the documents listed in this condition.

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.

3

Materials and Details (Prior to commencement of external works)

CONDITION: Details and samples of all detailing and facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of external works unless otherwise agreed in writing by the Local Planning Authority. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:

- l) External facing materials, including terracotta cladding and method of fixing;
- m) Details of external paintwork to walls visible from Upper Street, Parkfield Street and/or Liverpool Road;
- n) Details of new fascias and shopfront fittings;
- o) details of any louvres, ventilation panels or screens;
- p) external handrails or balustrading;
- q) copings, soffits, cills and reveals (and details of how these will be designed to avoid watermarks or staining to the surfaces below), the undersides of any projecting elements, and junctions of external materials including expansion gaps;
- r) details of the proposed bridge, including frameless glass handrail to the side facing Liverpool Road and balustrading to the side facing the central open space;
- s) details of the proposed frameless glass kiosk, including glass reflectivity, structural supports, external junctions, doors, and manifestations;
- t) details of any replacement external fittings, including rainwater goods (including locations, fixings, material and colour); pipes; any other equipment or devices to be installed on the external surfaces of the building including meter boxes, service connection access, aerials and satellite dishes;
- u) Any new external windows, doors and shutters, including to the public toilets;
- v) All other external materials.

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

REASON: In the interest of securing sustainable development, to avoid detracting from the settings of the adjacent heritage assets, and to ensure that the resulting appearance and construction of the development is of a high standard.

<p>4</p>	<p>Green procurement plan (Prior to commencement of external works)</p> <p>CONDITION: Prior to the commencement of external 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>
<p>5</p>	<p>Landscaping (Prior to commencement of external works)</p> <p>CONDITION: Details and samples of all external hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of external works unless otherwise agreed in writing by the Local Planning Authority. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:</p> <ul style="list-style-type: none"> f) External paving materials, including at first floor level; g) Details of soft landscaping, including specification and maintenance schedule; h) Any fixed items or furniture, including benches, bollards, and bins; i) Access points for water and electricity for community events; j) All other external materials. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development, and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<p>6</p>	<p>External Lighting (Compliance/Prior to Specific Works)</p> <p>CONDITION: Details of external lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation.</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 lighting measures 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 resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as limiting light pollution.</p>

<p>7</p>	<p>BREEAM (Compliance)</p> <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>
<p>8</p>	<p>SUDS (Compliance)</p> <p>CONDITION: The measures set out in the Sustainable Urban Drainage statement shall be installed and implemented prior to the first occupation of the hereby approved development, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to secure sustainable urban drainage, reducing the risk of flooding and to mitigate the impacts of the development.</p>
<p>9</p>	<p>Energy Strategy (Prior to commencement, excluding demolition)</p> <p>CONDITION: Prior to the commencement of development, other than demolition, a revised Energy Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The revised Energy Statement shall include evidence covering the following:</p> <ul style="list-style-type: none"> f) Further reductions to CO2 emissions; g) Further improvements to energy efficiency parameters; h) Full results of dynamic thermal modelling and further discussion regarding cooling hierarchy and active cooling; i) Additional information regarding the feasibility of connection to a future District Energy Network; j) Further information regarding heat loads and shared heat networks/ CHP. <p>The energy efficiency measures as outlined within the revised Energy 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 development shall be carried out strictly in accordance with the details as approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

<p>10</p>	<p>Air Source Heat Pump (Prior to Occupation)</p> <p>CONDITION: Prior to first occupation of the development hereby approved, manufacturers' specifications and a scheme of the detailed designs and layout of the equipment and mechanical systems to be implemented in relation to the proposed air source heat pump(s) and/or any other renewable energy source shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The external plant as approved shall thereafter be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interests of ensuring that the proposed mechanical plant would achieve the performance standards assumed by the approved sustainability statement, to avoid harm to neighbour amenity, to secure sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
<p>11</p>	<p>Secured by Design (Compliance)</p> <p>CONDITION: The hereby approved development shall achieve Secured by Design (Secured Environments) Certification prior to occupation of the development, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to secure safe and secure urban environments and avoid creating new opportunities for crime.</p>
<p>12</p>	<p>Plant Noise (Prior to occupation)</p> <p>CONDITION:</p> <ul style="list-style-type: none"> d) The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014. e) Prior to occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The report shall assess the noise from the installed mechanical plant to demonstrate compliance with the noise limits in part (a) of this condition. f) If noise mitigation measures are required to ensure compliance with the noise limits set out in this condition, they shall be implemented prior to the verification report being submitted to the Council. <p>The development shall thereafter operate in adherence with the noise limits in part (a) of this condition, and be maintained as such thereafter.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>

<p>13</p>	<p>Hours of opening (Compliance)</p> <p>CONDITION: Unless otherwise approved in writing by the Local Planning Authority, the hereby approved A1 (shop) or A3 (café / restaurant) uses shall not operate outside the hours of 07:00 – 23:00.</p> <p>All non-fixed outdoor furniture shall be moved indoors and external doors closed by 23:00 each day.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<p>14</p>	<p>Servicing and Deliveries (Prior to occupation)</p> <p>CONDITION: A Delivery and Servicing Plan 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>All servicing/deliveries/collections relating to the development shall only occur within the designated servicing area located on Parkfield Street, and shall not occur from surrounding streets.</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, and to ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

15 Construction and Environmental Management Plan (Prior to Commencement)

CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (including demolition).

The CEMP shall include details and arrangements regarding:

- o) The notification of neighbours with regard to specific works;
- p) Advance notification of any access way, pavement, or road closures;
- q) 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;
- r) Details regarding the planned demolition and construction vehicle routes and access to the site;
- s) 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;
- t) Details of waste storage within the site to prevent debris on the surrounding highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- u) 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.)
- v) Details of any proposed external illumination and/or floodlighting during construction;
- w) Details of measures taken to prevent noise disturbance to surrounding residents following the guidance of BS5228+A1:2014;
- x) 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;
- y) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- z) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and

	<p>aa)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.</p> <p>bb)Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development, 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>No demolition or development shall begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning during the construction period in accordance with the approved details. 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>
16	<p>Cycle Parking and End of Trip facilities (Compliance)</p> <p>CONDITION: Prior to the first occupation of the development, the 46 cycle storage spaces shown on the hereby approved plans, in addition to a wheelchair accessible facility for showering for use by staff of the premises, shall be installed and made available, and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle storage and end of trip facilities are available and easily accessible on site and to promote sustainable modes of transport.</p>
17	<p>Electric car charging points (Compliance)</p> <p>CONDITION: 6 electric car charging points shall be provided within the basement car park prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To promote sustainable modes of transport.</p>
18	<p>Wheelchair Accessible Parking (Compliance)</p> <p>CONDITION: 4 wheelchair accessible (blue badge) car parking spaces shall be provided within the basement car park prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate accessibility and inclusive design.</p>

<p>19</p>	<p>Inclusive Design: Units (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the internal layout, gradients of ramps, and details of the means of providing step-free access to all areas within the unit marked on the approved plans as “New MSU 8-9” shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation or use of the same unit.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities, in accordance with policy 7.2 of the London Plan 2016, Policies CS7 and CS9 of the Islington Core Strategy 2011 and Islington’s Development Management Policy DM2.2.</p>
<p>20</p>	<p>Inclusive Design: Units (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the internal layouts, gradients of ramps, and details of the means of providing step-free access to all areas within the unit marked on the approved plans as “New Leisure Unit” shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation or use of the same unit.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities, in accordance with policy 7.2 of the London Plan 2016, Policies CS7 and CS9 of the Islington Core Strategy 2011 and Islington’s Development Management Policy DM2.2.</p>
<p>21</p>	<p>Inclusive Design: Public Realm (Prior to occupation)</p> <p>CONDITION: Notwithstanding the approved plans the scheme shall be constructed in accordance with the principles of inclusive design, and details of the following inclusive design features shall be submitted to, approved in writing by the Local Planning Authority, and installed prior to first occupation of the approved development.</p> <ul style="list-style-type: none"> d) External benches, including armrests and backs; e) A facility for the charging of mobility scooters; f) One wheelchair accessible WC. <p>The development shall be carried out strictly in accordance with the details as approved, shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities, in accordance with policy 7.2 of the London Plan 2016, Policies CS7 and CS9 of the Islington Core Strategy 2011 and Islington’s Development Management Policy DM2.2.</p>

<p>22</p>	<p>Small Retail Unit (Compliance)</p> <p>The hereby approved small retail unit labelled on the approved plans as “New SU 9” shall be provided prior to first occupation or use of the new accommodation hereby approved.</p> <p>That unit shall not be amalgamated nor incorporated into the adjacent retail units unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of ensuring that the proposed development contributes to the viability and vitality of the town centre and specifically supports the ability of small and micro retailers to find suitable accommodation.</p>
<p>23</p>	<p>Removal of PD rights: A1 Retail (Compliance)</p> <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 units within Use Class A1 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 town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for retail uses would have on the viability and vitality of the town centre.</p>
<p>24</p>	<p>Removal of PD rights: A3 Restaurants and Cafes (Compliance)</p> <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 units within Use Class A3 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 town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for restaurants and cafes would have on the viability and vitality of the town centre.</p>

<p>25</p>	<p>Flexible Use Unit (Compliance)</p> <p>CONDITION: The hereby approved flexible A1/D2 use unit labelled on the approved plans as “NEW LEISURE UNIT” shall be used only as a Gym within Use Class D2 and no other use within that use class, or for retail within Use Class A1. 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 same floorspace other than for a Gym or a Use within Use Class A1 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 town centre, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of floorspace for leisure and retail uses would have on the viability and vitality of the town centre.</p>
<p>26</p>	<p>Public Toilet opening hours (Compliance)</p> <p>CONDITION: The public toilets within the development shall be open and available for use for the duration of the opening hours of the A1 (shops) and/or A3 (restaurants and cafes) units.</p> <p>REASON: In the interests of Inclusive Design, and to promote healthy development in accordance with Policy DM6.1</p>
<p>27</p>	<p>Kiosk Design (Prior to occupation)</p> <p>CONDITION: Prior to first occupation of the unit labelled “New Kiosk” on the approved plans, a tenant design strategy for that unit shall be submitted to and approved by the Local Planning Authority.</p> <p>The strategy shall include the following:</p> <ul style="list-style-type: none"> f) The total height of any fixed or moveable furniture and/or display units and/or items placed above, shall be no greater than 1.4m above the finished floor level of the unit; g) No ceiling features or signage to be positioned less than 3.35m above finished floor level; h) A clear uninterrupted view through the unit between 1.65m below the 3.35m ceiling shall be maintained at all times; i) Details of signage, which shall be internal and no greater than 700mm wide; j) Details of utility and service provision within the unit. <p>The unit shall thereafter be maintained in accordance with the approved tenant signage strategy unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure a transparent and visually lightweight appearance, to maintain sightlines out of the site, and to maintain a sense of openness to the public open space.</p>

<p>28</p>	<p>Amplified Noise (Compliance)</p> <p>No music or other amplified noise arising from the hereby approved development shall be audible at nearest residential windows.</p> <p>REASON: To ensure that the operation of the development does not impact on residential amenity.</p>
<p>29</p>	<p>Air Quality Neutral Assessment (Prior to commencement)</p> <p>CONDITION: Prior to the commencement of works on the development hereby permitted, an Air Quality Neutral report detailing steps to minimise future visitors' exposure to air pollution (and appropriate mitigation against the GLA's Sustainable Design and Construction SPG benchmarks if necessary) 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: To comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2016) and the London Plan Sustainable Design and Construction SPG and to minimise air pollution.</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 first occupation of the hereby approved development' or similar. With regard to the development, the Council considers that "first occupation of the hereby approved development" shall be taken to mean the sooner of either: (a) first occupation of any of the new or extended units (for A1, A3, and/or D2 Use), and/or; (b) the first occupation of the approved bridge and extended first floor walkway.
3	COMMUNITY INFRASTRUCTURE LEVY (CIL) (GRANTING CONSENT) 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. 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 PRE-COMMENCEMENT CONDITIONS: These conditions are identified with an 'asterix' *. 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.
4	ROLLER SHUTTERS The scheme hereby approved does not suggest the installation of external roller shutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external roller shutters to be a material alteration to the scheme and therefore constitute development. Should external roller shutters be proposed, a new planning application must be submitted for the council's formal consideration.

5	<p>EXTERNAL PLANT</p> <p>The applicant is advised that any additional external plant not shown on the approved plans will require a separate planning application.</p>
6	<p>CONSTRUCTION WORKS</p> <p>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.</p>
7	<p>HIGHWAYS REQUIREMENTS (1)</p> <p>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. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>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. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>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.</p> <p>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.</p>

8

HIGHWAYS REQUIREMENTS (2)

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.

<p>9</p>	<p>HIGHWAYS REQUIREMENTS (3)</p> <p>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.</p> <p>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 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>
<p>10</p>	<p>CROSSRAIL 2</p> <p>Applicants should refer to the Crossrail 2 Information for Developers available at crossrail2.co.uk. Crossrail 2 will provide guidance in relation to the proposed location of the Crossrail 2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to contact the Crossrail2 Safeguarding Engineer in the course of preparing detailed design and method statements.</p> <p>In addition, the latest project developments can be found on the Crossrail 2 website www.crossrail2.co.uk which is updated on a regular basis.</p>
<p>11</p>	<p>FIRE SAFETY</p> <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. 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>

12	LICENSING <p>The applicant is advised that any of the units selling alcohol, providing late night food, entertainment, providing special treatments such as nails, beauty, tanning, spas or gambling premises would need the relevant licences from the licensing team. The site is in a cumulative impact area and as such if opening beyond 2300, must be able to prove that the operation of the business would not add to the problems already associated with a very busy area.</p>
13	ADVERTISEMENT CONSENT <p>The applicant is reminded of the need to seek advertisement for external signage and advertisements, in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).</p>

APPENDIX 2 OF THE 7 JUNE 2018 COMMITTEE REPORT: 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

Context and Strategy

1.1 Delivering the strategic vision and objectives for London

London's places

2.9 Inner London

2.10 Central Activities Zone – Strategic

2.11 Central Activities Zone – Strategic Functions

2.15 Town Centres

2.18 Green Infrastructure

London's people

3.1 Ensuring equal life chances for all

3.2 Improving health and addressing health inequalities

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

3.16 Protection and enhancement of social infrastructure

London's economy

4.1 Developing London's economy

4.6 Support for and Enhancement of Arts, Culture, Sport and Entertainment

4.7 Retail and Town Centre Development

4.8 Supporting a Successful and Diverse Retail Sector and Related Facilities and Services

4.9 Small Shops

4.11 Encouraging a Connected Economy

4.12 Improving opportunities for all

London's response to climate change

5.1 Climate change mitigation

5.2 Minimising emissions

5.3 Sustainable design & construction

5.4 Retrofitting

5.5 Decentralised energy networks

5.6 Decentralised energy in development proposals

5.7 Renewable energy

5.8 Innovative energy technologies

5.9 Overheating and cooling

5.10 Urban greening

5.11 Green roofs and development site environs

5.12 Flood risk management

5.13 Sustainable drainage

5.14 Water quality and wastewater infrastructure

5.15 Water use and supplies

5.16 Waste net self-sufficiency

5.17 Waste capacity

5.18 Construction, excavation and demolition waste

5.19 Hazardous Waste

5.20 Aggregates

5.21 Contaminated land

London's transport

6.1 Strategic approach

6.2 Providing public transport capacity and safeguarding land for transport

6.3 Assessing effects of development on transport capacity

6.4 Enhancing connectivity

6.5 Funding Crossrail and other strategically important transport infrastructure

6.7 Better streets and surface transport

6.9 Cycling

6.10 Walking

6.11 Smoothing traffic flow and tackling congestion

6.12 Road Network Capacity

6.13 Parking

London's living places and spaces

7.1 Lifetime neighbourhoods

7.2 An inclusive environment

7.3 Designing out crime

7.4 Local character

7.5 Public realm

7.6 Architecture

7.8 Heritage assets and archaeology

7.11 London View Management Framework

7.12 Implementing the London View Management Framework

7.13 Safety, security and resilience to emergency

7.14 Improving air quality

- 7.15 Reducing noise and enhancing soundscapes
- 7.18 Protecting Open Space and Addressing Deficiency
- 7.19 Biodiversity and access to nature

B) Islington Core Strategy 2011

- CS 5 Angel and Upper Street
- CS 8 Enhancing Islington's character
- CS 9 Protecting and enhancing Islington's built and historic environment
- CS 10 Sustainable design
- CS 11 Waste

C) Islington Development Management Policies 2013

Design and Heritage

- DM2.1 Design
- DM2.2 Inclusive Design
- DM2.3 Heritage
- DM2.4 Protected Views
- DM2.5 Landmarks

Shops, culture and services

- DM4.1 Maintaining and promoting small and independent shops
- DM4.2 Entertainment and the night-time economy
- DM4.3 Location and concentration of uses
- DM4.4 Promoting Islington's Town Centres
- DM4.5 Primary and Secondary Frontages
- DM4.8 Shopfronts
- DM4.9 Markets and specialist shopping areas
- DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

- DM6.1 Healthy development
- DM6.2 New and improved public open space

3. DESIGNATIONS

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations June 2013.

- Angel Town Centre (primary retail frontage)

Implementation, monitoring and review

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

- CS 13 Employment spaces
- CS 14 Retail and services
- CS 15 Open space and green infrastructure
- CS 18 Delivery and infrastructure
- CS 19 Health Impact Assessment

- DM6.3 Protecting open space
- DM6.5 Landscaping, trees and biodiversity
- DM6.6 Flood prevention

Energy and Environmental Standards

- DM7.1 Sustainable design and construction
- 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

- Core Strategy Key Area: Angel and Upper Street
- Central Activities Zone
- Crossrail 2 safeguarding area
- Protected Vista (Alexandra Palace to St Paul's Cathedral)
- Open Space OS 111
- Archaeological Priority Area

4. SUPPLEMENTARY PLANNING GUIDANCE (SPG) / DOCUMENT (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Basement Development (January 2016)
 Culture and Night Time Economy (Draft SPG April 2017)
 Environmental Design (October 2012)
 Inclusive Design in Islington (February 2014)
 Inclusive Landscape Design (January 2010)
 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)
 Student Accommodation Contributions for Bursaries (June 2013)
 Vale Royal/Brewery Road LSIS Discussion Paper (2017)

London Plan

Crossrail Funding (March 2016)

Central Activities Zone (March 2016)
 Culture & the Night-Time Economy (2017)
 Social Infrastructure (May 2015)
 Accessible London: Achieving an Inclusive Environment (October 2014)
 The control of dust and emissions during construction and demolition (July 2014)
 Town Centres (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)
 Play and Informal Recreation (September 2012)
 All London Green Grid (March 2012)
 London View Management Framework (March 2012)
 London's Foundations (March 2012)
 Planning for Equality and Diversity in London (October 2007)

**APPENDIX 3 OF THE 7 JUNE 2018 COMMITTEE REPORT: DESIGN REVIEW
PANEL COMMENTS (AUGUST 2017)**

CONFIDENTIAL

ATT: Gillian Nicks
CBRE Ltd
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/131

Date: 29 August 2017

Dear Gillian Nicks,

ISLINGTON DESIGN REVIEW PANEL
RE: Angel Central Shopping Centre, 21 Parkfield Street N1 0PS
(pre-application ref. Q2017/1224/MJR)

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 the conversion of the existing basement car park (part of) to provide additional A1/D2 accommodation, consolidation of A1 units at basement and ground floor level and conversion of an A1 retail unit to A3 use at first floor levels; alongside environmental improvement and enhancement works to the external environment of the shopping centre including both hard and soft landscaping.

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

Panel members welcomed proposals to improve the Angel Central Shopping Centre, especially making a better use of underutilised parking space and enhancing its general appearance. The Panel felt that detailing and quality of materials would be critical to the success of any scheme and that the site must be understood as a piece of public realm / part of the high street and good connections made between the site and the spaces that it adjoins. Greater consideration should be given to improvements to the Parkfield Street entrance and the Upper Street entrance which panel members felt could be better celebrated and more inviting. Some Panel members felt a light luxurious terrazzo would have a greater positive impact than the proposed dark granite flooring. The large window to the upper part of the Upper Street elevation is currently one of its better features and should be a clear architectural expression and not undermined by visual clutter or advertising.

The Panel commented that the impact of the bridge needed to be considered as part of the potentially greater positive results in terms of how people move through the site. Some panel members felt that it could provide a buffer to noise and pollution of traffic on Liverpool Road.

However, the bridge as currently designed risks cutting off the public open space, undermining its sense as a public space, and eroding the quality of the open space. The bridge structure including the columns appeared large and the Panel felt that the bridge should be a slimmer, lighter and more elegant structure.

They advised that lines of visibility from the Upper Street entrance to the square ought to be considered as part of the design process. The Panel commented that if footfall increases it would be important to know whether the proposed circulation routes and vertical circulation provisions will be adequate.

Panel members expressed that the design of the kiosk should be very well detailed. The Angel Wings sculpture was discussed by the Panel and they considered it to be a quite extraordinary work of art with a short but important history. Consequently, they felt that its loss must be justified by the highest quality proposals and any re-use must be meaningful.

Summary

Panel members welcomed proposals to improve the Angel Central Shopping Centre, especially making a better use of underutilised parking space and enhancing its general appearance. However, the Panel felt that that detailing and quality of materials would be critical to the success of the scheme. Panel members stated that good connections must be made between the site and the public realm that it adjoins and greater consideration should be given to improvements to the Parkfield Street and Upper Street entrances. The Panel stated that the impact of the bridge needs to be considered as part of the potentially greater positive results in terms of how people move through the site but it must be a lighter and more elegant structure as currently it risks eroding the quality of the open space. They also commented that the removal of the Angel Wings sculpture should be justified.

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

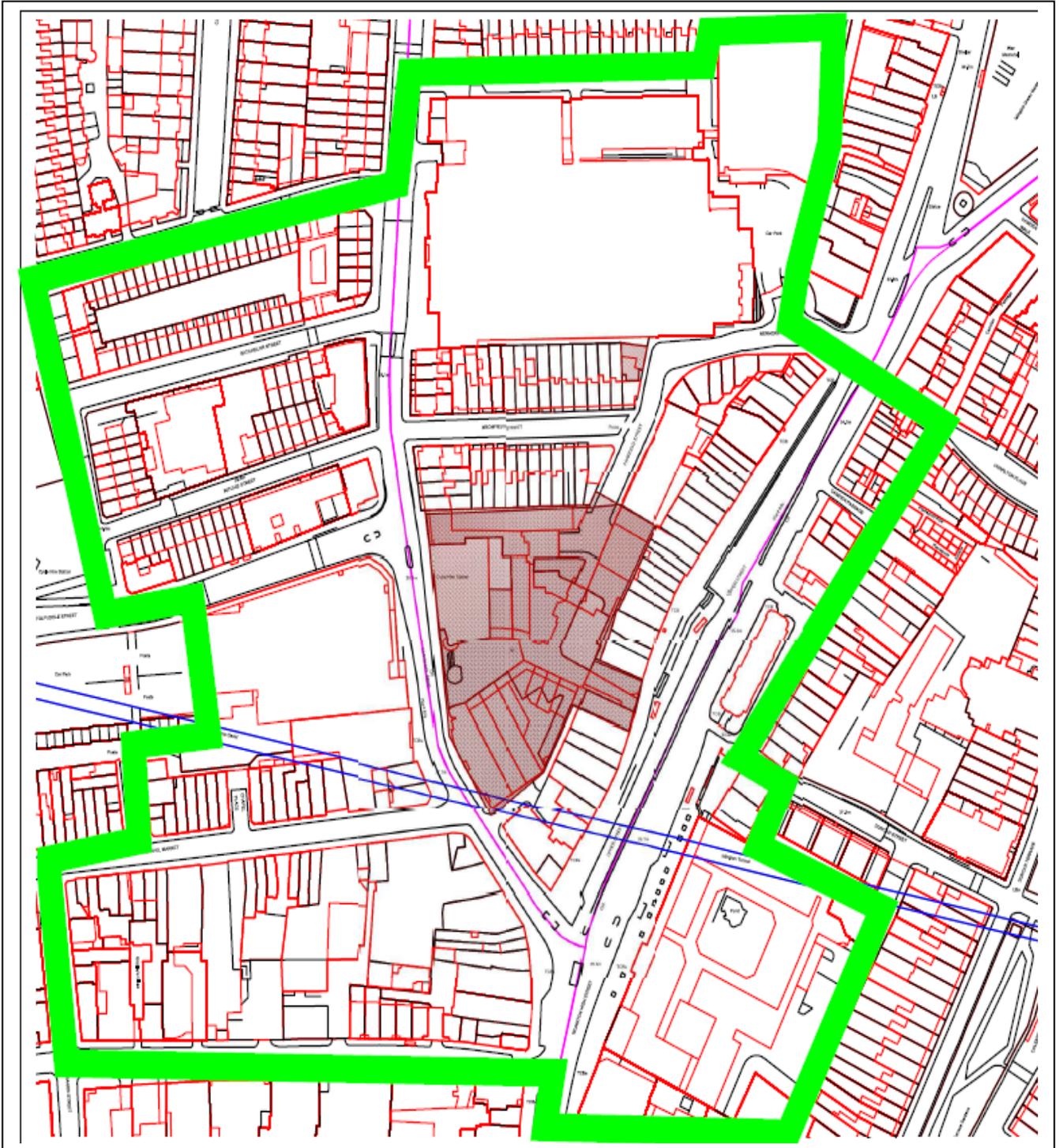
Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in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

Yours sincerely,



Luciana Grave
Design Review Panel Coordinator
Design & Conservation Team Manager

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.
P2017/2964/FUL
All addresses within green boundary line have been consulted

This page is intentionally left blank

PLANNING COMMITTEE REPORT

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

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	10th September 2018	

Application number	P2017/1969/FUL
Application type	Full Planning Application
Ward	Caledonian Ward
Listed building	N/A
Conservation area	No
Development Plan Context	Kings Cross Key Area Local Cycle Routes Vale Royal & Brewery Road Locally Significant Industrial Site
Licensing Implications	N/A
Site Address	Rebond House, 98 - 124 Brewery Road London N7 9BG
Proposal	Four storey extension to the existing rear (north) elevation, part three part four storey extension to the west of the existing building, four storey extension to the east of the existing building and a single storey addition at roof level to provide 3,712sqm of class B1(c)/B8 (Light Industrial/Storage and Distribution) use at ground floor, first floor and second floor level; and flexible B1(a/b/c) (Office, Research and Development, Light Industrial) floorspace above (1,022sqm), together with associated reconfigured parking and servicing arrangements.

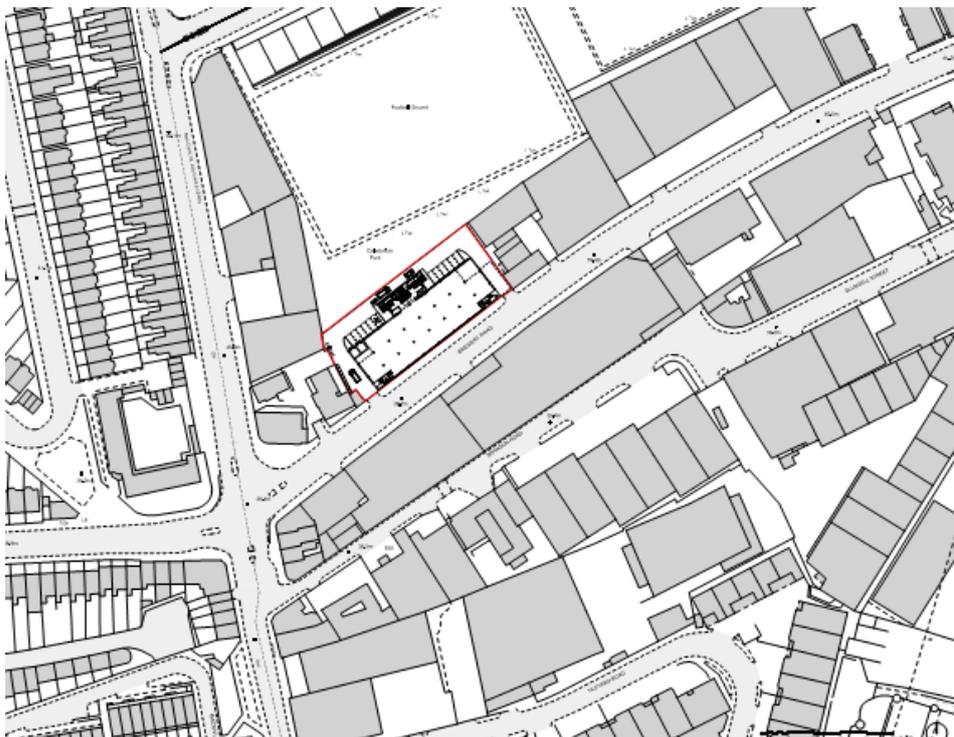
Case Officer	Stefan Sanctuary
Applicant	City of London
Agent	Turley Associates

1 RECOMMENDATION

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

- subject to the conditions set out in Appendix 1; 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 (Recommendation A).

2 SITE PLAN (SITE OUTLINED IN RED/BLACK)



3 PHOTOS OF SITE/STREET



Photograph 1: Brewery Road frontage



Photograph 2: View from rear



Photograph 3: from Brewery Road looking west



Photograph 4: View from rear towards west loading bay

4 SUMMARY

- 4.1 The application proposes a four storey extension to the existing rear (north) elevation, part three / part four storey extension to the west of the existing building, four storey extension to the east of the existing building and a single storey addition at roof level to provide 3,712sqm of B1(c)/B8 (Light Industrial / storage & distribution) use at ground, first and second floor level; and flexible B1(a/b/c) (Office, Research and Development, Light Industrial) floorspace on the top floor (1,022sqm), together with associated reconfigured parking and servicing arrangements.
- 4.2 The site is within the Locally Significant Industrial Site (LSIS) of Vale Royal and Brewery Road, which is largely characterised by post-war industrial/warehouse buildings as well as some late-Victorian residential buildings. The site is not within a conservation area or in close proximity to any designated heritage assets.
- 4.3 The scheme has been amended and would now result in both an uplift in flexible office floorspace (B1) as well as light industrial floorspace (B1c) and the retention and increase of the B8 (storage and distribution) floorspace on the ground floor. As such there is an uplift in floorspace that is considered appropriate to the LSIS and the proposal is considered to be acceptable in land use terms and be in accordance with Development Management Policy 5.3 as well as Islington Core Strategy Policies CS6 and CS13.
- 4.4 The extensions and additions to the existing building would result in improvements to its overall appearance that are considered to be of sufficient quality to warrant approval. The proposal would result in improvements to the internal layouts, in particular the accessibility of the building. The application also proposes sustainability measures that would improve its energy efficiency. The scheme is considered not to have any undue impact on nearby residential properties or the area in general in terms of overlooking, overshadowing or noise impacts.
- 4.5 The application is considered to be in accordance with planning policy and is thus recommended for approval subject to appropriate conditions and planning obligations as outlined in Appendix 1.

5 SITE & SURROUNDINGS

- 5.1 The application site is 0.2 hectares in size, is rectangular in shape and has one street frontage onto Brewery Road. The existing building on site is a 3-storey commercial building which is largely vacant, though the ground floor is occupied by a distributor of lighting and special effects equipment. The lawful uses of the building are unclear but it is considered that the lawful use of the ground floor would be B1c / B8 while the upper floors would fall within use class B1c / B2 use.
- 5.2 The site is bordered by a three-storey residential building on its western boundary, 126 Brewery Road, while to the east is a two-storey building in use as a recording studio. To the north of the site are the sports pitches of Market Road. To the south of the site, the area is characterized by industrial and warehouse buildings typical of the industrial area, though there are also some buildings in residential use that need to be considered.

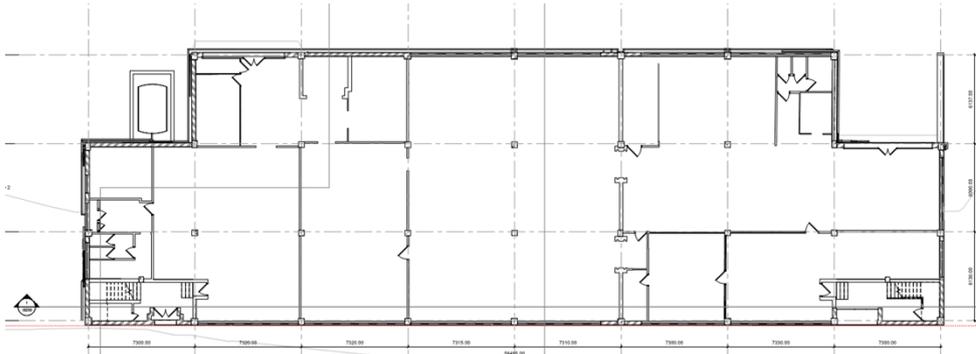
5.3 The site is wholly within the Vale Royal and Brewery Road Locally Significant Industrial Area, which is largely characterised by post-war industrial/warehouse buildings as well as some late-Victorian residential buildings. The site is not within a conservation area or in close proximity to any designated heritage assets, though there is a locally listed building on the corner of York Way and Brewery Road (256 York Way). The site is protected by an Article 4 direction removing permitted development rights to change of use from B1 to residential use. Finally, the site has a PTAL of 4 and is within walking distance to Caledonian Road underground station and a number of bus routes.

6 PROPOSAL (IN DETAIL)

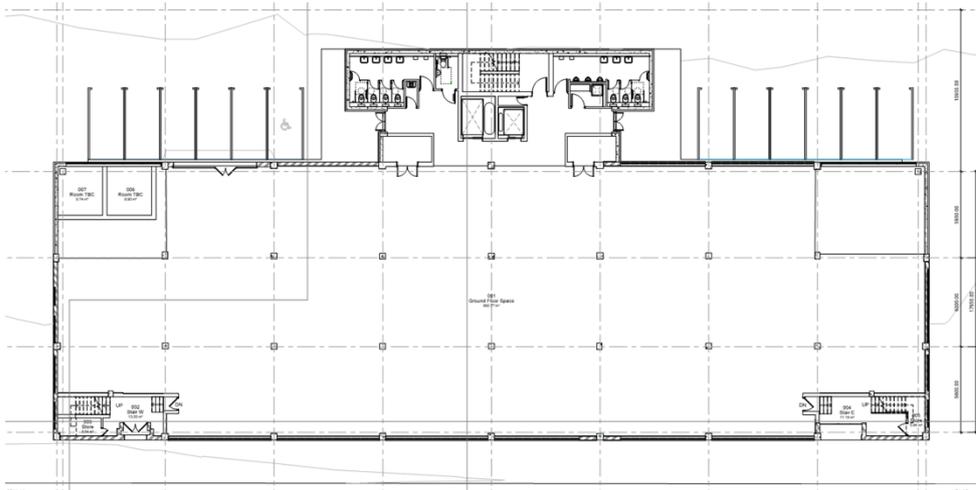
6.1 The application proposes a four storey extension to the existing rear (north) elevation, part three part four storey extension to the west of the existing building, four storey extension to the east of the existing building and a single storey addition at roof level to provide 3,712sqm of B1(c)/B8 (Light Industrial)/(Storage & Distribution) use at ground, first and second floor level; and flexible B1(a/b/c) (Office, Research and Development, Light Industrial) floorspace on the top floor (1,022sqm), together with associated reconfigured parking and servicing arrangements. The following table provides detail of existing and proposed uses, expressed in gross / net internal floorspace area (note that both B8 and B1c floorspace is considered suitable for the LSIS):

	Existing (GIA)	Proposed (GIA)	Uplift
Ground Floor	968sqm (B8) 33% of Total	1,195sqm (B8) 25.2%	+ 227sqm
First Floor	973sqm (B1c/B2) 33.5%	1,258sqm (B1c) 26.6%	+ 285sqm
Second Floor	973sqm (B1c/B2) 33.5%	1,259sqm (B1c) 26.6%	+ 286sqm
Third Floor	N/A	1,022sqm (B1) 21.6%	+1,022sqm
Total	2,914sqm	4,734sqm	+1,820sqm

6.2 The proposed side extension projects approximately 4.5m from the east elevation of the building and is flush with the front (south elevation) building line. The side extension is elevated above ground level providing extended floorspace at first and second floor level and leaving space beneath for vehicular and pedestrian access between Brewery Road and the rear car park and service yard. To the rear of the existing wings at the side of the building, two full height extensions will infill the recessed corners. In the north east this will replace the existing single-storey lean-to loading bay.



Existing Ground Floor Plan



Proposed Ground Floor Plan

- 6.3 At the rear of the building a full height extension will project approximately 6m from the rear elevation in the centre of the building. This new core will provide a centralised access point from the car park and service area to each floor of the building. The proposed additional floor is stepped in from the side elevations and set back from the front elevation with the exception of two taller elements (the front stair cores) providing 'book ends' at the eastern and western ends.



Proposed Front Elevation

- 6.4 At roof level above the proposed core extension, plant will be sited enclosed by horizontal louvres. The remainder of the roof will comprise a green roof and area for photovoltaic panels. On the front elevation the existing brickwork and expressed concrete structure would be retained and the proposed extensions will be clad in complementary Corten steel cladding. This will also be used on the rear elevation but with the additional use of precast concrete cladding modules and red brick cladding on the proposed core extension.

7 RELEVANT HISTORY

Planning Applications

- 7.1 A similar application for “three storey extensions to the east, west (sides) and north (rear) and addition of an additional floor at roof level to provide: 1194sqm of flexible class B1(c) / B8 use across the ground floor; and B1 business floorspace above (3739sqm), together with associated reconfigured parking and servicing arrangements” was submitted in June 2016 (Ref.2016/2591/FUL). This application was subsequently withdrawn in November 2016. It is understood that officers were unhappy with the potential impact of the proposed extensions on daylight and sunlight levels in nearby Simla Court and were looking to refuse the application before it was withdrawn.

Enforcement

- 7.2 There are no relevant recent planning enforcement records on the subject site.

Pre-application Advice

- 7.3 The applicant received pre-application advice in 2015. The proposal presented at that point involved the change of use and extension of the existing building to create a flexible B1a/b/c building. Extensions and alterations included the addition of two wings and infill extensions to the Brewery Road elevation, and to the rear, with a single storey extension at roof level. A potential D1 use was also discussed.
- 7.4 The following advice was given, that:
- Without sufficient evidence the loss of the B8/B2/B1c use at the site and the proposals to change the use of the property to B1a would not be acceptable in principle.
 - However, subject to industrial / warehousing uses being re-provided on site, the provision of additional office accommodation is supported. A D1 use is not supported.
 - Notwithstanding the proposed use of the building, the proposal is not considered to be of an excessive height or massing, however concerns remain with regard to daylight/sunlight and outlook to the neighbouring residential property.
 - A daylight/sunlight analysis should be undertaken and on-site servicing requires reconsideration in this industrial estate.

8 CONSULTATION

Public Consultation

- 8.1 Individual letters were sent to occupants of 65 no. adjoining and nearby business and residential properties on the 8 June 2017. A site notice and press notice were both posted on the 15 June. The public consultation on the application formally expired on the 6 July 2017. 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 there had been one response received from the public, a letter from the current tenant of the ground floor, HALO. While not commenting on the merits of the planning application, they point out the importance to them as equipment rental and event productions business of retaining their space at the subject site.

Applicant's Consultation

8.3 In May 2016 the applicant undertook their own consultation exercise in the shape of a letter and a feedback form 82 no. local occupiers. A similar letter and form were issued to Caledonian Ward Members. A period of 9 days was allowed for response by the applicant via email, freepost or telephone. The applicant reports that no replies were received during that time.

8.4 No further comments were received.

Internal Consultees

8.5 **Planning Policy:** The planning policy team had strong reservations about a previous iteration of the proposal which was office-led and would not have contributed to the functioning of the LSIS. The revised proposal, with a significant increase in B1c and B8 floorspace, suitable to the LSIS, is supported.

8.6 **Access and Inclusive Design:** The proposed access improvements to the building were noted and welcomed. The following further comments were made:

- Sufficient wheelchair parking bays should be identified to deliver 1 bay per 33 employees;
- Provision should be made for safe drop-off, accessible cycle parking and storage for mobility scooters;
- The access to the rear is unorthodox and does not help the animation of the frontage or surveillance of the street
- There is no indication of safe refuge or an evacuation lift.

8.7 **Design and Conservation:** No in principle objection to the proposed extensions and the use of the corten steel and concrete is welcome. However, the roof form is considered somewhat convoluted and at odds with the simplicity and horizontality of the host building.

8.8 There is some concern about the jump in scale/massing from the locally listed building on the corner and the small-scale building immediately adjacent to the application site. It feels uncomfortable and dominant.

8.9 **Energy and Energy efficiency:** The energy officers initially recommended the following:

- Improved CO2 reduction
- improvement to U-values and other efficiency parameters;

- further details of dynamic thermal modelling details;
- further details of cooling and ventilation details;
- further details of heating system;
- further CHP assessment detail;
- assessment to increase solar PV output.

8.10 An amended Energy Strategy was submitted, which was considered to successfully respond to the points made and is now considered acceptable

8.11 **Sustainability Officer:** no comments received

8.12 **Highways:** Highways re-instatement should be secured in the legal agreement.

8.13 **Public Protection (Noise):** The proposal is for an extension to the existing industrial building with the plant relocated to a new rooftop enclosure. With the increase in size there is likely to be an increase in the amount of building services plant provided. To minimise the impact for nearby occupiers it is recommended that the following condition (13) is applied to any permission granted:

“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.”

8.14 In addition, the following NRMM (non-road mobile machinery) informative is advised to cover the construction phase:

“An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. 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 shall meet Stage IIIB from 1st September 2020. 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.”

8.15 **Refuse and Recycling:** No response received.

External Consultees

8.16 **Thames Water:**

No piling shall take place until a piling method statement 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 (*condition 21*).

No objection with regard to sewerage infrastructure capacity.

It is the responsibility of a developer to make proper provision for surface water drainage.

- 8.15 **Crime Prevention Officer:** The design and layout are acceptable from a security perspective subject to the SBD 2015 'commercial guide' being followed (*condition 22*).
- 8.16 **London Fire and Emergency Planning:** The Brigade is satisfied with the proposal, subject to a sprinkler system being installed in the building.
- 8.17 **Environment Agency:** No response received.

9 RELEVANT POLICIES

- 9.1 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:
- *To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);*
 - *To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)*
- 9.2 National Planning Policy Framework (NPPF): Paragraph 11 states that at the heart of the NPPF is a "*presumption in favour of sustainable development*" which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: "*approving development proposals that accord with the development plan without delay...*"
- 9.3 At paragraph 8 the NPPF states that sustainable development has an economic, social and environmental role; "*these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*"
- 9.4 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- *Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law;*
 - *Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground*

such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

- 9.5 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.6 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

National Guidance

- 9.7 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.8 Under the Ministerial Statement of 18/12/2014, the Government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that local planning authorities will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

Development Plan

- 9.9 The Development Plan comprises the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.10 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013:
- Kings Cross & Pentonville Road Key Area
 - Local Cycle Routes
 - Vale Royal & Brewery Road Locally Significant Industrial Area
 - Article 4 direction B1c to C3

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Design and Appearance
- Inclusive design
- Neighbour amenity
- Sustainability, energy efficiency and renewable energy
- Highways and transportation
- Other considerations

Land Use

10.2 The application site is within the Vale Royal / Brewery Road Locally Significant Industrial Area (LSIS) designated in Islington's Local Plan. This recognises its important strategic role in providing services for business in the Central Activities Zone (CAZ). The LSIS is situated adjacent to the CAZ boundary. The LSIS is the last remaining significant concentration of industrial land within the borough.

10.3 Islington's Employment Land Study (ELS) (2016) highlights the large losses of industrial land in recent years - 436,000m² between 2000 and 2012. Recent GLA Industrial Land baseline data demonstrates that the boroughs' stock of industrial land fell from 60ha in 2010 to just 35ha in 2015. Despite this wider context, industrial land within the LSIS has remained relatively stable. With regard to the LSIS the ELS highlights that 'severely constrained supply and sustained take-up are combining to maintain rents at a relatively high level. Indeed, local agents report that there is a lack of comparable rental evidence on Brewery Road/Vale Royal, due to a lack of transactions (vacancy here is estimated at no more than 3-5%)'. The profile of occupier demand illustrates a broad profile of business types, with the bulk of demand emanating from warehousing and storage for a wide range of functions, however the LSIS is also home to two distinctive business clusters – service industries to the music and entertainment industries around London as well as catering.

10.4 Islington's Development Plan policies recognise the significance of the LSIS. Policy CS13 of Islington's Core Strategy states that the Vale Royal / Brewery Road Site will be retained for industrial / warehousing / employment land noting that the LSIS is the last significant concentration of industrial/warehousing use in the borough. In support of this policy, Development Management Policy DM5.3 encourages the retention and intensification of uses appropriate to the role of the LSIS (i.e. within the B1(c), B2 and B8 Use Classes).

10.5 As the site is within the King's Cross Key Area, Policy CS6 of Islington's Core Strategy is also of relevance. The policy indicates that the King's Cross area will be expected to accommodate an estimated growth in jobs of approximately 3,200 from B-use floorspace. Moreover, Policy CS6 also states that the Vale Royal / Brewery Road area will be retained as the only locally significant concentration of industrial/warehousing/employment land in the borough.

10.6 In general, the London Plan (2016) also features strategic planning policies that seek to safeguard existing employment floorspace. In 2012 the Mayor's Land for Industry

and Transport SPG identified Islington as a borough of ‘restricted transfer’ – affording it the strongest protection for any proposed transfer of industrial land to other uses. The SPG confirms that boroughs within the ‘restricted transfer’ category typically have low levels of industrial land relative to demand. London Plan Policy 4.4 in turn sets out a clear basis for a rigorous approach to industrial land management to ensure sufficient stock of premises, with boroughs setting out further detail of their approach to managing industrial land within their local planning policies. Paragraph 2.42 of the London Plan stipulates ‘Loss of industrial capacity must be weighed very carefully against the scope it can provide for relatively affordable workspace, not least in terms of the locational advantages it has in providing services for CAZ (Policy 4.4.)’

- 10.7 Policy 4.4 itself states that ‘The Mayor will work with boroughs and other partners to adopt a rigorous approach to industrial land management to ensure a sufficient stock of land and premises to meet the future needs of different types of industrial and related uses in different parts of London, including for good quality and affordable space...’. The policy justification then goes on to echo Islington’s relevant Core Strategy and Development Management Policies by highlighting that ‘(e)ven an increasingly service-based economy needs space for less high-value activities crucial to sustaining the city’s metabolism, including “services for the service sector”, manufacturing and maintenance, waste management and recycling, wholesale and logistics. Sufficient space to accommodate demand for workspace suitable for SMEs and for new and emerging industries is also required including for the needs of micro-firms.’

Current Use

- 10.8 Council records indicate that planning permission was granted in 1957 for the existing building at 98-124 Brewery Road with the permission allowing distribution of cellulose film. A planning permission governing a change of use to ‘the manufacture of women’s outwear’ was then granted in 1964.
- 10.9 In 1976 what could be seen as the most significant planning permission was then granted for ‘The use of existing factory premises...for the manufacture of women’s, gent’s and children’s outwear’. This appears to have been in order to allow the manufacturing of a wider range of clothing than was allowed under the 1964 planning permission which was restricted to women’s clothing only.
- 10.10 The 1976 planning permission is the most recent element of the building’s planning history and the applicant’s lease records confirm that this planning permission was implemented. The 1976 permission sets restrictions on use. Based on 1987 Use Class definitions, use of the whole building was restricted to:
- Use Class B1c (light industry); or
 - Manufacturing of clothing (Class B2 - General Industrial) with ancillary storage, office and welfare accommodation; and
 - No other purpose including any other purpose within Use Class B2 (General Industrial).
- 10.11 It can be surmised from the condition that clothing manufacturing use envisaged at the time was equivalent to a Class B2 use (i.e. “manufacturing of clothing...and no other purpose within Class IV”). It is accepted that this has now changed and clothing

manufacturing will almost always fall within a Class B1 unless “where potentially detrimental to residential amenity” in which case it is Class B2. There are no other planning permissions on record, since the 1976 permission, relevant to the use of the building.

- 10.12 Consideration of the building’s established use is however not only a case of assessing any planning permissions granted. Whom the building has been historically used by and how it has been used is also crucial to establishing lawful and/or existing use. During the course of the application, the applicant has provided evidence which demonstrates that Halo Lighting has, as of 1 June 2017, been in occupation of part (and later the whole) of the ground floor for at least 10 years. Halo lighting offer commercial lighting to a variety of events. With large amounts of lighting storage occurring on site it is accepted the ground floor now has an established Class B8 (Storage) use having moved away for a continuous period of over 10 years from its original use as part of the clothing manufacturing operation in the building.
- 10.13 Other evidence provided by the applicant includes an underlease with Bodner-Elem dated 5 November 1976, which relates to the whole building. It states that the tenant ‘will not without the consent in writing to the lessor and the superior lessor use or suffer the demised premises or any part thereof be used for residential purposes or for any purpose other than for the Lessees business of manufacture of gentleman’s, Ladies and childrens’ outerwear with office facilities ancillary thereto or such other use within class III of the Town and Country Planning (Use Classes) Order 1972 as the Lessor and the Superior Lessor shall approve such approval not to be unreasonably withheld.’ Other evidence provided demonstrates that Bodner’s tenancy continued until it was terminated in 27 February 2000.
- 10.14 This underlease suggests then that between 1976 to its termination in 2000 there were restrictions on the use of the building duplicating the condition/s on the 1976 planning permission. The underlease specifies that the demised premises (presumed to be the whole building) should be also used for only clothing manufacturing activities (Class B2) or Class B1c (light industrial), but no other class B2 use. On the basis of this evidence (and no other evidence has been provided post 2000 relating to the upper floors) it is reasonable to conclude that the lawful use of the upper floors is one of these two uses (Classes B1c or B2).
- 10.15 Officers would therefore maintain that the existing building has a wholly storage/light industrial use based on the evidence available and that Policies DM5.3 and CS13 would be applicable which support the retention and intensification of industrial and storage uses (Class B1C, B2 and B8) in the LSIS.

Assessment

- 10.16 Following some amendments to the planning application, in particular that the application now proposes B1c floorspace on the second floor rather than flexible B1, the proposal now includes an increase in floorspace suitable to the LSIS. The planning application considered here results in an improvement to, and increase of, storage and distribution floorspace (B8 use) on the ground floor, which is considered suitable for LSIS. The proposal also results in an increase (571sqm) of B1c floorspace across the first and second floors. This is shown in the table below:

	Existing (GIA)	Proposed (GIA)	Uplift
Ground Floor	968sqm (B8) 33% of Total	1,195sqm (B8) 25.2%	+ 227sqm
First Floor	973sqm (B1c/B2) 33.5%	1,258sqm (B1c) 26.6%	+ 285sqm
Second Floor	973sqm (B1c/B2) 33.5%	1,259sqm (B1c) 26.6%	+ 286sqm
Third Floor	N/A	1,022sqm (B1) 21.6%	+1,022sqm
Total	2,914sqm	4,734sqm	+1,820sqm

- 10.17 In addition, the B1c floorspace is considered to be of a higher quality than the existing B1c/B2 and B8 floorspace with the provision of a goods lift and improved access and ancillary services / functions. As such, the scheme will provide an increase in the amount of and the quality of floorspace that is considered to support and improve the function of the industrial area as a whole.
- 10.18 The proposal also includes an element of flexible B1 floorspace on the top floor of the building. Though this floorspace could be used as an office occupier as B1(a) floorspace, this is not contrary to planning policy, which resists the introduction of non-business uses in the LSIS (Policy DM5.3). In regard to the existing first and second and proposed third floor the applicant asserts that the 1976 planning permission, centred around clothing manufacture, which was implemented, resulting in B1c or B2 use allows Class B1a office use and therefore no planning permission is required for the proposed use of the first and second floors for Class B1 purposes. This is on account of any 'change' from B1c to B1a not being 'development' as defined in Section 52 of the Town and Country Planning Act (as amended) as it is within the same use class. Furthermore, a change of use from Class B2 to Class B1 use is permitted development under Class I of Part 3 of The Town and Country Planning (General Permitted Development Order).
- 10.19 Policy DM5.3 is very clear that within the LSIS the retention and intensification of uses appropriate to its industrial use (B1(c), B2 and B8) are strongly supported and that proposals which result in the loss of such uses will be refused. Given the context of overall demand for industrial space and the specific clusters that have developed in the area, as well as policies which strongly protect the areas industrial character, the introduction of offices should be clearly ancillary to industrial uses on this site. The Development Management Policies document is clear that other uses, e.g. offices, will be considered acceptable where there is no impact on the primary economic function of the area and complement and support the role of the LSIS. Now the proposal has been amended, over 75% of the floorspace would be light industrial floorspace suitable for the functioning of the LSIS.
- 10.21 The uses proposed would result in the introduction of flexible B1 floorspace as well as an increase in B1(c) industrial floorspace and B8 (storage and distribution) floorspace. Set against the planning history and policy context, the proposal is considered to be

acceptable in land use terms. As a whole, the proposal would be in accordance with London Plan Policies 2.9 and 4.4, Islington Core Strategy Policies CS6 and CS13 and Development Management Policy 5.3.

Design & Appearance

- 10.22 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 CS8, CS9 and CS10 in Islington's Core Strategy, and policies in chapter 2 of Islington's Development Management Policies, are also relevant. The council's Urban Design Guide SPD and the Mayor of London's Character and Context SPG are also relevant to the consideration of the current application.

Site and surroundings

- 10.23 The subject site's immediate neighbours are a three-storey residential building neighbouring the site to the west at 126 Brewery Road and a two-storey light industrial building on its eastern boundary. Across the street on the other side of Brewery Road are three-storey warehouse buildings. The remainder of Brewery Road is generally characterised by relatively low-rise light industrial and warehouse buildings of little or no architectural merit. To the north (rear) of the subject site are the sports pitches of Market Road.

Heights and Detailed Design

- 10.24 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".
- 10.25 Policy DM2.1 of Islington's Development Management Policies requires development (including alterations and extensions) 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.
- 10.26 Specifically relating to the site, the evidence base within the Discussion Paper of the Vale Royal and Brewery Road LSIS SPD (March 2017) provides clear guidance, that a maximum height of 20 metres or four / five commercial storeys would be appropriate to the LSIS. The evidence is based on a detailed and robust assessment of the area and its surroundings. The study sets out parameters for acceptable building heights as well as more detailed guidance on the implementation of Islington's current adopted policy

on the LSIS, which prioritises B1c (light industrial), B2 (industrial) and B8 (storage and distribution) alongside a limited amount of complementary uses (i.e. office or ancillary café) where it supports the economic and employment function of the LSIS, and a strong resistance to residential and other non-business uses

- 10.27 Although the proposal would be noticeably taller than immediately neighbouring buildings, in view of the study referred to above and an assessment of the site's surrounding context, it is considered that the proposed four storeys is appropriate in height.



Proposed Front Elevation looking west

- 10.28 The main street elevation is orientated to the south-east and consists largely of the existing building structure, which sits along the pavement edge. Consisting of an exposed concrete frame with brick infill panels the new side extensions replicate the appearance and proportions of these in complimentary Corten steel cladding. The floor is set back at third floor to create a visual hierarchy and articulation across the height and length of the facade. This set back is further augmented with a continuous horizontal brise soleil feature at the top of the building between the two book ends.
- 10.29 While there is no in principle objection by the Council's Design & Conservation team to the proposed extensions, the roof form is considered somewhat convoluted and at odds with the simplicity and horizontality of the host building. There is also some concern about the jump in scale/massing from the locally listed building on the corner and the small-scale building immediately adjacent to the application site. The jump in height, in particular the design of the elevated corners of the front elevation, make the building appear dominant and the relationship somewhat uncomfortable.
- 10.30 In order to resolve this relationship and to ensure that the change in height and massing does not appear uncomfortable or dominant, it is considered that further work should be done to the front elevation and treatment to the facades before these are approved. As such, in the event that permission is granted a condition (23) is recommended requiring further details of the front and side elevations to be submitted and approved in writing by the Planning Authority prior to works commencing on site.



Perspective View from Rear

10.29 The proposed rear elevation consists of the existing building's facades with exposed concrete frame and brick infill panels. The new central core is introduced in the middle of the rear elevation with pre-cast concrete cladding modules. As with the front elevation, the proportions of the side extensions replicate and compliment the existing structure. The wrap-around cladding on the new central core is punctuated by recessed vertical glazed strips on either side running the height of the core that serve to mark the lobby areas and entrance on approach from the car park areas on either side. The new top floor on this elevation is again marked by a change in material and the ground floor on the new core is in brickwork for robustness and to articulate the top, middle and bottom of the facade.



Perspective View – Proposed Front Elevation (showing north-east extension)

10.31 Unlike the south-west elevation, which works with the existing building line the north east extension extends the existing floor plate to create a new street frontage at this end of the building. Here the horizontal emphasis of the existing facades, window lines,

brick infill panels and exposed structure are replicated. The side extension is elevated above ground floor level, leaving an undercroft vehicular entrance to the rear of the site. The new additional floor remains set back above the new and existing building to create recessed roof terrace.

- 10.32 The proposed elevations are considered to respond to, and respect the local industrial context. Condition 3 requires the submission of materials to ensure that the new materials proposed for the extensions complement the brick of the existing building. Overall, the design of the proposal is considered to improve the aesthetic of the existing building and the appearance of the street scene in accordance with planning policies, in particular Policies 7.4 and 7.6 of the London Plan and Development Management Policy DM2.1.

Inclusive Design

- 10.33 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.

Assessment

- 10.34 The proposed business floorspace would have level access to each floor, which is welcome. Moreover, the approach to the building is level, thresholds are flush, entrances and corridors, doors and lifts conform to relevant guidelines. Whilst the existing building has no passenger lift and a stepped entrance from Brewery Road, the proposed building will provide a new centralised core at the rear of the building with fully accessible entrance serving all levels. However, there are a number of points raised by the access officer about the proposal's inclusivity which will need to be considered and addressed by condition in the event of permission being granted.
- 10.35 Sufficient wheelchair accessible parking bays should be identified and provided in line with policy and provision should also be made for safe drop off, accessible cycle parking and storage and charging facilities for mobility scooters. Moreover, there is no indication of safe refuge / compartmentation of an evacuation lift. It is considered possible to reconfigure the internal layout and suitably condition any permission accordingly (*condition 6*).
- 10.36 In the event of planning permission being granted, a condition (6) would be required to ensure the proposed business floorspace would comply with relevant planning policies and the relevant parts of the Inclusive Design in Islington SPD.

Neighbouring Amenity

- 10.37 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to

London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.

- 10.38 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.
- 10.39 BRE Guidelines 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”*.
- 10.40 Daylight: 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;*
 - *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.” (No Sky Line / Daylight Distribution).*
- 10.41 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 lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”*
- 10.42 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall. 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”*.

10.43 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.”* 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.

10.44 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 degree. 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”*

10.45 Sunlight: The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11:

“If a living room of an existing dwelling has a main window facing within 90degrees 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. This will be the case if the centre of the window:

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

10.46 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.”*

10.47 It goes 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.”*

10.48 Open spaces: The Guidelines state that it is good practice to check the sunlighting of open spaces where it will be required and would normally include: *‘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’.*

10.49 At paragraph 3.3.17 it states: *“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.”

Assessment

- 10.50 The only nearby residential property is Simla Court at 126 Brewery Road. The windows within this property have been tested for loss of daylight. It can be confirmed that none of the windows within this property would lose more than 20% of their existing daylight as measured by VSC. The biggest loss in VSC would be to a first floor window which would retain 0.82 of its former value and thus would meet BRE standards and guidance.
- 10.51 All main habitable room windows which face 90 degrees of due south have also been tested for direct sunlight. While there would be some losses to sunlight to some of the windows tested, all windows pass both the total annual sunlight hours test and the winter sunlight hours test and the proposed development therefore satisfies the BRE direct sunlight to windows requirement.
- 10.52 Overshadowing diagrams have also been provided to demonstrate likely impacts on the amenity space of this neighbouring property. It can be confirmed that the amenity space would adequately lit in accordance with BRE guidelines.

Outlook

- 10.53 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.
- 10.54 As the proposal would increase the height of the building by a single storey, it is expected that there would be some impacts on outlook. However, any impact is considered to be quite minor given the size and location of the extensions proposed.

Privacy

- 10.55 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.

- 10.56 Paragraph 2.3.30 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 more recent Development Management Policies, and there remains a need to ensure that the proposed development maintains adequate levels of privacy for neighbouring residents.
- 10.57 The proposal would not introduce any new windows on the elevation directly facing the neighbouring residential property. As such, it is not considered that there would be an increase in overlooking or a reduction in privacy to neighbouring residential properties.

Other potential impacts

- 10.58 The proposal has been considered by the Council's pollution control team who raised no objection subject to conditions on construction management and noise. As such, in the event of permission being granted, a condition (11) is recommended requiring a Construction Environment Management Plan to be submitted and approved in writing in order to manage the construction impacts of the development.
- 10.59 Given the modest increase in commercial floorspace proposed and the nature of the industrial area, it is not considered that there would be undue impacts on neighbouring amenity in terms of noise and disturbance. However, in the event of permission being granted, a condition (13) requiring details of the plant room to be submitted and approved in order to minimise impacts of the plant's operation on neighbouring residential occupiers is recommended.

Conclusion

- 10.60 It is considered that the proposal would result not result in unacceptable impacts on neighbouring residential amenity in terms of loss of daylight and sunlight, outlook, privacy and an increased sense of enclosure.

Sustainability, Energy Efficiency and Renewable Energy

- 10.61 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.
- 10.62 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.

- 10.63 Islington's Core Strategy policy CS10 (part A) states that all developments should maximise on-site reduction in total (regulated and unregulated) carbon dioxide emissions. 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.

Carbon dioxide emissions

- 10.64 The applicant's updated Energy Strategy sets out a preferred strategy for reducing carbon emissions including through energy efficiency measures and low carbon energy sources. The energy efficiency measures proposed in the building's design include enhanced passive design with low U-values, double glazed high performance windows as well as fixed internal and external lighting with low energy light fittings. This, together with solar photovoltaic panels and air source heat pumps, would result in the development achieving a 79.2% reduction of carbon dioxide emissions (regulated emissions).
- 10.65 Based on the amended Energy Strategy Addendum dated 17th January 2018, the council CO₂ reduction target have now been met based on the improved U-values on the wall and roof and the increase of number of solar panels. The CO₂ reduction target is now at 30.7% regulated and unregulated, which meets policy. All remaining carbon emissions would be offset by the legal agreement requiring a carbon offset contribution of £101,542.

Sustainability

- 10.66 The applicant proposes various sustainability measures, including increased water efficiency and sustainable sourcing and use of materials. The application documentation also refers to a number of other sustainability measures such as the refurbishment of an existing building, low-energy lighting, promotion of sustainable transport modes and the use of sustainable materials. Many of these measures are supported and welcomed.
- 10.67 The Sustainable Design & Construction Statement identifies that an element of green roof is proposed on the building alongside the solar panels. These would enable a reduction in the extent of the site covered by impermeable surfaces. There is otherwise little scope for significant landscaping as part of the proposed development, however there would be sufficient space to green the site for the purposes of biodiversity, amenity and water attenuation. Details would be required by condition (20).
- 10.68 The application also includes a BREEAM pre-assessment which shows that the development would achieve a 'Very Good' rating for BREEAM New Construction 2014. Finally, the legal agreement requires the submission of a Green Performance Plan to enhance the environmental sustainability of the operation of the development.

Highways and Transportation

- 10.69 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

- 10.70 The site is close to the junction with York Way, which is controlled by a traffic light. A single yellow line covers part of the site, though the front of most of the site is covered by controlled parking. The existing site has a rear yard with vehicular access and egress in forward gear served by dropped curbs and a vehicular entrance.
- 10.71 The application site has a Public Transport Accessibility Level (PTAL) of 4. It is within walking distance of Caledonian Road underground station, and York Way and Caledonian Road are served by several bus routes. Bus and cycle lanes are marked along stretches of York Way.

Trip generation, parking and cycle parking

- 10.72 The applicant's Transport Assessment details the transportation and highways implications of the proposed development. The applicant's consultant has assessed the trip generation for the business floorspace and has concluded that there would be a moderate increase in employee car driver movements when compared to the existing situation.
- 10.73 The proposal also includes a total of 12 cycle parking spaces in the rear yard. Taking the existing and proposed floorspace as a whole, policy would require a total of 28 cycle parking space. It is however considered that there is sufficient space on site to accommodate this number of cycle parking space and further details would be required by condition (7).
- 10.74 There is currently space for 20 car parking spaces. This is to be reduced to 12 car parking spaces. While Islington has a car-free policy, it is considered that given the existing car parking on site, the proposed reduction of car parking would be considered acceptable.

Delivery and servicing and other highways considerations

- 10.75 The existing building has a service yard at the rear and is serviced via a vehicular entrance from Brewery Road. Servicing activity including delivery and servicing are proposed to be undertaken via the existing and retained vehicular entrances. A trip rate assessment has been undertaken for both proposed uses, which shows that there would be a negligible increase in servicing trips, which can be accommodated by existing transport infrastructure.
- 10.76 Servicing and delivery would be managed by a Delivery and Servicing Management Plan and further details will be required by condition (12).
- 10.77 Any works to the highway necessary including reinstatement of footways would be secured by section 278 agreement with the costs covered by the developer.

- 10.78 Finally, the submission and agreement of a Green Travel Plan would be required as a planning obligation through the legal agreement.
- 10.79 In conclusion, the highways and transportation impacts are considered acceptable and in accordance with relevant planning policy.

Community Infrastructure Levy and Legal Matters

Community Infrastructure Levy

- 10.80 Part 11 of the Community Infrastructure Levy (CIL) Regulations 2010 introduced the requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (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. 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.

Legal Matters

Officers have advised the applicant that a Section 278 agreement would need to be entered into in the event of permission being granted for the repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed, paid for by the applicant and the work carried out by Council or its contractors (unless otherwise advised) Conditions surveys may be required.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The benefits of the proposed development should be noted. These include the replacement of the existing floorspace with a higher quality, more accessible and more flexible employment space. The increase in floorspace suitable for light industrial use as well as the refurbishment of the existing building are also supported. The proposal is considered to be a sustainable form of development that would contribute towards a borough-wide reduction in carbon emissions
- 11.2 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. In this case, the benefits of the proposed development have been given due consideration.
- 11.3 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

- 11.4 It is recommended that planning permission be granted subject to conditions and s106 legal agreement to secure 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:

- 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.
- Compliance with the Code of Employment and Training.
- Payment towards employment and training for local residents of a commuted sum of £16,103.
- Facilitation, during the construction phase of the development, of 2 work placements: Each placement must last a minimum of 26 weeks.
- Compliance with the Code of Construction Practice, including a monitoring fee of £1,820.
- The provision of an additional number of accessible parking bays: 3 or a contribution towards bays or other accessible transport initiatives of: £6,000.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: £101,542.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

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 3 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	<p>Approved plans and documents list (Compliance)</p>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Existing / Proposed Drawings:</p> <ul style="list-style-type: none"> - Site location plan (Existing) (1316-0005) - Existing drainage plans - Existing ground plan (1316-0020) - Existing first floor plan (1316-0021) - Existing second floor plan (1316-0022) - Existing roof plan (1316-0023) - Existing sections A (1316-0030) - Existing Section B & C (1316-0031) - Existing SE Elevation (1316-0040) - Existing SW & NE Elevations (1316-0041) - Existing NW Elevation (1316-0042) - Site location plan (with proposed building) (1316-0001 Rev 01) - Site Survey (with Proposed building) (1316-0002 Rev 01) - Proposed ground floor plan (1316-0100 Rev 01) - Proposed first floor plan (1316-0101 Rev 01) – Proposed Second Floor Plan (1316-0102 Rev 01) - Proposed Third Floor Plan (1316-0103 Rev 01) - Proposed roof plan (1316-0104 Rev 01) - Proposed Section A (1316-0200 Rev 01) - Proposed Section B and C (1316-0201 Rev 01) - Proposed SE Elevation (1316-0210 Rev 01) - Proposed NW Elevation (1316-0211 Rev 01) - Proposed SW and NE Elevation (1316-0212 Rev 01) - Proposed SE and NW Elevation Materials (1316-0220 Rev 01) - Proposed SW and NE Elevation (1316-0221 Rev 01) <p>Addendum to Planning Application by Turley Associates dated 29th August 2018 Design & Access Statement by Studio E Architects Planning Statement dated May 2017 by Turley Associates Draft Site Waste Management Plan Energy Statement dated 14th January 2017 by Synergy Energy Strategy Addendum dated January 2018 by Synergy Sustainable Design & Construction Statement (including BREEAM pre-assessment & Green Performance Plan) dated January 2017 Flood Risk Assessment Sustainable Urban Drainage System Statement Transport Assessment dated December 2016 by Connect Consultants Framework Travel Plan Daylight and Sunlight Assessment Health Impact Screening Assessment</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: Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) brickwork b) corten steel cladding c) concrete panels; d) windows, doors and balustrades;

	<p>e) roofing materials; f) green procurement plan; and g) any other materials to be used on the exterior of the development.</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 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 policies 5.3, 7.4, 7.5, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS9 and CS10 of Islington’s Core Strategy 2011, and policies DM2.1, DM2.3 and DM7.4 of Islington’s Development Management Policies 2013.</p>
4	Roof-level structures (Details)
	<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 works commencing on site. 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 or the character and appearance of the area in accordance with policies 3.5, 7.4 and 7.6 of the London Plan 2016, policy CS9 of Islington’s Core Strategy 2011, and policy DM2.1 of Islington’s Development Management Policies 2013.</p>
5	External pipes, cables and CCTV (Compliance and 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>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 is in accordance with policies 3.5, 7.4 and 7.6 of the London Plan 2016, policy CS9 of Islington’s Core Strategy 2011, and policy DM2.1 of Islington’s Development</p>

	Management Policies 2013.
6	<p>Inclusive design – business floorspace (Details)</p> <p>CONDITION: Notwithstanding the plans hereby approved details including floorplans, sections and elevations of all business floorspace at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The details shall include the following and may require amendments to the layouts shown on the approved plans:</p> <ul style="list-style-type: none"> • accessible WC provision (the corridor to the accessible WCs and showers are not wide enough for a wheelchair to turn around); • Inclusive design measures adopted in the design of the cycle storage facilities (there should be a 1500mm clear space alongside the Sheffield cycle rack); • Wheelchair accessible parking provision; • space for the storage and charging of mobility scooters; • details of accessible changing facilities for staff; • accessibility of corridors and lifts (the 1500x1500mm clear space ahead of the lift is overlapped by the door from the stairwell and if the door were to open the other way then it would cut across the landing at the head of a flight of stairs); • details of how the development would comply with the relevant parts of the Inclusive Design in Islington SPD; • refuge area and management strategy in the event of fire evacuation (evacuation is by way of a stairwell and information is needed about how those with mobility impairments will reach a place of safety); • how the ground floor lobby area will be managed and how assistance will be provided to those who need it, as there is no reception or WC facility shown; <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>
7	<p>Cycle parking (Details and Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, details of bicycle storage areas, which shall be secure and provide for no less than 28 bicycle spaces shall be submitted and approved in writing by the Local Planning Authority.</p> <p>The approved cycle storage 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>

8	Restriction of B1 uses
	<p>CONDITION: At least 2,517sqm (GIA) of B1 floorspace and 1,195sqm (GIA) of B8 shall be provided. The B1façade and B8 floorspace shall be strictly limited to uses within the use B1façade and B8 use class category respectively and not for the purposes of Use Class B1a or B1b – of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order).</p> <p>REASON: To ensure that the use hereby approved is not able to change to B1a via permitted rights allowed under the Town and Country Planning (Use Class) Order 1987 (As Amended) in the interest of preserving the economic function of the Locally Significant Industrial Site.</p>
9	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 on site. The green roofs shall:</p> <ul style="list-style-type: none"> • form biodiversity-based roofs with extensive substrate bases (depth 80-150mm); 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>No green roofs, shall 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>
10	Energy/carbon dioxide reduction (Compliance)
	<p>CONDITION: The development hereby permitted shall be constructed to achieve a 30.7% reduction in total CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 95 l/p/d.</p> <p>A post fit-out Energy and Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation to demonstrate compliance with the above, and in accordance with the developers</p>

	<p>proposed energy review post completion. The building shall be maintained as such thereafter in perpetuity.</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>
<p>11</p>	<p>Construction Environmental Management Plan</p>
	<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 CEMP 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; 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 York Way and Brewery 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

	<p>process on air quality, including NRMM registration.</p> <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 approved details and measures. 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>
12	<p>Delivery and Servicing Management Plan and Waste Management Plan (Details)</p>
	<p>CONDITION: A 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 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 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>
13	<p>Plant noise (Compliance and Details)</p>
	<p>CONDITION: The design and installation of 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 $L_{AF90,T,bg}$. 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 prior to occupation of the development.</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</p>

	<p>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>
14	Lifts (Compliance)
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site</p>
15	Sustainable Urban Drainage (Details)
	<p>CONDITION: Prior to any works commencing on site a drainage strategy including full justification for any non-compliance with the requirements of Development Management Policy DM6.6 and London Plan Policy 5.13, and confirmation that best endeavours have been made to comply with these policies, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the drainage strategy 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 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>
16	BREEAM
	<p>CONDITION: All business floorspace within the development hereby approved shall achieve the most relevant and recent BREEAM (2018) rating of no less than "Very Good".</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>
17	Refuse / Recycling
	<p>CONDITION: The dedicated refuse/recycling stores, which shall incorporate facilities for the recycling of compostable waste 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>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</p>

	Development Management Policies 2013.
18	Solar PVs
	<p>CONDITION: The proposed Solar Photovoltaic Panels shown on approved plan, which shall provide for no less than a 10,000kW hr/annum of energy, shall be installed and operational prior to the first occupation of the development. Should there be any changes to the proposed solar panels, then details showing the revised arrangement providing at least the same amount of output shall be submitted and approved by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Output of panels - Area of panels; and - Design (including elevation plans). <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>
19	Lighting Plan
	<p>CONDITION: Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the relevant phase of the development hereby approved.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minimised. The lighting measures 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 resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
20	Landscaping
	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <ol style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) soft plantings: including trees, grass and turf areas, shrub and herbaceous areas; c) enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and

	<p>hedges;</p> <p>d) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces;</p> <p>e) biodiversity value of the proposed landscaping;</p> <p>f) inclusive design principles adopted in the landscaped features;</p> <p>g) phasing of landscaping and planting;</p> <p>h) bird and bat boxes; and</p> <p>i) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase.</p> <p>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, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<p>21</p>	<p>Piling – Thames Water (Details)</p> <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. 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>
<p>22</p>	<p>Secured by Design</p> <p>CONDITION: Prior to occupation of the development hereby approved, details of how the development achieves Secured by Design (2015 commercial guide) accreditation shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>

23	Design of Front Elevation
	<p>CONDITION: Notwithstanding the plans hereby approved, full details of the design and treatment of the front elevation shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The details shall include a revised top floor and roof-form to be shown in context and to a scale of 1:100.</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 interests of good design and to ensure an appearance that is sympathetic to its surroundings.</p>

List of Informatives:

1	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>
2	Sustainable Sourcing of Materials
	<p>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.</p>
3	Means of Escape
	<p>You are advised that during building works a temporary means of escape must be provided to any surrounding buildings which have an existing means of escape accessed via the application site.</p>
4	Building Control
	<p>The Building Acts and Building Regulations: To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control</p>

	<p>Service regarding the development and any intended works.</p> <p>T: 020 7527 5999 E: building.control@islington.gov.uk</p>
5	The Party Wall Act
	<p>The applicant is advised to comply with the relevant sections of the Party Wall (etc) Act 1996 (as amended) in regards to the proposal, namely in relation to the alteration and building up onto side boundary walls, and the excavation of a single storey basement to the existing side boundary walls.</p>
6	Other Legislation
	<p>You are advised of the need to comply with other legislation outside the realms of planning, namely building regulations and environmental health regulations.</p>
7	Other Operations
	<p>Nuisance from Construction Work: Nuisance from demolition and construction works is subject to control under the Control of Pollution Act. The normal approved noisy working hours are: " 08:00 to 18:00 Monday to Friday " 08:00 to 13:00 Saturday " No work on Sundays and Public Holidays If you anticipate any difficulty in carrying out construction works other than within normal working hours (above) and by means that would minimise disturbance to adjoining properties then you should contact the Pollution Project Team. T: 020 7527 7272 E: pollution@islington.gov.uk</p>
8	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 wwriskmanagement@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>
9	Sprinkler System
	<p>INFORMATIVE: You are advised by London Fire Brigade to install a sprinkler system into the building. The sprinkler system should be installed and operational prior to occupation of the development.</p>

10	Non-Road Mobile Machinery
	INFORMATIVE: An inventory of all NRMM must be registered on the NRMM register https://nrmm.london/user-nrmm/register . 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 shall meet Stage IIIB from 1st September 2020. 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. Relevant details should be provided in the CEMP required by condition 11.

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 2018 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 London Plan 2016, Islington's Core Strategy 2011 and Islington's Development Management Policies 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

Policy 5.11 Green roofs and development site environs

2 London's places

Policy 2.9 Inner London

6 London's transport

Policy 6.1 Strategic approach

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

7 London's living places and spaces

Policy 7.1 Lifetime neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

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 CS6 (King's Cross Policy CS8
(Enhancing Islington's Character)

Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS13 (Employment Spaces)

Strategic Policies

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

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

Employment

DM5.4 Vale Royal / Brewery Road
LSIS

Health and open space

DM6.1 Healthy development

Energy and Environmental Standards

DM7.1 Sustainable design and
construction statements
DM7.4 Sustainable design standards

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
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 2016, Islington's Core Strategy 2011, Islington's Development Management Policies 2013 and the Finsbury Local Plan 2013:

Islington Local Plan
Kings Cross Key Area Local Cycle Routes Vale Royal & Brewery Road Locally Significant Industrial Area Article 4 direction B1c to C3

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

The following SPGs and SPDs are relevant:

Islington Local Plan

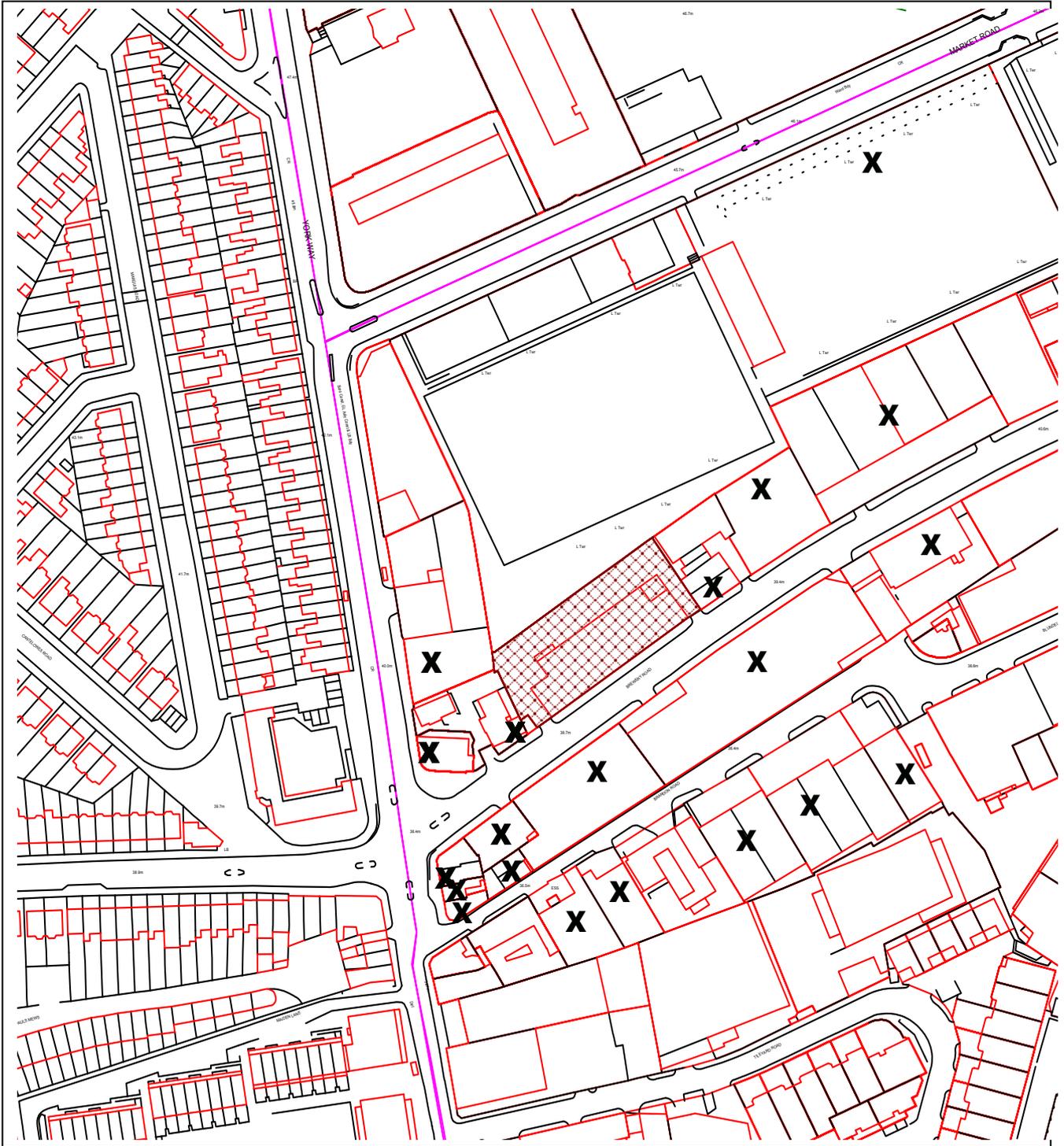
London Plan

- Environmental Design SPD
- Inclusive Design in Islington SPD
- Urban Design Guide SPD

- Accessible London: Achieving an Inclusive Environment SPG
- Planning for Equality and Diversity in London SPG
- Shaping Neighbourhoods – Character and Context SPG
- Sustainable Design and Construction SPG

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.
P2017/1969/FUL

This page is intentionally left blank



PLANNING COMMITTEE REPORT

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

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	10 September 2018	NON-EXEMPT

Application number	P2018/2240/FUL
Application type	Stopping Up of Highway
Ward	Finsbury Park
Listed building	n/a
Conservation area	none
Development Plan Context	Finsbury Park Key Area Cycle Routes
Licensing Implications	n/a
Site Address	Street Record Sonderburg Road Islington London
Proposal	Stopping-up and Diversion of Highways - Sections 247 and 253 of the Town and Country Planning Act 1990' for the length of Corker Walk (adjacent to Sonderburg Road).

Case Officer	Stefan Sanctuary
Applicant	Islington Housing
Agent	Lime Transport

RECOMMENDATION

The Committee is asked to resolve to APPROVE the stopping up, subject to the applicant first entering into an indemnity agreement to pay all the council's costs in respect of the stopping up, on the following basis:

1. The council makes a Stopping Up Order under Section 247 of the Town and Country Planning Act 1990 ("the Act") in accordance with the procedure in Section 252 of the Act in respect of the area of highway shown on Plan No. 621_SK_138 Rev B to enable the development authorised by planning permission ref: P2014/5216/FUL to be carried out.
2. If no objections are received (or any received are withdrawn), or the Mayor of London decides a local inquiry is unnecessary, then the Stopping Up Order will be confirmed by officers under delegated powers.
3. If objections are received from a local authority, statutory undertaker or gas transporter (and are not withdrawn), or other objections are received (and not withdrawn) and the Mayor of London decides that an inquiry is necessary, the Council shall cause a local inquiry to be held.

PLANS

The plans included in this report at Appendix 1 as follows:

- 16106.OS.111.02
- 16106.OS.112.01

1.0 SITES AND SURROUNDINGS



- 1.1 The area of land to which the application to stop up the highway and footway relates is the footway between Sonderburg Road and a section of the car park at the end of Sonderburg Road. Some of the footway and carriageway is already estate land while the remaining area marked up on Plan Number 16106.OS.111.02 is necessary for the implementation of the proposal.
- 1.2 Sonderburg Road is in large part a private estate road maintained by Islington Housing. However, a section of the footway alongside Corker Walk and part of the car park at the end of Sonderburg Road is highways land.
- 1.3 The outline application and detailed application for phase 1 of the Andover Estate redevelopment (planning application reference P2017/2065/FUL) has recently been approved. The first phase of this consented development requires the stopping up of part of Sonderburg Road in order for the works to be carried out.

2.0 PROPOSAL

- 2.1 The proposal relates to the stopping up of part of Sonderburg Road as marked up on the plan above, under Section 247 of the Town and Country Planning Act 1990 in connection with the implementation of the planning permission ref: P2017/2065/FUL that granted:

“Hybrid planning application involving Outline consent (scale, access and layout) for the phased redevelopment of the Andover Estate allowing for the erection of buildings up to 6 storeys to provide a gross total of 199 new dwellings (comprising 22 x 1 bedroom dwelling; 133 x 2 bedroom dwelling; 43 x 3 bedroom dwellings; 1 x 4 bedroom dwelling); up to 5159 sqm of affordable workspace (Use Class B1), 87sqm of flexible use space (Class A1/A3/B1/D1), estate-wide public realm and landscape improvements, including new children's play space; reconfiguration of existing estate-wide car parking; and provision of up to 763 cycle parking spaces. Full detailed consent for part of the proposal described above involving 64 residential units (comprised of 19 x 1 bedroom flats, 31 x 2 bedroom flats and 14 x 3 bedroom houses) across 6 infill sites and reconfiguration of existing dwellings and garages); public realm improvements including new landscaping and play facilities, 87sqm of flexible use space (Class A 1/A3/B 1/DI); 618 sqm affordable workspace (Use Class B1) and associated hard & soft landscaping, reconfiguration of existing estate-wide car parking; and provision of a minimum of 162 cycle parking spaces.”

3.0 CONSULTATION

- 3.1 The council's highway officer has no objection to the proposed stopping up of part of Sonderburg Road.
- 3.2 No public or external consultation has been carried out by the council in respect of the current stopping up application; however, the stopping up was referred to in the main body of the Committee Report for the original planning application

(P2017/2065/FUL). Should the Committee approve the stopping up before making the Orders, the council would carry out consultation as required by Section 252 of the Act. This would involve consulting statutory undertakers, posting site notices and publishing the proposed orders in a local newspaper and the London Gazette. A 28-day consultation period would allow interested parties to respond.

- 3.3 Under Section 252(4)(b) of the Act if an objection is received from any local authority, undertaker or gas transporter on whom a notice is required to be served, or from any other person appearing to the council to be affected by the order and that objection is not withdrawn (through negotiation between the objector and the applicant) the council must:
- (i) notify the Mayor; and
 - (ii) cause a local inquiry to be held.
- 3.4 If however, none of the objections received were made by a local authority or undertaker or transporter then, under Section 252(5A) of the Act, the Mayor shall decide whether, in the “special circumstances of the case” the holding of such an inquiry is unnecessary, and if he decides that it is unnecessary he shall so notify the council which may dispense with the inquiry.
- 3.5 If there are no objections, or all the objections are withdrawn, then the council may confirm the Stopping Up Order without an inquiry.

4.0 EVALUATION

- 4.1 Section 247(2A) of the Act provides that the council of a London borough may by order authorise the stopping up or diversion of any highway within the borough if it is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the Act.
- 4.2 In *K C Holdings Ltd v Secretary of State for Wales [1990] JPL 353* the Deputy Judge held that “may” implies a discretion to consider the demerits and merits of the particular closure in relation to the particular facts of the case. In *Vasiliou v Secretary of State for Transport [1991] 2 All ER 77*, the Court of Appeal held that when exercising his discretion, the Secretary of State was not only entitled, but required to take into account any directly adverse effect the order would have on all those entitled to the rights which would be extinguished by it, especially as the section contains no provision for compensating those so affected.
- 4.3 The layout of the Andover Estate redevelopment has already been considered and approved under application ref P2017/2065/FUL following a full statutory public consultation exercise. The approved layout plans would require the stopping up of the areas of land that are the subject of this report. The stopping up now proposed would give effect to the above described planning permission as shown on Plan No. 16106.OS.112.01. The proposed stopping up of the land shown on plan would allow for the erection of a new part 6-, part 7-storey building providing 6 x 2-bed and 5 x 1-bed flats and 87sqm of flexible use space on the ground floor and ancillary bike and refuse storage as well as associated landscaping and public realm works.

- 4.4 Sonderburg Road is a cul-de-sac that is already a private estate road. As such the proposed stopping up will have no effect on vehicular traffic.
- 4.5 The proposed stopping up of the area of land would not result in a permanent loss of public access through the redeveloped estate. Vehicular and pedestrian routes will continue to be provided into the estate. Officers therefore consider that there would be no disadvantages suffered by the public or by those with properties near or adjoining the existing highway. In contrast, there are advantages of stopping up the highways rights to enable the development to be carried out.

5.0 CONCLUSION

- 5.1 It is considered that the proposed stopping up of the area of land is necessary to enable the development to proceed and is acceptable in highways terms. It is noted, however, that there remain obligations relating to consultation and a local inquiry may be held, should the stopping up be approved by the Committee.

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.
P2018/2240/FUL

This page is intentionally left blank



PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	10 September 2018	
Application number	P2018/0523/FUL	
Application type	Full Planning Application	
Ward	Bunhill Ward	
Listed building	No	
Conservation area	Within 50 metres of the Bunhill Fields and Finsbury Square	
Development Plan Context	Central Activities Zone; Bunhill & Clerkenwell Key Area; City Fringe Opportunity Area; Employment Priority Area (Offices); Moorfields Archaeological Priority Area; Finsbury Local Plan Area - Bunhill & Clerkenwell; Within 50 metres of the Bunhill Fields and Finsbury Square Conservation Area; Site within 100m of a SRN Road; Article 4 Direction A1-A2 (rest of borough); Article 4 Direction B1(c) to C3;	
Licensing Implications	None	
Site Address	Zimco House, 16 - 28 Tabernacle Street & 10-14 Epworth Street Islington, London, EC2A 4DD	
	Demolition of the existing building (in Use Classes B1(a) offices, and B8 storage and distribution). Erection of a new building of 6 storeys, including retention of existing basement, plus rooftop plant and enclosure; and associated works, to provide 9,221 square metres (GIA) for use as B1(a) offices.	
Case Officer	Tom Broomhall	
Applicant	Max Barney	
Agent	Powerhaus Consultancy - Mary Power	

1. RECOMMENDATION

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

1. Subject to the conditions set out in Appendix 1; and

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

2. SITE PLAN

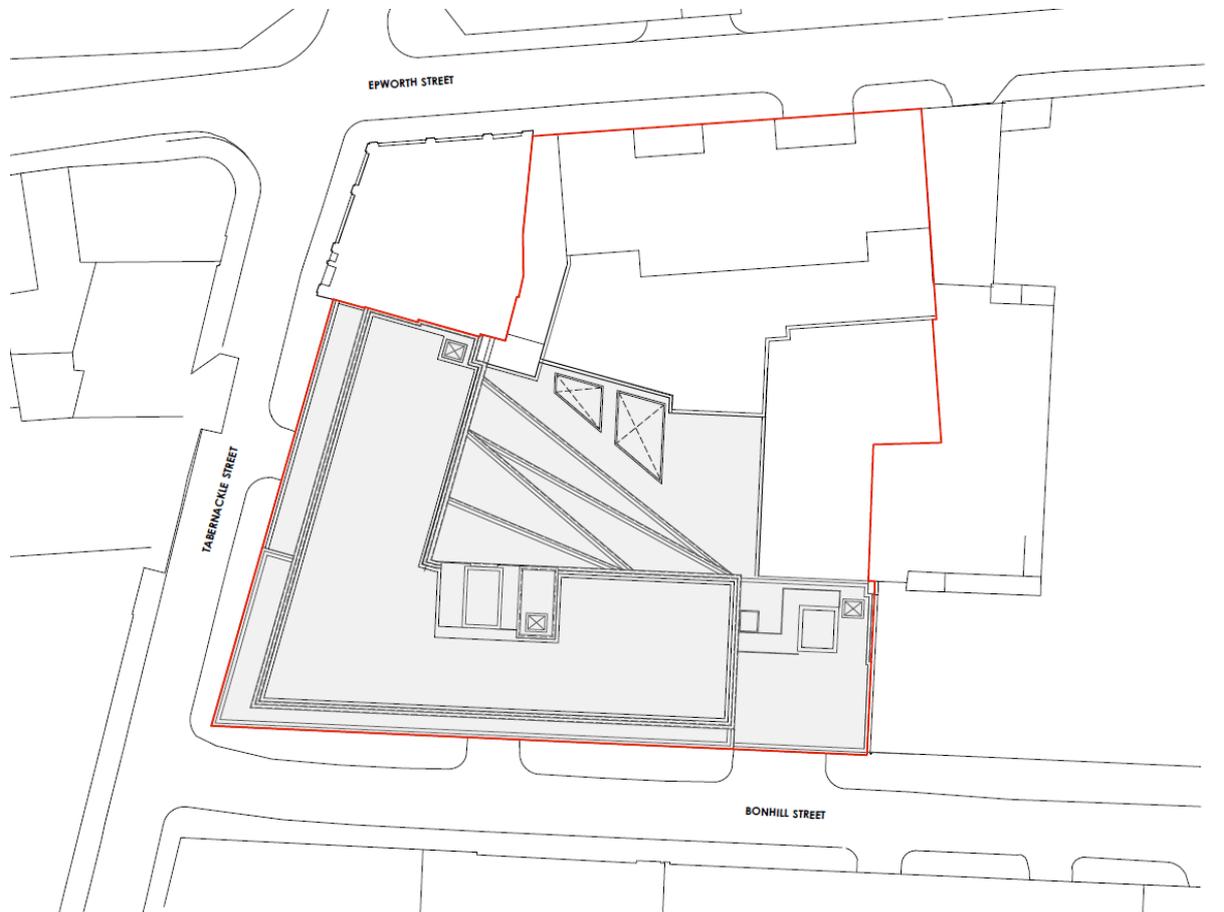


Fig 2.1 Site plan. Application site outlined in red

3. PHOTOS OF SITE/STREET



Fig 3.1 Aerial View

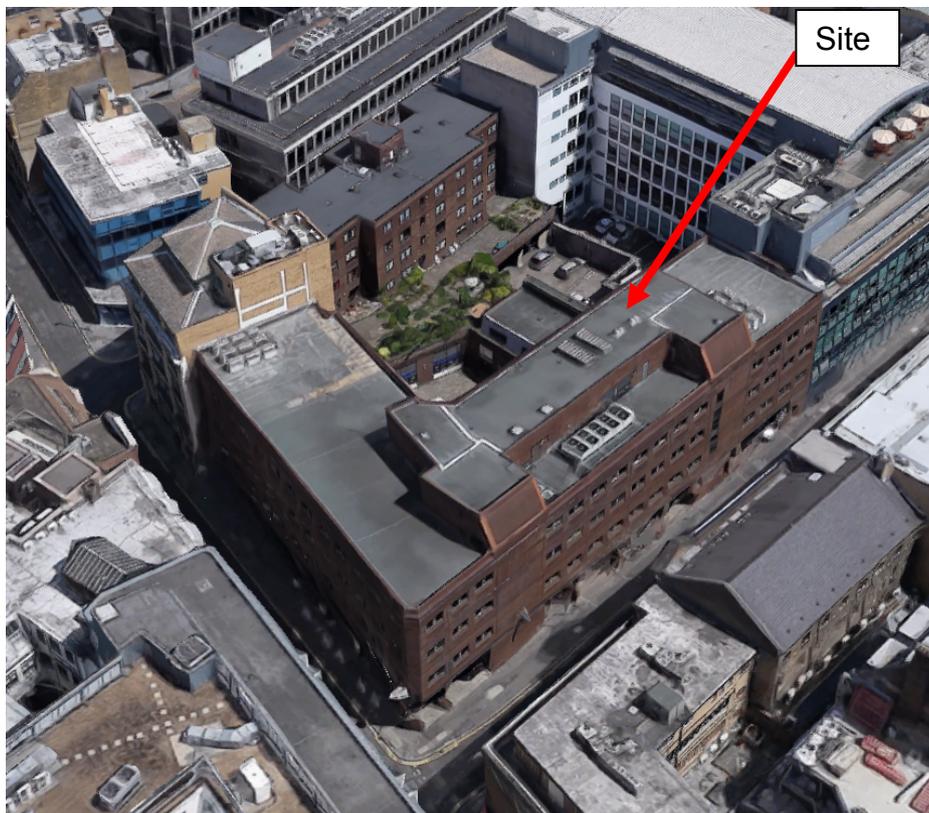


Fig 3.2 - Birds eye view looking from southwest to northeast



Fig 3.3 - Birds eye view looking from northeast to southwest



Fig 3.4 View of the south-western corner of the site from Tabernacle Street



Fig 3.5 View of northern and eastern elevations of the building from communal roof terrace at 10 Epworth Street



Fig 3.6 – View of the existing rear courtyard at ground floor level



Fig 3.7 – View towards the rear of 10 Epworth Street

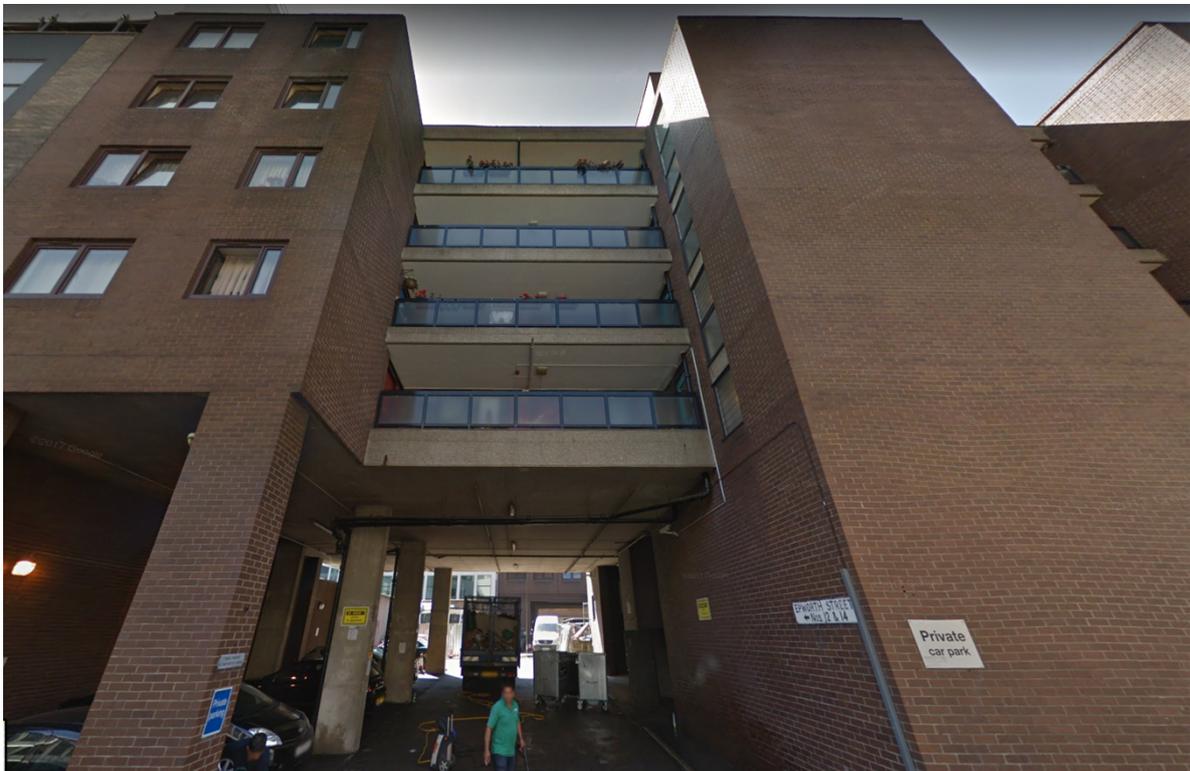


Fig 3.8 – View of towards the front entrance of the existing car park at 10 Epworth Street

4 SUMMARY

- 4.1 It is proposed to demolish the existing part four part five storey building, now vacant, formerly in use as B1(a) offices on ground to third floors, with B8 storage and distribution in the basement. The proposed development is to erect a new six storey building, including the retention of the existing basement, and the addition of rooftop plant and enclosure; and associated works, to provide 9,221 square metres (GIA) for use as B1(a) offices.
- 4.2 The policy framework along with the available evidence base provides a strong justification for the provision of new office floorspace in this location. The proposed office development is considered to accord with all the pertinent land use policies with the London Plan and Islington Development Plan and therefore, the proposal is considered to be acceptable in land use terms.
- 4.3 The proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by condition. It is considered that the proposal which would update the existing out-dated office building would represent a high quality development, which would enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is considered to accord with the aims of local, regional and national design and heritage policies.
- 4.4 The proposal would result in the cessation of the existing B8 courier distribution use which formerly operated from the basement at the site, therefore resulting in a significant reduction in the number of vehicular trips associated with the operation of the site. Subject to the control of servicing via conditions it is not considered that the proposal would have an adverse impact on the highway safety or the operation of surrounding highways. The office development would be car-free. The existing eight on-site parking spaces for residents of the existing flats at 10 Epworth Street would be retained for use by these residents within the development.
- 4.5 The proposal is considered to have an acceptable impact upon the residential amenities of the occupants of existing nearby dwellings. Furthermore, the proposal is considered acceptable in relation to technical matters, subject to the recommended conditions.
- 4.6 The proposal would deliver 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 subject to conditions and legal agreement.

5 SITE AND SURROUNDINGS

- 5.1 The site is located within the Bunhill ward with frontages onto the east side of Tabernacle Street, the north side of Bonhill Street and the south side of Epworth Street. The site covers an area of 0.271 hectares and is roughly a square shape (but excludes the building at the corner of Tabernacle Street and Epworth Street – 30 Tabernacle Street / 8 Epworth Street).
- 5.2 The site is occupied by a largely vacant 1970/80s part four, part five storey perimeter block building, with an open undercroft at ground floor level along Bonhill Street and Tabernacle Street, and an open central courtyard which is bisected by a two storey element, that includes the former caretaker's flat (known as Flat 20, 10 Epworth Street). The building is constructed with a concrete frame, clad in brown facing brickwork with brown aluminium windows.
- 5.3 The L-shaped section of the building which fronts Bonhill Street (to the south) and Tabernacle Street (to the west) is five storeys high along Bonhill Street and four storeys high along Tabernacle Street. This section of the building formerly comprised B1 office accommodation (4,297sqm) on the first to third floors accessed by a ground floor reception at the corner of

Tabernacle Street and Bonhill Street. The fourth floor section of the building along Bonhill Street is a plant room. The existing basement level was formerly used as B8 storage.

- 5.4 The section of the building which fronts Epworth Street to the north of the site (known as 10 Epworth Street) is five storeys high and comprises 19 residential flats on the first to fourth floor. The applicant is the freeholder of this building, but the flats are let and managed by Habinteg Housing Association on a long leasehold basis. On the south side (rear) of this part of the building is a single storey element that projects into the central courtyard. This provides a first floor level communal terrace garden for residents of the flats at 10 Epworth Street. The flats are accessed via a dedicated entrance on Epworth Street.
- 5.5 Below the majority of the site is a large basement which is vacant, previously used as a B8 distribution warehouse (1778sqm) for a courier firm. The area of central courtyard to the west of the former caretaker's flat is currently unused, while the area to the east is used to provide informal parking for residents of 10 Epworth Street and commercial occupiers, including vehicles associated with the basement level courier firm. The parking area has vehicular access from both Bonhill Street and Epworth Street.
- 5.6 The site is well served by public transport being located close to Old Street underground station and numerous frequent bus services. The site has a PTAL rating of 6b (the highest rating).
- 5.7 The site is located within: the Central Activities Zone; the Bunhill & Clerkenwell Key Area; the City Fringe Opportunity Area; an Employment Priority Area (Offices); and the Moorfields Archaeological Priority Area.
- 5.8 The site is not located within a conservation area. However, the site lies within a sensitive location, being within 70m of the enclave of historic buildings grouped around the grade I listed Wesley's Chapel to the northwest, reasonably close to the grade II listed Lowndes House (1 City Road) and the locally-listed Triton Court (Finsbury Square), and adjacent to the Bunhill Fields / Finsbury Square Conservation Area.
- 5.9 The area surrounding the site is predominantly commercial in character. Adjoining the east of the site is a large six/seven storey double fronted office building which fronts onto both Bonhill Street and Epworth Street. Adjoining the northwest of the site, at the corner of Tabernacle Street and Epworth Street, is a six storey locally listed office building (30 Tabernacle Street / 8 Epworth Street). To the south of the site on the opposite side of Bonhill Street are three, four and five storey commercial buildings which provide office accommodation and conference/training facilities. To the west of the site on the opposite side of Tabernacle Street is the large eight storey double fronted Travelodge hotel (that has street frontages onto Tabernacle Street and City Road), together with a five storey office building. To the north of the site on the opposite side of Epworth Street are four storey office buildings.

6 PROPOSAL (IN DETAIL)

- 6.1 It is proposed to demolish the existing part four part five storey building, now vacant, formerly in use as B1(a) offices on ground to third floors, with B8 storage and distribution in the basement. The proposed development is to erect a new six storey building, including the retention of the existing basement, and the addition of rooftop plant and enclosure; and associated works, to provide 9,221 square metres (GIA) for use as B1(a) offices.
- 6.2 It is understood that following detailed structural investigations, including obtaining original structural information, the extent of demolitions necessary to incorporate appropriate core (lifts, stair, service risers) and fire escape stairs renders very little of the existing structure remaining. It is therefore proposed to demolish the building which enables the re-setting the floor levels.

- 6.3 The new building comprises five storeys with warehouse style elevations following a grid structure using grey Petersen Kolumba Brick surrounding Crittal Style polyester powder coated windows at first to fourth floor levels, formed of 12 panels fronting onto Bonhill Street and Tabernacle Street. At fifth floor level Bronze coloured Aluminium rainscreen cladding is proposed, surrounding clear glazed windows with a sloping roof top comprising Acoustic plant louvre screen in a bronze finish and further use of Aluminium rainscreen cladding on the rooftop.
- 6.4 The new building would enclose the existing open ground floor undercroft within the L-shaped building along Bonhill Street, Tabernacle Street, together with the central courtyard.
- 6.5 The height of the ground floor level rises to one and a half storeys. The frontage comprises grey Petersen Kolumba Brick surrounding clear glazed windows. A new main entrance is proposed recessed from the corner of Bonhill Street and Tabernacle Street. At ground floor office accommodation would sit behind a reception area adjacent to the entrance. Each floor from first to fifth floors comprises B1 office accommodation with a centrally located lift, stair core and toilets. Additional stair cores are located adjacent to the eastern boundary of the site and the northern boundary of the site at the two ends of the office accommodation. The sixth floor has a plant room adjacent to the Bonhill Street frontage and solar panels on the Tabernacle Street wing of the building.
- 6.6 At basement level 1795 square metres of office floor space, plus 110 cycling parking spaces and associated showers and lockers, and plant space are proposed.
- 6.7 A green roof is proposed on the rear part of the building at first floor level, adjacent to the communal roof terrace at 10 Epworth Street. The green roof is proposed on the infilled courtyard area, and is repeated on the rear infill section between the two wings of the building on each level at second to fifth floor levels. The rear windows to each floor would have an obscurely glazed manifestation. A Green Wall is proposed on the rear boundary of the site at first floor level. A glass balustrade is proposed on the edge of the green roof at second to fifth floor levels to ensure safety during maintenance only.
- 6.8 It is proposed that the existing vehicular access from Epworth Street would be retained along with the associated existing internal car park. This space would also be used for servicing and to provide cycle parking for the office development.
- 6.9 The following images show the elevations of the proposed new building.



Fig 6.1 Bonhill Street elevation of proposed new building



Fig 6.2 Tabernacle Street elevation of proposed new building

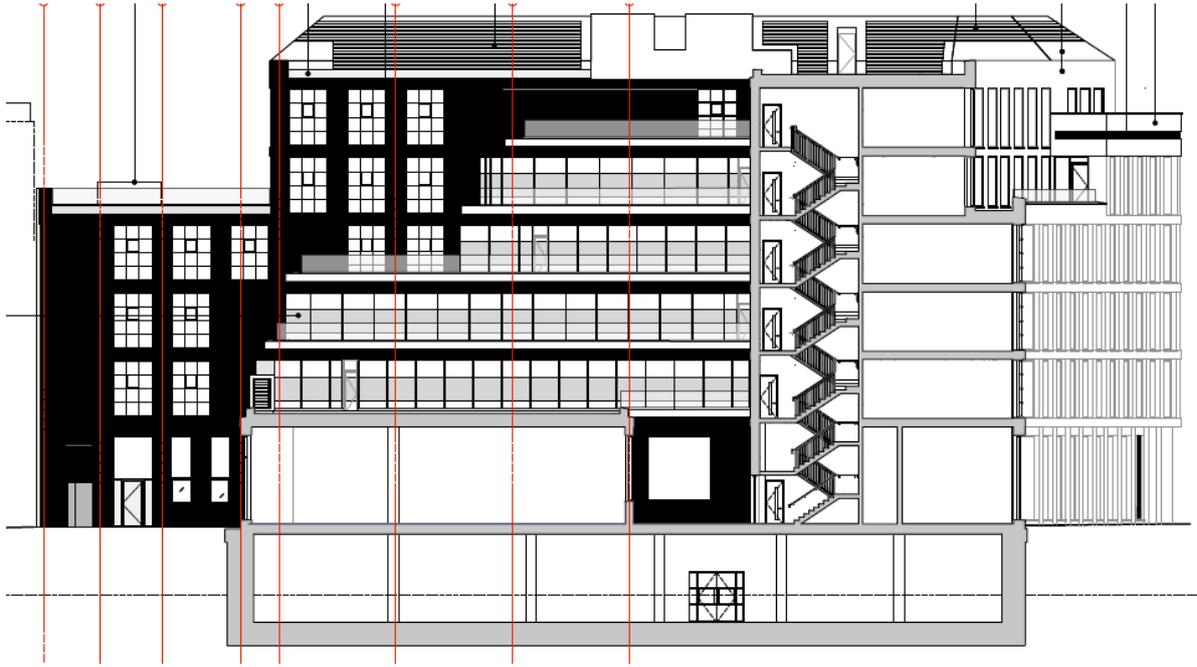


Fig 6.3 Rear elevation of proposed new building



Fig 6.4 Eastern elevation of proposed new building

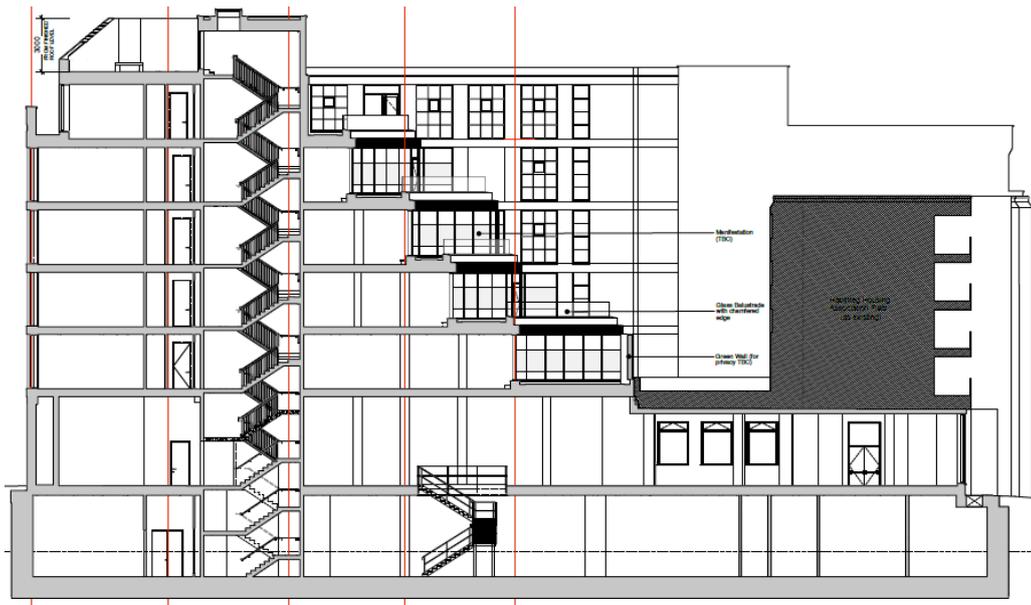


Fig 6.5 South to north section drawing of proposed new building

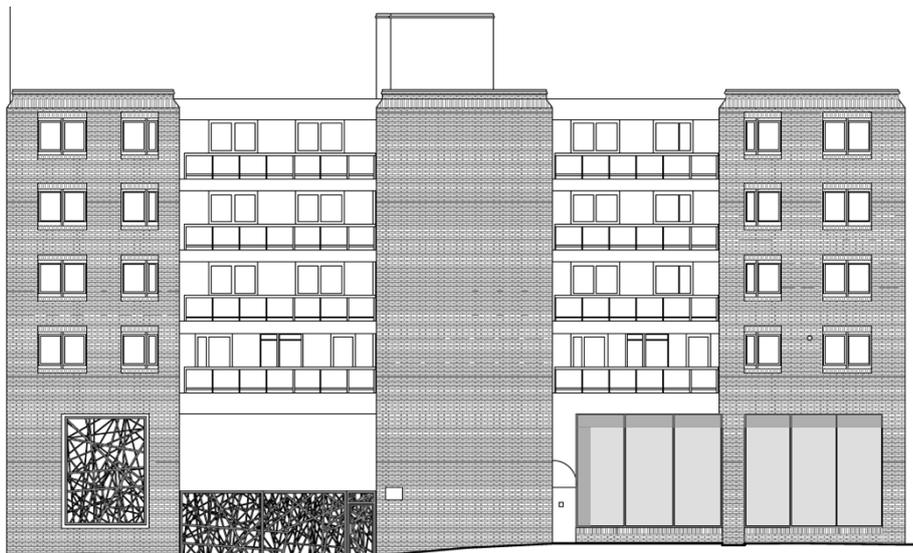


Fig 6.6 Epworth Street elevation of proposed gates

- 6.10 The latest application follows the refusal of a scheme (ref: P2014/1103/FUL) for the redevelopment of the site, which was allowed on appeal ref: APP/V5570/W/15/3005114 dated 27 July 2015. The details of the appeal scheme are set out in section 7 of this report.

Revisions to the scheme

- 6.11 Following the submission of the scheme, the applicant chose to make revisions following direct consultation with neighbouring properties at 10 Epworth Street. Revised drawings were submitted including the removal of the proposed external fourth floor lift service and fire lift.
- 6.12 In response to feedback from the Design Review Panel and feedback from officers, further revisions have been made to the design and appearance of the scheme resulting in a minor reduction in the extent of the proposed office floorspace from 9273 square metres to 9221 square metres.

- 6.13 These further revisions involve amendments to the design of the proposed glazed fifth floor and glass balustrade and plant screen at sixth floor level. The appearance of the fifth floor has been revised from large elements of glazing to bronze aluminium rainscreen cladding. The height and visibility of the plant screening has been reduced through the use of a sloping acoustic plant louvre screen. In addition, the design and appearance of the plant screen is integrated to match the appearance and colour of the bronze aluminium rainscreen cladding at fifth floor level. The glass balustrade at fifth floor level has been removed and the height of the parapet has been raised incorporating a brick banding to reduce the appearance of the additional massing. The proposed two storey entrance on the corner of Bonhill Street and Tabernacle Street has been revised to one and a half storeys through raising the height of the ground floor and the use of one larger central column rather than three piers. The ground floor level internal rooflights have been enlarged to maximise natural light to the basement level office accommodation.
- 6.14 In response to the Inclusive Design Officer's initial comments, a Fire Strategy from BB7 has been submitted including details regarding the evacuation strategy and firefighting core.

7 RELEVANT HISTORY

Planning Applications – Application Site

- 7.1 Planning permission (ref: 841437) was granted in 1984 for '*Use of part basement (7,750sq.ft.) for mixed industrial and warehousing use*'.
- 7.2 Planning permission (ref: 851866) was granted in 1986 for '*Change of use of 1st and 2nd floors of eastern end of Bonhill Street block (totalling 4809sqm) from permitted Class B8 (warehouse and distribution) use to use for purposes within Class B1a (offices) and B1b (research and development) in connection with the existing Class B1a and B1b use on the remainder of those two floors*'.
- 7.3 Planning permission (ref: 881826) was granted in 1989 for '*Change of use of part of the basement (650sq.m.) from light industrial use to warehouse use (B8)*'.
- 7.4 Planning permission (ref: P020221) was granted in 2003 for '*Change of use of basement premises to a fitness centre (Class D2) with new entrance onto Tabernacle Street together with erection of a single storey cafe/restaurant (Class A3), transformer station and rearrangement of existing office reception area at ground floor level within existing undercroft*'. However, this permission expired without being implemented.
- 7.5 Planning permission (ref: P102802) was refused in May 2012 for an application proposing '*Mixed use development consisting of ground floor office (class B1) and Restaurant (class A3) infill. Two storey roof top extension incorporating office (class B1) and Residential, (three x 2 bed flats, three x3 bed flats and one x 4 flat bed flat) (Class C3), and incorporation of new plant*'. The application was refused for two reasons:

Reason 1: The proposed two storey roof extension, which would lie to the south of its neighbour on Epworth Street, may have a serious material impact on daylight and sunlight to those properties, and without an objective daylight and sunlight analysis, should therefore be refused as being contrary to policy D3 of the Unitary Development Plan 2002.

Reason 2: The applicant has not agreed to any heads of terms sought by the local planning authority and therefore the proposed development fails to adequately mitigate the possible impacts and additional pressure that the development could introduce on local infrastructure. In the absence of this agreement, the proposal fails to comply with the NPPF (2012), Community Infrastructure Levy Regulations (2010), London Plan (2011) policies:5.10 (C),3.6

(A), 5.3, 6.1,6.5, 6.7, 6.10, 6.13, 7.1 (C), 8.2 ; Islington's Core Strategy (2011) policies: CS7, CS10, CS12, CS13, CS14, CS15, CS16, CS17, and CS18; Islington UDP (2002) policy: Imp13 and the Islington Planning Obligations SPD (2009).

7.6 Planning Application (ref: P2014/1103/FUL) was refused by Planning Committee in 2015 for *Refurbishment and extensions to the existing building comprising: demolition of existing rear two storey courtyard part of building including former caretaker's flat; demolition of existing fourth floor plant room on Bonhill Street; erection of rear infill extension at ground to fourth floor level; erection of fourth and fifth floor level roof extension along Bonhill Street and Tabernacle Street; recladding and alteration to external facades; together with internal reconfiguration; and change of use of the basement (1,778sqm) from B8 distribution warehouse to B1 office. The extensions would provide 2,503sqm of new B1 office accommodation (total 8,578sqm of B1 office floorspace) and the provision of six new residential flats with front terraces at fifth floor level, comprising one x three-bedroom flat and five x two-bedroom flats.*

REASON: The layout, design and intensity of the servicing arrangements, in combination with the particular needs of disabled and elderly residents (that occupy the Habinteg development at 10-14 Epworth Street) who use the on-site car parking spaces, would lead to an unacceptable loss of amenity and detrimentally affect the safety and security of the residents using the parking area, due to pedestrian / service vehicle conflicts. The proposal is therefore contrary to Policies DM2.1B viii), DM2.2, DM8.1, DM8.2, DM8.4F and DM8.6 of Islington Development Management Policies 2013.

Allowed on Appeal Ref: APP/V5570/W/15/3005114 dated 27 July 2015.

7.7 The following images show the elevations of the scheme allowed on appeal ref: Appeal Ref: APP/V5570/W/15/3005114 dated 27 July 2015:



Fig 7.1 Bonhill Street elevation of approved extensions

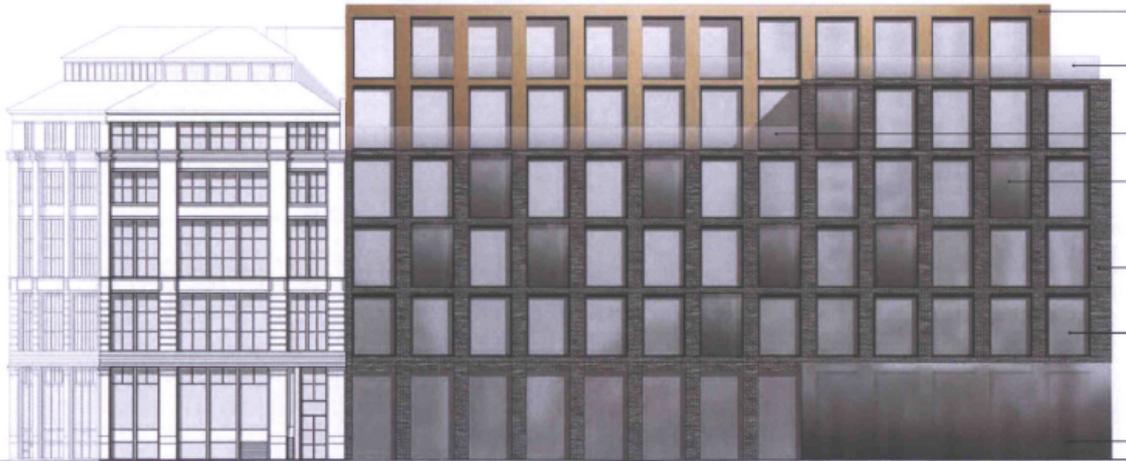


Fig 7.2 Tabernacle Street elevation of approved extensions



Fig 7.3 Rear elevation of approved extensions

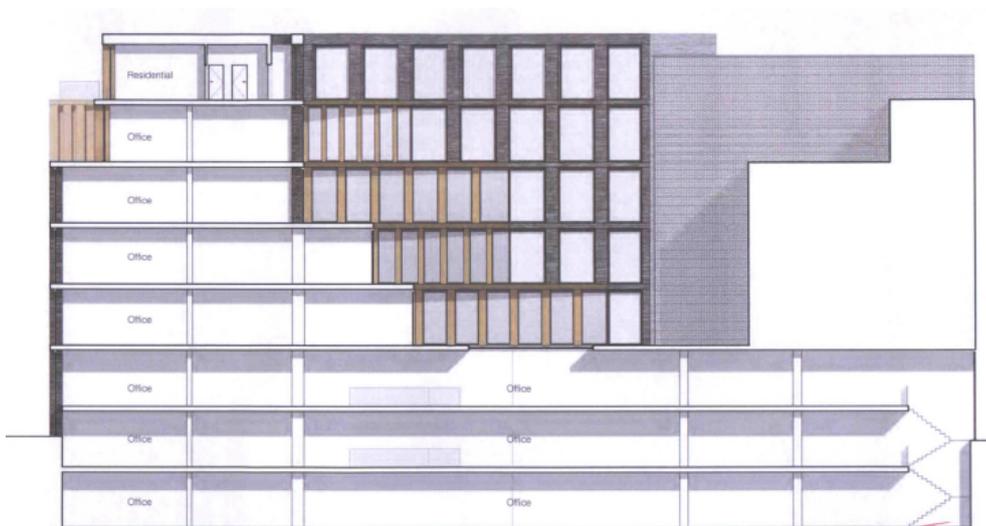


Fig 7.4 Eastern elevation of approved extensions



Fig 7.5 Epworth Street elevation of approved new gates

In his decision letter the Inspector notes:

At paragraph 10:

The eight parking bays for the use of the residents of 10-12 Epworth Street would be retained. The scheme would enable one of the spaces to be designated for use by an ambulance or other vehicle adapted for use by a wheelchair user. The scheme would provide designated access to the disabled parking bay, safety bollards to protect residents and parked vehicles from servicing vehicle, two zebra crossings across the service area for use by residents and office workers, as well as servicing bays with a designated turning area.

At paragraph 11:

While there would be some limited potential for conflict between the existing disabled bay in Epworth Street and the swept paths of the anticipated service vehicles, I accept that the provision of the on-site ambulance bay would be likely to obviate the need for the on-street disabled bay.

At paragraph 12:

It is a matter of fine judgement as to whether the protection from vehicles which would be provided by the bollards would outweigh the potential harm arising from them being obstacles within this area. On balance since the height, colour and visibility of the proposed bollards are matters which could be controlled through planning conditions, I consider that the benefits of the bollards would outweigh their risks, and do not find that they would be materially harmful.

At paragraph 15:

The appellant submitted a 'Service Strategy & Management Plan "Framework"' at the application stage. It is proposed that on-site management would be provided from 7 am to 7 pm to assist with the safe operation of the parking and service area. The appellant would accept a condition to provide a service management plan to address this matter. It has not been shown that significant numbers of cycle movements would take place within the parking area outside the times when it is proposed that a delivery manager would be on duty. As such, the location and access to the cycle store would not result in material harm to the safety of residents.

At paragraph 20:

The Council's decision notice refers to policies DM2.1 (B.viii), DM2.2, DM8.1, DM8.2, DM8.4F, and DM8.6 of the Islington Development Management Policies 2013. These variously address safety in design, safe, legible layouts, convenience, the movement hierarchy, transport impacts, arrangements for cyclists, and the delivery and servicing arrangements for new developments. However, it has not been demonstrated that the arrangements would result in material harm to the safety and security of the residents of 10-12 Epworth Street. It would not, therefore, conflict with the above policies or with SPD1.

At paragraphs 62 to 63 the Inspector concludes:

I have considered all other matters raised, including the strong feelings expressed in the representations submitted by the residents of 10-12 Epworth Street. However, for the reasons given above, subject to the conditions in the schedule below and the covenants in the appellant's unilateral undertaking, the proposed development would not result in significant harm to the safety and security of the residents using the parking area. As such, it would not detract from the social role of sustainable development.

The proposed development would have economic and environmental roles in delivering additional office floor space and modernising both the function and appearance of the existing building. It would have a social role in providing six additional units of residential accommodation together with safeguarding the existing parking for the residents of 10-12 Epworth Street. It would amount to sustainable development, and so I conclude that the appeal should be allowed.

- 7.8 18/06/2018 Approval of Details (ref: P2017/4555/AOD) granted *in pursuant to condition 5 (Internal Overheating) for planning application reference P2014/1103/FUL dated 27/07/2015.*
- 7.9 29/11/2017 Approval of Details (ref: P2017/4686/AOD) submitted *pursuant to condition 6 (sound insulation) of permission P2014/1103/FUL.*
- 7.10 31/07/2018 Approval of Details (ref: P2018/0116/AOD) granted *pursuant to condition 7 (service access) of planning permission ref: P2014/1103/FUL dated: 27/07/2015.*
- 7.11 31/07/2018 Approval of Details (ref: P2018/0117/AOD) granted *pursuant to condition 4 (pedestrian access) of planning permission ref: P2014/1103/FUL dated: 27/07/2015.*
- 7.12 06/02/2018 Approval of Details (ref: P2018/0290/AOD) submitted *pursuant to condition 2 (materials) of P2014/1103/FUL.*
- 7.13 01/05/2018 Approval of Details (ref: P2018/0916/AOD) granted *pursuant to condition 8 (construction method statement) of P2014/1103/FUL.*
- 7.14 18/06/2018 Partial approval of Details (ref: P2018/1096/AOD) granted *pursuant to Condition 9 (Green Performance Plan) on Appeal Ref: APP/V5570/W/15/3005114 of Full Planning application Ref: P2014/1103/FUL dated 27 July 2015.*

Pre-application Advice:

- 7.15 The applicant submitted details of a proposed development scheme for pre-application discussion (ref: Q2013/2419/MJR) in July 2013 prior to formal submission of this current application. The proposal put forward for pre-application discussions comprised *'Reconfiguration and refurbishment of existing building to provide additional office floorspace,*

recladding of existing building, and erection of 2 additional storeys to provide 9 residential units.'

In summary, the applicant was advised that: 'Redevelopment of the site is considered acceptable in principle, and is welcomed. The site's existing building, due to its inactive frontages, open undercroft areas, inappropriate materials and rather dated appearance, is harmful to the setting of the adjacent conservation area, and redevelopment provides an opportunity to improve the streetscape of Tabernacle Street and Bonhill Street. There are also opportunities to address existing anti-social behaviour problems that exist at this site. The reconfiguration of the interior of the building – enabling an increase in useable office floorspace – is welcomed in principle, as is the introduction of a residential use to the existing office building.'

It has been adequately demonstrated that the proposed addition of 2 storeys to the existing building would sit comfortably within the townscape of Tabernacle Street, and would not unacceptably obstruct or crowd views of listed and locally-listed buildings and the roofscape of Finsbury Square to the south. However, the acceptability of the additional storeys will, of course, also be subject to officers' consideration of the forthcoming daylight and sunlight assessment.'

7.16 The applicant submitted details of a proposed development scheme for pre-application discussion (ref: Q2017/3474/MJR) in November 2017 which included pre-application meeting on 13th November 2017 prior to formal submission of this current application. The pre-application proposal sought to make amendments to the extant consent, granted on appeal through application reference P2014/1103. The amendments:

- Removal of proposed basement level;
- Ground floor improvements to enhance the entrance (moved from Bonhill Street to Tabernacle Street);
- Simplification of the massing of the rear extension and terraces;
- Implementation of top floor extensions for use as offices in place of residential;
- Increase in glazing to the rear extension and top floor elevations;
- Reduction of pane size of the glazing on street level elevations through the introduction of mullion or transoms;
- Introduction of obscure glazing to a height of 1.7m to increase privacy for residents of neighbouring properties;
- Alternative specification facing materials to those specified in the approved permission; and
- Alterations to the lower ground level to accommodate changes in structural and plant requirements.

Advice was provided that there is no in-principle objection to the demolition of the building and the proposed use as commercial office space and, as the bulk and mass of the building is broadly in accord with the consented scheme, which was considered to be an appropriate scale of development in the townscape. However, due to the variations in floor levels and the absence of detailed elevations, advice was given that more work is needed to be assured that the proposed building will sit comfortably with its neighbours and that a suitably active frontage on the Bonhill and Tabernacle Street elevations results.

Further advice was provided that, in order to comply with Policy BC8(D), a proportion of the site would be expected to provide housing and any forthcoming application should address this policy.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 169 adjoining and nearby properties on Epworth Street, Bonhill Street, City Road, Paul Street, Tabernacle Street, Calverley Grove, Clare Street on 10 April 2018. A site notice and a press advert were displayed on 10 April 2018. The initial period of public consultation on the application therefore expired on 03 May 2018. One objection was received from neighbouring properties with regards to the application.
- 8.2 Following revisions made to the scheme by the applicant following consultation with neighbouring properties, revised drawings were submitted including the removal of the proposed fourth floor lift service and fire lift. Letters were sent to occupants of adjoining and nearby properties on 23 April 2018. The second period of public consultation on the application therefore expired on 15 May 2018. One objection was received from the same neighbouring property with regards to the application following the second period of public consultation.
- 8.3 However, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.4 At the time of the writing of this report a total of two objections have been received from the public from the same person, with regards 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):
- 8.5 Objections:
- Land Use
- There are now 1000s and 1000s of square foot office space going empty already? Where's the mixed use? (See paragraph 11.29)
- Design and Conservation
- Impact on the character and appearance of a conservation area. Islington keeps chipping away and soon there won't be anything left to conserve. (See paragraph 11.46)
 - Too high, not in keeping with conservation zone. If this goes to 6 floors, then the next one will, then the next one. This should be considered in a holistic, long-term manner across the area. (See paragraph 11.46);
- Other Matters
- Rooftop plant will create noise for residents. How will this be addressed/mitigated? (See paragraphs 11.113);
- 8.6 **External Consultees**
- 8.7 **Historic England (GLAAS) - Recommend No Archaeological Requirement.**
Advised that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.
- 8.8 **Metropolitan Police (Crime Prevention)** – No objection. Recommends that the entire building uses encrypted FOB access control for users; cycles should be able to be secured to a unit which will allow for three points of contact. Security gate protecting the northern alley way should be a minimum height of 1.8 metres and consideration made to its construction to prevent it being climbed over or crawled under. Recommends that the vehicle access gate be security rated to LPS1175 SR1 and any doors from within this area should be encrypted FOB access controlled and security rated to PAS24:2016.
- 8.9 **Thames Water – Waste Comments**

Requests informatives relating to the impact on Thames Water assets. Advises that the developer follows the sequential approach to the disposal of surface water. Requests the installing a non-return valve or other suitable device to avoid the risk of backflow. Requests measures to minimise groundwater discharge into the public sewer. Requests informatives relating to Groundwater Risk Management Permit from Thames Water and demonstration of measures to minimise groundwater discharges into the public sewer.

Water Comments

Requests that the applicant check that the development doesn't reduce capacity on water mains, or limit repair or maintenance activities during and after construction, or inhibit any other Thames Water services provided. Requests that the developer read the Thames Water guide 'working near our assets' to ensure workings are in line with the necessary processes. Recommends informatives relating to minimum water pressure in the design of the proposed development.

8.10 **London Underground** – No objection.

8.11 **TfL** – Requests that the applicant explore the provision of an accessible parking space, either on-street or off-street. The applicant should ensure the access lift meets London Cycle Design Standards recommended minimum dimensions for lifts, which is 1.2m x 2.3m. Alternative access should also be provided. The applicant should provide 11 short-stay spaces
A draft Construction Management Plan has been submitted, as TfL is planning to carry out significant construction works at Old Street roundabout, currently due to commence early in 2019. Advised to consider their proposed vehicle routeing to the site, and if necessary co-ordinate works with TfL. TfL requests that a detailed Construction Logistics Plan is secured by pre-commencement condition, which TfL should be consulted on.
A Servicing Management Plan has been submitted, TfL requested that a Delivery and Servicing Plan is secured by condition which TfL should be consulted on.
A Framework Travel Plan has been submitted. A final Travel Plan which targets set for mode share shifts should be secured, monitored and reviewed through the section 106 agreement.

8.12 **London Fire and Emergency Planning Authority** – No objection. Please ensure the requirements of B5 of Approved Document B are being met in relation to access and water supply whilst in construction phase and compliance with the Building Regulations and the Regulatory Reform (Fire Safety) Order 2005 once built and occupied.

Other comments:

1. If the building is taken over 18m we would expect a fire fighting shaft is provided. If approval is granted, it's advised that a building control submission is carried out as early as possible, to ensure any issues found around fire safety are addressed sufficiently and quickly.

The Commissioner strongly recommends that sprinklers are considered for new developments and major alterations to existing premises.

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.

8.13 **Internal Consultees**

8.14 **Inclusive Design Officer** –

Comments on final review of the scheme:

Requests that the design of the proposed revolving entrance door is revised, clarification has been sought regarding access to the cycle storey, the provision of five accessible cycle racks,

the provision of an evacuation lift in addition to the proposed firefighting lift, clarification over the provision of disabled refuges on each floor, the revision to the staircase to ensure winding treads are removed, and the provision of a disabled toilet for ambulant disabled people in addition to in the wheelchair accessible toilet. These details are requested by condition 28.

8.15 **Design and Conservation Officer –**

Further response to revised submission:

With the exception of the plant level, the overall bulk, height and scale is broadly in accordance with the consented scheme. The demolition of the existing building is not contentious given that it has little architectural merits and there is an opportunity to improve the relationship of the site with its surroundings. Is supportive of the brickwork and multi-pane windows and the attempt at reflecting the warehouse typology found in the area.

Initial concerns raised related to the following:

- 1) The glass top did not sit comfortably with the rest of the building;
- 2) The prominent and unsightly plant enclosure at roof level;
- 3) The squat proportions of the ground floor;
- 4) The uncharacteristic and incongruous double height corner at ground floor;
- 5) The varied materials to the parapet (with a prominent glass balustrade).

In response to the above, which were generally similar concerns raised by the DRP, revisions have been submitted and have addressed concerns raised as follows:

- 1) The glass top is now metal clad and is acceptable. This should ideally be an anodized aluminium rather than powder coated. Would require details of this to avoid a pre-commencement condition.
- 2) The plant enclosure has now been incorporated into the form of the roof, which is accepted. The taller parapet assists in making the rooftop structure less prominent and is accepted.
- 3) The ground floor proportions have been readjusted and now better relate with surrounding buildings/elevational compositions/fenestration patterns. It provides a stronger base as with the taller ground floor of the appeal scheme;
- 4) The double height corner at ground floor has now been omitted. A different treatment to the corner provides legibility. No objections, but we need clarification of the materiality (or a condition).
- 5) The proportions of the parapet have been altered to incorporate the height required for the balustrade, omitting the glass balustrade previously proposed. In order to address the proportions of the parapet so that it does not look top heavy, a detail on the brickwork provides a visual break. This is welcome.

In relation to potential conditions, or further details to avoid them, we need the following information:

- a) Window manufacturer's detail and ideally a sample (or photograph of a sample);
- b) Welcomes the proposed Petersen Kolumba brick, but require a sample panel to ensure joints and bond are acceptable.
- c) Details of the rooftop material, ideally an anodized aluminium rather than powder coated;
- d) Details of the materiality to the ground floor corner;
- e) Details of materiality to the plinth.

8.16 **Energy Conservation Officer –**

Final comments dated 17 July 2018: No objections to the application.

8.17 **Refuse and Recycling Officer –** No objection following review of Service Strategy and Management Plan Framework.

- 8.18 **Public Protection Division (Noise and Pollution)** – No objections to the revised scheme subject to the previous conditions applying. All of Islington is designated an AQMA and requests a condition is advised to mitigate the impact/exposure of air pollution and an informative requiring the report to cover ventilation/filtration and also look at the CHP.

Further response:

This CMP was submitted and amended for a previous app. Would accept the submission with the following additions:

- CMP to refer to the new LBI Code of Practice for Construction Sites
- The site egress is via Bonhill St/Epworth Street and then south along Paul Street. This is a narrow one way street with the cycle superhighway running along it (and a contraflow of cycle traffic too). How will the right turn of exiting vehicles into Paul Street be managed?

- 8.19 **Highways Officer** – Requests that the CMP is amended to include the addition of all licenses impacting on the public highway to be agreed by Islington Council Streetworks prior to commencement and a site liaison officer is to attend EC1 Forum for Developers. Requests a condition for the removal of redundant crossovers on Bonhill Street and Tabernacle Street as part of the redevelopment. Requests that the S106 refers to a S278 agreement to be entered into with the Highways Department.

- 8.20 **Traffic and Engineering** - No response received.

- 8.21 **Sustainability Officer** – Requests information on biodiversity impacts, the sustainable use of materials and sustainable construction methods and a green procurement plan.

The storage volume should be recalculated using a climate change allowance of at least 30% in order to be compliant with current policy.

The use of rainwater harvesting is mentioned in the drainage report; however, it has not been included in the proposal. If rainwater and greywater recycling are deemed not to be possible evidence must be submitted to justify this.

The biodiversity benefits and requirements of the green roofs should be assessed as part of the proposal and commitment should be made to achieving the green roof requirements set out in DM6.5. As part of maximising the provision of green roofs, these should be included on the 6th floor under and around the PV panels as part of a bio-solar roof.

Details should also be provided in relation to any areas around the building. Soft landscaping and permeable paving is recommended in these areas.

Requests that conditions are provided requiring confirmation/provision of further details in relation to all of the above requirements and to require a BREEAM excellent rating. These details are secured at conditions 21 and 31.

- 8.22 **Affordable Workspace Officer** – Notes the site's position in Employment Priority Area (Offices), the large provision of proposed B1 Office floor area in the Finsbury Local Plan Area and the requirements of policy BC8 for proposals in excess of 10,000 square metres. Requests a minimum of 5 percent affordable workspace which would amount to 461 square metres. Specific details would be required to be included in the plans for the officer to confirm their acceptability of any affordable workspace. Proposals including affordable workspace at basement levels are subject to further scrutiny and might be refused depending on quality aspects such as natural light, size, location and position within the building.

Other Consultees

- 8.23 **Design Review Panel** –

Summary

The Panel were generally supportive of the overall design intent and made suggestions on how the elevational treatment and quality of the office accommodation could be improved upon. More importantly, they raised concerns in relation to the plant enclosure and highlighted

the importance of reducing its prominence. It should be noted that the scheme has been amended following DRP to the satisfaction of the Design and Conservation Officer. The DRP response letter is attached at Appendix 2.

9 RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2018 (as revised) seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy (2011) and Islington 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

- 9.3 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013:

Islington Local Plan

- Central Activities Zone;
- Bunhill & Clerkenwell Key Area;
- City Fringe Opportunity Area;
- Employment Priority Area (Offices);
- Moorfields Archaeological Priority Area.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 10.1 EIA screening is not required by this development, as the site is less than 0.5 hectare.
- 10.2 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.

11 ASSESSMENT

- 11.1 The main issues arising from this proposal relate to:

- Land use:
- Design and Conservation
- Accessibility
- Neighbouring Amenity
- Biodiversity
- Sustainability, Energy Efficiency and Renewable Energy
- Security and External Lighting
- Air Quality
- Highways and Transportation
- Basement Excavation
- Archaeological Priority Area
- Planning Obligations.

Land-use policy

Office use – planning policy and studies

- 11.2 The application site is located within the Central Activities Zone (CAZ), the Bunhill & Clerkenwell Key Area, the City Fringe Opportunity Area, and an Employment Priority Area (Offices).
- 11.3 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.’
- 11.4 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’
- 11.5 Policy CS13 of the Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough and states:
- A. For new employment space:

- encouraging new employment floorspace, in particular business floorspace, to locate in the CAZ and town centres where access to public transport is greatest.
- requiring new business floorspace to be flexible to meet future business needs.
- requiring a range of unit types and sizes, including those suitable for SMEs.

C. Requiring development to provide jobs and training opportunities/support as follows:

- on-site construction training opportunities from developments of 10 residential units or above, hotels, student accommodation or hostels with 20 or more rooms, or with an uplift in business/employment floorspace of 500m² or greater (Gross External Area (GEA)).
- jobs and training opportunities, including apprenticeships, and contributions for childcare facilities where there is a proven need, from developments with an uplift in business/employment floorspace of 500m² or greater (GEA).
- either a proportion of small, micro and/or affordable workspace or affordable retail space, or contributions towards these, from major non-residential developments where the majority of floorspace is not in public education, community or social infrastructure uses.

- 11.6 Policy BC8(C)(i) of the Finsbury Local Plan (2013) relates to the area designated as Employment Priority Area (Offices). Part (i) requires the proportion of office (B1(a)) floorspace provided within a development to be optimised. Part (ii) enables retail or leisure uses to be provided at ground level where an active frontage would enhance the street environment or extend the offer of neighbouring clusters of retail or leisure uses.
- 11.7 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.
- 11.8 At present the site provides 4,949 square metres (GIA) of vacant B1 office accommodation within the L-shaped section of the building that fronts Bonhill Street and Tabernacle Street and 1 former caretaker's flat at first floor level within the central courtyard. At basement level is a vacant B8 distribution warehouse of 1,721 square metres of floorspace (GIA). The existing site has a total of 6670 square metres of floorspace (GIA).
- 11.9 The scheme allowed on appeal for extensions and alterations to the existing building, resulted in a total of 8951 square metres of B1 Office floorspace on the site and six no. residential flats. This extant consent and the applicant's ability to implement it, is a material consideration in reviewing the current scheme.

Proposed Floorspace

- 11.10 Policy BC8 of the Finsbury Local Plan states at Part C that the proportion of office (B1(a)) floorspace provided within a development or through change of use should be optimised. The uplift in B1a accommodation and intensification and upgrading of business use in this location within the CAZ was a consideration weighing in favour in the original application. It also fulfilled the requirements of the policy at Part a(ii) which states that proposals should incorporate the maximum amount of business floorspace reasonably possible on the site. To that extent, the fact that the proposed amount of floorspace represents an uplift from the existing arrangement means that it allows for economic growth and opportunity for increased employment density.
- 11.11 As noted above, the policy framework and available evidence base provides very strong support for the delivery of additional office floorspace and employment growth in this location.

	Existing Floorspace (Square metres)	Approved Floorspace (Square metres)	Proposed Floorspace (Square metres)
B1(a) Office Use	4949	8951	9221
B8 Storage and Distribution Use	1721	0	0
C3 Residential Units	1 1xbed unit	605.5	0
Total	6670	9556.5	9221

- 11.12 The proposal would result in the delivery of a new building, solely in use as B1 Offices, providing 9221 square metres of floorspace (GIA). This results in an uplift of 4272 square metres of B1 Office floorspace (GIA) on the existing site and contributes towards meeting an identified need, with corresponding economic and employment benefits, and is welcomed.
- 11.13 It is noted that the latest scheme results in an increase in the provision of B1 Office floorspace from the scheme allowed on appeal by 270 square metres (GIA) and does not include a provision of residential accommodation. It is understood that the scheme allowed on appeal does not comply with the British Council of Offices standard specification and does not make adequate provision for core and lift requirements or adequate provision of plant room space.
- 11.14 The approved scheme resulted in eight floors of B1 office accommodation comprising basement, lower ground, ground, upper ground in addition to first to fourth floors. The approved floors below first floor level extend beneath 10 Epworth Street. The proposed scheme comprises of seven floors of office floorspace plus plant equipment, including one basement level, below ground floor level, to allow for increased floor to ceiling heights. This has increased the standard of the office accommodation and reduced the extent of works taking place beneath the existing residential flats at 10 Epworth Street.
- 11.15 The proposed development would contribute to the presence of flexible and/or large scale office accommodation within Employment Priority Area (Offices). The policy priority in land use terms is therefore to secure uplift and intensification of employment floorspace in order to support the borough's potential for jobs growth, and the significant increase in employment floorspace would be supported by the Council's policies CS13 and BC8.
- 11.16 Policy BC8 Part C of the Finsbury Local Plan states that within designated Employment Priority Areas (Offices) retail or leisure uses may be provided at ground level where an active frontage would enhance the street environment, or where these uses would complement or extend the offer of neighbouring clusters of retail or leisure uses. It is noted that there are no uses other than B1 Office use being proposed. It is not considered that this is an area where retail units would be encouraged and the offer of B1 Office use at ground floor is acceptable however it is noted that the approved layout allowed for two entrances on Bonhill Street for access to the basement space and for the upper floors, whilst the latest proposal would relocate the entrance to the Tabernacle Street side with only limited activity on Bonhill Street through the post-delivery area. The elevations on Bonhill Street and Tabernacle Street are considered to avoid the creation of dead and uninviting frontage in accordance with the policy.

Affordable Workspace - planning policy

- 11.17 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.

11.18 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:

'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.'

11.19 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).

11.20 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.'

11.21 Policy BC8 of the Finsbury Local Plan states:

For proposals in excess of 10,000 square metres 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. Where on-site provision falls short of the council's expectation, financial contributions will be sought to secure equivalent provision off-site, based on a cost per square metre of equivalent provision, consistent with the Development Management Policy on size/affordability of workspace.

11.22 The site is located with the area designated as Employment Priority Area (Offices) within the Finsbury Local Plan. Policy BC8 designates two types of Priority Employment Areas: 'General', where B1 office is the priority use but can be supported by a range of other employment uses as well as affordable workspace; and 'Office' where full office use is strongly promoted, particularly large floorplate, corporate offices. The 'Office' priority areas form a very small part of the Finsbury Local Plan (less than 10%), but are located immediately adjacent to the City of London, hence they are seen as an extension of the City office market.

11.23 The scheme does not include a specific provision of accommodation for micro and small enterprises and/or affordable workspace as a percentage of the total amount of proposed business floorspace. Given the Employment Priority Area (Offices) designation, the lack of provision of SME space is not considered to expressly conflict with the aims of policy BC8 or the development plan.

11.24 However, the Council's Affordable Workspace Officer notes the site's position in Employment Priority Area (Offices), the large provision of proposed B1 Office floor area of 9221 square

metres (GIA) in the Finsbury Local Plan Area and the requirements of policy BC8 for proposals in excess of 10,000 square metres to provide 5 percent of the total floor space as affordable workspace. As a result, given the provision of office floorspace and the location within the Finsbury Local Plan Area, the scheme would benefit from the provision of 5 percent affordable workspace amounting to 461 square metres.

- 11.25 The applicant has been advised of the benefits of incorporating a provision of Affordable Workspace as part of the scheme. In response, the applicant believes it would be an unreasonable burden to seek to include affordable workspace in this scheme. The applicant sites no policy requirement to include affordable workspace in the scheme and notes that the site benefits from an extant permission which did not include provision for affordable workspace or SME floorspace. In this context, the applicant claims that the extent of uplift in floorspace between the applications is De-Minimis in the circumstances and therefore does not justify the requirement to make provision for affordable workspace as part of the scheme.

Mixed Use Policy

- 11.26 London Plan Policy 4.3 states that, within the CAZ, strategically important office developments should provide for a mix of uses, including housing. Policy BC8(D) quantifies this requirement by stating that major development proposals which would result in a net increase of office floorspace should incorporate housing. The policy requires that where housing comprises less than 20% of the total net increase in floorspace, an equivalent financial contribution will be sought for the development of affordable housing off-site.
- 11.27 Whilst the appeal scheme would have provided size residential units, it is understood that the approved layout would be compromised partly as a result of having to accommodate the necessary access stairs, building services risers and lift overruns, making the residential layouts unworkable. Instead it is proposed to make a financial contribution towards off-site affordable housing of £408,160 which is included in the Heads of Terms as part of any S106 Agreement linked to the grant of consent for the proposed scheme. Given the justification provided for the removal of residential accommodation from the development, the applicant's agreement to the provision of a financial contribution in-line with the requirements of the S106 Planning Obligations SPD, is considered to ensure the scheme's compliance with policy BC8.

Loss of Caretakers Flat

- 11.28 The existing building contains one existing residential unit known as Flat 20, 10 Epworth Street for use by a caretaker. It is not proposed that that this is replaced within the latest scheme. Development Management Policy DM3.2 states that the loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent floorspace. The existing unit was originally granted as a caretaker unit and does not have an appropriate level of amenity for its occupants. It does not have its own legible and independent entrance and access is gained across the communal space of the residential unit occupied by Habinteg association at 10 Epworth Street. It is not considered that the loss of this residential unit, which has been designed as a caretaker unit, would have a detrimental impact on the Council's existing housing stock. It is also accepted that provision of a replacement residential unit within the scheme may compromise the scheme's ability to optimise office floorspace accommodation. Therefore, the removal of the caretaker's flat does not conflict with the aims of policy DM3.2 and is therefore accepted.

Land Use Summary

- 11.29 The proposed development would provide an uplift of 4272 square metres of B1 office space, from the existing situation for which there is high demand and a significant shortfall, and would contribute substantially to the stock of office floorspace both within the borough, Central

Activities Zone and within the Employment Priority Area (Offices) specifically. It is therefore supported.

Design and Conservation

Policy and Design Guidance

- 11.30 The NPPF (2018) introduces the presumption in favour of sustainable development, paragraph 124 states that *'Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'*
- 11.31 London Plan (2016) Policies 7.1, 7.4 and 7.6 state that the design of new buildings should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood; make a positive contribution to the character of a place, be informed by the surrounding historic environment; and comprise details and materials that complement the local architectural character.
- 11.32 Islington Core Strategy Policy CS8 requires the scale of development to reflect the character of the area, and Policy CS9 requires new buildings to be of sympathetic scale and appearance and to be complementary to local identity, conserving the historic significance of heritage assets and making efficient use of sites.
- 11.33 Policy DM2.1 (Design) of the Islington Development Management Policies 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.
- 11.34 Policy DM2.3(B) states that new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance.

Principle of Demolition

- 11.35 The proposed works amount to the demolition of the existing part four, part five storey perimeter block building, with an open undercroft at ground floor level along Bonhill Street and Tabernacle Street, and an open central courtyard which is bisected by a two storey element, that includes the former caretaker's flat. The proposed development is for the erection of a new six storey building.
- 11.36 There is no objection to the loss of the existing building as it has a dated appearance and does not make a significant contribution to the streetscene. In addition, the infilling of the courtyard and undercroft is acknowledged as being a way of dealing with antisocial behaviour and of making a more defined and active building line along Bonhill Street and Tabernacle Street.
- 11.37 Therefore, the principle of demolition of the building rather than partial demolition and refurbishment and extension of the existing building is accepted.

Design and Appearance Assessment

- 11.38 The proposed new six storey building would represent an increase in height on the existing part four part five storey building. The principal elevation of the building is the southern

elevation fronting onto Bonhill Street with a secondary elevation on the western façade which faces onto Tabernacle Street.

11.39 The appeal scheme allowed in 2015 remains an extant planning permission for the development of the site and as such forms a material consideration in any assessment of the current application.



Fig 11.1 CGI of allowed appeal scheme as viewed from Tabernacle Street



Fig 11.2 CGI of proposed scheme as viewed from Tabernacle Street



Fig 11.3 CGI of proposed new building from Tabernacle Street



Fig 11.4 CGI of proposed new building from Bonhill Street

Height, scale, bulk and massing of new building

- 11.40 The proposed new building would rise above the height of the highest point of the existing building by two storeys at the highest point. There would be an increase in height, massing and bulk across the site on the proportions of the existing building. This includes an increase on the existing footprint to infill the ground floor area including infilling the existing undercroft fronting Bonhill Street and Tabernacle street, and also infilling the existing courtyard area at the rear of the site which is currently open.
- 11.41 The height, bulk and massing of the proposed scheme is similar to the proportions of the scheme allowed on appeal, although the sloping rooftop to the plant room will rise marginally above that of the appeal scheme. There is also an additional bulk and massing at fifth floor level fronting onto Bonhill Street on the latest scheme compared to the appeal scheme. It is understood that the floor levels of the appeal scheme were not accurately presented on the submitted drawings which have been corrected on the drawings for the latest application.
- 11.42 In terms of the site's context, the existing four storey building is adjoined by a part five part six storey building at 15 Bonhill Street to the east which fronts on to Epworth Street, and by a part five, part six storey building at 30-34 Tabernacle Street. There is an eight storey building on City Road which fronts onto Tabernacle Street opposite to the western elevation of the site. Further five and six storey buildings exist in the area immediately surrounding the site.
- 11.43 The height, scale and bulk and massing of the proposed new building has been established by the appeal scheme. The proposed new building is considered to sit comfortably within the townscape of Bonhill Street and Tabernacle Street, and would not unacceptably obstruct or crowd views of listed and locally-listed buildings and the roofscape of Finsbury Square to the south.
- 11.44 The proposals provide a number of enhancements to the appearance of the building, in their form and massing, and their design and appearance.
- 11.45 The built form, height and massing of the proposed extension is therefore acceptable subject to the detailed design, appearance and use of materials.
- 11.46 An objection has been received from a neighbouring property, concerned that the proposed six storey building is too high and not in keeping with the conservation area and the precedent for further buildings of six storeys. However, whilst the building is not located within a conservation area, in assessing the proposals, the Council has given special regard to the desirability of preserving or enhancing the character and appearance of the adjacent Bunhill Field's and Finsbury Square Conservation Area. The proposed six storey building is considered to sit comfortably within the townscape of Bonhill Street and Tabernacle Street given the presence of a number of six storey buildings adjoining and adjacent to the site. Therefore, the height of the proposed building is considered to be acceptable in accordance with current policy and guidance.

Detailed Design and Use of Materials

- 11.47 The existing building is constructed with a concrete frame, clad in brown facing brickwork with brown aluminium windows, giving it a dated appearance.
- 11.48 The proposed new building has a warehouse style appearance comprising the use of grey Petersen Kolumba Brick surrounding Crittal Style polyester powder coated windows on the southern and eastern elevations of the new building up to fifth floor level.

- 11.49 During the course of the application, following office advice, revisions were made to the appearance and detailing of the fifth and sixth floors to create a more integrated and simplified design. At sixth floor level bronze aluminium rainscreen cladding is proposed with a sloping rooftop of bronze acoustic plant screening.
- 11.50 It is noted that the design officer comments that following the revisions to the scheme, the plant enclosure has now been incorporated into the form of the roof, and the taller parapet at fifth floor level assists in making the rooftop structure less prominent.
- 11.51 The visual impact is acceptable given the existing appearance of the building and the site's context.
- 11.52 It is considered that the design concept has successfully picked up on the historic industrial / commercial character of the area and would provide an attractive development with an elegant contemporary finish. As such, the general design approach and choice of materials is supported, subject to relevant conditions to ensure the high quality finish proposed at the design stage is followed through at the implementation stage and that the detailed design of all features are agreed.

Design and Heritage Summary

- 11.53 The proposed design is considered to be appropriate to the townscape and setting of the site, with the materials and detailing being of high quality. The height and massing has been established by the appeal scheme, and would be in keeping with surrounding properties, whilst maximising the efficient use of land, and the resulting development would not be harmful to any neighbouring heritage assets.

Accessibility

- 11.54 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.
- 11.55 Islington Policy DM2.2 requires all new developments to demonstrate inclusive design, including that all developments should demonstrate that they provide for ease of and versatility in use, deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. All development needs to be assessed against this policy background to ensure genuinely inclusive design from the outset and for the lifetime of the development.
- 11.56 The proposed works result in a new building of 500 employees, and necessitate the requirement for 15 accessible parking spaces, or a financial contribution of £30,000. This is to be secured through the s.106 agreement to enable the location of this space, or other accessibility improvements within the immediate vicinity.
- 11.57 The Inclusive Design Officer requested further details regarding egress and evacuation. The applicants have responded to the Inclusive Design Officer's queries by providing a Fire Strategy dated 12 June 2018 which sets out that as the topmost storey of the building is over 18 metres from the fire service access level, a firefighting shaft is required, which will consist of a firefighting stair, firefighting lobby/corridor and firefighting lift. In this instance the central core, core 1 located adjacent to Bonhill Street, will be the Firefighting shaft. The Fire Strategy also sets out that the arrangement of the building (including the number of stairs cores) is compliant and fulfils the functional requirements of the Building Regulations 2010.

- 11.58 In response to the Inclusive Design officer's comments regarding access to the cycle storage facilities, it has been confirmed that the basement level can be accessed via the lift off the service yard with powered doors to access the cycle store. The applicant has confirmed that 5 accessible cycle racks will be included with a 1800mm clear route. Details of the accessible cycle racks are proposed to be secured via condition (28).
- 11.59 Following further review, the Inclusive Design Officer has requested that the design of the proposed revolving entrance door is revised, clarification over the provision of disabled refuges on each floor, the revision to the staircase to ensure winding treads are removed, and the provision of a disabled toilet for ambulant disabled people in addition to in the wheelchair accessible toilet.
- 11.60 In response to the Council's request for the removal of the revolving entrance door, it is noted that the applicant refers to the British Council for Offices guidance. However the Council's position is that the installation of revolving doors with associated pass doors means that disabled people are immediately segregated. The proposed users of revolving doors cannot be considered to be inclusive as it forces disabled people and those with buggies and or luggage to make use of a secondary entrance and therefore fails to ensure the entrance remains inclusive and accessible to all users. The Council understands the importance of conserving heat and the space required for a traditional lobby but would point out some of the practical disadvantages of managing an alternative entrance solution through a pass door adjacent to the revolving door. A locked pass door is likely to cause inconvenience and may give rise to a claim of discriminatory treatment, however an unlocked door is likely to be used above the revolving door. The pass door will not be lobbied and so the heat gains achieved by the revolving door are likely to be lost. If the pass door is open but it is intended to limit its use, measures may be taken to restrict its use to those with mobility impairments, which in itself might be viewed as discriminatory. A preferred, and more inclusive, solution would be for a shallow lobby with automatic sliding doors front and back. If the applicant is committed to the visual appearance of a glazed drum at the entrance, a better solution would be a drum style set of automatic sliding doors.
- 11.61 Further details of the outstanding Inclusive Design matters, are to be secured by an appropriately worded condition (28).
- 11.62 Following the amendments to the scheme and subject to the above conditions and planning obligation to facilitate accessible transport access, officers consider that the proposal would result in a good standard of inclusive design.

Neighbouring Amenity

- 11.63 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.
- 11.64 The proposal would create a six storey new building, located in place of the existing part four part five storey building and infill the existing rear courtyard at ground floor level.
- 11.65 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development.
- 11.66 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.

- 11.67 Part A(X) of Policy DM2.1 requires new development 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.
- 11.68 Daylight and Sunlight: The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.
- 11.69 During the course of the assessment of the application the design of the scheme has been revised including alterations to the position of the plant screening and the goods lift shaft to fifth floor adjacent to Bonhill Street has been removed. Therefore, the originally submitted results of sunlight/daylight testing included the impact of a vertical plant screen and additional lift shaft. The Daylight consultants have stated that the amendments have resulted in a minor change in the roof profile and an increase in the footprint of the plant area that will increase the obstruction to light to some of the windows within 10-14 Epworth Street. Whilst no updated table of results has been provided to reflect the scheme before members, given the position of the additional massing of the plant screen, this would not have a significant impact on neighbouring properties.



Fig. 11.5 Rear elevation of submitted scheme

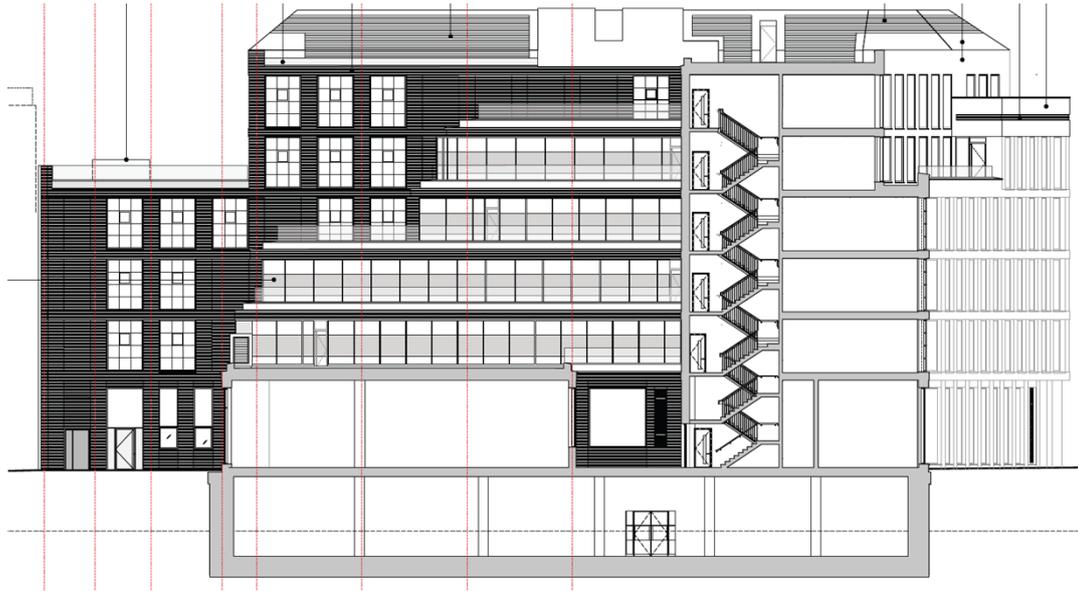


Fig. 11.6 Rear elevation of revised scheme

BRE Guidance: Sunlight and Daylight:

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

11.71 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”.

11.72 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

11.73 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.

11.74 The BRE Guidelines state (paragraph 2.1.4)

“that the maximum VSC value achievable is almost 40% for a completely unobstructed vertical wall. This is important to note particularly given the (in some cases) very high levels of existing VSC currently held by surrounding properties due to the very low scale school buildings currently on this site”.

11.75 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.”

11.76 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”.

11.77 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.”

11.78 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”*

11.79 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

11.80 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 90degrees 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. This will be the case if the centre of the window:

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

11.81 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.”

11.82 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.”

BRE Guidance: Open spaces:

11.83 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:

“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”.

11.84 At paragraph 3.3.17 the guidelines state:

“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.”

BRE Guidance: New buildings

11.85 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.”

11.86 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

11.87 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.

Analysis of Daylight Impact on Affected Properties

11.88 The only residential units within the vicinity of the site which could be affected by the proposal with respect to a potential reduction in sunlight or daylight are the existing 19 flats at 10 Epworth Street which are located within the application site to the north and northeast of the proposed new building. As a result, these dwellings have been considered for the purposes of daylight and sunlight impacts as a result of the proposed development.

11.89 10 Epworth Street The daylight and sunlight report sets out that all windows on the adjacent residential properties at 10 Epworth Street would pass the British Research Establishment Guidelines (BRE) Vertical Sky Component (VSC) Test.

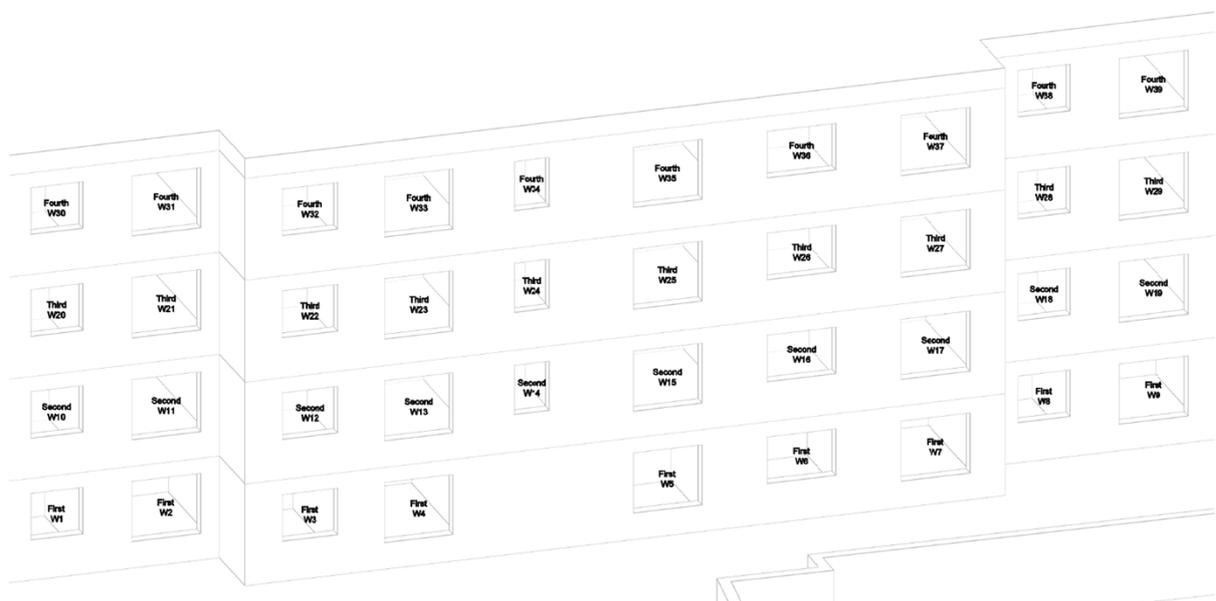


Fig 11.8. Window Map – No. 10-14 Epworth Street

16-28 Tabernacle Street, London EC2

Daylight Results

LEVEL	WINDOW	ROOM	VSC		LOSS	% LOSS	ADF	NOSKY	
			EXISTING	PROPOSED				EXISTING	PROPOSED
10 to 14 Epworth Street									
First	W1	R1	22.0	18.9	3.1	14.3	1.2	>80%	77%
	W2	R2	18.2	15.1	3.1	16.9	1.3	>80%	69%
	W3	R3	24.8	21.6	3.2	12.9	1.3	>80%	73%
	W4	R4	24.7	21.9	2.9	11.7	1.5	76%	68%
	W5	R5	24.7	22.5	2.2	9.0	1.8	>80%	>80%
	W6	R6	24.6	22.7	1.9	7.9	1.4	>80%	>80%
	W7	R7	23.4	21.7	1.7	7.1	1.5	>80%	>80%
	W8	R8	16.4	15.7	0.8	4.6	1.1	>80%	>80%
Second	W9	R9	16.3	15.3	1.0	6.4	1.3	>80%	>80%
	W10	R10	24.8	21.5	3.3	13.2	1.5	>80%	>80%
	W11	R11	20.6	17.4	3.2	15.6	1.2	>80%	69%
	W12	R12	27.8	24.5	3.3	11.9	1.4	>80%	>80%
	W13	R13	27.7	24.7	3.0	10.8	1.6	>80%	79%

Table 11.8. Vertical Sky Component and Daylight Distribution Results

11.90 The results of table 11.8 indicate that 6 windows out of the 39 tested do not meet the BRE test that the No Skyline area is 80% of the existing area. However, the degree of failures is marginal with the lowest result showing 68% of the existing area which is an 8% reduction.

11.91 Overall, the assessment demonstrates that most windows at 10 Epworth Street will experience no transgression beyond the BRE recommendations in relation to loss of daylight and the transgressions for Daylight Distribution are relatively minor.

Analysis of Sunlight Impact on Affected Properties

11.92 The Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH) analysis has been carried out to windows W1 to W39 located at 10 Epworth Street.

Unit label/ address	Room / Window	Room Use	Annual APSH			Winter WPSH		
			Existing %	Proposed %(Target >25)	% loss (Target <20)	Existing %	Proposed % (Target >5)	% loss (Target <20)
10 Epworth Street	W21	Unknown	47	37	21.3%	19	10	47.4%

Table 11.9: APSH and WPSH results for losses in excess of BRE recommendations

11.93 Table 11.9 shows only those windows which indicate some level of deficiency against the BRE Guidelines for levels of Annual Probable Sunlight Hours (APSH) or Annual Winter Probable Sunlight Hours (WSPH). Only one window out of a total of 39 windows tested, show some level of deficiency with regards to levels of sunlight.

11.94 This window shows some deficiency of the BRE Guidelines with regards to the Annual APSH. Also the same window sees a loss of the existing WPSH which fails an element of the BRE criteria. However, for this window the proposed APSH result remains well above both of the BRE minimums of 25 percent Annual Probable Sunlight Hours (APSH) and the proposed WPSH remains well above the required 5 percent. Therefore, the impact on the window continues to comply with the BRE Guidelines. In addition, as the alterations to the plant screen reduce the impact and the removal of the goods lift shaft to fifth floor adjacent to Bonhill Street, this would reduce the impact on the neighbouring properties.

11.95 The residential properties at 10 Epworth Street have a south facing shared communal roof terrace garden which projects into the central courtyard at first floor level. The BRE guidelines state that to appear adequately sunlit throughout the year at least half of an external amenity space should receive at least 2 hours of sunlight on 21st March. The report states that over 50 percent of the communal area will enjoy at least 2 hours of direct sunlight on the 21st March and that therefore in accordance with the BRE guidelines this area will enjoy a good level of direct sunlight and achieve the aims of the BRE guidelines.

Daylight and sunlight summary

11.96 There will be some minor transgressions in relation to daylight distribution affecting 6 windows at 10 Epworth Street. There are also some minor reductions in sunlight to one window. However, this would not warrant the refusal of the application. The impacts on sunlight and daylight would not have an unacceptable impact on the surrounding properties.

Privacy and Overlooking

11.97 Paragraph 2.14 of the Islington Development Management Policies identifies a minimum distance of 18 metres between windows, other than those facing a highway, 'to protect privacy for residential developments and existing residential properties. In the application of this policy, consideration has to be given also to the nature of views between windows. For instance, where the views between windows are oblique as a result of angles or height difference between windows, there may be no harm. 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.

11.98 The proposal would introduce office windows at a reduced distance to the existing situation which would face the residential units at 10 Epworth Street.

11.99 The existing distance across the internal courtyard between the windows at 10 Epworth Street and facing windows in the existing offices is between 26m and 28m. The proposed stepped courtyard extension would result in the distance between windows to habitable rooms and office windows being reduced.

11.100 The distances are 17 metres at a direct straight angle and 13 metres at an oblique at first floor level. At second floor level the separation distances are 19 metres at a direct straight angle. On the third, fourth and fifth floor level the separation distances all exceed more than 21 metres at a straight angle and more than 18 metres at an obscure angle.

11.101 It is important to note that the distances between windows closely matches that approved under the appeal scheme and that these measurements represent the closest point between the extension and the rear elevation of 10 Epworth Street, with the distances increasing across the courtyard as the extension tapers back on each floor.

- 11.102 In order to preserve the amenity of the occupiers of existing flats at 10 Epworth Street, due to the reduced distance between windows to habitable rooms and new office windows, it is considered that all the rear level windows in the courtyard extension should be obscurely glazed to prevent overlooking. It is proposed to require obscure glazing to a height of 1.8 metres above the internal floor level on each of the windows on each floor and for the windows to be fixed shut and unopenable. This is proposed to be secured by condition (15).
- 11.103 Subject to these conditions, it is not considered that the proposal would result in such an increase in overlooking compared to the existing situation and no further harm than the appeal scheme, as to cause such harm to neighbouring amenity as to warrant refusal of the application on these grounds.
- 11.104 Therefore, the proposals would not result in adverse impact in terms of loss of privacy or increase in overlooking on the existing residential accommodation subject to condition (15), as to conflict with the aims of the council's policies in this regard.
- 11.105 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.
- 11.106 The proposed new building would sit adjacent to the rear elevation of 10 Epworth Street. The new building would see an increase in height and massing due to the enlarged building being a storey higher than the existing building including the plant room structure.
- 11.107 The additional height, massing and bulk at fourth to sixth floors is recessed by at least 21 metres and would not result in a significant loss of amenity to the existing windows on the rear elevation of 10 Epworth on the existing situation as to sustain the refusal of the application on this basis.
- 11.108 In view of the siting of the existing building in relation to neighbouring residential properties, and the separation distances, it is considered that the proposed development would not result in any unduly harmful loss of outlook or creation of undue sense of enclosure.

Noise and disturbance:

- 11.109 The proposal would result in the removal of the former courier distribution use which operated out of the basement which would significantly reduce the number of vehicular movements associated with the site. The proposal would rationalise and formalise the existing ad-hoc servicing of the site, and this would result in removal of servicing from Bonhill Street and its relocation to Epworth Street. The entrance to the proposed on-site internal servicing area would be below the existing flats at 10 Epworth Street. This matches the arrangements on the appeal scheme.
- 11.110 Therefore, there is the potential for some increased noise and disturbance for the residents of 10 Epworth Street as a result of servicing vehicle movements. In order to minimise the potential for noise and disturbance from servicing vehicles, the hours of servicing shall be restricted by condition (19) to 0800-1900 hours which match those for the appeal scheme.
- 11.111 The Council's Environmental Health (Pollution) Officer has raised no objections to the proposal subject to the implementation of the same condition which was attached to the appeal scheme relating to details of measures for sound insulation between the car park/service area and the existing residential flats at 10-12 Epworth Street and the plant room and the residential flat at 10-12 Epworth Street. This is secured at condition (6).

- 11.112 As imposed on the appeal scheme, full details are required, of measures to ensure that any noise or vibration from the operation of the new sliding access gate is appropriately mitigated. (7)

Plant Equipment

- 11.113 It is understood from the applicant's submission that a substantial majority of the necessary plant to service the buildings has been included within the basement with the remainder located at roof level. It is understood that the plant needs to be located at roof level due to the natural air cooling requirements of the equipment. The basement plant cooling is serviced by risers and shafts to allow the intake and exhaust ventilation air. This strategy has been implemented to ensure the minimum plant space requirement at roof level. An environmental noise survey has been undertaken by Hann Tucker Associates in order to establish the currently prevailing noise levels. Plant noise emission criteria have been recommended based on the results of the noise survey.
- 11.114 The Council's Acoustic Officer has raised no objection to the submitted Acoustic Report and requested the same condition as imposed on the appeal scheme which restricts plant noise levels (17).

Neighbour Amenity summary

- 11.115 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity. The proposal is thus considered acceptable in accordance with London Plan Policies 7.6, 7.14 and 7.15, and Islington Development Management Policy DM2.1.

Biodiversity, Landscaping and Trees

- 11.116 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.
- 11.117 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.

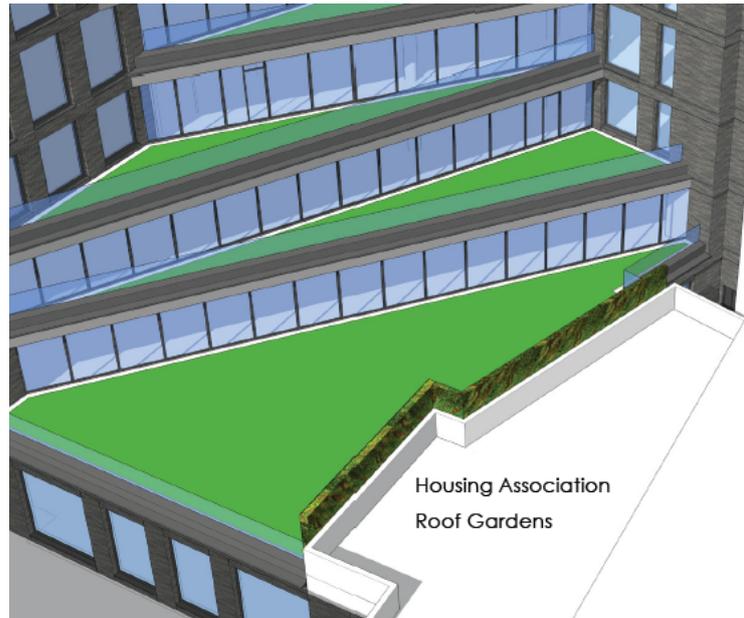


Fig 11.10 CGI of proposed first floor green roof adjacent to communal roof terrace

- 11.118 The existing site does not include any green space or vegetation, and there would be no impacts on trees. The proposal would include a number of biodiverse green roofs over the stepped flat roofs from first to fifth floor, and condition 18 is recommended to secure these unless adequately demonstrated to be unfeasible.
- 11.119 A Green wall is proposed on the rear boundary of the site at the first floor level adjacent to the communal roof terrace to 10 Epworth Street. A condition (29) is proposed to ensure the acceptability of the details and that this is installed prior to occupation of the development.

Sustainability, Energy Efficiency and Renewable Energy

- 11.120 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.
- 11.121 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

- 11.122 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.

- 11.123 The proposed U-values for the development are: external walls = 0.2w/m²k, roof = 0.11w/m²k, floors = 0.14 w/m²k and glazing = 1.2w/m²k. These U-values are generally consistent with the values suggested in the Council's SPD. The air tightness would be 3.0³/m²/hr.
- 11.124 The Council's Energy Conservation Officer has commented that the u-values given by the applicant for doors meet the recommendations of the Environmental Design SPD. The Energy Strategy also shows how the Cooling Hierarchy has been applied to the design.

BE CLEAN

District heating

- 11.125 Policy DM7.3(B) 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.
- 11.126 The Energy Strategy proposes a 19.2kW CHP and includes an excerpt from the London Heat Map showing that the proposed development is not within 500m of the nearest opportunity to connect to an existing DEN. The Energy Strategy does state that the development will include capped pipe work connections to allow future connection to a DEN.

BE GREEN

Renewable energy technologies

- 11.127 A 47 panel / 15.37 kWp Solar PV array is specified for the development. The panels have been selected based on an efficiency of 20.1% which is a significant improvement to a standard PV panel. The applicant is considered to have maximised the area and efficiency of the PV array.
- 11.128 Green Performance Plan: Islington Development Management Policy DM7.1 (Sustainable design and construction) part E requires provision of a Green Performance Plan (GPP) detailing measurable outputs for the occupied development, with respect to energy consumption, CO₂ emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation.
- 11.129 A Draft Green Performance Plan has been submitted as Appendix B to the Energy Strategy. This includes measurable targets for energy use, CO₂ emissions and water usage, data sources for measurement, management of the GPP and arrangements for addressing performance. This states that 'The scheme has been assessed under BREEAM New Construction 2014 criteria, and a strategy is in place to secure the prestigious 'Excellent' rating' and this is supported (condition 21).
- 11.130 It is recommended that the S106 Legal Agreement includes the requirement for a final post occupation Green Performance Plan to be submitted the Local Planning Authority following an agreed monitoring period.
- 11.131 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.
- 11.132 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.

- 11.133 The London Plan sets out a CO₂ reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The revised Energy Statement has reviewed the specific plant and equipment specified and has identified a reduction of 35.4% in CO₂ emissions from a 2013 baseline. This achieves the London Plan target. The applicant has explained that the luminous efficacy of the proposed lighting is better than the 80lm/W assumed. Although we note the applicant falls short of the 27% reduction target we accept there is very limited scope for significant further reductions.
- 11.134 The sum of regulated emissions (after Be Lean, Be Clean & Be Green) and the un-regulated emissions are 319.1 kg CO₂ per year. Based on the Council's carbon offset figure (£920/tonne). The scheme therefore gives rise to a requirement for a carbon offset contribution of £293,572.
- 11.135 During the course of the application further details have been provided to address the Energy Officer's comments relating to regulated and unregulated emissions against the council's CO₂ reduction target, carbon reductions, confirmation of the financial contribution required by the council's Zero Carbon Policy, U-values, dynamic thermal modelling, and feasibility of connecting to a CHP and a Shared Energy Network.
- 11.136 At the time of writing the applicant had responded to all the queries and concerns raised by the Council's Energy Conservation Officer
- 11.137 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.
- 11.138 The Energy Officer has commented that a Thermal Comfort Assessment (dated 19/04/18) has been carried out in accordance with CIBSE TM52. The results of this show that no occupied areas of the building are at risk of overheating in future predicted weather scenarios (2030 & 2050). The Thermal Comfort Assessment assumes the use of active cooling. The Thermal Comfort Assessment Addendum (dated 23/5/18) demonstrates that areas of the building are at risk of overheating without the inclusion of active cooling.
- 11.139 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.
- 11.140 A Flood Risk Assessment has been submitted. The proposed development will discharge surface water to the existing sewer network by gravity. It is possible to restrict the majority of the surface water runoff to 5 l/sec - this will require approximately 40 m³ of storm water attenuation to accommodate the critical 1 in 100-year plus 20% climate change event.

- 11.141 The Council's Sustainability Officer has reviewed the proposals and requested clarification regarding the sustainable use of materials and sustainable construction methods; recalculation of the storage volume based on 30% allowance for climate change and why use of rainwater and greywater recycling are not to be possible.
- 11.142 In response the applicant has provided revised storage volume calculations based on 30% climate change and confirmed that the storage volume shown on the drawings does not need to change as it is already of sufficient size to accommodate the revised volume.
- 11.143 In regards to grey water recycling the applicant states that there is no room for further tank storage given the constraints of the site.
- 11.144 The applicant states that it is not possible to include green roofs around the PV panels as it is a requirement to include a fire resistant membrane around the panels which is surfaced with shingle or other similar material. Therefore it is considered that the use of green roofs has been maximised within the proposed development in accordance with policy.
- 11.145 The outstanding Sustainability matters are proposed to be secured by condition unless adequate information has been submitted prior to the committee meeting.
- 11.146 Thames Water have not raised objections to the proposal in relation to foul or surface water drainage subject to informatives.

Security and External Lighting

- 11.147 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.
- 11.148 Paragraph 180 of the NPPF (2018) 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 (MALP) 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.
- 11.149 No details of external lighting were submitted with the application. A condition (14) is recommended requiring details of any external lighting to be approved by the Council, to avoid excessive light pollution, and ensure a well-designed and safe environment in accordance with the above policies which may ease disturbance to nearby residents.

Air Quality:

- 11.150 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.
- 11.151 Despite submission of an Air Quality Assessment, the Pollution Officer has requested a condition requiring an Air Quality Report to mitigate the impact/exposure of office workers to air pollution due to all of the borough falling within a designated Air Quality Management Area which is secured at condition 24. Further details as to the requirements of the report are set out in the condition.

Highways and Transportation

- 11.152 The Site has an 'Excellent' Public Transport Accessibility Level (PTAL 6b), and is located within a Controlled Parking Zone (CPZ). The site is well served by public transport, being located close to Old Street underground station and with 13 bus routes passing within walking distance of the site. The site is also well served by existing cycle routes and Barclays Cycle Hire docking stations.
- 11.153 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.
- 11.154 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 103 long stay and 11 short stay cycle parking spaces.

Transport Impact (Number of Trips)

- 11.155 The proposed development would create an increase in the number of trips to/from the site by walking and public transport. The number of trips is expected to increase marginally from the 1535 trips per day on the appeal scheme to 1660 trips on the proposed scheme. However, the vast majority of both existing and projected trips would be by walking, cycling or public transport. Only 14 trips are anticipated to take place by car or motorcycle.
- 11.156 As the now vacant storage and distribution use has ceased to operate from the basement at the site, the number of servicing/delivery trips is anticipated to dramatically decrease compared to the existing situation.
- 11.157 This significant decrease in vehicular movements is anticipated to help improve air quality in the area, and help to reduce traffic and congestion on surrounding roads.

Pedestrian Access

- 11.158 Appropriate separate pedestrian entrances would be provided within the development for the existing residential units at 10 Epworth Street, and the proposed office space.

Cycle Parking

- 11.159 The proposed cycle store would have 110 cycle stands, 75 lockers and 9 showers, which would comply with the Islington Cycle Standards (Appendix 6 to the Development Management Policies), and would exceed the London Plan Standards. It would be located within the basement, but there would be direct access via a stepped cycle ramp accessed from Tabernacle Street and use of the goods lift from the service car park accesses from Epworth Street.
- 11.160 Servicing, deliveries and refuse collection: Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing

for new developments), Part B, requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.

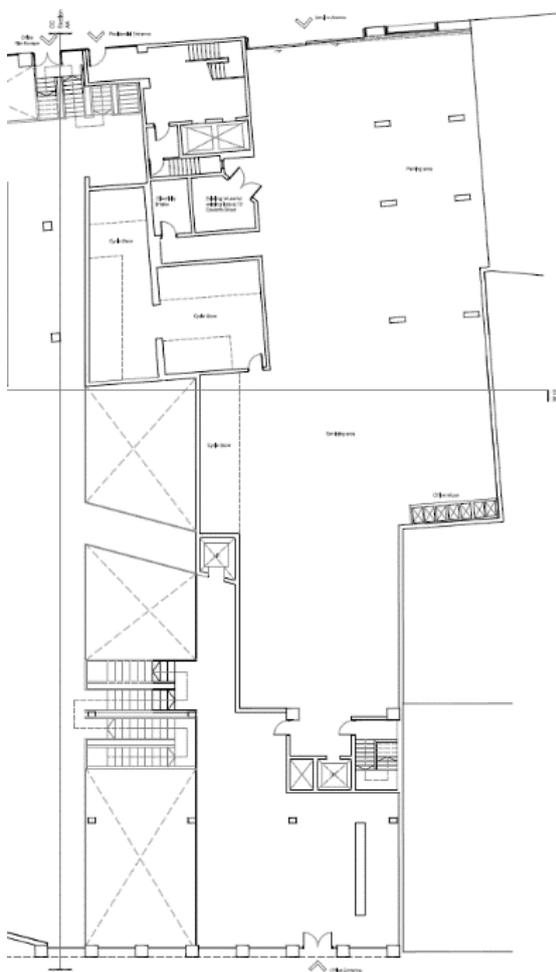


Fig. 11.11 Appeal scheme ground floor layout

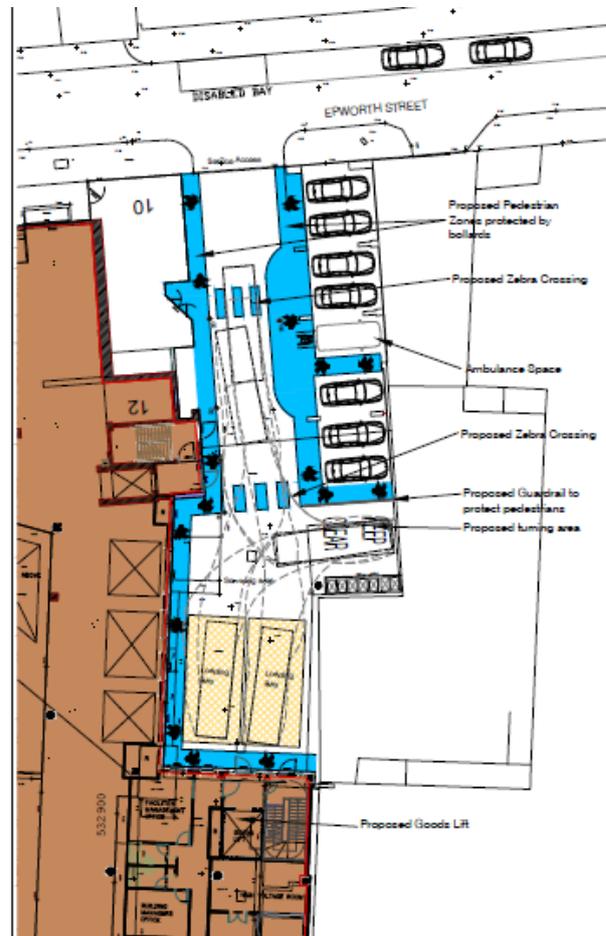


Fig 11.12 - Proposed Service Area and Car Parking Plan

- 11.161 The latest scheme proposes a new and improved service area which closely matches that approved on the appeal scheme. This is located off street and accessed directly from Epworth Street via the existing access serving 10 Epworth Street. A much larger service area to that of the existing service area will be provided, and a new goods lifts would be provided. Two loading bays will be provided to the rear of the infill of the existing service access from Bonhill Street. These arrangements are considered to accord with the requirements of policy DM8.6.
- 11.162 The service management plan concludes that scheme will result in a significant decrease in the number of service vehicle movements with the removal of the historic distribution business from the basement and the sole use of B1 Office use on the site.
- 11.163 Any costs incurred in relation to the above would be required in the legal agreement and this is secured with the S106 Agreement.
- 11.164 The Council's Highways Officer has raised no objections to the proposed delivery, servicing and refuse collection arrangements which are therefore not considered to conflict with the aims of policy DM8.6 of the Islington Development Management Polices.

- 11.165 The proposed arrangements are in draft form, as the end user is not known. Condition 31 is recommended to secure an updated servicing, delivery and waste management plan in consultation with TfL prior to commencement of use.
- 11.166 Refuse collection: The refuse facilities for the proposed office development are proposed at the rear of the existing car park, adjacent to the proposed loading bay. Collection would take place from Epworth Street. However, this would not cause significant additional noise and disturbance, as this would take place at the same time as collection of residential refuse from the existing flats at 10 Epworth Street.
- 11.167 A Service Strategy and Management Plan Framework has been submitted and the Refuse and Recycling Officer is satisfied with the details submitted.
- 11.168 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.'
- 11.169 There is an existing off-street car park provided within the ground floor undercroft and east section of the central courtyard. This currently provides eight parking spaces which are used by the residents of the 19 flats at 10 Epworth Street.
- 11.170 The proposals include the retention of the eight existing off-street parking spaces including ambulance parking space, for use by the residents of the existing 19 flats at 10 Epworth Street. This is shown in the submitted Transport Statement and Service Strategy. This shall be secured within the S106 legal agreement. The formal demarcation and management of the car park to ensure that it can be operated safely in accordance with the proposed servicing area shall be secured by condition (11).
- 11.171 On street accessible parking bays should be provided at a ratio of 1:33 employees which based on a new building of 500 employees, necessitates 15 disabled parking bays or a financial contribution of £30,000 to secure on-street blue badge parking bays, or alternative accessibility improvements to be agreed by the Council's highway officers. The financial contribution is to be secured by way of S106 agreement.
- 11.172 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.
- 11.173 A Construction Environmental Management Plan (CEMP) is secured by condition (No. 5). The CEMP would be required to address other environmental impacts including (but not limited to) air quality (including dust), smoke and odour, vibration and TV reception.
- 11.174 Construction Traffic: The submitted Construction Management Plan has been revised to accord with the requirements of the Highways Officer so that all licenses impacting on the public highway are to be agreed by Islington Council Streetworks prior to commencement and a site liaison is to attend EC1 Forum for Developers. In the event that planning permission is granted, the permission would be subject to a condition (8) requiring the details of construction management to be submitted and approved in writing to the local planning authority in the

interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development.

- 11.175 The proposals include alterations to the existing footway cross-over on Epworth Street and would result in the existing footway crossover on Bonhill Street becoming redundant, requiring footway reinstatement. These works would need to be carried out by LBI Highways with the cost covered by the applicant / developer. This would be secured via a S278 Agreement as part of the S106 legal agreement.
- 11.176 Travel Plan: The application is accompanied by a 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.

Highways and Transportation Summary

- 11.177 The application sets out adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. The Council's Highways Officer has raised no objections to the proposal. The proposal would be acceptable in highways terms and would comply with Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM8.2, DM8.5 and 8.6; and the London Plan SPG Land for Industry and Transport (September 2012). The proposal is therefore acceptable subject to conditions (5, 8, 20 and 29) and S106 contributions.

Crossrail

- 11.178 The application site is located within the area where additional contributions, above and beyond the standard Mayor's CIL, are sought towards the provision of Crossrail. A contribution of £357,140 towards provision of Crossrail CIL should be sought for this development. Therefore, this shall be secured within the S106 legal agreement.

Basement Development

- 11.179 The Islington Basement Development SPD was adopted in January 2016 and sets out requirements for the Council's application of planning policies in relation to basements. This includes the need for planning applications to be accompanied by Structural Method Statements (SMS) signed by a chartered Civil Engineer (MICE) or Chartered Structural Engineer (MIStruct.E).
- 11.180 A Basement Impact Assessment approved by a chartered Civil Engineer has been submitted. The proposals include minor excavation largely relating to some small areas of excavation to create new lift pits.
- 11.181 The Basement Development SPD sets out inter alia:

All basement development will need to be appropriate and proportionate to its site and context.

Basement development should be proportionate in scale to the above ground portion of building, not unduly intensify the use of a site, or cause significant environmental harm.

Design of basements and associated structures must be of a high quality and should respect and respond positively to existing buildings; streetscape and the wider context; surrounding heritage assets; and locally distinctive patterns of development and landscape.

11.182 The extent and depth of the proposed basement excavation is particularly small scale in proportion to the existing basement and accords with the principles of the Basement Development SPD.

Archaeological Priority Area

11.183 The site is located within the Moorfields Archaeological Priority Area, therefore, English Heritage GLAAS have been consulted with respect to the proposed development. They have advised that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest, due to the minimal impact on the ground proposed. Therefore, no archaeological conditions or further desk based assessments are required. In this regard the proposal is considered to accord with Islington Development Management Policy DM2.3 Part F.

Planning Obligations, Community Infrastructure Levy and local finance considerations

11.184 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.

11.185 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.

11.186 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.

11.187 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.

- 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 1 work placement during the construction phase of the development, lasting a minimum of 26 weeks, or a fee of £5,000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,551 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- The provision of 15 additional accessible parking bays or a contribution of £30,000 towards provision of on-street bays or other accessible transport initiatives.
- A contribution of £293,572 towards offsetting projected residual CO2 emissions of the development.

- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- 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).
- Payment of Council's legal fees in preparing the S106 Agreement and officer's fees for the preparation, monitoring and implementation of the S106 Agreement.
- Payment towards employment and training for local residents of a commuted sum of £13,078;
- A contribution of £357,140 to be paid to TfL towards the provision of Crossrail (amount to be adjusted to take account of Mayor's CIL payment).
- A contribution of £408,160 towards the provision of affordable housing elsewhere in the borough.
- A S278 agreement to be entered into with the Highways Department.
- Continued provision of 8 on-site parking spaces for use by the residents of the 19 existing flats at 10 Epworth Street.

11.188 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.

12 SUMMARY AND CONCLUSION

Summary

- 12.1 It is proposed to demolish the existing part four part five storey building formerly in use as B1(a) offices on ground to third floors, with B8 storage and distribution in the basement. The proposed development is to erect a new six storey building, including the retention of the existing basement, and the addition of rooftop plant and enclosure; and associated works, to provide 9,221 square metres (GIA) for use as B1(a) offices.
- 12.2 The policy framework along with the available evidence base provides a strong justification for the provision of new office floorspace in this location. The proposed office development is considered to accord with all the pertinent land use policies with the London Plan and Islington Development Plan and therefore, the proposal is considered to be acceptable in land use terms.
- 12.3 The proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by condition. It is considered that the proposal which would update the existing out-dated office building would represent a high quality development, which would enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is considered to accord with the aims of local, regional and national design and heritage policies.
- 12.4 The proposal would result in the cessation of the existing B8 courier distribution use which previously operated from the basement at the site, therefore resulting in a significant reduction in the number of vehicular trips associated with the operation of the site. Subject to the control of servicing via conditions it is not considered that the proposal would have an adverse impact on the highway safety or the operation of surrounding highways. The office development would

be car-free. The existing eight on-site parking spaces for residents of the existing flats at 10 Epworth Street would be retained for use by these residents within the development.

- 12.5 The proposal is considered not to have an unacceptable impact upon the residential amenities of the occupants of existing nearby dwellings. Furthermore, the proposal is considered acceptable in relation to technical matters, subject to the recommended conditions.
- 12.6 The proposal would deliver 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

- 12.7 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.

- 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 1 work placement during the construction phase of the development, lasting a minimum of 26 weeks, or a fee of £5,000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2,551 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- The provision of 15 additional accessible parking bays or a contribution of £30,000 towards provision of on-street bays or other accessible transport initiatives.
- A contribution of £293,572 towards offsetting projected residual CO2 emissions of the development.
- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- 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).
- Payment of Council's legal fees in preparing the S106 Agreement and officer's fees for the preparation, monitoring and implementation of the S106 Agreement.
- Payment towards employment and training for local residents of a commuted sum of £13,078;
- A contribution of £357,140 to be paid to TfL towards the provision of Crossrail (amount to be adjusted to take account of Mayor's CIL payment).
- A contribution of £408,160 towards the provision of affordable housing elsewhere in the borough.
- A S278 agreement to be entered into with the Highways Department.
- Continued provision of 8 on-site parking spaces for use by the residents of the 19 existing flats at 10 Epworth Street.

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 to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (compliance)</p> <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	<p>Approved plans list (compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>264_S_001 RevC; 264_S_01; 264_EX_-01; 264_EX_00; 264_EX_01; 264_EX_02; 264_EX_03; 264_EX_04; 264_EE_01; 264_EE_02; 264_ES_01; 264_ES_02; 264_ES_03; 264_ES_04; 264_ES_05; 264_PL_GA_-1 RevB; 264_PL_GA_00 RevB; 264_PL_GA_01 RevB; 264_PL_GA_02 RevB; 264_PL_GA_03 RevB; 264_PL_GA_04 RevC; 264_PL_GA_05 RevC; 264_PL_GA_06 RevC; 264_PL_GA_07 RevA; 264_PL_GE_01 RevE; 264_PL_GE_02 RevD; 264_PL_GE_03; 264_PL_GS_02 RevD; 264_PL_GS_03 RevC; 264_PL_GS_04 RevD; 264_Area_GIA_01 RevG; 264_Area_GIA_02 RevG; 264_Area_GIA_03 RevG; 264_Area_GIA_04 RevG; 264_Area_GEA_01 RevB; 264_Area_GEA_02 RevB; 264_Area_GEA_03 RevB; 264_Area_GEA_04 RevB; Existing Floor Area Schedule dated 20.04.2018; Floor Area Comparison RevO dated 07.08.2018; Letter from PowerHaus Consultancy dated 9th February 2018 ref: 054; Letter from PowerHaus Consultancy dated 8th August 2018 ref: 054; Letter from PowerHaus Consultancy dated 23rd August 2018 ref: 054; Planning Statement of behalf of Max Barney Development Ltd Date: August 2018 Ref: 054 New Application Rev1; Design & Access Statement Updated August 2018; Response to Points Raised at DRP Meeting 08/05/2018 August 2018; Daylight & Sunlight Report dated 7th February 2018; Transport Statement dated 08/02/2018 rev 2.0; Travel Plan “Framework” V1.0 dated 05.02.2018; Service Strategy & Management Plan “Framework” dated 08.02.18 rev 3.0; Flood Risk Assessment and Drainage Strategy Report dated 02/02/2018 ref: 1729; Energy Statement For Zimco House ref: LM21791 dated 5th February 2018; Green Performance Plan dated 2nd February 2018 ref: LM21791; Basement Impact Assessment ref: LBH4524BIA Ver. 1.1 dated March 2018; Land Contamination Assessment ref: LBH4524LCA Ver.1.1 dated 28 March 2018; Archaeological Desk-Based Assessment ref: LBH4524Arch Ver.1.1 dated 28 March 2018; Construction Management Plan March 2018 RevB dated 18/04/2018; Environmental Noise Survey And Plant Noise Assessment Report dated 5th February 2018 ref: 24389/ENS2 dated 05/02/2018 Rev0; Air Quality Assessment March 2018 dated 27th March 2018; Rapid Health Impact Assessment Matrix dated April 2017; BB7 Fire Strategy 16-28 Tabernacle Street 12 June 2018 MSF 028 Issue 4; Letter from CHP</p>

	<p>Surveyors Ltd dated 22 August 2018 ref: 1799-18-018122-Power; Heyne Tillett Steel File Storage Requirements;</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	<p>Materials and Samples (Compliance and Details)</p> <p>CONDITION: 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 the works commence on site. The details and samples shall include:</p> <ol style="list-style-type: none"> a) Window manufacturer's detail including glazing, sections and reveals and sample; b) Sample panel of Petersen Kolumba brick; c) Details of the anodized aluminium rooftop material; d) Details of the materiality to the ground floor corner; e) Details of materiality to the plinth; f) Ornamental bronze gates; g) Entrance doors; h) Ground floor glass cladding (including sections); i) Doors; j) Any other materials to be used; k) Any external boundary treatments, courtyard landscaping and/or gates; <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>Plumbing (No pipes to outside of building) (Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
5	<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 CMP must refer to the new LBI Code of Practice for Construction Sites. The site egress is via Bonhill St/Epworth Street and then south along Paul Street. This is a narrow one way street with the cycle superhighway running along it (and a contraflow of cycle traffic too). Therefore the CMP must clarify how the right turn of exiting vehicles into Paul Street will be managed.</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>
6	Sound Insulation Measures
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between:</p> <ol style="list-style-type: none"> a) the ground floor car park / servicing area and the existing residential flats above at 10 Epworth Street. b) The ground floor office use and the existing residential flats above at 10 Epworth Street. <p>shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.</p> <p>The sound insulation shall be fully installed strictly in accordance with the approved details prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure that an appropriate standard of residential amenity is provided within the new residential units and that an appropriate standard of residential amenity is maintained within the existing residential units at 10 Epworth Street.</p>
7	Sliding Gate (Details and compliance)
	<p>CONDITION: Full particulars and details of a scheme for noise and vibration reduction for the approved sliding gate at the vehicular access on Epworth Street shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The noise and vibration reduction measures shall be fully installed strictly in accordance with the approved details prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure that an appropriate standard of residential amenity is maintained within the existing residential units at 10 Epworth Street.</p>
8	Construction Method Statement
	<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> <ol 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>

	REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.
9	Green Performance Plan
	<p>CONDITION: A Full Green Performance Plan including details of monitoring arrangements shall be submitted to the local planning authority in accordance with the draft Green Performance Plan within 6 months of the occupation of the development hereby permitted, and a final report on the implementation of the Green Performance Plan shall be submitted in writing to the local planning authority in accordance with the approved details.</p> <p>REASON: In order to ensure sustainable development, which minimises CO2 emissions, energy consumption and water usage.</p>
10	Surface Water Drainage (Details and compliance)
	<p>CONDITION: No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details which have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:</p> <p>i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;</p> <p>ii) include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.</p> <p>REASON: In order to secure sustainable urban drainage, reducing the risk of flooding and to mitigate the impacts of the development.</p>
11	Residents' Parking Spaces
	<p>CONDITION: The existing 8 on-site resident car parking spaces to be retained shall be formally demarcated prior to the first occupation of the development and maintained as such thereafter. No parking of vehicles shall take place within the car park area other than within the spaces which are formally marked out.</p> <p>REASON: In order to ensure that residential parking would occur in a manner that would allow safe use of the shared parking / servicing area</p>
12	Cycle Parking Provision (Compliance)
	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be covered, secure and provide for no less than 110 bicycle 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>
13	Cycle Lockers and Showers (Compliance)
	<p>CONDITION: Unless otherwise approved in writing by the local planning authority, changing facilities and showers, including no less than 9 showers (including 1 accessible shower) and 39 lockers, shall be provided in accordance with the drawings reference 264_PL_GA_-1 RevB hereby approved and maintained throughout the life of the building for the use of 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>

14	Lighting (Details)
	<p>CONDITION: Details of any general/security lighting measures within the central courtyard area and at ground floor level below the new glass roof shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures 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 resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity and is appropriate to the overall design of the building.</p>
15	Obscurely Glazed Windows (Details)
	<p>CONDITION: All rear courtyard facing windows within the development hereby approved shall be obscurely glazed and fixed shut so as to prevent overlooking of existing residential accommodation at 10 Epworth Street. Details of the obscure glazing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to preserve the amenity of residential occupiers at 10 Epworth Street.</p>
16	Refuse/Recycling Provided (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 ensure that responsible waste management practices are adhered to.</p>
17	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 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: 1997.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
18	Green/Brown Biodiversity Roofs
	<p>CONDITION: All green/brown roofs shown across the approved development shall be designed, installed and maintained in a manner that meets the following criteria:</p> <ol style="list-style-type: none"> a) green/brown roofs shall be biodiversity based with extensive substrate base (depth 120 -150mm); b) laid out in accordance with plans hereby approved; and c) 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). <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 accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p>

	<p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise run-off.</p>
19	Hours of deliveries
	<p>CONDITION: Deliveries, collections, unloading, loading shall only take place at the site between the following hours:</p> <p>Monday to Saturday - (08:00 - 19:00) Sundays/Bank Holidays - not at all</p> <p>REASON: In order to preserve the amenities of neighbouring residential occupiers at 10 Epworth Street.</p>
20	BREEAM (Compliance)
	<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>
21	Solar Photovoltaic Panels (Details)
	<p>CONDITION: Prior to the commencement of superstructure works on site, 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>
22	Renewable Energy (Compliance)
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for an efficiency of no less than 20.1% as detailed within the 'Energy Statement dated 5th February 2018 shall be installed and operational prior to the first occupation of the development.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
23	Air quality report (Details)
	<p>CONDITION: Before commencement of superstructure works on site, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail:</p> <ul style="list-style-type: none"> * the area within the boundary of the site, which may exceed relevant national air quality objectives. * specify how the detailed application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives. * identify areas of potential exposure.

	<p>* detail how the development will reduce its impact on local air pollution. Regard shall be had to the guidance from the Association of London Government "Air quality assessment for planning applications - Technical Guidance Note", the GLA's Air Quality Neutral policy and EP-UK & IAQM's "Planning For Air Quality" in the compilation of the report."</p> <p>As an informative, the report should cover ventilation/filtration and also look at the CHP and note:</p> <ul style="list-style-type: none"> - The make and model of the system and details of the additional abatement technology that has been investigated for fitment to reduce air pollution emissions - The type, height and location of the flue/chimney (including calculation details regarding the height of the flue / chimney) - Certification for use of the flue / chimney in a smoke control area - A breakdown of emissions factors of nitrogen oxides(NOx), particulates and any other harmful emissions from the gas fired CHP and details of any mitigation measures to reduce emissions to an acceptable level - An assessment of the impact of the emissions to ground level concentrations and any additional impact for surrounding buildings/structures - Verification of compliance with the GLA's Supplementary Planning Guidance Document "Sustainable Design and Construction" emission standards - The approved gas fired CHP and associated plant shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of the development and shall be permanently maintained thereafter. <p>REASON: To ensure compliance with air quality policy and guidance.</p>
24	<p>Basement Excavation Inspection and Monitoring (Compliance)</p> <p>CONDITION: The development shall be constructed in accordance with the approved Basement Impact Assessment unless otherwise agreed in writing. The certifying professional that endorsed the Structural Method Statement (or a suitably qualified Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E) 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 Basement Impact Assessment and by a Building Control body.</p> <p>REASON: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
25	<p>FLAT ROOF NOT USED AS AMENITY SPACE (COMPLIANCE):</p> <p>CONDITION: The flat roof areas shown on Proposed First Floor to Proposed Fifth Floor Plan no's 264_PL_GA_01 RevB; 264_PL_GA_02 RevB; 264_PL_GA_03 RevB; 264_PL_GA_04 RevC; 264_PL_GA_05 RevC hereby approved shall not be used as an amenity or sitting out spaces of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows</p>
26	<p>Inclusive Design</p> <p>CONDITION: Prior to occupation of the development, to ensure compliance with the principles of Inclusive Design, the following amendments/details shall be provided unless otherwise agreed in writing:</p> <p>a) No consent is granted for the proposed revolving ground floor entrance door. Details of a revised design of the proposed entrance door which ensures compliance with section 4.4 of the Inclusive Design in Islington SPD, shall be provided and approved by the Local Planning Authority;</p>

	<p>b) Details regarding the provision of five accessible cycle racks within the development which will be installed prior to occupation of the development;</p> <p>c) The design of all staircases shall be revised to ensure any winding treads are removed,</p> <p>d) Details of the outward opening door to each wheel chair accessible toilet;</p> <p>e) Provision shall be made for a disabled toilet for ambulant disabled people in addition to in the wheelchair accessible toilet.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
27	Green Wall (Details and compliance)
	<p>CONDITION: Details of the proposed Green Wall at first floor level shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.</p> <p>The Green Wall shall be installed in accordance to the details approved, prior to occupation of the development and retained as such in perpetuity.</p> <p>REASON: For the protection of neighbouring residential amenity.</p>
28	Final Servicing and Delivery Plan
	<p>CONDITION: A Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority 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>
29	Green procurement plan (Prior to superstructure)
	<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>
30	Sustainability (Details)
	<p>CONDITION: Prior to occupation of the development, to ensure compliance with the principles of sustainability, the following amendments/details shall be provided unless otherwise agreed in writing:</p> <ul style="list-style-type: none"> - Clarification regarding biodiversity impacts, the sustainable use of materials and sustainable construction methods and a green procurement plan; <p>REASON: To ensure compliance with the principles of sustainability.</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>
3	Thames Water (Waste Comments)
	<p>The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p> <p>Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.</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.'</p>
4	Thames Water (Water Mains)
	<p>There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</p>
5	Thames Water (Groundwater)
	<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>
6	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</p>

	Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
7	Groundwater Risk Management Permit
	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 riskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .
8	Thames Water Main
	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.
9	Secured by Design
	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.
10	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 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>
11	Highways Requirements (1)
	<p>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.</p> <p>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</p>

	<p>streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</p> <p>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.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”.</p> <p>Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p>
12	Highways Requirements (2)
	<p>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.</p> <p>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.</p> <p>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.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six month’s notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>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.</p>
13	Highways Requirements (3)
	<p>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.</p> <p>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 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>
14	Fire Brigade Requests
	<p>The requirements of B5 of Approved Document B must be met in relation to access and water supply whilst in construction phase and compliance with the Building Regulations and the Regulatory Reform (Fire Safety) Order 2005 once built and occupied.</p> <p>If the building is taken over 18m the Fire Brigade would expect a fire fighting shaft is provided. If approval is granted, it’s advised that a building control submission is carried</p>

	<p>out as early as possible, to ensure any issues found around fire safety are addressed sufficiently and quickly.</p> <p>The Commissioner 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 Commissioner's 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.</p> <p>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.</p>
15	Air Quality Report
	<p>The Air Quality report should cover ventilation/filtration and also look at the CHP and note:</p> <ul style="list-style-type: none"> - The make and model of the system and details of the additional abatement technology that has been investigated for fitment to reduce air pollution emissions - The type, height and location of the flue/chimney (including calculation details regarding the height of the flue / chimney) - Certification for use of the flue / chimney in a smoke control area - A breakdown of emissions factors of nitrogen oxides(NOx), particulates and any other harmful emissions from the gas fired CHP and details of any mitigation measures to reduce emissions to an acceptable level - An assessment of the impact of the emissions to ground level concentrations and any additional impact for surrounding buildings/structures - Verification of compliance with the GLA's Supplementary Planning Guidance Document "Sustainable Design and Construction" emission standards - The approved gas fired CHP and associated plant shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of the development and shall be permanently maintained thereafter.

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 2018 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 2016, Islington Core Strategy 2011, Development Management Policies 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 4.12 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 7.8 Heritage assets and archaeology

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

Policy CS7 (Bunhill and Clerkenwell)

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS13 (Employment Spaces)
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

Employment

DM5.1 New business floorspace

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

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

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

D) Finsbury Local Plan June 2013

BC8 Achieving a balanced mix of uses

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:

- Central Activities Zone
- Bunhill & Clerkenwell Key Area
- City Fringe Opportunity Area
- Employment Priority Area (Offices)
- Moorfields Archaeological Priority Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Finsbury Local Plan (2013)
- Planning Obligations (Section 106) (December 2016)
- Urban Design Guide (January 2017)
- Environmental Design
- Inclusive Design in Islington (February 2014)
- Basement Development (January 2016)

London Plan

- Accessible London: Achieving and 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

APPENDIX 3 – DRP Response Letter

CONFIDENTIAL

ATT: Mary Power
PowerHaus Consultancy
1 Fore Street
London
EC2Y 5EJ

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: Q2018/1424/DRP

Date: 29 May 2018

Dear Mary Power,

ISLINGTON DESIGN REVIEW PANEL

RE: Zimco House, Tabernacle Street (planning application ref. P2018/0523/FUL)

Thank you for attending Islington's Design Review Panel meeting on 8 May 2018 for a first review of the above scheme. The proposed scheme under consideration is for the demolition of the existing building (in Use Classes B1(a) offices, and B8 storage and distribution), erection of a new building of 6 storeys, including retention of existing basement, plus rooftop plant and enclosure, and associated works to provide 9,273sqm (GIA) for use as B1(a) offices (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), Kate Graham, Marcus Lee, Paul Reynolds and Stephen Archer on 8 May 2018, including a site visit in the morning, and presentation from the design team followed by a question and answer session and deliberations in the afternoon 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 welcomed the opportunity to comment on the scheme and noted that it broadly follows a similar scheme that was recently allowed at appeal. Comments were made on the following general areas:

Massing and height

Although the Panel did not raise in principle objections to the proposed massing and height of the main building, given that the proposed building broadly follows the envelope of the appeal scheme, concerns were raised in relation to the plant screen, in particular its prominent location at roof level and the lack of relationship with the overall design of the building.

It was recommended that the overall height of the plant enclosure should be reduced by partially recessing the tallest machinery over areas where generous floor to ceiling heights are not required, and by moving more plant machinery to the basement where possible.

Elevations

The warehouse aesthetic was considered to be an appropriate response to the site's context by panel members. However, it was suggested that the proportions of the buildings within the adjacent conservation area should provide a reference to the proportions of the proposed building to ensure it is embedded into the wider context and townscape. In particular, the taller ground floor height seen in the previous scheme was felt to be more in keeping with this character, and would also align more with the fenestration of the neighbouring historic warehouse building at No.30 Tabernacle Street. The Panel was of the opinion that a taller ground floor would provide a better sense of hierarchy on the elevational composition.

In conjunction with this, Panel members felt that the proposed double height entrance was also not appropriate and would be more successful if confined to a taller ground floor. It was also advised that the entrance could be improved with one larger central column, rather than the three lighter-weight piers proposed as these were considered to disrupt circulation/access and did not reflect the overall aesthetic of the proposed building.

The Panel also suggested that the proposed glazed top floor and glass balustrade did not fit with the robust warehouse style, and particularly that it did not work with the more solid plant enclosure located above. To this end, Panel members suggested that the top floors should be designed as one composition, with a less prominent plant enclosure integrated as part of the design.

Detailing

The Panel advised that the quality of the window detailing would be crucial to the success of the scheme, and advised that detailed drawings showing the depth of the reveals, treatment of the sills and thickness of the glazing bars should be submitted during the planning application stage. Some panel members were concerned about the deliverability of metal windows with fine glazing bars, considering their expense.

Quality of office accommodation

Panel members raised concerns about the basement areas not being adequately lit by natural daylight, and felt that there was not enough information in order to be able to assess this.

It was also noted that the enlarged core, compared to the previous scheme, compromised the office space to a degree, by creating awkward and inefficient wedge shaped space. Panel members advised that this should be avoided.

Some panel members raised concerns about the proposed use of opaque film to screen the office accommodation from the residential properties at the rear, and suggested that this may unnecessarily compromise the quality of the space. It was suggested that screening could instead be provided with planting on the rear terraces, and that a proper landscaping strategy for the green roofs should be submitted.

Finally, the Panel encouraged that the potential for either mixed-mode or natural ventilation should be thoroughly explored.

Summary

The Panel were generally supportive of the overall design intent and made suggestions on how the elevational treatment and quality of the office accommodation could be improved upon. More importantly, they raised concerns in relation to the plant enclosure and highlighted the importance of reducing its prominence.

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

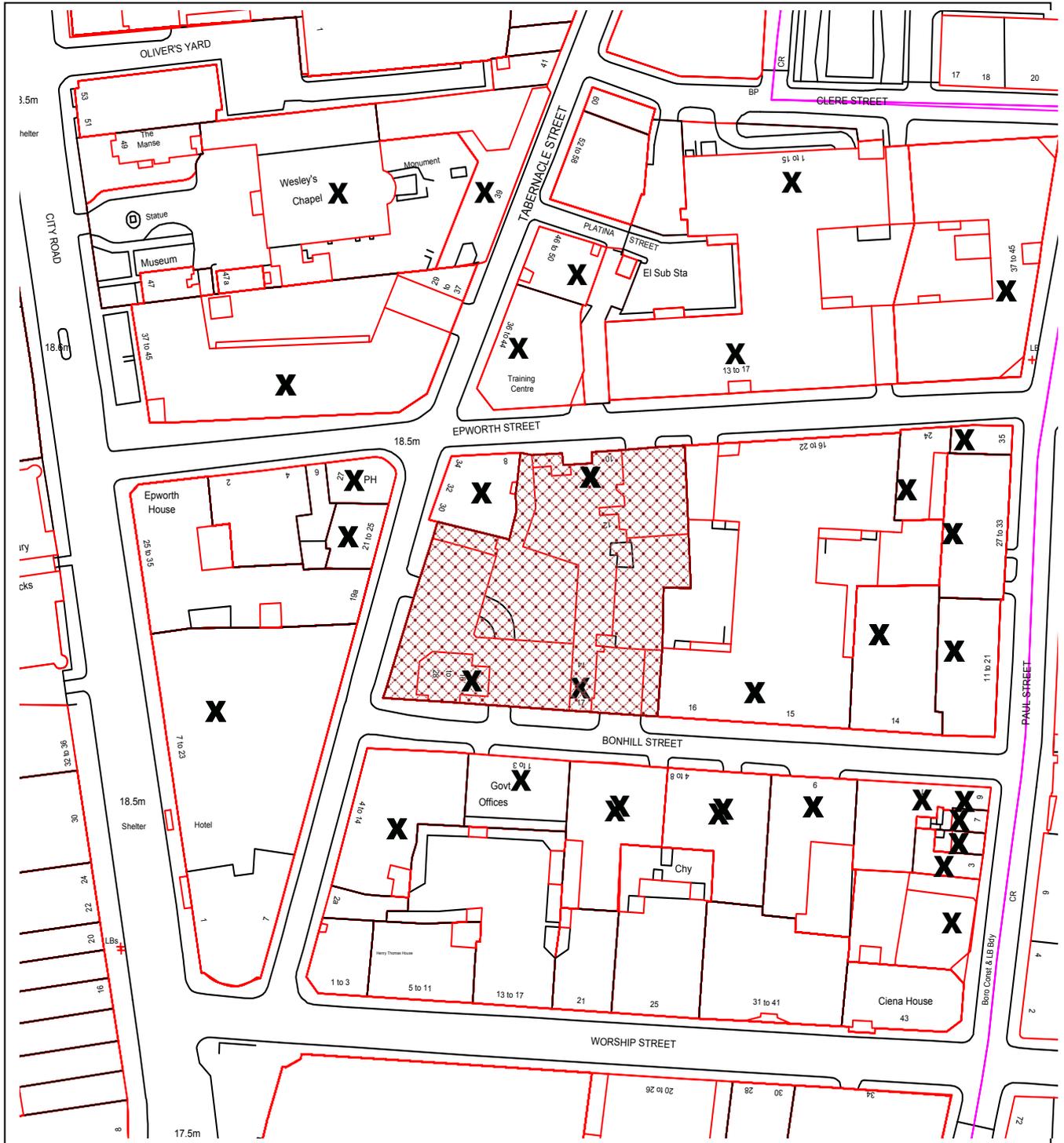
Please note that since the scheme is at planning application stage, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,

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

Luciana Grave
Design Review Panel Coordinator
Design & Conservation Team Manager

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.
P2018/0523/FUL

This page is intentionally left blank